



MINUTES

Ordinary Meeting of Council

held at

Council Administration Centre

180 Mort Street, Lithgow

on

Monday 20 April 2020

at 7:00 pm

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The Mayor declared the meeting open at 07:02 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: Nil

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
Mrs Ally Shelton, IT Manager

3. Apologies

All being present there were nil Apologies.

4. Declaration of Interest

Councillor R Thompson declared a non-pecuniary conflict of interest in Item 9.2.4 for the reason that he is a member of the Lithgow Golf Club and will vacate the Chambers.

5. Confirmation of Minutes

Extra Ordinary Meeting of Council 6 April postponed from 23 March 2020

20 -87 RESOLVED

Confirmation of the Minutes of the Extra Ordinary Meeting of Council held 6 April 2020 postponed from 23 March 2020 were taken as read and confirmed.

MOVED: Councillor W McAndrew

SECONDED: Councillor D Goodwin

CARRIED

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

AGAINST: Councillor S Lesslie

6. Commemorations and Announcements

Councillor M Statham commemorated the passing of Patricia Walsh who passed away recently and was an active member of the community and a foundation member of the Lithgow Garden Club.

Councillor S Ring acknowledged the works of Rich Evans and the Ironfest Committee for the virtual Ironfest Event over the weekend.

Councillor D Goodsell commemorated the passing of Mr Les Drury who passed away recently and was a past long-term Council Employee.

Councillor D Goodsell commemorated the passing of the wife of a Council Staff Member Sam Johnson, Anita Johnson who passed away recently.

Councillor M Statham acknowledged and recognised ANZAC Day and suggested the community stand at the end of their drives ways to commemorate the ANZAC's at either 6 am or 11 am on Saturday 25 April 2020.

The Mayor acknowledged and thanked Councillor J Smith for organising the Councillors and the wreaths for them to lay on ANZAC Day.

20 -89 RESOLVED

THAT Items 9.4.1 and 10.1 are moved to this point in the meeting and dealt with as block voting.

MOVED: Councillor M Statham

SECONDED: Councillor S Ring

CARRIED:

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

9.4.1. FIN - 20/04/2020 - Investment Report March 2020

Report by Chief Financial and Information Officer

20 -90 RESOLVED

THAT

1. Investments of \$29,140,000 and cash of \$98,674 for the period ending 31 March 2020 be noted.
2. The enclosed certificate of the Responsible Accounting Officer be noted.

MOVED: Councillor M Statham

SECONDED: Councillor S Ring

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

10.1. PS - 20/04/2020 - Youth Council Minutes 18 February 2020

Report by Director of People & Services

20 -91 RESOLVED

THAT Council adopt the minutes of the Youth Council meeting held 18 February 2020.

MOVED: Councillor M Statham

SECONDED: Councillor S Ring

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

7. Mayoral Minutes

There was no Mayoral Minute.

8. Notices of Motion

8.1. Notice of Motion - 20/04/2020 - Covid 19 State and Federal Government Initiatives

Report by Councillor Wayne McAndrew

20 -92 RESOLVED

That as a matter of urgency

1. Council write to our local State and Federal Members, Paul Toole and Andrew Gee requesting their support for Councils to receive a portion of the NSW and Federal Government stimulus packages.
2. Council write to our local Federal Member Andrew Gee requesting his support for local councils to be eligible for the Job Keeper program.
3. A copy of each letter/email be also sent to Blacktown City Council, WSROC and LGNSW.
4. Council also seek relief from the OLG regarding ongoing reporting in relation to the Fit for the Future process.
5. Council issue a media release to inform the community of what Council is doing in points 1 to 4 above.

MOVED: Councillor W McAndrew

SECONDED: Councillor S Ring

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. Staff Reports

9.1. General Manager's Reports

9.1.1. GM - 20/04/2020 - Delegation to Mayor and Deputy Mayor - April 2020

Report by General Manager

MOTION

THAT Council

1. Note the March 2020 meeting agenda items approved by the Mayor in accordance with his delegated authority.
 2. Continue to delegate its policy-making functions to the Mayor and in his absence to the Deputy Mayor during the Covid 19 Pandemic Emergency, to be reviewed at four weekly intervals or at the next available Council meeting.
-

3. Until the Federal Government relaxes the social distancing rules, Lithgow City Council meet fortnightly.

MOVED: Councillor C Coleman

SECONDED: Councillor S Lesslie

LOST

Divisions

FOR: Councillor C Coleman, Councillor S Lesslie

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

Councillor Coleman called a point of order as there was discussion after her right of reply and the Motion was required to be PUT.

The Mayor Put the Motion and the Motion was LOST.

9.2. Economic Development and Environment Reports

9.2.1. ECDEV - 20/04/2020 - Lithgow Regional Marketing Cooperative

Report by Director of Economic Development & Environment

MOTION

That Council note the listing of inaugural members of the LRMC and endorse the draft LRMC Terms of Reference.

MOVED: Councillor M Statham

SECONDED: Councillor D Goodwin

AMENDMENT

That this matter be deferred for a period of 6 months or until the Covid 19 Crisis is over.

MOVED: Councillor W McAndrew

SECONDED: Councillor S Ring

CARRIED:

Divisions

FOR: Councillor R Thompson, Councillor W McAndrew, Councillor S Lesslie, Councillor S Ring, Councillor J Smith, Councillor M Statham

AGAINST: Councillor C Coleman, Councillor D Goodsell

The Amendment became the Motion.

20 -93 RESOLVED

That this matter be deferred for a period of 6 months or until the Covid 19 Crisis is over.

MOVED: Councillor W McAndrew

SECONDED: Councillor S Ring

CARRIED:

Divisions

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

AGAINST: Councillor C Coleman, Councillor M Statham

9.2.2. ECDEV - 20/04/2020 - Angus Place Mine Extension Project (SSD 5602)

Report by Director of Economic Development & Environment

20 -94 RESOLVED

That:

1. The information in the report on the Angus Place Mine Extension Project (SSD-5602) be noted.
2. Council lodge a submission to the Department of Planning Infrastructure and Environment indicating its support for the proposed development.

MOVED: Councillor J Smith

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 Lesslie, Councillor S Ring, Councillor J Smith, Councillor M Statham

AGAINST: nil

9.2.3. ECDEV - 20/04/2020 - Proposed Acquisition by Transport for NSW

Report by Director of Economic Development & Environment

20 -95 RESOLVED

THAT

1. Council authorise the administration to provide written consent to Transport for NSW to the following:
 - a. The compulsory acquisition of Council's 1/8 interest in Lot 8 in DP1226024 as per Section 30 of the *Land Acquisition (Just Terms Compensation) Act 1991*;

- b. Dispense with the minimum six month negotiation period in accordance with Section 10A(3) of the *Land Acquisition (Just Terms Compensation) Act 1991*;
 - c. The compensation be determined by the Valuer-General of NSW.
2. Council authorise the General Manager to sign all documents and attend to all matters necessary to facilitate the transfer to Transport for NSW of Council's 1/8 interest in Lot 8 in DP1226024.
 3. The administration amend the land register and plan of management as necessary to remove the reference to the land as 'community'.

MOVED: Councillor M Statham

SECONDED: Councillor C Coleman

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

9.2.4. ECDEV - Council Owned Golf Course

Report by Director of Economic Development & Environment

Due to the previous declaration of interest the Mayor vacated the chair and left the meeting.

The Deputy Mayor took the chair at 07:52 pm.

MOTION

That Council:

1. Seek the assistance of the Member for Bathurst, Mr Paul Toole, to make representations to the Minister for Health, the Hon Brad Hazzard MP to grant an exemption to the Public Health Order as it applies to Lithgow Golf Course being a 'community facility' in the terms of the Order.
2. Provides the Lithgow Golf Club Board with a copy of our letter of representation to Minister Toole and encourages them and their members to lobby Minister Toole in support of Council's position.

MOVED: Councillor W McAndrew

SECONDED: Councillor M Statham

AMENDMENT

That should Lithgow Golf Club Management Committee decide that after taking appropriate advice on the requirements that enables them to re-open that Lithgow Council will support that decision.

MOVED: Councillor S Lesslie

SECONDED: {seconded}

The Amendment lapsed due to the want of an seconder.

20 -96 RESOLVED

That Council:

1. Seek the assistance of the Member for Bathurst, Mr Paul Toole, to make representations to the Minister for Health, the Hon Brad Hazzard MP to grant an exemption to the Public Health Order as it applies to Lithgow Golf Course being a 'community facility' in the terms of the Order.
2. Provides the Lithgow Golf Club Board with a copy of our letter of representation to Minister Toole and encourage them and their members to lobby Minister Toole in support of Council's position.

MOVED: Councillor W McAndrew

SECONDED: Councillor M Statham

CARRIED:

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

AGAINST: Councillor S Lesslie

Councillor Ring (being the Chair) called a point of order on Councillor Lesslie as he interrupted the right of reply of Councillor McAndrew.

The Deputy Mayor vacated the Chair at 8:09. The Mayor resumed the chair.

9.3. Water and Wastewater Reports

9.3.1. WWW - 20/04/2020 - Clarence Water Transfer System

Report by Director of Water & Wastewater

20 -97 RESOLVED

That Council note the report on the total cost of the Clarence Transfer System (including grant allocations) and ongoing maintenance and operational costs.

MOVED: Councillor W McAndrew

SECONDED: Councillor C Coleman

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

9.4. Finance and Assets Reports

9.4.1. FIN - 20/04/2020 - Investment Report March 2020

Report by Chief Financial and Information Officer

This Item was dealt with earlier in the meeting.

9.5. People and Services Reports

9.5.1. PS - 20/04/2020 - Financial Assistance COVID-19 Response

Report by Director of People & Services

20 -98 RESOLVED

That Council

1. Provide \$3,000 Financial Assistance to Lithgow Information & Neighbourhood Centre to enable it to provide services to vulnerable members of the community.
2. Note that Council has provided \$4,899.92 financial assistance to Lithgow Community Projects for additional cleaning of the Women and Children's Crisis Centre and that this request was circulated to Councillors and approved by the Mayor within his capacity under the Local Government Act to exercise, in cases of necessity, the policy making functions of the governing body between Council meetings.

MOVED: Councillor C Coleman

SECONDED: Councillor M Statham

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

9.5.2. PS - 20/04/2020 - Farmers Creek Share Path Along Burton street

Report by Director of People & Services

MOTION

That the item is referred back to the Operations Committee so that the options and cost can be discussed in more detail and the Farmers Creek Master Plan be revisited.

MOVED: Councillor S Ring

SECONDED: Councillor W McAndrew

Councillor M Statham left the meeting at 08:19 pm due to technical issues.

The Mayor halted discussion whilst trying to resolve technical issues with Councillor Statham.

AMENDMENT

That the Farmers Creek Pathway project be carried out as in the original plan specified and the Burton Street Path be removed.

MOVED: Councillor S Lesslie

SECONDED: Councillor C Coleman

PROCEDURAL MOTION

That the meeting be adjourned until a time determined by Councillors and the remaining items can be dealt with.

MOVED: Councillor W McAndrew

SECONDED: Councillor S Ring

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

9.5.3. PS - 20/04/2020 - Drought Communities Program - Round 2

Report by Director of People & Services

This item was deferred to an Extra Ordinary Meeting of Council.

10. Council Committee Reports

10.1. PS - 20/04/2020 - Youth Council Minutes 18 February 2020

Report by Director of People & Services

This Item was dealt with earlier in the meeting.

10.2. IS - 20/04/2020 - TALC Committee Meeting Minutes - 5 March 2020

Report by Director of Infrastructure & Services

This item was deferred to an Extra Ordinary Meeting of Council.

10.3. FIN - 20/04/2020 - Finance Committee Meeting Minutes 9 March 2020

Report by Chief Financial & Information Officer

This item was deferred to an Extra Ordinary Meeting of Council.

11. 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.

Due to the meeting being adjourned there was no Business of Great Urgency.

12. Closed Council

12.1. Closed Confidential Council

12.1. GM - 20/04/2020 - Commercial Rent Relief - Response to Covid-19 Situation.

Report by General Manager

This item was deferred to an Extra Ordinary Meeting of Council.

12.2. GM - Confidential - 20/04/2020 - Costs - New Era Defendo

Report by General Manager

This item was deferred to an Extra Ordinary Meeting of Council.

12.3. WWW - 20/04/2020 - Tender for the Upgrade of the Tweed Mills Sewage Pump Station

Report by Director of Water & Wastewater

This item was deferred to an Extra Ordinary Meeting of Council.

12.4. WWW - 20/4/2020 - Clarence Colliery Pipeline Project - Pre-Feasibility Report

Report by Director of Water & Wastewater

This item was deferred to an Extra Ordinary Meeting of Council.

There being no further business the Mayor declared the meeting adjourned at 8:48 pm.
