



MINUTES

Ordinary Meeting of Council

held at

Council Administration Centre

180 Mort Street, Lithgow

on

Monday 23 August 2021

at 7:00 PM

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The Mayor declared the meeting open at 7:05 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 M Statham

Also in attendance
Craig Butler, General Manager
Andrew Muir, Director Economic Development and Environment
Ross Gurney, Chief Financial and Information Officer
Jonathon Edgecombe, Director Infrastructure Services
Michael McGrath, Director People and Services
Matthew Trapp, Executive Manager Water and Wastewater
Trinity Newton, Minutes Secretary
Ally Shelton, IT Manager

3. Apologies

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

Procedural Motion

That a leave of absence be granted to Councillor J Smith.

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 D Goodsell and Councillor M Statham

AGAINST: Nil

4. Declaration of Interest

The Mayor called for any declarations of interest.

There were Nil declarations of interest.

5. Confirmation of Minutes

21 -185 RESOLVED

The Minutes of the Ordinary Meeting of Council held on the 26 July 2021 were taken as read and confirmed.

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 D Goodsell and Councillor M Statham

AGAINST: Nil

6. Commemorations and Announcements

Councillor M Statham acknowledged the work of the Lithgow City Council staff in the preparedness for the Covid crisis. Councillor M Statham also thanked the frontline workers in our community for their hard work.

Councillor S Lesslie thanked Lithgow City Council and Matthew Johnson as well as Lee Blaker of Hardrock Memorials for their efforts in the repair to the War Memorial located on Scenic Hill.

7. Public Forum

The Mayor asked if there were any registered submissions for public forum.

8. Mayoral Minutes

No Mayoral minutes were tabled.

9. Staff Reports

9.1. General Manager's Reports

9.1.1. GM - 23/08/2021 - Local Government NSW Voting Annual Conference Voting Delegates

Councillor W McAndrew proposed that the Mayor and Deputy Mayor be Council's delegates for both conferences and the Board election. Councillor Goodsell expressed interest in being the third delegate for the annual conference and the election. It was discussed and accepted that the third delegate for the special conference be determined by the next Council.

21 -186 RESOLVED

THAT

1. The Mayor and Deputy Mayor be Council's delegates for LGNSW's annual conference, board election and the special conference.
2. Councillor Goodsell be Council's third delegate for the annual conference and the board election.
3. The third delegate for the LGNSW special conference be determined by the next Council.

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 D Goodsell and Councillor M Statham

AGAINST: Nil

9.2. Economic Development and Environment Reports

9.2.1. Economic Development & Environment General Reports

9.2.1.1. ECDEV - 23/08/2021 - Draft Pottery Estate Development Control Plan 2021 - Public Exhibition

21 -187 RESOLVED

THAT Council:

1. Endorse the public exhibition of an amendment to Lithgow Development Control Plan 2021 to insert Pottery Estate (Locality Chapter 9) for a period of no less than 28 days.
2. Authorise the General Manager to make minor consequential and formatting amendments to both documents prior to publishing for public exhibition.
3. Endorse the public exhibition and consultation plan summarised in this report.
4. A Division be called pursuant to section 375A of the Local Government Act 1993.

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 Goodwin, Councillor S Lesslie, Councillor D Goodsell and Councillor M Statham

AGAINST: Nil

9.2.1.2. ECDEV - 23/08/2021 - Proposed Acquisition of Land at Palmers Oaky for RFS Purposes

21 -188 RESOLVED

THAT Council:

1. Proceed with the acquisition of part Lot 114 for RFS purposes.
2. Classify the land as 'operational'.
3. Approve funding of the acquisition through a loan from the Land Bank Reserve to be repaid to the reserve from any savings in the 2021/2022 financial year or by specific allocation in the 2022/2023 budget.
4. Authorise the General Manager to perform all actions and sign all documents necessary to give effect to the acquisition as outlined in this report.

MOVED: Councillor M Statham

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 D Goodsell and Councillor M Statham

AGAINST: Nil

9.2.1.3. ECDEV - 23/08/2021 - Lithgow Halloween 2021

21 -189 RESOLVED

THAT Lithgow Halloween 2021 as a public street event be cancelled and moved to the alternate format outlined in the report.

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 Goodwin, Councillor S Lesslie, Councillor D Goodsell and Councillor M Statham

AGAINST: Nil

9.3. Water and Wastewater Reports

9.3.1. WWW - 23/08/2021 - Portland Sewerage Treatment Plant - Pollution Incident Resolution

Original Motion

THAT the report advising of the outcome from the Environment Protection Authority's investigation into an incident at Portland Sewerage Treatment Plant be received.

MOVED: Councillor W McAndrew

SECONDED: Councillor C Coleman

Amendment

THAT the confidential report of 26 April 2021 be released to the public regarding the Environment Protection Authority's investigation into an incident at Portland Sewerage Treatment Plant.

MOVED: Councillor S Lesslie

The Amendment lapsed due to the lack of a seconder.

The original motion was Put.

21 -190 RESOLVED

THAT the report advising of the outcome from the Environment Protection Authority's investigation into an incident at Portland Sewerage Treatment Plant be received.

MOVED: Councillor W McAndrew

SECONDED: Councillor C Coleman

CARRIED:

Divisions

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

AGAINST: Councillor S Lesslie

9.3.2. WWW - 23/08/2021 - Water and Wastewater Report

21 -191 RESOLVED

THAT Council note the June to August report on Water and Wastewater matters.

MOVED: Councillor M Statham

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 D Goodsell and Councillor M Statham

AGAINST: Nil

9.4. Policies and Governance

9.4.1. GM - 23/08/2021 - Ordinary Meeting of Council Dates 2022

Original Motion

THAT:

1. An Ordinary Meeting be scheduled for 22 December 2021 for the purpose of electing the Mayor and Deputy Mayor
2. Council adopt the following dates for Ordinary Meetings of Council throughout 2022:
 - 24 January 2022
 - 28 February 2022
 - 28 March 2022
 - Tuesday 26 April 2022 - (25 April 2022 Anzac Day)
 - 23 May 2022
 - 27 June 2022
 - 25 July 2022
 - 22 August 2022
 - 26 September 2022
 - 24 October 2022
 - 28 November 2022

MOVED: Councillor C Coleman

SECONDED: Councillor D Goodwin

Amendment

THAT:

1. An Ordinary Meeting be scheduled for 22 December 2021 for the purpose of electing the Mayor and Deputy Mayor
2. Council adopt the following dates for Ordinary Meetings of Council throughout 2022:
 - 24 January 2022
 - 28 February 2022
 - 28 March 2022
 - Tuesday 26 April 2022 - (25 April 2022 Anzac Day)
 - 23 May 2022
 - 27 June 2022
 - 25 July 2022
 - 22 August 2022
 - 26 September 2022
 - 24 October 2022
 - 28 November 2022
3. Councillor briefing sessions, as far as possible, not be held in the 12 days immediately preceding the Ordinary Meetings of Council. This change to take place immediately.

MOVED: Councillor S Lesslie

SECONDED: Councillor C Coleman

The Amendment was put and LOST.

Divisions

FOR: Councillor C Coleman and Councillor S Lesslie

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

The original Motion was put.

21 -192 RESOLVED

THAT:

1. An Ordinary Meeting be scheduled for 22 December 2021 for the purpose of electing the Mayor and Deputy Mayor
2. Council adopt the following dates for Ordinary Meetings of Council throughout 2022:
 - 24 January 2022
 - 28 February 2022
 - 28 March 2022
 - Tuesday 26 April 2022 - (25 April 2022 Anzac Day)
 - 23 May 2022
 - 27 June 2022
 - 25 July 2022
 - 22 August 2022
 - 26 September 2022
 - 24 October 2022
 - 28 November 2022

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 Goodwin, Councillor S Lesslie, Councillor D Goodsell and Councillor M Statham

AGAINST: Nil

9.4.2. FIN - 23/8/21 - Draft Local Procurement Policy

Original Motion

THAT:

1. Council adopt the Local Procurement Policy,
2. The cost and other aspects of the policy in operation be monitored over the following 12 month period and any material cost increase or other matters of concern be reported to Council, and
3. Council amend the definition of a local supplier in an adopted policy to - *a business that operates from a permanent business address within the boundaries of the Lithgow City Council Local Government Area (LGA) for a minimum period of twelve (12) months before submitting the quotation or tender.*

MOVED: Councillor W McAndrew

SECONDED: Councillor S Ring

Councillor S Ring called a Point of Order on Councillor C Coleman as Council had already voted on this 12 month establishment criteria. After advice from the General Manager the Point of Order was not advanced further by Councillor Ring.

Amendment

THAT:

1. Council adopt the Local Procurement Policy,
2. The cost and other aspects of the policy in operation be monitored over the following 12 month period and any material cost increase or other matters of concern be reported to Council, and
3. Council amend the definition of a local supplier in an adopted policy to - *a business that operates from a permanent business address within the boundaries of the Lithgow City Council Local Government Area (LGA) for a minimum period of three (3) months before submitting the quotation or tender.*

MOVED: Councillor C Coleman

SECONDED: Councillor S Lesslie

LOST

The Amendment was Put and LOST.

Divisions

FOR: Councillor C Coleman and Councillor S Lesslie

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

The Original Motion was Put.

21 -193 RESOLVED

THAT:

1. Council adopt the Local Procurement Policy,
2. The cost and other aspects of the policy in operation be monitored over the following 12 month period and any material cost increase or other matters of concern be reported to Council, and
3. Council amend the definition of a local supplier in an adopted policy to - *a business that operates from a permanent business address within the boundaries of the Lithgow City Council Local Government Area (LGA) for a minimum period of twelve (12) months before submitting the quotation or tender.*

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 D Goodsell and Councillor M Statham

AGAINST: Nil

10. Council Committee Reports

10.1. ECDEV - 23/08/2021 - Minutes of the Environmental Advisory Committee Meeting - 14 July 2021

21 -194 RESOLVED

THAT Council receive and note the minutes of the Environmental Advisory Committee meeting held on 14 July 2021.

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 Goodwin, Councillor S Lesslie, Councillor D Goodsell and Councillor M Statham

AGAINST: Nil

10.2. FIN - 23/08/2021 - Finance Committee Meeting Minutes - 19 July 2021

21 -195 RESOLVED

THAT Council:

1. Adopt the minutes of the Finance Committee meeting held on 19 July 2021 and note the items not requiring a resolution of Council.
2. Endorse the recommendations proposed in the Council Investment Report for June 2021.

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 D Goodsell and Councillor M Statham

AGAINST: Nil

10.3. PS - 23/08/21 - Youth Advisory Committee Meeting - 19 July 21

21 -196 RESOLVED

THAT Council note the minutes of the Youth Advisory Committee (Youth Council) meeting held on 19 July 2021.

MOVED: Councillor M Statham

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 D Goodsell and Councillor M Statham

AGAINST: Nil

10.4. PS - 23/08/2021 - Women's Advisory Committee Meeting Minutes - 3 August 2021

21 -197 RESOLVED

THAT Council note the minutes of the Women's Advisory Committee meeting held on 3 August 2021.

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 Goodwin, Councillor S Lesslie, Councillor D Goodsell and Councillor M Statham

AGAINST: Nil

10.5. IS - 23/08/2021 - Minutes of TALC Committee Meeting - 5 August 2021

21 -198 RESOLVED

THAT Council:

1. Notes the minutes of the TALC Committee Meeting held on 5 August 2021; and
2. Accept the engineering plans provided for the intersection with the new bridge at Marrangaroo conditional upon:
 - a. the plans be amended to reflect retention of the existing stop and give way signage configuration at the intersection of Golf Links Road and Girraween Drive (a Give Way sign on Girraween Drive and a Stop sign on Golf Links Road); and
 - b. A Street light be installed in Golf Links Road / Bridge Intersection in compliance with AS1158 requirements for new T intersections.
3. Install a Loading Zone in Tank Street, Lithgow to allow Pearce's Furniture One delivery vehicles to safely access the existing delivery bay while being parallel to Tank Street; and
 - a. The blue P parking sign be relocated to the post closer to the Railway Parade end of the new loading zone; and
 - b. Hatch markings be added to the loading area to decipher from footpath; and
 - c. The loading zone be temporarily monitored over a 12 month period.

MOVED: Councillor D Goodwin

SECONDED: Councillor M Statham

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 and Councillor M Statham

AGAINST: Nil

10.6. FIN - 23/8/2021 - Finance Committee Meeting Minutes - 9 August 2021

21 -199 RESOLVED

THAT Council:

1. Adopt the minutes of the Finance Committee meeting held on 9 August 2021 and note the items not requiring a resolution of Council.
2. Endorse the recommendations proposed in the Council Investment Report for July 2021.

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 D Goodsell and Councillor M Statham

AGAINST: Nil

10.7. IS - 23/08/2021 - Sports Advisory Committee Meeting Minutes - 11 August 2021

21 -200 RESOLVED

THAT Council notes the minutes of the Sports Advisory Committee Meeting held on 11 August 2021.

MOVED: Councillor M Statham

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 D Goodsell and Councillor M Statham

AGAINST: Nil

11. Business of Great Urgency

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

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

Councillor W McAndrew raised the matter of Covid 19 impact on the community and specifically the timely communication of Covid information to Lithgow City Council relevant to the Lithgow Local Government Area.

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

21 -201 RESOLVED

THAT NSW Health be requested to ensure that when releasing information in relation to any aspect of Covid 19 in the Lithgow LGA that the Mayor is notified at the same time.

MOVED: Councillor W McAndrew	SECONDED: Councillor S Ring
CARRIED:	

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

Against: Councillor S Lesslie

Councillor W McAndrew commented about the postponement by Energy Australia of their Mt Piper shut-down which would have involved 600 people coming into the area.

There being no further business the Mayor declared the meeting closed at 08:41 pm.