

4th NOVEMBER 2008

AGENDA - POLICY AND STRATEGY COMMITTEE MEETING OF COUNCIL



LITHGOW CITY COUNCIL

AGENDA

POLICY AND STRATEGY COMMITTEE
MEETING OF COUNCIL

TO BE HELD AT

THE ADMINISTRATION CENTRE, LITHGOW

ON

04 NOVEMBER 2008

AT 6.00pm

AGENDA

PRESENT

QUESTIONS FROM THE PUBLIC GALLERY - NIL

PRESENTATIONS - NIL

CONFIRMATION OF THE MINUTES OF THE POLICY AND STRATEGY COMMITTEE MEETING OF COUNCIL HELD ON 7TH OCTOBER 2008

DECLARATION OF INTEREST

NOTICES OF MOTION -

Councillor McGinnes - Various Questions With Notice
Councillor McGinnes - Commonwealth Bank of Australia
Councillor Ticehurst - Request for Financial Assistance
Councillor Ticehurst - Questions With Notice
Councillor Ticehurst - More Questions With Notice
Councillor Ticehurst - Various Questions With Notice

NOTICES OF RESCISSION - NIL

MAYORAL MINUTE - NIL

CORRESPONDENCE AND REPORTS

Community and Corporate Services Report

REPORTS FROM DELEGATES - NIL

COMMITTEE MEETINGS - NIL

CLOSED REPORTS - NIL

QUESTIONS OF AN URGENT NATURE

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NOTICES OF MOTION

ITEM:1 NOTICE OF MOTION - 04/11/08 - COUNCILOR J J MCGINNES - VARIOUS QUESTIONS WITH NOTICE

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NOTICE OF MOTION

Lithgow Council
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28 OCT 2008

MOTION

Doc. No.
GDA Ref.
Year by C.

Questions to the Lithgow City Council Committee Meetings on 4 November 2008 by Councillor J J McGinnes.

QUESTIONS

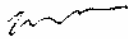
- 1. Could the Council report back on the current situation facing the residents of the Pottery Estate where it seems that they will lose their homes to the Landlord Company even though the Council was involved in brokering an agreement in 2001?
- 2. Could the Council call a Citizens Access Meeting when it receives a written request from a resident or community group for Councillors to make an inspection of a building or land site?
- 3. Could the Council request from the RTA, statistics on traffic crashes on the Bells Line of Road and the facts on which they base the new speed limit restrictions being placed on this route?
- 3a. Could the Council also enquire if the crash rate fatalities and casualties include the section of road between Windsor and Kurrajong Heights.
- 3b. Could the Council prepare a submission to the RTA to have the new speed restrictions to be linked more closely to the accident statistics locations as public concerns has been raised about the extensive use of 60kph zones?

ATTACHMENTS

- 1. Copy of Pottery Estate Agreement.
- 2. Copy of letter from Vale Ladies Club at the Vale Hall, Lithgow.

RECOMMENDATION

That the Council provide written reports or responses to the Questions above.


Councillor Joe McGinnes
28 October 2008

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94 Hartley Rd.
Lithgow 2790Mr Roger Bailey
General Manager
Lithgow City Council
Mort St
Lithgow.

Dear Mr Bailey, Mr Castle, and all councillors.

On behalf of the president and members of the VALE LADIES CLUB, we would like to lodge a submission to the council for funding for a new kitchen for the Vale of Clwydd hall. A letter was sent to council for interior painting of the hall in 2006. We were told it would be done. A special meeting was held on 28.2.2007 with Mr Castle, Mr Muir, Mr Anderson attending. The suggestion from this was to put in a submission for what was needed, also we were to put in for as many grants as possible, we applied for three different ones, we were unsuccessful in all. We think as the council owns the hall it was up to them to renew the kitchen.

The list was as follows:

- 1 A new kitchen as per quote
- 2 Dishwasher industrial
- 3 Floor repair leading into ladies toilet and in front of the stage also to sand the floor.
- 4 painting inside
- 5 security alarm
- 6 wiring of hall which has been done and we thank you for this as a new kitchen could not work on the old wiring.

The Vale Ladies maintain the hall. All money raised by us goes back into our community. We assist charities in our area. We would like the council to help us to provide a service of a new kitchen so the public who hire the hall and the ladies who do a lot of catering to make it a lot easier to do so. This hall is used nearly every day of the week.

Functions are as followed:

- Weddings
- Birthdays
- Christenings
- Funerals
- Dance groups
- Meetings
- Exercise classes

The Vale Ladies provide Xmas in July for over 80 people from all nursing homes in Lithgow.

A Mothers day fete.
Bingo every fortnight for local charities.
Pensioners Xmas party.

these are put on by our group with no cost to them.
We have raised about \$20,000 so far this year. The ladies do catering to enable us to put in 4 new infrared heaters costing \$1584. We are hoping the council can come on board for us. We are a small group of ladies with only about eight working members most members are in their late sixties.

We would like to invite all members of council to come and see for themselves what we need, without the ladies this hall would not function. We provide a much needed service to the Lithgow community.

President Marilyn Wilson

M. J. Wilson SP
139770

yours sincerely

Jan Hawken secretary
63.51284511 treasurer

ITEM:2 NOTICE OF MOTION - 04/11/08 - COUNCILLOR J J MCGINNES - COMMONWEALTH BANK OF AUSTRALIA

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NOTICE OF MOTION

Lithgow City Council

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MOTION

28 OCT 2008

Doc. No

- That all Councillors be provided as soon as possible with all documents involving:
1. Councils invested Commonwealth Bank of Australia Ethical Note of 6 November 2006.
 2. Councils invested TD Shield Commonwealth Bank of Australia of 21 November 2007.

BACKGROUND

Further to this Council's Agenda Item 11 of the last Ordinary Meeting of Council on the 21st October 2008 where Councillors raised concerns over the status of this Councils current Investment Portfolio, I would like that all Councillors be provided as soon as possible with all documents involving:-

1. Councils invested Commonwealth Bank of Australia Ethical Note of 6 November 2006.
2. Councils invested TD Shield Commonwealth Bank of Australia of 21 November 2007.

It was reported to the last Ordinary Meeting of Council that the Councils currently invested \$500,000 Ethical Note, also now called a CDO held with the Commonwealth Bank had been written down to \$220,000, a financial loss of \$280,000.

However it has come to light that in two prior reports to the previous Council, it was reported strenuously that this Council held no investments that may be exposed to the US sub-prime market and that this Council did not hold any CDO's

Also of concern is that the brief General Purpose Financial Reports that have been provided to all Councillors indicates in its Income/Balance Sheet dated 30th June 2008 that at Note 6a, CDO's are listed in 2008 as actual current at \$220,000, however there is no entry for the initial \$500,000 as listed in 2007 as actual current?

This loss of a very substantial financial investment will be of some concern to our ratepayers particularly as the Prime Minister Mr Rudd declared on the Sunrise Program on Monday 27th October 2008 that the Federal Government will not guarantee any market linked investments because they are at the mercy of movements in the share market and mortgage securities.

Once the requested documents have been made available to all Councillors, it may be appropriate for Councillors to re-visit the current policies on Councils Investments.

ATTACHMENTS

Agenda Item 11 of the Ordinary Meeting of Council on the 21st October 2008.
Council Minutes of the 5 November 2007 and 7 April 2008.
Note 6a Lithgow City Council Financial Report.

RECOMMENDATION

- That all Councillors be provided as soon as possible with all documents involving:-
1. Councils invested Commonwealth Bank of Australia Ethical Note of 6 November 2006.
 2. Councils invested TD Shield Commonwealth Bank of Australia of 21 November 2007.

Councillor Joe McGinnes
28 October 2008

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21 October 2008
AGENDA – ORDINARY MEETING OF COUNCIL**ITEM:11 COMM - 21/10/08 - COUNCIL INVESTMENTS TO 30 SEPTEMBER 2008****REPORT FROM - INTERNAL SERVICES MANAGER - C FARNSWORTH****REFERENCE**

Min O 08-425: Council Meeting 19 August 2008 (July 2008)

Min F08-125: Council Meeting 07 October 2008 (Aug 2008)

SUMMARY

To advise Council of investments held for the 2008/09 financial year for the period ending 30 September 2008

COMMENTARY

The amount invested as at 30 September 2008 when compared to 31 August 2008 has increased by \$1,171,349.39. This increase is due to final incoming payments of the first 2008/09 rate instalment due on 31 August 2008.

INVESTMENT REGISTER 2008/09

INSTITUTION	INV TYPE	DATE LODGED	DATE DUE	DAYS	INT	VALUE 30.09.08	VALUE 31.08.08	% OF TOTAL
BANKWEST	TD	29.08.08	29.10.08	61	7.60	529,522.90	529,522.90	3.17%
	TD	02.09.08	03.11.08	92	7.50	529,815.65	519,228.93	3.17%
	TD	04.09.08	07.10.08	30	7.42	510,258.65	500,000.00	3.06%
CBA	CMS NI	20.08.08	20.06.11	1,825	8.71	500,000.00	500,000.00	2.99%
	On Call				7.15	343,572.43	1,438,915.83	2.06%
	Ethical NI	06.11.08	06.11.11	1,825	9.25	220,000.00	500,000.00	1.32%
	TD	10.09.08	10.10.08	30	7.49	549,312.20	546,031.52	3.29%
	TD Shield	21.11.07	05.06.09	547	16.0	750,000.00	750,000.00	4.49%
CITIBANK	TD	12.08.08	14.11.08	92	7.51	571,850.79	571,850.79	3.42%
	TD	05.09.08	10.10.08	35	7.44	510,125.79	506,820.49	3.05%
LG FINANCIAL	On Call				8.22	280,916.50	278,943.43	1.58%
	TD	06.11.07	06.11.08	365	7.55	306,524.05	306,524.05	1.84%
	TD	04.09.12	04.12.08	90	7.60	1,030,000.00	0	5.99%
	On Call				6.90	7,159.79	7,159.79	0.04%
	On Call				7.25	28,611.97	28,095.48	0.17%
IMBS	TD	06.08.08	08.11.08	92	7.70	1,158,477.11	1,158,477.11	6.94%
	TD	22.08.08	27.10.08	66	7.61	520,402.64	520,402.64	3.12%
	TD	03.09.08	03.10.08	30	7.47	848,883.64	832,104.78	5.08%
MACQUARIE	TD	30.06.08	30.10.08	92	7.90	2,000,000.00	2,000,000.00	11.97%
	TD	21.08.09	21.02.09	180	8.08	2,000,000.00	2,000,000.00	11.97%
ALLIANCE	Managed	28.02.08	28.02.09	365		1,000,000.00	1,000,000.00	5.99%
ST GEORGE	On Call	20.11.08	20.11.08	90	7.70	1,036,855.44	1,036,855.44	6.21%
	TD	02.09.08	02.12.08	90	7.63	1,500,000.00	0	8.98%
TOTAL						16,702,290.55	15,530,941.16	100.00%

I, Carol G Farnsworth, Lithgow City Council Internal Services Manager (Responsible Accounting Officer) certify as required under Local Government (General) Regulations 2005 that Council's investments have been made in accordance with the Local Government Act 1993 Regulations and Lithgow City Council's Investment Policy.

POLICY IMPLICATIONS

All Council's investments are held in accordance with Lithgow City Council's Investment Policy.

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05 November 2007

AGENDA – FINANCE AND SERVICES COMMITTEE MEETING OF COUNCIL

**ITEM:10 COMM - 05/11/07 - DLG INVESTMENTS REVIEW DATA
COLLECTION**

REPORT FROM - INTERNAL SERVICES MANAGER - C FARNSWORTH

REFERENCE

Nil

SUMMARY

To advise Council of the response to DLG Circular 07-47 "Council Investments – Review" with a recommendation that the information be received.

COMMENTARY

The Department of Local Government Circular 07-47 advised of their recent concerns in the decline in the 'sub - prime' mortgage market in the USA and the fact that some Councils may have been exposed to losses through their investments in structured financial products and as a result they would review investments held by each Council. The main focus of the review is to clarify the exposure of NSW Councils to any losses.

In order to determine the level of exposure, all Councils were required to provide details of their investments via a circulated spreadsheet and a copy of Lithgow return is provided as an attachment to this report for information.

Council holds no investments in the sub-prime market area. Council's Investment Policy is followed for all investments and Council is provided with monthly reports indicating the performance of the investments to ensure the Council is aware of the investments undertaken.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

CONCLUSION

Council has complied with the Department's request to submit information on the investment decisions and processes taken and advises that the investment policy is the basis for all investment. The information is submitted to Council for information.

ATTACHMENTS

1. Data Return - Investments held
2. 2006/07 Draft General Purpose Financial Reports - Balance Sheet
3. 2006/07 Draft General Purpose Financial Reports - Income Statement
4. 2006/07 Draft General Purpose Financial Reports - Note 6 a) b) and c)
5. Lithgow City Council Investment Policy adopted 16 October 2006

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21 October 2008

AGENDA – ORDINARY MEETING OF COUNCIL

FINANCIAL IMPLICATIONS

Interest received to 30 September 2008 is \$29,588.86 of an estimated \$788,728.00 for the 2008/09 financial year. Interest is paid on the maturity date of the investment and earnings derived from managed funds are reported quarterly. For end of year reporting purposes accrued interest to 30 June 2008 previously brought to account has been reversed.

For 2007/08 end of year financial reporting purposes the Commonwealth Bank of Australia (CBA), has advised that the structure of the \$500,000 Ethical Note purchased by Council on 06 November 2006, and which will mature on 06 November 2011, is exposed to the current Collateralised Debt Obligations (CDO) market. The effect of this is that the principal value of the note is .44c in the dollar of its original value and Council has a current book value of \$220,000. This entry has been adjusted and reported in the 2007/08 General Purpose Financial Reports and as per Department of Local Government Investment Order of 31 July 2008 it will be held until maturity and adjusted annually as the future economic climate dictates.

The investment when purchased held a Standard & Poor rating of AAA and is spread over 152 investment options all of which are industries required of an ethical note such as telecommunication, cosmetics, food products, health care etc. It contains a default fixed recovery rate of 40%, which is a buffer to soften the impact of falls in the economy. The fall which has currently been experienced equates to a loss of 3.37% as at 31 July 2008 and will be absorbed in the 40% recovery rate offset.

The nature of this product requires Council to report and adjust the written down value as at 30 June 2008. Interest has been paid on this note each quarter since 20 November 2006 at a rate of 9.25%. Total interest of \$80,000 has been received and the Commonwealth Bank of Australia advises that at this stage quarterly interest payments of approximately \$11,000 are expected to continue.

Legal Implications

Investments are held in accordance with the Lithgow City Council's Investment Policy which accords with the requirements of the:

- Local Government Act 1993 - Section 625
- Local Government Act 1993 - Order dated 31 July 2008
- Local Government (General) Regulation 2005
- Trustee Amendment (Discretionary Investments) Act 1997- Section 14A(2), 14c(1) & (2)

RECOMMENDATION**THAT**

Council's 2008/09 investments for the period ending 30 September 2008 be noted.

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07 April 2008
AGENDA – FINANCE AND SERVICES COMMITTEE MEETING OF COUNCIL

As required of the Cole report, and our own annual review procedure, the investment policy will be reviewed to include all recommendations made by the NSW Government.

POLICY IMPLICATIONS

Review of the Investment Policy to be reported to a future meeting of Council.

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

ATTACHMENTS

Nil

RECOMMENDATION

THAT the report be noted and the information received.

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07 April 2008

AGENDA – FINANCE AND SERVICES COMMITTEE MEETING OF COUNCIL

ITEM:16 COMM - 07/04/08 - COLE REPORT - COUNCIL INVESTMENTS**REPORT FROM - INTERNAL SERVICES MANAGER - C FARNSWORTH****REFERENCE**

Min: 05.11.07 DLG Investment Review Data Collection

SUMMARY

To advise Council of the release of the Cole Report into NSW Council Investments with a recommendation to implement its findings.

COMMENTARY

In November 2007 the Department of Local Government requested all NSW Councils complete a data collection form detailing their investment activity in recent times. As a result of the response Mr Michael Cole, former chairman of State Super and a board member of several investment banks over the past ten years, was commissioned to assess ratepayer losses stemming from their investment in collateralised debt obligations (CDO's).

The NSW Government Treasurer Mr Michael Costa has now released the findings of the Cole Report which has found NSW Councils face losses of \$200 million with some Councils having invested 50 per cent of their investments in CDO's.

As reported to the meeting of 5 November 2007 Lithgow City Council has never held nor currently holds any investments in the 'sub prime' USA mortgage market or investments in CDOs and therefore we are not exposed to investment losses.

The NSW Government will be adopting all eight recommendations of the Cole report to ensure future NSW ratepayers' money is protected from risky investments:

The recommendations include:

- Tightening permissible investment products and clarifying some existing definitions:
- Grandfathering existing investments that are excluded by the changed regulations
- Barring the manufacturer and distributors investment products from acting as investment advisors to Council:
- Suspending until December 2009 Council's ability to make any new investment other than through TCorp and in land, cash, bonds or other Councils:
- Ensuring Council are more fully aware of their obligations by requiring a signature demonstrating understanding of the investment requirements and
- Issuing an investment policy guideline for Council in addition to the existing framework

As required by our investment policy all Lithgow Council Investments are already held as 'cash' or 'term deposits' with varying maturity dates and to ensure Council is aware of our investments a monthly report is completed to indicate the type of investments held and their performance.

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05 November 2007

AGENDA – FINANCE AND SERVICES COMMITTEE MEETING OF COUNCIL

6. Statement of Account from Alliance Bernstein for the period ending 30 June 2007.

RECOMMENDATION

THAT the return be noted and the information received.

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Financial Report 2008

Lithgow City Council

Notes to the Financial Statements
for the financial year ended 30 June 2008

Note 6a. - Cash Assets and Note 6b. - Investment Securities

\$ '000	2008	2008	2007	2007
	Actual Current	Actual Non Current	Actual Current	Actual Non Current
Cash & Cash Equivalents (Note 6a)				
Cash on Hand and at Bank	497	-	960	-
Cash-Equivalent Assets ¹				
- Deposits at Call	1,033	-	1,847	-
- Other Financial Assets	11,179	-	10,907	-
Total Cash & Cash Equivalents	12,709	-	13,714	-
Investment Securities (Note 6b)				
- Managed Funds	1,000	-	1,000	-
- Long Term Deposits	1,000	-	1,000	-
- CDO's	220	-	-	-
Total Investment Securities	2,220	-	2,000	-
TOTAL CASH ASSETS, CASH EQUIVALENTS & INVESTMENTS	14,929	-	15,714	-

¹ Those investments where time to maturity (from date of purchase) is < 3 mths.Cash, Cash Equivalents & Investments were
classified at year end in accordance with
AASB 139 as follows:

Cash & Cash Equivalents				
a. "At Fair Value through the Profit & Loss"	12,709	-	13,714	-
Investments				
Nil				
a. "At Fair Value through the Profit & Loss"				
- "Held for Trading"	6(b-i) 1,000	-	1,000	-
b. "Held to Maturity"	6(b-ii) 220	-	-	-
d. "Available for Sale"	6(b-iv) 1,000	-	1,000	-
Investments	2,220	-	2,000	-

ITEM:3 NOTICE OF MOTION - 04/11/08 - COUNCILLOR M F TICEHURST - REQUEST FOR FINANCIAL ASSISTANCE UNDER COUNCIL POLICY 4.4 BY TARANA TANKER TRAILERS INC

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NOTICE OF MOTION

Lithgow City Council

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28 OCT 2008

MOTION TITLE/TOPIC:

Request for financial assistance under Council Policy 4.4. by Tarana Tanker Trailers Inc.

Doc. No

GDA Ref.

Year

Listed by: Councillor Martin Ticehurst

Date: 27 October 2008.

BACKGROUND

As a result of a recent decision by the NSW Rural Fire Service to discontinue the use of Tanker Trailers in the Lithgow LGA, members of the Tarana Rural Fire Service Brigade formed the community organisation, Tarana Tanker Trailers Incorporated.

The Tarana Rural Fire Service members highly valued the usefulness of its thirteen Tanker Trailers which were positioned around the Tarana District so that a trailer was located within 10 minutes of any fire to ensure any outbreak of fire was contained or extinguished pending the arrival of further Tanker Trailers or larger Rural Fire Service vehicles.

The new Tarana Tanker Trailers Inc. community organisation was successful in tendering \$2,400 for the purchase of their previously owned thirteen Tanker Trailers. However, with the current Bush Fire Season now upon us, the Tanker Trailers require formal registration which is expected to cost up to \$2,000.

Whilst the Tarana community has been very active in its fund raising activities for this project, Councillors would appreciate that for any new community organisation, this is a substantial expense that previously would have been met by either the RFS or the Council.

The Tanker Trailers are clearly a vital part of ensuring the immediate safety of residents in the Tarana District and it is to the credit of local RFS members that they have embraced this community initiative and accordingly, I believe it appropriate that Council provide up to \$2,000 to the Tarana Tanker Trailers Incorporated to provide for the immediate registration establishment of the thirteen Tanker Trailers.

After this original registration process, future registrations will collectively be less than \$1,000 each year.

RECOMMENDATION

THAT Council provide the Tarana Tanker Trailers Incorporated with an immediate financial donation of up to \$2,000 under it's Policy 4.4 – Donations under Section 356 of the Local Government Act and that Tarana Tanker Trailers Incorporated be invited to make a further application for financial assistance in the upcoming 2009/2010 Council Budget.

Signed: _____

MF Ticehurst

ITEM:4 NOTICE OF MOTION - 04/11/08 - COUNCILLOR M F TICEHURST - QUESTIONS WITH NOTICE

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NOTICE OF MOTION

Lithgow City Council
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28 OCT 2008

MOTION TITLE/TOPIC:

Questions with Notice submitted by Councillor Martin Ticehurst to the Lithgow City Council Committee Meetings on Tuesday 4 November 2008.

Doc. No
GDA Ref.
Years

Listed by: Councillor Martin Ticehurst

Date: 27 October 2008.

BACKGROUND

1. Could the General Manager and his Officers provide all Councillors and the Council with a report on various options for the erection of a new Town Clock in the Lithgow Central Business District?
2. Could the General Manager and his Officers provide all Councillors and the Council with a report on recent rock falls that have occurred on the Wolgan Gap – Wolgan Road which leads to and from the new Emirates Resort in the Wolgan Valley?
3. Could the General Manager and his Officers provide all Councillors and the Council with report on a recent submission to the State Parliament by Mr Jim Glasson, the Director-General of the Ministry of Transport, that it is currently conducting a study into funding options for new commuter car parks which may apply to transport interchanges such as the Lithgow Rail Interchange?

Additionally, could the Council resolve to have our State Member, Gerard Martin to make representations to the Minister for Transport for the Lithgow Rail Interchange to be seriously considered for a new commuter car parking area on the western side of the Lithgow Railway Station Interchange?

4. Could the General Manager and his Officers provide all Councillors and the Council with report on the recent pollution incident which occurred over the October long-weekend at the Lithgow Sewerage Plant involving the discharge of water from sewerage ponds into the Farmers Creek?
5. Could the General Manager and his Officers provide all Councillors and the Council with updated report on the EPA Court Order made on the 26 October 2007 for the Lithgow Council to complete repairs to its Water Treatment Plant by 9 June 2008?

RECOMMENDATION

THAT Council provides appropriate written reports or responses to the above Questions with Notice.

Signed: _____

M F Ticehurst

ITEM:5 NOTICE OF MOTION - 04/11/08 - COUNCILLOR M F TICEHURST - MORE QUESTIONS WITH NOTICE

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NOTICE OF MOTION

Lithgow City Council
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28 OCT 2008

MOTION TITLE/TOPIC:

Questions with Notice submitted by Councillor Martin Ticehurst to the Lithgow City Council Committee Meetings on Tuesday 4 November 2008.

Doc. No
Lithgow City Council
Years

Listed by: Councillor Martin Ticehurst

Date: 27 October 2008.

BACKGROUND

1. Could the General Manager and his Officers indicate if they are aware of the DLG Circular 08-67 which indicates that State Government Grants are currently available to apply for the upgrade of NSW Local Government Playgrounds and if so, will the Lithgow City Council be making an application? If so, what will be the priority for Playgrounds in the Lithgow LGA, particularly the one in Andrew Street, Lithgow?
2. Could the General Manager and his Officers provide all Councillors and the Council with a report on all of the urban and rural road patching, road maintenance and road upgrades to be carried out by Lithgow City Council in the current 08/09 budget?
3. Could the General Manager and his Officers provide all Councillors and the Council with a report on establishing a Lithgow City Council Internal Audit and Compliance Committee to satisfy DLG Circular 08-64 'Internal Audit Guidelines for Councils' and Recommendations 8 and 9 arising out of the ICAC Wollongong Council Inquiry?

Recommendation 8 - That Wollongong City Council's internal audit or administrative staff be given responsibility for monitoring compliance with Council resolutions and reporting on non-compliance.

Recommendation 9 - That Wollongong City Council receives regular reports on compliance with its resolutions and that the Council have regard to these reports when evaluating the performance of the General Manager.
4. Could the General Manager and his Officers provide all Councillors and the Council with a detailed report on any currently outstanding resolutions that were made prior to the 13 September 2008 by the Lithgow City Council?

RECOMMENDATION

THAT Council provides appropriate written reports or responses to the above Questions with Notice.

Signed: _____

M F Ticehurst

ITEM:6 NOTICE OF MOTION - 04/11/08 - COUNCILLOR M F TICEHURST - VARIOUS QUESTIONS WITH NOTICE

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NOTICE OF MOTION

23 OCT 2008

MOTION TITLE/TOPIC:

Doc. No
GDA Ref.
Year:

Questions with Notice submitted by Councillor Martin Ticehurst to the Lithgow City Council Committee Meetings on Tuesday 4 November 2008.

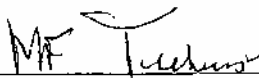
Listed by: Councillor Martin Ticehurst Date: 27 October 2008.

BACKGROUND

1. Could the General Manager and his Officers provide all Councillors and the Council with an updated report on the current status of considerations by the Lithgow City Council for the upgrading or establishment of a new Skate/Bike Park in Lithgow?
2. Further to 1. above, could the General Manager and his Officers as a matter of urgency seek additional information from other Australian Local Governments, including plans, photographs and videos of existing Skate/Bike Parks to assist in the consideration by the Council and Councillors towards firming up a proposal for inclusion in the Lithgow Councils 2009/2010 budget and Management Plan?
3. Further to 1. and 2. above, could the General Manager and his Officers advise the Councillors and Council what, if any additional Federal, State or community funding (i.e. CDSE) may be available?

RECOMMENDATION

THAT Council provides appropriate written reports or responses to the above Questions with Notice.

Signed: _____ 

COMMUNITY AND CORPORATE SERVICES REPORTS

ITEM:7 COMM - 04/11/08 - REVIEW OF COUNCILS POLICY MANUAL

REPORT FROM: GROUP MANAGER COMMUNITY AND CORPORATE – SUZANNE LOLLBACK

REFERENCE

Min 07-501 - Ordinary Meeting of Council - 19 November 2007

Min O08-165 - Ordinary Meeting of Council – 21 October 2008

SUMMARY

The Council as per its Standard Working Procedure has determined that all policies will be reviewed within 12 months of a Council election. It is proposed that Council's policies will be submitted to the Council for consideration over a staged period of time. This report provides a review of policies in the Council's Policy Manual of:

- Section 1: Acquisition and Disposal of Assets
- Section 3: Contracting
- Section 4: Community Liaison.

COMMENTARY

All policies have been reviewed for their content as well as been reformatted for consistency of layout and style.

Where minor changes have occurred such as grammatical corrections and formatting, and where the context of the policy has not changed, it is considered that the changes are not substantial and thus do not require public exhibition.

Where a policy is required to be changed due to a change in legislation or a direction of the Director General of the Department of Local Government, it is considered that the changes do not require public exhibition.

For those policies that have substantial changes, or where the context of a policy has changed, the policy shall be exhibited for 28 days after the date on which the draft policy is placed on public exhibition during which submissions may be made to the Council.

The following existing policies are considered to have minor changes, or changes that are a result of legislative changes, and thus do not require public exhibition.

POLICY NUMBER	COMMENTS
Policy 1.1 Land (Council) – Leases – Legal Costs	Small wording correction. No change in context. Reformatted.
Policy 1.3 Asset Disposal	Small wording correction. No change in context. Reformatted.
Policy 1.4 Tendering	Small wording correction. No change in context. Reformatted.
Policy 3.1 Contracts – Disclosure on Request of Information Contained in Council Contracts	Small wording correction. No change in context. Reformatted.
Policy 4.1 Community Representatives – Appointment of to Committees or Working Groups	Small wording correction. No change in context. Reformatted.
Policy 4.2 Voluntary Work – Community Volunteers	Small wording correction. No change in context. Reformatted.
Policy 4.3 Donations – GST treatment for Grants and Contributions	Reformatted.
Policy 4.6 Request for Donation by Waiving of Fees for Council Facilities	Small wording correction. No change in context. Reformatted.
Policy 4.7 Halls – Senior Citizens Week	Reformatted.
Policy 4.8 Union Theatre/Civic Ballroom – Functions by Charitable Organisations	Reformatted. 3. Replace the amount '\$1000' with 'funding' to allow the Council to set the amount as part of the annual budget process.
Policy 4.9 Lithgow City Council Art/Painting Collection	Small wording correction. No change in context. Reformatted.
Policy 4.10 Loans from Council's Art Collection	Small wording correction. No change in context. Reformatted.
Policy 4.11 Complaints – Disclosure of Identity – Freedom of Information Act 1989	Small wording correction. No change in context. Reformatted. Note wording removed from Objective as repeated in Policy.
Policy 4.12 Complaints and procedures	Small wording correction. No change in context. Reformatted.
Policy 4.13 Customer Service Policy	Small wording correction. No change in context. Reformatted.
Policy 2.14 Lithgow Library Learning Centre Child Protection Policy	Reformatted.

The following existing policies have a change of a substantial nature and thus will be placed on public exhibition for a period of 28 days. Following public exhibition, comments from the public will be reported to the Council, along with a recommendation for adoption of the policy.

POLICY NUMBER	EXISTING POLICY	PROPOSED CHANGES
Policy 1.2 Asset Acquisition	Requires the inclusion of two points under 1.	<p>Include as points 3 and 4 under 1.</p> <ul style="list-style-type: none"> • <i>Whether the land is suitable for its intended use in accordance with the strategy in the Council's Strategic Plan 'ensuring Council land is suitable for its intended use'.</i> • <i>Whether the land is suitable for its intended use in terms of levels of contamination.</i>
Policy 4.4 Donations – Section 356 of the Local Government Act	<p>Amend in response to Res: F08-88 Finance and Services 1 July 2008 which reads:</p> <p><i>4. Council report back on the Donations – Section 356 Local Government Act Policy so it be reviewed to consider donations to schools.</i></p>	<p>Insert the new point (viii) <i>(viii) Council will support local projects and activities of schools within Council's area where those projects demonstrate partnerships with and benefit to the wider community.</i></p>
Policy 4.5 Financial Assistance to Community Groups and Organisations – Interest Free Loans	<p>Rewording of Objective (ii) required to clarify meaning.</p> <p>Currently reads:</p> <p><i>To limit the availability the aggregate of interest free loans available to community groups and organisations up to a maximum of \$200,000.</i></p> <p>Additional point to be inserted as point 3.</p>	<p>Objective (ii) to read:</p> <p><i>ii) To set a combined limit of \$200,000 for all interest free loans to community groups</i></p> <p>Additional point to read:</p> <p><i>3. Council has included the loan in its Management Plan.</i></p>

POLICY IMPLICATIONS

As per the above changes

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

Many of the policies respond to the requirements of the Local Government Act 1993, the Local Government (General) Regulations and various other acts.

ATTACHMENTS

- Policy 1.1 Land (Council) – Leases – Legal Costs
- Policy 1.2 Asset Acquisition
- Policy 1.3 Asset Disposal
- Policy 1.4 Tendering
- Policy 3.1 Contracts – Disclosure on Request of Information Contained in Council Contracts
- Policy 4.1 Community Representatives – Appointment of to Committees or Working Groups
- Policy 4.2 Voluntary Work – Community Volunteers
- Policy 4.3 Donations – GST Treatment for Grants and Contributions
- Policy 4.4 Donations – Section 356 of the Local Government Act
- Policy 4.5 Financial Assistance to community Groups and Organisations – Interest Free Loans
- Policy 4.6 Request for Donations by Waiving of Fees for Council Facilities
- Policy 4.7 Halls – Senior Citizens Week
- Policy 4.8 Union Theatre/Civic Ballroom – Functions by Charitable Organisations
- Policy 4.9 Lithgow City Council Art/Painting
- Policy 4.10 Loans from Council’s Art Collection
- Policy 4.11 Complaints – Disclosure of Identity – Freedom of Information Act 1989
- Policy 4.12 Complaints and Procedures
- Policy 4.13 Customer Service Policy
- Policy 4.14 Lithgow Library Learning Centre Child Protection Policy

RECOMMENDATION

THAT the Council:

1. Reaffirm the following policies with the identified minor changes:
 - Policy 1.1 Land (Council) – Leases – Legal Costs
 - Policy 1.3 Asset Disposal
 - Policy 1.4 Tendering
 - Policy 3.1 Contracts – Disclosure on Request of Information Contained in Council Contracts
 - Policy 4.1 Community Representatives – Appointment of to Committees or Working Groups
 - Policy 4.2 Voluntary Work – Community Volunteers
 - Policy 4.3 Donations – GST Treatment for Grants and Contributions
 - Policy 4.6 Request for Donations by Waiving of Fees for Council Facilities
 - Policy 4.7 Halls – Senior Citizens Week
 - Policy 4.8 Union Theatre/Civic Ballroom – Functions by Charitable Organisations
 - Policy 4.9 Lithgow City Council Art/Painting

Policy 4.10 Loans from Council's Art Collection

Policy 4.11 Complaints – Disclosure of Identity – Freedom of Information Act 1989

Policy 4.12 Complaints and Procedures

Policy 4.13 Customer Service Policy

Policy 4.14 Lithgow Library Learning Centre Child Protection Policy

2. Place the following policies on public exhibition for a period of 28 days and call for public comment through advertisements in the Lithgow Mercury and report back to the Council for final adoption:

Policy 1.2 Asset Acquisition

Policy 4.4 Donations – Section 356 of the Local Government Act

Policy 4.5 Financial Assistance to Community Groups and Organisations – Interest Free Loans

QUESTIONS OF AN URGENT NATURE