



LITHGOW CITY COUNCIL

**MINUTES**

ORDINARY MEETING OF COUNCIL

HELD ON

18 APRIL 2006

AT 7.00pm

**MINUTES OF THE LITHGOW CITY COUNCIL MEETING  
HELD AT THE CIVIC CENTRE, LITHGOW ON 18 APRIL 2006**

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**6.00PM** - The Mayor passed on Condolences to the untimely passing of Mr May Luchetti and passed on the deepest sympathies of the Lithgow City Council.

The Mayor also acknowledged the attendance of Mr Gerard Martin, Member for Bathurst.

The Mayor opened the meeting for the purposes of the presentation by the Colong Foundation, Colo Committee and the Blue Mountains Conservation Society.

Mr Hayden Washington and Mr Brian Marshall (BMCS) gave a brief presentation to the elected Council and Colo Committee members of the community about the Gardens of Stone Stage 2 Proposal (GOS2).

The Mayor gave a brief response to the proposal as the Mayor of Lithgow City Council.

Mr Keith Muir arrived at 6.20pm and was provided with an opportunity to further address the GOS2 proposal. Mr Muir also provided Council with a copy of the GOS2 proposal illustrated.

The matter was then opened to questions from the Councillors.

A Suspension of orders to enable the presentation of the GOS 2 proposal to continue was moved at 7.00pm.

Ordinary Meeting Commenced 7.02pm

Public Gallery: 44

**PRESENT**

His Worship the Mayor  
Councillor Neville Castle  
Councillor B P Morrissey  
Councillor M F Ticehurst  
Councillor W McAndrew  
Councillor H K Fisher  
Councillor B S Moran  
Councillor M M Collins  
Councillor M J Wilson

## **APOLOGIES**

An apology was received and accepted from A E Thompson due to being out of the City on personal business.

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor M F Ticehurst.

## **06- 107 RESOLVED**

### **Also in attendance**

General Manager, Mr Paul Anderson  
Acting Manager Engineering Services & Manager Environmental and Planning Services,  
Mr Andrew Muir  
Finance Manager, Mrs Carol Farnsworth  
Minutes Secretary, Miss Casey Clarke

## **CONFIRMATION OF MINUTES**

Confirmation of the Minutes of the Ordinary Meeting of Council held on the 20 march 2006 were taken as read and confirmed by Councillors B S Moran and M J Wilson

## **06- 108 RESOLVED**

## **DECLARATION OF INTEREST**

His Worship the Mayor called for Declarations of Interest on any matter before the Meeting.

Councillor W McAndrew decaled a non pecuniary interest in Item 1 and chose to take part in the discussion but did not take part in the voting. He did not vacate the Chambers.

Councillor M J Wilson declared a non pecuniary interest due to his position on the Board of LEDA in Item 2 and vacated the Chambers.

## QUESTIONS FROM THE PUBLIC GALLERY

At 7.22pm members of public gallery were invited to address questions through the Mayor to Councillors and Staff: -

## PRESENTATIONS

### COLONG FOUNDATION

1. A presentation from the Colong Foundation continued until 7.22pm. The Mayor thanked them for their attendance and involvement in the meeting.

***Questions from the community forwarded to Council re the Gardens of Stone Stage 2 Proposal were directed at this stage to Mr K Muir. These questions did not form part of the Council meeting agenda.***

### UPPER MACQUARIE COUNTY COUNCIL

1. A presentation was given by Mr Jennison and Councillor H K Fisher from the Upper Macquarie County Council on noxious weeds and in supporting the levying of rate to be separately levied on all residents in County Council area not collected by each Council in its area for 2007/08 year.

## QUESTIONS

### QPG - DA 504/04 - CHURCH AND CORPORATE RETREAT

1. Is Lithgow Council aware that they agreed to keep the residents of Megalong Valley informed about this Development? Can the Council give a commitment to doing this in future and tell us to what extent they will do this?

*Notice of the appeal was received on 4 April 2006. It is normal protocol for the elected Council be advised of an appeal prior to any other interested parties. Providing the elected Council concurs, the residents can be kept informed of developments on the matter providing that **one** point of contact is provided who has access to e-mail and will undertake to pass on the information. It would be anticipated that the information provided would relate to key events in the appeal process.*

2. Could the Council also inform us how the Appeal process operates in the Land and Environment Court? Specifically is the appeal purely against the ruling that the development was not permissible or will merit also be involved in the proceedings? Please note that residents have compiled much data on merit grounds that may well be of use to Council in defending this case.

*Council officers will now work with Council's Solicitors to prepare a Statement of Basic Facts and Statement of Issues. The first call-over, by telephone, will take place on 22 May 2006. The process will begin to take shape after the first call over as several options are possible. The Appeal is under Section 97 of the Environmental Planning and Assessment Act in Class 1 of the Court's jurisdiction. Consequently, it forms an appeal on the merits. However, given the reasons for refusal, ie "the Council's Planning, Policy and Development Committee has determined that the proposed development is prohibited in the zone", advice will be sought from Council's Solicitors on how to proceed.*

3. We would like to re-iterate to Council that there is a strong body of residents opposed to this development. We are available for public consultation and would like to support the Council by way of providing information that may assist in this process.

*Council's Solicitors will be consulted on how best the residents can assist.*

4. Has the Council received feedback from the relevant authorities, e.g. Sydney Catchment Authority, Department of Infrastructure, Planning and Natural Resources and the Roads and Traffic Authority in relation to this D.A. and if so will residents be able to see this feedback.

*It appears at the time of the refusal of the development application that the Sydney Catchment Authority and former Department of Infrastructure, Planning and Natural Resources had "stopped the clock" on the application until further information had been received. No correspondence was forthcoming from the Roads and Traffic Authority.*

5. Does the developer have the right to change the development in any way when presenting it to the Land and Environment Court, or must it be presented as it was originally presented to Council?

*Whilst the material submitted appears to relate to the original Development Application as submitted to Council, it would be possible for aspects of the proposal to change during the appeal process.*

6. As interested parties, do we have a right to independent legal representation at the Land and Environment Court's Appeal?

*I would recommend that Mr & Mrs Williams seek their own legal advice on this issue. Recent advice obtained from Council's Solicitors in relation to another matter would indicate that the joining of additional parties to an appeal is not necessarily favoured by the Court.*

## QPG - GARDENS OF STONE - CHRIS JONKERS

1. Mr Mayor with regard to the Gardens of Stone Proposal Stage 2, I urge Council to consider the continuing rumours about the sale of State Forests to private enterprise and the continuing sell of Crown lands. Such rumours are usually based on fact, as evidenced by the recent sell off of the Snowy Mountains Scheme.

And I remind Council that former Treasurer Michael Egan is on the public record promoting the burning woodchips in power stations. Is this a future we should look forward to - Newnes Plateau flogged off to private enterprise, woodchipped and burnt in local powerstations.

Opponents of the GOS 2 proposal claim that incorporating these areas into National Parks will lock most normal users out, even though the proposal is to turn them into conservation Areas which have a totally different management focus to national parks.

Yet does anyone realistically believe that if these areas are flogged off to private enterprise (eg. Gunn's Limited) that we will still be able to enjoy the same unbridled access we enjoy today? Their main and only aim will be production, not recreational or other users and the first thing they will do is put up gates everywhere and lock us all out. That will put even greater pressures on any remaining crown and other publicly owned land from a multitude of user groups.

The proper management of these areas under one authority is the best way to protect access for all users long term, the time to do it is now and the most logical step forward must be to go with the government agency that is most likely to fund recreational use long term. The only government agency that currently fits the bill is the NSW NPWS. I urge Council to support the Gardens of Stone Proposal Stage 2.

2. Mr Mayor I ask Council to seriously question whether the anti - environment sentiments expressed by Councillor Morriseey in the Lithgow Mercury last week about GOS2 are relevant in today's climate and whether the tired old forestry vs national Parks argument about management of roads, fire, weeds and feral animals is applicable today?

Having grown up in the State Mine Gully and now living in Blackman's Flat, I have observed both the decline in Forestry management of local reserves and the environmental performance of the coal mining industry over 50 years.

I firmly believe this proposal does not pose any threat to the coal mining industry and further that absolutely nothing poses any threat to this industry in today's political climate, because it is the most cosseted over protected industry at both State and Federal Government level in Australia today. At State level all mine approvals are of state significance and the Minister for Planning was recently granted even more powers. And at Federal Level ABC Four Corners "The Greenhouse Mafia" highlighted just how far the influence of the mining sector extends.

I believe Council anti-environmental stance to protect an industry that is already over protected has and will continue to cost the Lithgow region dearly, both in terms of funding, business opportunities, jobs and educational opportunities in fields related to the protection, management, restoration and enjoyment of our local environment.

The coal mining industry is big enough and wealthy enough to fight its own battles. If Council wishes to continue its over protective stance of that industry over and above other employment opportunities, then the local community must hold the mining industry responsible for the current lack of management of these areas, and must demand that Council requires the mining industry to help pay for their proper management.

As for the tired old Forestry vs National Parks argument about management of roads, fire, weeds and feral animals, drive along the fire trail from Ben Bullen through Gardiner's Gap to Angus Place, for instance and the only section that has received any sort of maintenance in many years is the section within Gardens of Stone NP not within Ben Bullen State Forest.

Some of the worst Blackberry, Scotch Broom, Gorse and other noxious weed infestation remaining in the local area occur today occur in Sunny corner, Lidsdale and Jenolan State Forests. Some of the worst feral pig problems occur in these same pine plantations.

And as for the fire management, where did the devastating Canberra bushfires originate? And talk to anyone actively involved in the serious bushfire seasons in the Blue Mountains during 2002 and 2003 and they will confirm that NPWS are doing a pretty good job management these days.

State forests funding has been diminishing, whilst NPWS is has been increasing over time. In the 1980's Lithgow had a District Forestry Office at Bowenfels, a permanent ranger in Newnes SF, 2 gangs at Sunny Corner SF and a gang at Jenolan SF. All have disappeared and everything is now managed from Bathurst.

Forestry in the Macquarie Region apparently employs 75 full time employees plus 26 seasonal staff, NPWS in the Blue Mountains region employs 90 full time staff, numerous casuals and draws on a huge number of other staff state wide.

Forestry do not exhibit any EIS's, management plans or other documents that invite the local community to have some input into the management of what is after all publicly owned land, whilst NPWS does.

I ask Council to consider what is in the long term best interest of these areas and our community for the longer term.

Is it best to maintain the status quo of a disarray of unallocated Crown Lands and Forest Reserves with no overall plans of management, no community consultation on how they are used, no ongoing management funding, subject to the whims of government policies of the day such as the current trend towards selling off State Forest and Crown Lands?

Or is it time to properly recognise the unique qualities and values these areas have, and the huge tourism and employment opportunities they provide long term, by incorporating them into the Gardens of Stone Proposal Stage 2?

### **QPG - GARDENS OF STONE - ARIEL ELLIOTT**

1. Mr Mayor I would like the Council to let its ratepayer know just what their agenda is for the Lithgow Local area. That is Does Council intend to sell off or natural environment / heritage to big business for the sake of making money out of finite natural resources, which will only serve to further degrade the beautiful area we live in?
2. Mr Mayor are you prepared to see a more economically viable alternative in promoting ecotourism, alternative sources of energy which will offset the detrimental effects of climate change such as windfarms, solar power, conservation of water, thus providing enormous potential for employment in viable infinite sources of power. The planting and harvesting of valuable useable timber forests for furniture, building and home consumption in fireplaces.

As an example of missed market potential Lithgow could have not only been the "home of the Wollemi Pine" but also the producers and sellers of the Wollemi Pine. I believe a company in Queensland are the enterprising beneficiaries of the production of the Wollemi Pine.

When will the Councils start to see the valuable natural assets and potential that exist in this area without having to destroy the goose that lays the golden egg?

*Council is currently undertaking a major review of its strategic planning documentation which will answer many of these questions raised. This process is currently underway and will provide the Council and the community with a vision for the Lithgow Local Government area for the next 20 years. Council has already agreed that this joint vision will be supported and will be the principle document that will inform or advise the future planning documentation and plans for the Lithgow Local Government area.*

**QPG - NEW CHARGES - MR O'BRIEN**

1. Mr Mayor I refer to the proposed new "user pays" charges for sporting bodies, aged care and other amenities, can I please have more information?

*The Mayor advised these matters were subject to debate at the last Committee Meetings and have been resolved.*

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## GENERAL MANAGER REPORTS

ITEM: 1            EXEC - 18/04/06 - CULLEN VALLEY COAL MINE COMMUNITY  
CONSULTATIVE COMMITTEE - APPOINTMENT OF NEW MEMBER

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## REFERENCE

Dataworks Document 264185

## SUMMARY

This report seeks to establish a representative from Council to represent the community as part of the Cullen Valley Coal Mine Community Consultative Committee.

## COMMENTARY

Correspondence was received from the Chairman of the Cullen Valley Coal Mine requesting Council to appoint a new member to the Community Consultative Committee due to the resignation of Councillor McAndrew from the Committee.

It has been requested that by the Committee that Council appoint the General Manager to be the Council representative for this Committee, in which he will:

1. Attend each meeting and provide Council with feedback
2. Review and provide advice on the performance of the development

The dates of the meetings will be advised as soon as Council appoint a new member.

## POLICY IMPLICATIONS

NIL

## FINANCIAL IMPLICATIONS

NIL

## LEGAL IMPLICATIONS

NIL

## RECOMMENDATION

**THAT** Council elect the General Manager or his nominee to sit on the Community Consultative Committee for Cullen Valley Coal Mine.

Councillor W McAndrew declared a non pecuniary interest in this item. He participated in the discussion but did not have the right to vote. He did not vacate the Chambers.

## **06- 109 RESOLVED**

### **THAT:**

1. Council elect a Councillor and the General Manager to sit on the Community Consultative Committee for the Cullen Valley Coal Mine.
2. Councillor H K Fisher was appointed the Councillor Representative for the community Consultative Committee for the Cullen Valley Coal Mine.

**MOVED:** Councillor M M Collins

**SECONDED:** Councillor B P Morrissey.

**CARRIED**

**ITEM: 2            EXEC - 18/04/06 - LITHGOW ENTERPRISE DEVELOPMENT AGENCY  
                          INC (LEDA)**

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### **REFERENCE**

NIL

### **SUMMARY**

The purpose of this report is to advise Council of the "winding up" of the LEDA Inc and seek Councils agreement for the utilisation of LEDA's liquid assets for economic development activities.

### **COMMENTARY**

As Council maybe aware LEDA is finalising the necessary process of cancellation of its Incorporation as a not-for-profit organisation. This will legally define that LEDA no longer exists as an entity or an organisation.

LEDA have offered to Council their liquid assets remaining following the winding up, if Council agrees to use such assets for the purposes to which LEDA was originally established, Council may internally restrict such funds for this purpose if agreeable.

LEDA was originally constituted for the following purposes:

- To seek out and encourage the establishment of new business in the Lithgow region.
- To assist existing business to prosper and expand.
- To assist and encourage new development in the region.
- To promote the advantages of living and working in Lithgow.

## **POLICY IMPLICATIONS**

NIL at this stage, other than defining what the internally restricted funds are to be used for.

## **FINANCIAL IMPLICATIONS**

This proposal will result in Council creating an internally restricted asset for the purposes detailed in this report.

## **LEGAL IMPLICATIONS**

NIL

## **CONCLUSION**

It would appear to make good sense for Council to receive the liquid assets from LEDA and to internally restrict the funds for the purposes identified. These funds could be supplemented by Council in coming years and used to secure other forms of funding from State and Federal Governments for the purpose of Economic Development in the Lithgow Local Government Area.

Councillor M J Wilson declared a non pecuniary interest in this item and vacated the Chambers.

## **06- 110 RESOLVED**

### **THAT:**

1. Council agree to accept the liquid assets from LEDA and to internally restrict such funds for the purpose of:
  - To seek out and encourage the establishment of new business in the Lithgow region.
  - To assist existing business to prosper and expand.
  - To assist and encourage new development in the region.
  - To promote the advantages of living and working in Lithgow.
2. Council thank LEDA for its operations and benefits it has provided to the growth and development of Lithgow since its inception.

**MOVED:** Councillor B P Morrissey

**SECONDED:** Councillor B S Moran.

**CARRIED**

## ENVIRONMENT & PLANNING SERVICES REPORTS

### ITEM: 3      EPS - 18/04/06 - THE GARDENS OF STONE PARK PROPOSAL PRESENTATION

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#### REFERENCE

Item 8, EPS, 20 March 2006

#### SUMMARY

To provide a presentation on the Gardens of Stone Park Proposal Stage 2 by the Colong Foundation for Wilderness.

#### COMMENTARY

At its meeting of 20 March 2006, Council resolved to invite the Colong Foundation to provide an address on the Gardens of Stone Park Proposal Stage 2 at 6pm. In correspondence provided to Councillors dated 28 March 2006 from the Colong Foundation, the Foundation and the Blue Mountains Conservation Society welcomed the opportunity to provide the address.

In addition, the State Member for Bathurst, Gerard Martin, MP has advised that he will be in attendance at the meeting for the address.

#### POLICY IMPLICATIONS

The policy implications will be explored in a future report.

#### FINANCIAL IMPLICATIONS

There are no financial implications as a result of this presentation.

#### LEGAL IMPLICATIONS

There are no legal implications as a result of this presentation.

#### RECOMMENDATION

**THAT** the presentation from the Colong Foundation be received.

#### 06- 111 RESOLVED

##### **THAT:**

1. The presentation from the Colong Foundation be received.
2. The proposal be rejected in principle,
3. A further report is to be provided to Council in the form of a submission.

**MOVED:** Councillor M M Collins

**SECONDED:** Councillor H K Fisher.

**CARRIED**

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**ITEM: 4            EPS - 18/04/06 - LAND & ENVIRONMENT COURT APPEAL - DA  
504/04 REFUSAL OF CHURCH & CORPORATE RETREAT**

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**REFERENCE**

Item 4, EPS, 6 December 2004

Item 4, EPS, 7 March 2005

**SUMMARY**

To advise of an appeal lodged in the Land and Environment Court against Council's refusal of development consent for a church and corporate retreat at Peach Tree Road, Megalong Valley.

**COMMENTARY**

Council has been served with an application by Norman Waterhouse Lawyers on behalf of Peter Delaney advising of an appeal to the Land and Environment Court against Council's refusal of development consent for a church and corporate retreat at Lot 301 DP 852548, Peach Tree Road, Megalong Valley. The matter has been referred to Council's Solicitors with the first telephone call over to take place on 22 May 2006.

**POLICY IMPLICATIONS**

No specific policy implications arise as a result of this report.

**FINANCIAL IMPLICATIONS**

Legal costs will be incurred but are unable to be estimated at this stage.

**LEGAL IMPLICATIONS**

The appeal has commenced in accordance with the provisions of Section 97 of the Environmental Planning and Assessment Act.

**RECOMMENDATION**

**THAT** the information be received.

## 06- 112 RESOLVED

### THAT:

1. The Information be received.
2. Council inform the Megalong Action Group of the decisions and actions.
3. Council to inform the Blue Mountains Council of the decisions and actions and also seek their support on this issue.

**MOVED:** Councillor M F Ticehurst

**SECONDED:** Councillor M J Wilson.

**CARRIED**

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## ITEM: 5            **EPS - 18/4/06 - MINISTERIAL CONSENT FOR THE NEWNES KAOLIN MINE & SAND QUARRY**

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### REFERENCE

Question Without Notice, Councillor MF Ticehurst, 20 March 2006

### SUMMARY

To advise Council of the Ministerial Consent for the development of a kaolin mine and sand quarry, off Sandham Road, Newnes Junction.

### COMMENTARY

Further to a Question Without Notice from Councillor MF Ticehurst at Council's meeting of 20 March 2006 regarding a State Government approval for the Newnes development, it is advised that a copy of the Ministerial Consent for the kaolin mine and sand quarry, off Sandham Road, Newnes Junction was received by Council on 29 March 2006.

A copy of the consent can be made available to Councillors upon request.

### POLICY IMPLICATIONS

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

### FINANCIAL IMPLICATIONS

A condition has been imposed on the consent relating to the payment of section 94 rural roads and fire contributions.

### LEGAL IMPLICATIONS

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

## 06- 113 RESOLVED

**THAT** the information be received.

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor B S Moran.

**CARRIED**

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## ITEM: 6            **EPS - 18/04/06 - ENVIRONMENTAL PLANNING AND ASSESSMENT AMENDMENT BILL 2006**

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### **SUMMARY**

To advise Council of the passage of the Environmental Planning and Assessment Bill 2006.

### **COMMENTARY**

The Council may be aware through various press releases and Circulars provided by the Local Government and Shires Associations of the passage of the Environmental Planning and Assessment Bill 2006. The Bill received assent from both the Legislative Assembly and Legislative Council on 4 April 2006 although the timeline for its proclamation into law is not known at this stage. The main features of the Bill are:

- It permits the Planning Minister to appoint an external planning administrator or planning assessment panel to take over the planning and development functions of a council that is not carrying out these functions appropriately.
- It provides power to the Planning Minister to direct councils to submit reports on their performance.
- It provides the Minister the power to specify areas where infrastructure and services must be delivered hand in hand with development. In such areas (initially likely to be declared growth centres) the State Government will be able to raise a development contribution known as a special infrastructure contribution.
- It grants the Planning Minister powers to direct a council to make, change or revoke development control plans.
- It enables the Planning Minister to direct a council to make, amend or repeal a contributions plan within a certain time.

Essentially, it appears as though the Bill is directed at ensuring councils do not misuse their planning powers and their functions are carried out in accordance to both law and efficient practice.

### **POLICY IMPLICATIONS**

Once proclaimed into law, there may be policy implications. If so, these will be separately reported.

### **FINANCIAL IMPLICATIONS**

Once proclaimed into law, there may be some potential financial implications. For example, the Local Government and Shires Associations have claimed that the legislation will force councils whose functions are carried out by an assessment panel to reimburse the government for the costs of the panels.

### **LEGAL IMPLICATIONS**

The legal implications are the subject of this report.

### **06- 114 RESOLVED**

**THAT** the information be received.

**MOVED:** Councillor M J Wilson

**SECONDED:** Councillor M M Collins.

**CARRIED**

## CORPORATE SERVICES REPORTS

**ITEM: 7            CORP - 18/04/06 - LEASE OF 29 ESKBANK ST LITHGOW TO  
DIGITAL WISDOM PTY LTD**

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### REFERENCE

Nil

### SUMMARY

This report will seek Council approval to attach the Common Seal to a lease to Digital Wisdom Pty Ltd for 29 Eskbank St, Lithgow from the 8 March 2006 to 7 September 2006.

### COMMENTARY

Digital Wisdom Pty Ltd have occupied Council premises known 29 Eskbank St Lithgow, being a lock up shop, since 8 March 2006.

### PROPOSED DETAILS OF THE LEASE:

- Commencing Date:     8 March 2006
- Terminating Date:    7 September 2006
- Further option to renew: 6 month period
- Annual Rental: \$5,200 (GST Exc) \$433.33 per month
- Max term under lease: Twelve (12) months
- Property manager:     L J Hooker

### Policy Implications

Nil

### Financial Implications

Rental income of \$5,200 (GST Exc) per annum.

### Legal Implications

Nil

## 06- 115 RESOLVED

**THAT** Council affix the Common Seal to the lease to Digital Wisdom Pty Ltd for 29 Eskbank St Lithgow, commencing from 8 March 2006 to 7 September 2006.

**MOVED:** Councillor H K Fisher

**SECONDED:** Councillor B S Moran.

**CARRIED**

**ITEM: 8            18/04/06 - LATE REPORT - ARTS OUT WEST - NOMINATION FOR THE BOARD**

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**SUMMARY**

This report discusses the request of Arts Out West for a nomination from Lithgow City Council for a member of the Board. The report will provide Council with a recommendation to nominate a Councillor or staff member to such a position.

**COMMENTARY**

As Council is aware Arts Out West have been operating in our region for some time and have assisted Councils in delivering arts and cultural activities.

Council is currently a signature to the Arts Out West Memorandum of Understanding and is represented on the board by Mr Al Ritchie, a former councillor. Whilst Mr Ritchie has been able to achieve many things and carried out a fantastic job, it is time for Council to be represented by either a Councillor or staff member, to ensure an easy and continuous flow of information between the organisations. Considering the pressures being applied to local government in the arts and cultural services areas, representation on the Arts Out West board may prove beneficial with a greater insight into the arts being gained.

Arts Out West have written to Council requesting a nomination be made, the letter is attached to the report for Council's information.

The Board meets four (4) times a year in either Bathurst or Orange.

**POLICY IMPLICATIONS**

There are no policy implications arising from this report.

**FINANCIAL IMPLICATIONS**

There are no financial implications arising as a result of this report.

**CONCLUSION**

Arts Out West is the principle body for arts and culture in the Central West in New South Wales. Council is currently a signatory to Arts Out West and has a member on the board being Mr Al Ritchie. It is considered timely for Council to now consider nominating a Councillor or staff member to this board for the next term of twelve (12) months. If Council thinks this is warranted as General Manager I would be prepared to serve a term whilst the restructure of the organisation is finalised. Should Council resolve to do as such, a letter of appreciation should be sent to Mr Al Ritchie accordingly.

## **RECOMMENDATION**

### **THAT:**

1. Council nominate Councillor .... or ..... as a board member for Arts Out West.
2. Council offer its appreciation to Mr Al Ritchie for his time and dedication to his role as Lithgow City Council representative on the Arts Out West board.

## **06- 116 RESOLVED**

### **THAT:**

1. Council nominate the General Manager as a board member for Arts Out West.
2. Council offer its appreciation to Mr Al Ritchie for his time and dedication to his role as Lithgow City Council representative on the Arts Out West board.

**MOVED:** Councillor B S Moran

**SECONDED:** Councillor B P Morrissey.

**CARRIED**

## QUESTIONS WITHOUT NOTICE

### QWN - COUNCILLOR M F TICEHURST

1. Is Lithgow Council aware that they agreed to keep the residents of Megalong Valley informed about this Development? Can the Council give a commitment to doing this in future and tell us to what extent they will do this?
2. Could the Council also inform us how the Appeal process operates in the Land and Environment Court? Specifically is the appeal purely against the ruling that the development was not permissible or will merit also be involved in the proceedings? Please note that residents have compiled much data on merit grounds that may well be of use to Council in defending this case.
6. Is the Council aware that Semi-Trailers heading west on the Great Western Highway at Marrangaroo are carrying out U-turns at the intersection of Oakey Forest Road to then enter the nearby United Service Station & Restaurant? Could the Council refer this matter to the Lithgow TALC Committee for their urgent attention?

*Council is unaware but will refer the matter to TALC and the Police for investigation.*

7. Is the Council aware that Semi-Trailers are exiting the United Service Station & Restaurant at Marrangaroo, heading east and then are carrying out a U-turn at the next intersection on the Great Western Highway with the entry into the Marrangaroo Fields Estate to head west to Bathurst/Mudgee?
8. Is the Council aware of the extensive overgrown weeds and trees within the median strips on the Great Western Highway between the Lithgow Community Hospital and Dunns Corner/Main Street, Lithgow?
9. When is action proposed by Council to clean up the extensive overgrown weeds and trees within the median strips on the Great Western Highway between the Lithgow Community Hospital and Dunns Corner/Main Street, Lithgow?

*Council currently negotiating an agreement for these works to be carried out by a group with the support of the Parole and Periodic Detention Office.*

### QWN - COUNCILLOR H K FISHER

1. Mr Mayor are you aware of the story that was aired on the ABC this morning in relation to Council increasing their rates by 14.2%?

*The percentage rate increase reported includes the rate pegging limit and other "catch" up rate previously approved. Council is in fact seeking an additional 4.75% as a special rate.*

**QWN - COUNCILLOR M J WILSON**

1. Mr Mayor can you please have someone investigate a tree on the corner of East and First Street, Lithgow as it is stopping the view of motor vehicles to the left?

*This will be reported to the Traffic Safety Officer.*

2. Mr Mayor what is Council using to clean the pavers in Main Street? How often is this done?

*The General Manager outlined the process being undertaking.*

The meeting closed at 8.35pm.