



# **MINUTES**

**ORDINARY MEETING OF COUNCIL**

**HELD ON**

**14 AUGUST 2017**

**AT 7.00pm**

**MINUTES OF THE CITY OF LITHGOW COUNCIL MEETING  
HELD AT THE CIVIC CENTRE, LITHGOW ON 14 AUGUST 2017**

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Meeting Commenced 7.00pm

**ACKNOWLEDGEMENT OF COUNTRY**

Public: 42

**PRESENT**

His Worship the Mayor  
Councillor S Lesslie  
Councillor C Coleman  
Councillor D Goodsell  
Councillor D Goodwin 7:02pm  
Councillor S Ring  
Councillor J Smith  
Councillor M Statham  
Councillor R Thompson

**APOLOGIES**

An apology was received from and leave of absence granted to Councillor W McAndrew who is unable to attend.

**MOVED:** Councillor S Lesslie

**SECONDED:** Councillor R Thompson.

**CARRIED**

**Also in attendance**

Mr Graeme Faulkner, General Manager  
Mr Andrew Muir, Director Economic Development and Environment  
Mrs Ally Shelton, Acting Chief Financial and Information Officer  
Mr Iain Stewart, Director Operations  
Mr Michael McGrath, Manager Organisational Development  
Mrs Trinity Newton, Minutes Secretary

**CONFIRMATION OF MINUTES**

**17 – 231 RESOLVED**

Confirmation of the Minutes of the Ordinary Meeting of Council held on the **17 July 2017** were taken as read and confirmed by Councillors R Thompson and D Goodsell.

**17 – 232 RESOLVED**

Confirmation of the Minutes of the Extra Ordinary Meeting of Council held on the **2 August 2017** were confirmed subjected to the following changes:

The Procedural Motion was not a Procedural Motion.

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The Mayor sought Council leave to bring forward point 1 of the recommendation.

There was no amendment to the original motion.

**MOVED:** Councillor S Lesslie

**SECONDED:** Councillor R Thompson.

**CARRIED**

### **DECLARATION OF INTEREST**

His Worship the Mayor called for Declarations of Interest on any matter before the Meeting.

Nil

### **COMMEMORATIONS AND ANNOUNCEMENTS**

Councillor Lesslie Commemorated the passing for Dr Judy White.  
A minute silence was held.

### **PUBLIC FORUM**

At 7:04pm Members of public gallery were invited to participate in the Public Forum Session.

#### **PF – 14/08/2017 – MR RENZO BENEDET**

Mr Benedet made a statement in relation to ITEM 4 on the agenda.

The Mayor thanked Mr Benedet for his statement.

#### **PF – 14/08/17 – MR CLIVE LAING**

Mr Laing made a statement in relation to the Newnes Plateau and in particular trees.

The Mayor thanked Mr Laing for his statements.

#### **PF – 14/08/17 – MS KIRSTY HORTON – EDITOR, LITHGOW MERCURY**

Ms Horton made a statement in relation to ITEM 19 on the agenda.

The Mayor thanked Ms Horton for her statements.

#### **PF – 14/08/17 – MR LEN ASHWORTH**

Mr Ashworth made a statement in relation to ITEM 19 on the agenda.

The Mayor thanked Mr Ashworth for his statements.

#### **PF – 14/08/17 – MR RICHARD MATTHEWS**

Mr Matthews made a statement in relation to ITEM 4 on the agenda.

The Mayor thanked Mr Matthews for his statements.

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## PROCEDURAL MOTION

**THAT** Item 4 be brought forward and dealt with at this point in the meeting.

**MOVED:** Councillor S Ring

**SECONDED:** Councillor D Goodsell.

**ITEM-4**            **ECDEV - 14/08/17 - SECTION 9601217 - MODIFICATION OF  
DEVELOPMENT APPLICATION 06608DA - 50 LOT SUBDIVISION 'MOYNE  
FARM' LITTLE HARTLEY**

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## 17 – 233 RESOLVED

### **THAT:**

1. That Section 96 Modification of Consent S96012/17 for 066/08 Development Application be APPROVED, subject to the conditions outlined in the attached 79C report.
2. A **DIVISION** be called in accordance with the requirements of Section 375A(3) of the Local Government Act, 1993.

**MOVED:** Councillor S Ring

**SECONDED:** Councillor M Statham.

## **CARRIED**

A **DIVISION** was be called in accordance with the requirements of Section 375A(3) of the Local Government Act, 1993.

### **Divisions -**

#### **FOR**

Councillor C Coleman  
Councillor D Goodsell  
Councillor D Goodwin  
Councillor S Ring  
Councillor J Smith  
Councillor M Statham

#### **AGAINST**

Councillor S Lesslie  
Councillor R Thompson

## GENERAL MANAGERS REPORTS

### ITEM-1            GM - 14/08/17 - DEFICIT REDUCTION BY REMOVAL OF VACANT ROLES FROM ORGANISATIONAL STRUCTURE

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#### 17 - 234 RESOLVED

**THAT** Council:

1. Remove the six positions (6) identified in the report from the Organisational Structure
2. Establish two (2) new roles within the Finance and Assets Division:
  - (i) Financial Accountant
  - (ii) Asset Maintenance Officer
3. Note that the Administration will redirect the workloads of the removed positions where required
4. Note that this process will be ongoing, and has been discussed with the Joint Consultative Committee when the Organisation Structure was discussed.
5. Note that no forced redundancies have occurred.

**MOVED:** Councillor R Thompson

**SECONDED:** Councillor S Ring.

**CARRIED**

### ITEM-2            GM - 14/08/17 - PROPOSAL TO CHANGE FREQUENCY OF ORDINARY MEETINGS OF COUNCIL

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#### 17 – 235 RESOLVED

**THAT** Council

1. Revise the remaining Ordinary Meeting dates for 2017 to the following dates:
  - 25 September
  - 23 October
  - 27 November
2. Hold the Ordinary Meeting dates for 2018 to the following dates:
  - 26 February 2018
  - 26 March 2018
  - 23 April 2018
  - 28 May 2018
  - 25 June 2018
  - 23 July 2018
  - 27 August 2018
  - 24 September 2018
  - 22 October 2018
  - 26 November 2018

**MOVED:** Councillor C Coleman

**SECONDED:** Councillor J Smith.

**CARRIED**

## ECONOMIC DEVELOPMENT AND ENVIRONMENT REPORTS

**ITEM-3**            **ECDEV - 14/08/17- DA DEVIATION FROM COUNCIL POLICY - 17 BARTON AVENUE WALLERAWANG**

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### 17 – 236 RESOLVED

**THAT** notwithstanding the provisions of Council Policy 7.6 Development Applications by Councillors and Staff or on Council Owned Land, authority be delegated to the General Manager to determine DA 198/17 for the subdivision and consolidation of land at Barton Street, Wallerawang.

**MOVED:** Councillor J Smith

**SECONDED:** Councillor R Thompson.

**CARRIED**

**ITEM-4**            **ECDEV - 14/08/17 - SECTION 9601217 - MODIFICATION OF DEVELOPMENT APPLICATION 06608DA - 50 LOT SUBDIVISION 'MOYNE FARM' LITTLE HARTLEY**

---

Item 4 was dealt with earlier in the meeting.

**ITEM-5**            **ECDEV - 14/08/17 - DA177/17 PROPOSED AWNING, LOT 74 DP237413, CLARENCE RURAL FIRE SHED, CHIFLEY ROAD, CLARENCE**

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### 17 – 237 RESOLVED

**THAT**

1. The Development Application DA177/17 be **APPROVED** subject to conditions on the consent as shown in the attached Section 79C report.
2. A **DIVISION** be called in accordance with the requirements of Section 375A(3) of the Local Government Act, 1993.

**MOVED:** Councillor C Coleman

**SECONDED:** Councillor S Ring.

**CARRIED**

A **DIVISION** was called in accordance with the requirements of Section 375A(3) of the Local Government Act, 1993.

**Divisions** - Unanimous

**FOR**

Councillor S Lesslie  
Councillor C Coleman  
Councillor D Goodwin

Councillor S Ring  
Councillor J Smith  
Councillor M Statham  
Councillor R Thompson  
Councillor D Goodsell

**AGAINST**

Nil

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**ITEM-6                    ECDEV - 14/08/17 - ECONOMIC DEVELOPMENT & ENVIRONMENT POLICY REVIEW**

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**17 – 238 RESOLVED**

**THAT** the alterations to the following Policies be adopted and implemented immediately:

- Policy 1.1 – Land (“Council”) Leases Legal Costs
- Policy 5.2 – Encroachments onto Public Roads
- Policy 5.3 – Footpath Trading
- Policy 5.4 – Enforcement Policy
- Policy 5.5 – Companion Animals Policy
- Policy 5.6 – Control of Open Burning
- Policy 10.3 – Naming of Council Facilities
- Policy 10.14 – Property Leases

**MOVED:** Councillor S Ring

**SECONDED:** Councillor D Goodwin.

**CARRIED**

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**ITEM-7                    ECDEV - 14/08/17 - NEW COUNCIL POLICY- ADDRESSING.**

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**17 – 239 RESOLVED**

**THAT** Council adopt the new Policy 10.10 Addressing, Road Naming & Locality Naming into Council’s policy register as per Attachment 1 and supersede Policies 10.10- Street Numbering- outside numerical sequence, 10.9- Street Numbering and 10.8- Rural Addressing.

**MOVED:** Councillor S Ring

**SECONDED:** Councillor C Coleman.

**CARRIED**

**ITEM-8                    ECDEV - 14/08/17 - PROPOSED RENAMING OF OLD WESTERN ROAD  
RYDAL AND WARDS ROAD MEGALONG VALLEY**

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**17 – 240 RESOLVED**

**THAT:**

1. Council undertake an expression of interest for a period of twenty eight (28) days (through advertising in the local newspaper and written notification to residents and authorities) calling for submissions on the proposed renaming of the southern extent of “Old Western Road” and the Right of Carriageway (ROW) extending off “Wards Road” and the associated review of address numbering for the full extent of each existing road.
2. Any submissions (including objections and proposed road names) be reported back to Council for consideration, prior to commencing the online road naming process.

**MOVED:** Councillor S Ring

**SECONDED:** Councillor J Smith.

**CARRIED**

**ITEM-9                    ECDEV - 14/08/17 - LITHGOW LOCAL HERITAGE ADVISORY COMMITTEE  
- FURTHER APPOINTMENT OF MEMBERS**

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**17 – 241 RESOLVED**

**THAT** Council:

1. Appoints the following persons to the Lithgow Local Heritage Advisory Committee:
  - Mr Danny Whitty – Lithgow and District Family History Society representative
  - Mrs Sue Graves – Lithgow Tidy Towns representative
2. Writes to Margaret Combs and thanks her for her nomination and encourage her to reapply as a community member on the Lithgow Local Heritage Advisory Committee when a position next becomes available.
3. Council continues to call for nominations for the vacant building, property and development industry position on the Lithgow Local Heritage Advisory Committee.

**MOVED:** Councillor J Smith

**SECONDED:** Councillor S Ring.

**CARRIED**

## OPERATION REPORTS

**ITEM-10**            **OPER - 14/08/17 - PROPOSED PARTIAL ROAD CLOSURE AND PURCHASE FROM COUNCIL PROPERTY, 158 OLD BATHURST ROAD, SOUTH BOWENFELS NSW 2790**

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### **17 – 242 RESOLVED**

**THAT** Council proceed with the closure and sale on the basis of the purchase price being \$1,000.00 as determined by the valuation report, plus all costs and expenses.

**MOVED:** Councillor R Thompson

**SECONDED:** Councillor C Coleman.

**CARRIED**

**ITEM-11**            **OPER - 14/08/17 - WATER REPORT**

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### **17 – 243 RESOLVED**

**THAT** Council notes the water report.

**MOVED:** Councillor S Ring

**SECONDED:** Councillor M Statham.

**CARRIED**

## FINANCE AND ASSETS REPORTS

**ITEM-12**            **FIN - 14/08/17 - COUNCIL INVESTMENTS HELD TO 31 JULY 2017**

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### **MOTION**

**THAT:**

1. Investments of \$26,000,000.00 and cash of \$1,992,348.32 for the period ending 31 July 2017 be noted.
2. The administration submits a report to Council clearly identifying the status of all investments.

**MOVED:** Councillor S Ring

**SECONDED:** Councillor M Statham.

### **AMENDMENT**

**THAT** Investments of \$26,000,000.00 and cash of \$1,992,348.32 for the period ending 31 July 2017 be noted.

**MOVED:** Councillor S Lesslie **SECONDED:** Councillor M Statham.

The Amendment was PUT and became the MOTION.

**CARRIED**

## 17 – 244 RESOLVED

**THAT** Investments of \$26,000,000.00 and cash of \$1,992,348.32 for the period ending 31 July 2017 be noted.

**MOVED:** Councillor S Lesslie

**SECONDED:** Councillor M Statham.

**CARRIED**

## ITEM-13 FIN - 14/08/17 - POLICY REVIEWS

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## 17 – 245 RESOLVED

**THAT** Council:

1. Endorse Polices 8.4 Debt Recovery, 8.5 Pensioner Rebate, 8.6 Hardship, 8.7 Investment and 9.8 Records Management for public exhibition and comment for 28 days.
2. Following the exhibition period that policies 8.4 Debt Recovery, 8.5 Pensioner Rebate, 8.6 Hardship, 8.7 Investment and 9.8 Records Management be returned to Council for adoption.

**MOVED:** Councillor R Thompson

**SECONDED:** Councillor C Coleman.

**CARRIED**

## ORGANISATIONAL DEVELOPMENT REPORTS

## ITEM-14 COMM - 14/08/17 - NSW INQUIRY INTO YOUTH SUICIDE

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## 17 – 246 RESOLVED

**THAT** Council

1. Note the report on the NSW Parliamentary Committee On Children And Young People Inquiry Into Youth Suicide.
2. Endorse Council's Draft Submission to the inquiry and forward this to the inquiry.

**MOVED:** Councillor M Statham

**SECONDED:** Councillor D Goodwin.

**CARRIED**

**COUNCIL COMMITTEE MINUTES**

**ITEM-15            COMM - 14/08/17 - YOUTH COUNCIL MINUTES 6 JUNE AND 19 JULY 2017**

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**17 – 247 RESOLVED**

**THAT** Council:

1. Note the Youth Council meeting minutes of 6 June and 19 July 2017.
2. Amend the Youth Council Terms of Reference to allow for meetings to be held every 4 weeks.

**MOVED:** Councillor C Coleman

**SECONDED:** Councillor S Ring.

**CARRIED**

**ITEM-16            OPER - 14/08/17 - OPERATIONS COMMITTEE MEETING MINUTES 24 JULY 2017**

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**17 – 248 RESOLVED**

**THAT** Council note the Operation Committee Meeting minutes from 24<sup>th</sup> July 2017.

**MOVED:** Councillor S Ring    **SECONDED:** Councillor R Thompson.

**CARRIED**

**ITEM-17            OPER - 14/08/17 - SPORTS ADVISORY COMMITTEE MEETING MINUTES 25 JULY 2017**

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**17 – 249 RESOLVED**

**THAT** Council note the Sports Advisory Committee Meeting Minutes.

**MOVED:** Councillor J Smith

**SECONDED:** Councillor D Goodwin.

**CARRIED**

## **BUSINESS OF GREAT URGENCY**

*In accordance with Clause 241 of the Local Government (General) Regulations 2005 business may be transacted at a meeting of Council even though due notice of the business has not been given to the Councillors. However, this can happen only of:*

- a) *A motion is passed to have the business transacted at the meeting: and*
- b) *The business proposed to be brought forward is ruled by the Chairperson to be of great urgency.*

Cr Thompson raised the issue that Minister Ballilaro announced on Prime7 News this evening about the new trains for passengers in regional and rural NSW, as well a new regional train maintenance facility proposed for Dubbo.

## **PROCEDURAL MOTION**

**THAT** the matter be dealt with as business of great urgency

**MOVED:** Councillor R Thompson

**SECONDED:** Councillor D Goodsell

**CARRIED**

## **17 – 250 RESOLVED**

**THAT** the Mayor and General Manager form an urgent delegation to the Premier and Minister.

**MOVED:** Councillor R Thompson

**SECONDED:** Councillor D Goodsell

**CARRIED**

Cr Thompson raised the issue that a number of kangaroos have been moved from Mount Panorama to the Capertee area and are now being hit by vehicles.

The Mayor declared that the matter not be of great Urgency.

Cr Ring raised the issue of former industrial sites of Thales, Portland Cement Works and Wallerawang Power Station are empty facilities and enquired as to what the status is of these properties are?

The Mayor declared that the matter not be of great urgency.

## **CLOSED COUNCIL**

The Mayor asked if there were any objections from the Public with regards to the confidential reports being in closed Council.

There were NIL objections.

## 17 – 251 RESOLVED

**THAT** Council move into Closed Council to consider the confidential report.

**MOVED:** Councillor R Thompson

**SECONDED:** Councillor M Statham

**CARRIED**

The Mayor called a five minute adjournment at 8:23pm.

The meeting re-adjourned at 8:29pm

At 8:30pm the Council resumed business in Closed Council.

Closed Council commenced at 8:30pm.

### CLOSED REPORTS

**ITEM-18            CONFIDENTIAL - CLOSED REPORT - GM - 14/08/17 - HALLOWEEN  
INVESTIGATION**

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### PROCEDURAL MOTION

**THAT** the Council move into a committee of the whole.

**MOVED:** Councillor R Thompson

**SECONDED:** Councillor C Coleman

Acting Chief Financial and Information Officer and Director Operations vacated the Chambers voluntarily at 8:32pm.

The General Manager gave Council advice on the issue.

Acting Chief Financial and Information Officer and Director Operations returned to the Chambers voluntarily at 9:20pm.

### PROCEDURAL MOTION

**THAT** Council move back into full Council.

**MOVED:** Councillor R Thompson

**SECONDED:** Councillor S Ring.

## 17 – 252 RESOLVED

**THAT** Council note the report and that monthly expenditure on the Halloween Project will be reported to Council on a monthly basis.

**MOVED:** Councillor J Smith

**SECONDED:** Councillor D Goodsell.

**CARRIED**

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**ITEM-19            CONFIDENTIAL - CLOSED REPORT - ECDEV - 14/08/17 - NEWSPAPER  
ADVERTISING**

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## 17 – 253 RESOLVED

**THAT** Council:

1. Notes the findings of the evaluation team in relation to Council's Request for Offer for Newspaper Advertising
2. Enters into an agreement for the Provision of Newspaper Advertising with Central West Media trading as The Village Voice for a period of two years.
3. Authorise the General Manager to sign the formal contract and any associated documentation in relation to this matter.

**MOVED:** Councillor C Coleman

**SECONDED:** Councillor S Lesslie.

**CARRIED**

A **DIVISION** was called by Councillors M Statham and D Goodwin.

**Divisions -**

**FOR**

Councillor S Lesslie  
Councillor C Coleman  
Councillor S Ring  
Councillor J Smith

**AGAINST**

Councillor R Thompson  
Councillor D Goodsell  
Councillor M Statham  
Councillor D Goodwin

Mayor Lesslie cast the deciding vote.

**ITEM-20                    CONFIDENTIAL - CLOSED REPORT - OPER - 14/08/17 - LITHGOW CBD  
REVITALISATION CONSTRUCTION WORK - TEN 0217**

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**17 – 254 RESOLVED**

**THAT**

1. Council, in accordance with Clause 178(1) (a) of the *Local Government (General) Regulation 2005*, accept the tender submission from CA&I for \$2,361,608 (ex GST) for the Lithgow CBD Revitalisation Construction Works TEN 02/17
2. The General Manager be authorised to sign the resulting contract and any related documentation under delegated authority
3. Council approach the Australian Government Department of Infrastructure and Regional Development to amend the funding agreement terms to reflect the change in project scope and timing

**MOVED:** Councillor R Thompson

**SECONDED:** Councillor J Smith.

**CARRIED**

At 9:38pm the Council resolved to refer to open Council and recommend the resolutions of Closed Council.

**MOVED:** Councillor R Thompson

**SECONDED:** Councillor <Right Click> Councillor

**CARRIED**

The General Manager and the Mayor announced the recommendations of the Closed Council as follows.

**ITEM-18                    CONFIDENTIAL - CLOSED REPORT - GM - 14/08/17 - HALLOWEEN  
INVESTIGATION**

**RESOLVED**

**THAT** Council note the report and that monthly expenditure on the Halloween Project will be reported to Council on a monthly basis.

**MOVED:** Councillor J Smith

**SECONDED:** Councillor D Goodsell.

**CARRIED**

**ITEM-19                    CONFIDENTIAL - CLOSED REPORT - ECDEV - 14/08/17 - NEWSPAPER  
ADVERTISING**

**RESOLVED**

**THAT** Council:

1. Notes the findings of the evaluation team in relation to Council's Request for Offer for Newspaper Advertising

2. Enters into an agreement for the Provision of Newspaper Advertising with Central West Media trading as The Village Voice for a period of two years.
3. Authorise the General Manager to sign the formal contract and any associated documentation in relation to this matter.

**MOVED:** Councillor C Coleman

**SECONDED:** Councillor S Lesslie.

**CARRIED**

A **DIVISION** was called by Councillors M Statham and D Goodwin.

**Divisions -**

**FOR**

Councillor S Lesslie  
Councillor C Coleman  
Councillor S Ring  
Councillor J Smith

**AGAINST**

Councillor R Thompson  
Councillor D Goodsell  
Councillor M Statham  
Councillor D Goodwin

Casting vote was made by the Mayor.

**ITEM-20            CONFIDENTIAL - CLOSED REPORT - OPER - 14/08/17 - LITHGOW CBD  
REVITALISATION CONSTRUCTION WORK - TEN 0217**

**RESOLVED**

**THAT**

1. Council, in accordance with Clause 178(1) (a) of the *Local Government (General) Regulation 2005*, accept the tender submission from CA&I for \$2,361,608 (ex GST) for the Lithgow CBD Revitalisation Construction Works TEN 02/17
2. The General Manager be authorised to sign the resulting contract and any related documentation under delegated authority
3. Council approach the Australian Government Department of Infrastructure and Regional Development to amend the funding agreement terms to reflect the change in project scope and timing

**MOVED:** Councillor R Thompson

**SECONDED:** Councillor J Smith.

**CARRIED**

There being no further business the meeting closed at 9:40 pm.