



# MINUTES

Ordinary Meeting of Council

held at

Council Administration Centre

180 Mort Street, Lithgow

on

Monday 24 August 2020

at 7:00 pm

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## 1. Acknowledgement of Country

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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

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Public: Nil

His Worship the Mayor Councillor R Thompson  
Councillor S Ring – Deputy Mayor  
Councillor C Coleman  
Councillor D Goodsell  
Councillor D Goodwin  
Councillor S Lesslie  
Councillor J Smith  
Councillor M Statham (7:02 pm)

Also in attendance

Mr Craig Butler, 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

## 3. Apologies

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

Procedural Motion

That a leave of absence be granted to Councillor W McAndrew.

**MOVED:** Councillor C Coleman

**SECONDED:** Councillor J Smith

**CARRIED:** Unanimously

### Divisions

**FOR:** Councillor R Thompson, Councillor S Ring, Councillor C Coleman, Councillor D Goodsell, Councillor D Goodwin, Councillor S Lesslie, Councillor J Smith

**AGAINST:** nil

Councillor Statham entered the Chambers at arrived at 7:02 pm.

#### **4. Declaration of Interest**

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The Mayor called for any declarations of interest.

There were Nil declarations of interest.

#### **5. Confirmation of Minutes**

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##### **20 -190 RESOLVED**

The Minutes of the Ordinary Meeting of Council held on the 27 July 2020 were taken as read and confirmed.

**MOVED:** Councillor D Goodwin

**SECONDED:** Councillor J Smith

**CARRIED**

##### **Divisions**

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

**AGAINST:** nil

#### **6. Commemorations and Announcements**

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Councillor J Smith commemorated the passing of Mr Graeme Leard (Leardy) who passed away suddenly yesterday. Mr Leard was an active member of the community and a member of Council's Sports Advisory Committee.

Councillor D Goodwin and Councillor M Statham also echoed the commemoration.

The Council passed on their condolences to Mr Leard's family.

#### **7. Public Forum**

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No public forum submissions were received.

#### **8. Mayoral Minutes**

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There were no Mayoral Minutes tabled.

## 9. Notices of Motion

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### 9.1. Notice of Motion - Ruled Unlawful

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#### 20 -191 RESOLVED

THAT Council note the decision of the General Manager to determine a notice of motion to be unlawful and exclude it from this business paper pursuant to Clause 3.20 of Council's Code of Meeting Practice.

**MOVED:** Councillor D Goodsell

**SECONDED:** Councillor S Ring

**CARRIED:**

#### Divisions

**FOR:** Councillor R Thompson, Councillor S Ring, Councillor D Goodsell, Councillor D Goodwin, Councillor J Smith, Councillor M Statham

**AGAINST:** Councillor C Coleman, Councillor S Lesslie

### 9.2. Notice of Motion - Renaming of Upper Turon Road and Turon River Road

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#### 20 -192 RESOLVED

THAT:

1. Lithgow City Council rename the road shown in pink (on the map provided) and currently named Upper Turon Road (in the Lithgow LGA) to Capertee Road (to be determined following residents and public consultation and submissions); and
2. Lithgow City Council liaise with adjacent Council's (mid-Western Regional and Bathurst Regional) to determine the name of the dark green road (on the map provided) if required, arrange for it to be renamed Palmers Oakey Road, which will continue the Palmers Oakey Road from Mt Horrible Road to Upper Turon Road (shown in cyan on the map provided).

**MOVED:** Councillor M Statham

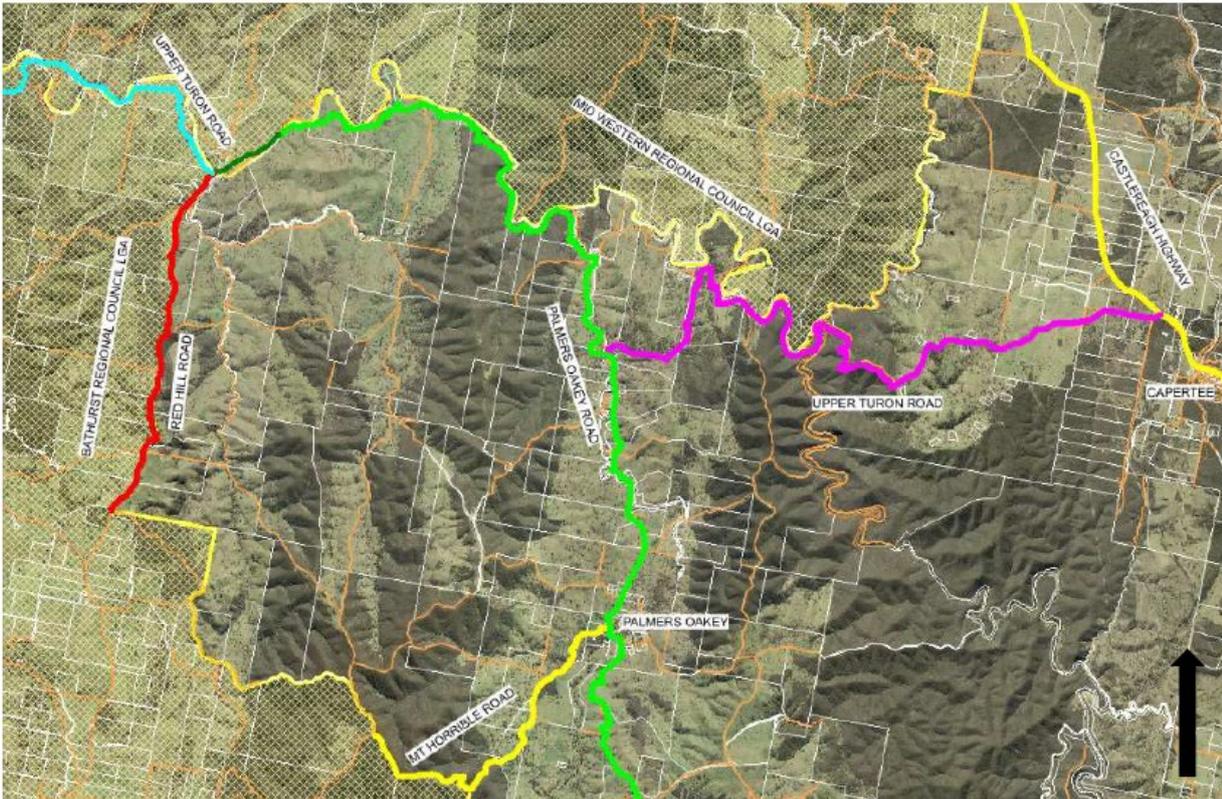
**SECONDED:** Councillor D Goodsell

**CARRIED:** Unanimous

#### Divisions

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

**AGAINST:** nil



## 10. Notices of Rescission

### 10.1. Notice of Rescission - Farmers Creek Shared Pathway

**Report by** Councillor Stephen Lesslie  
Councillor Deanna Goodsell  
Councillor Cassandra Coleman

#### 20 -193 RESOLVED

We the undersigned move that Council resolution 20 - 157.

1. Council adopts option 3.
  2. Future funding and grant application with regard to the Farmers Creek Master Plan be concentrated on the creek rather than the pathway.
- be rescinded.

**MOVED:** Councillor S Lesslie

**SECONDED:** Councillor D Goodsell

**CARRIED:**

#### Divisions

**FOR:** Councillor R Thompson, Councillor S Ring, Councillor C Coleman, Councillor D Goodsell, Councillor D Goodwin, Councillor S Lesslie

**AGAINST:** Councillor J Smith, Councillor M Statham

**20 -194 RESOLVED**

1. Council adopts option 1. with the following minor amendments
  - a. That the bridge over Farmers Creek be positioned as far East as is practicable.
  - b. That the bicycle component of the shared pathway be on the roadway in Burton Street.
2. Future funding and grant application with regard to the Farmers Creek Master Plan be concentrated on the creek rather than the pathway.

**MOVED:** Councillor S Lesslie

**SECONDED:** Councillor C Coleman

**CARRIED:**

**Divisions**

**FOR:** Councillor R Thompson, Councillor S Ring, Councillor C Coleman, Councillor D Goodsell, Councillor D Goodwin, Councillor S Lesslie

**AGAINST:** Councillor J Smith, Councillor M Statham

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## **11. Staff Reports**

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### **11.1. Economic Development and Environment Reports**

#### **11.1.1. DA104/20 Demolition and Replacement of Amenities Block, Kremer Park, Lime Street, Portland**

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Councillor Ring called a point of order on Cllr Statham as her comments in relation to the Men's Shed projects being shovel ready was not in context with the motion.

Councillor Statham withdrew her statement.

**20 -195 RESOLVED**

THAT

1. Development Application DA104/20 be APPROVED subject to conditions on the consent as shown 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 M Statham

**SECONDED:** Councillor J Smith

**CARRIED:** Unanimous

**Divisions**

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

**AGAINST:** nil

**11.1.2. Transfer to Council of Musket Laneway, Lithgow (Lot B in DP9370)**

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**20 -196 RESOLVED**

THAT Council:

1. Agree to the transfer of Lot B DP 9370 from ASIC to Lithgow City Council.
2. Agree to ASIC's conditions of transfer as outlined in the report.
3. Classify Lot B DP 9370 as operational land.
4. Authorise the General Manager to sign all documents and attend to all matters necessary to facilitate the transfer of Lot B DP 9370 to Lithgow City Council.

**MOVED:** Councillor S Ring

**SECONDED:** Councillor D Goodwin

**CARRIED:** Unanimous

**Divisions**

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

**AGAINST:** nil

**11.1.3. Road naming- DA269/17 Bowen Vista Estate, South Bowenfels & 066/08DA Moyne Farm, Little Hartley**

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**MOTION**

THAT Council:

1. Proceed with the gazettal and online road naming process including the notification to emergency services and submitters for the road names 'Heritage Close' in subdivision DA269/17 Bowen Vista Estate, South Bowenfels and 'Moyne View' in subdivision 066/08DA Moyne Farm, Little Hartley.
2. Council reserve the road name 'Emplacement Close' to be utilised for the road accessing the Gun Emplacements at South Bowenfels within approved subdivision DA225/16.

**MOVED:** Councillor M Statham

**SECONDED:** Councillor D Goodwin

**Amendment**

THAT the road naming DA269/17 Bowen Vista Estate, South Bowenfels & 066/08DA Moyne Farm, Little Hartley be returned for public exhibition and that a report be provided considering the history of the site.

**MOVED:** Councillor C Coleman

**SECONDED:** Councillor S Lesslie

The Amendment was PUT and LOST.

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**Divisions**

**FOR:** Councillor C Coleman, Councillor S Lesslie

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

**20 -197 RESOLVED**

THAT Council:

1. Proceed with the gazettal and online road naming process including the notification to emergency services and submitters for the road names 'Heritage Close' in subdivision DA269/17 Bowen Vista Estate, South Bowenfels and 'Moyne View' in subdivision 066/08DA Moyne Farm, Little Hartley.
2. Council reserve the road name 'Emplacement Close' to be utilised for the road accessing the Gun Emplacements at South Bowenfels within approved subdivision DA225/16.

**MOVED:** Councillor M Statham

**SECONDED:** Councillor D Goodwin

**CARRIED:**

**Divisions**

**FOR:** Councillor R Thompson, Councillor S Ring, Councillor D Goodsell, Councillor D Goodwin,  
Councillor J Smith, Councillor M Statham

**AGAINST:** Councillor C Coleman, Councillor S Lesslie

**11.1.4. Tourism COVID-19 Membership Fees Discount 2019/2020**

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Motion

THAT

1. Council endorse a 50% reduction in Lithgow Tourism and Events membership fees for the 2020-21 financial year.
2. The reduced membership fees be advertised for a period of 28 days and if no submissions are received the fee of \$70.75 be formally adopted for 2020/2021.

**MOVED:** Councillor S Ring

**SECONDED:** Councillor D Goodsell

Amendment

THAT

1. Council endorse a 50% reduction in Lithgow Tourism and Events membership fees for the 2020-21 financial year.
2. The reduced membership fees be advertised for a period of 28 days and if no submissions are received the fee of \$70.75 be formally adopted for 2020/2021.
3. Businesses finding financial hardship may be considered for a further fee reduction by contacting Council.

**MOVED:** Councillor M Statham

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The Amendment was withdrawn.

## **20 -198 RESOLVED**

THAT

1. Council endorse a 50% reduction in Lithgow Tourism and Events membership fees for the 2020-21 financial year.
2. The reduced membership fees be advertised for a period of 28 days and if no submissions are received the fee of \$70.75 be formally adopted for 2020/2021.

**MOVED:** Councillor S Ring

**SECONDED:** Councillor D Goodsell

**CARRIED:** Unanimous

### **Divisions**

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

**AGAINST:** nil

## **11.1.5. Lithgow Destination Marketing Campaign Progress Report**

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## **20 -199 RESOLVED**

THAT Council note the update report on the Lithgow Destination Marketing Campaign.

**MOVED:** Councillor S Ring

**SECONDED:** Councillor D Goodsell

**CARRIED:** Unanimous

### **Divisions**

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

**AGAINST:** nil

## **11.2. Infrastructure Services Reports**

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### **11.2.1. Review of Policies 10.11 and 10.16**

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Councillor D Goodwin left the meeting at 07:41 pm.

Councillor D Goodwin returned to the meeting at 07:43 pm.

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**20 -200 RESOLVED**

THAT Council endorse the amended Policy 10.11 - Crown and Private Roads - Maintenance and Policy 10.16 – Roadworks – Provision of Unusable Materials to Property Owners for public exhibition for a period of 28 days, prior to consideration of any submissions and adoption of the policies.

**MOVED:** Councillor M Statham

**SECONDED:** Councillor D Goodwin

**CARRIED:** Unanimous

**Divisions**

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

**AGAINST:** nil

**11.3. Water and Wastewater Reports**

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**11.3.1. Water and Waste Water Report**

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**20 -201 RESOLVED**

THAT Council:

1. Note the Water Report as an update on water and wastewater management.
2. Cease the drought assistance measures endorsed at the 25 June 2018 meeting (Min. No. 18-175) with immediate effect due to the change in climate conditions and outlook.

**MOVED:** Councillor C Coleman

**SECONDED:** Councillor D Goodsell

**CARRIED:** Unanimous

**Divisions**

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

**AGAINST:** nil

## 11.4. Finance and Assets Reports

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### 11.4.1. Carryovers / Revotes for Inclusion in the 2020/21 Budget

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#### 20 -202 RESOLVED

THAT Council:

1. Revote the amount of \$3,565,351 for 2019/20 capital revotes and carryovers (as detailed in the attachment) for inclusion in the 2020/.21 budget.
2. Revote the amount of \$536,865 for 2019/20 operational revotes and carryovers (as detailed in the attachment) for inclusion in the 2020/21 budget.

**MOVED:** Councillor J Smith

**SECONDED:** Councillor S Ring

**CARRIED:** Unanimous

#### Divisions

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

**AGAINST:** nil

### 11.4.2. Referral of Financial Reports for External Audit - Year Ended 30 June 2020

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#### 20 -203 RESOLVED

THAT Council refers the draft 2019/20 General Purpose and Special Purpose Financial Reports for audit in accordance with S413 of the Local Government Act 1993.

**MOVED:** Councillor S Ring

**SECONDED:** Councillor J Smith

**CARRIED:** Unanimous

#### Divisions

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

**AGAINST:** nil

## 11.5. People and Services Reports

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### 11.5.1. Planet Youth - Local Drug Action Team

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#### 20 -204 RESOLVED

THAT Council note the ongoing work of the Local Drug Action Team and the Planet Youth Pilot Project.

**MOVED:** Councillor S Ring

**SECONDED:** Councillor C Coleman

**CARRIED:** Unanimous

#### Divisions

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

**AGAINST:** nil

### 11.5.2. Review of Policies 4.1 and 9.10

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#### 20 -205 RESOLVED

THAT the following policies as outlined in the attached versions be adopted and implemented immediately:

- Policy 4.1 - Community Representatives – Appointment to Committees or Working Groups.
- Policy 9.10 - Council Workshops and Information Sessions.

**MOVED:** Councillor M Statham

**SECONDED:** Councillor C Coleman

**CARRIED:** Unanimous

#### Divisions

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

**AGAINST:** nil

## **13. Council Committee Reports**

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### **13.1. Community Development Committee Minutes 14 July 2020**

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#### **20 -206 RESOLVED**

THAT Council:

1. Note the Minutes of the Community Development Committee meeting held 14 July 2020.
2. Consider requests to install commemorative signage in Main Street Lithgow recognising the late Hugh Doherty and the late Ralph and Ettie Holloway.
3. Develop a policy to guide future recognition initiatives in a planned and coherent way.
4. Approve \$3,000 Round 1 Non-Recurrent Financial Assistance to Lithgow Women's Shed for training workshops, first aid courses, and one-off subsidised membership fees.

**MOVED:** Councillor J Smith

**SECONDED:** Councillor M Statham

**CARRIED:** Unanimous

#### **Divisions**

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

**AGAINST:** nil

### **13.2. Youth Advisory Committee - 20 July 2020**

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#### **20 -207 RESOLVED**

THAT Council note the minutes of the Youth Council meeting held 20 July 2020 including the successful virtual Youth Week project designed and implemented by the Youth Council.

**MOVED:** Councillor S Ring

**SECONDED:** Councillor M Statham

**CARRIED:** Unanimous

#### **Divisions**

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

**AGAINST:** nil

### 13.3. Women's Advisory Committee - 4 August 2020

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#### 20 -208 RESOLVED

THAT Council endorse the minutes of the Women's Advisory Committee meeting held 4 August 2020.

**MOVED:** Councillor M Statham

**SECONDED:** Councillor C Coleman

**CARRIED:** Unanimous

#### Divisions

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

**AGAINST:** nil

### 13.4. Operations Committee Meeting Minutes - 5 August 2020

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#### 20 -209 RESOLVED

THAT Council:

1. Adopt the minutes of the Operations Committee Meeting held on 5 August 2020.
2. Note the report on the Cullen Bullen Sewerage Scheme.
3. Note that the budget estimates exceed the project funding for the Cullen Bullen Sewerage Scheme and that other funding sources will be investigated.
4. Note that the calling of tenders for design and construction of the Cullen Bullen Sewerage Treatment Plant is delayed until land matters are resolved.
5. Note that Policy 10.11 - Crown and Private Roads - Maintenance and Policy 10.16 – Roadworks – Provision of Unusable Materials to Property Owners have been reviewed and are the subject of a separate report to the August meeting.
6. Determines the need for development of a Dangerous Tree Policy.
7. Notes the report on the Union Theatre contract management.

**MOVED:** Councillor S Ring

**SECONDED:** Councillor J Smith

**CARRIED:**

#### Divisions

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

**AGAINST:** Councillor S Lesslie

### 13.5. TALC Committee Meeting Minutes - 6th August 2020

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#### 20 -210 RESOLVED

That Council:

1. Adopt the minutes of the TALC Committee Meeting held on 6<sup>th</sup> August 2020; and
2. Request the event organiser to provide further information such as TCP plans and COVID-19 Safe plans for the Blue Mountains Grammar School – 45km Charity Walk event; and
3. Council re paints the lines on Sunny Corner Road in accordance with Give Way standards and does not pursue the installation of stop signage.

**MOVED:** Councillor D Goodwin

**SECONDED:** Councillor J Smith

**CARRIED:**

#### Divisions

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

**AGAINST:** Councillor S Lesslie

### 13.6. Finance Committee Meeting - 10 August 2020

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#### 20 -211 RESOLVED

**THAT** Council

1. Adopt the minutes of the Finance Committee meeting held on 10 August 2020 and note the items not requiring a resolution of Council
2. Endorse the recommendations proposed in the Council Investments Report for July 2020.

**MOVED:** Councillor S Ring

**SECONDED:** Councillor D Goodsell

**CARRIED:** Unanimous

#### Divisions

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

**AGAINST:** nil

## 13.7. Sports Advisory Committee Meeting Minutes - 12th August 2020

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### 20 -212 RESOLVED

That Council

1. Adopt the minutes of the Sports Advisory Committee Meeting held on 12 August 2020.
2. Accept Mark Fordham and Jeff Kemp as the Sports Advisory Committee representatives from Lithgow District Football Inc.

**MOVED:** Councillor J Smith

**SECONDED:** Councillor D Goodwin

**CARRIED:** Unanimous

### Divisions

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

**AGAINST:** nil

## 14. 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 Statham raised the matter of the Portland Touch Football committee's development application for a new Sports Clubhouse and Amenities for Saville Park. Council policy requires development applications on Council owned property to be referred to the elected Council for determination. The development application for this matter is nearing finalisation though it was not ready for this council meeting. Upon receiving their development consent, funds will be released to the committee allowing them to proceed with their project. The quicker this can happen will mean that the facilities may be ready for the summer. Cr Statham asked that the Mayor accept this as a matter of great urgency and proposed a motion that Council delegate authority to the General Manager to determine the development application so that it does not have to wait for the September council meeting.

Motion:

That Council delegate authority to the General Manager to determine Development Application 116/20 submitted by the Portland Touch Football Committee for a new Sports Clubhouse and Amenities at Saville Park, Portland.

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

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The Mayor Put the Motion.

**20 -213 RESOLVED**

That:

1. The matter be declared a matter of great urgency in accordance with Clause 241 of the Local Government (General) Regulations.
2. Council delegate authority to the General Manager to determine Development Application 116/20 submitted by the Portland Touch Football Committee for a new Sports Clubhouse and Amenities at Saville Park, Portland.

<b>MOVED:</b> Councillor R Thompson	<b>SECONDED:</b> Councillor M Statham
<b>CARRIED:</b>	

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

**Against:** Councillor S Lesslie

There being no further business the Mayor declared the meeting closed at 08:13 pm.