



MINUTES

Ordinary Meeting of Council

held at

Council Administration Centre

180 Mort Street, Lithgow

on

Monday 26 April 2021

at 7:00 PM

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

1. Acknowledgement of Country

Acknowledgement of Country

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.

Declaration of Webcasting

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.

The meeting webcast for 26 April 2021 has been affected by technical difficulties. A temporary webcasting solution is being utilised. This has resulted in lower quality audio output during the webcast. Members of the public gallery should be aware that the audio equipment may broadcast any conversations in the gallery.

2. Present

Public: 3

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 – Absent.

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
Mrs Negreeta Nunan, Minutes Secretary
Mrs Ally Shelton, IT Manager

3. Apologies

There were no apologies received.

4. Declaration of Interest

The Mayor called for any declarations of interest.

Councillor Coleman declared a pecuniary conflict of interest in Item 10.1.2 for the reason that her daughter works at Black and Gold Motel and will vacate the Chambers.

Councillor Smith declared a pecuniary conflict of interest in Item 10.1.2 for the reason that his wife works at Black and Gold Motel and will vacate the Chambers.

5. Confirmation of Minutes

Original Motion

Confirmation of the Minutes of the Ordinary Meeting of Council held on the 22 March 2021 were taken as read and confirmed.

MOVED: Councillor D Goodsell

SECONDED: Councillor S Ring

Amendment

Confirmation of the Minutes of the Ordinary Meeting of Council held on the 22 March 2021 were taken as read and confirmed with the amendment by Councillor Lesslie that the Heritage Committee remain a committee in its current form until a report is brought back to Council

MOVED: Councillor C Coleman

SECONDED: Councillor J Smith

CARRIED

Divisions

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

AGAINST: nil

The amendment was PUT and became the Motion.

21 -82 RESOLVED

Confirmation of the Minutes of the Ordinary Meeting of Council held on the 22 March 2021 were taken as read and confirmed with the amendment by Councillor Lesslie that the Heritage Committee remain a committee in its current form until a report is brought back to Council.

MOVED: Councillor C Coleman

SECONDED: Councillor J Smith

CARRIED

Divisions

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

AGAINST: nil

6. Commemorations and Announcements

Councillor McAndrew acknowledged the positive news story from Sky News about Airly Coal Mine which showcased the coal mining industry.

Councillor Smith congratulated the local community on their efforts regarding Anzac Day and in particular the Cullen Bullen community.

Councillor Ring acknowledged the work of Portland RSL sub branch, Portland SES, Portland RFS and Council in organising the Anzac Day services.

Councillor Goodwin congratulated Bradley DeLosa on his recent win of the World Woodchopping Championship title at the Royal Easter Show.

Councillor Goodsell thanked the Lithgow Community Power Project on their work with the EV drive day recently held.

7. Public Forum

At 07:15 pm members of the public gallery were invited to participate in the Public Forum Session.

There were no speakers present and wishing to address the Council in this session of the meeting.

8. Mayoral Minutes

8.1. Mayoral Minute - 26/04/2021 - Muswellbrook Council visit

21 -83 RESOLVED

THAT the information in the Mayoral Minute be noted and a letter of thanks be sent to Muswellbrook Shire Council.

MOVED: Councillor R Thompson

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 D Goodsell

AGAINST: nil

8.2. Mayoral Minute - 26/04/2021 - Lithgow Aged Care

21 -84 RESOLVED

THAT the Council note this wonderful outcome and convey our appreciation, on behalf of the city.

MOVED: Councillor R Thompson

CARRIED:

Divisions

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

AGAINST: Councillor S Lesslie

9. Notices of Motion

9.1. Notice of Motion - 26/04/2021 - Councillor Ring - Electric Bus Manufacturing Hub

21 -85 RESOLVED

THAT Council

1. Continue to advocate to the NSW Government in relation to the potential for Lithgow to support an electric bus manufacturing facility, and indeed, other advanced manufacturing activities.
2. Actively engage with the private sector and Government to promote Lithgow as a viable location for an electric bus manufacturing facility and other advanced manufacturing industries.

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 Goodwin, Councillor S Lesslie, Councillor J Smith, Councillor D Goodsell

AGAINST: nil

9.2. Notice of Motion - 26/04/2021 - Councillor Coleman - Hassans Walls Mountain Bike Trails Strategy

21 -86 RESOLVED

THAT

1. That Council provides an extension of time until 4:30pm Friday, May 14th, 2021, to ensure both Council's Environmental Advisory Committee and the wider community are provided with adequate time to comment on the Draft Hassans Walls Mountain Bike Trails Strategy.
2. That Council, as part of its approach to managing commercial nature-based recreation activities within its reserves, investigates the introduction of an ecotourism licensing scheme.

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 Goodwin, Councillor S Lesslie, Councillor J Smith, Councillor D Goodsell

AGAINST: nil

10. Staff Reports

10.1. Economic Development and Environment Reports

10.1.1. Building and Development

10.1.1. ECDEV - 26/04/2021 - Proposed Licence Agreement with Wallerawang Indoor Sports Association

21 -87 RESOLVED

THAT

1. The matter be deferred for an investigation of the representations of the Lithgow District Netball Association to occur.
2. A meeting be convened with the management of Wallerawang Indoor Sports Association, Lithgow District Netball Association including the General Manager, Mayor and Deputy Mayor.

MOVED: Councillor D Goodsell

SECONDED: Councillor S Ring

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 D Goodsell

AGAINST: nil

10.1.2. ECDEV - 26/04/2021- Lithgow Local Environmental Plan 2014 (Amendment 4) - 121-123 Main St Wallerawang & adjoining lands

Councillor C Coleman left the meeting at 07:58 pm.
Councillor C Coleman returned to the meeting at 07:59 pm.

Councillor J Smith left the meeting at 07:58 pm
Councillor J Smith returned to the meeting at 07:59 pm.

21 -88 RESOLVED

THAT

1. Council forward the planning proposal to the Parliamentary Counsel Office (PCO) for drafting of the legal instrument and the issue of an opinion that the Draft Local Environmental Plan can legally be made.
2. Following receipt of the legal opinion from the PCO, Council delegate authority to the General Manager to adopt and finalise the making of the Local Environmental Plan without further resolution.
3. 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

Divisions

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

AGAINST: nil

10.1.3. ECDEV - 26/04/2021 - Draft Lithgow Comprehensive Development Control Plan

21 -89 RESOLVED

THAT Council:

1. Endorse the Preliminary Draft Lithgow Development Control Plan 2021 for public exhibition for a period of 28 days.
2. Authorise the General Manager to make any minor amendments and formatting to the Preliminary Draft Lithgow Development Control Plan 2021 as required prior to publishing the final Draft document for public exhibition.
3. Endorse the public exhibition and consultation plan summarised in this report.

MOVED: Councillor D Goodsell

SECONDED: Councillor S Ring

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 D Goodsell

AGAINST: nil

10.1.4. ECDEV - 26/04/2021 - Request to Transfer Land to State of NSW

21 -90 RESOLVED

THAT

1. Council approve the transfer of six lots to the State of NSW, comprised in auto-consol 13168-242, as outlined in this report, being:
 - Lot 1 in DP251935
 - Lot 2 in DP251935
 - Lot 3 in DP251935
 - Lot 90 in DP751650
 - Lot 1 in DP1094395
 - Lot 2 in DP1094395
2. Council authorise the General Manager to execute the Transfer to State of NSW, and sign all documents and complete all other necessary actions to give effect to the Transfer to State of NSW.

MOVED: Councillor W McAndrew

SECONDED: Councillor D Goodsell

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 D Goodsell

AGAINST: nil

10.1.5. ECDEV - 26/04/2021 - Future use of 45 Petra Avenue, Clarence (Lot 2 in DP719201)

21 -91 RESOLVED

THAT

Council defer a decision regarding future use of Council owned land at 45 Petra Avenue, Clarence until the Clarence Dargan Community Association informs Council that it has been successful with an application for grant funding or 30 April 2022 (whichever occurs earlier).

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 Goodwin, Councillor S Lesslie, Councillor J Smith, Councillor D Goodsell

AGAINST: nil

10.1.6. DA168/02 (MOD 036/20) - Earthworks, 14 Claret Ash Avenue, South Bowenfels

Councillor S Ring left the meeting at 08:12 pm.

Councillor S Ring returned to the meeting at 08:13 pm.

21 -92 RESOLVED

THAT

1. The modification of Development Application DA168/02 (MOD 036/20) 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 D Goodsell

SECONDED: Councillor S Ring

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 D Goodsell

AGAINST: nil

10.2. Infrastructure Services Reports

10.2.1. IS - 26/04/2021 - Fee Waiver Request - Lithgow Football Association - Hire of Marjorie Jackson Oval

Procedural Motion

THAT Council have a five minute adjournment at 8:25pm due to technical issues.

MOVED: Councillor S Lesslie

SECONDED: Councillor D Goodsell

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 D Goodsell

AGAINST: nil

Original Motion

THAT Council declines the fee waiver / reduction request from the Lithgow District Football Association due to the need for Council's to recover costs of maintaining Marjorie Jackson Oval.

MOVED: Councillor D Goodsell

SECONDED: Councillor S Ring

Amendment

THAT Council the General Manager and staff Meet with the Lithgow District Football Association to discuss their financial concerns with a further report to be provided to Council.

MOVED: Councillor W McAndrew

SECONDED: Councillor C Coleman

LOST

Divisions

FOR: Councillor J Smith, Councillor D Goodwin, Councillor C Coleman, Councillor W McAndrew

AGAINST: Councillor R Thompson, Councillor S Lesslie, Councillor D Goodsell, Councillor S Ring,

The Mayor used his casting vote against the amendment.

The amendment was PUT and LOST.

The Original motion was PUT.

21 -110 RESOLVED

THAT Council declines the fee waiver / reduction request from the Lithgow District Football Association due to the need for Council's to recover costs of maintaining Marjorie Jackson Oval.

MOVED: Councillor D Goodsell

SECONDED: Councillor S Ring

CARRIED:

Divisions

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

AGAINST: Councillor W McAndrew, Councillor C Coleman, Councillor D Goodwin

10.3. Water and Wastewater Reports

10.3.1. WWW - 26/04/2021 - Water and Wastewater Report

21 -93 RESOLVED

THAT Council note the April 2021 Water Report as an update on water and wastewater management.

MOVED: Councillor W McAndrew

SECONDED: Councillor D Goodwin

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 D Goodsell

AGAINST: nil

10.4. Finance and Assets Reports

10.4.1. FIN - 26/04/2021 - Sale of Land for Unpaid Rates

21 -94 RESOLVED

THAT Council:

1. Pursuant to Section 713 and other relevant sections of the Local Government Act 1993, implement sale proceedings to sell the properties listed in this report at a public auction at a time and place to be determined.
2. Appoint Outstanding Collections (Aust) Pty Ltd (OSC) to administer the sale on Council's behalf.

3. Authorise Council staff and OSC to proceed with the necessary arrangements pertaining to the sale of the properties listed in this report, as set out in the Local Government Act 1993 and Local Government (General) Regulation 2005.
4. Delegate authority to the General Manager to take the following actions pertaining to the properties specified in the report:
 - a. to withdraw from sale any property that, prior to the commencement of the auction, has had all rates and charges payable (including overdue rates and charges) paid in full.
 - b. to withdraw any property from sale for technical or legal reasons.
 - c. to set reserve prices for sale of the properties at auction.
 - d. to negotiate by private treaty and accept offers for sale of any property that fails to sell at auction.
 - e. to execute Sale and Purchase contracts, and property transfer documents, under Council's Common Seal.

MOVED: Councillor S Ring

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 D Goodsell

AGAINST: nil

10.4.2. PS - 26/04/2021 - Delivery Program 2017/22 and Operational Plan 2021/22

21 -95 RESOLVED

THAT Council:

1. Endorse the combined Delivery Program 2017/2022 and Draft Operational Plan 2021/22 to be placed on public exhibition for 28 days. This will include the following documents:
 - a. The combined Delivery Program 2017– 2022 and Draft Operational Plan 2021-2022; and
 - b. Draft Fees and Charges 2021/22.
2. Note that the closing date for submissions be Tuesday 25 May 2021.
3. Endorse the removal of the Lidsdale rating sub-categories from 1 July 2021 following 28 days public exhibition with no submissions having been received.

MOVED: Councillor D Goodsell

SECONDED: Councillor W McAndrew

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 D Goodsell

AGAINST: nil

10.4.3. FIN - 26/04/2021 - Working Capital Strategy

21-111 RESOLVED

THAT Council establish a working capital reserve (based on the premises outlined in this report) as a feature of its ongoing budgets.

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 Goodwin, Councillor S Lesslie, Councillor J Smith, Councillor D Goodsell

AGAINST: nil

10.5. People and Services Reports

10.5.1. PS - 26/04/2021 - Uluru Statement from the Heart

Original Motion

THAT Council:

1. Defer any decision on the Uluru Statement from the Heart pending broader consultation with the local Indigenous Community.
2. Invite the Director of the Bathurst Aboriginal Land Council to a Council briefing session to discuss the Uluru Statement of the Heart, the legislated role of a Land Council and the development of appropriate documents such as a Reconciliation Action Plan, Cultural Protocols, and an Aboriginal Social Development Plan.

MOVED: Councillor S Ring

SECONDED: Councillor D Goodwin

Amendment

THAT Council endorse the draft submission on the Uluru Statement from the Heart prepared by Council's Community and Development team and included as an attachment to this report.

MOVED: Councillor C Coleman

SECONDED: Councillor S Lesslie

LOST

Divisions

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

AGAINST: Councillor R Thompson, Councillor W McAndrew, Councillor D Goodwin

Councillor McAndrew foreshadowed a motion.

The amendment was PUT and LOST.

Original Motion was PUT

That Council:

1. Defer any decision on the Uluru Statement from the Heart pending broader consultation with the local Indigenous Community.
2. Invite the Director of the Bathurst Aboriginal Land Council to a Council briefing session to discuss the Uluru Statement of the Heart, the legislated role of a Land Council and the development of appropriate documents such as a Reconciliation Action Plan, Cultural Protocols, and an Aboriginal Social Development Plan.

MOVED: Councillor D Goodwin

SECONDED: Councillor S Ring

LOST

Divisions

FOR: Councillor S Ring

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

Foreshadowed Motion

21 -96 RESOLVED

1. Council to endorse the Uluru Statement and commit to the ongoing consultation with and inclusion of the First Nations Communities of the LGA.
2. Council write a submission as included as an attachment to the report, outlining their support for the three reforms: Voice, Treaty and Truth in the Uluru Statement from the Heart.

MOVED: Councillor W McAndrew

SECONDED: Councillor J Smith

CARRIED

Divisions

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

AGAINST: Councillor S Ring

10.5.2. PS - 26/04/2021 - Adoption of Alcohol Free Zones

21 -97 RESOLVED

THAT Council

1. Establish Alcohol Free Zones in the Lithgow, Portland and Wallerawang CBD's for a further 4 years until April 2025 in accordance with Section 644 of the Local Government Act 1993 and the advertised proposal.
2. Advise the Police and all affected liquor licencees of the establishment of the Alcohol-Free Zones in these areas.
3. Advise the general community of the establishment of the Alcohol-Free Zones in these areas by way of publishing a notice to that effect.
4. Install and/or modify appropriate Alcohol Free Zone signage.

MOVED: Councillor J Smith

SECONDED: Councillor S Ring

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 D Goodsell

AGAINST: nil

11. Council Committee Reports

11.1. ECDEV - Lithgow Local Heritage Advisory Committee Minutes - 8 March 2021

21 -98 RESOLVED

THAT Council note the minutes of the Lithgow Local Heritage Advisory Committee (LLHAC) held on 8 March 2021.

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 Goodwin, Councillor S Lesslie, Councillor J Smith, Councillor D Goodsell

AGAINST: nil

11.2. P&S - 26/04/21 - Youth Advisory Committee Meeting Minutes

21 -99 RESOLVED

THAT Council note the minutes of the Youth Advisory Committee meeting held on 15 March 2021.

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 Goodwin, Councillor S Lesslie, Councillor J Smith, Councillor D Goodsell

AGAINST: nil

11.3. FIN - 20/4/2021 - CTA ARIC - Minutes 9 March 2021

21 -100 RESOLVED

THAT Council:

1. Endorse the CTA Audit Risk & Improvement Joint Committee 9 March 2021 minutes.
2. Endorse the Lithgow Council Audit Risk & Improvement Committee 9 March 2021 minutes.

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 Goodwin, Councillor S Lesslie, Councillor J Smith, Councillor D Goodsell

AGAINST: nil

11.4. IS - Minutes - Operations Committee Meeting - 7th April 2021

21 -101 RESOLVED

THAT Council:

1. Notes the minutes of the Operations Committee Meeting held on 7th April 2021; and
2. Seeks public comment for twenty eight (28) days for the proposal to make part of Hassans Walls Lookout Road one way to safely cater for pedestrians and bicyclists, and report back to the Operations Committee with the submissions; and
3. Pending the outcome of the public consultation process, develop this proposal into a shovel ready project in preparation for any upcoming grant opportunities.

MOVED: Councillor D Goodsell

SECONDED: Councillor S Ring

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 D Goodsell

AGAINST: nil

11.5. Women's Advisory Committee Meeting Minutes - 6 April 2021

21 -102 RESOLVED

THAT Council notes the minutes of the Women's Advisory Committee meeting held on 6 April 2021.

MOVED: Councillor C Coleman

SECONDED: Councillor S Ring

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 D Goodsell

AGAINST: nil

11.6. Sports Advisory Committee Meeting Minutes - 14th April 2021

21 -103 RESOLVED

THAT Council

1. Notes the minutes of the Sports Advisory Committee Meeting held on 14 April 2021; and
2. Provides *Maggie Thompson* with \$300.00 toward the cost of participating in Under 15 Blues State Hockey Team; and
3. Provides *Zeke Evans* with \$300.00 toward the cost of participating in the Under 20's Basketball NSW Team.

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 Goodwin, Councillor S Lesslie, Councillor J Smith, Councillor D Goodsell

AGAINST: nil

12. Business of Great Urgency

In accordance with Clause 241 of the Local Government Act (General) Regulations 2005 business may be transacted at a meeting of Council even though due notice of the business has not been given to the Councillors. However, this can happen only if:

- a) A motion is passed to have the business transacted at the meeting; and
 - b) The business proposed to be brought forward is ruled by the Chairperson to be of great urgency.
- The Mayor asked if there were any matters to be considered as matters of great urgency.

Councillor McAndrew requested an onsite meeting in relation to the calling in of the DA 044/21 application at 25 Kirkley Street, South Bowenfels.

Management gave a response in relation to the matter.

13. Closed Council

The Mayor asked if there were any objections from the public with regards to the listed reports being in a session of the meeting that is closed to the public.

There were was one objection.

Councillor Lesslie wished to discuss item 13.1 Portland STP in open Council.

The General Manager gave advice on the request, confirming that the item met the criteria for matters to be dealt with in closed council.

The Mayor ruled against the objection however put it to the Council for discussion.

21 -104 RESOLVED

THAT Council Resolve to move into Closed Council to consider the confidential reports as listed in the Agenda at 09:45 pm.

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 Goodwin, Councillor J Smith, Councillor D Goodsell.

AGAINST: Councillor S Lesslie

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 session of the meeting that is closed to the public. The Mayor declared a five minute recess.

21 -109 RESOLVED

THAT Council resolve to return to open Council and inform the public of the resolutions of the session of the meeting that is closed to the public at 10:21 pm.

MOVED: Councillor J Smith

SECONDED: Councillor S Ring

CARRIED: Unanimously

Division:

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

Against: nil

The General Manager read the resolutions of the closed Council to the public forum.

13.1. CLOSED REPORT - WWW - 26/04/2021 - Portland STP

21 -105 RESOLVED

THAT the report relating to the Portland STP be received.

MOVED: Councillor S Ring

SECONDED: Councillor J Smith

CARRIED:

Divisions

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

AGAINST: Councillor S Lesslie

13.2. CLOSED REPORT - WWW - 26/04/2021 - Watermains Replacement Tender - Coalbrook Street and Stephenson Street

21 -106 RESOLVED

THAT Council:

1. In accordance with Clause 178(1) (a) of the *Local Government (General) Regulation 2005*, accept the tender submission from Burke Pipe & Civil Contractors Pty Ltd for the Replacement of the Coalbrook and Stephenson Streets Water Mains for \$538,440.64.
2. Authorise the General Manager to execute the contract on behalf of Council under delegated authority.

MOVED: Councillor J Smith

SECONDED: Councillor W McAndrew

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 D Goodsell

AGAINST: nil

13.3. CLOSED REPORT - ECDEV - 26/04/2021 - Proposed sale of industrial Lot 55 Inch Street, Lithgow

21 -107 RESOLVED

THAT Council consider the information in this report relating to the sale of Lot 55 in DP1124083.

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 Goodwin, Councillor S Lesslie, Councillor J Smith, Councillor D Goodsell

AGAINST: nil

13.4. CLOSED REPORT - IS - 26/04/2021 - Tender for the Construction of a New Store Building

21 -108 RESOLVED

THAT:

1. Council accept the tender from Structor Projects Pty Ltd in the amount of \$828,733.07 for the construction of the new Council Store Building (with a total project budget of \$1.038M).
2. Delegate to the General Manager authority to enter a contract with Structor Projects Pty Ltd in accordance with the Tender for the construction of the New LCC Store Building.
3. Council note the phasing of the project to commence in the 2021/22 financial year and the project's inclusion in the Capital Works Program for that year.

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 Goodwin, Councillor S Lesslie, Councillor J Smith, Councillor D Goodsell

AGAINST: nil

There being no further business, the Mayor declared the meeting closed at 10:23 pm.
