



# **MINUTES**

**ORDINARY MEETING OF COUNCIL**

**HELD ON**

**24 SEPTEMBER 2018**

**AT 7.00 pm**

**MINUTES OF THE CITY OF LITHGOW COUNCIL MEETING  
HELD AT THE CIVIC CENTRE, LITHGOW ON 24 SEPTEMBER 2018**

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Meeting Commenced 7.00pm

**ACKNOWLEDGEMENT OF COUNTRY**

Public: 68

**PRESENT**

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

**APOLOGIES**

Nil

**Also in attendance**

Mr Graeme Faulkner, General Manager  
Mr Andrew Muir, Acting Director Economic Development and Environment  
Mr Ross Gurney, Chief Financial and Information Officer  
Mr Daniel Buckens, Acting Director Water and Wastewater  
Mr Jonathon Edgecombe, Acting Director Infrastructure Services  
Mr Matthew Johnson, Acting Director People and Services  
Mrs Trinity Newton, Minutes Secretary

**ITEM-1                    GM - 24/09/18 - NOMINATIONS FOR AND ELECTION FOR THE POSITION  
OF MAYOR FOR THE PERIOD 2018 to 2020**

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**18 – 247 RESOLVED**

**THAT** Council proceed with the election of the Mayor using the Open Voting method.

**MOVED:** Councillor S Lesslie

**SECONDED:** Councillor J Smith

**CARRIED**

The Mayor turned the meeting over to the General Manager to hold the election of the Mayor and Deputy Mayor.

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The General Manager called for any further nominations for the Mayor. No further nominations were received.

The General advised that three nominations had been received for the position of Mayor for the two year period September 2018 – September 2020.

Councillor Ray Thompson - nominated by Councillor Goodsell and Councillor Ring.

Councillor Stephen Lesslie - nominated by Councillor Coleman and Councillor Lesslie..

Councillor Maree Statham - nominated by Cr Statham with no seconder.

The General Manager declared that Councillor Statham was not eligible to stand for Mayoral election.

Councillor Ray Thompson received six(6) votes.

Councillor Stephen Lesslie received three(3) votes.

Councillor Ray Thompson was declared by the General Manager as returning officer; to be elected Mayor for a term of two years.

Councillor Lesslie vacated the chair and Mayor Thompson assumed the chair.

Mayor Thompson made a short statement.

Cr Lesslie made a short statement.

The Mayor called a Point Of Order.

Councillor Lesslie accepted the point of order and then thanked staff for their assistance over the past two years.

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**ITEM-2                    GM - 24/09/18 - NOMINATIONS FOR AND ELECTION FOR THE POSITION OF DEPUTY MAYOR FOR 2018 to 2019**

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The General Manager then acted as Returning Officer for the election of the Deputy Mayor position using the open voting method.

**18 – 248 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 that no fee be paid to the Deputy Mayor.

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

**CARRIED**

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The General Manager called for any further nominations. There were no further nominations.

The General Manager advised that two nominations were received for the position of Deputy Mayor for the 12 month period to September 2019.

Councillor Steve Ring - nominated by Councillor Goodwin and Councillor Goodsell.

Councillor Wayne McAndrew - nominated by Councillor Smith and Councillor Coleman

Councillor Steve Ring received four(4) votes.

Councillor Wayne McAndrew received five(5) votes.

Councillor Wayne McAndrew was declared by the General Manger as returning officer; to be Deputy Mayor for a one year term.

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**ITEM-3                    GM - 24/09/18 - DELEGATIONS TO DEPUTY MAYOR 2018-2019**

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**18 – 249 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 the absence of and with authorisation from the Mayor, chair a meeting of all Councillors convened 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 S Ring

**SECONDED:** Councillor J Smith

**CARRIED**

## **CONFIRMATION OF MINUTES**

### **RESOLVED**

Confirmation of the Minutes of the Ordinary Meeting of Council held on the 23 July 2018 were taken as read and confirmed by Councillors W McAndrew and D Goodwin

CARRIED

### **DECLARATION OF INTEREST**

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

There were Nil declarations.

## **COMMEMORATIONS AND ANNOUNCEMENTS**

Councillor Statham commemorated the passing of long time employee of Lithgow City Council, David “Dave” Knox who recently passed away suddenly.

Councillor Statham commemorated the passing of Mrs Pat McPhail who passed away recently and was an active community volunteer.

## **PUBLIC FORUM**

At 7:15 pm Members of public gallery were invited to participate in the Public Forum Session.

### **PF – MR IAN BURRETT**

Mr Burrett made a statement in relation to Item 19 on the agenda.

The Mayor thanked Mr Burrett for his statement.

### **PF – MR JOHN KEARNS**

Mr Kearns made a statement in relation to Item 27 on the agenda.

## **PROCEDURAL MOTION**

**THAT** an extension of time be granted to Mr Kearns.

**MOVED:** Councillor McAndrew      **SECONDED:** Councillor Coleman

The Mayor thanked Mr Kearns for his statement.

### **PF – MR NORMAN RICHARDSON**

Mr Richardson made a statement in relation to Portland Landfill/waste facility.

The Mayor thanked Mr Richardson for his statement.

### **PF - MRS SUE GRAVES**

Mrs Graves made a statement in relation to Item 1 on the agenda and Item 4 on the agenda.

The Mayor thanked Mrs Graves for her statements.

**PF – MR ANTHONY CRAIG**

The Mayor informed Mr Craig that he is unable to speak in public forum as he had not registered and the item was not on the agenda.

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**GENERAL MANAGERS REPORTS**

**ITEM-4 GM - 24/09/18 - COMMITTEES**

**REPORT BY: GENERAL MANAGER**

**MOTION**

**THAT** Council:

1. (a) Delete the Mining Taskforce Committee.
- (b) Delete the Bells Line of Road Group.
- (c) Amend “Centroc” to WSROC”.
- (d) Replace the Pine Dale Coal Mine Community Committee with “Energy Australia Lithgow Region Community Consultative Committee”. Councillor Thompson to remain as the representative.
- (e) Delete the Association of Mining Related Councils.
- (f) Include the Central Tablelands Alliance Councils Audit Committee. The Mayor being the appointed representative.
2. Reconfirms the councillor appointments made to the s355 Committees of Council and External Committees and Organisations.

<b>Internal Committees</b>	<b>2018/19 Representative</b>
Environmental Advisory	Councillor Ring Councillor Coleman
Operations Committee	Councillor Thompson Councillor Ring Councillor McAndrew
Traffic Advisory Local (TALC)	Councillor Lesslie
Sports Advisory Committee	Councillor Smith Councillor Goodwin
Audit Committee	Councillor Goodsell Councillor McAndrew (Alternate)
Economic Development	All Councillors
Community Development	Councillor Coleman Councillor Statham
Youth Advisory Committee	Councillor Lesslie Councillor Coleman
Lithgow Crime Prevention	Cr Coleman Cr Goodwin
General Manager Performance Review	All Councillors
Heritage Committee	Councillor Lesslie Councillor Ring
Finance Committee	Councillor McAndrew Councillor Ring Councillor Thompson
Strategic Land Use Planning Project Steering Committee	Councillor McAndrew Councillor Ring Councillor Thompson
<b>External Committees</b>	
Arts Out West Committee	Councillor Lesslie

NSW Rural Fire Service Senior Management Team	Councillor Lesslie Councillor Statham (alternate)
Lithgow Information & Neighbourhood Centre Inc. (LINC)	Councillor Thompson Councillor Goodsell (alternate)
Upper Macquarie County Council	Councillor Thompson Councillor Lesslie
WSROC	Mayor Deputy Mayor (alternate) General Manager
Energy Australia Lithgow Region Community Consultative Committee	Councillor Thompson
Cullen Valley Coal Mine Community Committee	Councillor Lesslie
Invincible Coal Mine Community Committee	Councillor Lesslie
Clarence Coal Mine Community Committee	Councillor Thompson
Centennial Coal Western Community Consultative Committee	Councillor Statham
Lithgow Correctional Centre Committee	Councillor Coleman
Airly Mine Community Consultative Committee	Councillor McAndrew
Newnes Sand and Kaolin Project Community Consultative Committee	Councillor Lesslie
Inglenook Exploration & Charbon Colliery Community Consultative Committee	Councillor Thompson
Eskbank Rail Heritage Centre Committee	Councillor Ring
Wolgan Valley Wilderness Railway Committee	Councillor Coleman
Rural Fire Service Lithgow District Liaison Committee	Councillor Lesslie Councillor Statham
Wallerawang Quarry Consultative Committee	Councillor Smith
Skillset	Councillor Statham
Central Tablelands Alliance Councils Audit Committee	Councillor Lesslie
Glenn Museum at Portland	Councillor Ring Councillor Coleman (alternate)
The Mayor's Mental Health Taskforce	

**MOVED:** Councillor C Coleman

**SECONDED:** Councillor W McAndrew

## AMENDMENT

**THAT** the item be deferred until an information session be held.

**MOVED:** Councillor R Thompson

**SECONDED:** Councillor W McAndrew

## CARRIED

The Amendment was PUT and became the MOTION.

## 18 – 250 RESOLVED

**THAT** the item be deferred until an information session be held.

**MOVED:** Councillor R Thompson

**SECONDED:** Councillor W McAndrew

**CARRIED**

## ITEM-5            GM - 24/09/18 - UPDATE CANBERRA VISIT JUNE 2018

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## 18 – 251 RESOLVED

**THAT** Council note that matters raised at meetings between Council and Federal Parliamentarians in June 2018 are continuing to be addressed by all parties.

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor D Goodwin

**CARRIED**

## ITEM-6            GM - 24/09/18 - INDUSTRY GROWTH, DIVERSIFICATION AND UPSKILLING - DEFENCE SUPPORT

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## 18 – 252 RESOLVED

**THAT** Council agree to

1. Develop a database of relevant skills contained within Industry and business in Lithgow based on the Supplier Pre-Qualification questionnaire – Capabilities circulated by NSM.
2. Join ABDI to enable us to alert those local industries/Businesses that wish to compete/participate in work/tenders that are in the market from time to time.
3. Organise a networking function with interested Businesses who may consider joint tenders/EOI for Defence Support related projects.

**MOVED:** Councillor S Ring

**SECONDED:** Councillor M Statham

**CARRIED**

**ITEM-7 GM - 24/09/18 - SCHOOL STUDENT TRANSPORT SCHEME RESPONSE**

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**RECOMMENDATION**

**THAT** Council:

1. Note the correspondence received in relation to the School Student Transport Scheme from The Hon. Andrew Constance MP.
2. Thanks Mr Toole for his efforts and the correspondence received in response.

**MOTION**

**THAT** council write to the Hon. Andrew Constance MP and request that he reconsider his response.

**MOVED:** Councillor C Coleman      **SECONDED:** Councillor S Lesslie

**18 – 253 RESOLVED**

**THAT** council write to the Hon. Andrew Constance MP and request that he reconsider his response.

**MOVED:** Councillor C Coleman      **SECONDED:** Councillor S Lesslie

**CARRIED – Unanimous**

**ITEM-8 GM - 24/09/18 - EXTRA ORDINARY MEETING OF COUNCIL TUESDAY 29 JANUARY 2019**

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**MOTION**

**THAT** Council resolve to hold an Extra Ordinary meeting to endorse the Special Rate Variation Application to IPART on Tuesday 29 January 2019.

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

**AMENDMENT**

**THAT** Council resolve to hold an Extra Ordinary meeting to consider the Special Rate Variation Application to IPART on Tuesday 29 January 2019.

**MOVED:** Councillor S Lesslie      **SECONDED:** Councillor C Coleman

The Amendment was PUT and became the MOTION

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## 18 – 254 RESOLVED

**THAT** Council resolve to hold an Extra Ordinary meeting to consider the Special Rate Variation Application to IPART on Tuesday 29 January 2019.

**MOVED:** Councillor S Lesslie

**SECONDED:** Councillor C Coleman

**CARRIED** – Unanimous

## ECONOMIC DEVELOPMENT AND ENVIRONMENT REPORTS

**ITEM-9**                    **ECDEV - 24/09/18 - REQUEST FOR CHRISTMAS CELEBRATIONS - REQUEST FOR ASSISTANCE**

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## 18 – 255 RESOLVED

**THAT**

1. Council provides a total of \$3,500 in financial assistance to support the 2018 Portland Christmas Celebrations. \$2,500 of which to be funded from the Financial Assistance program and \$1,000 to be funded from Council's allocation for Christmas Decorations.
2. Council waive its footpath trading fees for each premises; hire fees for Saville Park; hire of Crystal Theatre, road closure application and fees for the 2018 event.
3. Any costs associated with setting up and removal barriers for the road closure be costed to the Christmas Decoration allocation in Council's budget.
4. Council advise it is unable to provide any additional works in kind, including decoration of the Crystal Theatre, but would be happy to allow Members of the Association onto the property to carry out any decorations subject to the normal volunteer induction requirements; \$20,000,000 Public Liability Insurance; and any required risk assessments.
5. The organisers of the event be advised that all other fees and requirements for application forms and insurances will still be required

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor J Smith

**CARRIED**

**ITEM-10**                    **ECDEV - 24/09/18 - AUSTEN QUARRY EXTENSION PROJECT - MODIFICATION 1 (SSD 6084 MOD 1) - NOTICE OF DETERMINATION**

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## 18 – 256 RESOLVED

**THAT** the report on the determination of the Austen Quarry 'Extension Project' - Modification 1 (SSD 6084 MOD 1) be noted.

**MOVED:** Councillor S Ring

**SECONDED:** Councillor D Goodsell

**CARRIED**

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ITEM-11            ECDEV - 24/09/18 - DA114/18 - PROPOSED 3 LOT SUBDIVISION BARTON AVENUE WALLERAWANG

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## **PROCEDURAL MOTION**

**THAT** the item be deferred and an onsite meeting with the residents, Councillors and staff be held prior to the item being brought back to Council.

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor J Smith

**CARRIED**

## **WATER AND WASTEWATER REPORTS**

ITEM-12            WWW - 24/09/18 - WATER AND WASTEWATER POLICY 3.1 REVIEW

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## **18 – 257 RESOLVED**

**THAT** Council adopt policy 3.1 Water Service and Meter and implement the policy immediately.

**MOVED:** Councillor M Statham

**SECONDED:** Councillor S Ring

**CARRIED**

ITEM-13            WWW - 24/09/18 - WATER REPORT

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## **18 – 258 RESOLVED**

**THAT** Council note the water report.

**MOVED:** Councillor D Goodsell

**SECONDED:** Councillor S Ring

**CARRIED**

**FINANCE AND ASSETS REPORTS**

**ITEM-14 FIN - 24/09/18 - COUNCIL INVESTMENTS REPORT AUGUST 2018**

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**18 – 259 RESOLVED**

**THAT**

1. Investments of \$34,240,000 and cash of \$674,256.92 for the period ending 31 August 2018 be noted.
2. The enclosed certificate of the Responsible Accounting Officer be noted.

**MOVED:** Councillor S Ring

**SECONDED:** Councillor D Goodwin

**CARRIED**

**ITEM-15 FIN - 24/09/18 - 2018-19 FINANCIAL ASSISTANCE GRANT**

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**18 – 260 RESOLVED**

**THAT** Council note the information on the 2018/19 Financial Assistance Grant (FAG) and that the estimated FAG for 2018/19 exceeds the grant budget by \$279K.

**MOVED:** Councillor S Ring

**SECONDED:** Councillor J Smith

**CARRIED**

**ITEM-16 FIN - 24/09/18 - CULLEN BULLEN PROGRESS ASSOCIATION - WATER ACCOUNTS**

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**18 – 261 RESOLVED**

**THAT** Council:

1. Authorise an additional rebate of \$434.50 for Cullen Bullen Progress Association's water usage charges to ensure that the September to December 2017 water account is consistent with the Association's average usage over the past two years.
2. Notify the Cullen Bullen Progress Association in writing of Council's resolution.

**MOVED:** Councillor M Statham

**SECONDED:** Councillor D Goodsell

**CARRIED**



**ITEM-19            P&S - 24/09/18 - WORLD WAR I PLAQUE QUEEN ELIZABETH PARK WAR MEMORIAL**

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**18 – 264 RESOLVED**

**THAT** Council authorise the installation of the new WW1 plaque on the blank wall of the Queen Elizabeth Park Cenotaph.

**MOVED:** Councillor J Smith

**SECONDED:** Councillor D Goodwin

**CARRIED**

**ITEM-20            P&S - 24/09/18 - PEOPLE AND SERVICES POLICY REVIEW**

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**18 – 265 RESOLVED**

**THAT** Council adopt the policies and implement immediately the following policies:

- 9.18 Signs As Remote Supervision,
- 9.19 Inspection, Evaluations and Maintenance of Footpaths and Cycle ways.

**MOVED:** Councillor S Ring

**SECONDED:** Councillor J Smith

**CARRIED**

**ITEM-21            P&S - 24/09/18 - REQUEST FROM LITHGOW WOMEN'S SHED TO LEASE COUNCIL PREMISES**

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Item 21 was withdrawn as further investigations need to be carried out. As the land the building is situated on is Crown land there are specific matters which may involve legal considerations not currently highlighted in the report and these should be addressed prior to proceeding.

Once completed it would then be intended to report the matter to a future meeting of Council.

Representatives from the Women's Shed have been notified.

**COUNCIL COMMITTEE MINUTES**

**ITEM-22            P&S - 24/09/18 – LITHGOW LOCAL HERITAGE ADVISORY COMMITTEE –  
13 AUGUST 2018**

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**18 – 266 RESOLVED**

**THAT** Council notes the minutes of the Lithgow Local Heritage Advisory Committee held on the 13 August, 2018 and adopt the committee actions therein.

**MOVED:** Councillor S Lesslie

**SECONDED:** Councillor S Ring

**CARRIED**

**ITEM-23            P&S - 24/09/18 - YOUTH COUNCIL MINUTES FOR 21 AUGUST 2018**

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Cr Ring left the chambers at 8:32 pm.

Cr Ring returned to the chambers 8:33 pm

**18 - 267 RESOLVED**

**THAT** Council notes the minutes and endorses the recommendations of the Youth Council meeting held on 21 August 2018.

**MOVED:** Councillor C Coleman

**SECONDED:** Councillor J Smith

**CARRIED**

**ITEM-24            ECDEV - 24/09/18 - ENVIRONMENTAL ADVISORY COMMITTEE MEETING  
MINUTES - 5 SEPTEMBER 2018**

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**18 – 268 RESOLVED**

**THAT** Council note the minutes of the Environmental Advisory Committee held on 5<sup>th</sup> September 2018 and adopt the recommendations therein.

**MOVED:** Councillor S Lesslie

**SECONDED:** Councillor S Ring

**CARRIED**

**ITEM-25            P&S - 24/09/18 - COMMUNITY DEVELOPMENT COMMITTEE MINUTES 11  
                         SEPTEMBER 2018**

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**18 – 269 RESOLVED**

**THAT** Council notes the Minutes and endorse the recommendations of the Community Development Committee Meeting held on 11 September 2018.

**MOVED:** Councillor M Statham

**SECONDED:** Councillor J Smith

**CARRIED**

**ITEM-26            IS - 24/09/18 - SPORTS ADVISORY COMMITTEE MEETING MINUTES - 12  
                         SEPTEMBER 2018**

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**18 – 270 RESOLVED**

**THAT** Council:

1. Note the Minutes of the Sports Advisory Committee held 12 September 2018; and
2. Accept the representative from Lithgow District Football Association.

**MOVED:** Councillor S Lesslie

**SECONDED:** Councillor J Smith

**CARRIED**

**NOTICE OF MOTION**

**ITEM-27            NOTICE OF MOTION - 24/09/18 - PORTLAND COMMONWEALTH BANK  
                         AUSTRALIA CLOSURE**

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**18 – 271 RESOLVED**

**THAT** Lithgow City Council:

1. Writes to Angus Sullivan, Group Executive Retail Banking Services of the Commonwealth Bank of Australia, and raise the concerns and objections of the residents of Portland in relation to the proposed closure of its Portland Branch in November 2018.
2. A copy of the press release by the Portland Business Association be acknowledged and sent with the correspondence in point 1.

**MOVED:** Councillor C Coleman

**SECONDED:** Councillor J Smith

**CARRIED**

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**ITEM-28 NOTICE OF MOTION - 24/09/18 - TRAIN GUARD JOB LOSSES**

**REPORT BY: COUNCILLOR CASSANDRA COLEMAN**

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**MOTION**

**THAT**

1. Lithgow City Council write to Paul Toole, Member for Bathurst, expressing our community's concerns regarding the potential job losses on removing train guards from the new intercity fleet, and the potential safety risks to our residents.
2. The General Manager provides a report on the cascading effect of job losses in the LGA.

**MOVED:** Councillor C Coleman

**SECONDED:** Councillor S Lesslie

**AMENDMENT**

**THAT** Lithgow City Council write to Paul Toole, Member for Bathurst, seeking clarification on the future of guards on the intercity service, and advise him of Council's concerns for the potential safety risks to our residents if they are removed from service.

**MOVED:** Councillor S Ring

**SECONDED:** Councillor J Smith

The Amendment was PUT and WON

The Amendment became the MOTION

**MOTION**

**THAT** Lithgow City Council write to Paul Toole, Member for Bathurst, seeking clarification on the future of guards on the intercity service, and advise him of Council's concerns for the potential safety risks to our residents if they are removed from service.

**MOVED:** Councillor S Ring

**SECONDED:** Councillor J Smith

**18 – 272 RESOLVED**

**THAT** Lithgow City Council write to Paul Toole, Member for Bathurst, seeking clarification on the future of guards on the intercity service, and advise him of Council's concerns for the potential safety risks to our residents if they are removed from service.

**MOVED:** Councillor S Ring

**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.*

Nil

## **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.

Cr Lesslie requested an explanation on the reason why item 30 is being considered as a confidential matter.

The administration gave the Council advice.

## **18 – 273 RESOLVED**

**THAT** Council move into Closed Council to consider all confidential reports.

**MOVED:** Councillor J Smith

**SECONDED:** Councillor D Goodwin

**CARRIED**

The Mayor declared a 5 minute recess at 8:50 pm.

Council resumed at 8:59 pm

At 9:00 pm the Council resolved to move into Closed Council.

**MOVED:** Councillor J Smith

**SECONDED:** Councillor D Goodwin

**CARRIED**

Closed Council commenced at 9:00 pm.

## CONFIDENTIAL REPORTS

ITEM-29            **CONFIDENTIAL - CLOSED REPORT- IS - 24/09/18 - BITUMEN CONTRACTS FOR 2018-19 CAPITAL WORKS**

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## 18 – 274 RESOLVED

**THAT** Council accept the tender from All Pavement Solutions Pty Ltd at a price of \$118,183.76 (incl. GST) for bitumen sealing services in line with Council's approved Operational Plan 2018/19.

**MOVED:** Councillor D Goodwin

**SECONDED:** Councillor S Ring

**CARRIED**

ITEM-30            **CONFIDENTIAL REPORT - ECDEV - 24/09/18 - RURAL FIRE SERVICE REMOTE AREA TRAINING CENTRE**

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## PROCEDURAL MOTION

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

**MOVED:** Councillor W McAndrew

**CARRIED**

## PROCEDURAL MOTION

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

**MOVED:** Councillor McAndrew

**SECONDED:** Councillor Smith

**CARRIED**

## 18 – 275 RESOLVED

**THAT** Council:

1. Note the current status of negotiations between Council and Centennial Coal.
2. Authorise Council's General Manager to continue with and finalise negotiations with Centennial Coal.
3. Authorise Council's General Manager to enter a Compensation Agreement with Centennial Coal accepting the following as compensation:
  - Centennial Coal to provide access for light vehicles from Castlereagh Highway to the proposed waste management facility on Lot 42. (Note: there is no guarantee

of long term access; Centennial Coal is only capable of granting access while it is the owner of Lot 1 in DP88503 and Lot 26 in DP126483, due to an option to purchase it has granted to Energy Australia.)

- Centennial Coal to construct, at its cost, a viaduct under the Angus Place Haul Road and provide alternate access for oversized vehicles to the waste management facility. (Note: the viaduct will only be built if the Angus Place Haul Road is constructed.)
- Centennial Coal to rehabilitate the void and highwall to a safe, stable, secure, non-polluting and self-sustaining condition, to the standard approved by the NSW Resource Regulator. (Note: if Council requires a standard or type of rehabilitation that exceeds the minimum requirements of the Regulator, Council will bear the extra cost.)

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor S Ring

**CARRIED**

**ITEM-31                    CONFIDENTIAL REPORT - GM - 24/09/18 - APPOINTMENT OF SENIOR EXECUTIVE POSITIONS**

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All staff with the exception of the General Manager and the Minutes taker, vacated the chambers.

**18 – 276 RESOLVED**

**THAT** Councillors note and support the General Managers decision to:

1. Appoint Mr Andrew Muir as 'Director Economic Development and Environment' on a standard five year designated Senior Staff performance based contract.
2. Remove the Award based position of Acting Director Economic Development and Environment from the Organisation Structure
3. Appoint Mr Michael McGrath as 'Director People and Services' on a standard five year designated Senior Staff performance based contract.
4. Remove the Award based position of Acting Director People and Services from the Organisation Structure.

**MOVED:** Councillor J Smith

**SECONDED:** Councillor W McAndrew

**CARRIED – Unanimous**

At 9:34 pm the Council resolved to refer to open Council and recommend the resolutions of Closed Council.

**MOVED:** Councillor M Statham

**SECONDED:** Councillor J Smith

**CARRIED**

Councillor Ring left 9:34 pm to inform the public forum they are able to return to the Chambers.

The Council staff returned to the chambers at 9:35 pm.

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The General Manager announced the recommendations of the Closed Council.

**ITEM 29**

**RESOLVED**

**THAT** Council accept the tender from All Pavement Solutions Pty Ltd at a price of \$118,183.76 (incl. GST) for bitumen sealing services in line with Council's approved Operational Plan 2018/19.

**MOVED:** Councillor D Goodwin

**SECONDED:** Councillor S Ring

**ITEM 30**

**RESOLVED**

**THAT** Council:

1. Note the current status of negotiations between Council and Centennial Coal.
2. Authorise Council's General Manager to continue with and finalise negotiations with Centennial Coal.
3. Authorise Council's General Manager to enter a Compensation Agreement with Centennial Coal accepting the following as compensation:
  - Centennial Coal to provide access for light vehicles from Castlereagh Highway to the proposed waste management facility on Lot 42. (Note: there is no guarantee of long term access; Centennial Coal is only capable of granting access while it is the owner of Lot 1 in DP88503 and Lot 26 in DP126483, due to an option to purchase it has granted to Energy Australia.)
  - Centennial Coal to construct, at its cost, a viaduct under the Angus Place Haul Road and provide alternate access for oversized vehicles to the waste management facility. (Note: the viaduct will only be built if the Angus Place Haul Road is constructed.)
  - Centennial Coal to rehabilitate the void and highwall to a safe, stable, secure, non-polluting and self-sustaining condition, to the standard approved by the NSW Resource Regulator. (Note: if Council requires a standard or type of rehabilitation that exceeds the minimum requirements of the Regulator, Council will bear the extra cost.)

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor S Ring

**ITEM 31**

**RESOLVED**

**THAT** Councillors note and support the General Managers decision to:

1. Appoint Mr Andrew Muir as 'Director Economic Development and Environment' on a standard five year designated Senior Staff performance based contract.
2. Remove the Award based position of Acting Director Economic Development and Environment from the Organisation Structure
3. Appoint Mr Michael McGrath as 'Director People and Services' on a standard five year designated Senior Staff performance based contract.

4. Remove the Award based position of Acting Director People and Services from the Organisation Structure.

**MOVED:** Councillor J Smith

**SECONDED:** Councillor W McAndrew

## **18 – 277 RESOLVED**

**THAT** Council adopt the recommendations of the closed Council.

**MOVED:** Councillor M Statham

**SECONDED:** Councillor J Smith

**CARRIED**

There being no further business the Mayor declared the meeting closed at 9:37 pm.