



LITHGOW CITY COUNCIL

“A Centre of Regional Excellence”

AGENDA

ORDINARY MEETING OF COUNCIL

TO BE HELD AT

THE ADMINISTRATION CENTRE, LITHGOW

ON

21 JUNE 2010

AT 7.00pm

AGENDA

APOLOGIES

PRESENT

CONFIRMATION OF THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 24 MAY 2010

DECLARATION OF INTEREST

PUBLIC FORUM

PRESENTATIONS

MAYORAL MINUTES - NIL

NOTICE OF RESCISSIONS – NIL

NOTICES OF MOTION –

Councillor M F Ticehurst – Wolgan Road - bottom of the Wolgan Gap to Emirates Resort
Councillor M F Ticehurst – Electricity Increases
Councillor M F Ticehurst – Lithgow Town Clock
Councillor M F Ticehurst – Gumnut House Preschool
Councillor C Hunter - Wallerawang and Portland Water Supply

CORRESPONDENCE AND REPORTS

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

COMMITTEE MEETINGS

Ageing Strategy Advisory Group
Crystal Theatre Management Committee
Crime Prevention Committee
Sports Advisory Committee
Economic Development Advisory Committee
Traffic Authority Local Committee

CLOSED REPORTS

Offer to purchase commercial property

REPORTS FROM DELEGATES

Mining related Council meeting.
Centroc Meeting.

BUSINESS OF GREAT URGENCY

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

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DELEGATES REPORT

ITEM:1 DELEGATES REPORT - 21/06/10 - MINING RELATED COUNCILS MEETING - 14TH MAY 2010

REPORT FROM: THE MAYOR, COUNCILLOR NEVILLE CASTLE

SUMMARY

This report summarises the discussions held at the Mining Related Councils Meeting held on 14th May 2010.

COMMENTARY

The most recent meeting of Mining Related Councils was held at West Wyalong on the 14th May 2010. We were welcomed to the Bland Shire by the Mayor Councillor Tony Lord.

One of the main items on the agenda was the possibilities of royalties and whether Mining Related Councils would follow the Western Australian Model. The royalties that have been gained in the last two years is more than \$1billion dollars per year in NSW. This money goes into consolidated revenue and is not spent in the areas that have the affect of mining taking place in them.

The Mining Related Councils have set up a working party to meet in Mudgee in the near future to “fine tune” the policy that Mining Related Councils will adopt so they can be taken to various political groups to try and gain support. The policy that will be adopted will not be the same as the Western Australian Model but some variation of it.

The Mining Related Councils again considered the Malden DonBarton Railway Line and as such have resolved to write to both main political parties to try to see if the commitment can be given with the elections both State and Federal Governments coming up in the near future.

Following the November meeting the Executive Officer has again written to the Deputy Premier and Minister for Health regarding the cumulative health impacts of mining in certain areas. In areas where open cut mining is prevalent, (particular the Upper Hunter Valley), there is significant amount of airborne particles that apparently creates the potential for a number of health issues. It would seem that in future major developments the possible health impacts will need to be considered as part of the DA process.

An update has been given about the development of a trial Carbon Geosequestration project at Lake Munmorah on the Central Coast. There has been funding approval for this project of \$28.3M from the Federal and State Governments as well as the Australian Coal Association. This project is expected to take up to 2014 to be fully complete. The successful completion of such a project would be a major boost for the coal industry to be able to mitigate against any possible carbon pollution. As such many groups around the nation will be watching this demonstration project carefully.

The NSW Minister for Planning has approved a \$190M wind and solar farm to be located in Muswellbrook and Hunter Local Government areas. It will consist of 34 wind turbines, hydro electric generator and approx 100hectars of solar panels. When complete it will provide renewable power to 47,000 in the Upper Hunter Valley.

The possible Caroonna project in the Liverpool Plains area has been put on hold. This is because BHP Billiton has had their mining licences temporarily suspended and will have to re-establish their claims following a recent land and environment court decision.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

NIL

RECOMMENDATION

THAT the report on the Mining Related Councils Meeting held on 14th May 2010 be received and noted.

ITEM:2 DELEGATES REPORT - 21/06/10 - CENTROC MEETING

REPORT FROM: THE MAYOR, COUNCILLOR NEVILLE CASTLE

COMMENTARY

The most recent meeting of Centroc was held in Cowra on the 27th May 2010.

We were welcomed to Cowra by the Mayor Councillor Bill West at the start of the meeting. The first speaker of the meeting was Dianna Logues from the Roads and Traffic Authority (RTA). Dianna is from the Special Projects Section of the RTA and spoke about the planning process for the Bells Line of Road. The RTA were talking of a major upgrade to the Bells Line of Road, however, the Delegates of Centroc are still unanimous in wanting a motorway equivalent linkage between the Central West and Sydney. Dianna Logues outlined the timetable for consultation and the process which will be involved and the steps required for the preservation of the corridor. A number of questions were asked in regard to this from a variety of Delegates.

Centroc has agreed it will continue to push for major improvements in the interim to the Bells Line of Road whilst the planning takes place for the eventual motorway. Centroc is clear that it will seek additional funding from either the State or the Federal Government and a commitment from the respective oppositions to complete the study such that an actual route can be determined.

Also at the meeting Amanda Cox and Sarah Robinson gave a presentation on the progress towards trying to recruit medical staff and allied medical staff to the Central West. As such a website is to be launched with an amount of supporting information so that prospective medical staff can easily find out the benefits of moving to the Central West and the various locations within the Central West without having to leave their present location.

The latest edition of the "Weather Report" which is produced by Centroc was also delivered. The report points out in general that there has been a warm autumn and above average rainfall in summer and autumn which has led to most parts of the Central West no longer being drought declared.

The SER of Councils is now under way. This means that Harden, Berowra and Upper Lachlan now have membership options for 2 ROC's. These councils have expressed a view that they would like to continue their relationship with Centroc as they have seen a number of tangible benefits in being a member so far. A number of options will be developed in regards to these councils for their determination at the next Centroc Meeting.

A report was presented to the meeting outlining savings that have been achieved to various councils as being a member of Centroc. Lithgow Council has been able to save nearly \$4000 on training alone, by services that are provided by Centroc. Overall Lithgow Council has had savings of approx \$40,000 with the majority of this being through the telephony audit, with savings also coming through the diesel rebate scheme, which is being organised as a bulk purchase through the Centroc.

Centroc is to host another Summit on the 29th and 30th July 2010. Last years Summit was very successful and was attended by a number of representatives from both State and Federal Governments. This year the guest speaker is Allan Jones who is not the one people normally think of, but is the Chief Development Officer for Energy and Climate Change for City of Sydney and has over 30 years experience in local city and regional government in housing, property, building services, energy, waste transport and climate change sectors. Allan will be talking to the delegates regarding possible climate change and what might be able to be done even without climate change to make councils and communities more efficient.

Other people who have agreed to attend the Summit are members of Country Labour, The Hon John Robertson, the new Minister for Transport as well as the Hon, Bob Debus and the Hon Steven Hutchins. There will also be a key note address from a representative from the Murray Darling Acer Commission. This Summit was very beneficial for elective representatives to speak to directly to members of the government and hear what is happening in some areas that have significant effect on their councils and we are hoping that this years summit will deliver the same sort of benefits.

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Centroc Weather Report

RECOMMENDATION

THAT the report on the Centroc Meeting held on 27th May 2010 be noted.

NOTICES OF MOTION

ITEM:3 NOTICE OF MOTION - 21/06/10 - WOLGAN ROAD - BOTTOM OF THE
WOLGAN GAP TO EMIRATES RESORT - COUNCILLOR M F
TICEHURST

REFERENCE

Listed by Councillor Martin Ticehurst 10 June 2010

COMMENTARY

Q. Could the General Manager and Council Officers provide the Council, Councillors, ratepayers and residents with an urgent update on the recent reports in the Lithgow Mercury and the 'Newnes News' website of the ongoing closure of the 14 kilometre gravel section of the Wolgan Road, from the bottom of the Wolgan Gap to the 6-Star Emirates Wolgan Valley Resort & Spa?

Q. Could the General Manager and Council Officers confirm to the Council, Councillors, ratepayers and residents if the ongoing worsening condition of this 14 kilometre gravel section of the Wolgan Road is linked to the following concerns expressed at the Ordinary Meeting of the Lithgow City Council on 15 October 2007 and published in the Lithgow Mercury on 20 October 2007.

"Councillors formally accepted a tender worth more than \$300,000 for the provision of road base for the upgrade of 14 km of road leading to the resort site in Wolgan Valley, the first stage of the road upgrading. Councillors were considering tenders for the supply and delivery of the road base from four quarries. In his report, Works Engineer Chris Schumacher noted that from his analysis, it was evident that there is a substantial cost benefit to Council if the tender from Hy-Tec Pty Ltd was accepted. This draw comment from Cr Ann Thompson, querying why this tender was substantially lower than the other three. General Manager Paul Anderson said that after a rigid testing process, the material from Hy-Tec complied with all RTA and Australian Roads standards. Cr Thompson was still not entirely convinced, adding that she hoped that Council would not be up for huge maintenance costs in the future if the road failed, 'involving large amounts of Council plant requiring to be in the Wolgan Valley area, constantly being a drain on Council funds'. Mr Anderson noted that the other tenders for the unsealed, all-weather road base were considerably dearer, and 'well outside' that from Hy-Tec."

RECOMMENDATION

THAT the General Manager provides the Council, Councillors and ratepayers with a written response to the above Questions with Notice.

**ITEM:4 NOTICE OF MOTION - 21/06/10 - ELECTRICITY INCREASES -
COUNCILLOR M F TICEHURST**

REFERENCE

Listed by Councillor Martin Ticehurst 10 June 2010

COMMENTARY

Q. Could the General Manager and Council Officers provide the Council, Councillors, ratepayers and residents with an urgent update on what are the recently announced new costs for electricity increases by the Councils contracted Electricity Supplier, Country Energy to the Lithgow City Council and it's ratepayers, specifically what will be:

1. The new additional financial cost per annum to the Lithgow City Council and it's ratepayers over the next three years?

And

2. The new total financial cost per annum to the Lithgow City Council and it's ratepayers over the next three years?

RECOMMENDATION

THAT the General Manager provides the Council, Councillors and ratepayers with a written response to the above Questions with Notice.

**ITEM:5 NOTICE OF MOTION - 21/06/10 - LITHGOW TOWN CLOCK -
COUNCILLOR M F TICEHURST**

REFERENCE

Listed by Councillor Martin Ticehurst 14 May 2010
Resolution 09-390 at the Ordinary Meeting of the Lithgow City Council on 14 September 2009.

COMMENTARY

Q. With respect to the above Resolution 09-390, could the General Manager please provide the Council, Councillors, ratepayers and residents with a report on the following information, concerns and questions as raised by the Proprietor of Tower Clock Services Australia, formerly Wellacre Engineering, Wyong in the attached email to the Lithgow City Council and myself, which states that: -

“Dear Sirs

Further to the Questions on Notice at the recent Council meeting regarding the Town Clock, I've attached copies of the email exchanges with Danny Oldfield which took place last year when my business provided sketches and quotes, with considerable investment in time & effort, for the new clock.

I'm extremely disappointed to note that according to the minutes of September 2009, only one quote was able to be obtained, ie that from Master Clock Makers, when in fact I had already provided approximate costing 4 months before (in April, as attached). Given the allocation in the budget I would venture to say that the budget allocation was based on my estimates and yet I was not consulted after this initial estimate was provided - despite phones calls to follow up.

We, at Tower Clock Services have re-structured the business (formerly Wellacre Engineering - same contact details) in an effort to make us more visible to organisations like yourselves - we are also primary contractors to both the NSW Attorney Generals Department and Railcorp as well as many councils - servicing and manufacturing clocks across Australia. You'll find more information as to what we do at www.towerclockservices.com.au, a simple "google" search will find us easily, together with at least four of our competitors.

Questions,

What efforts did council make to secure a second quotation?

Why were the sketches and estimates submitted by us not considered as a viable alternative to the one quote council chose?

*Reference,
Recent jobs completed by us are:*

*Martin Place Sydney, 2 sided clock with 2x intelligent GPS clock mechanisms - \$12,000
including access equipment*

Cronulla railway station, 2x intelligent GPS clock mechanisms - \$9,500

I await your advice.

*Tim Tracey
Proprietor
Tower Clock Services Australia*

ATTACHMENTS

Emails (2) and Attachments (3) from Tower Clock Services Australia, formerly Wellacre Engineering, Wyong NSW.

RECOMMENDATION

THAT the General Manager provides the Council, Councillors and ratepayers with a written response to the above Questions with Notice.

**ITEM:6 NOTICE OF MOTION - 21/06/10 - GUMNUT HOUSE PRESCHOOL -
COUNCILLOR M F TICEHURST**

REFERENCE

Listed by Councillor Martin Ticehurst

8 June 2010

COMMENTARY

Q. Mr Mayor is the Council aware of the following contents of a public letter that was received by parents and family members of the Lithgow's Gumnut Pre-School in Proto Ave, Lithgow which states:

We Need your Help

4th June 2010

Dear Families

As you are well aware, there are now two long day care centres in Lithgow with the new one opening last year.

Whilst we attract enrolments on our own merit and superior quality of program what you won't know is that, due to another service opening in the town, we lost \$40,000 rural grant from the Federal Government as you can only receive this if you are the only service in an area. It has taken us a year to get back on our feet financially and this has been touch and go (and continues to be so). Now the Office of Child Care (Federal) has slugged us with a \$38,000 bill to be paid in 52 weekly instalments starting 21st June – this equates to just under \$800 per week and we can assure you we do not have that kind of money to spare.

We will not cut the quality of your child's time in this centre but have shaved down our budgetary spending and as much staff hours as we dare – any more means loss of quality to the children.

This amount was overpaid to a large number of centres around Australia and now the govt. Want it back – only – it was not embedded in the original legislation – if they made a mistake they had to wear it. We had no idea, like all the other services, that we had been overpaid and no way to discover this. The overpayments happened over 18 months ago. The department (DEEWR) has been taking all this time going back to parliament to get new legislation passed to collect the money – and last week they succeeded with the legislation.

This debt will cripple us and we cannot see a way to keep our doors open. We have written to the department and stated our case, contacted Bob Debus to represent us and we are now turning to you. We need some media coverage on this. Can you contact various media institutions (Radio Stations, Current Affair, 60 Minutes etc) on our behalf?

We will happily supply facts and figures. Please help us to stay open. We must act well before the 21st June to stop this money being taken (it is taken from our funding before we get it so it's no use saying we just won't pay – they already have it and we depend heavily on that funding each week.)

We will keep you all posted on developments.

Thank you

The Staff and Committee of Gumnut.

The Council and Councillors would be aware that Council is the also the landlord of Lithgow's Gumnut Pre-School which is operated by a Management Committee consisting of volunteer Parents and Friends of the babies and young children utilising the facility.

I understand that any forced closure of the Pre-School on financial grounds may leave many working families and young parents without any access to the remaining limited local childcare facilities.

ATTACHMENT

1. Public letter under the hand of The Staff and Committee of Gumnut.

RECOMMENDATION

THAT Council make urgent representations to the Federal Member for Macquarie, Mr Bob Debus on behalf of the Management Committee of Lithgow's Gumnut Pre-School in Lithgow to ensure that the non-profit community childcare centre remains open and financially viable in the future.

**ITEM:7 NOTICE OF MOTION - 21/06/10 - WALLERAWANG AND PORTLAND
WATER SUPPLY - COUNCILLOR C HUNTER**

REFERENCE

NOTICE OF MOTION - COUNCILLOR C HUNTER - 11TH JUNE 2010

COMMENTARY

Due to increased demand and drought, the Fish River water supply from Oberon is unable to fully supply Wallerawang and Portland now or in the future. Stop gap measures of pumping water back from Lithgow have many problems, including supply in the long term from an aging infrastructure.

Another dam could be built on the Marrangaroo Creek north of the army camp. This area has a catchment of about 25sq kms, twice the catchment area of the Famers Creek dam.

Water could be pumped to Tunnel Hill about 4km and 40m head and then gravitated back to Wallerawang and Portland.

RECOMMENDATION

THAT:

1. Lithgow City Council investigates the feasibility of building a dam on Marrangaroo Creek (960 meter contour)
2. Council seek state funding for such a scheme

GENERAL MANAGERS REPORTS

ITEM:8 GM - 21/06/10 - INQUIRY INTO NSW LOCAL GOVERNMENT ELECTIONS

REFERENCE

NIL

SUMMARY

The NSW Parliament Joint Standing Committee on Electoral Matters recently handed down its findings in relation to the 2008 Local Government Elections.

COMMENTARY

On Saturday 13 September 2008 elections were held for 148 council areas across NSW. This electoral event involved 332 individual elections for councillors in 187 wards, 84 undivided councils and 27 mayoral elections. Thirty nine uncontested elections were conducted for 36 wards, two undivided councils and one mayoral election. In addition to these elections of people to office, 17 council referenda and 17 polls were conducted.

The NSW Electoral Commission (NSWEC) reported that there were no successful court challenges to the election results and two recounts were conducted with no change to the outcome in either election. Twelve recounts were undertaken for the 2004 local government elections.

Following these elections there was considerable criticism of the manner in which the NSWEC conducted the elections. As a result of the outcry the then NSW Premier the Hon. Nathan Rees on 2 March 2009 referred certain matters to the NSW Parliament's Joint Standing Committee on Electoral Matters.

The inquiry resulted from efforts by the Local Government and Shires Association (LGSA) to convey the level of dissatisfaction about the cost of the election and the implementation of full cost recovery. Councils had strongly objected to the costs that were well above what they had paid to the NSWEC in relation to the conduct of the previous local government elections.

In the lead up to the Inquiry, media reports on the local government elections focused on the increase in charges and the fairness of the increase in light of 'rate pegging' by the government, which limits councils' capacity to increase income. After the election councils raised such additional concerns as:

- Understaffing of polling booths;
- Polling places running out of ballot papers;
- Too little or poor advertising of the date of elections and of the location of polling places; and

- Incorrect information provided to candidates on election results.

The Terms of Reference for the Committee and for the Inquiry were:

Terms of reference for the committee

- (1) A Joint Standing Committee, to be known as the Joint Standing Committee on Electoral Matters, be appointed.
- (2) The Committee inquire into and report upon such matters as may be referred to it by either House of the Parliament or a Minister that relate to:
 - (a) The following electoral laws:
 - (i) Parliamentary Electorates and Elections Act 1912 (other than Part 2);
 - (ii) Election Funding Act 1981; and
 - (iii) Those provisions of the Constitution Act 1902 that relate to the procedures for, and conduct of, elections for members of the Legislative Assembly and the Legislative Council (other than sections 27, 28 and 28a);
 - (b) The administration of and practices associated with the electoral laws described at (a).
- (3) All matters that relate to (2) (a) and (b) above in respect of the 24 March 2007 state election, shall stand referred to the Committee for any inquiry the Committee may wish to make. The Committee shall report on the outcome of any such inquiry within 12 months of the date of this resolution being agreed to by both Houses.

Terms of reference for the inquiry

All matters that relate to (2) (a) and (b) above in respect of the September 2008 local government elections are referred to the Committee for any inquiry the Committee may wish to make, including in relation to the costs of the 2008 local government elections.

The Committee is to report on the outcome of its inquiry by 2 March 2010*.

Letter from The Hon Nathan Rees MP, Premier to Chair, dated 2 March 2009

** In a letter from Premier received 16 March 2010 the final date for reporting was extended until 1 June 2010.*

The membership of the Committee is:

Chair	Mr Robert Furolo MP, Member for Lakemba
Deputy Chair	The Hon Mick Veitch MLC (from 3 December 2009) The Hon Amanda Fazio MLC (until 3 December 2009)
Members	Mr Robert Coombs MP, Member for Swansea The Hon Diane Beamer MP, Member for Mulgoa The Hon Don Harwin MLC The Hon Jenny Gardiner MLC Ms Lee Rhiannon MLC

The Chair of the Committee commented that:

As part of the 2008 Local Government Election in NSW, 4,620 people contested the election for the right to represent their community. This figure is more than 5 times the number of people who contested the 2007 NSW State Election.

These figures highlight important aspects of Local Government in NSW.

Firstly, it reflects the accessibility of Councils as a representative forum for their citizens. It also demonstrates the strong level of interest and the will of residents to be active participants in local democracy.

Secondly, it reminds the State's Legislators of the importance of ensuring the conduct of elections for Local Government is conducted impartially, professionally and transparently.

The Premier referred the conduct of the 2008 Local Government Elections to the Committee for inquiry following concerns raised by the Local Government and Shires Association.

This followed considerable disquiet amongst a number of Councils about various aspects of the conduct of the elections, especially cost.

The Committee invited all Councils, State registered political parties and parties registered to contest local government elections as well as a number of other stakeholders to make submissions to the inquiry on their issues of concern.

Submissions from Councils - both metropolitan and regional, identified a number of concerns about the elections. The most common issue identified through the inquiry was the issue of costs for running the elections. Many Councils felt the model used by the Electoral Commission for apportioning costs was an attempt to shift fixed costs of maintaining the electoral commission onto local government.

Other Councils identified issues with the use of the Regional Returning Officer (RRO) model – where a Returning Officer was shared amongst two or more Council areas.

Issues including insufficient ballot papers at polling booths, the time taken for results to be declared using the central vote counting centre, the selection of polling locations and returning officer accommodation were also raised by a number of Councils.

In addition to inviting submissions - of which 72 were received, the Committee also conducted public hearings to allow Councils, registered political parties and other stakeholders the opportunity to express their views on the conduct of the elections. 23 Councils participated in the hearings, as did disability advocacy groups and the Local Government and Shires Association.

The Committee wanted to further explore the concerns of Councils regarding the cost of the elections and resolved to engage a recognised accounting firm to conduct an independent review.

The firm of PKF Accountants conducted the review of costs and charges to Councils for the election. While the report identified areas where cost calculations could be clarified, the report concluded, “that nothing has come to our attention that causes us to believe that the costs passed onto Local Councils in relation to the 2008 Local Government Elections are unreasonable.”

The Committee’s report makes 16 key recommendations, which should assist in the conduct of future Local Government elections. For example, Recommendation 7 suggests the NSW Election Commission consider formulating a ‘Service Charter’ for local government modelled on the Commonwealth Government Service Charter for departments and agencies dealing with the public.

Another recommendation was to amend the Local Government Act 1993 to allow Councils to opt to use universal postal voting as the method of election.

But while the Committee has identified a number of areas where improvements can be made in the management of services by the Electoral Commission, the Committee was not critical of the conduct of the elections overall.

In fact, the Committee acknowledged that the Electoral Commission’s conduct of the 2008 local government elections provided a comprehensive, transparent and impartial service to Councils.

Further, the Committee accepted that to ensure the integrity of Council elections, the Electoral Commission should continue to conduct all elections.

This Inquiry has been useful in allowing Councils to highlight issues of concern about the conduct of local government elections.

The Committee’s report contains a number of recommendations and findings that aim to enhance and develop the degree of accountability and transparency around the conduct and administration of the elections and foster the relationship between the NSWEC and key stakeholders in the election process, such as councils, candidates and the public. The proposals recommended by the Committee include:

- Ongoing parliamentary committee review of the conduct and administration of local government elections (as currently occurs in relation to state elections);
- Inclusion in the parliamentary committee review of the budgeted and actual costs for the 2012 local government elections, as considered necessary;
- Mandatory reporting by the NSWEC on local government elections (the NSWEC currently reports on a voluntary basis); and
- Development and implementation by the NSWEC of a local government elections Service Charter, in consultation with relevant stakeholders.

It was claimed during the course of the inquiry that the costs passed on to councils by the NSWEC were more than mere cost recovery. Evidence gathered in the course of the inquiry would indicate that this is not the case. The Committee has concluded that the costs recovered by the NSWEC from councils were reasonable and accurate. However, there were a number of areas in relation to the elections that the Committee considers should be subject to further examination and consultation in the lead up to the 2012 local government elections.

The Committee was confident that most of the issues raised by participants during the inquiry can be addressed administratively, without the need for significant policy changes or legislative amendment. In some cases, the Committee has identified areas where the NSWEC should undertake further investigation, which may subsequently lead to legislative change, for instance, in relation to random sampling.

The NSWEC has also recently identified several of these areas as particular challenges on which it will continue to work, including:

- timeliness of results;
- cost estimates and cost recovery;
- Council visits programme;
- location of voting venues and staffing levels;
- electors with vision impairment (including the examination of electronic voting);
- legislative amendments (dealt with by the Committee in its previous inquiry into the public funding of state election campaigns).

The list of recommendations by the Joint Standing Committee are:

Inquiry Recommendation 1

The Committee recommends that:

- (a) each House of Parliament amend the resolution establishing the Joint Standing Committee on Electoral Matters to include a *standing reference* to inquire into and report upon:
 - i. the conduct and administration of local government elections, and
 - ii. any matter connected with the following laws as they pertain to local government elections -
 - the *Local Government Act 1993* and the Local Government (General) Regulation 2005;
 - the *Parliamentary Electorates and Elections Act 1912*; and
 - the *Election Funding and Disclosures Act 1981*.
- (b) the Committee is to report upon the outcome of any such inquiry as soon as practicable after 12 months from the date on which the local government elections are held.
- (c) each House consider passing a resolution to clarify that the Joint Standing Committee on Electoral Matters may inquire into and report upon any matter relating to local government elections as referred to it by either House of the Parliament or a Minister.

Inquiry Recommendation 2

The Committee recommends that:

- (a) the *Local Government Act 1993* be amended to require the Electoral Commissioner to provide a report to the appropriate Minister on each set of local government elections, within nine months of the election, and for the report to include details of the following:
 - i. the role of the NSWEC;
 - ii. electoral services provided to:
 - electors
 - councils
 - candidates, groups and political parties
 - iii. recruitment and training of election staff, and the management of polling places;
 - iv. counting and the provision of the election results; Joint Standing Committee on Electoral Matters List of recommendations viii Parliament of New South Wales
 - v. funding arrangements and the costs associated with the local government elections;
 - vi. benchmarking of the conduct and administration of the local government elections; and
 - vii. any relevant legislative amendments affecting the conduct and administration of the local government elections.
- (b) consistent with Recommendation 2a, an amendment be made to the *Parliamentary Electorates and Elections Act 1912* to require the Electoral Commissioner to provide a report to the Premier in respect of each state general election, within nine months of the election.
- (c) the relevant statutes be amended to provide that the reports by the Electoral Commissioner in respect of each state general election and local government election be tabled in Parliament within 14 days of receipt by the Minister.

Inquiry Recommendation 3

The Committee recommends that the Joint Standing Committee on Electoral Matters externally review the operation of the full cost recovery model for the 2012 local government general elections and, in light of the findings of that review, consider the necessity for engaging consultants to conduct any subsequent external reviews of the model.

Inquiry Recommendation 4

The Committee recommends that the NSW Electoral Commissioner ensure that detailed information about the budgeted and actual costs for the 2012 local government elections be provided to all council General Managers. Such detailed information should provide explanations as to what each line item covers, and how it has been calculated and allocated.

Inquiry Recommendation 5

The Committee recommends that a higher proportion of the NSW Government's advertising budget be spent advertising the next local government election in the fortnight preceding polling day.

Inquiry Recommendation 6

The Committee recommends that:

- (a) the NSW Electoral Commission continue to conduct stakeholder surveys on the conduct of the election;
- (b) detailed information on the survey responses be provided to the Committee as part of the material examined during the proposed review of the 2012 local government elections, in addition to any statistical compilation of survey results;
- (c) in conducting the surveys the Electoral Commission give particular attention to stakeholder views on the following issues, raised with the Committee during the course of this inquiry:
 - the Regional Returning Officer model;
 - resourcing, staffing and location of pre-poll and polling booths;
 - transportation of ballot papers;
 - arrangements for scrutineering;
 - election advertising;
 - the Elector Inquiry Centre; and
 - the counting of the vote.

Inquiry Recommendation 7

The Committee recommends that:

- (a) the NSW Electoral Commission consider formulating a 'Service Charter for local government elections', to be developed in consultation with relevant stakeholders and modelled on the Commonwealth and State Government Service Charters for departments and agencies dealing with the public.
- (b) the proposed Service Charter be aligned to the corporate values of the NSW Electoral Commission around their four key result areas, as they relate to local government general elections.
- (c) the NSW Electoral Commission include in its report on the local government elections information on its performance in providing services for local government elections, benchmarked against the proposed Service Charter.

Inquiry Recommendation 8

The Committee recommends that the following aspects of the Regional Returning Officer (RRO) model be given consideration by the NSW Electoral Commission in preparation for the 2012 local government elections:

- (a) the accessibility of RROs to the residents, candidates and staff of those councils not hosting the returning officer, including the possibility of the returning officer making visits to those other councils during the election period.
- (b) the use of a landline or free call contact number for all returning officers.
- (c) ballot paper transportation.
- (d) arrangements for pre-poll voting for those councils not hosting the RRO, including the possibility of employing part time electoral officials to cover those councils not hosting the RRO.

Inquiry Recommendation 9

The Committee recommends that:

- (a) councils should continue to be responsible for the maintenance of the non-residential roll for local government general elections;
- (b) the NSWEC and Department of Local Government work to clarify the appropriate authority for providing advice to councils on inclusions and exclusions to the non-resident roll;
- (c) as part of the consultations with General Managers prior to the 2012 local government general elections, the Electoral Commissioner provide information to Joint Standing Committee on Electoral Matters List of recommendations x Parliament of New South Wales councils on strategies to improve enrolment levels in relation to non-residential electors; and
- (d) the NSW Electoral Commission continue to provide support for publication of information relating to the non-residential roll via the NSWEC website.

Inquiry Recommendation 10

The Committee recommends that the requirement that a candidate's signature on a local government election nomination form be witnessed by a Justice of the Peace be discontinued.

Inquiry Recommendation 11

The Committee recommends that:

- (a) the *Local Government Act 1993* be amended to allow elections with universal postal voting for those councils who opt to use that method of election, in time for the 2012 local government elections.
- (b) the Government undertake consultation on the best method for councils to use to decide to opt into a universal postal voting system.
- (c) the NSWEC provide advice to the General Manager of local councils interested in universal postal voting as to the costs involved in taking up this option.

Inquiry Recommendation 12

The Committee recommends that prior to the 2012 local government elections, the NSWEC:

- (a) review the methodology used to calculate projected voting figures and allocate ballot papers for polling places.
- (b) review the policies and procedures in place to deal with any shortage of ballot paper that may occur on election day.
- (c) review the method for determining staffing levels for polling booths on election day, including multi-ward and multi-council polling places.

Inquiry Recommendation 13

The Committee recommends that the Electoral Commissioner examine multi-council how-to-vote cards for multi-council polling places, with a view to allowing multi-council how-to-vote cards.

Inquiry Recommendation 14

The Committee recommends that more priority be given to disability access for polling places.

Inquiry Recommendation 15

The Committee recommends that the Electoral Commissioner:

- (a) provide advice to General Managers as part of the consultation process in the lead up to the 2012 local government elections on the option of a local computerised count where required, including detailed information about the costs and resourcing issues.
- (b) report on any initiatives undertaken by the NSW Electoral Commission toward improving counting and publication of results in the Commission's next report on the local government elections in 2012.

Inquiry Recommendation 16

The Committee recommends that the NSW Electoral Commission investigate the feasibility of abolishing the random sampling method for preference distribution and the alternative fractional methods currently available, and calculate the costs associated with moving to technology that would support an alternative method.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

NIL - however the full report can be located at:

<http://www.parliament.nsw.gov.au/Prod/parlment/committee.nsf/0/8CA08B68B24A34BDCA257735001E0E49>

RECOMMENDATION

THAT Council note the report on the outcome of the NSW Parliament Joint Standing Committee on Electoral Matters Inquiry on the 2008 Local Government Elections.

ITEM:9 GM - 21/06/10 - LOCAL GOVERNMENT COMPLAINTS

REFERENCE

Min No - 10-09: Ordinary Meeting of Council 18 January 2010

SUMMARY

Following the release of information by the Minister for Local Government in November 2009, in relation to complaints against local councils in NSW. Council requested that additional information be provided on the 22 complaints made to the Division of Local Government.

COMMENTARY

At the January 2010 meeting Council resolved to "seek additional information regarding information in relation to the complaints to the Division of Local Government."

In November 2009 the Minister for Local Government, the Hon. Barbara Perry, issued a media release in relation to complaints against NSW councils in the 2008-09 period. The Minister indicated that "Information obtained from complaints can assist both councils and the Division in identifying and addressing emerging trends or areas of concern that need improvement."

Of the 22 complaints made against Lithgow City Council 17 were immediately declined by the Division in that period. According to the Division of Local Government of the remaining five complaints three complaints required review/preliminary enquiries with Council; one related to a misbehaviour allegation; and the fifth was a pecuniary interest allegation.

Further information was sought from the Division at the time that these statistics were released however the Division advised that it could not provide further details. A Freedom of Information request was made and the complaint information was released for the majority of these complaints. A summary of the complaints are listed below.

Number	Reference No	Recipient	Description	Date
1	A152117	DLG	Proposed Appointment of General Manager	21/07/08
2	A152521	Minister for LG	Proposed Appointment of General Manager	22/07/08
3	A152530	DLG	Proposed appointment of General Manager	24/07/08
4	A152531	DLG	Proposed Appointment of General Manager	24/07/08

5	A153757	NSW Premier	Poisoning of trees at Blackmans Flat following Pine Dale Mine Community Consultation Committee	10/07/08
6	A153774	Minister of Planning	Cost of licence fees to operate septic system. This is a State Government directive and is an unreasonable impost.	14/07/08
7	A158456	Unknown	Frauding documents and wasting tax payers money on Code of Conduct	12/09/08
8	A161515	Prime Minister	Seeking compensation for damage caused by a road maintained by LCC	Sept 08
9	A162514	DLG	<ul style="list-style-type: none"> · Pecuniary Interest and Disciplinary Tribunal · Alleged false and misleading financial accounting by LCC Three Tree Lodge and Portland Olympic Pool · Code of Conduct · Alleged false advice to the Geographical names Board over the location of the Coolimigal Road at Portland 	30/10/08
10	A168213	Premier of NSW	Alleged Corrupt Conduct / serious maladministration involving Lithgow Council	18/04/08
11	A172693	DLG	Overgrown land	16/02/09
12	A174258	Minister for LG	Alleging that there has been seepage of water from Councils sewer into the basement of heir client's hotel	04/03/09
13	A175475	DLG	<ul style="list-style-type: none"> · Water supply Wallerawang water has been brown and undrinkable. Councils spending \$250,000 on golf course. · Trying to get stimulus package for hockey fields instead of spending on the water problem 	13/03/09
14	A177644	DLG Pecuniary Interest Tribunal	Alleging that councillors were not given financial costs about Lithgow Golf	16/04/09

15	A178969	NSW Premier Rees	<ul style="list-style-type: none"> · Unlawful police investigation against a former general manager of Lithgow City Council and perjury. · Lease to an insolvent ASIC listed company. · Past and current outstanding serious corrupt conduct involving LCC. · Calling for either a full and open Royal Commission and Parliamentary Commission of Inquiry. 	
16	A182544	DLG	Failure by at least one Councillor to declare an interest and obtain from voting on the Lithgow Golf Club.	30/5/09 and 31/05/09
17	A184444	Minister for LG	<ul style="list-style-type: none"> · Alleging serious allegations of corporate criminal negligence by LCC in relation to; Three Tree Lodge; Portland Pool; Lithgow Golf Club; · Road naming discrepancies and · Lack of investigations by ICAC; Minister for LG and DLG. 	

Since the original complaints were made there has been no significant follow-up from the Division, other than initial inquiry, it would seem that the remaining five complaints have not progressed further. In relation to the above complaints they have either been dealt with (where possible) or lack foundation.

POLICY IMPLICATIONS

Council has not been advised of any breaches in relation to policies.

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

Copies of the information released by the Division of Local Government under Freedom of Information.

RECOMMENDATION

THAT Council note the information in relation to Local Government complaints in NSW for 2008-09

REGIONAL SERVICES REPORTS

ITEM:10 REG - 21/06/10 - NEW ROAD NAMING - 362/01DA - OFF VALLEY VIEW DRIVE - CEEDIVE

REPORT BY: GROUP MANAGER REGIONAL SERVICES – ANDREW MUIR

SUMMARY

To advise Council of road naming proposal for Lot 503 DP 10303114 off Valley View Drive Lithgow, as part of Development Application 362/01.

COMMENTARY

Council has received a submission on the naming of an internal road being subdivision DA 362/01. The applicant has requested that Council name this road 'Evergreen Close' for reasons below:

- To represent and acknowledge the areas of Australian Bush (which is mainly evergreen) in close proximity to this area and;
- To represent and acknowledge the greening and rehabilitation of a disused mine site for future development.

The naming was presented at the Community Recognition Committee meeting of the 15 April 2010 and it was resolved that 'Evergreen Close' did not effectively represent the history within the area.

It was proposed by the committee that an alternative name be proposed being 'Cooper Close' for the following reasons:

- Arch & Nell Cooper purchased the house in Pottery Estate (near the site) in 1942 where they reared 8 children.
- After Arch's death, Nell Cooper was involved with running the Senior Citizens Club and was President for more than 10 years. Nell was considered a valuable member of the community.
- Nell Cooper continued to live in the same house until she died in 1995.

Therefore, it is considered by the Community Recognition Committee that 'Cooper Close' was a more appropriate name for the new road.

POLICY IMPLICATIONS

This road will be named in accordance with Council's Road Naming Policy.

FINANCIAL IMPLICATIONS

Council will incur some minor advertising costs in accordance with its Road Naming Policy, and the costs of the signs will be required.

LEGAL IMPLICATIONS

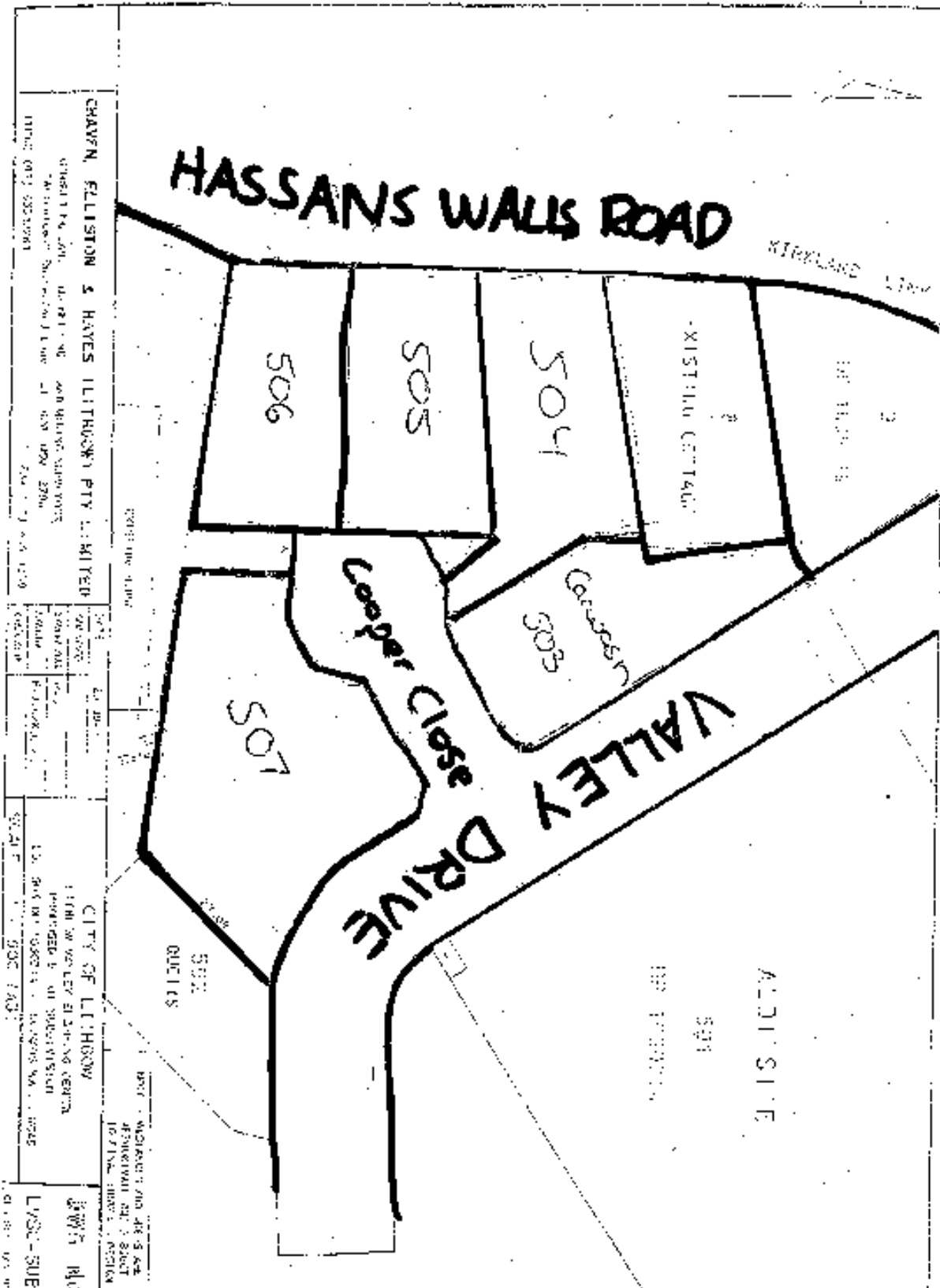
Nil.

ATTACHMENTS

1. Plan showing the subdivision.

RECOMMENDATION

THAT in accordance with Council's Road Naming Policy, Council advertises the road name 'Cooper Close' as indicated on the attached plan in the Lithgow Mercury calling for submissions to be made for the statutory period of twenty-eight (28) days. If no objection is raised then Council shall proceed to notification of the proposed road naming and advise the Emergency Services and Government Gazette.



CHAVEN, ELLISTON & HAYES LITHOGRAPH PTY LIMITED
 CHAVEN, ELLISTON & HAYES LITHOGRAPH PTY LIMITED
 1100 W VALLEY BLVD, GERRA
 PERTH WA 6003
 PHONE: 08 9437 2700
 FAX: 08 9437 2701

LOT 501
 1100 W VALLEY BLVD, GERRA
 PERTH WA 6003
 PHONE: 08 9437 2700
 FAX: 08 9437 2701

CITY OF LITHGOW
 1100 W VALLEY BLVD, GERRA
 PERTH WA 6003
 PHONE: 08 9437 2700
 FAX: 08 9437 2701

LOT 501
 1100 W VALLEY BLVD, GERRA
 PERTH WA 6003
 PHONE: 08 9437 2700
 FAX: 08 9437 2701

ITEM:11 REG - 21/06/10 - 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
 Min No - 10-131: Ordinary Meeting of 12 April 2010
 Min No - 10-175: Ordinary Meeting of 3 May 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 7 June 2010 Farmers Creek Dam was at 94.5% and 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 12 April 2010.

Month	Oakey Park Water Treatment Plant (ML)	Clarence Transfer (ML)
January	109.99	74.68
February	100.07	19.37*
March	120.5	Nil
April	113.01	63.09**
May	125.15	7.12***
Total 2010	568.72	164.26

Table 1 – Oakey Park Output and Clarence Transfer

* Stopped pumping on 8 February

** Recommenced pumping on 8th April 2010

*** Pumping ceased on 6 May 2010

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	Delta Electricity	Water Consumption (ML) Lithgow Council	Sydney Catchment Authority	Oberon Council	Minor Consumers	Total
Jul	179	36	0	44	20	279
Aug	328	49	0	58	20	455
Sep	266	46	0	47	20	379
Oct	304	45	0	47	20	416
Nov	422	61	0	62	20	566
Dec	193	37	0	42	20	292
Jan	107	48	0	32	20	207
Feb	251	40	0	46	20	358
Mar	165	56	0	69	20	310
Apr	117	47	0	33	20	217
May	194	53	0	63	20	330
Jun						
Total	2,524	519	0	544	220	3,807
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

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 May Council received 5 applications for a household appliance rebate and 2 applications for a water tank rebates.

ALTERNATE WATER SOURCES UPDATE

Drought Relief Project

NSW Public Works is preparing a design for a duplicate pipeline from Cook Street high level reservoir and Review of Environmental Factors. At the time of writing this report, the design had not been received although it is understood is nearing completion. Materials will be ordered once the design is finalised.

Possible Rec-commissioning of Dam No 1

Final proposals were received from two firms, with specialisations in dam engineering, to undertake the feasibility study into the possible recommissioning of Farmers Creek No 1 Dam. The brief provided requires the following:

- Whether or not the Dam can be recommissioned to provide additional drinking water to the Lithgow reticulation system.
- Identifying the issues, process (studies, approvals, licences etc), works and indicative associated costs if it is feasible to recommission the Dam.
- What are the advantages and disadvantages of recommissioning the Dam? This should include as a minimum:
 - What impacts the recommissioning will have on the Dam Safety Plans as this Dam is currently being utilised as a flood retarding structure.
 - What benefits (if any) would the recommissioning the dam have on Council's ability to operate the water reticulation network in Lithgow and villages by back feeding through the Fish River Water Supply reticulation network.
 - What benefits (if any) the recommissioning of the dam would have as an additional water storage following the augmentation of the Clarence Transfer System.
 - What benefits (if any) the recommissioning of the dam would have in terms of drought management.

On assessment of the proposals, the works has been awarded to GHD Pty Ltd for a fee of \$26,500. The Work is scheduled to take a maximum of 10 weeks to complete.

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

Oberon Dam – Deep Water Recovery

As Council is aware the need for this project arose out of a discovery by consultants acting for State Water that should the water level at Oberon drop below 5%, then the water could not be accessed. The project, involving the installation of submersible pumps to pump water into the valve tower that would be lowered into the water if the level reached 5% is well underway. The project is expected to be completed by 19 June 2010.

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

The media are expected 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.

RECOMMENDATION

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

**ITEM:12 REG - 21/06/10 - MODIFICATION OF CONSENT REPORT DA66/05 - D
CORNEY - 47 LOT SUBDIVISION, GREAT WESTERN HIGHWAY,
SOUTH BOWENFELS**

REPORT BY: ANDREW MUIR – GROUP MANAGER REGIONAL SERVICES

REFERENCE

Development Application No.66/05.

SUMMARY

Council is in receipt of a modification of development consent application from Mr Margus Ratsep for Mr D Corney, who is seeking a modified layout for the existing approval to subdivide his land into 47 residential allotments.

The modification seeks to remove an additional access approved as part of the original consent and concentrate development off the existing Robinia Drive access. In lieu of the additional access and through negotiation with the RTA and Council the modification requests the removal of the secondary access off the Great Western Highway and upgrading of the existing Robinia Drive/Great Western Highway intersection, to include traffic lights and appropriate pedestrian links.

The subdivision has been previously approved by Council and as such, any modification is required to be determined by Council. Given that the allotment design and all other aspects of the approved subdivision do not change, the proposed access/egress consideration will be assessed independently as part of this modification.

COMMENTARY

The land is described Lot 21 DP 1117668 (Previously Lot 11 DP 1074721). The property to be subdivided has a total area of 65.4ha. It is located on the eastern side of the Great Western Highway at South Bowenfels, and slopes toward the west.

The application has been assessed in consultation with the appropriate roads authority (RTA) with the recommendations of the modification being for approval subject to the modified conditions.

The modification proposes to access the development from the Great Western Highway via the existing intersection (Robinia/Great Western Highway), with the internal roads of Sandalwood Road and Woodlands Drive connecting the subdivision. The proposal now proposes to delete the previously approved second intersection by way of substantially upgrading the existing Robinia Drive/Great Western Highway intersection.

The modification application for DA 066-05 proposes to modify the existing approval, which involves the deletion of an approved additional access point into the 'Strathlone Estate' subdivision to utilise the existing single access point.

Council has had concerns over the existing access point for some time. Some of those concerns include but are not limited to:

- Sight distances for vehicles exiting the estate, especially in inclement weather.
- The location of an existing park adjacent to the access location.
- The number of vehicles utilising the 'single' access location to new release areas.
- This access is the sole access point to Lithgow's new release areas.

The original approval sought to minimise the amount of 'additional traffic' that would utilise this intersection.

As part of the modification the applicant has indicated that they seek to delete the proposed new access location and utilise the existing Robinia Drive/Great Western Highway access. Additionally, as part of that modification the applicant has proposed a substantial upgrade in access treatment for the Robinia Drive/Great Western Highway by way of the installation of traffic lights and a formalised pedestrian link between the Strathlone and Bowen Vista estates.

Issues of concern relating to the need for substantial additional treatment has arisen due to the limited access currently within the 'Strathlone Estate' subdivision and the current access requirements for the 'new release' areas around this intersection. Currently the Robinia Drive/Great Western Highway/Kirkley Street intersection is the sole access to another subdivision to the west (being Bowen Vista) that currently has 61 allotments available for development, with a further 90 conceptually approved as stage 2. All these allotments will utilise the Robinia Dr/GWH /Kirkley St intersection as the primary, and only access point accessing the subdivision.

Further, Council is in receipt of a petition relating to the original modification specifically detailing the unsafe nature of the intersection in its current form and given the additional traffic proposed as part of this application it is perceived that these concerns will only intensify.

After investigation and consultation with the roads authority, being the Roads & Traffic Authority (RTA), it is considered that there is a need for traffic lights to be included at that intersection should the second access to the proposal be removed.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

All matters of relevance under Section 79C of the Environmental Planning and Assessment Act 1979 have been taken into consideration.

ATTACHMENTS

A Section 79C report pursuant to the Environmental Planning and Assessment Act 1979

RECOMMENDATION

- A. **THAT** the application to modify Development Application DA66/05 be approved subject to conditions highlighted in Council's Section 79C assessment, attached.
- B. **THAT** A division be called in accordance with the requirements of section 375A(3) of the Local Government Act, 1993.

ITEM:13 REG - 21/06/10 - ROAD NAMING - LIMESTONE CREEK ROAD, PORTLAND

REPORT FROM: ANDREW MUIR- GROUP MANAGER REGIONAL SERVICES

SUMMARY

To progress the road naming process for the road off Portland/Cullen Bullen Road & connecting to Creek Street adjacent to Scribbly Gum Road. This road is currently known as Limestone Creek Road although it has not been officially named this. Therefore it is appropriate to rectify the problem to minimise any confusion.

COMMENTARY

For the road to be officially named it requires the formal naming process to be undertaken in this respect.

ISSUES/ PUBLIC PARTICIPATION

The road has been unofficially named 'Limestone Creek Road' for a number of years and a change of the name would be unrealistic. There is confusion along the road in regards to Councils records and residential addresses which needs to be rectified immediately through the Council's road naming policy. Support from residents along the road was received as part of the advertising process and one objection.

The objection suggested naming the road 'Creek Street' as the road to be named continues around from Creek Street Portland and would become an extension of that street. However, it is deemed that naming the road in this manner would cause confusion with emergency services, especially with properties at the western end of the proposed 'Limestone Creek Road'. Further, given that the name includes 'Street' as part of 'Creek Street', it is deemed that this name would be misleading; hence, should not be accepted.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

That Council pay all costs associated with advertising the official road naming.

CONCLUSION

The name is supported by the Geographical Names Board and no submissions were made by Lithgow authorities.

RECOMMENDATION

THAT in accordance with Council's Policy for the naming of roads, Council shall proceed to notification of 'Limestone Creek Road' naming and advise the Emergency Services and Government Gazette of these road names.

ITEM:14 REG - 21/06/10 - LOCALITY NAMING - GOOD FOREST

REPORT BY: GROUP MANAGER REGIONAL SERVICES – ANDREW MUIR

SUMMARY

To officially recognise 'Good Forest' as a locality within the Lithgow Local Government area. This has been raised as an issue by residents and Australia Post.

COMMENTARY

Following a number of inquiries and concerns from Australia Post and local residents it is considered appropriate that 'Good Forest' should be officially named as a new locality. Australia Post found the problem when their new internal guideline was implemented which stipulated that mail could only be delivered to a locality name recognised by the Geographical Names Board. For example, this includes 'South Bowenfels', 'Lowther' and 'Lithgow', etc. As a result, all property owners currently utilising 'Good Forest' as their property address would not receive mail until their addresses were changed.

Therefore, Council produced a draft locality map of the most appropriate boundaries for the locality of 'Good Forest' which in Council records has existed for over 80 years. From this map Council notified all property owners within the boundary (being 43 properties) of the proposed naming and requested that any submission be forwarded to Council within the statutory twenty eight (28) day period.

From the notification process Council received 6 submissions, 2 being positive towards the proposal and 4 submissions asking to be removed. It was agreed to remove three properties as a result of submissions, as their access is from a different location and their properties were on the proposed locality boundary line.

The one remaining submission from a property owner requesting removal from the naming is located in an area that would make the 'Good Forest' boundary disproportionate and cause confusion to postal and emergency services if removed. Therefore, this property was not removed from the proposal and a final map was produced (attached).

POLICY IMPLICATIONS

That this locality naming be carried out in accordance with the Geographical Names Board.

FINANCIAL IMPLICATIONS

Council is to pay all costs associated with the acquisition and erection of signage and the notification of authorities.

LEGAL IMPLICATIONS

Nil

ATTACHMENTS

1. Plan showing the locality of 'Good Forest'

RECOMMENDATION

THAT the locality of 'Good Forest' as per attached map, be adopted within the Lithgow Local Government Area and that Council advise the Emergency Services and Geographical Names Board of this naming.

COMMUNITY AND CORPORATE SERVICES REPORTS

ITEM:15 **COMM - 21/06/10 - UPDATE ON PROMOTING BETTER PRACTICE REVIEW**

REPORT BY: DEBORAH MCGRATH – CORPORATE PLANNING & COMMUNICATIONS OFFICER

REFERENCE

Min 07-286: Council Meeting 16 July 2007
Min 07-465: Policy and Strategy Committee Meeting 5 November 2007
Min 09-65: Council Meeting 16 February 2009
Min 09-398: Council Meeting 14 September 2009

SUMMARY

This report provides an update on the action list that arose from the Department of Local Government Promoting Better Practice review completed in June 2007 and the subsequent progress reports, which were reported to Council in February and September 2009.

COMMENTARY

The Local Government Reform Program – Promoting Better Practice had a number of objectives including:

- *To generate momentum for a culture of continuous improvement and greater compliance across local government*
- *To provide an ‘early intervention’ option for councils experiencing operating problems*
- *To promote good governance and ethical conduct principles*
- *To identify and share innovation and good practice in local government*
- *To enable the department to use review information to feed back into its work in identifying necessary legislative and policy work for the local government sector.*

The Promoting Better Practice review generated a list of 38 recommendations for Lithgow City Council and the attached list and responses indicates the significant progress made on items on the list. It is a requirement of the Review that the Council reports on progress. In response, reports have been provided in November 2007 and January and September 2009. Attached is a copy of the June 2010 progress report for the information of Council.

Many of the items listed on the action plan are ongoing and subject to continual review and improvement. However, Since the September 2009 report, Council has completed a number of the actions on the list including the Business Continuity Plan, the establishment of an Internal Audit Committee as part of the Central Tablelands Alliance and the Companion Animals Policy.

Further advances have been made the areas of the development of a draft risk assessment for strategic alliance with Mid Western and Oberon Councils, Community Lands Plans of Management, Internal Auditing, participation in Joint Regional Planning Panels, Environmental and Compliance Monitoring, reviewing of property and land use practices, internal communications and community engagement processes.

Although Council is still working towards achieving outcomes in the areas noted above, ongoing development has been identified and achievable timeframes established for implementation.

Furthermore, Council is working towards the implementation of the Integrated Planning and Reporting Framework and has nominated to have the Community Strategic Plan and Delivery Program adopted by June 2012. Minor changes have been made to the 2010/11 – 2013/14 Management Plan as Council transitions to the development of a four-year Delivery Program and annual Operations Plan.

As part of the Resource Strategy, a Draft Workplace Plan has been developed and is currently being reviewed by management. Council is continuing to work towards the development of Asset Management Plans which will be linked to Councils Long-term Financial Plan and the Workplace Plan.

Overall, Councils progress on the majority of the recommendations indicates an ongoing commitment to the improvement of the operations of the Council and illustrates the approach Council is taking in improving its performance.

POLICY IMPLICATIONS

Policy No. 4.12 – Complaints and Procedures is currently under review in accordance with Practice Note 9 – Complaints Management by Councils and will be reported to Council in due course.

A Draft Access to documents Under Section 12 of the Local Government Act 1993 Policy has been developed and is currently being reviewed by Management. This policy will be reported to Council in due course.

The Draft Notifications Policy is currently being consulted on by Council Officers and will be reported to Council by December 2010.

FINANCIAL IMPLICATIONS

The financial implications have been accommodated in successive management plans for the actioning of the recommendations.

LEGAL IMPLICATIONS

Nil

ATTACHMENTS

1. Lithgow City Council Action List June 2010.

RECOMMENDATION

THAT Council notes

1. The actions achieved to date arising from the recommendations in the Department of Local Government's Promoting Better Practice Review.
2. That a copy of the updated action list has been provided to the Department Of Local Government.

**ITEM:16 COMM - 21/06/10 - 2010/11 NON-RECURRENT SECTION 356
FINANCIAL ASSISTANT TO COMMUNITY ORGANISATIONS**

REPORT BY: COMMUNITY DEVELOPMENT OFFICER - JASON HOPKINS

REFERENCE

MIN No 09-227 – Ordinary meeting of Council dated 1 June 2009
MIN No 09-331 – Ordinary meeting of Council dated 3 August 2009
MIN No 09-333 – Ordinary meeting of Council dated 3 August 2009
MIN No 09-425 – Ordinary meeting of Council dated 6 October 2009
MIN No 09-452 – Ordinary meeting of Council dated 2 November 2009
MIN No 09-551 – Ordinary meeting of Council dated 14 December 2009
MIN No 09-552 – Ordinary meeting of Council dated 14 December 2009
MIN No 10-30 – Ordinary meeting of Council dated 8 February 2010
MIN No 10-115 – Ordinary meeting of Council dated 22 March 2010
MIN No 10-200 – Ordinary meeting of Council dated 24 May 2010

SUMMARY

During 2008/09 Community and Culture Division undertook a review of Policy 4.4 Donations Section 356 of the Local Government Act. Council adopted the revised policy at the Ordinary Meeting of Council dated 1 June 2009 (Min 09-227).

In summary, the revised policy:

- Retains the "Recurrent" Category of Financial Assistance.
- Replaces the "Annual Management Plan" and "As Resolved Donations Throughout the Year" categories with a single "Non-recurrent Financial Assistance" category with two funding rounds – in April and October each year.
- Retains financial assistance throughout the year for the waiving of fees and charges by the General Manager.

- Requires all organisations to submit their requests on the Council Application Form and to submit their constitution.
- Enhances the acquittal and reporting processes.
- Allows for organisations to receive more than one donation per year.
- Replaces the term “Donation” with “Financial Assistance”.

The revised policy comes into effect in the 2010/11 Management Plan.

Council has already allocated \$46,684 in the draft 2010/11 Management Plan for Recurrent Financial Assistance to the following organisations:

Lithgow Business Association	\$10,712
Western Region Academy of Sport	\$1,607
Lithgow Show Society	\$5,356
White Ribbon Day	\$803
Solid Fuel Incentive	\$4,285
Portland Art Show	\$2,142
Arts Out West	\$11,066
Ironfest	\$10,712

Council has also allocated \$96,000 in the draft 2010/11 Management Plan for distribution throughout the 2010/11 Financial Year for Non-Recurrent Financial Assistance.

There will be two funding rounds for the allocation of the 2010/11 Non-Recurrent Financial Assistance, in April and October 2010 with \$48,000 nominally allocated to each round.

Applications from the community for the first round of 2010/11 Non-Recurrent Financial Assistance were open from 1 – 30 April 2010 for allocation in July 2010.

This report considers those requests for Non-Recurrent Financial Assistance. A further report will be presented to Council in December 2010 detailing requests under the second round of 2010/11 Non-Recurrent Financial Assistance.

COMMENTARY

FINANCIAL ASSISTANCE REQUESTS	AMOUNT REQUESTED	AMOUNT RECOMMENDED	COMMENTS
School Presentation Nights		\$750	\$50 per school
Lithgow Information & Neighbourhood Centre			
Rental Subsidy	\$15,000	\$15,000	
Josephite Foundation No Interest Loans Scheme	\$3,000	\$3,000	
Parenting Young Program	\$4,500	\$2,500	
Matthew Sharp Scholarship Fund to assist disadvantaged young people to continue their education	\$2,000	\$1,000	
Lithgow Child Protection Interagency Family Fun Days	\$5,110	\$4,000	
Lithgow Community Projects, including YouthWorx			
Community youth events including band nights etc.	\$3,000	\$3,000	
Art Exhibition at Eskbank House	\$1,300	\$1,300	
Police Community Youth Club Lithgow (PCYC)			
Sports equipment for boxing programs	\$1,500	\$1,500	
Computer	\$1,500	\$1,000	
Rates reimbursement	Unspecified	\$0	PCYC are already exempt from the General Rate.
Wallerawang Tidy Towns	\$1,000	\$1,000	
Cullen Bullen Tidy Towns	\$1,000	\$1,000	
Portland Tidy Towns	\$1,000	\$1,000	
Lithgow Tidy Towns	\$3,500	\$2,000	

FINANCIAL REQUESTS	ASSISTANCE	AMOUNT REQUESTED	AMOUNT RECOMMENDED	COMMENTS
Tarana Tanker Trailers Trailer Registration Costs.		\$1,200	\$840	
Portland Association Replace Saville Park Band Stand	Development	\$25,000	\$0	Due to the amount requested, this is not considered suitable for funding from Section 356 Financial Assistance.
Rydal Village Association Insurance costs		\$1,000	\$800	
Lithgow Croquet Club Replacement of club house windows		\$10,000	\$0	Not recommended due to previous vandalism of building.
Lithgow City Band Contribution to band running costs		\$3,500	\$1,000	
Lithgow Golf Club Amateur golf event		\$1,000	\$1,000	
Lithgow Flash Dragons Dragon Boat Club. Replacement of boats		\$10,000	\$0	Not considered suitable for funding from Section 356 Financial Assistance.
Portland School of Arts Kitchen restoration		\$5,825	\$0	Due to the poor state of repair of the building, it is recommended that this request be considered in the second 2010/11 Financial Assistance round after a building condition assessment has been undertaken.
Lithgow District Car Club Rates reimbursement		\$972.57	\$972.57	

FINANCIAL ASSISTANCE REQUESTS	AMOUNT REQUESTED	AMOUNT RECOMMENDED	COMMENTS
Lifeline Central West Contribution to Lifeline programs.	\$3,000	\$500	
Bathurst Information Neighbourhood Centre Publication costs of Multicultural News for distribution in Lithgow.	\$400	\$400	
Daffodils at Rydal Printing costs of promotional materials	\$1,750	\$1,750	
Lithgow Community Gardens Project To develop a community garden at Lithgow PCYC	\$3,500	\$3,500	
Allowance for Council Fee Waiver requests as approved throughout the year by General Manager		\$2,000	
Total	\$108,057.57	\$50,812.57	

POLICY IMPLICATIONS

Financial Assistance is provided under Policy 4.4 Financial Assistance – Section 356 of the Local Government Act.

FINANCIAL IMPLICATIONS

The Council provides Financial Assistance to not-for-profit community groups.

Council has already allocated \$46,684 in the draft 2010/11 Management Plan for recurrent financial assistance.

The Council has set aside \$96,000 in Non-Recurrent Financial Assistance for distribution throughout the 2010/11 Financial Year of which \$50,812.57 is recommended for allocation in July 2010.

This will leave a further \$45,187.43 in Non-Recurrent Financial Assistance for distribution in October 2010.

LEGAL IMPLICATIONS

Local Government Act NSW 1993, Section 356

ATTACHMENTS

NIL

RECOMMENDATION

THAT Council provide Non-Recurrent Financial Assistance to the following organisations in 2010/11

FINANCIAL ASSISTANCE REQUESTS	AMOUNT RECOMMENDED	FINANCIAL ASSISTANCE REQUESTS	AMOUNT RECOMMENDED
School Presentation Nights	\$750	Portland Tidy Towns	\$1,000
Lithgow Information & Neighbourhood Centre		Lithgow Tidy Towns	\$2,000
Rental Subsidy ⁰	\$15,000	Tarana Tanker Trailers Trailer Registration Costs	\$840
Josephite Foundation No Interest Loans Scheme	\$3,000	Portland Development Association Replace Saville Park Band Stand	\$0
Parenting Young Program	\$2,500	Rydal Village Association Insurance costs	\$800
Matthew Sharp Scholarship Fund to assist disadvantaged young people to continue their education	\$1,000	Lithgow Croquet Club Replacement of club house windows	\$0
Lithgow Child Protection Interagency Family Fun Days	\$4,000	Lithgow City Band Contribution to band running costs	\$1,000
Lithgow Community Projects, including YouthWorx		Lithgow Golf Club Amateur golf event	\$1,000
Community youth events including band	\$3,000	<i>Lithgow Flash Dragons Dragon Boat Club</i>	\$0

FINANCIAL ASSISTANCE REQUESTS	AMOUNT RECOMMENDED	FINANCIAL ASSISTANCE REQUESTS	AMOUNT RECOMMENDED
nights etc.		<i>Replacement of boats</i>	
Art Exhibition at Eskbank House	\$1,300	Lithgow District Car Club Rates reimbursement	\$972.57
Police Community Youth Club Lithgow (PCYC)		<i>Lifeline Central West Contribution to Lifeline programs</i>	\$500
Sports equipment for boxing programs	\$1,500	Bathurst Information Neighbourhood Centre Publication costs of Multicultural News for distribution in Lithgow.	\$400
Computer	\$1,000	Daffodils at Rydal Printing costs of promotional materials	\$1,750
Rates reimbursement	\$0	Lithgow Community Gardens Project To develop a community garden at Lithgow PCYC.	\$3,500
Wallerawang Tidy Towns	\$1,000	Allowance for Council Fee Waiver requests as approved throughout the year by General Manager	\$2,000
Cullen Bullen Tidy Towns	\$1,000	TOTAL	\$50,812.57

ITEM:17 COMM - 21/06/10 - DRAFT MANAGEMENT PLAN 2010/11 - 2013/14

**REPORT FROM: COPORATE PLANNING AND COMMUNICATIONS OFFICER,
DEBORAH MCGRATH**

REFERENCE

Min No 10-67: Ordinary Meeting dated 1 March 2010
Min No 10-73: Ordinary Meeting dated 1 March 2010
Min No 10-125: Extraordinary Meeting dated 29 March 2010
Min No 10-158: Extraordinary Meeting dated 27 April 2010

SUMMARY

This report recommends the adoption of the Draft Management Plan 2010/11 – 2013/14 with identified amendments and consideration of submissions received prior to the advertised closing time of 4.30pm on Friday 28 May 2010.

COMMENTARY

Council at the Extra Ordinary Meeting of 27 April 2010 resolved to place the Draft Management Plan 2010/11 – 2013/14 on public exhibition for a period of 30 days from 28 April – 28 May 2010. Following the resolution extensive advertising was conducted through the local media and copies of the plan were made available at various locations:

- Council's website: <http://www.council.lithgow.com>
- Council Administration Centre
- Lithgow Library Learning Centre
- Wallerawang Library
- Portland Library

Seven community information sessions were held throughout the Local Government Area during the exhibition period:

- 5 May 2010 Union Theatre, Lithgow 5.30pm
- For the Lithgow Business Association, Economic Development Advisory Committee and Tourism Advisory Committee.

- 5 May 2010 Union Theatre, Lithgow 7.30pm
- 6 May 2010 Hartley Progress Hall 7.00pm
- 12 May 2010 Wallerawang Sporting Complex 6.00pm
- 12 May 2010 Portland Central School Library 8.00pm
- 13 May 2010 Little Union Church, Rydal 7.00pm
- 20 May 2010 Capertee Memorial Hall 7.00pm

Minutes from the community information sessions are provided as Attachment 1.

Public Submissions

Council received 10 submissions to the plan prior to the advertised closing date of 4.30pm Friday 28 May 2010. A copy of each submission is provided as Attachment 2.

The following table provides a summary of the submissions received.

SUBMISSION BY	REQUEST	OFFICERS RECOMMENDATIONS
Council Officer 1	Inclusion of Wallerawang Netball Courts and Jim Monaghan Athletics Oval under Community – Recreation Facilities.	Submission noted
	Swimming Pool – Carnival Fees and Charges – change per carnival to per day and note that hire is for the 50 metre pool only.	A policy is currently being developed for Swimming Carnivals and Events held at the Lithgow Swimming Pool. This matter will be considered in line with the policy and reported to Council in due course.
Council Officer 2	Amendments to Capital Works and New Initiatives for the following Principal Activity Areas: <ul style="list-style-type: none"> • Community – Community Buildings & Structures • Health – Community Health Support • Environment – Waste Management 	Amendments to the Capital Works and New Initiatives Programs are made as per the attached submission.
Matter raised at Rydal Community meeting	Request closed circuit television monitoring program in Main Street, Rydal.	The submission be noted and referred to the Crime Prevention Committee for report.
Matters raised at Capertee Community Meeting	Upgrade Pearsons Lookout	Upgrading Pearsons Lookout is subject to the resolution of access safety issues which are the subject of discussions with the RTA.
	Glen Davis/Glen Alice Transfer Station	Timeframes for the closure of all landfills and construction of transfer stations will be considered in the Waste and Recycling Strategy to be

		developed in 2010/11. At this stage the current landfill at Glen Davis remains available to the Glen Davis & Glen Alice Communities and in this context there is no immediate need to construct a transfer station.
Resident 1	<ul style="list-style-type: none"> •Objection to the fees and charges for the hire of the Union Theatre by Community Groups. •Requests the Union Theatre hire fee is waived for the holding of free weekday community concerts on a monthly basis by the Greater Lithgow Arts Council. •Requests Council consider allocating \$400 to ensure the tuning of the Grand Piano in the Union Theatre is undertaken twice per year 	<p>The submission is noted and the organisation be advised that:</p> <ul style="list-style-type: none"> •The waiving of fees is considered on a case by case basis under Policy 4.8 – Union theatre/Civic Ballroom – Functions by charitable organisations •The organisation may apply to Council for a donation under Sec 356.
Resident 2	Opposed to increase in stormwater charges on business properties	Opposition noted.
Resident 3	Requests Wolgan Road be graded every 3 months and suggests that the 2.9km called “The Bends” between km15.190 at ‘The Burnt out Bridge’ and 18.090km at ‘Junburra’ be sealed.	Submission Noted. This item will be subject to a further report to Council.
	Notes disappointment that interpretive signage is the only action from Cultural Precinct Study and requests consideration be given to redevelopment of the area around Eskbank Station or a safe walkway from Bridge Street to Eskbank House.	Comments noted.

Resident 3 and Tourism Advisory Committee	Request Council allocate funding for: <ul style="list-style-type: none"> • Lake Pillans Walkway • Walkway around the Blast Furnace • Toilets for Hassans Walls Lookout • Bunyip Trail 	Suggestions noted. Items will be referred to the following projects with reports being put back to council concerning costings and project development: <ul style="list-style-type: none"> • Toilets Hassans Walls - Community/Crown Lands Plans of Management. • Walkway - Open Space & Recreation Study. • Walkway - Wayfinding and Signage Masterplan and Interpretive Signage. • Bunyip Trail - Urban Sustainability Project
Tourism Advisory Committee	Additional items raised by the Tourism Advisory Committee <ul style="list-style-type: none"> • Directional Signage – Evans Crown • Donation to the value of \$10,000 to the Wallerawang Autumn Festival Committee. 	<ul style="list-style-type: none"> • Evans Crown signage is being undertaken in 2009/10 budget. • The Wallerawang Autumn Festival Committee be advised that it may apply to Council for a donation under Sec 356
Resident 5	Opposed to increases in water charges and closure of rural tips.	Opposition noted.
Resident 6	Council give consideration to the following priority areas for road improvements on the Glen Davis and Glen Alice Roads: <p>Priority 1 – Seal Capertee Valley Way from the Tri-Intersection to Nile Road, Glen Alice.</p> <p>Priority 2 – Seal Capertee Valley Way from Tri-Intersection to Crown Station Road.</p> <p>Priority 3 – Re-seal in area of Mt Marsden to Phalaris Stud section.</p>	Submission noted. This item will be subject to a further report to Council.

Resident 7	<p>Suggestions for:</p> <ul style="list-style-type: none"> • Improvements to Council's communication with the community. • Promotion of the 2010 Year of Women in Local Government. • Improvements to the Eskbank Street Women and Babies facility. • Request for information regarding Bells Line of Road Proposal. • Request to lobby tertiary providers for a wider range of educational services. • Opposition to fluoridation of Lithgow drinking water supply. • Opposition to increased water and sewer charges. • Suggestion for development of Environmental Protection Plans. • Suggestion for further consultation on recycling of effluent. 	Submission noted.
Resident 8	Opposed to increase in stormwater charges on business properties	Opposition noted.

Minor alterations required of the Draft 2010/11 – 2013/14 Management Plan

Minor grammatical errors have been highlighted by council officers and will be corrected in the final Management Plan.

Fees and Charges

The following amendments to the Fees and Charges Schedule:

FEE TYPE	ADVERTISED DRAFT	RECOMMENDED CHANGE
ESKBANK HOUSE & GROUNDS		
Wedding Ceremony bond	\$30.00	\$45.00
Wedding Ceremony	\$290.00	\$450.00
Council Coordinated Public Programs	Deleted	This section is replaced by new fees and charges set for Courtyard Gallery Hire.
Stock Grates and Grid Applications	New fee	\$220.00 (incl. GST)
TOURISM		
Linking Tourism Website	\$51.50	\$53.00
Membership	\$101.50	\$105.00
Trade Show (Brochures only)	\$127.00	\$131.00
Trade Show (Attendance)	\$242.50	\$250.00
Planners Conference/School – Operators	\$9.00	Delete
Lithgow Booklet – Full Page	\$9.00	Delete
Lithgow Booklet – Half Page	\$9.00	Delete
Lithgow Booklet – Quarter Page	\$9.00	Delete
TIP ACCESS CHARGE		
Commercial per annum	\$2,895	Delete – These fees are outside the terms of the contract for the Lithgow Solid Waste Facility.
Commercial per access	\$231.50	
TRANSPORTATION FEE		
Transportation Fee – Commercial	\$2,895	
CRYSTAL THEATRE		
Crystal Theatre Hire	Per event/user	Fee determined and collected by the Crystal Theatre Management Committee
Filming		
Due to changes set out in the <i>Local Government Filming Protocol</i> a full review of fees and charges for filming is required. A separate report will be put to Council outlining these changes.		

POLICY IMPLICATIONS

There are no policy implications as a result of this report.

FINANCIAL IMPLICATIONS

When adopted the Draft Management Plan 2010/11 – 2013/14 includes the Council's Revenue Policy for the next three financial years.

LEGAL IMPLICATIONS

Council is required to prepare a Management Plan by 30 June each year.

ATTACHMENTS

1. Minutes of the Community Consultation Sessions held
2. Public submissions submitted to the Lithgow City Council Draft Management Plan 2010/11 – 2013/14 by the closing date 4.30pm Friday 28 May 2010.

RECOMMENDATION**THAT:**

1. Council note the receipt of 10 submissions received prior to the closing date of the Draft Management Plan 2010/11 – 2013/14 at 4.30pm 28 May 2010.
2. Council adopt the Lithgow City council Draft Management Plan 2010/11 – 2013/14.
3. Council adopt the Lithgow City Council Draft Management Plan 2010/11 – 2013/14 with the following amendments to the fees and charges:

FEE TYPE	ADVERTISED DRAFT	RECOMMENDED CHANGE
ESKBANK HOUSE & GROUNDS		
Wedding Ceremony bond	\$30.00	\$45.00
Wedding Ceremony	\$290.00	\$450.00
Council Coordinated Public Programs	Deleted	This section is replaced by new fees and charges set for Courtyard Gallery Hire.
Stock Grates and Grid Applications	New fee	\$220.00 (incl. GST)
TOURISM		
Linking Tourism Website	51.50	53.00
Membership	101.50	105.00
Trade Show (Brochures only)	127.00	131.00
Trade Show (Attendance)	242.50	250.00
Planners Conference/School – Operators	9.00	Delete
Lithgow Booklet – Full Page	9.00	Delete
Lithgow Booklet – Half Page	9.00	Delete
Lithgow Booklet – Quarter Page	9.00	Delete
Filming		
Due to changes set out in the <i>Local Government Filming Protocol</i> a full review of fees and charges for filming is required. A separate report will be put to Council outlining these changes.		

**ITEM:18 COMM - 21/06/10 - NOMINATIONS FOR THE MEMBERS ECONOMIC
AND TOURISM ADVISORY COMMITTEES**

**REPORT BY: GROUP MANAGER COMMUNITY AND CORPORATE – SUZANNE
LOLLBACK**

REFERENCE

Min No 09-402: Ordinary Meeting of Council 14 September 2009
Min No 10-120: Ordinary Meeting of Council 22 March 2010

SUMMARY

This report details the expressions of interests received for the Economic Development Advisory Committee and makes recommendations regarding membership to the Economic Development Advisory Committee and Tourism Advisory Committee.

COMMENTARY

At the Ordinary Meeting of Council, 22 March 2010 the Council resolved the following:

THAT Council:

1. Amends the Terms of Reference as presented for the Economic Development Advisory Committee.
2. Calls for expressions of interest for a representative from the Tourism Sector.
3. Calls for expressions of interest for a representative from the manufacturing/industrial sector.

Four nominations were received. Information on all nominations has been provided to the Councillors under separate cover. One nominee has since withdrawn.

In addition Council has been advised that Mr John Eggenhuizen has had to resign from the Tourism Advisory Committee due to business commitments.

The Council has also received an expression of interest from Mr Ron Fitzpatrick who advises that he would like to be a member of the Tourism Advisory Committee.

It is recommended that the following appointments be made to the Economic Development Advisory Committee and Tourism Advisory Committee:

1. Mr Stuart Buck as a representative for the manufacturing/industrial sector on the Economic Development Advisory Committee.
2. Mr Michael Alexander as a representative for the Tourism Sector on the Economic Development Advisory Committee.

3. Mr Michael Wilson who has also submitted an expression of interest in representing tourism be appointed as a representative to the Tourism Advisory Committee.
4. Mr Ron Fitzpatrick be appointed as a representative to the Tourism Advisory Committee.

In addition at the meeting of the 22 March 2010 the Council amended the terms of Reference of the Economic Development Advisory Committee to include:

The power industry and mining Industry be permitted alternative representatives should the first representative not be able to attend. The name of the alternative representative to be submitted to the Council.

The names of alternative representatives from Delta and Centennial Coal have now been received. They are:

- Ms Michelle Blackley – Delta Electricity
- Mr Craig Gillard – Centennial Coal

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

Local Government Act 1993, s355.

ATTACHMENTS

1. Expressions of Interest.

RECOMMENDATION

THAT:

1. Mr Stuart Buck be appointed to the Economic Development Advisory Committee as the representative from Manufacturing/industrial sector.
2. Mr Michael Alexander be appointed to the Economic Development Advisory Committee as the representative from the Tourism Sector.
3. Mr Craig Gillard be appointed to the Economic Development Advisory Committee as an alternative representative of Centennial Coal.
4. Ms Michelle Blackley be appointed to the Economic Development Advisory Committee as an alternative representative to Stephen Saladine of Delta Electricity.
5. Mr Michael Wilson be offered appointment to the Tourism Advisory Committee.
6. Mr Ron Fitzpatrick be appointed to the Tourism Advisory Committee.

INTERNAL SERVICE REPORTS

ITEM:19 INTS - 21/06/10 - PROPOSED 2010/11 RENUMERATION FOR COUNCILLORS AND THE MAYOR

REPORT BY: INTERNAL SERVICES MANAGER – CAROL FARNSWORTH

REFERENCE

Min No 10-19: Submission to the Local Government Remuneration Tribunal for fees payable to Councillors and the Mayor.

SUMMARY

To advise Council of a report handed down by the Local Government Remuneration Tribunal with regard to the determination of fees payable to Councillors and the Mayor for the 2010/11 financial year. This report includes a recommendation that the 2009/10 fees be increased by 3% in line with CPI and to be consistent with the increase recommended by the Remuneration Tribunal for individual categories.

REPORT

Pursuant to Section 241 of the Local Government Act 1993 (LG Act 1993), the Local Government Remuneration Tribunal determines the annual maximum and minimum value of fees payable to the Mayor and Councillors.

In November 2010 the Local Government Remuneration Tribunal requested submissions to assist their determination of the 2010/11 fees. Twenty two individual submissions were received from Councils and the majority supported an increase in the fees payable.

The submissions also addressed the following issues:

- Integrated planning and reporting reform
- Planning reforms, including the Joint Regional Planning Panels
- Interstate comparisons
- Categorisation
- Workload
- Attracting high quality candidates to nominate for local government elections

The following table shows the categories determined by the Tribunal, in compliance with Section 239, and will be effective from 1 July 2010.

Lithgow has been included in the 'Rural' category along with 76 other Councils such as Cowra, Forbes, Lachlan, Leeton, Mid Western, Muswellbrook, Oberon, Parkes, Singleton and Wellington.

Bathurst and Blue Mountains are categorised as ‘Regional Rural’.

Categories
Rural (77)
Regional Rural (32)
Metropolitan (21)
Metropolitan Centres (16)
Metropolitan Major (2)
Major City (3)
Principal City (1)
Total Councils (152)
County Councils Water (5)
County Councils Other (9)
Total County Councils (14)

Pursuant to Section 241, LG Act 1993, the annual fees payable for each individual category have been determined as follows:

Category	Councillor / Member Annual Fee		Mayor / Chairperson Additional Fee**	
	Minimum	Maximum	Minimum	Maximum
Principal City	\$21,770	\$31,930	\$133,190	\$175,250
Major City	\$14,500	\$23,950	\$30,840	\$69,780
Metropolitan Major	\$14,500	\$23,950	\$30,840	\$69,780
Metropolitan Centre	\$10,880	\$20,320	\$23,130	\$53,980
Metropolitan	\$7,250	\$15,970	\$15,430	\$34,860
Regional Rural	\$7,250	\$15,970	\$15,430	\$34,860
Rural: LITHGOW	\$7,250	\$9,570	\$7,700	\$20,890
County Water	\$1,440	\$7,980	\$3,090	\$13,110
County Other	\$1,440	\$4,780	\$3,090	\$8,710

** This fee must be paid in addition to the fee paid to the Mayor / Chairperson as a Councillor/ Member (s.249(2)).

The following table shows the 2009/10 fees paid by Lithgow City Council and the 2010/11, minimum and maximum fees, for the ‘Rural’ category, as recommended by the Remuneration Tribunal:

Category	2010/11		2009/10
Rural	Min	Max	Lithgow
Councillors Annual Fee	\$7,250	\$9,570	\$8,712.50
Mayor	\$14,950	\$30,460	\$18,450.00
			(Less \$2,050 car lease)
TOTAL	\$22,200	\$40,030	\$27,162.50

Lithgow City Council needs to determine an appropriate 2010/11 payment for Councillors and the Mayor.

To ensure we maintain a level of remuneration which is at least in line with the current level of CPI, and also ensure consistency with the increase the Tribunal has set, it is recommended that the current fees be increased by 3% to \$8,974 for Councillors and \$19,004 for the Mayor.

Fees are payable a month in advance.

It is further recommended that the car lease for the Mayor be increased by the same percentage to \$2,112 per annum.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

The Draft 2010/11 Management Plan provided for an increase of 3% on 2009/10 allocations.

LEGAL IMPLICATIONS

NIL

RECOMMENDATION

THAT:

1. Remuneration in 2010/11 for Councillors be set at \$8,974
2. Remuneration in 2010/11 for the Mayor be set at \$19,004
3. The 2010/11 car lease payable by the Mayor be set at \$2,112
4. Council make application to be re-categorised as Regional Rural

ITEM:20 INTS - 21/06/10 - COUNCIL INVESTMENTS HELD TO 31ST MAY 2010

REPORT FROM: INTERNAL SERVICES MANAGER - CAROL 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)
Min No 10-141: 14 April 2010 (March 2010)
Min No 10-203: 24 May 2010 (April 2010)

SUMMARY

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

COMMENTARY

Council's total investment portfolio, as at 31 May 2010 when compared to 30 April 2010, has increased by \$1,059,587 from \$11,289,274 to \$12,348,861.

As previously reported investments have gradually declined over recent months from net total on 30 June 2009 of \$18,450,964.73 to \$12,348,861 at end of May 2010 as part of the normal process of investments fluctuating 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 31.05.10	VALUE 30.04.10	% OF TOTAL
ANZ	TD	12.02.10	13.05.10	90		0.00	523,661.78	0.00%
BANKWEST	TD	10.05.10	17.06.10	45	5.55	519,950.25	515,484.60	4.21%
	TD	10.05.10	17.06.10	45	5.55	526,303.97	521,856.04	4.26%
CBA	On Call				4.45	1,505,838.84	4,076.72	12.19%
	Ethical Nt	06.11.06	06.11.11	1,825	**	56,500.00	56,500.00	0.46%
CITIBANK	TD	25.05.10	25.06.10	30	5.40	522,351.05	515,587.67	4.23%
LGFS	On Call				4.45	7,159.79	7,159.79	0.06%
IMBS	TD	31.05.10	31.08.10	92	6.00	1,000,000.00	1,523,858.42	8.10%
	On Call				4.50	544,900.19	0.00	4.41%
NAB	TD	14.05.10	13.06.10	30	5.01	377,011.18	373,828.00	3.05%
WESTPAC	TD	15.02.10	17.09.10	212	6.00	1,033,961.21	1,033,961.21	8.37%
	TD	03.03.10	05.07.10	122	5.75	776,181.64	776,181.64	6.29%
	TD	04.02.10	04.07.10	150	5.90	255,019.66	255,019.66	2.07%
	TD	04.02.10	04.07.10	150	5.90	510,039.10	510,039.10	4.13%
MACQUARIE	On Call				3.75	2,093,916.73	2,065,592.64	16.96%
ST GEORGE	TD	19.11.09	03.07.10	226	5.20	758,294.37	758,294.37	6.14%
	On Call				4.45	48,667.18	48,320.44	0.39%
	TD	01.05.10	04.06.10	30	5.50	763,409.75	763,409.75	6.18%
SUNCORP	On Call				4.40	1,049,356.48	1,035,442.12	8.50%
			TOTAL			12,348,861.39	11,288,273.95	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 May 2010 is \$598,188.78 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 \$12,348,861.39 for the period ending 31 May 2010 be noted.

ITEM:21 INTS - 21/06/10 - LEASE OF COUNCIL PREMISES 34/36 MAIN STREET WALLERAWANG

REPORT FROM: INTERNAL SERVICES MANAGER - CAROL FARNSWORTH

REFERENCE

Min No 09-214: Ordinary Meeting of Council 01 June 2009
Min No 10-205: Ordinary Meeting of Council 24 May 2010

SUMMARY

Council at the meeting of 24 May 2010 resolved to enter into a three by three year lease with the Mid Western Social Riders Inc for 34/36 Main St, Wallerawang.

Minute 10-205 states that the lease is to incorporate the wording "*may be terminated immediately if any problems or complaints occur*". Council's Solicitors, LeFevre and Co have advised that a standard lease, without alteration, would cover Council's requirements and the recommendation of this report reflects this advice.

COMMENTARY

At the Ordinary meeting of Council on the 24 May 2010 Council considered a request from the Mid Western Social Riders Inc to lease Council premises 34/36 Main St Wallerawang for a period of three years with a further option to renew for a further three year period.

Minute 10-205 resolved:

10-205 RESOLVED

THAT Council enter into a lease with the Mid West Social Riders Inc for the premises 34 / 36 Main St Wallerawang for a period of three years with a three year option to renew on the same basis as the original lease. Annual rental to be reviewed by CPI. The lease may be terminated immediately if any problems or complaints occur.

Minute 10-205 was conditional that the lease include the wording “*may be terminated immediately if any problems or complaints occur*”. Council requested solicitors ‘Le Fevre & Co to prepare a lease and prior to completing this action they responded as follows:

We note in particular your advice that the Council resolution states, Inter-alia “lease to state termination of lease if any problems occur”. A condition of the lease in those terms would be unenforceable on numerous grounds, including uncertainty, unfairness and possible non compliance with Section 129 of the Conveyancing Act 1919.

The standard form of lease contains various provisions regarding the use of the premises and the lessees obligations in relation thereto, including a prohibition on doing anything which may be dangerous, offensive noxious, illegal or immoral or that is or may become nuisance of annoyance to the Lessor or to the owner or occupier of any neighbouring property.

Furthermore, the standard form of lease provides that in the event of a breach, the lease may be terminated on fourteen (14) days notice, subject to any necessary compliance with Section 129 of the Conveyancing Act 1919. Section 129 in turn sets out certain procedural steps that must be taken in the event of the landlord wishing to enforce a right of re entry or forfeiture, basically requiring that notice be given specifying particulars of the breach complained of and requiring remedy within a reasonable time.

We therefore suggest that there would be no need to elaborate on the standard terms of lease in order to adequately protect Council’s interest. Certainly, a clause in the lease to the effect that “the lease shall be terminated if any problems occur” is not possible, as it would no have no legal effect.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Real Property Act 1900

ATTACHMENTS

Nil

RECOMMENDATION

THAT:

1. Council request solicitors LeFevre and Co to prepare a standard lease for 34/36 Main St Wallerawang with the Mid Western Social Riders Inc.
2. Council advise Le Fevre and Co that the wording on the lease need not be altered with regard to the conditions of termination.

COMMITTEE REPORTS

**ITEM:22 COMM - 21/06/10 - AGEING STRATEGY ADVISORY GROUP -
MINUTES 15/4/10 AND 20/5/10**

REPORT BY: COMMUNITY AND CULTURE MANAGER – MATTHEW JOHNSON

REFERENCE

Min No 09-352: Ordinary Meeting of Council held 24 August 2009
Min No 10-80: Ordinary Meeting of Council held 1 March 2010
Min No 10-144: Ordinary Meeting of Council held 12 April 2010

SUMMARY

This report details the minutes of the Ageing Strategy Advisory Group meetings held 15 April 2010 and 20 May 2010.

COMMENTARY

At the Ageing Strategy Advisory Group meetings held on 15 April and 20 May 2010 there were seven (7) items discussed by the Committee at each meeting.

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

POLICY IMPLICATIONS

In accordance with the terms of reference of S355 Committees of Council.

FINANCIAL IMPLICATIONS

The financial implications of Recommendations 1 and 2 will be identified once further investigation is undertaken.

LEGAL IMPLICATIONS

Local Government Act NSW 1993

ATTACHMENTS

1. Minutes of Ageing Strategy Advisory Group meeting held 15 April 2010
2. Minutes of Ageing Strategy Advisory Group meeting held 20 May 2010

RECOMMENDATION

THAT Council:

1. Notes the minutes of the Ageing Strategy Advisory Group meetings held 15 April and 20 May 2010.
2. Investigates ways of providing and funding a community information service with a focus on the ageing community.
3. Undertake an assessment of the need for public toilets and pedestrian seating in the CBD and surrounding areas that takes into account the needs of people with disabilities.

**ITEM:23 REG - 21/06/10 - CRYSTAL THEATRE MANAGEMENT COMMITTEE
MINUTES - 13TH APRIL 2010**

REPORT FROM: GROUP MANAGER REGIONAL SERVICES – ANDREW MUIR

SUMMARY

Details of the Minutes of the Crystal Theatre Management Committee Meeting held on Tuesday, 13 April 2010 for Council adoption.

COMMENTARY

At the Crystal Theatre Management Committee Meeting held on Tuesday, 13 April 2010, there were a number of items discussed. The Minutes are attached for noting with items 3 and 4 requiring formal adoption by Council.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

Nil.

ATTACHMENTS

1. Minutes of the Crystal Theatre Management Committee Meeting held on Tuesday, 13 April 2010.

RECOMMENDATION

THAT:

1. Council note the Minutes of the Crystal Theatre Management Committee Meeting held on Tuesday, 13 April 2010.
2. The recommendations outlined in items 3 and 4 of the Minutes be formally adopted by Council.

**ITEM:24 COMM - 21/06/10 - CRIME PREVENTION COMMITTEE - MINUTES
10/5/10**

REPORT BY COMMUNITY AND CULTURE MANAGER – MATTHEW JOHNSON

REFERENCE

Minute 09-396 of the Ordinary Meeting of Council held 14 September 2009
Minute 09-397 of the Ordinary Meeting of Council held 14 September 2009
Minute 10-76 of the Ordinary Meeting of Council held 01 March 2010
Minute 10 – 145 of the Ordinary Meeting of Council held 12 April 2010
Minute 10-208 of the Ordinary Meeting of Council held 10 May 2010

SUMMARY

This report details the minutes of the Crime Prevention Committee meeting held 10 May 2010.

COMMENTARY

At the Crime Prevention Committee meeting held on 10 May 2010 there were eight (8) items discussed by the Committee.

1. Welcome
2. Apologies
3. Minutes of last Meeting
4. Business Arising from Minutes
5. Domestic Violence Initiatives
6. Crime Audit Report
7. Liquor Accord
8. General Business

POLICY IMPLICATIONS

In accordance with the terms of reference of S355 Committees of Council.

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

Local Government Act NSW 1993

ATTACHMENTS

1. Minutes of Crime Prevention Committee meeting held on 10 May 2010

RECOMMENDATION

THAT Council notes the minutes of the Crime Prevention Committee meeting held on 10 May 2010.

**ITEM:25 OPER - 21/06/10 - SPORTS ADVISORY COMMITTEE MEETING -
MINUTES 31ST MAY 2010**

REPORT BY: PROJECT CO-ORDINATOR – LEANNE KEARNEY

SUMMARY

Details of the Minutes of the Sports Advisory Committee Meeting held on Monday, 31 May 2010 for Council's information.

COMMENTARY

At the Sports Advisory Committee Meeting held on Monday, 31 May 2010, there were sixteen (16) items discussed by the Committee, and it is considered appropriate that the Committee's resolutions be noted Council.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

Nil.

ATTACHMENTS

1. Minutes of the Sports Advisory Committee Meeting held on Monday, 31 May 2010.

RECOMMENDATION

THAT Council note the minutes of the Sports Advisory Committee meeting held on Monday, 31 May 2010.

**ITEM:26 COMM - 21/06/10 - ECONOMIC DEVELOPMENT ADVISORY
 COMMITTEE - MINUTES 10TH JUNE 2010**

**REPORT BY: GROUP MANAGER COMMUNITY AND CORPORATE – SUZANNE
LOLLBACK**

REFERENCE

MIN 07-254 - Ordinary Meeting of Council 18 June 2007
MIN 08-133 - Ordinary Meeting of Council 19 August 2008
MIN 08-196 – Ordinary Meeting of Council 18 November 2008
MIN 09-78 – Ordinary Meeting of Council 16 February 2009
MIN 09-199 – Ordinary Meeting of Council 11 May 2009
MIN 09-336 – Ordinary Meeting of Council 3 August 2009
MIN 09-404 – Ordinary Meeting of Council 14 September 2009
MIN 09-513 – Ordinary Meeting of Council 23 November 2009
MIN 10-44 - Ordinary Meeting of Council 8 February 1010

SUMMARY

This report provides the Minutes of the Economic Development Advisory Committee Meeting held on 10 June 2010.

COMMENTARY

At the Economic Development Advisory Committee meeting held on 10 June 2010 there were thirteen (13) items discussed by the Committee.

- 1.Attendance and apologies
- 2.Confirmation of minutes
- 3.Business Arising from Minutes
- 4.Business and Retail Strategy
- 5.Draft Economic Development Strategy submissions following public exhibition
- 6.Promotion of Economic Development Strategy
- 7.Business Network Support
- 8.Lithgow Cultural/Creative Industry Cluster
- 9.Results from the manufacturing/industry survey
- 10.Update on program by Enterprise Connect – Peter Morris
- 11.Economic Development Milestones from January – May 2010-06-11 Other Business
- 12.Next Meeting

The minutes contain full details on the Economic Development Advisory Committee meeting with recommendations for Council.

POLICY IMPLICATIONS

In accordance with the terms of reference of S355 Committees of Council.

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

Local Government Act NSW 1993

ATTACHMENTS

1. Minutes of Economic Development Advisory Committee meeting held on 10 June 2010
2. Business and Retail Strategy
3. Section 3.2.9 Agriculture and Rural Lifestyle Industries in Chapter 3.
4. Submissions re Draft Economic Development Strategy
5. Economic Development Strategy Summary
6. Manufacturing/Industry Survey Summary

RECOMMENDATION

THAT Council:

1. Notes the minutes of the Economic Development Advisory Committee meeting held on 10 May 2010.
2. Receives the Business and Retail Strategy and notes that recommendations from this strategy have been included in the Economic Development Strategy and will inform the Local Environmental Plan.
3. Amends the Draft Economic Development Strategy by inserting Section 3.2.9 Agriculture and Rural Lifestyle Industries in Chapter 3.
4. Includes regular updates to the Strategy of any statistical information as it comes to hand.
5. Having placed the Economic Development Strategy on public exhibition for 28 days that Council now adopts the strategy.
6. Endorses and distributes the Economic Development Strategy Summary to all business in Lithgow, and makes it available on the Council's website and in other public areas.
7. Notes that a grant of \$5,000 has been received from the Department of Industry and Investment for Business Network Support and that discussions are being held with the Lithgow Business Association regarding the development of a series of workshops/forums for businesses.
8. Notes that a grant of \$10,000 has been received from the Department of Industry and Investment for Business Cluster Support and that discussions are being held with a number of creative industry workers regarding the development of a Cultural/Creative Industry Cluster Network.
9. Notes the results of the Manufacturing/Industry survey will inform the implementation of the Economic Development Strategy.
10. Notes the milestones achieved for Economic Development projects during the period January to May.
11. Notes that as part of the next meeting, a workshop will be held with the Committee at a date to be advised in July to establish priority areas for the forthcoming year.

**ITEM:27 OPER - 21/06/10 - TRAFFIC AUTHORITY LOCAL COMMITTEE
MINUTES HELD ON 3RD JUNE 2010**

REPORT BY ACTING OPERATIONS MANAGER – IAIN STEWART

SUMMARY

Details of the minutes of the Traffic Authority Local Committee held on Thursday 3 June 2010

COMMENTARY

At the TALC meeting held on 3/06/10 there were 20 items discussed by the Committee and it is considered appropriate that the Committee's recommendations be noted by Council

1. Declarations of interest
2. Minutes of the previous meeting
3. Business arising from the minutes
4. Ongoing issues from the meeting held on 1 April 2010
5. Application for B-Double road train access from Howard and Sons
6. Parking for residents scheme
7. Traffic issues Methven St and Wrights road
8. Lithgow and Bent streets sight distance issues
9. Coerwull School bus zone signage
10. St Pats school bus zone signage issues
11. Sandford avenue and Main St no stopping signs
12. Sandford avenue length of No stopping zone
13. Intersection of access road to Marrangaroo Fields and Great Western Highway
14. Speed zoning on unsealed roads
15. Wheelchair access Anglican church
16. Flashing lights at Coerwull school and Lithgow Public school
17. Vehicle access 24 Roy St Lithgow

18. Bathurst Light Car Club
19. Application for B-Double route Assessment
20. General Business

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

ATTACHMENTS

1. Minutes from the TALC meeting held on 3 June 2010

RECOMMENDATION

THAT Council:

1. Notes the minutes of the TALC held on 3 June 2010
2. Take no further action be taken to install a no parking zone on the eastern side of Eskbank street.
3. Support a trial B-double access to the entrance of Howard and Sons on the Wallerawang Portland Road from the Castlereagh Highway.
4. No action be taken in regard the installation of a resident permit parking scheme in Inch Street
5. Request the RTA to review the road markings on the Great Western Highway at the intersection with the access to Marrangaroo Fields.

CLOSED REPORTS

**ITEM:28 COMM - 21/06/10 - CONFIDENTIAL REPORT - OFFER TO
PURCHASE COMMERCIAL PROPERTY**

**REPORT FROM: GROUP MANAGER COMMUNITY & CORPORATE – SUZANNE
LOLLBACK**

Reason for Confidentiality

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

- (d) commercial information of a confidential nature that would if disclosed:
 - (i) prejudice the commercial position of the person who supplied it.

SUMMARY

The purpose of this report is to advise Council of an inspection undertaken of the Theatre Royal for the purpose of a potential acquisition by Council. This follows the receipt of a letter offering Council first offer to purchase the Lithgow Theatre Royal Complex (being 206-216 Main St Lithgow). The offer is made by John F Joseph Solicitors and Attorneys on behalf of Hugh Dougherty (owner).

RECOMMENDATION

THAT Council consider this report in closed Council pursuant to Section 10A(2)(d)(i) 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.*

**LATE ITEM 21/06/2010 - MAYORAL MINUTE REGIONAL
AND LOCAL COMMUNITY INFRASTRUCTURE
PROGRAM (RLCIP)**

REFERENCE

Min No O08- 246: Ordinary Meeting of Council 15 December 2008
Min No 11/09: Ordinary Meeting of Council 27 January 2009
Min No 09/80: Ordinary Meeting of Council 23 February 2009
Min No 10/61: Ordinary Meeting of Council 1 March 2010

SUMMARY

The Commonwealth Government has announced another round of the Regional and Local Community Infrastructure Program (RLCIP). At this stage complete information on the program has not been provided however it will be important to submit Council's application soon.

COMMENTARY

At a meeting with Australian local government mayors at Parliament House last week the Prime Minister announced that the Commonwealth Government has made an additional \$100 million available to boost the Regional and Local Community Infrastructure Program (RLCIP). This investment is intended to further support local jobs as a result of the global economic downturn and provide long-term benefits to communities by assisting councils to build and modernise local infrastructure.

Under this newly released funding it is understood that a direct allocation of \$100 million will be shared amongst all Australian local governments.

Funds under the RLCIP \$100 million will be provided directly to Councils as a one-off payment. It is expected that this allocation to Lithgow City Council is to be \$208,000 as was last time.

It was indicated that funding will be provided for community infrastructure, including new construction and major renovations or refurbishments of assets such as:

- Social and cultural infrastructure (e.g. art spaces, gardens);
- recreational facilities (e.g. swimming pools, sports stadiums);
- tourism infrastructure (e.g. walkways, tourism information centres);
- children, youth and seniors facilities (e.g. playgroup centres, senior citizens' centres);
- access facilities (e.g. boat ramps, footbridges); and
- environmental initiatives (e.g. drain and sewerage upgrades, recycling plants).

Examples of community infrastructure that were in the last round eligible for funding included:

Social and Cultural Infrastructure	
· Town halls	· Community centres
· Libraries	· Local Heritage sites
· Museums	· Cultural Centres
· Enhancement of Main Streets and Public Squares	· Theatre / music / art spaces
· Historic Buildings	· Parks and Gardens
· Internet kiosk infrastructure	· Kitchens for organisations
· Community market areas	· Resources for cultural facilities
· Public market places and saleyards	
Recreation Facilities	
· Sportsgrounds and facilities	· Sports stadiums
· Community recreation spaces	· Playgrounds
· Rail trails	· Swimming Pools
· Walking tracks and bicycle paths	· Skate parks
· BMX / mountain bike parks / trails	· Surf lifesaving clubs
Tourism Infrastructure	
· Convention or trade centres	· Memorial halls / walkways
· Tourism information centres	· Community public attractions
· Buildings for exhibits	· Local infrastructure to support or provide access to tourist facilities
Children, youth and seniors facilities	
· Playgroup centres	· Youth centres
· Scout / guide halls	· Senior citizens centres
· Community childcare centres	
Access facilities	
· Disabled access infrastructure	· Footbridges
· Bus / rail terminal upgrade	· Jetties / wharfs / piers / pontoons / bollards
· Foreshore development	· Boat ramps
· Airport infrastructure and terminals	

Environmental initiatives	
· Water source and treatment	· Drain and sewerage upgrades
· Water conservation infrastructure	· Waste management and processing infrastructure
· Wastewater infrastructure	· Water recycling plants
· Water catchments	· Recycling plants

During the last round it was advised where there were minor components of the RLCIP project, funding may have been used for engineering, geotechnical, or architectural works, land surveys and site investigations.

It was also advised that projects must provide a clear and direct benefit to the local communities within a council's jurisdiction. Examples of projects that are ineligible for this reason include those which support council operations (such as an upgrade of council offices), those which make a direct contribution to private businesses, or those which benefit specific individuals (such as the renovation of a caretaker's residence). Funding last round was not to be approved to bolster funding for existing projects which have exceeded their original budget forecasts.

The closing date for applications has been advised as 30 July 2010.

The previous funding application by Lithgow City Council was for:

- Upgrade play equipment at Queen Elizabeth Park (Including \$15,000 for installation of Variety Liberty Swing) – \$55,000;
- Upgrade play equipment at Kremer Park - \$30,000;
- Marjorie Jackson Oval (seating and shade cover, extension of canteen awning and construction of new amenities on far end of fields) - \$50,000;
- Accessibility upgrade Lithgow Croquet Club - \$8,000;
- Hermitage Hall - \$15,000;
- Meadow Flat Hall Refurbishment - \$50,000.

The following items were placed on a 'reserve list' in the event that any of the submitted projects were not accepted or could not proceed for any reason:

- Gateway Signage - \$20,000;
- Watsford Oval Cricket Training Nets - \$70,000;
- Rydal Playground Equipment - \$20,000

There may be some urgency to submitting this application as the Mayors at the meeting were informed that applications will be considered as they are submitted and should an election be called then applications not approved will not be granted.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

Grant funded.

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

NIL

RECOMMENDATION

THAT Council delegate the authority to the Mayor and Deputy Mayor to determine use for the latest funding round under the Regional and Local Community Infrastructure Program.