



MINUTES

Ordinary Meeting of Council

held at

Council Administration Centre

180 Mort Street, Lithgow

on

Monday 25 October 2021

at 7:00 PM

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The Mayor declared the meeting open at 07:00 pm.

1. Acknowledgement of Country

Acknowledgement of Country

I would like to acknowledge the traditional custodians of this land we are on here today, and pay respect to their elders both past, present and emerging.

Declaration of Webcasting

I 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
Nigreeta Nunan, Minutes Secretary

3. Apologies

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

Procedural Motion

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

MOVED: Councillor W McAndrew

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 D Goodsell and Councillor M Statham

AGAINST: Nil

4. Declaration of Interest

Councillor C Coleman declared a non-pecuniary less than significant interest in item 10.2.2.3 and advised she will vacate the chambers

Councillor S Ring declared a pecuniary less than significant interest in item 10.2.2.3 and advised he will vacate the chambers

Councillor M Statham declared a non-pecuniary less than significant interest in item 10.2.2.3 and she will vacate the chambers

Councillor M Statham declared a non-pecuniary less than significant interest in item 10.2.2.4 and advised she will vacate the chambers

5. Confirmation of Minutes

21 -235 RESOLVED

The Minutes of the Ordinary Meeting of Council held on the 27 September 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 D Goodsell and Councillor M Statham

AGAINST: Councillor S Lesslie

6. Commemorations and Announcements

Councillor S Statham acknowledged all the people that helped out the families who lost their homes and damaged properties from the tornado at Meadow Flat, including the emergency services from the local area.

Councillor Statham commemorated the untimely passing of Marie McCabe from Wallerawang which is a great loss to her family and the Wallerawang community generally.

7. Public Forum

There were no registrations for public forum.

8. Mayoral Minutes

8.1. Mayoral Minutes - 25/10/2021 - Emergency Electrical Repairs to Tornado Damage Building

Report by Mayor – Councillor Ray Thompson

21 -236 RESOLVED

THAT Council –

1. note the action to support a local resident recover from severe damage to their house and property at Meadow Flat as a result of a tornado, and,
2. endorse the expenditure of \$324.37 for works on this private property at Curly Dick Road Meadow Flat

MOVED: Councillor R Thompson

SECONDED: {seconder}

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. Notices of Motion

9.1. NOTICE OF MOTION - 25/10/2021 - Councillor Stephen Lesslie - Ironfest

Report by Councillor Stephen Lesslie

21 -237 RESOLVED

That Lithgow Council management meet with the Ironfest executive to determine how Lithgow Council can assist Ironfest in staging Ironfest 2022 and that a report be brought back to Council as soon as practicable after the December Council elections.

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

AGAINST: Nil

9.2. NOTICE OF MOTION - 25/10/2021 - Councillor Steve Ring - Limited Parking Permit Lithgow Businesses

Report by Councillor Steve Ring

21 -238 RESOLVED

THAT the:

1. Administration immediately introduce a parking permit system for 12 months to allow affected businesses parking in front of their businesses between 12 noon and 6 pm
2. Permit system is restricted to those hospitality businesses in the CBD who business model has altered during covid by introducing home deliveries and whose premises do not have rear parking.

MOVED: Councillor S Ring

SECONDED: Councillor D Goodwin

LOST

Divisions

FOR: Councillor S Ring

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

10. Staff Reports

10.1. General Manager's Reports

10.1.1. GM - 25/10/2021 - Delegations to General Manager

21 -239 RESOLVED

THAT Council:

1. Authorise the General Manager to exercise the civic and ceremonial functions normally exercised by the Mayor for the period between election day and the first meeting of the Council following the election.
2. Delegate all delegable functions to the General Manger for the period between election day and the first meeting of the Council following the election.
3. In the event that the election is not declared by the time of the scheduled Council meeting of 22 December 2021 that it be rescheduled to Monday 10 January 2022, if required.

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

10.2. Economic Development and Environment Reports

10.2.1. Building and Development

10.2.1.1. ECDEV - 25/10/2021 - DA155/21 - Installation of Fibre Optic Cable and Telecommunication Works, Hassans Walls Reserve

21 -240 RESOLVED

THAT:

1. Development Applications DA155/21 be APPROVED subject to conditions of the consent as shown in the attached planning assessment report.
2. A DIVISION be called in accordance with the requirements of Sections 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 and Councillor M Statham

AGAINST: Nil

10.2.2. Economic Development & Environment General Reports

10.2.2.1. ECDEV - 25/10/2021 - Classification of two parcels of land

21 -241 RESOLVED

THAT

1. Council resolve to give public notice for at least 28 days of the proposal to classify Lot B in DP398553 and Lot 6 in DP33474 as "operational" land.
2. If no submissions are received during the public exhibition period, Lot B in DP398553 and Lot 6 in DP33474 be deemed classified "operational" land and be added to Council's land register.
3. If submissions are received during the public exhibition period, and those submission can't be satisfactorily addressed by Council administration, the matter be returned to Council for further consideration with details of submissions received.

MOVED: Councillor S Ring

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

10.2.2.2. ECDEV – 25/10/2021 – proposed Eskbank Railway Project

21 -242 RESOLVED

THAT

1. Council provide landowner's consent to any development application lodged by COC Ltd in relation to the Project.
2. Council authorise letters of support including those for funding applications in relation to the project on the proviso that such letters are issued subject to a plan of management being adopted that expressly authorises the use and the grant of a lease or licence for that use

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

10.2.2.3. ECDEV - 25/10/2021 - Foundations Planning Proposal 2020-4094 - Post Exhibition Update and Process

Councillor S Ring left the meeting at 07:36 pm due to an earlier declaration of interest
Councillor C Coleman left the meeting at 07:36 pm due to an earlier declaration of interest
Councillor M Statham left the meeting at 07:36 pm due to an earlier declaration of interest

21 -243 RESOLVED

THAT:

1. Council forward the Foundations Planning Proposal (PP 2020-4094) to the Parliamentary Counsel Office (PCO) to request drafting of the legal instrument and the issue of an opinion that Local Environmental Plan (Amendment 5) can legally be made.
2. Council officers receive and consider any further responses from public authorities/organisations whilst awaiting the PCO opinion. Should any response raise any issues that cannot be resolved, or any objections to the Planning Proposal, the matter will be reported back to Council.
3. Following receipt of the legal opinion from PCO and compliance with resolution 2, Council delegate authority to the General Manager to adopt and finalise the making of the Local Environmental Plan without further resolution.
4. A **DIVISION** be called in accordance with the requirements of Section 375A (3) of the Local Government Act, 1993.

MOVED: Councillor W McAndrew

SECONDED: Councillor D Goodsell

CARRIED: Unanimously

Divisions

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

AGAINST: Nil

10.2.2.4. ECDEV - 25/10/2021 - Lithgow Development Control Plan (Amendment 1) - Chapter 9 Pottery Estate Precinct

Councillor S Ring returned to the meeting at 07:42 pm.
Councillor C Coleman returned to the meeting at 07:42 pm.

MOTION

THAT

1. Council approves the making of Lithgow Development Control Plan (Amendment 1) (Plan) as exhibited subject to the amendments outlined in Attachment 3 (Table of Amendments) of this report and Table 1 of the response from Heritage NSW dated 22 October 2021 tabled at this meeting.
2. A future report be brought to Council in relation to the proposed Valley Drive Road reserve realignment and the proposed new collector road alignment through Council's public reserve.
3. A Division be called pursuant to Section 375A of the Local Government Act 1993.

MOVED: Councillor S Ring

SECONDED: Councillor D Goodwin

AMENDMENT

That the matter be deferred until the new council is elected.

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 D Goodsell

The Amendment was PUT and LOST.

21 -244 RESOLVED

THAT

1. Council approves the making of Lithgow Development Control Plan (Amendment 1) (Plan) as exhibited subject to the amendments outlined in Attachment 3 (Table of Amendments) of this report and Table 1 of the response from Heritage NSW dated 22 October 2021 tabled at this meeting.

2. A future report be brought to Council in relation to the proposed Valley Drive Road reserve realignment and the proposed new collector road alignment through Council's public reserve.
3. A Division be called pursuant to Section 375A of the Local Government Act 1993.

MOVED: Councillor S Ring

SECONDED: Councillor D Goodwin

CARRIED:

Divisions

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

AGAINST: Councillor S Lesslie

10.2.2.5. ECDEV - 25/10/2021 - Lake Wallace Memorandum of Understanding (MOU)

Councillor M Statham returned to the meeting at 07:58 pm.

MOTION

THAT Council note the draft Memorandum of Understanding (as attached) in respect of the Lake Wallace lands and authorise the General Manager to execute the MOU.

MOVED: Councillor S Ring

SECONDED: Councillor W McAndrew

Councillor W McAndrew subsequently withdrew his seconding of the motion and foreshadowed an alternate.

The motion lapsed due to a lack of a seconder and the alternate motion was PUT.

21 -245 RESOLVED

THAT

1. Council note the draft Memorandum of Understanding (as attached) in respect of the Lake Wallace lands and authorise the General Manager to execute the MOU
2. Point C in the MOU be amended to include "appropriate term stay holiday camping and caravanning."

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

10.3. Infrastructure Services Reports

No reports

10.4. Water and Wastewater Reports

10.4.1. WWW - 25/10/2021 - Water and Wastewater Report

Councillor D Goodwin left the meeting at 08:30 pm.

21 -246 RESOLVED

THAT the Council note the Water and Wastewater report for the period August to October 2021.

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 S Lesslie, Councillor D Goodsell and Councillor M Statham

AGAINST: Nil

10.5. Finance and Assets Reports

10.5.1. FIN - 25/10/2021 - 2020/21 Financial Statements

Councillor D Goodwin returned to the meeting at 08:31 pm.

21 -247 RESOLVED

THAT Council:

1. Note that that the audit of the 2020/21 financial statements has been completed.
2. Authorise the signing of the statement on the 2020/21 General Purpose Financial Reports.
3. Authorise the signing of the statement on the 2020/21 Special Purpose Financial Reports.
4. Invite a representative of the Audit Office of NSW, Council's Auditors, to present a report to Council on the 2020/21 Financial Statements at the Ordinary Council meeting scheduled for 22 November 2021 via virtual attendance.

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 D Goodsell and Councillor M Statham

AGAINST: Nil

10.5.2. FIN - 25/10/2021 - Investment Report September 2021

21 -248 RESOLVED

THAT

1. Investments of \$29,114,593 and cash of \$420,372 for the period ending 30 September 2021 be noted.
2. The enclosed certificate of the Responsible Accounting Officer be noted.
3. The commentary on funding requirements for restricted reserves be noted.

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 D Goodsell and Councillor M Statham

AGAINST: Nil

10.5.3. FIN - 25/10/2021 - Tender Delegations Report

21 -249 RESOLVED

THAT Council note the exercise of the General Manager's delegation to approve the Farmers Creek Shared Pathway tender in October 2021.

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 and Councillor M Statham

AGAINST: Nil

10.6. People and Services Reports

10.6.1. PS - 25/10/2021 - Centennial Coal Community Contribution for Youth Scholarships

Councillor Ring called a point of order on Councillor Lesslie for his comments which he considered irrelevant to the matter.

The Mayor upheld the Point of Order.

MOTION

THAT:

1. Council retain the scholarship program and extends it to all schools within the LGA.
2. Council allocate the remaining funds to each school on a per capita basis for use by the schools for students at need
3. The funding of the scholarship is increased to \$14,000 and distributed amongst all schools annually on a per capita basis
4. The Centennial Coal allocations be reviewed in two years and a report be brought to council at that time
5. The schools that participate in the scholarship program report to council to show the use of the scholarship funding

MOVED: Councillor S Ring

SECONDED: Councillor D Goodsell

AMENDMENT

THAT:

1. Council retain the scholarship program and extends it to all schools within the LGA.
2. Council allocate the remaining funds to each school on a per capita basis for use by the schools for students at need
3. The funding of the scholarship is increased to \$14,000 and distributed amongst all schools annually on a per capita basis
4. The Centennial Coal allocations be reviewed in two years and a report be brought to council at that time

MOVED: Councillor S Lesslie

SECONDED: Councillor D Goodsell

CARRIED:

Divisions

FOR: Councillor W McAndrew, Councillor C Coleman, Councillor S Lesslie, Councillor D Goodsell and Councillor M Statham

AGAINST: Councillor R Thompson, Councillor S Ring and Councillor D Goodwin

The amendment was PUT and became the Motion.

21 -250 RESOLVED

THAT:

1. Council retain the scholarship program and extends it to all schools within the LGA.
2. Council allocate the remaining funds to each school on a per capita basis for use by the schools for students at need
3. The funding of the scholarship is increased to \$14,000 and distributed amongst all schools annually on a per capita basis
4. The Centennial Coal allocations be reviewed in two years and a report be brought to council at that time

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 D Goodsell and Councillor M Statham

AGAINST: Nil

10.6.2. PS - 25/10/2021 - Delivery Program - Six Months Progress Report

21 -251 RESOLVED

THAT Council note the January – June 2021 Progress Report against the combined 2017-21 Delivery Program and 2020/21 Operational 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 Goodwin, Councillor S Lesslie, Councillor D Goodsell and Councillor M Statham

AGAINST: Nil

10.6.3. PS - 25/10/2021 Community Recovery Officer Quarterly Report

21 -252 RESOLVED

THAT Council note the Community Recovery Officer report for the period 1 July – 30 September 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 D Goodsell and Councillor M Statham

AGAINST: Nil

10.7. Policies and Governance

10.7.1. GM - 25/10/2021 - Councillors & Designated Person returns for the period 1 July 2020 to 30 June 2021

21 -253 RESOLVED

THAT Council acknowledge the disclosures received under the Model Code of Conduct for Local Councils in NSW (Clause 4.21) for the period 1 July 2020 to 30 June 2021 from designated persons and all Councillors.

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

10.7.2. FIN - 25/10/2021 - Policy 9.21 IT Infrastructure Security

21 -254 RESOLVED

THAT Council rescind Policy 9.21 IT infrastructure Policy which has been superseded by the IT security internal policy suite.

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. Council Committee Reports

11.1. PS - 25/10/21 - Youth Advisory Committee Meeting - 20 September 2021

21 -255 RESOLVED

THAT Council note the minutes of the Youth Advisory Committee (Youth Council) meeting held on 20 September 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

11.2. PS - 25/10/2021 - Women's Advisory Committee Meeting Minutes - 5 October 2021

21 -256 RESOLVED

THAT Council note the minutes of the Women's Advisory Committee meeting held on 5 October 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 D Goodsell and Councillor M Statham

AGAINST: Nil

11.3. IS - 25/10/2021 - TALC Committee Meeting Minutes - 7 October 2021

21 -257 RESOLVED

THAT Council:

1. Note the minutes of the TALC Committee meeting held on 7 October 2021; and
2. Approve the following recommendations of the Committee:
 - a. Council liaises with Transport for NSW for appropriate locations to install static mobile speed camera signs on State and local roads within the Lithgow LGA; and

- b. Council does not support the speed reduction along Pipers Flat Road, Portland as it is highly unlikely that Transport NSW (RMS) will agree to the change; and
- c. The traffic count data for Sandford Avenue, Lithgow be noted and a report be brought back to the committee with proposal of implementing traffic calming in the area.

MOVED: Councillor D Goodwin

SECONDED: Councillor S Ring

CARRIED:

Divisions

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

AGAINST: Councillor C Coleman

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 W McAndrew raised the matter of the recent decisions of the Federal National Party to support the net zero emissions 2050 and the support for our local regions with coal and coal power.

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

21-258a RESOLVED

THAT the request be declared as business of great urgency.

MOVED: Councillor W McAndrew	SECONDED: {seconder}
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

21 -258b RESOLVED

The Mayor and General Manager engage with State MP Paul Toole and Federal MP Andrew Gee as a matter of urgency to find out the detail of the support being offered to the community

in relation to the decision being announced by Minister Kean, State Treasurer and the Federal Coalition parties regarding the 2050 net zero emissions target.

MOVED: Councillor W McAndrew

SECONDED: {seconder}

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

Councillor Statham raised the matter regarding the State Government's Energy from Waste policy and requested the General Manager write to Minister Paul Toole as the Deputy Premier to amend the decision made for possible locations for the infrastructure.

The Mayor declared the matter not to be of great urgency in accordance with Clause 241 of the Local Government (General) Regulations as the matter was addressed at the October 2021 Ordinary Meeting of Council.

13. Closed Council

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

There were no objections.

21 -259 RESOLVED

THAT Council resolve to move into Closed Council to consider the confidential reports as listed in the business paper at 9:15pm.

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

AGAINST: Nil

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.

21 -265 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 9:45 pm.

MOVED: Councillor W McAndrew

SECONDED: Councillor S Ring

CARRIED: Unanimously

13.1. CONFIDENTIAL REPORT - WWW - 25/10/2021 - Tender Evaluation Report - Wallerawang Sewerage Pumping Station No.1 Renewal

21 -260 RESOLVED

THAT Council:

1. In accordance with Clause 178(1) (a) of the *Local Government (General) Regulation 2005*, accept the tender submission from QMax Pumping Systems for the Replacement of Wallerawang Sewerage Pumping No.1 for the amount \$771,680.00 ex GST as specified in the tendered schedule of rates.
2. Authorise the General Manager to execute the contract on behalf of Council under delegated authority.

MOVED: Councillor S Lesslie

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 REPORT - WWW - 25/10/2021 - Tender Evaluation - Portland Watermains Renewal and Trunk main

21 -261 RESOLVED

THAT

1. In accordance with Clause 178(1) (a) of the *Local Government (General) Regulation 2005*, Council accept the tender submission from Utilistra Pty Ltd for the construction and renewal of watermains in the Portland area for \$1,077,957.67 ex GST.
2. Authorise the General Manager to execute the contract on behalf of Council under delegated authority.

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

13.3. CONFIDENTIAL REPORT - IS - 25/10/2021 - Tender Evaluation - Replacement of Bridges - Glen Davis Road

21 -262 RESOLVED

THAT Council:

1. Note the result of the tender evaluation for the replacement of timber bridges along Glen Davis Road and the deficiencies highlighted in the tender responses.
2. Resolve to not accept any tenders received and enter into negotiations with the two highest-ranked tenderers, Central Industries and Saunders Civilbuild in accordance with Clause 178 (3)(e) of the *Local Government (General) Regulation 2021*
3. Note that a further report will be provided to the January 2022 Ordinary meeting to report on the outcome of negotiations with the two highest ranked tenderers.

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 J Smith, Councillor D Goodsell and Councillor M Statham

AGAINST: Nil

13.4. CONFIDENTIAL REPORT - IS - 25/10/2021 - Repair of Lithgow Library Awning & Façade - Tender Evaluation

21 -263 RESOLVED

THAT Council:

1. In accordance with Clause 178(1) (a) of the *Local Government (General) Regulation 2005*, accept the tender submission from Dean Horton for the repair of the Lithgow Library Awning and Façade for the lump sum amount of \$359,912 (ex GST).
2. Authorise the General Manager to execute the contract on behalf of Council under delegated authority.

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 J Smith, Councillor D Goodsell and Councillor M Statham

AGAINST: Nil

13.5. CONFIDENTIAL REPORT - 25/10/2021 - ECDEV - Lease of 21 Proto Avenue

21 -264 RESOLVED

THAT Council note the update outlined in this report.

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 J Smith, Councillor D Goodsell and Councillor M Statham

AGAINST: Nil

There being no further business the Mayor declared the meeting closed at 09:47 pm.