



MINUTES

Extra Ordinary Meeting of Council

held at

Council Administration Centre

180 Mort Street, Lithgow

on

Monday 13 January 2020

at 6:00 pm

ORDER OF BUSINESS

1. Acknowledgement of Country	3
2. Present	3
3. Apologies	3
4. Declaration of Interest	3
5. Commemorations and Announcements	3
8. Mayoral Minutes.....	4
8.1. Mayoral Minute - 13/01/2020 - Bush Fire Emergency Report	4
7. Notices of Motion.....	5
7.1. NOTICE OF MOTION - 13/01/2020 - Request an Extra Ordinary Meeting regarding Recent Bush Fire Crisis.....	5
6. Public Forum.....	5
9. Staff Reports	8
9.1. General Manager's Reports.....	8
9.1.1. GM - 13/01/20 - Response to the Bushfires	8
10. Business of Great Urgency	10

The Mayor declared the meeting open at 7:00 pm.

1. Acknowledgement of Country

The Mayor acknowledged the traditional custodians of this land we are on here today, and paid respect to their elders both past, present and emerging.

The Mayor went on to 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: 77

His Worship the Mayor Councillor R Thompson
Councillor W McAndrew
Councillor C Coleman
Councillor D Goodsell
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 Matthew Trapp, Acting Director Water and Wastewater
Mr Jonathon Edgecombe, Director Infrastructure Services
Mr Michael McGrath, Director People and Services
Mrs Trinity Newton, Minutes Secretary
Mrs Negreeta Nunan, Minutes Secretary

3. Apologies

An apology was received from and leave of absence granted to Councillor D Goodwin who is unable to attend due to personal business.

4. Declaration of Interest

There were Nil declarations of interest.

5. Commemorations and Announcements

Due to the nature of the meeting there were no commemorations or announcements.

8. Mayoral Minutes

8.1. Mayoral Minute - 13/01/2020 - Bush Fire Emergency Report

Report by Mayor - Councillor Ray Thompson

20-1 RESOLVED

THAT Council

1. Via formal letter under the signature of the Mayor, extend Council's sincere appreciation to those persons, state agencies and Local Government Authorities as outlined in this mayoral minute, for their assistance and support during the recent and continuing bush fire emergency affecting our Lithgow Community.
2. At a time and date suitable to the relevant emergency services and local Emergency Management Committee, Council engage in discussion, and where appropriate initiate actions outlined above concerning-
 - a. Communication.
 - b. Dangerous tree removal.
 - c. Response to smouldering coal chitters.
 - d. Erosion and slope stabilisation.
 - e. Mapping of underground mines.
 - f. Safety zones around houses.
 - g. Mental health assistance and
 - h. Ongoing contact with communities.
3. Acknowledge the efforts of the senior executive team and all council staff during the ongoing bush fire emergency affecting our local community.

MOVED: Councillor R Thompson

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 W McAndrew

AGAINST: nil

Councillor Lesslie called a point of order in relation to the order of business as the Mayor moved to the Notices of Motion at this point instead of Public Forum.

The Mayor overruled the point of order on the basis that the Notice of Motion brings public forum in as the next item on the agenda.

7. Notices of Motion

7.1. NOTICE OF MOTION - 13/01/2020 - Request an Extra Ordinary Meeting regarding Recent Bush Fire Crisis

Report by Councillor Cassandra Coleman and Councillor Stephen Lesslie

20 - 02 RESOLVED

1. THAT Public Forum be held so that Councillors can hear firsthand about the problems and concerns of Lithgow Local Government Area residents and ratepayers arising from the current bush fire crisis.
2. THAT a report be given by the General Manager, or in his absence the Acting General Manager, or a person delegated by him, detailing Lithgow City Council's response to the current bush fire crisis.

MOVED: Councillor S Lesslie

SECONDED: Councillor C Coleman

CARRIED: Unanimously

Divisions

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

AGAINST: nil

6. Public Forum

At 06:30 pm members of the public gallery were invited to participate in the Public Forum Session.

Mr Martin Ticehurst made a statement in relation to item on the agenda covering support for a Royal Commission into bush fires.

The Mayor thanked Mr Ticehurst for his statement.

Mr Srini Vasudevan made a statement in relation to the hard work of the Rural Fire Service and everyone involved in the recent bush fires and they should be commended. Mr Srini would like to work with Council and the community to build the service they offer to community who require help.

The Mayor thanked Mr Vasudeven for his statements.

Ms Allyn Jory made a statement in relation to chitter fires and underground mines and coal seam fires.

The Mayor thanked Ms Jory for her statements.

The General Manager gave a verbal response to Ms Jory's statement.

Mrs Debra Oakley made a statement in relation to water use during and leading up to fire and her experience during the fire event. Ms Oakley mentioned the RFS and their care, the Workmen's Club, Councillor Coleman and Councillor McAndrew, Peter Evans, Andrew Gee MP and the general community. Mrs Oakley offered thanks to them all. Mrs Oakley made reference to overgrown vegetation on neighbouring properties and neighbourhood safety places and the messages not being welcoming.

The Mayor thanked Mrs Oakley for her statements.

Mr Ramsay Moodie made a statement in relation to water as well as the work of the Rapid Response Team and the Hartley Bush Fire Brigade Canteen, Doreen Peters.

The Mayor thanked Mr Moodie for his statements.

Mr Martin Ticehurst made a statement and requested a Motion he prepared be put to Council as urgent business in relation to Zig Zag Railway Co-Op Ltd.

The Mayor thanked Mr Ticehurst for his statements.

Dr Jane Aiken made a statement in relation to water testing and fire retardant used in fire bombing and a test which would be able to be used to test water in water tanks for residents.

The Mayor thanked Dr Aiken for her statements.

The General Manager gave advice on the issues raised by Mr Ticehurst and Dr Aiken.

Mr Rich Evans and Mr Nigel Lovetrust from The Foundations at Portland in relation to an event that is being organised for the community to celebrate the RFS and Emergency Services Teams.

The Mayor thanked Mr Lovetrust for his comments.

The Mayor advised that the Lithgow Workmen's Club are holding a fundraiser and the Lakemba Mosque are also organising an event.

Kathy McNamara made a statement in relation to accessing the funds being raised and is not eligible for any of the grants which have been promoted and the ADF assisting with tree removal on private property.

The General Manager gave Mrs McNamara advice on the issue of ADF assisting and local contractors performing work also.

Mr Doug Coates made a statement in relation to the fires in Wolgan prior to the fire events in the LGA on 21st December 2019.

The Mayor thanked Mr Coates for his statement.

The Administration gave advice in relation to the issues Mr Coates raised.

Mr Geoff Welsmen made a statement in relation the responsibility of the common in Portland. Water pressure in Portland in case of fire. Alleged deliberately lit fires in the area.

The Administration gave advice in relation to the issues Mr Welsmen raised and some issue were taken on notice.

Ms Sandy Benson made a statement in relation to insurance and dangerous trees and clearing of these trees.

The Mayor thanked Ms Benson for her statements.

Councillor Statham advised that Paul Toole's office is able to give information on funding for this.

Mr Dennis Pleath made a statement in relation to trees and their proximity to property.

The Mayor thanked Mr Pleath for his statements.

Mr Darren Field made a statement in relation to his circumstances since the 2013 fires and then the current fires with insurance. Mr Field mentioned possible issues with drainage in McCauley Street. Mr Field asked about excess water usage rebates for use of water during the fire.

The General Manager gave advice on some issues raised by Mr Field.

The Mayor thanked Mr Field for his statement.

Ms Norma Stevenson made a statement in relation to Zig Zag Railway.

The Mayor thanked Ms Stevenson for her statement.

Mr James Hackney made a statement in relation to a fire break created on his property.

The Mayor thanked Mr Hackney and took Mr Hackney's comments on notice.

Mrs Deborah Oakley made a further statement in relation to the water pressure in Hepburn Street and the removal of a tree on her property.

The General Manager took the question on notice and gave advice on the removal of trees.

Mrs Sue Graves made a statement in relation to the omission of the Uniting Church Disaster Recovery Chaplains from the list of thank you in the report.

The Mayor apologised for the oversight and acknowledged the work of the Uniting Church.

Mr Eric Mahoney made a relation to tree removals and requested council look into the subsidised removal of trees.

The Mayor thanked Mr Mahoney for his statement.

Mrs Kathy McNamara thanked Endeavour Energy for their quick response to their lack of electricity in Clarence. Mrs McNamara also mention that the telephones are not connected.

The Mayor thanked Mrs McNamara for her comments.

9. Staff Reports

9.1. General Manager's Reports

9.1.1. Acting GM - 13/01/20 - Response to the Bushfires

The Mayor thanked Centennial Coal for their efforts during the bush fire event including the prompt repairs to the Clarence Water Transfer System.

MOTION

THAT Council:

1. Note the information provided on the response to the current bush fire crisis.
2. Authorise domestic waste charges relief for properties where dwellings were fire damaged.
3. Authorise a rebate for water usage charges on the during the bush fire crisis, rebated on application. Assistance will be sought from the Office of Emergency Management to cover the cost of rebates.
4. Authorise the waiver of fees for Development Applications and associated charges for replacement dwellings if such costs are not covered by insurance or properties were not insured.
5. Authorise hardship rates relief to extend the due date for payment without incurring interest. Extended payment terms to be offered to bush fire affected residents, self-employed RFS volunteers and affected small businesses upon written application.
6. Continually provide updated bush fire recovery information from the OEM on Council's website.
7. That a meeting be organised as soon as appropriate involving all Councillors, the General Manager and appropriate Council staff with representatives from the various local agencies involved, to discuss in detail the management of and outcomes of our recent Local Government Area fires.
8. That the General Manger enact the following current council resolution 15-330 adopted at the 14th December 2015 Council Meeting:

“Establish a relief fund to attract public donations for the support of the community during declared natural disasters only and as each event occurs, seek Deductible Gift Recipient Status for the fund from the Australian Taxation Office.”

MOVED: Councillor W McAndrew

SECONDED: Councillor S Ring

AMENDMENT

THAT Council:

1. Note the information provided on the response to the current bush fire crisis.
2. Authorise domestic waste charges relief for properties where dwellings fire damaged.
3. Authorise a rebate for water usage charges on the during the bush fire crisis, rebated. Assistance will be sought from the Office of Emergency Management to cover the cost of rebates.
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9. That a report be brought down on the damage to and the time frame for the repair of the rail line from Mt Victoria and Lithgow.

MOVED: Councillor S Lesslie

SECONDED: Councillor J Smith

The Amendment was PUT and was LOST

Divisions

FOR: Councillor S Lesslie, Councillor C Coleman

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

20 - 3 RESOLVED

THAT Council:

1. Note the information provided on the response to the current bush fire crisis.
2. Authorise domestic waste charges relief for properties where dwellings were fire damaged.
3. Authorise a rebate for water usage charges on the during the bush fire crisis, rebated on application. Assistance will be sought from the Office of Emergency Management to cover the cost of rebates.
4. Authorise the waiver of fees for Development Applications and associated charges for replacement dwellings if such costs are not covered by insurance or properties were not insured.
5. Authorise hardship rates relief to extend the due date for payment without incurring interest. Extended payment terms to be offered to bush fire affected residents, self-employed RFS volunteers and affected small businesses upon written application.
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MOVED: Councillor W McAndrew

SECONDED: Councillor S Ring

CARRIED: Unanimously

Divisions

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

AGAINST: nil

10. 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 discussed lodging a submission for Royal Commission across LGA and Australia.

The Mayor declared the matter to be of great urgency in accordance with Clause 241 of the Local Government (General) Regulations.

20 - 4 RESOLVED

THAT:

1. Council make urgent representations to our Federal Member Mr Andrew Gee, requesting that the Prime Minister Scott Morrison immediately announce a Royal Commission into the recent, current and future bush fires occurring during the extended 2019/2020 bush fire season; and
2. Council's request be considered urgent; so that a Royal Commissioner can be appointed as soon as possible to ensure that the Commissioner and their Counsel can gain immediate hands-on knowledge and an understanding in particular of the recent Gosper's Mountain Bush Fire impacting upon the Lithgow City Council LGA; and other current and future bush fires that may occur during the remaining months of the extended 2019/2020 bush fire season.

MOVED: Councillor W McAndrew

CARRIED: Unanimously

Divisions

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

AGAINST: nil

Councillor Smith discussed the Zig Zag Railway as per the suggested resolution put by Mr Ticehurst during Public forum.

The Mayor declared the matter to be of great urgency in accordance with Clause 241 of the Local Government (General) Regulations.

20 - 5 RESOLVED

THAT Council make urgent representations to our State Member Mr Paul Toole, to request that the Premier Gladys Berejiklian, undertake urgent negotiations with the Zig Zag Railway Co-Op Limited to, on an 'interim basis', take lawful possession of the whole of the Heritage Railway site' and promptly have the legal owners of the site, the State Government Department of Planning and Infrastructure undertake a full restoration of the Heritage Railway site, including its railway engines, carriages, railway lines and building assets, bush fire prevention work, development of a future safety regulator; such that when all fully completed, it can be handed back to the volunteers of the Zig Zag Railway Co-Op Ltd to resume full rail public passenger operations to provide an urgent long-term boost to tourism across both Lithgow and the Blue Mountains.

MOVED: Councillor J Smith

SECONDED: Mayor Thompson

CARRIED: Unanimously

Divisions

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

AGAINST: nil

Councillor Coleman raised the issue of the railway line between Mt Victoria and Lithgow an as per the previous amendment point 9 raised by Councillor Lesslie be considered urgent.

The Mayor did not consider the matter to be urgent.

There being no further business the Mayor declared the meeting closed at 08:37 pm.