



MINUTES

Ordinary Meeting of Council

held at

Council Administration Centre

180 Mort Street, Lithgow

on

Tuesday 29 January 2019

at 7:00 pm

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The Mayor declared the meeting open at 06:59 pm.

1. Acknowledgement of Country

2. Present

Public: 51

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

Also in attendance

Mr Graeme Faulkner, General Manager
Mr Andrew Muir, Director Economic Development and Environment
Mr Ross Gurney, Chief Financial and Information Officer
Mr Daniel Buckens, Director Water and Wastewater
Mr Jonathon Edgecombe, Director Infrastructure Services
Mr Michael McGrath, Director People and Services
Mrs Trinity Newton, Minutes Secretary
Ms Kaitlin Cibulka, Assistant Minutes Secretary

3. Apologies

There were Nil Apologies.

PROCEDURAL MOTION

THAT a Public Forum be held after any Declaration of interest are declared.

MOVED: Councillor W McAndrew

SECONDED: Councillor D Goodsell

CARRIED: Unanimously

Divisions

FOR:

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

AGAINST:
Nil

4. Confirmation of Minutes

19 - 01 RESOLVED

Confirmation of the Minutes of the Ordinary Meeting of Council held on the 26 November 2018 were taken as read and confirmed.

MOVED: Councillor C Coleman

SECONDED: Councillor J Smith

CARRIED: Unanimously

Divisions

FOR:

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

AGAINST:
Nil

5. Declaration of Interest

There were Nil Declaration of Interest.

PUBLIC FORUM

PF – MR GEORGE REDDING

Mr Redding made a statement in relation to Item 7.2.1 on the agenda.

PROCEDURAL MOTION

THAT an extension of time be granted to Mr Redding.

MOVED: Councillor M Statham

SECONDED: Councillor J Smith

CARRIED

Councillors failed to vote on this matter and by virtue of Clause 251(1) of the Local Government (General) Regulation 2005 it is taken that Councillors have voted against the motion.

The Mayor Thanked Mr Redding for his statement.

PF – MRS JENNIFER PAVEY

Mrs Pavey made a statement in relation to Item 7.2.1 on the agenda.

PROCEDURAL MOTION

THAT an extension of time be granted to Mrs Pavey.

MOVED: Councillor M Statham

SECONDED: Councillor W McAndrew

CARRIED

Councillors failed to vote on this matter and by virtue of Clause 251(1) of the Local Government (General) Regulation 2005 it is taken that Councillors have voted against the motion.

PROCEDURAL MOTION

THAT an extension of time be granted to Mrs Pavey.

MOVED: Councillor M Statham

SECONDED: Councillor J Smith

CARRIED

Divisions

FOR:

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

AGAINST:

Councillor S Lesslie,
Councillor W McAndrew

Cr Lesslie and Cr McAndrew failed to vote on this matter and by virtue of Clause 251(1) of the Local Government (General) Regulation 2005 is taken to have voted against the motion.

The Mayor thanked Mrs Pavey for her statement.

PF – MR GEOFF WELSMAN

Mr Geoff Welsman made a statement in relation to Item 7.2.1 on the agenda.

The Mayor thanked Mr Welsman for his statement.

PF – MR TONY CHURCHILL

Tony Churchill made a statement in relation to Item 7.2.1 on the agenda.

PF – MRS SUE GRAVES

Mrs Graves made a statement in relation to Item 7.2.1 on the agenda.

The Mayor thanked Mrs Graves for her statement.

PF – MS PREMALA SANGARANANDA

Ms Sangarananda made a statement in relation to Item 7.2.1 on the agenda.

The Mayor thanked Ms Sangarananda for her statement.

6. Commemorations and Announcements

Councillor McAndrew acknowledged and congratulated the good work of Council staff and volunteers who worked hard in cleaning up the area after the recent storm events.

Councillor McAndrew acknowledged the hard work of the Wallerawang Progress Association and specifically to Cr Smith and Mr Tilley for their hard work on the New Year Eves event held at Lake Wallace. Cr McAndrew requested that letters of acknowledgment be sent to the gentlemen.

Councillor McAndrew asked for a vote in support of the acknowledgement letter being sent.

Divisions

FOR:

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

AGAINST: nil

Councillor Coleman acknowledged and congratulated Mr Herb Coleman not only on his 80th Birthday but on his retirement from the Portland Town Fire and Rescue Service. She thanked him for his community service.

7. Staff Reports

7.1. General Manager's Reports

7.1.1. GM - 29/1/19 - September 2020 Council Election

19 - 02 RESOLVED

THAT Council resolves:

1. Pursuant to s. 296(2) and (3) of the Local Government Act 1993 (NSW) ("the Act") that an election arrangement be entered into by contract for the Electoral Commissioner to administer all elections of the Council.
2. Pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, that a council poll arrangement be entered into by contract for the Electoral Commissioner to administer all council polls of the Council.
3. Pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, that a constitutional referendum arrangement be entered into by contract for the Electoral Commissioner to administer all constitutional referenda of the Council.

MOVED: Councillor W McAndrew

SECONDED: Councillor S Ring

CARRIED: Unanimously

POINT OF ORDER

Cr Ring called a point of order as he felt that the issue of counting votes which Cr Lesslie was addressing was not an issue relevant to the topic at hand.

Cr McAndrew sought clarification on the point of order the as the item tonight is to appoint the Electoral Commission as Lithgow City Council election.

The Mayor did not rule upon the point of order but indicated that correspondence would be provided to the Electoral Commission in relation to this issue.

Divisions

FOR:

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

AGAINST: nil

7.2. Finance and Assets Reports

7.2.1. FIN - 29/1/19 - Special Rate Variation Application

POINT OF ORDER

Cr McAndrew requested an apology from Cr Statham regarding her statement implying Cr McAndrew was proud of Council low staff numbers.

Cr Statham apologised to Cr McAndrew for her statement.

POINT OF ORDER

Cr McAndrew called a point of order regarding Cr Statham's claim of alleged comments made by Cr McAndrew during public forum.

Mayor ruled on the Point of Order and advised Cr Statham to remain focused on the agenda topic.

19 - 03 RESOLVED

THAT Council:

1. Acknowledge the feedback received from the community during the community engagement and public exhibition process and provide this to the NSW Independent Regulatory and Pricing Tribunal (IPART) as part of the Special Rate Variation application by Lithgow City Council.
2. Adopt the following Integrated Planning and Reporting Framework documents that include the permanent Special Rate Variation Scenario - Maintain the current SRV + rate peg + one-off (permanent) 4.23% SRV:
 - a. Supplementary Combined 2017-21 Delivery Program and 2018/19 Operational Plan
 - b. Supplementary 2017-21 Workforce Plan
 - c. 2019-2029 Long Term Financial Plan
 - d. 2019-2019 Asset Management Strategy
3. Make application to the NSW Independent Regulatory and Independent Pricing Tribunal for the Scenario - Maintain the current SRV + rate peg + one-off (permanent) 4.23% SRV under section 508 (2) of the NSW Local Government Act – being an increase in a single year commencing in 2019/20 for the specific purposes of:
 - a. Maintaining existing services
 - b. Enhancing financial sustainability
 - c. Infrastructure maintenance/renewal
 - d. Reduce infrastructure backlogs.

MOVED: Councillor R Thompson

SECONDED: Councillor S Ring

CARRIED:

Divisions

FOR:

Councillor R Thompson,
Councillor W McAndrew,
Councillor C Coleman,
Councillor D Goodsell,

Councillor D Goodwin,
Councillor S Ring,
Councillor J Smith,

AGAINST:

Councillor S Lesslie,
Councillor M Statham

8. Business of Great Urgency

In accordance with Clause 241 of the Local Government Act (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 if:

- 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.

The Mayor asked if there were any matters to be considered as matters of great urgency.

Cr McAndrew raised the issue of Dr Harahan's request requires a letter of support to apply for funding for Mental Health issues.

Mr Mayor declared the matter to be a matter of urgency.

19 – 04 RESOLVED

THAT a letter of support be sent to the Nepean Health in support of a grant application.

MOVED: Councillor W McAndrew

SECONDED: Councillor J Smith

CARRIED: Unanimously

Divisions

FOR:

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

AGAINST: nil

9. Closed Council

9.1. Confidential Report - Union Theatre Tender

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.

19 - 05 RESOLVED

THAT Council consider the information in relation to the tender pertaining to the Union Theatre in Confidential Council in accordance with section 10A (2) of the Local Government Act 1993 at 08:11 pm.

MOVED: Councillor J Smith

SECONDED: Councillor W McAndrew

CARRIED – Unanimously

The Mayor declared an adjournment for 5 Minutes at 8.15pm.

The meeting resumed at 8:20pm.

19 - 06 RESOLVED

THAT Council:

1. Accept the tender submission from Renascent Pty Ltd for \$925,184.70 GST inclusive for Union Theatre Construction Works TEN 05/18.
2. Authorise the General Manager to execute the resulting Contract and any related documentation under delegated authority.

MOVED: Councillor W McAndrew

SECONDED: Councillor J Smith

CARRIED: Unanimously

Division

FOR:

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

AGAINST: nil

9.99. Closed Council Reopen to Public

19 - 07 RESOLVED

THAT Council resolved to refer to open Council and recommend the resolutions of Closed Council at 08:21 pm.

MOVED: Councillor S Lesslie

SECONDED: Councillor M Statham

CARRIED: Unanimously

The General Manager read the resolution of the Closed Council to the Public.

THAT Council:

1. Accept the tender submission from Renascent Pty Ltd for \$925,184.70 GST inclusive for Union Theatre Construction Works TEN 05/18.
2. Authorise the General Manager to execute the resulting Contract and any related documentation under delegated authority.

MOVED: Councillor W McAndrew

SECONDED: Councillor Smith

10. Meeting Close

There being no further business the Mayor declared the meeting closed at 08:22 pm.