



LITHGOW CITY COUNCIL

AGENDA

“A Centre of Regional Excellence”

ORDINARY MEETING OF COUNCIL

TO BE HELD AT

THE ADMINISTRATION CENTRE, LITHGOW

ON

12 APRIL 2010

AT 7.00pm

AGENDA

APOLOGIES

PRESENT

PUBLIC FORUM

PRESENTATIONS

CONFIRMATION OF THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 22ND MARCH 2010

CONFIRMATION OF THE MINUTES OF THE EXTRA ORDINARY MEETING OF COUNCIL HELD ON 29TH MARCH 2010

DECLARATION OF INTEREST

MAYORAL MINUTES - NIL

NOTICE OF RESCISSIONS - NIL

NOTICES OF MOTION - Councillor G Danaher - Water Strategy

CORRESPONDENCE AND REPORTS

General Managers Reports
Regional Services Reports
Operation Services Reports
Community and Corporate Services Reports
Internal Services Reports

COMMITTEE MEETINGS

Companion Animals Committee
Ageing and Strategy Advisory Group
Lithgow Crime Prevention Committee
Lithgow Flash Gift Committee
Sports Advisory Committee

REPORTS FROM DELEGATES - NIL

CLOSED COUNCIL

Confidential Report - Tender 05/10 Structural Rectifications Works - Ashley Grandstand, Lithgow

Confidential Report - Contractual Issues - Lithgow Land Use Strategy and Local Environmental Plan Project

BUSINESS OF GREAT URGENCY

As identified by Clause 241 of the Local Government (General) Regulations 2005

TABLE OF CONTENTS

<u>ITEM</u>	<u>TITLE</u>	<u>PAGE</u>
	<u>NOTICES OF MOTION</u>	<u>5</u>
<u>ITEM:1</u>	<u>NOTICE OF MOTION - 12/04/10 - COUNCILLOR G DANAHER - WATER STRATEGY</u>	<u>5</u>
	<u>GENERAL MANAGERS REPORTS</u>	<u>6</u>
<u>ITEM:2</u>	<u>GM - 12/04/10 - EXTRA ORDINARY MEETING OF COUNCIL</u>	<u>6</u>
<u>ITEM:3</u>	<u>GM - 12/04/10 - DA190/09 - HOWARD AND SONS PYROTECHNICS, WALLERAWANG</u>	<u>7</u>
	<u>REGIONAL SERVICES REPORTS</u>	<u>9</u>
<u>ITEM:4</u>	<u>REG - 12/04/10 - DEVELOPMENT APPLICATION 007/10DACC - ROTUNDA / BANDSTAND SAVILLE PARK PORTLAND</u>	<u>9</u>
<u>ITEM:5</u>	<u>REG - 12/04/10 - DROUGHT MANAGEMENT</u>	<u>10</u>
	<u>OPERATION SERVICES REPORTS</u>	<u>13</u>
<u>ITEM:6</u>	<u>OPER - 12/04/10 - GLEN DAVIS AND GLEN ALICE ROADS FUNDING FOR WORKS</u>	<u>13</u>
<u>ITEM:7</u>	<u>OPER - 12/04/10 - ONGOING MAINTENANCE OF WATTLE MOUNT ROAD, PORTLAND</u>	<u>14</u>
<u>ITEM:8</u>	<u>OPER - 12/04/10 - ROADS AND TRAFFIC AUTHORITY SAFETY REVIEW OF ROADS IN THE CENTRAL WEST</u>	<u>16</u>
	<u>COMMUNITY AND CORPORATE SERVICES REPORTS</u>	<u>18</u>
<u>ITEM:9</u>	<u>COMM - 12/04/10 - TERMS OF REFERENCE - ENVIRONMENTAL ADVISORY COMMITTEE MEETING</u>	<u>18</u>
<u>ITEM:10</u>	<u>COMM - 12/04/10 - REVISED PROJECT TIMELINE FOR DEVELOPMENT OF LAND USE STRATEGY AND COMPREHENSIVE LOCAL ENVIRONMENTAL PLAN</u>	<u>19</u>
<u>ITEM:11</u>	<u>COMM - 12/04/10 - AFFIXING OF THE COMMON SEAL</u>	<u>21</u>
	<u>INTERNAL SERVICE REPORTS</u>	<u>23</u>
<u>ITEM:12</u>	<u>INTS - 12/04/10 - COUNCIL INVESTMENTS HELD TO 31 MARCH 2010</u>	<u>23</u>
	<u>COMMITTEE MEETINGS</u>	<u>26</u>
<u>ITEM:13</u>	<u>COMM - 12/04/10 - COMPANION ANIMAL POLICY AND COMMITTEE</u>	<u>26</u>

<u>ITEM:14</u>	<u>COMM - 12/04/10 - AGEING AND STRATEGY ADVISORY GROUP MINUTES 18/02/10 AND 18/03/10</u>	<u>28</u>
<u>ITEM:15</u>	<u>COMM - 12/04/10 - LITHGOW CRIME PREVENTION COMMITTEE MINUTES 8TH MARCH 2010</u>	<u>30</u>
<u>ITEM:16</u>	<u>COMM - 12/04/10 - LITHGOW FLASH GIFT MINUTES 3RD MARCH 2010</u>	<u>31</u>
<u>ITEM:17</u>	<u>COMM - 12/04/10 - LITHGOW FLASH GIFT MINUTES 24TH MARCH 2010</u>	<u>32</u>
<u>ITEM:18</u>	<u>OPER - 12/04/10 - SPORTS ADVISORY COMMITTEE MEETING MINUTES 29TH MARCH 2010</u>	<u>34</u>
	<u>CLOSED COUNCIL</u>	<u>35</u>
<u>ITEM:19</u>	<u>REG - 12/04/10 - CONFIDENTIAL REPORT - TENDER 05/10 STRUCTURAL RECTIFICATION WORKS - ASHLEY GRANDSTAND, LITHGOW</u>	<u>35</u>
<u>ITEM:20</u>	<u>COMM - 12/04/10 - CONFIDENTIAL REPORT - CONTRACTUAL ISSUES - LITHGOW LAND USE STRATEGY AND LOCAL ENVIRONMENTAL PLAN PROJECT</u>	<u>36</u>
	<u>BUSINESS OF GREAT URGENCY</u>	<u>37</u>

NOTICES OF MOTION

ITEM:1 NOTICE OF MOTION - 12/04/10 - COUNCILLOR G DANAHER - WATER STRATEGY

COMMENTARY

After our meeting with Richard Tacon (General Manager, Operations Centennial Coal) who advised of Centennial Coal's willingness to co-operate to secure our water reserves, it now appears appropriate to formulate a water strategy to allow us to have a planned approach to securing our future water needs for residents, business and our readiness for significant infrastructure development through our power stations.

We have water capacity that can be secured through the Springvale and Angus Place mines into catchment areas which we understand are significant water supplies. We also have viable additional water capacity at Farmers Creek dam which I understand is currently progressing to increase our capacity.

We have an enviable position to be able to secure our water supply and be largely independent of rainfall and to allow an appropriate and inexpensive long term water resource for our area.

Council at our extraordinary meeting endorsed a motion to, amongst other things, to take a deputation to the relevant State Ministers to seek consideration of our special circumstances of water resources (largely independent of rainfall) and to become independent of the Fish River supply in the longer term to allow a lower cost pricing regime for residents and business.

It is now essential that we develop a water strategy to take to government to endorse and support that strategy through their grant funding and a sustainable pricing of that supply.

RECOMMENDATION

THAT A water strategy to be produced for our long term water security and to allow us to use this document to secure the confidence of relevant State Government ministers as soon as possible for our upcoming negotiations with those ministers to illustrate our capacity to price and provide infrastructure to secure our water and be responsible to our neighbours (Oberon council) and the State Government Water Management Policies.



Grahame Danaher
31/3/2010

GENERAL MANAGERS REPORTS

ITEM:2 GM - 12/04/10 - EXTRA ORDINARY MEETING OF COUNCIL

REFERENCE

Min No 10-125: Ordinary Meeting of Council 22 March 2010

SUMMARY

This report deals with the need to hold an Extra Ordinary Council meeting to place the 2010/11 to 2013/14 Management Plan on public display.

COMMENTARY

At the Extra Ordinary Council meeting held on 29 March 2010 Council resolved that:

1. Council call an Extra Ordinary Meeting to consider the Draft Management Plan further; and
2. The General Manager be authorised to call this Extra Ordinary Meeting, once information is to hand from the relevant Minister regarding water charges or the need for a meeting becomes time critical.

In making this decision Council was wanting to express its concern to the Minister for Water, the Hon. Phil Costa, in relation to the condition of funding for the Lithgow Sewage Treatment Plant that Council:

"Implement appropriate step pricing for water supply to achieve at least 75% residential revenue generated through usage charges by June 2010."

A deputation has been arranged to meet with Minister Costa on Thursday 15 April 2010. While Council's concerns have been provided to the Minister through the local member it is likely that the Minister will not be in a position to provide Council with a definite answer at that meeting. Council does have a need to have the Management Plan adopted before the end of this financial year. The last Ordinary Meeting of Council for this financial year will be held on 21 June 2010. In order to achieve this timeframe Council should place the Plan on display no later than the first week of May 2010 hence it should hold the Extra Ordinary Council meeting no later than the week of 27 April 2010 (bearing in mind that Monday 26 April 2010 is a public holiday).

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

The financial implications of the Draft Management Plan 2010/11 – 2013/14 are detailed in the budgets provided.

LEGAL IMPLICATIONS

The Local Government Act 1993 and Local Government (General) Regulation 2005 outlines requirements for the preparation, exhibition and adoption of management plans. The Draft Management Plan must be exhibited for a minimum period of 28 days.

ATTACHMENT

NIL

RECOMMENDATION

THAT Council note that an Extra Ordinary Council is to be held on Tuesday 27 April 2010 at 7.30pm.

**ITEM:3 GM - 12/04/10 - DA 190/09 - HOWARD AND SONS PYROTECHNICS,
 WALLERAWANG**

REFERENCE

Development Application No. 190/09.

SUMMARY

To inform Council of the meeting of the Western Joint Regional Planning Panel to determine the Development Application for the Wallerawang pyrotechnics facility.

COMMENTARY

The Western Joint Regional Planning Panel has advised that it will be holding a meeting in Lithgow on 16 April 2010 to determine Development Application 190/09 for re-establishment of the pyrotechnics facility for Howard & Sons on Lot 2 DP 11244158 Pipers Flat Road, Wallerawang.

An assessment report has been prepared by Council Officers for consideration by the Western JRPP and objectors have been invited to attend the meeting to make a submission.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

RECOMMENDATION

THAT it be noted that the Western Joint Regional Planning Panel will be meeting in Lithgow on 16/4/10 to determine Development Application 190/09 for the Howard & Sons Pyrotechnics facility.

REGIONAL SERVICES REPORTS

**ITEM:4 REG - 12/04/10 - DEVELOPMENT APPLICATION 007/10DACC -
 ROTUNDA / BANDSTAND SAVILLE PARK PORTLAND**

REPORT FROM: REGIONAL SERVICES MANAGER – ANDREW MUIR

SUMMARY

To seek determination of Development Application/Construction Certificate No.007/10 from Portland Development Association for the construction of a rotunda/bandstand at Saville Park, Portland. The land is owned by Council. Recommendation is for approval subject to conditions.

COMMENTARY

An application has been received from Portland Development Association for the construction of a rotunda/bandstand at Saville Park, being Lot 40 DP 842893 Williwa Street, Portland. The rotunda/bandstand is to be constructed of steel and concrete and is to be painted in heritage colours similar to the original bandstand that was constructed in 1910. The surrounding area is to be landscaped including a rose garden. The proposed site is a vacant grassed area in front of the playing fields on Williwa Street.

POLICY IMPLICATIONS

Council's policy **Development Applications by Councillors and Staff and Relatives or on Council Owned Land** requires that any Development Application lodged where the applicant is Lithgow City Council must be referred to council or its appropriate committee for consideration and determination and that no aspect of the application be dealt with under delegated authority. This application is for development on Council owned land and is therefore submitted to Council for determination.

FINANCIAL IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

The application has been assessed in accordance with the provisions of Section 79(c) of the Environmental Planning and Assessment Act.

ATTACHMENTS

1. A detailed planning report prepared pursuant to the provisions of Section 79(c) of the Environmental planning and Assessment Act is attached.

RECOMMENDATION

A. THAT Development Application Construction Certificate No.007/10 be approved in accordance with the conditions highlighted within the attached Section 79(c) report.

B. DIVISION

A division be called in accordance with the provisions of Section 375(3) of the Local Government Act 1993.

ITEM:5 REG - 12/04/10 - DROUGHT MANAGEMENT

REPORT BY: GROUP MANAGER REGIONAL SERVICES - ANDREW MUIR

REFERENCE

Min No 10-05: Ordinary Meeting of 18 January 2010
 Min No 10-33: Ordinary Meeting of 8 February 2010
 Min No 10-60: Ordinary Meeting of 1 March 2010

SUMMARY

This report provides an update on various drought management issues as per Min No 10-03.

COMMENTARY

In relation to drought management issues the following information is provided.

CURRENT DAM LEVELS FOR BOTH FARMERS CREEK AND OBERON

As at 29/3/10 Farmers Creek Dam was at 87.8% and as at 1/4/10 Oberon Dam was at 10.02%.

CURRENT WATER USAGE FROM EACH SUPPLY

Table 1 below indicates total output from the Oakey Park Water Treatment Plant (consumption) and the volume transferred from the Clarence Transfer system for 2010 up to 29 March 2010.

Month	Oakey Park Water Treatment Plant (ML)	Clarence Transfer (ML)
January	109.99	74.68
February	100.07	19.37*
March (up to 29 March)	114.67	Nil
Total 2010	324.73	94.05

Table 1 – Oakey Park Output and Clarence Transfer 2010

* Stopped pumping on 8 February

Table 2 below indicates consumption from customers of the Fish River Water Supply from 1 July 2009 to date. It also provides the Maximum Annual Quantity (MAQ) of each customer and their annual consumption since 2004/05.

Fish River Water Supply Consumption

2009/10	Water Consumption (ML)					
	Delta Electricity	Lithgow Council	Sydney Catchment Authority	Oberon Council	Minor Consumers	Total
Jul	179	36	0	44	20	278
Aug	328	48	0	58	20	454
Sep	266	45	0	47	20	378
Oct	370	55	0	59	20	504
Nov	356	49	0	50	20	475
Dec	193	61	0	42	20	316
Jan	107	48	0	32	20	0
Feb#						0
Mar						0
Apr						0
May						0
Jun						0
Total	1,799	342	-	332	140*	2,786
2004/05	4,960	735	1,878	677	162	8,412
2005/06	6,367	959	2,098	725	228	10,378
2006/07	6,590	795	3,115	749	218	11,468
2007/08	4,367	747	1,077	601	150	6,942
2008/09	3,356	699	208	583	240	5,086
MAQ	8,184	2,092	3,650	750	200	14,876

Table 2 - Fish River Water Supply Consumption from 1 July 2009 to date

* = 12 month total

= February data not available at time of writing report

CURRENT WATER RESTRICTIONS UPDATE

Level 4 Water Restrictions are currently in place for residents of Lithgow and Marrangaroo. Level 5 restrictions apply to consumers on the Fish River Water Supply.

WATER SAVING SCHEMES OR PROCESSES UPDATE

Council's Rainwater Tank and Domestic Appliance Rebate program provides the following rebates for residential premises:

Rainwater Tank - Option 1

- Minimum 5000 litre tank – connected to Garden Tap only - **\$200**

Rainwater Tank - Option 2

- Minimum 5000 litre tank – connected to Garden Tap & Toilet and Washing Machine - **\$800**

Household Appliances – Washing Machines and Dishwashers

- For water efficient Household appliances such as Dishwasher or Washing machine that have a four star WELS rating or AAAAA rating a rebate of **\$150/appliance/Household**.

In March to date Council has received 4 applications for a household appliance rebate and 1 application for a water tank rebate.

ALTERNATE WATER SOURCES UPDATE

An on site meeting was held with consultants representing two specialist engineering firms at Farmers Creek No 1 dam on 1 April 2010. The purpose of the meeting was to provide an appreciation of issues prior to submission of final cost proposals for the proposed feasibility study.

CLARENCE TRANSFER SYSTEM UPDATE

ANY OTHER MATTER RELATING TO THE ISSUE THAT SHOULD BE REPORTED TO COUNCIL

The Farmers Creek Water to Villages project has now picked up impetus following the successful location of the problem area that was restricting flow below Cook Street High Level Reservoir. NSW Public Works have been engaged to prepare a concept design/route for a duplicate pipeline and Review of Environmental Factors. As works should be able to take place within an existing easement with minimal environmental impact it is hoped that orders for materials should be able to be placed shortly after submission of the concept design with construction to commence by 1 June 2010. At this stage, construction is estimated at 3 to 4 weeks.

THAT ALL ITEMS ABOVE BE REPORTED BACK TO THE MEDIA SO THAT LOCAL RESIDENTS ARE AWARE OF THE SITUATION

The media are in the gallery this evening.

POLICY IMPLICATIONS

12.2 WATER RESTRICTIONS - This Policy determines Council's response to non-compliance with water restrictions.

FINANCIAL IMPLICATIONS

No specific legal issues arise as a result of this report.

LEGAL IMPLICATIONS

No specific legal issues arise as a result of this report.

RESOLVED

THAT the information in relation to drought management issues be noted.

OPERATION SERVICES REPORTS

ITEM:6 OPER - 12/04/10 - GLEN DAVIS AND GLEN ALICE ROADS FUNDING FOR WORKS

REPORT FROM: ACTING OPERATIONS MANAGER – IAIN STEWART

REFERENCE

Nil

SUMMARY

This report relates to a letter received by Council care of Gerard Martin MP – Member for Bathurst dated 22 March 2010 from David Campbell – Minister for Transport and Roads regarding funding for roads in the Glen Alice and Glen Davis areas of the Capertee Valley.

COMMENTARY

Glen Davis and Glen Alice roads are local roads under the responsibility of Lithgow City Council.

The classification of the State, regional and local roads is based on the function of the road. The State road network is formed by the primary network of traffic carrying routes for the movement of people and goods throughout the State. Regional roads, which are the responsibility of councils, comprise the secondary road network which together with State roads provide for travel between smaller towns and districts. Local roads provide for local access and circulation and are also the responsibility of councils.

The NSW Government supports access to tourist areas by virtue of the State roads which provide the major link between the populous cities and the State's tourist entry points. The NSW Government also contributes to the regional road network, which provides a further link towards tourist destinations, through the Block Grant and REPAIR Programs to assist with the maintenance of regional roads. In 2009/10 funding assistance allocations of over \$156 million were made to councils across the State. Of this, Lithgow City Council has been allocated \$454,000 under the Block Grant program, and \$217,000 under the REPAIR program.

As the Glen Davis and Glen Alice Roads provide local tourist access off Castlereagh Highway and Main Road 215, from Ilford to Rylstone, the Roads and Traffic Authority (RTA) is not able to provide State funding for the sealing of these roads, without impacting on other Statewide priorities.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

Nil.

ATTACHMENTS

Nil.

RECOMMENDATION

THAT Council receive the information and advise the Capertee Valley Alliance Group of the Minister of Roads decision.

ITEM:7 OPER - 12/04/10 - ONGOING MAINTENANCE OF WATTLE MOUNT ROAD, PORTLAND

REPORT FROM: ACTING OPERATIONS MANAGER – IAIN STEWART

REFERENCE

Min No 09-348 Ordinary Meeting of Council 24 August 2009
Min No 09-349 Ordinary Meeting of Council 24 August 2009
Min No 09-392 Ordinary Meeting of Council 6 October 2009

SUMMARY

This report advises Council on the issue of ongoing maintenance grading of Wattle Mount Road following a recent question from Councillor H K Fisher regarding the current status of maintenance.

COMMENTARY

Council will recall that it considered two reports from Council Officers in regard to the reclassification of Wattle Mount Road to public road status and the responsibility of Council to carry out maintenance work on the said road. It is noted that at a meeting of 24 August 2009 a report was withdrawn however Council did resolve to have Wattle Mount Road graded in the interim period effective from 24 August 2009 until a further report was presented to Council. At the Council meeting dated 6 October 2009 Council did consider a detailed report on the reclassification of Wattle Mount Road to public road status and resolved **THAT**:

1. Subject to the cost to cancel and the potential request for reclassification of many other Rights of Carriageways within Lithgow City Council area, Wattle Mount Road should not be reclassified to a local public road.
2. Council not accede to the requests of the land owners presently served by the Right of Carriageway and Crown Road to convert the right of carriageway and Crown Road into a Council Public Road.

The resolution from the meeting on 6 October 2009 did not however address the issue of the ongoing maintenance of Wattle Mount Road which has been graded on a routine basis for many many years. At this stage no further maintenance work has been carried out pending clarification of the issue relating to whether Council should be conducting maintenance on the Right of Carriageway and Crown Road.

It should be noted that the level of maintenance proposed if Council is in agreement would be two routine gradings per annum however this would not include any major capital improvements or gravel re-sheeting of the road. It should further be noted that Council has no legal responsibility to continue to maintain this particular road or Right of Carriageway and has been doing so as a service to the ratepayers in this particular area.

POLICY IMPLICATIONS

The implications are that if Council were to resolve to continue to maintain this road there may be other numerous requests from the many other remaining Crown and/or Right of Carriageways for ongoing maintenance.

FINANCIAL IMPLICATIONS

Whilst routine maintenance grading of Wattle Mount Road would not be an expensive item it should be noted that the current condition of the road is such that it needs major re-sheeting prior to any attempt to grade this particular road. However, the financial implications of assuming responsibility for any other Crown Roads or Rights of Carriageway would need to be taken into account.

LEGAL IMPLICATIONS

There are no legal impediments to Council carrying out this work however, again this may create legal precedent for similar activities on Crown Roads and Rights of Carriageways.

ATTACHMENTS

Nil.

RECOMMENDATION

THAT Council not maintain the Wattle Mount Road unless the residents and road users of this are prepared to engage Council to have the works done on a contract/private charge basis.

**ITEM:8 OPER - 12/04/10 - ROADS AND TRAFFIC AUTHORITY SAFETY
REVIEW OF ROADS IN THE CENTRAL WEST**

REPORT FROM: ACTING OPERATIONS MANAGER – IAIN STEWART

REFERENCE

Nil.

SUMMARY

This report details a letter received from the Roads and Traffic Authority dated 15 March 2010 in relation to the identification of roads in the Central West area which are required to undergo safety reviews.

COMMENTARY

The RTA's "Blueprint" 2008-2012 Corporate Plan and the RTA/Police Road Safety Task Force Report 2006 identified the Great Western, Mid Western and Mitchell Highways as major highways required to undergo a safety review. The NSW Centre for Road Safety (CRS) has the responsibility to undertake this review, known as the "Central West Transport Routes (CENWEST) Review", which will be project managed by Safer Roads Branch within CRS.

The scope is to undertake a safety of the combined sections of the Great Western Highway (Lithgow to Bathurst), the Mid Western Highway (Bathurst to Marsden (Newell Highway)), and the Mitchell Highway (Bathurst to Nyngan (Barrier Highway)). The total length of the review is approximately 660km.

Previous safety reviews have been undertaken on the Pacific and Princes Highways resulting in significant crash reductions in the years following the implementation of a program of road safety works developed from the reviews. More recently a safety review of the Newell Highway was undertaken with a program of safety works now being implemented over a 3 year period. The Newell Highway report can be viewed on the RTA's website at www.rta.nsw.gov.au/roadsafety/roadenvironmentsafety.

For the CENWEST route review it is proposed to hold community information workshops prior to the RTA's highway field inspections taking place. The purpose of the workshops is to present the scope of the process of the review and to discuss road safety issues that the local community may have along these sections of highway.

The workshops will be held at regional centres along the review route. The locations and dates are Bathurst (20 April), Narromine (21April), and Cowra (22 April). A council representative is invited to attend the Bathurst workshop

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

ATTACHMENTS

Nil.

RECOMMENDATION

THAT Council appoint a Councillor representative to attend the RTA Safety Review of roads Meeting to be held in Bathurst on 20th April 2010.

COMMUNITY AND CORPORATE SERVICES REPORTS

ITEM:9 COMM - 12/04/10 - TERMS OF REFERENCE - ENVIRONMENTAL ADVISORY COMMITTEE MEETING

REPORT FROM – ENVIRONMENTAL HEALTH OFFICER DAVID DURIE

REFERENCE

Min No 07-254: Ordinary Meeting of Council 18 June 2007
Min No 09-381: Ordinary Meeting of Council 14 September 2009

SUMMARY

This report recommends the adoption of revised Terms of Reference for the Environmental Advisory Committee under Section 355, NSW Local Government Act 1993.

COMMENTARY

Council resolved at the Ordinary Meeting of Council held 14 September 2009 (Min 09-381) that:

The Terms of Reference of all Council's Advisory Committees be updated to include:

“The meeting procedures outlined in Council’s Code of Meeting Practice shall guide the meeting procedures of the Committee unless otherwise outlined below”.

A member ceases to be a member of a Committee if the member (other than the Mayor)

(c) Has been absent from 3 consecutive meetings of the committee without having given reasons acceptable to the committee for the members absences; or

(d) Has been absent from at least half of the meetings of the Committee held during the immediately proceeding year without having given to the Committee acceptable reasons for the member’s absence.

The Terms of Reference for the Environmental Advisory Committee have subsequently been updated in accordance with the Council resolution. The draft Terms of Reference also include alterations to the membership of the committee and committee responsibilities to make them more relevant to the work of the committee in advising Council on environmental matters. The draft Terms of Reference were confirmed by the Environmental Advisory Committee on 10 February 2010.

It is now recommended that Council adopt the revised Terms of Reference for the Environmental Advisory Committee as shown in the attachment to this report.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NSW Local Government Act 1993, Section 355

ATTACHMENTS

1. Revised Terms of Reference Lithgow City Council Environmental Advisory Committee

RECOMMENDATION

THAT Council adopts the Terms of Reference to the Environmental Advisory Committee.

ITEM:10 COMM - 12/04/10 - REVISED PROJECT TIMELINE FOR DEVELOPMENT OF LAND USE STRATEGY AND COMPREHENSIVE LOCAL ENVIRONMENTAL PLAN

REPORT FROM: STRATEGIC LAND USE PLANNER – S HANRAHAN

REFERENCE

Min No 07-518:	Policy and Strategy Committee Meeting 3 December 2007
Min No P08-20:	Policy and Strategy Committee Meeting 3 March 2008
Min No 008-134:	Ordinary Meeting of Council 19 August 2008
Min No 10-95:	Ordinary Meeting of Council 22 March 2010

SUMMARY

The purpose of this report is to provide Council with a revised project timeline for the preparation of the Land Use Strategy (LUS) and Comprehensive Local Environmental Plan (LEP) arising from a notice of motion by Councillor Ticehurst.

COMMENTARY

BACKGROUND

It is advised that the development of the LUS and Comprehensive LEPlan is running significantly behind targeted project timelines. This is due in part, to the ever changing and growing set of data and spatial applications systems used to inform the process.

Council has in the past year completed or made significant progress in a number of areas that will be used to inform the strategic land use process such as:

- Draft Economic Development Strategy
- Preliminary Draft Retail and Business Strategy
- Detailed community demographic profile using the 2006 Census data
- Cultural Precinct Study
- Audit of Council's 2000 Heritage Study

This data, along with further studies that are soon to be underway such as the open space and recreational needs study and heritage development control plan study, will enable the LUS to be a more robust document to inform and guide development over the next two decades.

The delays experienced to date, although unfortunate, will allow all the above data to be integrated into the Land Use Strategy .

REVISED BROAD PROJECT TIMELINE:

(**Note:** The preparation of the LEP involves a number of external milestones outside Council control and therefore any delay in those processes will push out the targeted timelines indicated below)

Preparation of a Draft LUS	July/August 2010
Community and Government Authority Consultation 2010	September/October
Draft LUS presented to Council for adoption	December 2010
Preparation of Draft LEP	February 2011
Government Authority Consultation	April/May 2011
Community Consultation	July/August 2011
Draft LEP presented to Council for adoption	October 2011

POLICY IMPLICATIONS

Nil arising from this report

FINANCIAL IMPLICATIONS

Nil arising from this report

LEGAL IMPLICATIONS

Nil arising from this report

ATTACHMENTS

Nil

RECOMMENDATION

THAT Council notes the revised timeline for the development of the Lithgow Local Environmental Plan.

ITEM:11 COMM - 12/04/10 - AFFIXING OF THE COMMON SEAL

REPORT BY: GROUP MANAGER COMMUNITY AND CORPORATE – SUZANNE LOLLBACK

REFERENCE

Min No P07-519:	Policy and Strategy Committee, 3 December 2007
Min No O05-09:	Ordinary Meeting of Council, 27 January 2009
Min No O09-162:	Ordinary Meeting of Council, 20 April 2009
Min No O09-301:	Ordinary Meeting of Council, 13 July 2009
Min No O09-351:	Ordinary Meeting of Council, 24 August 2009
Min No O09-399:	Ordinary Meeting of Council, 14 September 2009
Min No 10-15:	Ordinary Meeting of Council, 18 January 2010
Min No 10-99:	Ordinary Meeting of Council, 22 March 2010

SUMMARY

This report seeks Council's approval to affix the Common Seal to the Lease between Lithgow City Council and Lithgow Golf Club Limited.

COMMENTARY

At Council's Ordinary Meeting of 22 March 2010 it was resolved:

THAT

1. A lease over Lot 1 DP 840412, commonly known as the Lithgow Golf Course, be granted to the Lithgow Golf Club Limited for the purposes of public golf course, licensed club house, golf pro shop, functions and meetings, and upstairs residence and/or office.
2. The lease period be for five (5) years.
3. The rent to commence at \$5,000 and be subject to annual CPI increases.
4. The Lithgow Golf Club be required to undertake a minimum of \$5,000 maintenance on the golf club house each year; or provide \$5,000 towards the cost of maintenance to the golf club house.

POLICY IMPLICATIONS

Clause 73 of Council's Code of Meeting Practice outlines the requirements for the affixing of the Common Seal.

FINANCIAL IMPLICATIONS

The Council provides an annual allocation for the on-going maintenance of the golf course in its Management Plan.

Under the new agreement the following financial arrangements will be put in place:

- The rent commences at \$5,000 and is subject to annual CPI increase.
- The golf club to undertake a minimum of \$5,000 of maintenance on the golf club house each year; or provide \$5,000 towards the cost of maintenance to the golf club house. All works will be discussed with Council prior to being undertaken.

LEGAL IMPLICATIONS

Local Government Act 1993

ATTACHMENTS

Nil - Councillors will note a copy of this information was submitted to them at the Ordinary Meeting of Council held on 22nd March 2010.

RECOMMENDATION

THAT the Common Seal be affixed to the Lease between Lithgow City Council and Lithgow Golf Club Limited being the whole of the land described as Lot 1 DP 840412 (folio identifier 1/840412), commonly known as the Lithgow Golf Course.

INTERNAL SERVICE REPORTS

ITEM:12 INTS - 12/04/10 - COUNCIL INVESTMENTS HELD TO 31 MARCH 2010

REPORT FROM - INTERNAL SERVICES MANAGER - C FARNSWORTH

REFERENCE

Min No 09-299:	13 July 2009 (June 2009)
Min No 09-354:	24 August 2009 (July 2009)
Min No 09-393:	14 September 2009 (August 2009)
Min No 09-459:	02 November 2009 (September 2009)
Min No 09-511:	23 November 2009 (October 2009)
Min No 09-548:	14 December 2009 (November 2009)
Min No 10-20:	18 January 2010 (December 2009)
Min No 10-40:	08 February 2010 (January 2010)
Min No 10-116:	22 March 2010 (February 2010)

SUMMARY

To advise Council of investments held as at 31 March 2010 for the 2009/10 financial year.

COMMENTARY

Council's total investment portfolio, as at 31 March 2010 when compared to 28 February 2010, has decreased by \$1,102,896 from \$15,518,885 to \$14,415,989.

As previously reported investments have gradually declined over recent months from net total on 30 June 2009 of \$18,450,964.73 to \$14,415,989 at end of March 2010 as part of the normal process for investments to fluctuate depending on a particular month and to the extent of expenditure on major works.

INVESTMENT REGISTER 2009/10								
INSTITUTION	INV TYPE	DATE LODGED	DATE DUE	DAYS	INT	VALUE 31.03.10	VALUE 28.02.10	% OF TOTAL
ANZ	TD	12.02.10	13.05.10	90	4.61	523,661.78	523,661.78	3.63%
BANKWEST	TD	10.03.10	10.05.10	61	5.10	521,856.04	517,359.97	3.62%
	TD	09.03.10	10.05.10	62	5.10	515,484.60	511,043.42	3.58%
CBA	On Call				3.95	299,585.91	1,490,705.84	2.08%
	Ethical Nt	06.11.06	06.11.11	1,825	**	56,500.00	56,500.00	0.39%
	TD	03.03.10	01.04.10	30	4.84	505,658.40	503,902.33	3.51%
CITIBANK	TD	25.02.10	25.05.10	90	5.32	515,587.67	515,587.67	3.58%
LGFS	On Call				2.90	7,159.79	7,159.79	0.05%
IMBS	TD	02.03.10	31.05.10	90	5.60	1,523,858.42	1,503,834.73	10.57%
	TD	01.02.10	04.05.10	92	5.70	500,000.00	500,000.00	3.47%
NAB	TD	10.03.10	09.05.10	60	5.17	1,036,802.01	1,024,000.59	7.19%
	TD	15.03.10	15.05.10	60	5.18	373,828.00	365,241.00	2.59%
WESTPAC	TD	15.02.10	17.09.10	212	6.00	1,033,961.21	1,033,961.21	7.17%
	TD	03.03.10	05.07.10	122	5.75	776,181.64	772,878.00	5.38%
	TD	04.02.10	04.07.10	150	5.90	765,058.76	765,058.76	5.31%
MACQUARIE	TD	15.02.10	15.05.10	90	5.50	2,065,592.64	2,040,663.01	14.33%
ST GEORGE	TD	19.11.09	03.07.10	226	5.20	758,294.37	758,294.37	5.26%
	On Call				3.95	48,159.53	48,023.22	0.33%
	TD	08.03.10	07.04.10	60	4.47	260,607.32	259,661.23	1.81%
	TD	01.02.10	01.05.10	90	5.50	763,409.75	763,409.75	5.30%
SUNCORP	TD	08.02.10	10.05.10	92	5.39	1,035,442.12	1,035,442.12	7.18%
	TD	17.03.10	16.04.10	30	5.32	529,299.28	522,496.80	3.67%
			TOTAL			14,415,989.24	15,518,885.59	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

Investments are held in accordance with the Lithgow City Council's Investment Policy at the date of investing the funds. On 21 October 2008 Council adopted the current version of the Investment Policy as Policy 8.2.

FINANCIAL IMPLICATIONS

Interest received to 31 March 2010 is \$480,768.04 of an estimated \$525,000.00 which is shown in the 2009/10 Management Plan. Interest is paid on the maturity date of the investment.

The interest on the CBA Ethical note is subject to the global financial markets and therefore interest is subject to change.

LEGAL IMPLICATIONS

Investments are held in accordance with the Lithgow City Council's Investment Policy at the date of investing the funds. On 21 October 2008 Council adopted the current version of the Investment Policy as Policy 8.2 and all future investments will comply with this 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)

ATTACHMENTS

Nil

RECOMMENDATION

THAT Investments of \$14,415,989.24 for the period ending 31 March 2010 be noted.

COMMITTEE MEETINGS

ITEM:13 **COMM - 12/04/10 - COMPANION ANIMAL POLICY AND COMMITTEE**

REPORT BY: MANAGER COMMUNITY AND CULTURE – MATTHEW JOHNSON

REFERENCE

Min No 10-37: Ordinary Meeting of Council 8 February 2010.

SUMMARY

This report recommends that after finalisation of a 28 day public exhibition period, the Draft Companion Animals Policy be adopted by Council.

This report further recommends that Council not reinstate Council's Companion Animals Committee.

COMMENTARY

1. Council resolved at the Ordinary Council Meeting held 8 February 2010 (Min10-37) THAT:

1. Council adopt the attached Draft Companion Animals Policy and placed it on public exhibition for a period of 28 days.
2. Following public exhibition, comments from the public be reported to the Council, including a recommendation for adoption of the policy.
3. A report be brought back to Council considering the reinstatement of the Companion Animals Committee and to allow this committee to once again become functional.

2. Draft Companion Animals Policy

The Draft Companion Animals Policy was placed on public exhibition for a period of 28 days until 18 March 2010. No comments were received from the public on the draft policy. It is recommended therefore that the Draft Companion Animals Policy be adopted by Council.

3. Companion Animals Committee

Council manages companion animals matters through the Draft Companion Animals Policy and in accordance with the Companion Animals Act 1998 (NSW). Both the Policy and the Act detail Council's obligations and responsibilities in relation to companion animals.

Council's objectives in relation to the management of companion animals seek to ensure a balanced approach to the effective management of domestic pets by recognising the benefits as well as the responsibilities of pet ownership. In applying the Act, Council considers the rights of companion animals, their owners and non-pet owners within the community.

The draft policy covers a number of areas of concern to animal owners and the general public including Control of Dogs; Off-leash Areas; Prohibited Areas; Dog Litter; De-sexing; Registration and Microchipping; Cat Management; Maximum Number of Companion Animals; Barking Dogs; Restricted Breeds, and; Dangerous Dogs.

Council undertakes community education on responsible pet ownership and seeks to raise general community awareness of companion animals issues through companion animal days, free microchipping days and school talks.

Matters of public safety are dealt with in Council's Draft Companion Animals Policy by placing restrictions on certain breeds of dog and dogs declared dangerous.

Off leash areas are provided for at 2 locations in Lithgow and in Portland and Wallerawang.

It is considered that Council's reinstatement of the Companion Animals Committee would not enhance Council's capacity to implement its objectives in relation to companion animals.

In conclusion, the Companion Animals Policy provides a policy framework for Council to work in partnership with animal owners and the general community in accordance with the Companion Animals Act NSW 1998. This framework recognises both the rights and responsibilities of owners of companion animals and the rights of the general public. It is recommended that Council not reinstate the Companion Animals Committee.

POLICY IMPLICATIONS

The Companion Animals Policy is a new policy.

FINANCIAL IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

Local Government Act NSW 1993
Companion Animals Act NSW 1998

ATTACHMENTS

NIL

RECOMMENDATION

THAT:

1. With the expiry of the 28 day public exhibition period on 18 March 2010 and with no public comments being received, the Draft Companion Animals Policy be adopted by Council.
2. Council not reinstate the Companion Animals Committee.

**ITEM:14 COMM - 12/04/10 - AGEING AND STRATEGY ADVISORY GROUP
MINUTES 18/02/10 AND 18/03/10**

REPORT FROM: COMMUNITY & CULTURE MANAGER: MATTHEW JOHNSON

REFERENCE

Min No 09-352: Ordinary Meeting of Council 24 August 2009

Min No 10-80: Ordinary Meeting of Council 1 March 2010

SUMMARY

The minutes of the Ageing Strategy Advisory Group meeting held 18 February 2010 and 18 March 2010 are presented for Council adoption.

COMMENTARY

The Lithgow Ageing Strategy Advisory Group includes membership from Council and a range of government and non-government agencies. Data is being collected on a range of areas that impact on older people including housing, transport and in-home support services and a community questionnaire seeking information on a range of matters that affect older people is being developed.

The Minutes of 18 March 2010 include a recommendation that Council consider employment of an Aged Services officer. This is something that can be further explored during development of the Ageing Strategy.

At the Ageing Strategy Advisory Group meeting held on 18 February 2010 there were (8) eight items discussed by the Committee:

1. Present.
2. Apologies.
3. Minutes of previous meeting.
4. Business Arising from the previous Minutes.
5. Data Requirements.
6. Priority Areas for Ageing Strategy.
7. Survey.
8. General Business.

The minutes contain updates on the Ageing Strategy Advisory Committee.

The minutes were electronically distributed and were electronically endorsed by three (3) committee members.

At the Ageing Strategy Advisory Group meeting held on 18 March 2010 there were (7) seven items discussed by the Committee:

1. Present.
2. Apologies.
3. Minutes of previous meeting.
4. Data.
5. Draft Survey.
6. Consultation Strategy.
7. General Business.

The minutes contain updates on the Ageing Strategy Advisory Committee.

The minutes were electronically distributed and were electronically endorsed by three (3) committee members.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Local Government Act NSW 1993

ATTACHMENTS

1. Minutes of Ageing Strategy Advisory Group meeting held 18 February 2010
2. Minutes of Ageing Strategy Advisory Group meeting held 18 March 2010

RECOMMENDATION

THAT Council notes:

1. The minutes of the Ageing Strategy Advisory Group meetings held 18 February 2010 and 18 March 2010.
2. That the need for the employment of an Aged Services Officer by Council be explored during development of the Ageing Strategy.

**ITEM:15 COMM - 12/04/10 - LITHGOW CRIME PREVENTION COMMITTEE
MINUTES 8TH MARCH 2010**

REPORT FROM: COMMUNITY & CULTURE MANAGER: MATTHEW JOHNSON

REFERENCE

Min No 009-396: Ordinary Meeting of Council 14 September 2009
Min No 009-397: Ordinary Meeting of Council held 14 September 2009
Min No 10-76: Ordinary Meeting of Council held 01 March 2010

SUMMARY

The report details the Minutes of the Lithgow Crime Prevention Committee meeting held on 8 March 2010 for Council adoption.

COMMENTARY

At the Lithgow Crime Prevention Committee meeting held on 8 March 2010, there were (5) five items discussed by the Committee:

- 1.PCYC
- 2.Funding for Domestic Violence Projects
- 3.Crime Audit
- 4.Domestic Violence/Alcohol related Violence
- 5.General Business

The minutes contain updates on the Lithgow Crime Prevention Committee.

The minutes were electronically distributed and were electronically endorsed by three (3) committee members.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Local Government Act NSW 1993

ATTACHMENTS

1. Minutes of the Crime Prevention Committee meeting held 8 March 2010.

RECOMMENDATION

THAT Council notes the minutes of the Lithgow Crime Prevention Committee meeting held 8 March 2010.

ITEM:16 COMM - 12/04/10 - LITHGOW FLASH GIFT MINUTES 3RD MARCH 2010

REPORT BY: ACTING TOURISM MANAGER – KELLIE BARROW

REFERENCE

Min No O09-235 –	Ordinary Meeting 1 June 2009.
Min No O09-305 –	Ordinary Meeting 13 July 2009.
Min No O09-462 –	Ordinary Meeting 2 November 2009.
Min No O09-514 –	Ordinary Meeting 23 November 2009.
Min No O09-514 –	Ordinary Meeting 23 November 2009.
Min No 10-22 –	Ordinary Meeting 18 January 2010.
Min No 10-43 –	Ordinary Meeting 8 February 2010.
Min No 10-75 –	Ordinary Meeting 1 March 2010.

SUMMARY

This report details the Minutes of the Lithgow Flash Gift Committee held on 3 March 2010 for Council adoption.

COMMENTARY

At the Lithgow Flash Gift Committee meeting held on 3 March 2010, there were (12) twelve items discussed by the Committee.

1. Minutes from Previous Meeting
2. Business Arising
3. Sponsorship Update
4. NSW Athletics League
5. Wheel Chair Race
6. Little A's Programme
7. Allocation of Senior Races
8. Budget
9. Update on Marketing Activities
10. Media Launch
11. Entries for Local Events
12. General Business

The minutes contain updates on the Lithgow Flash Gift Committee.

The minutes were electronically distributed and were electronically endorsed by three (3) committee members.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

Nil.

ATTACHMENTS

1. Minutes of the Lithgow Flash Gift Committee held on 3 March 2010.

RECOMMENDATION

THAT Council notes the minutes of the Lithgow Flash Gift meeting held on 3 March 2010.

ITEM:17 COMM - 12/04/10 - LITHGOW FLASH GIFT MINUTES 24TH MARCH 2010

REPORT BY: ACTING TOURISM MANAGER – KELLIE BARROW

REFERENCE

Min No 009-235 –	Ordinary Meeting 1 June 2009.
Min No 009-305 –	Ordinary Meeting 13 July 2009.
Min No 009-462 –	Ordinary Meeting 2 November 2009.
Min No 009-514 –	Ordinary Meeting 23 November 2009.
Min No 009-514 –	Ordinary Meeting 23 November 2009.
Min No 10-22 –	Ordinary Meeting 18 January 2010.
Min No 10-43 –	Ordinary Meeting 8 February 2010.
Min No 10-75 –	Ordinary Meeting 1 March 2010.

SUMMARY

This report details the Minutes of the Lithgow Flash Gift Committee held on 24 March 2010 for Council adoption.

COMMENTARY

At the Lithgow Flash Gift Committee meeting held on 24 March 2010, there were (9) nine items discussed by the Committee.

1. Minutes from Previous Meeting
2. Business Arising
3. Chairman's Report
4. Sponsorship Update
5. NSW Athletics League
6. Wheel Chair Race
7. Little A's Programme

8. Budget
9. Ideas/Suggestions

The minutes contain updates on the Lithgow Flash Gift Committee.

The minutes were electronically distributed and were electronically endorsed by three (3) committee members.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

Nil

ATTACHMENTS

1. Minutes of the Lithgow Flash Gift Committee held on 24 March 2010.

RECOMMENDATION

THAT Council notes the minutes of the Lithgow Flash Gift meeting held on 24 March 2010.

**ITEM:18 OPER - 12/04/10 - SPORTS ADVISORY COMMITTEE MEETING
MINUTES 29TH MARCH 2010**

REPORT BY: PROJECT CO-ORDINATOR – LEANNE KEARNEY

SUMMARY

Details of the Minutes of the Sports Advisory Committee Meeting held on Monday, 29 March 2010 for Council's information.

COMMENTARY

At the Sports Advisory Committee Meeting held on Monday, 29 March 2010, there were thirteen (13) items discussed by the Committee, and all items were resolved under the Committee's delegated authority.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

Nil.

ATTACHMENTS

1. Minutes of the Sports Advisory Committee Meeting held on Monday, 29 March 2010.

RECOMMENDATION

THAT Council note the minutes of the Sports Advisory Committee meeting held on Monday, 29 March 2010.

CLOSED COUNCIL

**ITEM:19 REG - 12/04/10 - CONFIDENTIAL REPORT - TENDER 05/10
STRUCTURAL RECTIFICATION WORKS - ASHLEY GRANDSTAND,
LITHGOW**

REPORT FROM: PROJECT CO-ORDINATOR – LEANNE KEARNEY

Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:

(c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

SUMMARY

This report provides details of the tenders called for the structural rectification works required to the Ashley Grandstand, Lithgow, and recommends that the tender be awarded to CBS Refurbishment Pty Ltd for Tender 05/10 – Structural Repairs Ashley Grandstand, Lithgow.

RECOMMENDATION

THAT Council consider this report in closed Council pursuant to Section 10A(2)(c) of the Local Government Act 1993.

**ITEM:20 COMM - 12/04/10 - CONFIDENTIAL REPORT - CONTRACTUAL
ISSUES - LITHGOW LAND USE STRATEGY AND LOCAL
ENVIRONMENTAL PLAN PROJECT**

REPORT FROM STRATEGIC LAND USE PLANNER - S HANRAHAN

Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(g) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

(g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege.

SUMMARY

The purpose of this report is to advise Council of action being taken to terminate the formal contract to undertake the preparation of the Land Use Issues Paper, Land Use Strategy and Local Environmental Plan between Council and the consultant.

RECOMMENDATION

THAT Council consider this report in closed Council pursuant to Section 10A(2)(g) of the Local Government Act 1993.

BUSINESS OF GREAT URGENCY

In accordance with Clause 241 of the Local Government (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 of:

- 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.*

**ITEM LATE REPORT - MAYORAL MINUTE - 12/04/10 - 200TH
ANNIVERSARY OF THE CROSSING OF THE BLUE MOUNTAINS**

REPORT FROM: MAYOR, COUNCILLOR NEVILLE CASTLE

SUMMARY

The 200th anniversary of the crossing of the Blue Mountains will occur in 2013. The Hartley District Progress Association Inc is seeking Councils assistance in recognising this significant event.

COMMENTARY

The three explorers, Gregory Blaxland, Lieutenant William Lawson, and William Charles Wentworth, left Blaxland's Farm at South Creek on 11th May 1813 and crossed the Nepean River the same day, camping at the foot of the Mountains. They followed the main ridge which heads west and then north, now the route of the Great Western Highway between Glenbrook and Mount Victoria and reached Mount York on 28th May 1813. On reaching Mount York the explorers considered that the country looked much better and they saw forest and grasslands which they explored for some days. The explorers then climbed a high hill called Mount Blaxland and from here they could see "forest land all around them sufficient to feed the stock of the colony for the next thirty years".

The explorers descended into the Kanimbla (Hartley) Valley and climbed Mount Blaxland on May 31st and then returned home by retracing the outward journey, arriving back on 6th June.

Representatives from the Hartley District Progress Association Inc have indicated that the Association is very keen to mark the very significant event of the 200th anniversary of the crossing of the Blue Mountains. The Association is now asking that the Council oversee the calling of a public meeting to ascertain the best way forward and to take the greater community's ideas into consideration.

The Association is suggesting that representatives of the following groups be invited to the meeting: National Trust, National Parks, Heritage groups, Elders of the indigenous peoples, Tourism representatives, and representatives from Bathurst Regional and Blue Mountains City Councils.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

Advertising costs.

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Email from Hartley District Progress Association.

RECOMMENDATION

THAT Council arrange a public meeting to gauge community interest in the celebration of the 200th anniversary of the crossing of the Blue Mountains.

Signed: _____

MAYOR