



Minutes

Howard & Sons Pyrotechnics Pty
Ltd Community Liaison Committee
Meeting 28 August 2013
3:30 pm

Howard & Sons Pyrotechnics Pty Ltd Community Liaison Committee	
Item Number	Agenda
1	Attendance/apologies
2	Changes to Waste Facility
3	Changes required to the 'Terms of Reference'- Meetings
4	Consent Conditions
5	General Business
6	Next Meeting

**HOWARD & SONS PYROTECHNICS COMMUNITY LIAISON COMMITTEE
MEETING**



MINUTES – 28.8.2013

ITEM: 1 ATTENDENCE AND APOLOGIES

Present: Mayor Maree Statham, Christian Howard, Rachel Nicoll, Barry Dowsett and David Turnbull

Apologies: Owen Mayne

Officers: Jim Nichols, Andrew Muir and Jessica Heath

ITEM: 2 CHANGES TO WASTE FACILITY

Andrew Muir updated the committee on the current Wallerawang Waste Facility and potential for a Transfer Station in the same location once the facility has been closed.

The update was for information only at this stage and once a report is done, Council will come back to Howard & Sons committee.

COMMITTEE ACTION

THAT the update from Andrew Muir on the Wallerawang Waste facility be noted.

MOVED: Rachel Nicoll

SECONDED: Jim Nichols

**ITEM: 3 CHANGES REQUIRED TO THE 'TERMS OF REFERENCE'-
MEETINGS**

COMMENTARY

Jim Nichols proposed that the Terms of Reference be amended to the following, which removes 'The meetings are to be held on even months such as February then April etc. Meetings will commence at 3.00 pm and finish no later than 5.00 pm':

Meetings shall be held quarterly on the second Wednesday of the month at the Howard & Sons Pyrotechnics facility. An extraordinary meeting may be called in circumstances where the Chairperson believes this to be necessary.

COMMITTEE ACTION

THAT the changes to the Terms of Reference regarding meetings be accepted and reported to a Council meeting for approval.

RECOMMENDATION TO COUNCIL – That the proposed changes to the Howard & Sons Pyrotechnics Community Liaisons Committee’s Terms of Reference regarding meetings be accepted and implemented as follows:

Meetings shall be held quarterly on the second Wednesday of the month at the Howard & Sons Pyrotechnics facility. An extraordinary meeting may be called in circumstances where the Chairperson believes this to be necessary.

MOVED: Andrew Muir

SECONDED: Christian Howard

ITEM: 4 CONSENT CONDITIONS

COMMENTARY

Andrew Muir advised the committee that the Terms of References states that the committee operates under 190/09DACC which has not yet been activated. However some conditions are still applicable for the committee i.e. record keeping.

It was advised by Christian Howard that 190/09DACC would need to be modified for the type of operations now required. This is minimizing what was previously approved and conditions of consent may change. It was proposed that Howards & Sons discuss with Council on a way forward for operations.

Andrew Muir advised that the current DA does not form part of the Terms of Reference to discuss the current consent conditions, however this should be amended as follows:

Committee’s responsibilities

The sole responsibility of the Committee is to provide advice to Council by monitoring strict adherence to the terms of the current approval. The current approval remains as 449/00DA until Development Consent 190/09DA has been activated.

COMMITTEE ACTION

THAT

- Howards & Sons Pyrotechnics discuss with Council officers the proposed amendments to operations under 190/09DACC
- The changes to the Terms of Reference regarding Committee’s responsibilities be accepted and reported to a Council meeting for approval.

- That a copy of the condition of consent for 449/00DA be provided to the committee members once the amendments to the Terms of Reference are approved by Council.

RECOMMENDATION TO COUNCIL – That the proposed changes to the Howard & Sons Pyrotechnics Community Liaisons Committee's Terms of Reference regarding Committee's responsibilities be accepted and implemented as follows:

The sole responsibility of the Committee is to provide advice to Council by monitoring strict adherence to the terms of the current approval. The current approval remains as 449/00DA until Development Consent 190/09DA has been activated.

MOVED: Christian Howard

SECONDED: Jim Nichols

ITEM: 5 GENERAL BUSINESS

COMMENTARY

1. Christian Howard advised the committee of information displayed on Workcover website regarding any fireworks permits on a register which the committee could access.

COMMITTEE ACTION THAT

- That the Workcover website link be provided to the committee and Council for it to be included on Council website for community information.

RECOMMENDATION TO COUNCIL – Nil

MOVED: Christian Howard

SECONDED: Jim Nichols

COMMENTARY

2. Barry Dowsett raised a concern regarding notifications of burning carcinogenic materials has not been received.
Rachel Nicoll advised that Howard & Sons notifies the Rural Fire Service and calls all the neighbors and when no one has answered a message has been left and attempted additional calls. We give at least 24hours notice of any burning. Happy to consider better ways of notifying the neighbors if messages are not being received including, letters, mobile phones and email notifications.

**COMMITTEE ACTION
THAT**

- That an email system be set up for notifying residents of burning events of the general time period. Then contact by way of mail and mobile prior to burning.

MOVED: David Turnbull

SECONDED: Rachel Nicoll

COMMENTARY

3. Barry Dowsett asked why the containers that were to be removed after the explosion and then replaced with smaller buildings has not been done. Christian Howard advised that 10 have been removed and because the rules had changed under Workcover even though the buildings are larger they cannot hold the amount of explosives previously allowed. Additionally a modification needs to be done to reduce the amount of sheds needed from 60 in the new DA to only 10.
- Andrew Muir noted that the Terms of References changes will allow us to go more in depth with the current consent that applies to the operations.
- David Turnbull requested that the current references under Workcover to container size, construction and explosive sizes be provided to the committee for reference

**COMMITTEE ACTION
THAT**

- That the Workcover information on container sizes, construction and explosive rules be provided by Howards & Sons to the committee for reference.

MOVED: Andrew Muir

SECONDED: Jim Nichols

COMMENTARY

4. Barry Dowsett advised that the bomb squad worried him when they arrived onsite with the Rural Fire Service. It was requested that in the future residents be notified of these types of events to elevate concerns. Christian Howard advised that this was in regards to removal of some chemical waste through a fire and was used as a training exercise for the bomb squad.

COMMITTEE ACTION

THAT the residents are notified of any instance where other authorities may be required onsite, to alleviate community concerns.

MOVED: Andrew Muir

SECONDED: Jim Nichols

ITEM 6: NEXT MEETING:

Next Meeting: Howard & Sons Pyrotechnics Pty Ltd Community Liaison Committee Meeting proposed for 13 November 2013.



LITHGOW CITY COUNCIL HOWARD & SONS PYROTECHNICS COMMUNITY LIAISON COMMITTEE Terms of Reference

Committee name

Howard & Sons Pyrotechnics Community Liaison Committee (Committee)

Establishment

The Committee is established by Lithgow City Council to allow consultation between the local community and Howard & Sons Pyrotechnics.

Resolutions

Resolution to establish the Committee: Min 12-470: Ordinary Meeting of Council held 17 December 2012

Delegations

The Committee has no delegations from the Council.

Financial arrangements

Unless expressly resolved by Council the Committee has no powers to neither commit nor expend any Council funds.

Term of the Committee

The Committee shall operate for the term of the Council.

The Council reserves the right to dissolve the Committee at any time by a resolution of the Council.

Committee's responsibilities

The sole responsibility of the Committee is to provide advice to Council by monitoring strict adherence to the terms of the current approval. The current approval remains as 449/00DA until Development Consent 190/09DA has been activated.

Council responsibilities

Council will provide secretarial support as necessary.

Councillor membership

The Mayor shall be the Chairperson of the Committee.

The Mayor by virtue of holding the office of Mayor is appointed as a member of all committees established by Council. The appointment of the Mayor as a member of any committee established by the Council need not be taken into account when determining a Quorum for a meeting of the Committee.

Committee membership

The Committee will be comprised of the following representation:

- 1 Councillor (The Mayor), the Deputy Mayor being the alternate member;
- 3 nominated members of the local community and 1 alternate nominated member, priority being given to neighbouring residents, and then residents of Wallerawang;
- 2 nominated representatives of Howard & Sons Pyrotechnics and 1 alternate nominated member;

The Committee will be supported by representatives from Council's Environment and Development Division.

Committee member responsibilities

- Observation and compliance with Council's Code of Conduct.
- Observation and compliance with Council's OHS system objectives and instructions.

Appointment

All members of the Committee will be appointed by a resolution of the Council following an expression of interest process

Term of office of Committee Representatives

The Committee shall be formed following invitation to join the Committee. The term of office shall be for the term of the Council unless otherwise resolved by the Council.

Contact Officer

Council's Team Leader Development (or their representative) shall be the Contact Officer to the Committee.

The Contact Officer shall:

- provide executive support to the Committee;
- be responsible for preparing the agenda and minutes of Committee meetings;
- be responsible for preparing a report to the Council containing the minutes; and, providing staff comment on the recommendations made by the Committee to the Council; and
- Provide to the Committee the outcome and resolutions of the Council regarding each recommendation.

MEETING PRACTICE

Code of Meeting Practice

The meeting procedures outlined in the Council's Code of Meeting Practice shall guide the meeting procedures of the Committee unless otherwise outlined below. A member ceases to be a member of a Committee if the member (other than the Mayor)

- (a) Has been absent for 3 consecutive meetings of the committee without having given reasons acceptable to the Committee for the members absences; or
- (b) Has been absent from at least half of the meetings of the Committee held during the immediately preceding year without having given to the Committee acceptable reasons for the member's absence.

A quorum of $\frac{1}{2} + 1$ of total members is required at all meetings with at least one Councillor present.

Office holders

The Chairperson shall be The Mayor or the alternate Councillor representative.

Frequency and Location of meetings

Meetings shall be held quarterly on the second Wednesday of the month at the Howard & Sons Pyrotechnics facility. An extraordinary meeting may be called in circumstances where the Chairperson believes this to be necessary.

Agenda

- An agenda will be prepared and distributed 5 working days before each meeting, together with the minutes of the previous meeting.
- Agenda items shall be submitted to the Council Contact Officer a minimum of 10 days before each meeting.

Minutes and Reports to Council

- Minutes of meetings will be kept of all meetings and will be reported to the Council.
- Minutes of the Committee meetings may be ratified by email. Minutes must be ratified by at least two (2) members of the committee who were in attendance at the meeting.
- The Minutes of the meeting will be submitted to the Council as soon as possible after the minutes have been ratified.
- The ratified Minutes of the meeting shall be presented to the next meeting of the Committee.