



MINUTES

Ordinary Meeting of Council

held at

Council Administration Centre

180 Mort Street, Lithgow

on

Monday 23 November 2020

at 7:00 PM

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The Mayor declared the meeting open at 06:59 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 Craig Butler, General Manager
Mr Andrew Muir, Director Economic Development and Environment
Mr Ross Gurney, Chief Financial and Information Officer
Mr Jonathon Edgecombe, Director Infrastructure Services
Mr Michael McGrath, Director People and Services
Mr Matthew Trapp - Acting Director Water and Waste Water
Mrs Trinity Newton, Minutes Secretary

3. Apologies

All being present there were no apologies.

4. Declaration of Interest

The Mayor asked if there were any declarations to be made.

Councillor W McAndrew declared a significant pecuniary interest in Item 10.1.1.3 for the reason that he is the owner of the property and intends to vacate the Chambers.

Councillor C Coleman declared an unspecified conflict of interest in Item 10.1.2.2 with no reason given and intends to vacate the Chambers.

Councillor S Ring declared an unspecified pecuniary conflict of interest in Item 10.1.2.2 for the reason that he is an advisor to the Portland Foundations on heritage issues and intends to vacate the Chambers.

Councillor M Statham declared a less than significant non-pecuniary conflict of interest in Item 10.1.2.2 (a reason was not given) and intends to vacate the Chambers.

Councillor D Goodsell declared a less than significant non-pecuniary conflict of interest in Item 10.1.1.2 for the reason that she is the Chairperson on the LINC Board and does not intend to vacate the Chambers but intends to not vote.

5. Confirmation of Minutes

The General Manager advised the Council that Item 10.1.1 within the draft minutes for 26 October 2020 should be modified to reflect accurately the amendment put by Councillor Lesslie as follows:

THAT

1. The report relating to the August 2019 Wallerawang Sewage Treatment Plant Incident be received.
2. Lithgow Council apologises to the citizens of Lithgow and particularly to the citizens of Wallerawang for the release of 12,000L of concentrated caustic soda from the Wallerawang Sewage Treatment Plant into the environment and waterways.

20 -264 RESOLVED

Confirmation of the Minutes of the Ordinary Meeting of Council held on the 26 October 2020 were taken as read and confirmed.

MOVED: Councillor W McAndrew

SECONDED: Councillor S Ring

CARRIED

Divisions

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

AGAINST: nil

6. Commemorations and Announcements

Councillor McAndrew acknowledged Dulcie Kearns, a resident of Portland, who is celebrating her 103rd birthday and asked that the Mayor send a letter of congratulations to her.

Councillor McAndrew commemorated the passing of Barry Hatton who was a lifetime coal miner and well known sportsman.

Councillor McAndrew commemorated the passing of Doctor Tony Joseph who was a well known local doctor.

Councillor Goodwin commemorated the passing of Matthew Wade on the weekend. Matthew was a long term and well loved member of the Lithgow City Council staff. He will greatly missed.

Councillor Statham commemorated the passing of Ronnie Williams who was an active member of the community.

Councillor Statham also commemorated the passing of Matthew Wade.

Councillor Coleman acknowledged the staff of the Lithgow Visitors Information and Tourism Centre for the running of the Halloween Best Dressed Digital Competition.

Councillor Smith acknowledged the work of the Lithgow Council staff for their work in preparation for the Fun Fair on the weekend.

Councillor Lesslie commemorated the passing of Doctor Tony Joseph who was an active member of the community.

Councillor Thompson commemorated the passing of Ray Vought who was an active member of the community.

Councillor Thompson commemorated the passing of Matthew Wade, a well loved and admired staff member of Lithgow City Council. The Mayor read a short commemoration and asked that one minute silence be held in his memory.

7. Public Forum

At 07:12 pm the Mayor advised of the submissions received from the public who wished to participate in the Public Forum Session.

The Mayor read the statement from Mr Terry and Mrs Diana McPhail in relation to Item 10.1.1.1 on the agenda.

The Mayor thanked Mr and Mrs McPhail for their statement.

The General Manager read the statement from Simon Elias in relation to Item 10.1.1.1 on the agenda.

The Mayor thanked Mr Elias for his statement.

8. Mayoral Minutes

There were no Mayoral Minutes tabled.

9. Notices of Motion

9.1. Notice of Motion - 23/11/2020 - Cr Maree Statham - Rebate on Water Charges for Bush Fire Effected Residents In Lithgow Local Government Area.

Report by Councillor Maree Statham

MOTION

THAT Council prepare a policy to provide a water rebate to residents using excessive amounts of water during a fire or to prevent a fire.

This money could hopefully be recovered by Council through Bush Fire Recovery Fire Recovery Funding. In the event it was not a "Natural Disaster" as the December / January Fires and considered a threat to homes and properties the rebate still stand.

MOVED: Councillor M Statham

SECONDED: Councillor S Lesslie

LOST

Divisions

FOR: Councillor S Lesslie

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

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

9.2. Notice of Motion - 23/11/2020 - Cr Maree Statham - Portland Rural Fire Service

Report by Councillor Maree Statham

MOTION

THAT Lithgow City Council support Portland Rural Fire Service's request;

- 1 The vacant block of land on the Corner of Cullen Bullen Road and Roxbough Street Portland be made available for the Portland Rural Fire Service to relocate from the current address to the above mentioned address.
- 2 Council support the Portland Rural Fire Service in this endeavor for a new Fire Station with a letter to Local Member, Minister Paul Toole seeking support from the State Government.

MOVED: Councillor M Statham

SECONDED: Councillor D Goodwin

AMENDED MOTION

THAT Lithgow City Council support Portland Rural Fire Service's request that Council support the Portland Rural Fire Service in this endeavor for a new Fire Station with a letter to Local Member, Minister Paul Toole seeking support from the State Government.

MOVED: Councillor S Lesslie

SECONDED: Councillor W McAndrew

CARRIED Unanimously

Divisions

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

AGAINST: nil

The AMEDED MOTION was PUT and became the MOTION

20 -266 RESOLVED

THAT Lithgow City Council support Portland Rural Fire Service's request that Council support the Portland Rural Fire Service in this endeavor for a new Fire Station with a letter to Local Member, Minister Paul Toole seeking support from the State Government.

MOVED: Councillor S Lesslie

SECONDED: Councillor W McAndrew

CARRIED Unanimously

Divisions

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

AGAINST: nil

9.3. Notice of Motion - 23/11/2020 - Cr Cassandra Coleman - Local Procurement Policy for Tendering

Report by Councillor Cassandra Coleman

MOTION

THAT Council note the report in the Finance Committee Meeting of the 9 November 2020 by the CFIO in relation to the pros and cons of the local suppliers policy.

MOVED: Councillor C Coleman

SECONDED: Councillor S Ring

AMENDED MOTION

THAT the General Manager bring back an extensive report to Council in regards to having a local procurement policy for tenders.

MOVED: Councillor C Coleman

SECONDED: Councillor W McAndrew

CARRIED Unanimously

Divisions

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

AGAINST: nil

The AMEDED MOTION was PUT and became the MOTION.

20 -267 RESOLVED

THAT the General Manager bring back an extensive report to Council in regards to having a local procurement policy for tenders.

MOVED: Councillor C Coleman

SECONDED: Councillor W McAndrew

CARRIED Unanimously

Divisions

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

AGAINST: nil

9.4. Notice of Motion - 23/11/2020 - Councillor Wayne McAndrew - Lake Wallace

Report by Councillor Wayne McAndrew

MOTION

1. That Lake Wallace precinct becomes a priority tourism project for Lithgow City Council.
 2. That priority be given to grant funding applications applicable to the site.
 3. That a Lease and Plan of Management need to be finalised with the new owners of the site as a matter of urgency and the lease and plan terms should include but not be limited to, more new and improved toilet and shower facilities, bbq areas, expansion of caravan and camping areas, extending the camping and caravan stay limit from 48 hours to 7 days and weed and tree removal from the foreshore, especially near the children's playground etc. Signage also needs to be improved regarding conditions of use within the precinct.
-

4. Council should also look at an appropriate fee structure for overnight stays to assist with the upkeep, running and maintenance of the site.

MOVED: Councillor W McAndrew

SECONDED: Councillor J Smith

AMENDED MOTION

That a Lease and Plan of Management need to be finalised with the new owners of the site as a matter of urgency.

MOVED: Councillor S Lesslie

SECONDED: Councillor D Goodsell

LOST

Divisions

FOR: Councillor D Goodsell, Councillor S Lesslie, Councillor M Statham

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

The AMENDED MOTION was PUT and LOST.

The Original Motion was PUT.

20 -268 RESOLVED

1. That Lake Wallace precinct becomes a priority tourism project for Lithgow City Council.
2. That priority be given to grant funding applications applicable to the site.
3. That a Lease and Plan of Management need to be finalised with the new owners of the site as a matter of urgency and the lease and plan terms should include but not be limited to, more new and improved toilet and shower facilities, bbq areas, expansion of caravan and camping areas, extending the camping and caravan stay limit from 48 hours to 7 days and weed and tree removal from the foreshore, especially near the children's playground etc. Signage also needs to be improved regarding conditions of use within the precinct.
4. Council should also look at an appropriate fee structure for overnight stays to assist with the upkeep, running and maintenance of the site.

MOVED: Councillor W McAndrew

SECONDED: Councillor J Smith

CARRIED Unanimously

Divisions

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

AGAINST: nil

10. Staff Reports

10.1. Economic Development and Environment Reports

10.1.1. Building and Development

10.1.1.1. ECDEV - 23/11/2020 - DA143/20 Mixed use development, 115 Martini Parade, Lithgow

MOTION

THAT

1. Council determine development application DA 143/20 by way of refusal for the six (6) reasons outlined in this report:
 - The development application has inadequately addressed the requirements of clause 7.3 of the *Lithgow Local Environmental Plan 2014* and Council is not satisfied that the proposed development –
 - a. a. is designed to maximise the use of water permeable surfaces on the land having regard to the soil characteristics affecting on-site infiltration of water, and
 - b. b. includes, if practicable, on-site stormwater retention for use as an alternative supply to mains water, groundwater or river water, and
 - c. c. avoids any significant adverse impacts of stormwater runoff on adjoining properties, native bushland and receiving waters, or if that impact cannot be reasonably avoided, minimises and mitigates the impact.
 - The traffic generating characteristics of the development have been inadequately addressed and Transport for NSW (RMS) have not given support to the proposal in accordance with clause 104 of *State Environmental Planning Policy (Infrastructure) 2007*.
 - The design of the development has not adequately addressed the design quality principles and the relevant objectives of the Apartment Design Guide as required under clause 28(2) of *State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development (2002)*, specifically regarding –
 - a. Context and neighbourhood character,
 - b. Built form and scale,
 - c. Amenity,
 - d. Aesthetics,
 - e. Overshadowing of adjoining properties,
 - f. Transition between public and private open space,
 - g. Provision of deep soil zones,
 - h. Building separation and setbacks,
 - i. Amenity of common circulation spaces,
 - j. Landscape design and streetscape/amenity,
 - k. Placement of awnings (character),
 - l. Stormwater treatment, and
 - m. Waste storage and disposal and impacts on streetscape.
 - The expected negative impacts of the development on the surrounding locality including –
 - a. Bulk and scale and its impacts on the character of locality and its compatibility with the streetscape,
 - b. Visual impacts (on the streetscape and surrounding locality),

- c. Amenity impacts (particularly privacy and the significant overshadowing of adjoining properties)
 - d. Traffic and parking (insufficient assessment and non-compliant design of vehicular accesses and car parking spaces), and
 - e. Stormwater impacts resulting from the concentration of discharge, downstream effects due to increased volumes, lack of adequate on-site detention and reuse and insufficient integration of water sensitive urban design).
- The proposal is an unsuitable use and development of the site in its current form.
 - Approval of the development is not in the public interest.
2. A Division be called in accordance with the requirements of Section 375A(3) of the *Local Government Act 1993*.

MOVED: Councillor S Ring

SECONDED: Councillor D Goodsell

AMENDED MOTION

THAT

1. Council determine development application DA 143/20 by way of refusal for the six (6) reasons outlined in this report:
 - The development application has inadequately addressed the requirements of clause 7.3 of the *Lithgow Local Environmental Plan 2014* and Council is not satisfied that the proposed development –
 - a. a. is designed to maximise the use of water permeable surfaces on the land having regard to the soil characteristics affecting on-site infiltration of water, and
 - b. b. includes, if practicable, on-site stormwater retention for use as an alternative supply to mains water, groundwater or river water, and
 - c. c. avoids any significant adverse impacts of stormwater runoff on adjoining properties, native bushland and receiving waters, or if that impact cannot be reasonably avoided, minimises and mitigates the impact.
 - The traffic generating characteristics of the development have been inadequately addressed and Transport for NSW (RMS) have not given support to the proposal in accordance with clause 104 of *State Environmental Planning Policy (Infrastructure) 2007*.
 - The design of the development has not adequately addressed the design quality principles and the relevant objectives of the Apartment Design Guide as required under clause 28(2) of *State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development (2002)*, specifically regarding –
 - a. Context and neighbourhood character,
 - b. Built form and scale,
 - c. Amenity,
 - d. Aesthetics,
 - e. Overshadowing of adjoining properties,
 - f. Transition between public and private open space,
 - g. Provision of deep soil zones,
 - h. Building separation and setbacks,
 - i. Amenity of common circulation spaces,
 - j. Landscape design and streetscape/amenity,
 - k. Placement of awnings (character),

- l. Stormwater treatment, and
 - m. Waste storage and disposal and impacts on streetscape.
- The expected negative impacts of the development on the surrounding locality including –
 - a. Bulk and scale and its impacts on the character of locality and its compatibility with the streetscape,
 - b. Visual impacts (on the streetscape and surrounding locality),
 - c. Amenity impacts (particularly privacy and the significant overshadowing of adjoining properties)
 - d. Traffic and parking (insufficient assessment and non-compliant design of vehicular accesses and car parking spaces), and
 - e. Stormwater impacts resulting from the concentration of discharge, downstream effects due to increased volumes, lack of adequate on-site detention and reuse and insufficient integration of water sensitive urban design).
 - The proposal is an unsuitable use and development of the site in its current form.
 - Approval of the development is not in the public interest.
2. A Division be called in accordance with the requirements of Section 375A(3) of the *Local Government Act 1993*.
 3. Council carryout an in-depth investigation into the ownership of the lane adjacent to the land.

MOVED: Councillor S Lesslie

SECONDED: Councillor C Coleman

LOST

Divisions

FOR: Councillor C Coleman, Councillor S Lesslie

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

The AMENDED MOTION was PUT and LOST.

The Original Motion was PUT.

20 -269 RESOLVED

THAT

1. Council determine development application DA 143/20 by way of refusal for the six (6) reasons outlined in this report:
 - The development application has inadequately addressed the requirements of clause 7.3 of the *Lithgow Local Environmental Plan 2014* and Council is not satisfied that the proposed development –
 - a. a. is designed to maximise the use of water permeable surfaces on the land having regard to the soil characteristics affecting on-site infiltration of water, and

- b. includes, if practicable, on-site stormwater retention for use as an alternative supply to mains water, groundwater or river water, and
 - c. avoids any significant adverse impacts of stormwater runoff on adjoining properties, native bushland and receiving waters, or if that impact cannot be reasonably avoided, minimises and mitigates the impact.
- The traffic generating characteristics of the development have been inadequately addressed and Transport for NSW (RMS) have not given support to the proposal in accordance with clause 104 of *State Environmental Planning Policy (Infrastructure) 2007*.
 - The design of the development has not adequately addressed the design quality principles and the relevant objectives of the Apartment Design Guide as required under clause 28(2) of *State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development (2002)*, specifically regarding –
 - a. Context and neighbourhood character,
 - b. Built form and scale,
 - c. Amenity,
 - d. Aesthetics,
 - e. Overshadowing of adjoining properties,
 - f. Transition between public and private open space,
 - g. Provision of deep soil zones,
 - h. Building separation and setbacks,
 - i. Amenity of common circulation spaces,
 - j. Landscape design and streetscape/amenity,
 - k. Placement of awnings (character),
 - l. Stormwater treatment, and
 - m. Waste storage and disposal and impacts on streetscape.
 - The expected negative impacts of the development on the surrounding locality including –
 - a. Bulk and scale and its impacts on the character of locality and its compatibility with the streetscape,
 - b. Visual impacts (on the streetscape and surrounding locality),
 - c. Amenity impacts (particularly privacy and the significant overshadowing of adjoining properties)
 - d. Traffic and parking (insufficient assessment and non-compliant design of vehicular accesses and car parking spaces), and
 - e. Stormwater impacts resulting from the concentration of discharge, downstream effects due to increased volumes, lack of adequate on-site detention and reuse and insufficient integration of water sensitive urban design).
 - The proposal is an unsuitable use and development of the site in its current form.
 - Approval of the development is not in the public interest.
2. A Division be called in accordance with the requirements of Section 375A(3) of the *Local Government Act 1993*.

MOVED: Councillor S Ring

SECONDED: Councillor D Goodsell

CARRIED Unanimously

A Division was called in accordance with the requirements of Section 375A(3) of the *Local Government Act 1993*.

Divisions

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

AGAINST: nil

10.1.1.2. ECDEV - 23/11/2020 - HyTec Quarry Voluntary Planning Contribution 2019

MOTION

THAT Council:

1. Endorse the remaining \$26,431.80 of the Hy-Tec Quarry 2019 contribution to be allocated and distributed to the following projects/initiatives:
 - a) Lithgow Tidy Towns (Butterfly Sculptures),
 - b) Lithgow District Men's Shed (Toilet Suits and LED Lights),
 - c) Lithgow Information Neighbourhood Centre (LINC) (Outdoor Equipment),
 - d) Hartley Vale Mount Blaxland Reserve Land Manager (Picnic Facilities),
 - e) Hartley Historic Site Advisory Committee (AV System),
 - f) The Hartley Recreation Reserve Land Manager (Reverse Cycle Air Conditioner)
2. Advise the Hartley Historic Site Advisory Committee (Display Cabinet), Hartley Vale Mount Blaxland Reserve Land Manager (Shelter Shed), Rosemary Barber (walking/cycling track) and The Hartley Recreation Reserve Land Manager (old Hartley School and Community Hall Projects- General Maintenance and BBQ Facilities) that their applications were unsuccessful in this round, however, will be considered in the next round of the funding.
3. The Hartley Progress Association continue to receive 25% annually of the Hytec Contribution to go towards facilities and infrastructure in the Hartley area which may at its discretion be spent on maintenance, upkeep or improvements to the Hartley School, Hartley Annex Hall or surrounds.
4. The General Manager be given the authority to investigate and approve this proposal from Rosemary Barber and should it meet Council's requirements that the remaining \$2,892.78 be allocated for as much of the proposal as is practicable.

MOVED: Councillor M Statham

SECONDED: Councillor J Smith

AMENDED MOTION

THAT Council:

1. Endorse the remaining \$26,431.80 of the Hy-Tec Quarry 2019 contribution to be allocated and distributed to the following projects/initiatives:
 - a) Lithgow Tidy Towns (Butterfly Sculptures),
 - b) Lithgow District Men's Shed (Toilet Suits and LED Lights),
 - c) Lithgow Information Neighbourhood Centre (LINC) (Outdoor Equipment),
 - d) Hartley Vale Mount Blaxland Reserve Land Manager (Picnic Facilities),
 - e) Hartley Historic Site Advisory Committee (AV System),
 - f) The Hartley Recreation Reserve Land Manager (Reverse Cycle Air Conditioner)
2. Advise the Hartley Historic Site Advisory Committee (Display Cabinet), Hartley Vale Mount Blaxland Reserve Land Manager (Shelter Shed), Rosemary Barber (walking/cycling track) and The Hartley Recreation Reserve Land Manager (old Hartley School and Community Hall Projects- General Maintenance and BBQ Facilities) that their applications were unsuccessful in this round, however, will be considered in the next round of the funding.

3. The General Manager be given the authority to investigate and approve this proposal from Rosemary Barber and should it meet Council's requirements that the remaining \$2,892.78 be allocated for as much of the proposal as is practicable.

MOVED: Councillor C Coleman

SECONDED: Councillor S Ring

CARRIED

Divisions

FOR: Councillor S Ring, Councillor C Coleman

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

Councillor Ring called a Point of Order in relation to the statement from Councillor McAndrew on the Hartley Historic Site Advisory Committee.

The Mayor sought clarification on the matter.

The AMENDED MOTION was PUT and LOST.

The Original Motion was PUT.

20 -270 RESOLVED

THAT Council:

1. Endorse the remaining \$26,431.80 of the Hy-Tec Quarry 2019 contribution to be allocated and distributed to the following projects/initiatives:
 - a) Lithgow Tidy Towns (Butterfly Sculptures),
 - b) Lithgow District Men's Shed (Toilet Suits and LED Lights),
 - c) Lithgow Information Neighbourhood Centre (LINC) (Outdoor Equipment),
 - d) Hartley Vale Mount Blaxland Reserve Land Manager (Picnic Facilities),
 - e) Hartley Historic Site Advisory Committee (AV System),
 - f) The Hartley Recreation Reserve Land Manager (Reverse Cycle Air Conditioner)
2. Advise the Hartley Historic Site Advisory Committee (Display Cabinet), Hartley Vale Mount Blaxland Reserve Land Manager (Shelter Shed), Rosemary Barber (walking/cycling track) and The Hartley Recreation Reserve Land Manager (old Hartley School and Community Hall Projects- General Maintenance and BBQ Facilities) that their applications were unsuccessful in this round, however, will be considered in the next round of the funding.
3. The Hartley Progress Association continue to receive 25% annually of the Hytec Contribution to go towards facilities and infrastructure in the Hartley area which may at its discretion be spent on maintenance, upkeep or improvements to the Hartley School, Hartley Annex Hall or surrounds.
4. The General Manager be given the authority to investigate and approve this proposal from Rosemary Barber and should it meet Council's requirements that the remaining \$2,892.78 be allocated for as much of the proposal as is practicable.

MOVED: Councillor M Statham

SECONDED: Councillor J Smith

CARRIED Unanimously

Divisions

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

AGAINST: nil

10.1.1.3. ECDEV - 23/11/2020 - DA231/20 - 16 Windarra Place Marrangaroo - Carport

Councillor W McAndrew left the meeting at 08:55 pm due to an earlier declaration.

20 -271 RESOLVED

THAT

1. Development Application DA231/20 be APPROVED subject to conditions of consent outlined in the attached Planning Assessment Report.
2. A DIVISION be called in accordance with the requirements of Section 375A(3) of the Local Government Act, 1993.

MOVED: Councillor J Smith

SECONDED: Councillor D Goodwin

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, Councillor M Statham

AGAINST: nil

Councillor W McAndrew returned to the meeting at 08:56 pm.

10.1.2. Economic Development and Environment General Reports

10.1.2.1. ECDEV - 23/11/2020 - Amendment of the Lithgow Community Participation Plan 2019

20 -272 RESOLVED

THAT:

1. Council endorse the Draft Lithgow Community Participation Plan 2020 (with proposed amendments) to be placed on public exhibition for 28 days in accordance with Schedule 1 of the EP&A Act 1979 and the Lithgow Community Participation Plan 2019.
2. Following the exhibition period, a final version of the Draft Lithgow Community Participation Plan 2020 be returned to Council for further consideration.

MOVED: Councillor D Goodsell

SECONDED: Councillor D Goodwin

CARRIED Unanimously

Divisions

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

AGAINST: nil

10.1.2.2. ECDEV - 23/11/2020 - Draft Planning Proposal - Portland Foundations - Williwa St Portland

Councillor D Goodwin left the meeting at 09:04 pm.

Councillor D Goodwin returned to the meeting at 09:05 pm.

Due to earlier declarations of interest the following Councillors left the chambers:

Councillor S Ring left the meeting at 09:04 pm.

Councillor C Coleman left the meeting at 09:04 pm.

Councillor M Statham left the meeting at 09:05 pm.

20 -273 RESOLVED

THAT

1. Council supports the preparation of a Planning Proposal over Lot 1 DP 109592, Lot 1 DP 842890, Lot 5 DP 749907, Lot 6 DP749908, Lot 7 DP 749909, Lot 24 Section 46 DP 758855, Lots 53 & 104 DP 755769, and Lots 1&4 DP1227369, known as the Foundations Site, Williwa Street Portland which seeks to:
 - Remove the “deferred matter” status of the site and bring the lands within Lithgow Local Environmental Plan 2014;
 - Rezone the site from 2(v) under Lithgow Local Environmental Plan 1994 to a combination of R1 General Residential, R2 Low Density Residential, B4 Mixed Use and RE 2 Private Recreation under Lithgow Local Environmental Plan 2014 as shown in Figure 6 of this report;
 - Apply an additional permitted use to two areas of the B4 mixed use zone as shown hatched in Figure 6 of this report to permit dual occupancy (attached and detached); dwelling houses and multi-dwelling housing;
 - Remove all minimum lot size provisions across the site; and
 - Insert a local provision into LLEP2014 to require the preparation of a site-specific development control plan prior to development on the land addressing the matters outlined in the standard clause 6.3.(3).
2. The Planning Proposal documentation, once prepared, be forwarded to the Western Region office of Department of Planning, Industry and Investment for a Gateway Determination,
3. Council recommends Gateway to place a condition on its determination requiring Council to consult with Crown Lands and Bathurst Aboriginal Land Council to resolve land zoning over lands adjoining and traversing the Foundations site prior to public exhibition.
4. Council consults with relevant government agencies as required.
5. A **DIVISION** be called in accordance with the requirements of Section 375A (3) of the Local Government Act, 1993.

MOVED: Councillor J Smith

SECONDED: Councillor D Goodsell

CARRIED Unanimously

A Division was called in accordance with the requirements of Section 375A (3) of the Local Government Act, 1993.

Divisions

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

AGAINST: nil

Councillor S Ring returned to the meeting at 09:14 pm.
Councillor C Coleman returned to the meeting at 09:14 pm.
Councillor M Statham returned to the meeting at 09:14 pm.

10.1.2.3. ECDEV - 23/11/2020 - Proposed Boundary Adjustment between Lithgow City Council and Blue Mountains City Council

MOTION

20 -274 RESOLVED

THAT Council not proceed with a boundary adjustment transferring Lot 1 DP 1223992, Lot 2 DP 1223992, part of Lot 5 DP 2941 and part of Lot 6 DP 2941 totalling 3396m² to Lithgow City Council from Blue Mountains City Council.

MOVED: Councillor W McAndrew

SECONDED: Councillor C Coleman

CARRIED Unanimously

Divisions

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

AGAINST: nil

10.1.2.4. ECDEV - 23/11/2020 - Proposed Road Naming - Angels Way, Capertee

MOTION

20 -275 RESOLVED

THAT in accordance with Council's Addressing Policy, Council advertise the road name "Theobalds Lane" for a private road in Capertee 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 R Thompson, Councillor S Ring, Councillor W McAndrew, Councillor C Coleman, Councillor D Goodsell, Councillor D Goodwin, Councillor S Lesslie, Councillor J Smith, Councillor M Statham

AGAINST: nil

10.1.2.5. ECDEV - 23/11/2020 - Commemoration of the late Rae Swift - Road Naming

MOTION

20 -276 RESOLVED

That Council request approval from the NSW Minister for Roads to name the section of road between the Jim Robson Aquatic Centre and the adjacent carpark, Rae Swift Avenue, as it provides a meaningful tribute to the late Rae Swift and there are many other examples of road names in the LGA that include both Christian and Surnames.

MOVED: Councillor W McAndrew

SECONDED: Councillor S Ring

CARRIED Unanimously

Divisions

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

AGAINST: nil

10.1.2.6. ECDEV - 23/11/2020 - Dedication of Land to the Council, South Bowenfels

MOTION

20 -277 RESOLVED

THAT Council endorse the dedication of land for the purposes of one unconstructed road reserve and one public reserve being an extension of Heritage Close and Heritage Close Reserve as shown on the attached plan.

MOVED: Councillor M Statham

SECONDED: Councillor D Goodsell

CARRIED Unanimously

Divisions

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

AGAINST: nil

10.1.2.7. ECDEV - 23/11/2020 - Proposed Licence Agreement with Lithgow Musical Society Inc.

MOTION

20 -278 RESOLVED

THAT Council:

1. Endorse the Licence Agreement with Lithgow Musical Society Inc.
2. Authorise the General Manager to execute the Licence Agreement and attend to all matters necessary to facilitate the Licence Agreement with Lithgow Musical Society Inc.

MOVED: Councillor M Statham

SECONDED: Councillor S Lesslie

CARRIED Unanimously

Divisions

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

AGAINST: nil

10.1.2.8. ECDEV - 23/11/2020 - Lithgow Regional Marketing Cooperative

MOTION

20 -279 RESOLVED

THAT Council endorse the inaugural membership of the Lithgow Regional Marketing Co-operative as outlined in the report and the LRMC Terms of Reference.

MOVED: Councillor D Goodwin

SECONDED: Councillor D Goodsell

CARRIED Unanimously

Divisions

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

AGAINST: nil

10.2. Finance and Assets Reports

10.2.1. FIN - 23/11/2020 - 2020/21 Quarter One Budget Review

MOTION

20 -280 RESOLVED

THAT Council:

1. Note the contents of the report and the revised consolidated operating result before capital grants of (\$941K) for the 2020/21 Operational Plan as detailed in the Quarterly Budget Review Report for the period 1 July 2020 to 30 September 2020.
2. Adopt the income, expenditure and capital budget variations to the 2020/21 Council budget as outlined in the attached report.
3. Note the information provided on Council's cashflow situation at 30 September 2020.

MOVED: Councillor W McAndrew

SECONDED: Councillor S Ring

CARRIED Unanimously

Divisions

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

AGAINST: nil

10.2.2. FIN - 23/11/2020 - Cashflow Issue - Deferral of Capital Expenditure

MOTION

20 -281 RESOLVED

THAT Council:

1. Endorse the deferral of a further \$794,510 of 2020/21 capital works projects and \$180K of plant replacement purchases pending any improvement in cash inflows or grant funding opportunities.
2. Note the information provided in the report on the ongoing cashflow issue.

MOVED: Councillor S Ring

SECONDED: Councillor W McAndrew

CARRIED Unanimously

Divisions

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

AGAINST: nil

10.2.3. FIN - 23/11/2020 - 2020-2030 Long Term Financial Plan

MOTION

20 -282 RESOLVED

THAT Council:

1. Note the receipt of a submission on the LTFP from a community member and officer's comments on the submission.
2. Adopt the 2020-2030 Long Term Financial Plan as part of Council's Resourcing Strategy.

MOVED: Councillor C Coleman

SECONDED: Councillor W McAndrew

CARRIED Unanimously

Divisions

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

AGAINST: nil

10.3. People and Services Reports

10.3.1. PS - 23/11/2020 - Naming Proposal Oakey Park Oval

MOTION

20 -283 RESOLVED

THAT Council:

1. Not proceed with the proposal to rename Oakey Park Oval to the Beryl Davis Memorial Oval.
2. Endorse the installation of commemorative signage recognising Beryl Davis at the Oakey Park Oval.

MOVED: Councillor J Smith

SECONDED: Councillor C Coleman

CARRIED Unanimously

Divisions

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

AGAINST: nil

Councillor Coleman raised a point of order on the Mayor as she was the seconder and was awaiting her opportunity to speak on the motion.

The Mayor upheld the point of order and gave Councillor Coleman the opportunity to speak.

10.3.2. PS - 23/11/2020 - Community Recovery Officer - Quarterly Report

MOTION

20 -284 RESOLVED

THAT Council note the Community Recovery Officer's Quarterly Report and current reporting period Activity Update.

MOVED: Councillor C Coleman

SECONDED: Councillor D Goodsell

CARRIED Unanimously

Divisions

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

AGAINST: nil

10.4. Policies and Governance

10.4.1. GM - 23/11/2020 - Proposed Date for Ordinary Meetings of Council 2021

MOTION

THAT:

1. The schedule of Ordinary Meetings of Council for 2021 be the third Monday of every month.
2. That any change to the Code of Meeting Practice in relation to the timing of Ordinary Meetings of Council, for the third Monday as determined by Council, be adopted and implemented immediately.

MOVED: Councillor W McAndrew

SECONDED: Councillor J Smith

AMENDED MOTION

THAT:

1. The schedule of Ordinary Meetings of Council for 2021 be the fourth Monday of every month.
2. That any change to the Code of Meeting Practice in relation to the timing of Ordinary Meetings of Council, for the fourth Monday as determined by Council, be adopted and implemented immediately.

MOVED: Councillor C Coleman

SECONDED: Councillor S Lesslie

CARRIED

Divisions

FOR: Councillor S Ring, Councillor C Coleman, Councillor D Goodsell, Councillor D Goodwin, Councillor S Lesslie, Councillor M Statham

AGAINST: Councillor R Thompson, Councillor W McAndrew, Councillor J Smith

The AMEDED MOTION was PUT and became the Motion.

Councillor Lesslie called a point of order on Councillor McAndrew to clarify that he was not saying it was wrong or that the staff are incompetent to have meetings on the third Monday of the week.

20 -285 RESOLVED

THAT:

1. The schedule of Ordinary Meetings of Council for 2021 be the fourth Monday of every month.
2. That any change to the Code of Meeting Practice in relation to the timing of Ordinary Meetings of Council, for the fourth Monday as determined by Council, be adopted and implemented immediately.

MOVED: Councillor C Coleman

SECONDED: Councillor S Lesslie

CARRIED

Divisions

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

AGAINST: Councillor J Smith

10.4.2. PS - 23/11/2020 - Code of Conduct Statistics 2019-2020

MOTION

THAT the report on the Code of Conduct complaints statistics for the 2019/20 period be noted.

MOVED: Councillor D Goodsell

SECONDED: Councillor C Coleman

CARRIED

Divisions

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

AGAINST: Councillor S Lesslie, Councillor M Statham

Councillor Ring called a point of order on Councillor Statham in relation to an individual in relation to historical matters. .

Councillor Goodsell called a point of order on Councillor Statham in relation to further discussion on code of conduct matters.

The Mayor ruled both comments out of order and there was no further discussion of these particular matters.

Councillor Goodsell called a point of order on Councillor Lesslie in relation to questions about aspects of the matters not canvassed in the report.

The Mayor stated that no further questions will be answered in relation to this matter until legal advice is sought.

PROCEDURAL MOTION

THAT the Motion be PUT.

MOVED: Councillor S Ring

SECONDED: Councillor D Goodwin

CARRIED: Unanimously

Divisions

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

AGAINST: nil

20 -286 RESOLVED

THAT the report on the Code of Conduct complaints statistics for the 2019/20 period be noted.

MOVED: Councillor D Goodsell

SECONDED: Councillor C Coleman

CARRIED

Divisions

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

AGAINST: Councillor S Lesslie, Councillor M Statham

11. Council Committee Reports

11.1. ECDEV - 23/11/2020 - Environmental Advisory Committee Meeting 12 August 2020

MOTION

20 -287 RESOLVED

THAT Council note the Minutes of the Environmental Advisory Committee meeting of the 12 August 2020.

MOVED: Councillor S Ring

SECONDED: Councillor C Coleman

CARRIED Unanimously

Divisions

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

AGAINST: nil

11.2. PS - 23/11/2020 - Crime Prevention Committee Minutes 28 September 2020

MOTION

20 -288 RESOLVED

THAT Council note the minutes of the Crime Prevention Committee meeting held 28 September 2020.

MOVED: Councillor C Coleman

SECONDED: Councillor D Goodwin

CARRIED Unanimously

Divisions

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

AGAINST: nil

**11.3. ECDEV - 23/11/2020 - Lithgow Local Heritage Advisory Committee - Minutes
29 September 2020**

MOTION

20 -289 RESOLVED

THAT Council:

1. Endorse the minutes of the Local Heritage Advisory Committee (LLHAC) meeting of 29 September 2020.
2. Make enquiries with Transport for NSW in relation to any detailed designs for the Great Western Highway upgrade in the vicinity of Little Hartley to assess its impact on listed heritage items.
3. Council review its street naming policy to consider inclusion of a criteria for name selection being the heritage (including European, indigenous and natural) of the area.

MOVED: Councillor S Ring

SECONDED: Councillor D Goodsell

CARRIED Unanimously

Divisions

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

AGAINST: nil

11.4. IS - 23/11/2020 - Operations Committee Meeting Minutes - 7th October 2020

MOTION

20 -290 RESOLVED

THAT

1. Council notes the minutes of the Operations Committee Meeting held on 7 October 2020; and
2. In acknowledgement of risk, Council approve the reallocation of funds commensurate with the financial implications by;
 - Deferring \$380,000 from Capital Works Program, for Ray Crescent Road Sealing, and;
 - Reallocating \$380,000 for Macauley Street slope risk mitigation.

MOVED: Councillor W McAndrew

SECONDED: Councillor D Goodsell

CARRIED

Divisions

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

AGAINST: Councillor S Lesslie

11.5. IS - 23/11/2020 - TALC Committee Meeting Minutes - 15th October 2020

MOTION

20 -291 RESOLVED

THAT Council:

1. Note the minutes of the TALC Committee meeting held on 15 October 2020; and
2. Install line marking of double centre lines in both Tweed Road and Caroline Avenue; and
3. Install a give way holding line and signage in Caroline Avenue; and
4. Reassess the success of the line marking in deterring vehicles crossing to the incorrect side of the road the corner when turning from Tweed Road into Caroline Avenue in six (6) months' time and report back to the TALC; and
5. Extend the "No Stopping" zone on the southern side of Bent Street, between Silcock Street and Waratah Street, Lithgow (adjacent to JobLink Plus) by an additional 20m to the east, to increase visibility of approaching vehicles.

MOVED: Councillor J Smith

SECONDED: Councillor D Goodwin

CARRIED Unanimously

Divisions

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

AGAINST: nil

11.6. FIN - 23/11/2020 - CTA ARIC - Financial Statements & Planning Meeting - 4 November 2020

MOTION

20 -292 RESOLVED

THAT Council endorse the CTA Audit Risk & Improvement Committee minutes of the Financial Statements and planning meeting held on 4 November 2020.

MOVED: Councillor S Ring

SECONDED: Councillor D Goodwin

CARRIED Unanimously

Divisions

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

AGAINST: nil

11.7. FIN - 23/11/2020 - Finance Committee Meeting Minutes - 9 November 2020

MOTION

20 -293 RESOLVED

THAT Council:

1. Adopt the minutes of the Finance Committee meeting held on 9 November 2020 and note the items not requiring a resolution of Council.
2. Endorse the recommendations proposed in the Council Investment Report for October 2020.

MOVED: Councillor S Ring

SECONDED: Councillor D Goodwin

CARRIED Unanimously

Divisions

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

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 raised the issue that Pacific National has made the decision to close their depot and 21 employees would take leave or look for other employment.

That Council enquire with Pacific National as to the specific reason they are closing the depot.

20 -294 RESOLVED

THAT Council enquire with Pacific National as to the specific reason they are closing the depot be declared as business of great urgency.

MOVED: Councillor W McAndrew	SECONDED: Councillor J Smith
CARRIED: Unanimously	

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

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

Against: nil

Councillor Smith asked that Council request a presentation from the Lithgow Aged Care facility on the staffing levels and when they are moving into their new facility.

The Mayor declared that it was not a matter of great urgency.

Councillor Statham raised the issue of the drainage at Capertee Toilets facilities.

As this is an ongoing issue the Mayor declared the matter not to be a matter of great urgency but requested that administration give an update on the status of the project as it stands.

Administration gave an update.

13. Closed Council

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.

20 -298 RESOLVED

THAT Council resolve to move into Closed Council to consider the confidential reports as listed in the Agenda.

MOVED: Councillor D Goodsell

SECONDED: Councillor J Smith

CARRIED

The Mayor informed the Public that the webcasting will be turned off at this point in the meeting and will be reopened at the end of the confidential Council.

20 -265 RESOLVED

THAT Council resolve to return to open Council and inform the public of the resolutions of Closed Council at 11:02 pm.

MOVED: Councillor M Statham

SECONDED: Councillor C Coleman

CARRIED: Unanimously

13.1. Confidential Report - PS - 23/11/2020 - Award of Tender TEN 04/20 for Lake Pillans Boardwalk Construction

MOTION

20 -295 RESOLVED

THAT Council

1. Accept the tender submission from Central Industries for the Construction of Lake Pillans Boardwalks for the amount of \$349,980 (ex GST).
2. Authorise the General Manager to execute the resulting Contract and any related documentation under delegated authority.

MOVED: Councillor J Smith

SECONDED: Councillor D Goodsell

CARRIED Unanimously

Divisions

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

AGAINST: nil

13.2. Confidential Report - FIN - 23/11/2020 - Tender TEN06.20 - Banking Services

MOTION

20 -296 RESOLVED

THAT Council:

1. Accept the tender submission from CBA for the provision of banking services for a period of 5 years with a 5 year option.
2. Authorise the General Manager to execute the resulting Contract and any related documentation under delegated authority.

MOVED: Councillor S Ring

SECONDED: Councillor M Statham

CARRIED

Divisions

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

AGAINST: Councillor W McAndrew, Councillor C Coleman

13.3. Confidential Report - ECDEV - 23/11/2020 - Possible Acquisition of Land - South Bowenfels

MOTION

20 -297 RESOLVED

1. Council proceed to purchase land at South Bowenfels described in this report for the terms outlined in the report.
2. Notwithstanding No 1, should final due diligence work being carried out on construction costs not be immediately available, Council enter into an option as outlined in the report.
3. Le Fevre & Co be instructed to act on behalf of Council in relation to the transfer of land to Council or option agreement as applicable.
4. The General Manager be authorised to execute documentation and to take all actions necessary to facilitate the purchase or option agreement as applicable.
5. The land be classified as Operational land pursuant to section 31(2) of the Local Government Act 1993 upon transfer to Council.

MOVED: Councillor M Statham

SECONDED: Councillor S Ring

CARRIED

Divisions

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

AGAINST: Councillor J Smith

There being no further business the Mayor declared the meeting closed at 11:02 pm.