



# MINUTES

Ordinary Meeting of Council

held at

Council Administration Centre

180 Mort Street, Lithgow

on

Monday 27 September 2021

at 7:00 PM

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

## **1. Acknowledgement of Country**

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The Mayor acknowledged the traditional custodians of this land we are on here today, and paid respect to their elders both past, present and emerging.

The Mayor went on to inform all those in attendance at this meeting, that the meeting is being webcast and that those in attendance should refrain from making any defamatory statements concerning any person, Councillor or employee, and refrain from discussing those matters subject to Closed Council proceedings as indicated in clause 14.1 of the code of meeting practice.

## **2. Present**

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Public: Nil

His Worship the Mayor Councillor R Thompson  
Councillor 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

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

## **3. Apologies**

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All being present there were no apologies.

## **4. Declaration of Interest**

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The Mayor called for any declarations of interest.

There were no declarations of interest.

## 5. Confirmation of Minutes

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### 21 -202 RESOLVED

The Minutes of the Ordinary Meeting of Council held on the 23 August 2021 were taken as read and confirmed.

**MOVED:** Councillor D Goodsell

**SECONDED:** Councillor D Goodwin

### 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 and Councillor M Statham

**AGAINST:** Nil

## 6. Commemorations and Announcements

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Councillor M Statham acknowledged and congratulated Jonathon Edgecombe - Local Emergency Management Officer and the Council staff and all involved with the terrific effort in preparation and execution of the recent Covid 19 Vaccination Clinic established in Lithgow. 1631 people were vaccinated in the area.

Councillor M Statham acknowledged the announcement of the Clarence and Dargan, Ray Crescent and Petra Avenue funding announcement.

Councillor W McAndrew called a Point of Order on Councillor M Statham asserting the matter she was raising was not in keeping with the intent of this item on the business paper.

The Mayor upheld the Point of Order and requested Councillors keep the matters to acknowledgements and announcements relevant to the intent of this item.

Councillor W McAndrew called a Point of Order on Councillor M Statham asserting that she was speaking on matters unrelated to the business.

The Mayor upheld the Point of Order. The Mayor subsequently warned Councillor Statham that she will be evicted from the Chamber if she continues to speak on matters not related to the item.

Councillor M Statham commemorated the tragic and sudden passing of Ace, a four days old baby boy whose families reside at Cullen Bullen and Portland. Council agreed to pass on sympathies to the families.

The Mayor, Councillor R Thompson commemorated the recent passing of Marie Bright who was a well-known member of the community for her work with Legacy and the RSL club of Lithgow.

Councillor J Smith commemorated the passing of Graham Dawson who passed away in a tragic mining incident in Queensland two weeks ago. Mr Dawson grew up in Lithgow and was a long time resident of the Lithgow area.

## 7. Public Forum

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The Mayor informed the Council that there were no registrations for the Public Forum Session.

## 8. Mayoral Minutes

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### 8.1. Mayoral Minute - 27/08/2021 - Congratulations Lachlan Sharp Olympic Games Achievement

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#### 21 -203 RESOLVED

THAT Council acknowledge the achievements of Lachlan Sharp in his hockey career, congratulate him on the silver medal he received at the Tokyo Olympic Games 2021 and note the intention for a civic ceremony to be held.

**MOVED:** Councillor R Thompson

**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 and Councillor M Statham

**AGAINST:** Nil

#### PROCEDURAL MOTION

THAT Items 10.1.1 and 10.1.2 be moved to this point in the meeting.

**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 Goodwin, Councillor S Lesslie, Councillor J Smith, Councillor D Goodsell and Councillor M Statham

**AGAINST:** Nil

**10.1.1. GM - 27/09/21 - Nominations for and Election for the Position of Deputy Mayor for period September through 4 December 2021**

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One valid nomination was received for Councillor W McAndrew who was nominated by Councillor D Goodwin and Councillor J Smith.

The Mayor warned Councillor Statham that she will be evicted from the Chamber if she continues being disrespectful to the Chair with comments made.

**21 -204 RESOLVED**

THAT Council:

1. Note the report on the appointment of and procedure for the election of Deputy Mayor.
2. Appoint Councillor W McAndrew as Deputy Mayor.
3. Note that there is no requirement for a method of voting to be determined due to only one nomination for the position.
4. Continue not to remunerate the position of the Deputy Mayor position.
5. Appoint the Deputy Mayor for a twelve month period or until the next election whichever occurs first.

**MOVED:** Councillor J Smith

**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 and Councillor D Goodsell

**AGAINST:** Councillor M Statham, Councillor S Lesslie.

Councillor S Lesslie 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.

**10.1.2. GM - 27/09/2021 - Delegations to Deputy Mayor**

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**21 -205 RESOLVED**

THAT:

1. To supplement the functions outlined in Section 231(3) of the New South Wales Local Government Act 1993, Council delegate the following to the Deputy Mayor of Lithgow City Council:

**a. Function of the Mayor**

The Deputy Mayor may exercise any function of the Mayor at the request of the Mayor or if the Mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of Mayor.

That the Deputy Mayor shall exercise the delegation of authority of the Mayor in those cases where the General Manager certifies that the matter is of such an urgent nature that it will not wait until the return of the Mayor.

**b. General Manager's Performance Review**

In the absence of and with authorisation from the Mayor, chair a meeting of all Councillors convened to conduct the performance reviews of the General Manager. The outcome of such reviews are to be reported to Council.

2. It be noted that these delegations remain in force unless otherwise revoked or amended in whole or in part, as Council may from time to time determine.

**MOVED:** Councillor D Goodsell

**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 and Councillor M Statham

**AGAINST:** Nil

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## 9. Notices of Motion

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### 9.1. Notice of Motion - 27/09/2021 - Councillor Lesslie - Waste to Energy

<b>Report by</b>	Councillor Stephen Lesslie
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**PROCEDURAL MOTION**

THAT Item 10.2.1.5 be moved to this point in the meeting and be dealt with in conjunction with the notice of motion as they relate to the same matter.

**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 and Councillor M Statham

**AGAINST:** Nil

Councillor S Ring called a Point of Order on Councillor S Lesslie on the basis that he continues to claim that Council has secret meetings, when in fact it does not.

The Mayor upheld the Point of Order ruling that there is no basis to Councillor S Lesslie's claims.

After the debate, Councillor S Lesslie and Councillor W McAndrew withdrew point 2 in the original Notice of Motion which was: 2. Engage suitable consultants to prepare a submission for presentation to the Government in opposition to this Waste to Energy Infrastructure Plan and against any regulation proposed by the Government implementing such a scheme for the Lithgow Local Government Area.

## 21 -206 RESOLVED

THAT Lithgow Council oppose the NSW Government's Energy from Waste Infrastructure Plan.

**MOVED:** Councillor S Lesslie

**SECONDED:** Councillor W McAndrew

**CARRIED:**

### Divisions

**FOR:** Councillor R Thompson, Councillor W McAndrew, Councillor C Coleman, Councillor S Lesslie, Councillor J Smith and Councillor M Statham

**AGAINST:** Councillor S Ring, Councillor D Goodwin and Councillor D Goodsell

Councillor D Goodsell called a Point of Order on Councillor S Lesslie on the basis that she considers that he is disrespectful within the Chamber in his behavior towards her and other Councillors.

The Mayor had not heard the comments or observed the behaviour on this occasion. Therefore, no ruling was made on the Point of Order.

## 10. Staff Reports

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### 10.1. General Manager's Reports

#### 10.1.1. GM - 27/09/21 - Nominations for and Election for the Position of Deputy Mayor for period September through 4 December 2021

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This matter was dealt with earlier in the meeting.

#### 10.1.2. GM - 27/09/2021 - Delegations to Deputy Mayor

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This matter was dealt with earlier in the meeting.

### 10.2. Economic Development and Environment Reports

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#### 10.2.1. Economic Development & Environment General Reports

##### 10.2.1.2. ECDEV - 27/09/2021 - Proposed Licence Agreement with Wallerawang Indoor Sports Association Incorporated

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Councillor W McAndrew left the meeting at 08:08 pm.  
Councillor W McAndrew returned to the meeting at 08:09 pm.

## 21 -207 RESOLVED

THAT

1. Council grant preliminary approval to the proposed Licence Agreement to Wallerawang Indoor Sports Association Incorporated.
  2. Council give public notice of the proposed Licence Agreement and place the licence on public exhibition for at least 28 days.
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3. Following the public exhibition period, Council apply to the Minister for Local Government for approval of the proposed Licence Agreement and provide to the Minister a copy of any submissions received during the public exhibition period.
4. Council authorise the General Manager to execute the proposed Licence Agreement, as soon as possible following approval by the Minister for Local Government, and at the same time execute the Deed of Mutual Termination and Release.
5. WISA be requested to make an annual presentation to the Council outlining detail such as patronage/utilisation statistics, key achievements, challenges and financials.
6. The matter be returned to Council before entering into a subsequent renewed Licence Agreement, if WISA elect to exercise the option for a further 20 year term.

**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 Goodwin, Councillor S Lesslie, Councillor J Smith, Councillor D Goodsell and Councillor M Statham

**AGAINST:** Nil

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**10.2.1.3. ECDEV - 27/09/2021 - Bell Quarry Appeal**

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**21 -208 RESOLVED**

THAT Council note the update on the current position of the appeal to the Land and Environment Court of the refusal of the development application for the Bell Quarry Waste Management Facility.

**MOVED:** Councillor S Ring

**SECONDED:** Councillor S Lesslie

**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 and Councillor M Statham

**AGAINST:** Nil

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**10.2.1.4. ECDEV - 27/09/2021 - Lake Wallace**

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Councillor D Goodwin left the meeting at 08:16 pm.

Councillor D Goodwin returned to the meeting at 08:18 pm.

**21 -209 RESOLVED**

THAT Council note the progress on discussions with Greenspot on the future of Lake Wallace and the proposal to enter into a Memorandum of Understanding with the company.

**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 and Councillor M Statham

**AGAINST:** Nil

**10.2.1.5. ECDEV - 27/09/2021 - Energy From Waste Infrastructure Plan**

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This matter was dealt with earlier in the meeting.

**10.3. Infrastructure Services Reports**

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**10.3.1. IS - 27/09/2021 - Variation to 2021/2022 Budget - Cemeteries**

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**21 -210 RESOLVED**

THAT:

1. Council endorse the transfer of the budget allocation for the Hartley Cemetery Fencing /Entryway and defer the project until such time that it will not be affected by the Great Western Highway upgrade and;
2. Council carry out and engage contractors to complete the shovel ready projects listed by 30 June 2022.

**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 and Councillor M Statham

**AGAINST:** Nil

**10.3.2. IS - 27/09/2021 - Renaming of Upper Turon Road**

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Councillor S Ring left the meeting at 08:23 pm.  
Councillor S Ring returned to the meeting at 08:24 pm.

**21 -211 RESOLVED**

THAT Council proceed with the online road naming process and gazette the road name of 'Turon Gates Road' accordingly and notify appropriate landowners and authorities of the new address changes.

**MOVED:** Councillor M Statham

**SECONDED:** Councillor W McAndrew

**CARRIED:** Unanimously

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**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 and Councillor M Statham

**AGAINST:** Nil

**10.3.3. IS - 27/09/2021 - Success of COVID-19 Vaccination Clinic**

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**21 -212 RESOLVED**

THAT Council:

1. Note the information provided in the report on the success of the recent Vaccination Clinic.
2. Send letters of appreciation to NSW Health, Australian Defence Force, NSW Police, Hon. Andrew Gee MP and Hon. Paul Toole MP, Douglass Hanly Moir, Council staff and our local SES units for their roles in providing support for both the local testing and vaccination clinics.

**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 Goodwin, Councillor S Lesslie, Councillor J Smith, Councillor D Goodsell and Councillor M Statham

**AGAINST:** Nil

**10.3.4. IS - 27/09/2021 - Fixing Country Bridges Program - Project Update**

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**21 -213 RESOLVED**

THAT Council note the report for the Fixing Country Bridges program for the replacement of the three (3) timber bridges along Glen Davis Road, Capertee at the Airly, Coco and Crown Creek crossings.

**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 J Smith, Councillor D Goodsell and Councillor M Statham

**AGAINST:** Nil



## 10.4. Water and Wastewater Reports

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### 10.4.1. WWW - 27/09/2021 - Undertaking of the Public Private Partnership assessment

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Councillor J Smith left the meeting at 08:4 pm.  
Councillor J Smith returned to the meeting at 08:48 pm.

#### 21 -214 RESOLVED

THAT Council engage with the Office of Local Government for assessment of the Clarence to Wallerawang Pipeline Project as a Public Private Partnership under the assessment guidelines.

**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 and Councillor M Statham

**AGAINST:** Nil

## 10.5. People and Services Reports

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### 10.5.1. PS - 27/09/2021 - Farmers Creek Bridge Flood Impact Assessment

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Original Motion

THAT Council note:

1. The report on possible flood impacts due to the design of the Burton Street bridge and the immediate remedial steps taken to mitigate the impacts.
2. Further re-design and flood modelling work is currently underway, and that Council has committed to consult with residents before the bridge is re-installed.
3. Project Management process improvement is currently being implemented across Council to ensure that the technical expertise required to deliver such projects is adequately resourced within Council's structure.

**MOVED:** Councillor D Goodsell

**SECONDED:** Councillor J Smith

#### Amendment

THAT Council note:

1. The report on possible flood impacts due to the design of the Burton Street bridge and the immediate remedial steps taken to mitigate the impacts.
2. Further re-design and flood modelling work is currently underway, and that Council has committed to consult with residents before the bridge is re-installed.

3. Project Management process improvement is currently being implemented across Council to ensure that the technical expertise required to deliver such projects is adequately resourced within Council's structure.
4. Further expenditure to date not included in the report \$3480 for removal of the bridge
5. Further report be brought back to council when works are complete outlining all costs when the bridge is replaced.
6. The original engineers consulting report received be released.

**MOVED:** Councillor S Lesslie

**SECONDED:** Councillor C Coleman

**LOST**

**Divisions**

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

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

The Amendment was PUT and LOST.

**Amendment**

THAT Council note:

1. The report on possible flood impacts due to the design of the Burton Street bridge and the immediate remedial steps taken to mitigate the impacts.
2. Further re-design and flood modelling work is currently underway, and that Council has committed to consult with residents before the bridge is re-installed.
3. Project Management process improvement is currently being implemented across Council to ensure that the technical expertise required to deliver such projects is adequately resourced within Council's structure.
4. Further expenditure to date not included in the report \$3480 for removal of the bridge
5. Further report be brought back to council when works are complete outlining all costs when the bridge is replaced.

**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 and Councillor M Statham

**AGAINST:** Nil

The Amendment was PUT and became the Motion.

**21 -215 RESOLVED**

THAT Council note:

1. The report on possible flood impacts due to the design of the Burton Street bridge and the immediate remedial steps taken to mitigate the impacts.
2. Further re-design and flood modelling work is currently underway, and that Council has committed to consult with residents before the bridge is re-installed.
3. Project Management process improvement is currently being implemented across Council to ensure that the technical expertise required to deliver such projects is adequately resourced within Council's structure.
4. Further expenditure to date not included in the report \$3480 for removal of the bridge
5. Further report be brought back to council when works are complete outlining all costs when the bridge is replaced.

**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 and Councillor M Statham

**AGAINST:** Nil

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**10.5.2. PS - 27/09/2021 - 2021-2023 Community Engagement Strategy**

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**21 -216 RESOLVED**

THAT Council endorse the 2021-2023 Community Engagement Strategy for the Integrated Planning and Reporting Framework.

**MOVED:** Councillor S Ring

**SECONDED:** Councillor W McAndrew

**CARRIED:**

**Divisions**

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

**AGAINST:** Councillor S Lesslie

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**10.5.3. PS - 27/09/2021 - Lithgow Pump Track**

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**21 -217 RESOLVED**

THAT Council note the report on the recent completion of the Lithgow Pump Track.

**MOVED:** Councillor D Goodsell

**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 and Councillor M Statham

**AGAINST:** Nil

**10.5.4. PS - 27/09/2021 - Consultation with Local Indigenous Representatives**

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**21 -218 RESOLVED**

THAT:

1. Council note the progress made in reaching out to the Local Indigenous Community
2. The Working Party bring a report to Council with recommendations on improving consultation with the local indigenous community

**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 Goodwin, Councillor S Lesslie, Councillor J Smith, Councillor D Goodsell and Councillor M Statham

**AGAINST:** Nil

**10.5.5. PS - 27/09/2021 - COVID Updates on Council Website**

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Councillor D Goodwin left the meeting at 09:28 pm.

Councillor D Goodwin returned to the meeting at 09:29 pm.

**21 -219 RESOLVED**

THAT Council note the COVID-19 information provided on Council's website.

**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 and Councillor M Statham

**AGAINST:** Nil

## 10.6. Finance and Assets Reports

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### 10.6.1. FIN - 27/09/2021 - Payment of Tax Equivalents - Sewer Fund

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#### 21 -220 RESOLVED

THAT Council:

1. Authorise the payment of tax equivalents from the Sewer Fund to the General Fund for the 2018/19 year (\$362K) and 2020/21 year (amount determined up completion of the financial statements).
2. Note that the tax equivalents payment will be held in a general fund unrestricted reserve to complete the building of a \$1M working capital fund.

**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 J Smith, Councillor D Goodsell and Councillor M Statham

**AGAINST:** Nil

### 10.6.2. FIN - 27/09/21 - New Risk Management & Internal Audit Framework

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#### 21 -221 RESOLVED

THAT Council:

1. Note the information provided on the OLG's draft guidelines for Risk Management and Internal Audit for Councils in NSW.
2. Lodge a submission on the draft guidelines, supporting Councillor members being included as voting members and Mayors being permitted to be a voting Committee member.

**MOVED:** Councillor S Ring

**SECONDED:** Councillor M Statham

**CARRIED:**

#### Divisions

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

**AGAINST:** Councillor S Lesslie

## 10.7. Policies and Governance

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### 10.7.1. FIN - 27/09/21 - Update of Policy 9.9 Internal Reporting Policy

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#### 21 -222 RESOLVED

THAT updated Policy 9.9 Internal Reporting Policy - Version 7 be adopted and implemented immediately.

**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 and Councillor M Statham

**AGAINST:** Nil

### 10.7.2. IS - 27/09/2021 - Review of Policy 1.5 Acquisition & Disposal of Assets

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#### 21 -223 RESOLVED

THAT the revised Policy 1.5 Acquisition and Disposal of Assets be adopted and implemented immediately.

**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 and Councillor M Statham

**AGAINST:** Nil

## 11. Council Committee Reports

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### 11.1. IS - 27/09/2021 - Minutes of the Operations Committee Meeting 1st September 2021

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#### 21 -224 RESOLVED

THAT Council note the minutes of the Operations Committee Meeting held on 1 September 2021.

**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 and Councillor M Statham

**AGAINST:** Nil

**11.2. IS - 27/09/2021 - Minutes of the TALC Committee Meeting - 9th September 2021**

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Councillor D Goodwin requested that the minutes be corrected to himself and not Councillor Goodsell as she is not a member of this committee.

Councillor S Lesslie requested that his name be marked as an apology for this meeting as he does not attend these meetings if Councillor Goodwin does so as there is only one vote available.

**21 -225 RESOLVED**

THAT Council:

1. Note the minutes of TALC meeting held on 9 September 2021.
2. Make contact with Forestry Corporation in relation to the matter of Load Limits on the Old Bindo Road; and
  - o That a report be brought back to the TALC Committee after contact with Forestry Corporation; and
  - o Make a formal application to TfNSW to reduce the speed limit on Old Bindo Road from 80km/h to 50km/h.
3. Install two (2) locality signs on the suburb boundary on Dark Corner Road, Dark Corner to identify the locality of Dark Corner.

**MOVED:** Councillor D Goodwin

**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 and Councillor M Statham

**AGAINST:** Councillor S Lesslie

**11.3. FIN - 27/09/2021 - Minutes of the Finance Committee Meeting - 13 September 2021**

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**21 -226 RESOLVED**

THAT Council:

1. Adopt the minutes of the Finance Committee meeting held on 13 September 2021 and note the items not requiring a resolution of Council.
2. Endorse the recommendations proposed in the Council Investment Report for August 2021.

**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 and Councillor M Statham

**AGAINST:** Nil

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**11.4. PS - 27/09/2021 - Minutes of the Youth Council - 17 August 2021**

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**21 -227 RESOLVED**

THAT council note the minutes of the Youth Advisory Committee meeting held on 17 August 2021.

**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 Goodwin, Councillor S Lesslie, Councillor J Smith, Councillor D Goodsell and Councillor M Statham

**AGAINST:** Nil

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**11.5. EDE - Minutes of the Economic Development Committee - 7 September 2021**

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**21 -228 RESOLVED**

THAT Council note the minutes of the Economic Development Committee held on 7 September 2021.

**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 Goodwin, Councillor S Lesslie, Councillor J Smith, Councillor D Goodsell and 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 S Ring raised the potential temporary closures of 30 Fire and Rescue Stations in NSW when staffing cannot be maintained. Two of the stations are - a Lithgow Station and Portland Station.

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

Councillor Coleman raised a Point of Order on Councillor S Ring and asked him to withdraw his comment.

Councillor S Ring withdrew his comment.

The Mayor asked Councillor S Lesslie to withdraw his statement that Council has secret meetings.

Councillor S Lesslie withdrew his statement.

### 21 -229 RESOLVED

THAT the administration organise a briefing for Councillors with NSW Fire and Rescue and the Fire Brigade Union Representatives to provide an update on the issues.

**MOVED:** Councillor S Ring

**SECONDED:** Councillor W McAndrew

**CARRIED:** Unanimously

**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 and Councillor M Statham

**Against:** Nil

Councillor W McAndrew raised the matter of the announcement this week that the Mt Piper Power Station will cease operations two years earlier (2040) and requested a briefing for councillors by Energy Australia to seek clarification.

The Mayor declared the matter not to be of great urgency in accordance with Clause 241 of the Local Government (General) Regulations.

Councillor D Goodwin raised the matter of tourism in the LGA, and specifically what is proposed in terms of activities as we move out of Covid lockdown and towards a holiday season.

The Mayor declared the matter not to be of great urgency in accordance with Clause 241 of the Local Government (General) Regulations.

### **13. Closed Council**

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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 Nil objections.

#### **21 -230 RESOLVED**

THAT Council resolve to move into Closed Council to consider the confidential reports as listed in the Agenda at 10:07 pm.

**MOVED:** Councillor J Smith

**SECONDED:** Councillor W McAndrew

**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 this section of the meeting that is closed to the public.

#### **21 -234 RESOLVED**

THAT Council resolve to return to open Council and inform the public of the resolutions of the section of the meeting that is closed to the public at 10:45 pm.

**MOVED:** Councillor J Smith

**SECONDED:** Councillor M Statham

**CARRIED:** Unanimously

The Mayor informed the public of the resolutions of the Closed Council.

### **13.1. CONFIDENTIAL - ECDEV - 27/09/2021 - Lease of 21 Proto Avenue, Lithgow**

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#### **21 -231 RESOLVED**

THAT Council note the report and adopt Plan A outlined in the report and bring back a report to the next Council meeting or as soon as possible.

**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 and Councillor M Statham

**AGAINST:** Nil

**13.2. CONFIDENTIAL - IS - 27/09/2021 - Tender Evaluation - Sealing Contracts  
Various Roads**

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**21 -232 RESOLVED**

THAT Council:

1. Accept the submission from Fulton Hogan P/L for the sealing of each road identified the Council's adopted 2021/22 Operational Plan for \$545,297.14; and
2. Delegate authority to the General Manager to enter a Contract with Fulton Hogan P/L in accordance with the Tender VP260652 Lithgow Council Road Sealing Program 2021/22; and
3. Utilise Fulton Hogan P/L for any further road spray sealing at the submitted prices in the 2021/22 financial year to ensure cost effective project delivery, should further road sealing be required.

**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 and Councillor M Statham

**AGAINST:** Nil

**13.3. CONFIDENTIAL - WWW - 27/092021 - Cullen Bullen Sewerage Treatment  
Plant - Tender Evaluation**

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**21 -233 RESOLVED**

THAT Council:

1. In accordance with Clause 178(1) (a) of the Local Government (General) Regulation 2005, accept the tender submission, including clarifications and changes to system as per LCC requirement, from SNG Constructions Pty Ltd. for the Design and Construction of the Cullen Bullen Sewerage Treatment Plant for \$3,559,979 ex GST.
2. Authorise the General Manager to execute the contract on behalf of Council under delegated authority.

**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 and Councillor M Statham

**AGAINST:** Nil

There being no further business the Mayor declared the meeting closed at 10:48 pm.