



MINUTES

ORDINARY MEETING OF COUNCIL

HELD ON

25 SEPTEMBER 2017

AT 7.00pm

**MINUTES OF THE CITY OF LITHGOW COUNCIL MEETING
HELD AT THE CIVIC CENTRE, LITHGOW ON 25 SEPTEMBER 2017**

Meeting Commenced 7.00pm

ACKNOWLEDGEMENT OF COUNTRY

Public: 51

PRESENT

His Worship the Mayor
Councillor S Lesslie
Councillor W McAndrew
Councillor C Coleman
Councillor D Goodsell
Councillor D Goodwin
Councillor S Ring
Councillor J Smith
Councillor M Statham
Councillor R Thompson

APOLOGIES

Nil

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 Jonathon Edgecombe, Works Manager
Mr Michael McGrath, Manager Organisational Development
Mrs Trinity Newton, Minutes Secretary

CONFIRMATION OF MINUTES

17 – 255 RESOLVED

Confirmation of the Minutes of the Ordinary Meeting of Council held on the 14 August 2017 were taken as read and confirmed by Councillors S Ring and J Smith

CARRIED

DECLARATION OF INTEREST

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

Councillor S Lesslie declared a Pecuniary in item 7, due to the Mayor being an immediate adjoining land owner. He will vacate the Chambers for discussion on this item.

Councillor M Statham declared a Non Pecuniary Conflict of Interest in item 18, due to a personal interest in the group. She will not vacate the Chambers and will not vote on the item.

COMMEMORATIONS AND ANNOUNCEMENTS

Councillor McAndrew Acknowledged the Retirement of Peter Watson from Radio 2LT after more than 20 years of service to the community.

Mayor, Councillor Lesslie acknowledged Cr Graeme Hanger OAM re-elected as Bathurst Mayor & Oberon Council's re-elected Mayor Cr Kathy Sajowitz.

Clr Thompson wished to acknowledge three sporting victories; The Men's Premiere League Hockey winners Lithgow Workmen's Club Panthers, Wallerawang Warriors won the New Era Cup and the Lithgow Workmen's Club won the Reserve Grade.

PROCEDURAL MOTION

THAT Item 31 and 32 lay on the table.

MOVED: Councillor S Ring

CARRIED

QUESTIONS FROM THE PUBLIC

At 7:05pm Members of public gallery were invited to participate in the Public Forum Session.

PF – MS DEBBIE RAYNER

Ms Rayner made a statement in relation to Item 24 of the agenda.

PROCEDURAL MOTION

THAT an extension of time be granted to Ms Rayner.

MOVED: Councillor J Smith

SECONDED: Councillor C Coleman

CARRIED

The Mayor thanked Ms Rayner for her statement.

PF – MR MARK NEWCOMBE

Mr Newcombe made a statement in relation to the resurfacing of Willowvale Road.

PROCEDURAL MOTION

THAT an extension of time be granted to Mr Newcombe.

MOVED: Councillor M Statham

SECONDED: Councillor D Goodwin

CARRIED

The Mayor thanked Mr Newcombe for his statement and gave Mr Newcombe advice on the statement.

PF – RHONDA COLLINS, KELLIE CRANE AND JACKI MITHCELL FROM WOMEN IN LITHGOW DISTRICT

The Women in Lithgow District made a statement on Item 18 in the agenda.

The Mayor thanked the WILD representatives for their statement.

PF – MR O'REILLY

Mr O'Reilly made a statement in relation to Item 9 on the Agenda.

Mr O'Reilly made a statement in relation road closure fees for Portland Fair.

The Mayor thanked Mr O'Reilly for his statements.

PROCEDURAL MOTION

THAT item 1 be moved to this point in the meeting with the Mayoral minute to be discussed directly after.

MOVED: Councillor S Lesslie

SECONDED: Councillor C Coleman.

CARRIED

TABLE OF CONTENTS

<u>ITEM</u>	<u>TITLE</u>	<u>PAGE</u>
<u>ITEM-1</u>	<u>GM - 25/09/17 - NOMINATIONS FOR AND ELECTION FOR THE POSITION OF DEPUTY MAYOR FOR 2017 to 2018</u>	<u>1</u>
	<u>MAYORAL MINUTE - 25/09/17 - PREMIERS MEETING</u>	<u>2</u>
	<u>GENERAL MANAGERS REPORTS</u>	<u>2</u>
<u>ITEM-1</u>	<u>GM - 25/09/17 - NOMINATIONS FOR AND ELECTION FOR THE POSITION OF DEPUTY MAYOR FOR 2017 to 2018</u>	<u>2</u>
<u>ITEM-2</u>	<u>GM - 25/09/17 - DELEGATIONS TO DEPUTY MAYOR 2017-2018</u>	<u>2</u>
<u>ITEM-3</u>	<u>GM -25/09/17- LOCAL GOVERNMENT NSW CONFERENCE 2017 DELEGATES</u>	<u>3</u>
<u>ITEM-4</u>	<u>GM - 25/09/17 - DELEGATES REPORT CENTROC 10 AUGUST 2017</u>	<u>3</u>
<u>ITEM-5</u>	<u>GM - 25/09/17 - DRAFT MINUTES TO COUNCILLORS</u>	<u>4</u>
<u>ITEM-6</u>	<u>GM - 25/09/17 - COMMITTEE RATIONALISATION</u>	<u>5</u>
	<u>ECONOMIC DEVELOPMENT AND ENVIRONMENT REPORTS</u>	<u>5</u>
<u>ITEM-7</u>	<u>ECDEV - 25/09/17 - DA225/16 SUBDIVISION OF 1 LOT INTO 25 LOTS AT KIRKLEY STREET SOUTH BOWENFELS</u>	<u>5</u>
<u>ITEM-8</u>	<u>ECDEV - 25/09/17 - DA072/17 EXEMPTION AND REFUND OF DEVELOPMENT FEES FOR PROPOSED UPDATE OF GLEN ALICE COMMUNITY HALL</u>	<u>6</u>
<u>ITEM-9</u>	<u>ECDEV - 25/09/17 - DA208/17 - WAIVING OF COUNCIL DA FEES FOR PROPOSED ROTUNDA AT SAVILLE PARK PORTLAND</u>	<u>6</u>
<u>ITEM-10</u>	<u>ECDEV - 25/09/17 - WALLERAWANG QUARRY MODIFICATION 1 - DA344-11-2001 STOCKPILES & WASHING PLANT</u>	<u>7</u>
<u>ITEM-11</u>	<u>ECDEV - 25/09/17 - FARMERS CREEK PRECINCT MASTER PLAN</u>	<u>7</u>
<u>ITEM-12</u>	<u>ECDEV - 25/09/17 - DRAFT WASTE & RECYCLING STRATEGY</u>	<u>7</u>
<u>ITEM-13</u>	<u>ECDEV - 25/09/17 - DA203/17 - PROPOSED DEMOLITION AND REPLACEMENT OF GRANDSTAND WALLERAWANG SPORTS OVAL</u>	<u>8</u>
<u>ITEM-14</u>	<u>ECDEV - 25/09/17 - ADOPTION LITHGOW LOCAL ENVIRONMENTAL PLAN 2014 (LEP) AMENDMENT 2 - MINIMUM LOT SIZES FOR CERTAIN SPLIT ZONES</u>	<u>8</u>
<u>ITEM-15</u>	<u>ECDEV - 25/09/17 - ASBESTOS MANAGEMENT POLICY</u>	<u>9</u>

<u>ITEM-16</u>	<u>ECDEV - 25/09/17 - HALLOWEEN EXPENDITURE UPDATE</u>	<u>9</u>
<u>ITEM-17</u>	<u>ECDEV - 25/09/17 - LITHGLO</u>	<u>9</u>
<u>ITEM-18</u>	<u>ECDEV - 25/09/17 - PROPOSED SPONSORSHIP OF CHRISTMAS PROMOTION - WOMEN IN LITHGOW DISTRICT</u>	<u>10</u>
<u>OPERATION REPORTS</u>		<u>11</u>
<u>ITEM-19</u>	<u>OPER - 25/09/17 - WATER RESTRICTIONS</u>	<u>11</u>
<u>ITEM-20</u>	<u>OPER - 25/09/17 - WATER REPORT</u>	<u>11</u>
<u>FINANCE REPORTS</u>		<u>11</u>
<u>ITEM-21</u>	<u>FIN - 25/09/17 - RELATED PARTIES DISCLOSURE POLICY 8.8</u>	<u>11</u>
<u>ITEM-22</u>	<u>FIN - 25/09/17 - COUNCIL INVESTMENTS HELD TO 31 AUGUST 2017</u>	<u>12</u>
<u>ITEM-23</u>	<u>FIN - 25/09/17 - FINANCIAL RESULT FOR THE PERIOD ENDING 31 AUGUST 2017</u>	<u>12</u>
<u>LATE ITEM</u>	<u>FIN - 25/09/17 - REVIEW OF INTERNALLY RESTRICTED RESERVES</u>	<u>13</u>
<u>COMMUNITY REPORTS</u>		<u>14</u>
<u>ITEM-24</u>	<u>COMM - 25/09/17 - REFUGEE WELCOME ZONE</u>	<u>14</u>
<u>COUNCIL COMMITTEE MINUTES</u>		<u>15</u>
<u>ITEM-25</u>	<u>ECDEV - 25/09/17 - TOURISM ADVISORY COMMITTEE MEETING MINUTES - 8 AUGUST 2017</u>	<u>15</u>
<u>ITEM-26</u>	<u>COMM - 25/09/17 - COMMUNITY DEVELOPMENT COMMITTEE MINUTES 8 AUGUST 2017</u>	<u>15</u>
<u>ITEM-27</u>	<u>ECDEV - 25/09/17 - ENVIRONMENTAL ADVISORY COMMITTEE MEETING MINUTES 9 AUGUST 2017</u>	<u>15</u>
<u>ITEM-28</u>	<u>COMM - 25/09/17 - CRIME PREVENTION COMMITTEE MINUTES 21 AUGUST 2017</u>	<u>16</u>
<u>ITEM-29</u>	<u>OPER - 25/09/17 - OPERATIONS COMMITTEE MEETING 22 AUGUST 2017</u>	<u>16</u>
<u>ITEM-30</u>	<u>OPER - 25/09/17 - SPORTS ADVISORY COMMITTEE MEETING 29 AUGUST 2017</u>	<u>16</u>
<u>NOTICE OF MOTION</u>		<u>17</u>
<u>ITEM-31</u>	<u>NOTICE OF MOTION - 25/09/17 - CIVIC LEADERSHIP</u>	<u>17</u>
<u>ITEM-32</u>	<u>NOTICE OF MOTION - 25/09/17 - COMMERCIAL DEVELOPMENT</u>	<u>17</u>
<u>ITEM-33</u>	<u>NOTICE OF MOTION - 25/09/17 - LAND BANK</u>	<u>17</u>
<u>ITEM-34</u>	<u>NOTICE OF MOTION - 25/09/17 - BULLET TRAIN</u>	<u>18</u>

<u>BUSINESS OF GREAT URGENCY</u>	<u>18</u>
<u>CLOSED REPORTS</u>	<u>19</u>
<u>ITEM-35</u> <u>CONFIDENTIAL - CLOSED REPORT - OPER 25/9/17 ASPHALT CONTRACTS FOR 2017/18 CAPITAL WORKS</u>	<u>19</u>
<u>ITEM-36</u> <u>CONFIDENTIAL - CLOSED REPORT - OPER 25/09/17 BITUMEN CONTRACTS FOR 2017/18 CAPITAL WORKS</u>	<u>20</u>
<u>ITEM-37</u> <u>CONFIDENTIAL - CLOSED REPORT - ECDEV - 25/09/17 - PROPOSED SALE OF COUNCIL LAND</u>	<u>20</u>

**ITEM-1 GM - 25/09/17 - NOMINATIONS FOR AND ELECTION FOR THE POSITION
OF DEPUTY MAYOR FOR 2017 to 2018**

17 – 256 RESOLVED**THAT** Council:

1. Note the report on the appointment of and procedure for the election of a Deputy Mayor;
2. Resolve that a Deputy Mayor is to be elected for a one year term.
3. Hold an election for the position of Deputy Mayor on the same basis as for the Mayoral position; and
4. Determines the fee that is to be paid to the Deputy Mayor, if any.

MOVED: Councillor J Smith**SECONDED:** Councillor D Goodwin.**CARRIED**

The General Manager advised that two nominations were received for the position of Deputy Mayor for the 12 month period to September 2018:

- Councillor W McAndrew, nominated by Councillors Coleman and Smith.
- Councillor S Ring, nominated by Councillors Goodwin and Statham.

The General Manager called for any further nominations, none were received.

PROCEDURAL MOTION

THAT there be a show of hands by way of count.

MOVED: Councillor R Thompson**SECONDED:** Councillor M Statham.**CARRIED**

The General Manager declared Councillor McAndrew as Deputy Mayor for the period of 2017-18 Mayoral term with 6 votes to 3.

ORDINARY MEETING OF COUNCIL TO BE HELD ON 25 SEPTEMBER 2017**REPORT BY: MAYOR STEPHEN LESSLIE**

17 - 257 RESOLVED**THAT:**

1. Council request an urgent meeting with the Premier of NSW to raise Council's concerns relating to Centennial Coal, The Springvale Mine and Power Generation at the Mt Piper Facility.
2. The Mayor, Deputy Mayor and General Manager be authorised to attend the meeting with the Premier.

MOVED: Councillor S Lesslie**SECONDED:** Councillor W McAndrew**CARRIED****GENERAL MANAGERS REPORTS****ITEM-1 GM - 25/09/17 - NOMINATIONS FOR AND ELECTION FOR THE POSITION OF DEPUTY MAYOR FOR 2017 to 2018**

Item 1 was dealt with earlier in the meeting.

ITEM-2 GM - 25/09/17 - DELEGATIONS TO DEPUTY MAYOR 2017-2018

17 – 258 RESOLVED**THAT** Council, in addition to the functions outlined in Section 226 of the New South Wales Local Government Act 1993, delegate the following:

1. To the Deputy Mayor of Lithgow City Council:
 - a. **Function of the Mayor**
The Deputy Mayor may exercise any function of the Mayor at the request of the Mayor or if the Mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of Mayor.

That the Deputy Mayor shall exercise the Delegation of Authority of the Mayor in those cases where the General Manager certifies that the matter is of such an urgent nature that it will not wait until the return of the Mayor.

- b. **General Manager's Performance Review**

In conjunction with the Mayor the authority to conduct the performance reviews of the General Manager. The outcome of such reviews are to be reported to Council.

2. These delegations shall remain in force unless otherwise revoked or amended in whole or in part, as Council may from time to time determine.

MOVED: Councillor R Thompson

SECONDED: Councillor C Coleman.

CARRIED

**ITEM-3 GM -25/09/17- LOCAL GOVERNMENT NSW CONFERENCE 2017
DELEGATES**

17 – 259 RESOLVED

THAT Council:

1. Appoint the Mayor, Deputy Mayor and Councillor Statham as voting delegates to the Conference
2. Authorise the General Manager or his delegate to attend the Conference as an observer
3. Authorise the Mayor to appoint alternate delegates or additional observers if required

MOVED: Councillor R Thompson

SECONDED: Councillor J Smith.

CARRIED

Councillor Coleman was also appointed by the Mayor as an alternate delegate.

ITEM-4 GM - 25/09/17 - DELEGATES REPORT CENTROC 10 AUGUST 2017

17 – 260 RESOLVED

THAT the General Manager's Report from the Centroc Board Meeting 10 August 2017 at Parliament House be noted.

MOVED: Councillor W McAndrew

SECONDED: Councillor S Ring.

CARRIED

ITEM-5

GM - 25/09/17 - DRAFT MINUTES TO COUNCILLORS

RECOMMENDATION

THAT Council allow the Executive team to review the initial draft of the minutes and forward to Councillors within one week of the meeting for adoption at the next council meeting.

MOTION

THAT the draft minutes go to the Mayor prior to the Council.

MOVED: Councillor C Coleman

Lapsed due to lack of seconder.

MOTION

THAT the Mayor and the General Manager review the initial draft of the minutes and forward to the Council within one week of the meeting for adoption at the next Council meeting.

MOVED: Councillor W McAndrew

SECONDED: Councillor C Coleman

The Motion was PUT and was **LOST**.

The Recommendation became the Motion

17 – 261 RESOLVED**THAT**

Council allow the Executive team to review the initial draft of the minutes and forward to Councillors within one week of the meeting for adoption at the next council meeting.

MOVED: Councillor C Coleman

SECONDED: Councillor R Thompson.

CARRIED

ITEM-6 GM - 25/09/17 - COMMITTEE RATIONALISATION

17 – 262 RESOLVED**THAT**

1. Council merge the following committees into one Economic Development Committee viz-
 - a) Tourism Advisory Committee
 - b) Economic Development Advisory Committee
 - c) CBD Revitalisation Committee
 - d) Business Industry Investment committee
2. Council write to all members of the committees listed in 1. above thanking them for their participation to date.
3. Council establish the Economic Development Committee in accordance with the terms of reference in attachment 1 to this paper

MOVED: Councillor W McAndrew**SECONDED:** Councillor R Thompson.**CARRIED****ECONOMIC DEVELOPMENT AND ENVIRONMENT REPORTS****ITEM-7 ECDEV - 25/09/17 - DA225/16 SUBDIVISION OF 1 LOT INTO 25 LOTS AT KIRKLEY STREET SOUTH BOWENFELS**

The Mayor vacated the chambers at 8:06pm and the Deputy Mayor took the Chair.

17 – 263 RESOLVED**THAT**

1. That Development Application DA225/16 be supported by Council in accordance with the attached 79C report.
2. That delegation be provided to the General Manager for approval, subject to the conditions outlined in the attached 79C report, once the gazettal of Amendment No.2 of Lithgow Local Environmental Plan 2014 is completed.
3. Following determination, Council accept the dedication of the road networks and Lot 24 for ongoing management in accordance with the conditions outlined in the attached 79C report.
4. A **DIVISION** be called in accordance with the requirements of Section 375A(3) of the Local Government Act, 1993.

MOVED: Councillor J Smith**SECONDED:** Councillor D Goodsell.**CARRIED**

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

Divisions – Unanimous**FOR**

Councillor C Coleman
Councillor D Goodsell
Councillor D Goodwin
Councillor W McAndrew
Councillor S Ring
Councillor J Smith
Councillor M Statham
Councillor R Thompson

AGAINST

NIL

The Mayor returned to the chamber and resumed the chair at 8:09pm.

**ITEM-8 ECDEV - 25/09/17 - DA072/17 EXEMPTION AND REFUND OF
DEVELOPMENT FEES FOR PROPOSED UPDATE OF GLEN ALICE
COMMUNITY HALL**

17 – 264 RESOLVED

THAT Council fees of \$1,589.00 for the issue of a Construction Certificate 163/17, Compliance Inspection fees and Section 68 application fees as applied to the development be refunded to the Glen Alice Community Hall Incorporated.

MOVED: Councillor R Thompson

SECONDED: Councillor W McAndrew.

CARRIED

**ITEM-9 ECDEV - 25/09/17 - DA208/17 - WAIVING OF COUNCIL DA FEES FOR
PROPOSED ROTUNDA AT SAVILLE PARK PORTLAND**

17 – 265 RESOLVED**THAT**

1. The Development Application Fees of \$865.99 applied to DA208/17 be refunded to the Portland Community Group Incorporated.
2. 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 DA208/17 for a Rotunda at Saville Park, Portland.

MOVED: Councillor W McAndrew

SECONDED: Councillor J Smith.

CARRIED

ITEM-10 **ECDEV - 25/09/17 - WALLERAWANG QUARRY MODIFICATION 1 - DA344-11-2001 STOCKPILES & WASHING PLANT**

17 – 266 RESOLVED

THAT The information in the report on the Wallerawang Quarry (DA 344-11-2001) modification 1 be noted.

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

CARRIED

ITEM-11 **ECDEV - 25/09/17 - FARMERS CREEK PRECINCT MASTER PLAN**

Councillor Ring left the chambers at 8:13pm.

Councillor Ring returned to the chambers at 8:14pm.

17 – 267 RESOLVED

THAT Council adopt the amended version of the Farmers Creek Precinct Master Plan as attached to the business paper.

MOVED: Councillor C Coleman **SECONDED:** Councillor S Ring.

CARRIED

ITEM-12 **ECDEV - 25/09/17 - DRAFT WASTE & RECYCLING STRATEGY**

17 – 268 RESOLVED

THAT the Draft Waste & Recycling Strategy be placed on exhibition for a period of 28 days with the period for submissions being 42 days from the first day of the exhibition period.

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

CARRIED

**ITEM-13 ECDEV - 25/09/17 - DA203/17 - PROPOSED DEMOLITION AND
REPLACEMENT OF GRANDSTAND WALLERAWANG SPORTS OVAL**

17 – 269 RESOLVED

THAT:

1. Development Consent be granted to Development Application (DA203/17), subject to the conditions specified in the attached Section 79C Assessment Report.
2. A **DIVISION** be called in accordance with the requirements of Section 375A(3) of the *Local Government Act 1993*.

MOVED: Councillor J Smith

SECONDED: Councillor W McAndrew.

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 W McAndrew
Councillor C Coleman
Councillor D Goodsell
Councillor D Goodwin
Councillor S Ring
Councillor J Smith
Councillor M Statham
Councillor R Thompson

AGAINST

Nil

**ITEM-14 ECDEV - 25/09/17 - ADOPTION LITHGOW LOCAL ENVIRONMENTAL PLAN
2014 (LEP) AMENDMENT 2 - MINIMUM LOT SIZES FOR CERTAIN SPLIT
ZONES**

17 – 270 RESOLVED

THAT

1. Council adopt Lithgow Local Environmental Plan 2014 (Amendment 2)
2. The General Manager exercises the delegated functions of the Minister for Planning to make the Plan in accordance with Section 59(2) (a) of the Environmental Planning and Assessment Act, 1979.

3. Council refer the Plan and Section 59 Planning Report to the Western Region Office of NSW Planning and Environment with a request to arrange for on line notification of the Plan on the NSW legislation web site.

MOVED: Councillor R Thompson

SECONDED: Councillor W McAndrew.

CARRIED

ITEM-15 ECDEV - 25/09/17 - ASBESTOS MANAGEMENT POLICY

17 – 271 RESOLVED

THAT Council adopt Policy 7.11 Asbestos Management and the Asbestos Management Plan for Lithgow City Council as attached to the business paper.

MOVED: Councillor S Ring **SECONDED:** Councillor C Coleman.

CARRIED

ITEM-16 ECDEV - 25/09/17 - HALLOWEEN EXPENDITURE UPDATE

17 – 272 RESOLVED

THAT the information on current expenditure for Lithgow Halloween 2017 be noted.

MOVED: Councillor M Statham

SECONDED: Councillor W McAndrew.

CARRIED

ITEM-17 ECDEV - 25/09/17 - LITHGLO

17 – 273 RESOLVED

THAT Council notes the information provided on Lithglo.

MOVED: Councillor W McAndrew

SECONDED: Councillor S Ring.

CARRIED

**ITEM-18 ECDEV - 25/09/17 - PROPOSED SPONSORSHIP OF CHRISTMAS
PROMOTION - WOMEN IN LITHGOW DISTRICT**

17 – 274 RESOLVED

THAT Council agree to participate in the Women in Lithgow District (W.I.L.D) Christmas promotion and become a major sponsor allocating an amount of \$1000.

MOVED: Councillor R Thompson

SECONDED: Councillor J Smith.

CARRIED

Councillor Statham abstained from voting on this item due to a declaration of interest declared earlier in the meeting.

In accordance with Lithgow City Council Code of Meeting Practice Part 7 – 63 (viii)

“Where the person discloses a conflict of interest and decides not to take part in consideration of or voting on the matter due to the nature of the conflict of interest, it is necessary for the person to leave the Council Chamber or Committee meeting room at the time the vote is taken. Otherwise, the person will be taken to have voted in the negative.”

A **DIVISION** was called by Councillors <Right Click> Councillor and <Right Click> Councillor.

Divisions -**FOR**

Councillor S Lesslie
Councillor W McAndrew
Councillor C Coleman
Councillor D Goodsell
Councillor D Goodwin
Councillor S Ring
Councillor J Smith
Councillor R Thompson

AGAINST

Councillor M Statham

OPERATION REPORTS

ITEM-19 OPER - 25/09/17 - WATER RESTRICTIONS

17 – 275 RESOLVED

THAT Council increase the current level for water restrictions to Level 3 until further notice.

MOVED: Councillor W McAndrew

SECONDED: Councillor R Thompson.

CARRIED

ITEM-20 OPER - 25/09/17 - WATER REPORT

17 – 276 RESOLVED

THAT Council notes the water report.

MOVED: Councillor R Thompson

SECONDED: Councillor M Statham.

CARRIED

FINANCE REPORTS

ITEM-21 FIN - 25/09/17 - RELATED PARTIES DISCLOSURE POLICY 8.8

17 – 277 RESOLVED

THAT Council adopt Policy 8.8 Related Parties Disclosure as exhibited.

MOVED: Councillor W McAndrew

SECONDED: Councillor R Thompson.

CARRIED

ITEM-22 FIN - 25/09/17 - COUNCIL INVESTMENTS HELD TO 31 AUGUST 2017

17 – 278 RESOLVED

THAT Investments of \$30,750,000.00 and cash of \$275,348.77 for the period ending 31 August 2017 be noted.

MOVED: Councillor M Statham

SECONDED: Councillor D Goodwin.

CARRIED

ITEM-23 FIN - 25/09/17 - FINANCIAL RESULT FOR THE PERIOD ENDING 31 AUGUST 2017

17 – 279 RESOLVED

THAT Council notes the financial result for the period ending 31 August 2017 for the General, Water and Sewer funds.

MOVED: Councillor S Ring

SECONDED: Councillor C Coleman.

CARRIED

PROCEDURAL MOTION

THAT the late Report Review of Internally Restricted Reserves be dealt with this point in the meeting.

MOVED: Councillor W McAndrew

SECONDED: Councillor C Coleman.

CARRIED

LATE ITEM FIN - 25/09/17 - REVIEW OF INTERNALLY RESTRICTED RESERVES

MOTION**THAT** Council:

1. Allocate \$500,000 of these funds for the establishment of an internal restricted reserve for the purpose of an efficiency fund.
2. Allocate \$1,689,078 of these funds for the establishment of an internal restricted reserve for the purpose of an remediation fund
3. Allocate \$3,626,130.30 of these funds for the establishment of an internally restricted reserve for the purpose of a Land fund.
4. Proceeds from future sales of land assets to be placed in this fund.
5. Land fund reserves are only to be expended on another fixed assets with income generating capability (or potential in the long term).

MOVED: Councillor W McAndrew**SECONDED:** Councillor C Coleman.**AMENDMENT****THAT** items 2-3 are reduced by \$500,000 each and allocates those funds to the backlog to maintenance on roads.**MOVED:** Councillor S Ring**SECONDED:** Councillor D Goodwin.The Amendment was PUT and **LOST**.**17 – 280 RESOLVED****THAT** Council:

1. Allocate \$500,000 of these funds for the establishment of an internal restricted reserve for the purpose of an efficiency fund.
2. Allocate \$1,689,078 of these funds for the establishment of an internal restricted reserve for the purpose of an remediation fund
3. Allocate \$3,626,130.30 of these funds for the establishment of an internally restricted reserve for the purpose of a Land fund.
4. Proceeds from future sales of land assets to be placed in this fund.
5. Land fund reserves are only to be expended on another fixed assets with income generating capability (or potential in the long term).

MOVED: Councillor W McAndrew**SECONDED:** Councillor C Coleman.**CARRIED**

COMMUNITY REPORTS**ITEM-24 COMM - 25/09/17 - REFUGEE WELCOME ZONE**

MOTION**THAT** Council:

1. Note the report on Refugee Welcome Zones
2. Sign the Refugee Welcome Zone Declaration indicating that Lithgow is a welcome town for refugees.
3. Note that arrangements will be made in conjunction with LASARS to formally sign the declaration and to hold a community event to mark the occasion.

MOVED: Councillor C Coleman**SECONDED:** Councillor J Smith.**AMENDMENT****THAT** the Motion be deferred to a later date for further information to be put forward and discussed**MOVED:** Councillor M Statham**SECONDED:** Councillor D Goodwin.

The Amendment was PUT and became the MOTION.

17 – 281 RESOLVED**THAT** the Motion be deferred to a later date for further information to be put forward and discussed.**MOVED:** Councillor M Statham**SECONDED:** Councillor D Goodwin.**CARRIED**

COUNCIL COMMITTEE MINUTES

**ITEM-25 ECDEV - 25/09/17 - TOURISM ADVISORY COMMITTEE MEETING MINUTES
- 8 AUGUST 2017**

17 – 282 RESOLVED**THAT:**

1. The minutes of the Tourism Advisory Committee meeting held on 8 August 2017 be noted.
2. Council provide funding of \$2,000 through its Events Attraction package to Rocky Trail Entertainment Pty Ltd for a Mountain Biking event to be held on 14 and 15 October 2017.

MOVED: Councillor S Ring

SECONDED: Councillor M Statham.

CARRIED

**ITEM-26 COMM - 25/09/17 - COMMUNITY DEVELOPMENT COMMITTEE MINUTES 8
AUGUST 2017**

17 – 283 RESOLVED**THAT** Council:

1. Notes the minutes of the Community Development Committee meeting held 8 August 2017.
2. Appoint Ms Annette Staines as a community representative on the Community Development Committee.

MOVED: Councillor M Statham

SECONDED: Councillor J Smith.

CARRIED

**ITEM-27 ECDEV - 25/09/17 - ENVIRONMENTAL ADVISORY COMMITTEE MEETING
MINUTES 9 AUGUST 2017**

17 – 284 RESOLVED

THAT Council note the minutes of the Environmental Advisory Committee held on 9 August 2017.

MOVED: Councillor J Smith **SECONDED:** Councillor C Coleman.

CARRIED

**ITEM-28 COMM - 25/09/17 - CRIME PREVENTION COMMITTEE MINUTES 21
AUGUST 2017**

17 – 285 RESOLVED

THAT Council Notes the minutes of the Crime Prevention Committee meeting held 21 August.

MOVED: Councillor C Coleman

SECONDED: Councillor D Goodwin.

CARRIED

ITEM-29 OPER - 25/09/17 - OPERATIONS COMMITTEE MEETING 22 AUGUST 2017

17 – 286 RESOLVED

THAT Council note the Operations Committee Meeting Minutes and;

1. Continue to improve ramp access for prams, wheelchairs and motor-scooters in all high pedestrian traffic areas where access has been a source of complaint.
2. A report be presented at the next Operations Committee on which ramps, constructed post 2009, comply with the Australian Standard 1428.1 and an action plan be developed for non-compliant ramps.
3. Implement the installation of water meters on Council facilities as a matter of priority under the current water loss program.
4. Monthly reports on progress of meter installations be provided to the Operations Committee with the expenditure, localities and quantities to date.
5. The General Manager prepare a response with regard to the issue relating to the tunnels at Zig Zag.
6. Note the information pertaining to operational works scheduling and asset maintenance.
7. That once the deed is finalised that a community Meeting be held at Cullen Bullen.

MOVED: Councillor W McAndrew

SECONDED: Councillor R Thompson.

CARRIED

**ITEM-30 OPER - 25/09/17 - SPORTS ADVISORY COMMITTEE MEETING 29 AUGUST
2017**

17 – 287 RESOLVED

THAT Council note the Sports Advisory Committee Meeting Minutes.

MOVED: Councillor J Smith **SECONDED:** Councillor D Goodsell.

CARRIED

NOTICE OF MOTION**ITEM-31 NOTICE OF MOTION - 25/09/17 - CIVIC LEADERSHIP****REPORT BY: CR STEVEN RING**

Item 31 was dealt with earlier in the meeting.

ITEM-32 NOTICE OF MOTION - 25/09/17 - COMMERCIAL DEVELOPMENT**REPORT BY: COUNCILLOR STEVE RING**

Item 32 was dealt with earlier in the meeting.

ITEM-33 NOTICE OF MOTION - 25/09/17 - LAND BANK**REPORT BY: CR STEVEN RING**

RECOMMENDATION**THAT** Lithgow Council:

1. Investigate the feasibility of establishing a land bank.
2. Undertakes an audit of all community and operational lands to identify surplus lands that may be sold for appropriate development.

MOTION**THAT** the matter be received and noted and that the matter be left with Council's General Manager to bring back a report at time of his choosing.**MOVED:** Councillor S Ring**SECONDED:** Councillor D Goodwin.**17 – 288 RESOLVED****THAT** the matter be received and noted and that the matter be left with Council's General Manager to bring back a report at time of his choosing.**MOVED:** Councillor S Ring**SECONDED:** Councillor D Goodwin.**CARRIED**

ITEM-34 NOTICE OF MOTION - 25/09/17 - BULLET TRAIN**REPORT BY: COUNILLOR C COLEMAN**

17 – 289 RESOLVED

THAT Council write again to both NSW Train Link and the local NSW state Member regarding this issue.

MOVED: Councillor C Coleman**SECONDED:** Councillor J Smith.**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.*

Councillor Goodwin raised the issue of lobbying the federal Government for support in the Mt Piper Power Station.

The Mayor declared the motion to be urgent business

17 – 290 RESOLVED

THAT Council lobby Andrew Gee, MP for a meeting with Prime Minister Malcolm Turnbull in relation to the Mt Piper Power Station as a matter of urgency.

MOVED: Councillor D Goodwin**SECONDED:** Councillor M Statham**CARRIED**

Councillor Smith raised the issue of Wallerawang Black Bridge.

The Mayor declared that the matter was not a matter 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.

The Mayor declared that Council will reconvene in 5 minutes. Council adjourned at 9:47pm.

17 – 291 RESOLVED

THAT Council move into Closed Council to consider the three confidential reports.

MOVED: Councillor R Thompson

SECONDED: Councillor M Statham

CARRIED

At 9:54pm the Council resolved to move into Closed Council.

MOVED: Councillor R Thompson

SECONDED: Councillor M Statham

CARRIED

Closed Council started at 9:54pm.

CLOSED REPORTS

ITEM-35

**CONFIDENTIAL - CLOSED REPORT - OPER 25/9/17 ASPHALT
CONTRACTS FOR 2017/18 CAPITAL WORKS**

17 – 292 RESOLVED

THAT Council accept the tender from J&E Asphalt & Civil Pty Ltd at a price of \$504,153.25 (inc. GST) for asphalt services in line with Council's approved Operational Plan.

MOVED: Councillor S Ring

SECONDED: Councillor J Smith.

CARRIED

**ITEM-36 CONFIDENTIAL - CLOSED REPORT - OPER 25/09/17 BITUMEN
CONTRACTS FOR 2017/18 CAPITAL WORKS**

17 – 293 RESOLVED

THAT Council accept the tender from State Asphalt Services Pty Ltd at a price of \$241,350.34 (inc. GST) for bitumen sealing services in line with Council's approved Operational Plan.

MOVED: Councillor R Thompson

SECONDED: Councillor S Ring.

CARRIED

**ITEM-37 CONFIDENTIAL - CLOSED REPORT - ECDEV - 25/09/17 - PROPOSED
SALE OF COUNCIL LAND**

17 – 293 RESOLVED

THAT:

1. Council agree to enter into direct negotiation with Timberfix Pty Ltd for the disposal of Part Lot 20 DP 1217065 as identified in Survey Drawing 4_5088 OPT 1b CEH dated 14/7/17 for the purchase price of \$1,100,000 (incl GST).
2. Council enter into a conditional contract of sale with Timberfix Pty Ltd pending the registration of the necessary plan of subdivision.
3. Timberfix Pty Ltd to meet all associated subdivision and legal costs.
4. Timberfix Pty Ltd be advised that the sale of the land in no way relieves the proponent of its obligations to obtain development consent for both the subdivision of the land and future development thereon.
5. All proceeds from the sale of the land be held as a restricted asset for future strategic asset acquisition

MOVED: Councillor R Thompson

SECONDED: Councillor S Ring.

CARRIED

A **DIVISION** was called by Councillors W McAndrew and S Lesslie.

Divisions – Unanimous

FOR

Councillor S Lesslie
Councillor W McAndrew
Councillor C Coleman
Councillor D Goodsell
Councillor D Goodwin
Councillor S Ring
Councillor J Smith
Councillor M Statham
Councillor R Thompson

AGAINST
NIL

At 10:00pm the Council resolved to refer to open Council and recommend the resolutions of Closed Council.

MOVED: Councillor D Goodwin

SECONDED: Councillor D Goodsell

CARRIED

The Mayor announced the recommendations of the Closed Council as follows:

**ITEM 35 CONFIDENTIAL - CLOSED REPORT - OPER 25/9/17 ASPHALT CONTRACTS
FOR 2017/18 CAPITAL WORKS**

RESOLVED

THAT Council accept the tender from J&E Asphalt & Civil Pty Ltd at a price of \$504,153.25 (inc. GST) for asphalt services in line with Council's approved Operational Plan.

MOVED: Councillor S Ring

SECONDED: Councillor J Smith.

CARRIED

**ITEM 36 CONFIDENTIAL - CLOSED REPORT - OPER 25/09/17 BITUMEN
CONTRACTS FOR 2017/18 CAPITAL WORKS**

RESOLVED

THAT Council accept the tender from State Asphalt Services Pty Ltd at a price of \$241,350.34 (inc. GST) for bitumen sealing services in line with Council's approved Operational Plan.

MOVED: Councillor R Thompson

SECONDED: Councillor S Ring.

CARRIED

ITEM 37 CONFIDENTIAL - CLOSED REPORT - ECDEV - 25/09/17 - PROPOSED SALE OF COUNCIL LAND

RESOLVED**THAT:**

1. Council agree to enter into direct negotiation with Timberfix Pty Ltd for the disposal of Part Lot 20 DP 1217065 as identified in Survey Drawing 4_5088 OPT 1b CEH dated 14/7/17 for the purchase price of \$1,100,000 (incl GST).
2. Council enter into a conditional contract of sale with Timberfix Pty Ltd pending the registration of the necessary plan of subdivision.
3. Timberfix Pty Ltd to meet all associated subdivision and legal costs.
4. Timberfix Pty Ltd be advised that the sale of the land in no way relieves the proponent of its obligations to obtain development consent for both the subdivision of the land and future development thereon.
5. All proceeds from the sale of the land be held as a restricted asset for future strategic asset acquisition

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

There being no further business the meeting was declared closed at 10:03pm