



MINUTES

Ordinary Meeting of Council

held at

Council Administration Centre

180 Mort Street, Lithgow

on

Monday 25 November 2019

at 7:00 pm

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

1. Acknowledgement of Country

Acknowledgement of Country

I would like to acknowledge the traditional custodians of this land we are on here today, and pay respect to their elders both past, present and emerging.

Declaration of Webcasting

I inform all those in attendance at this meeting, that the meeting is being webcast and that those in attendance should refrain from making any defamatory statements concerning any person, Councillor or employee, and refrain from discussing those matters subject to Closed Council proceedings as indicated in clause 14.1 of the code of meeting practice.

2. Present

Public: 23

His Worship the Mayor 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

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 Negreeta Nunan, Minutes Secretary

3. Apologies

All being present there were Nil apologies.

4. Declaration of Interest

The Mayor called for any Declarations of Interest

There were Nil Declarations.

5. Confirmation of Minutes

19-323 RESOLVED

Confirmation of the Minutes of the Ordinary Meeting of Council held on the 28 October 2019 were taken as read and confirmed.

MOVED: Councillor S Ring

SECONDED: Councillor D Goodwin

CARRIED

Divisions

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

AGAINST: nil

6. Commemorations and Announcements

Councillor C Coleman acknowledged Mr Jack Abbott who was a long term Portland Resident who features on the Portland silo murals.

Councillor M Statham commemorated the passing of Leigh Stevens who passed away recently and was an member of CWA Portland and Wallerawang Area.

Councillor M Statham also acknowledged recent events in the area:

The Arts Party
Dementia Day
Hippy Bowenfels
Tourism Forum
Skate Park Openings.
Quota Club

Councillor M Statham also commemorated the passing of Jack Abbott.

Councillor S Ring acknowledged the hard work and sacrifices of the RFS volunteers and the paid Fire Fighters during the Gosper Mountain Fires.

Councillor D Goodwin acknowledged Brad De Losa who is the Stihl Wood chopper World Champion.

7. Public Forum

At 07:02 pm members of the public gallery were invited to participate in the Public Forum Session.

Mrs Denise Schoer made a statement in relation to Item 10.1.4 on the agenda.

PROCEDURAL MOTION

THAT an extension of time be granted to Mrs Schoer.

MOVED: Councillor C Coleman

SECONDED: Councillor S Ring

CARRIED: Unanimously

Divisions

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

AGAINST: nil

The Mayor thanked Mrs Schoer for her statement.

Mr Colin Hunter made a statement in relation to Rural Roads and the Overhanging limbs on the roads.

The Mayor thanked Mr Hunter for his statement.

Mr John Kearns made a statement in relation to the deterioration of Schiedel Lane in Portland and the Old Portland Hospital site.

The Mayor thanked Mr Kearns for his statement.

Mr Alan Bulkeley made a statement in relation to Item 10.1.13 on the agenda.

The Mayor thanked Mr Bulkeley for his statement.

Mr Paul Bulkeley made a statement in relation to Item 10.1.13 on the agenda.

The Mayor thanked Mr Bulkeley for his statement.

Mr Noel Bulkeley (via Mr Paul Bulkeley) made a statement in relation to Item 10.1.13 on the agenda.

The Mayor thanked Mr Bulkeley for his statement.

Mrs Sue Graves asked a question in relation to Item 10.2.1 on the agenda, specifically who is the owner of a grave with regards to maintenance?

The Mayor thanked Mrs Graves for his statement.

The Administration gave advice on the matter.

Mr Martin Ticehurst made a statement in relation to Item 9.4 on the agenda and Item 11.2 on the agenda.

The Mayor thanked Mr Ticehurst for his statement.

Councillors McAndrew requested that Items 10.1.13 and 10.1.4 to be brought forward.

Councillor Ring requested that Item 10.4.1 be brought forward.

Mr John Chapman made a statement in relation to Item 10.1.13 on the agenda.

The Mayor thanked Mr Chapman for his statement.

Mr Si Townsend made a statement in relation to Item 10.1.4 on the agenda on behalf of the owners of the property in the matter.

PROCEDURAL MOTION

THAT an extension of time be granted to Mr Townsend.

MOVED: Councillor M Statham

SECONDED: Councillor W McAndrew

CARRIED: Unanimously

Divisions

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

AGAINST: nil

Mayor thanked Mr Townsend for his statement.

8. Presentations

PROCEDURAL MOTION

THAT Items **10.4.1, 10.1.4 and 10.1.13** be moved to this point in the meeting.

MOVED: Councillor W McAndrew

SECONDED: Councillor J Smith

CARRIED: Unanimously

Divisions

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

AGAINST: nil

Mr Ash Pather from Crowe Australasia presented to Council the Audit of 2018/19 Financial Reports.

The Mayor thanked Mr Pather for his Report.

10.4.1. FIN - 25/11/19 - Financial Statements for the Year Ended 30 June 2019

19-324 RESOLVED

THAT Council:

1. Receives the audited Annual Financial Statements for the year ended 30 June 2019 pursuant to Section 419 of the Local Government Act 1993.
2. Pursuant to Section 420 of the Local Government Act 1993, endorses the Financial Statements to be made available to the public to make submissions for a period of seven days.
3. Note the presentation by a representative of Crowe Australasia on behalf of the Audit Office of New South Wales, the Council's external auditor, at the Council meeting held 25 November 2019 Ordinary Meeting in respect of the Audited Financial Statements.

MOVED: Councillor W McAndrew

SECONDED: Councillor J Smith

CARRIED: Unanimously

Divisions

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

AGAINST: nil

10.1.4. ECDEV - 25/11/2019 - DA149/19, Garage/shed, 76 Glenrock Place, Hartley

MOTION

THAT:

1. Development Application DA149/19 be **APPROVED** subject to the proposed conditions of consent in the attached Section 4.15 report.
2. A Division be called in accordance with the requirements of Section 375A(3) of the Local Government Act, 1993.

MOVED: Councillor W McAndrew

SECONDED: Councillor J Smith

AMENDMENT

THAT the shed be moved 90 degrees and that the Director of Economic Development and Environment determine the outcome of the application.

MOVED: Councillor S Lesslie

SECONDED: Councillor C Coleman

LOST

FOR: Councillor D Goodsell, Councillor C Coleman, Councillor S Lesslie

AGAINST: Councillor R Thompson, Councillor W McAndrew, Councillor D Goodwin, Councillor S Ring, Councillor M Statham, Councillor J Smith

The Amendment was PUT and LOST

19-325 RESOLVED

THAT:

1. Development Application DA149/19 be APPROVED subject to the proposed conditions of consent in the attached Section 4.15 report.
2. An additional condition be added to the consent being *"To minimise visual impact, no rainwater tanks are to be placed along or adjacent to the southern elevation of the shed/garage."*
3. A Division be called in accordance with the requirements of Section 375A(3) of the Local Government Act, 1993.

MOVED: Councillor W McAndrew

SECONDED: Councillor J Smith

CARRIED:

Divisions

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

AGAINST: Councillor S Lesslie, Councillor D Goodsell

10.1.13.ECDEV - 25/11/19 - DA196/18 Proposed 1 Lot into 32 Lot Subdivision and Draft Planning Agreement, 111 Ian Holt Drive Lidsdale

19-326 RESOLVED

THAT:

1. The Item in relation to DA196/18 be deferred
2. A site visit be organised with the staff, applicant, Councillors and neighbours.

MOVED: Councillor C Coleman

SECONDED: Councillor W McAndrew

CARRIED: Unanimously

Divisions

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

AGAINST: nil

9. Notices of Motion

9.1. Notice of Motion - 25/11/19 - Councillor Coleman - Sealing of Willow Vale Lane Wallerawang

Report by Councillor Cassandra Coleman

Councillor Coleman read from a letter from Hon. Paul Toole received by a resident in relation to road funding.

Councillor Statham requested that all roads mentioned in the Management comment be included as well as Thompsons Creek Road. The mover and seconder accepted this.

Cr Ring called a Point of Order on Cr Lesslie in relation to Councillor Lesslie's comments regarding the Letter from Hon Paul Toole.

The Mayor asked Cr Coleman to address this in her right of reply.

Cr Lesslie called a Point of Order on Cr Statham as speaking against her own amendment. Councillor Statham advised that this is not an amendment to the original motion.

19-327 RESOLVED

THAT Lithgow City Council approach the Hon Paul Toole, State Member for Bathurst, seeking funds to seal:

- Willow Vale Road, Wallerawang
- Thompson's Creek Road
- Hartley Vale Road, Hartley Vale
- Dark Corner Road, Dark Corner
- Fields Road, Rydal
- Wolgan Road, Wolgan Valley

MOVED: Councillor C Coleman

SECONDED: Councillor J Smith

CARRIED:

Divisions

FOR: Councillor D Goodsell, Councillor J Smith, Councillor M Statham, Councillor S Lesslie, Councillor C Coleman, Councillor D Goodwin, Councillor W McAndrew

AGAINST: Councillor R Thompson, Councillor S Ring

9.2. Notice of Motion - 25/11/19 - Councillor Lesslie - Flood Risk Management Study and Plan

Report by Councillor Stephen Lesslie

19-328 RESOLVED

THAT Lithgow Council advise Mr Toole that his offer of \$60,000 for a flood risk management study and plan is not directed at the problems which have already been identified, these being a major flooding problem at the corners of Main, Laurence and Cupro Streets and George Coates Avenue, and also at Marrangaroo. As a sign of how seriously this problem is viewed, Lithgow Council is putting aside \$350,000 per year from the Operations budget to deal with it when funds are sufficient. We request that Mr Toole's \$60,000, along with extra funds from the Floodplain Grants Scheme sufficient to finish the job, be allocated to the immediate rectification of the already identified problems.

MOVED: Councillor S Lesslie

SECONDED: Councillor W McAndrew

LOST

Divisions

FOR: Councillor S Lesslie

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

9.3. Notice of Motion - 25/11/19 - Councillor Lesslie - NSW Electoral Commission Costs

Report by Councillor Stephen Lesslie

19-329 RESOLVED

THAT Lithgow Council

1. Advise Mr Paul Toole, that elections being a fundamental right of the people, any increase in the cost of running Council elections be kept to no more than the rate of inflation.
2. To eliminate the cost of by-elections that Mr Toole make representations to the Local Government Minister to enact the necessary regulations for the legislation, that he oversaw as Local Government Minister, for the filling of all casual vacancies in councils by countback.

MOVED: Councillor S Lesslie

SECONDED: Councillor C Coleman

CARRIED: Unanimously

Divisions

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

AGAINST: nil

9.4. Notice of Motion - 25/11/19 - Councillor Lesslie - Request for Update on Creek Bed Erosion Bells Road Lithgow

Report by Councillor Stephen Lesslie

19-330 RESOLVED

THAT a report be brought down on the erosion of the creek bank adjacent to 2 Bells Road, Lithgow and a timeframe for when this matter will be resolved.

MOVED: Councillor S Lesslie

SECONDED: Councillor W McAndrew

CARRIED: Unanimously

Divisions

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

AGAINST: nil

The Management gave a verbal report on the matter which was accepted by Council.

10. Staff Reports

10.1. Economic Development and Environment Reports

10.1.1. ECDEV - 25/11/19 - McPhillamys Gold Project- Response to Application

19-331 RESOLVED

THAT:

1. The information in the report on the McPhillamy's Gold Project (SSD 18_9505) be noted.
2. An information session be held for Centennial Coal to supply information on the matter to Councillors.
3. Council put forward a supplementary submission.

MOVED: Councillor C Coleman

SECONDED: Councillor W McAndrew

CARRIED: Unanimously

Divisions

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

AGAINST: nil

10.1.2. ECDEV - 25/11/19 - HyTec Quarry Voluntary Planning Contribution 2018

19-332 RESOLVED

THAT

1. Council endorse \$28,034.85 of the Hy-Tec Quarry 2018 contribution to be allocated and distributed to the following projects/initiatives:
 - a. Hartley Historic Site Advisory Committee (Picnic Facilities)
 - b. The National Trust of Australia NSW Lithgow Branch (Ground Penetrating Radar)
 - c. Andrew Lothian (Doggy Adventure Park)
 - d. Lithgow Information and Neighbourhood Centre Inc (Retro Hall Upgrade)
 - e. Lithgow Bears Rugby League Football Club (Upgrade Club Rooms)
 - f. Lithgow Small Arms Factory Museum (Unique Tourist Map)
2. Council advise Lithgow Tidy Towns, Hartley District Progress Association and Hartley Historic Site Advisory Committee (Moveable Museum) that their applications were unsuccessful in this round however will be considered in the next round of the funding.
3. Council advise Hy-Tec Quarry that they may proceed to advertise for expressions of interest for the 2019 community contribution period and a report be provided to Council when submissions have been received.

MOVED: Councillor M Statham

SECONDED: Councillor S Ring

CARRIED: Unanimously

Divisions

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

AGAINST: nil

10.1.3. ECDEV - 25/11/2019 - DA105/19 - Two Storey Dwelling, 37 Inch Street, Lithgow

19-333 RESOLVED

THAT:

1. Council notes the report on the status of Development Application DA105/19 for a two-storey dwelling on land at the rear of 37 Inch Street, Lithgow.
2. The final assessment of DA 105/19 be reported to Council for determination once the applicant's alternative proposal has been received.

MOVED: Councillor S Ring

SECONDED: Councillor W McAndrew

CARRIED: Unanimously

Divisions

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

AGAINST: nil

10.1.4. ECDEV - 25/11/2019 - DA149/19, Garage/shed, 76 Glenrock Place, Hartley

This Item was dealt with earlier in the meeting.

**10.1.5. ECDEV - 25/11/19 - Airly Coal Mine proposed Extension Project modification 3
SSD5581**

19-334 RESOLVED

THAT Council note the information in the report for Airly Mine Extension Project Modification 3, State Significant Development (SSD) 5581 and note that a submission on behalf of Council will be made.

MOVED: Councillor J Smith

SECONDED: Councillor M Statham

CARRIED: Unanimously

Divisions

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

AGAINST: nil

10.1.6. ECDEV - 25/11/19 - Proposed Re-Naming of Anarel Road Sodwalls to Charltons Road

19-335 RESOLVED

THAT in accordance with Council's Addressing Policy, Council advertise the road name Charltons Road in the local newspaper and notify emergency authorities and residents in the area, calling for submissions to be made for the statutory period of twenty-eight (28) days after which:

- a. If no submissions against the proposal or alternatives are submitted, Council proceed with the gazettal process of the name and notify all residents and emergency authorities accordingly.
- b. If submissions against the proposal or alternatives are submitted, a report is furnished to the next available Council meeting for resolution.

MOVED: Councillor M Statham

SECONDED: Councillor C Coleman

CARRIED: Unanimously

Divisions

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

AGAINST: nil

10.1.7. ECDEV - 25/11/19 - Proposed Road Names - Eagle Hawk Close, Canyon Close and Running Stream Close Capertee

19-336 RESOLVED

THAT in accordance with Council's Addressing Policy Council start the online road naming process, including advertising the road names, Eagle Hawk Close, Canyon Close and Running Stream Close in the local newspaper and notify emergency authorities and residents in the area, calling for submissions to be made for the statutory period of twenty-eight (28) days after which:

- a. If no submissions against the proposal or alternatives submitted, Council proceed with the gazettal process of the name and notify all residents and emergency authorities accordingly.
- b. If submissions against the proposal or alternatives are submitted, a report is furnished to the next available Council meeting for resolution.

MOVED: Councillor S Ring

SECONDED: Councillor W McAndrew

CARRIED: Unanimously

Divisions

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

AGAINST: nil

10.1.8. ECDEV - 25/11/19 - Proposed Road Naming - Angels Way Capertee

19-337 RESOLVED

THAT in accordance with Council's Addressing Policy, Council advertise the road name Angels Way in the local newspaper and notify emergency authorities and residents in the area, calling for submissions to be made for the statutory period of twenty-eight (28) days after which:

- a. If no submissions against the proposal are submitted, Council proceed with the gazettal process of the name and notify all residents and emergency authorities accordingly.
- b. If submissions against the proposal are submitted, a report is furnished to the next available Council meeting for resolution.

MOVED: Councillor M Statham

SECONDED: Councillor C Coleman

CARRIED: Unanimously

Divisions

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

AGAINST: nil

10.1.9. ECDEV - 25/11/19 - Renaming of Enfield Rifle Lane to Rae Swift Lane

19-338 RESOLVED

THAT Council proceed with the road re-naming process of Enfield Rifle Lane to “Rae Swift Lane” by:

1. Commencing the online road naming process in accordance with NSW Addressing User Manual. This will include advertisement in the local newspaper and requesting submissions on the proposed name from surrounding residents and emergency services for a period of 28 days.
2. Council advise the Geographical Names Board that there is precedent in the Lithgow Local Government Area for road names containing both a given name and surname and to more accurately reflect her contribution to the community Council wishes to proceed with the name Rae Swift Lane
3. If submissions are received against the proposal, or alternatives are suggested, these submissions will be reported back to Council for determination.
4. If no submissions against the proposal, or alternatives suggested, Council will proceed with the online road naming process and gazettal of “Rae Swift Lane” and notify residents and authorities accordingly.

MOVED: Councillor D Goodsell

SECONDED: Councillor J Smith

CARRIED: Unanimously

Divisions

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

AGAINST: nil

10.1.10. ECDEV - 25/11/19 - Adoption of Lithgow Community Participation Plan (CPP)

MOTION

THAT

1. Council adopts the Lithgow Community Participation Plan 2019.
2. Council revokes Policy 7.5 - Notifications Policy for Development Applications.

MOVED: Councillor S Ring

SECONDED: Councillor D Goodsell

Amendment

That the Community Participation Plan be modified to include an amendment that All Council Developments be neighbour notified.

MOVED: Councillor S Lesslie

SECONDED:

The Amendment lapsed due to the want of a seconder.

19-339 RESOLVED

THAT

1. Council adopts the Lithgow Community Participation Plan 2019.
2. Council revokes Policy 7.5 - Notifications Policy for Development Applications.
3. Council staff bring back a report specifically in relation to a policy for the notification of civil and infrastructure works.

MOVED: Councillor S Ring

SECONDED: Councillor D Goodsell

CARRIED: Unanimously

Divisions

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

AGAINST: nil

10.1.11.ECDEV - 25/11/19 - Policy 7.1 Development Applications by Councillors and Staff or on Council Owned Land

19-340 RESOLVED

THAT revised Policies 6.1 - Corporate Sponsorship and 7.6 - Development Applications by Councillors and Staff or on Council Owned Land be adopted and implemented immediately.

MOVED: Councillor W McAndrew

SECONDED: Councillor J Smith

CARRIED: Unanimously

Divisions

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

AGAINST: nil

10.1.12.ECDEV - 25/11/19 - New Policy 10.20 - Leasing and Licensing Policy

19-341 RESOLVED

THAT Council adopt Policy 10.20 - Leasing and Licensing Policy for immediate implementation.

MOVED: Councillor S Ring

SECONDED: Councillor M Statham

CARRIED: Unanimously

Divisions

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

AGAINST: nil

10.1.13.ECDEV - 25/11/19 - DA196/18 Proposed 1 Lot into 32 Lot Subdivision and Draft Planning Agreement, 111 Ian Holt Drive Lidsdale

This Item was dealt with earlier in the meeting.

10.2. Infrastructure Services Reports

10.2.1. IS - 25/11/19 - Revised Policy - 2.1 - Cemetery Operations

19-342 RESOLVED

The matter be deferred until the February 2020 Council meeting and an information session be held on the matter.

MOVED: Councillor J Smith

SECONDED: Councillor S Ring

CARRIED: Unanimously

Divisions

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

AGAINST: nil

10.2.2. IS - 25/11/2019 - Community Feedback - Proposed Off Leash Dog Park - Vale of Clwydd

Councillor J Smith requested to be excused due to illness.

The Mayor excused Cr Smith who left the meeting at 09:36 pm.

19-343 RESOLVED

THAT Council note the submissions received and, in response to significant community feedback received in objection to the proposal, not pursue the creation of a dog free leash park in the Vale of Clwydd Park precinct.

MOVED: Councillor M Statham

SECONDED: Councillor C Coleman

CARRIED: Unanimously

Divisions

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

AGAINST: nil

Cr Ring called a Point of Order regarding Cr Statham's comments that Councillor Goodsell did not contact members of the community before putting forward her notice of motion.

The Mayor upheld the point of order.

10.2.3. IS - 25/11/2019 - Request Fee Wavier - Portland Australia Day Celebrations

19-344 RESOLVED

THAT Council assist with traffic control for the Portland Australia Day Celebrations and waive all applicable fees.

MOVED: Councillor W McAndrew

SECONDED: Councillor S Ring

CARRIED: Unanimously

Divisions

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

AGAINST: nil

10.3. Water and Wastewater Reports

10.3.1. WWW - Water Report

MOTION

THAT the November 2019 Water Report be noted.

MOVED: Councillor W McAndrew

SECONDED: Councillor S Ring

AMENDMENT

That Water restrictions at level 1 be imposed when water levels at Oberon Dam reach 30% and not be lifted until they reached 60%.

MOVED: Councillor S Lesslie

SECONDED:

Administration gave advise on the water issues at hand.

Councillor Lesslie withdrew his Amendment.

19-345 RESOLVED

THAT the November 2019 Water Report be noted.

MOVED: Councillor W McAndrew

SECONDED: Councillor S Ring

CARRIED: Unanimously

Divisions

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

AGAINST: nil

10.4. Finance and Assets Reports

10.4.1. FIN - 25/11/19 - Financial Statements for the Year Ended 30 June 2019

This Item was dealt with earlier in the meeting.

10.4.2. FIN - 25/11/19 - 2019/20 Quarter 1 Budget Review

19-346 RESOLVED

THAT Council:

1. Notes the content of the report and the revised consolidated operating result before capital grants of \$1.819M for the 2019/20 Operational Plan as detailed in the Quarterly Budget Review Report for the period 1 July 2019 to 30 September 2019.
2. Adopts the variations to the Council budget as outlined in the attached report.

MOVED: Councillor S Ring

SECONDED: Councillor D Goodwin

CARRIED: Unanimously

Divisions

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

AGAINST: nil

10.4.3. FIN - 25/11/19 - Policy 8.7 Investment Policy

19-347 RESOLVED

THAT Council:

1. Note the minor changes made to draft policy 8.7 Investment Policy during the public exhibition period.
2. Adopt and implement revised Policy 8.7 Investment Policy immediately.

MOVED: Councillor S Ring

SECONDED: Councillor W McAndrew

CARRIED: Unanimously

Divisions

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

AGAINST: nil

10.4.4. FIN - 25/11/19 - Contracts for Provision of Electricity

19-348 RESOLVED

THAT Council:

1. Note the report in relation to the new electricity agreements for large sites and public street lighting.
2. Endorse the General Manager signing the agreements.

MOVED: Councillor W McAndrew

SECONDED: Councillor M Statham

CARRIED: Unanimously

Divisions

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

AGAINST: nil

10.4.5. FIN - 25/11/19 - Loan - Water Fund - Reservoirs Upgrade

19-349 RESOLVED

THAT Council approve the sourcing of a \$950,000 loan for the Water Reservoirs Upgrade project from a lending institution approved by the Office of Local Government.

MOVED: Councillor S Ring

SECONDED: Councillor W McAndrew

CARRIED: Unanimously

Divisions

FOR: Councillor D Goodsell, Councillor M Statham, Councillor S Lesslie, Councillor R Thompson, Councillor S Ring, Councillor D Goodwin, Councillor W McAndrew

AGAINST: Councillor C Coleman

Based on information given by administration Cr Coleman withdrew her seconder.

10.5. People and Services Reports

10.5.1. PS - 25/11/19 - Annual Report

19-350 RESOLVED

THAT Council adopt the documents which comprise the 2018/19 Annual Report:

- 2018/19 Annual Report – A Year in Review
- 2018/19 Supplementary State of Environment Report
- 2018/19 Disability Inclusion Action Plan Report

MOVED: Councillor W McAndrew

SECONDED: Councillor D Goodsell

CARRIED: Unanimously

Divisions

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

AGAINST: nil

Cr McAndrew Called a Point of Order on Cr Lesslie. It was Cr McAndrew's right of reply and Cr Lesslie was unable to speak at this point.

The Mayor ruled in favour of Cr McAndrew.

10.5.2. PS - 25/11/19 - Drought Communities Programme - Progress Report

19-351 RESOLVED

THAT Council note the report and acknowledge the significant benefits that have so far been realised by the Lithgow community.

MOVED: Councillor M Statham

SECONDED: Councillor S Ring

CARRIED: Unanimously

Divisions

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

AGAINST: nil

10.5.3. PS - 25/11/19 - Code of Conduct Statistics

19-352 RESOLVED

THAT the statistics on Code of Conduct Complaints for the reporting period to September 2019 be noted and be reported to the Office of Local Government in accordance with clause 11.1 of the Procedures for the Administration of The Model Code of Conduct for Local Councils in NSW.

MOVED: Councillor S Ring

SECONDED: Councillor D Goodsell

CARRIED: Unanimously

Divisions

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

AGAINST: nil

11. Council Committee Reports

11.1. Community Development Committee Minutes 15 October 2019

Councillor S Ring left the meeting at 10:24 pm.

19-353 RESOLVED

THAT Council note the Minutes of the Community Development Committee meeting held on 15 October 2019.

MOVED: Councillor M Statham

SECONDED: Councillor C Coleman

CARRIED: Unanimously

Divisions

FOR: Councillor D Goodsell, Councillor M Statham, Councillor S Lesslie, Councillor R Thompson, Councillor C Coleman, Councillor D Goodwin, Councillor W McAndrew

AGAINST: nil

11.2. IS - 25/11/2019 - Minutes - Operations Committee Meeting - 6th November 2019

19-354 RESOLVED

THAT Council

1. Note the minutes of the Operations Committee Meeting held on the 6th November 2019; and
2. Modify the 2019/20 Operational Plan to reallocate \$40,000.00 from Hazelgrove Road (PJ100478) to purchase and install bin stands as in Main Street Lithgow with Wallerawang and Portland laser cut logos.

MOVED: Councillor W McAndrew

SECONDED: Councillor D Goodsell

CARRIED:

Divisions

FOR: Councillor D Goodsell, Councillor M Statham, Councillor R Thompson, Councillor C Coleman, Councillor D Goodwin, Councillor W McAndrew

AGAINST: Councillor S Lesslie

11.3. FIN - 25/11/19 - Finance Committee Meeting Minutes 11 November 2019

Councillor S Ring returned to the meeting at 10:25 pm.

19-355 RESOLVED

THAT Council:

1. Adopt the minutes of the Finance Committee meeting held on 11 November 2019 and note the items not requiring a resolution of Council.
2. Endorse the recommendations proposed in the Council Investments Reports for September 2019 and October 2019.

MOVED: Councillor R Thompson

SECONDED: Councillor S Ring

CARRIED: Unanimously

Divisions

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

AGAINST: nil

12. 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.

Councillor McAndrew requested a verbal report on the Portland Old Hospital site and the maintenance of the property which Mr Kearns raised in Public Forum.

The Administration gave a verbal response.

13. Closed Council

Councillor Lesslie moved that the Closed Council Matter be dealt with in Open Council.

Amendment

That the matter be dealt with in Open Council with no reference to the Resumes.

Moved: Councillor S Lesslie.

Lapsed due to a want of a seconder.

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.

19-356 RESOLVED

THAT Council resolve to move into Closed Council to consider the confidential reports as listed in the Agenda at 10:28pm.

MOVED: Councillor S Ring

SECONDED: Councillor D Goodsell

CARRIED: Unanimously

Councillor S Lesslie asked to be excused and left the meeting at 10:28 pm.

Councillor D Goodwin left the meeting at 10:29 pm.

Councillor S Ring left the meeting at 10:29 pm.

Councillor D Goodwin returned to the meeting at 10:30 pm.

Councillor S Ring returned to the meeting at 10:30 pm.

13.1. GM - CONFIDENTIAL REPORT - 25/11/19 - Transition Integration Working Party

Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

- (a) personnel matters concerning particular individuals (other than councillors)

19-357 RESOLVED

THAT Council

1. Appoint the following community applicants to the Transition- Integration Working Party-
 - a. Mr Marco Lupoli.
 - b. Ms Glenda Anthes.
 - c. Mr Renzo Benedet.
 - d. Mr Rich Evans.
 - e. Mr Robert Swinton.
2. Approve the draft Terms of Reference for the Transition- Integration Working Party attached to this paper.

MOVED: Councillor C Coleman

SECONDED: Councillor S Ring

CARRIED: Unanimously

Divisions

FOR: Councillor D Goodsell, Councillor M Statham, Councillor R Thompson, Councillor C Coleman, Councillor S Ring, Councillor D Goodwin, Councillor W McAndrew

AGAINST: nil

19-358 RESOLVED

THAT Council resolved to refer to open Council and recommend the resolutions of Closed Council at 10:30.

MOVED: Councillor S Ring

SECONDED: Councillor W McAndrew

CARRIED: Unanimously

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

THAT Council

1. Appoint the following community applicants to the Transition- Integration Working Party-
 - a. Mr Marco Lupoli.
 - b. Ms Glenda Anthes.
 - c. Mr Renzo Benedet.

- d. Mr Rich Evans.
 - e. Mr Robert Swinton.
2. Approve the draft Terms of Reference for the Transition- Integration Working Party attached to this paper.

MOVED: Councillor C Coleman

SECONDED: Councillor S Ring

CARRIED: Unanimously

Divisions

FOR: Councillor D Goodsell, Councillor M Statham, Councillor R Thompson, Councillor C Coleman, Councillor S Ring, Councillor D Goodwin, Councillor W McAndrew

AGAINST: nil

There being no further business the Mayor declared the meeting closed at 10:33 pm.