



LITHGOW CITY COUNCIL

**MINUTES**

POLICY AND STRATEGY COMMITTEE  
MEETING OF COUNCIL

HELD ON

05 JUNE 2006

**MINUTES OF THE LITHGOW CITY COUNCIL MEETING  
HELD AT THE CIVIC CENTRE, LITHGOW ON 5 JUNE 2006**

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Meeting Commenced at 6.02pm

Public Gallery: 11

**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 (due to illness) and accepted from A E Thompson  
**MOVED:** Councillor M M Collins                    **SECONDED:** Councillor H K Fisher.

**Also in attendance**

General Manager, Mr Paul Anderson  
Acting Manager Engineering Manager and 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 Policy and Strategy Committee Meeting of Council held on the 1 May 2006 were taken as read and confirmed by Councillors M J Wilson and W McAndrew

**06- 149 RESOLVED  
CARRIED**

**DECLARATION OF INTEREST**

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

NIL

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## QUESTIONS FROM THE PUBLIC GALLERY

At 6.00pm members of public gallery were invited to address questions through the Mayor to Councillors and Staff: -

### QPG - VERONICA NOLAN

1. Mr Mayor is it true that the site used for helicopter joy - flights on 28<sup>th</sup> January 2006.... Namely the rear of the Royal Hotel Capertee... is not a helipad because it is not authorised as such by the Department of Transport as a site set apart for the taking off and landing of helicopters?

Is it true that Lithgow City LEP 1994 adopts the Environmental Planning and Assessment Model Provisions 1980 and that these Model Provisions record in Part 2 Definitions 4 Definition (1) "Helipad means an area or place not open to public use which is authorised by the Department of Transport and which is set apart for the taking off and landing of helicopters?". Since the definition of "helipad" specifically indicates that a helipad is an area or place that is not open to public access, does Council likewise conclude that a helipad is an area or place that is not open to public use?

*Council's Local Environmental Plan does adopt the 1980 Model Provisions. No development application has been lodged for a Helipad or Heliport on the land. Should any proposal be put forward to establish a Helipad or Heliport then it would constitute a "use" under the Environmental Planning and Assessment Act and not being prohibited in the zone would require development consent. This, of course, is an entirely separate matter to the intermittent use of a site for private a purpose which depending on the circumstances is likely to be ancillary and incidental to the established use of the land.*

## PRESENTATIONS

A presentation was given by the Lithgow SES - Mr Peter Witt on various issues that wish for Council to help them with.

## 06- 150 RESOLVED

### THAT:

1. Council provide the annual contribution to the SES as recurrent expenditure and link contribution to the rate pegging limit as identified by the Department of Local Government.
2. The other item identified is the presentation be subject to a further report to Council.

**MOVED:** Councillor B P Morrissey

**SECONDED:** Councillor M M Collins.

**CARRIED**

## GENERAL MANAGER REPORTS

### ITEM:1            EXEC - 05/06/06 - CENTROC - NSW STATE ELECTION

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#### REFERENCE

NIL

#### SUMMARY

This report seeks from Council issues which Council feels a need to be raised with the State Government prior to the next election.

#### COMMENTARY

As Council is aware CENTROC is a body of 13 member Councils who strive to improve the standard of all the communities within the membership area. Along with specific functions, CENTROC also boasts a lobbying power which receives the "ears" of all levels of Government in Australia and is seen as a body which, with its combined membership has great lobbying powers.

CENTROC has written to all member Councils seeking advice as to the matter Councils wish CENTROC to raise with the Government. Attached to this report are matters already raised, Council may wish to augment this listing or support those matters already listed.

#### POLICY IMPLICATIONS

Having the ability to provide a list of matters worthy of consideration before an election will enable Council to facilitate advice to the community on matters which affect our individual Local Government areas and the CENTROC region as a whole.

#### FINANCIAL IMPLICATIONS

NIL

#### LEGAL IMPLICATIONS

Nil

#### CONCLUSION

Council is requested to consider matters for CENTROC to raise with the Government prior to an election, these matters may include issues such as:

- Provision of Natural Gas to Portland
- Rural road funding
- Power generation
- State significance planning matters and Council involvement
- Financial assistance grants
- Workers compensation premium increases, or any other matters Councils feels need to be raised.

## **ATTACHMENTS**

1. List of matters already raised for Centroc

### **06- 151 RESOLVED**

**THAT** Council notify CENTROC of the issues listed in the report to be raised with the Government prior to the next election.

**MOVED:** Councillor H K Fisher

**SECONDED:** Councillor M J Wilson.

**CARRIED**

## ENVIRONMENT & PLANNING SERVICES REPORTS

### ITEM:2            EPS - 05/06/06 - POTTERY DEVELOPMENT CONTROL PLAN

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#### SUMMARY

This report seeks approval to exhibit a Draft Development Control Plan (DCP) for the Pottery Estate area.

#### COMMENTARY

The Pottery Estate area has been the focus of business expansion in Lithgow town area recently. Recognising this Council has resolved to adopt a Local Environmental Plan for the area generally known as Pottery Estate, which would change the location of Business 3 zoned land to the east of Silcock Street to an area south of the existing commercial uses south of Valley Drive and to replace it with a Residential 2(a) zone.

The Draft LEP also will make minor amendments to the existing Open Space 6 zone to rationalise boundaries, delete unnecessary areas and provide for the historical quoits court and north flowing natural watercourse to be protected by appropriate Open Space Zoning.

The changes proposed will result in a more rational location of each zone based on the existing land use, the needs of the community and will facilitate the consideration of development applications for the further extension of retail, commercial, entertainment and aged care housing facilities to meet the growing needs of the community. Council can provide direction for development of the area through a Development Control Plan which will provide a basis for approvals and ensure a holistic framework rather than on an ad hoc basis.

#### POLICY IMPLICATIONS

##### What is a Development Control Plan and its effect?

A Development Control Plan may signify Council's intention with respect to an area or type of development and provide guidelines for developers. It can set out the development control principles that Council will apply when considering applications and discussing proposals with developers.

Preparation of a Development Control Plan enables Council to give formal recognition to policies and codes, to which Council refers when exercising discretion, while maintaining flexibility and avoiding an elaborate local environmental plan process to consider changes.

#### FINANCIAL IMPLICATIONS

Nil at this stage.

#### LEGAL IMPLICATIONS

##### Public Participation

The Draft DCP will be required to be exhibited for a minimum period of twenty-eight (28) days as prescribed by legislation. A notice will be placed in the Lithgow Mercury with an accompanying press release and the documents will be on display at Council's Administration Centre. It is also proposed to individually advise major stakeholders in the area such as landholders of significant developable land, local real estate agents, local builders and professionals such as architects, surveyors and environmental consultants.

As the exhibition process is for 28 days, and there will likely be matters arising from the public, it is proposed to have a forum midway through the exhibition where the issues arising can be aired and discussed.

## **ATTACHMENTS**

1. Draft Pottery Estate and Adjacent Lands Development Control Plan for business, Recreational and Residential Land Uses.

### **06- 152 RESOLVED**

**THAT** Council resolve to publicly exhibit the Draft Pottery Estate and Adjacent Lands Development Control Plan for Business, Recreational and Residential Land Uses for a period of at least 28 days in accordance with the Environmental Planning and Assessment Act & Regulations.

**MOVED:** Councillor B P Morrissey

**SECONDED:** Councillor B S Moran.

**CARRIED**

**ITEM:3            EPS - 05/06/06 - UPDATE OF STRATEGIC PLAN**

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**REFERENCE**

Item 4. Policy & Strategy Committee 06/02/06  
 Item 5, Policy & Strategy Committee 06/03/06  
 Item 4 Policy & Strategy Committee 03/04/06

**SUMMARY**

The purpose of this report is to provide the regular update of the Strategic Plan Project.

**COMMENTARY**

**Community Engagement Program - Visioning**

The first round of community engagement took place in March and April. The purpose of this consultation was to formulate the vision statement/s for the Strategic Plan. A further session was required and was held on 19<sup>th</sup> April, 2006. This session was again well attended and the community members along with Councillors, Council officers and the project consultants were able to deliver ten statements which were to be subject to editorial review by the consultant team.

This review was completed and the Geolyse project manager presented a consolidated draft of the statements to the Strategic Working Party meeting on 4<sup>th</sup> May, 2006. The Working Party reviewed these statements and concluded that an overarching vision statement and perhaps a mission statement would also need to be developed to link the statements together.

The following was forwarded to those who participated in the visioning sessions and were asked for feedback which is yet not available.

| <b>OVERARCHING VISION STATEMENT BEING DEVELOPED TO LINK THE FOLLOWING ACTION STATEMENTS</b> |   |
|---|---|
| <b>Community</b>  | We retain, respect and strengthen both our overall sense of community, and the unique linked communities of groups, rural areas, villages and towns that make up the Lithgow LGA. |
| <b>Transport</b>  | Providing a choice of effective public and private transport options for those who live, work and visit our community   |
| <b>Employment</b>   | Developing and embracing diverse job opportunities for all ages and abilities.  |

|                         |   |
|-------------------------|---|
| <b>Heritage</b>         | Celebrating, protecting and sustaining our unique industrial and natural heritage, its cultural landscapes and its built heritage.                                    |
| <b>Education</b>        | Progressing to a “learning city of excellence” with a broad range of formal and non-formal education services.  |
| <b>Health</b>           | Creating a healthy community providing opportunities and facilities for a healthy lifestyle.  |
| <b>Environment</b>      | Balancing, protecting and enhancing our diverse environmental elements, both natural and built, for the enjoyment and support of both current and future generations. |
| <b>Arts and Culture</b> | Supporting, celebrating and expanding a diversity of cultural and creative adventures, exploring and discovering the richness in our society.                         |
| <b>Youth</b>            | Providing suitable entertainment and recreational facilities; education and employment opportunities and lifestyle choices for our youth.                             |

Following this feedback, the finalised vision statement will be tested through the Resident Feedback Register and then used to guide the development of key directions in the next phase of the project.

The results of the feedback forms issued at the visioning was predominantly positive with the following being the most relevant points;

**Notification of session**

- 35.80% Newspaper
- 27.16% Flyer
- 23.46% Word of Mouth
- 3.7% Poster
- 1.23% Website

**Enjoyment of session**

- 29.21% found the sessions very enjoyable
- 42.08% found the session enjoyable
- 26.24 % found the sessions OK.

**Belief that they were listened to and responded to**

- 38.61% stated that they definitely believed
- 42.07% stated that they basically believed
- 1.85% stated they did not believe at all

**Main areas of concern for the future of Lithgow**

12.82% Jobs  
11.3% General concerns  
9.77% Heritage/Town Character  
9.62% New Development  
9.31% Nature/Environment  
7.94% Infrastructure

**Confidence that their input will be taken into account by Council**

15.84% were confident  
60.39% were hopeful  
16.34% were uncertain  
3.46% were extremely doubtful

**Resident Feedback Register (RFR)**

The Resident Feedback Register has been established with an initial 232 participants. Two participants have subsequently withdrawn for reasons outside of Council's control or influence. The Register has a gender mix of 60% female and 40% male. The age distribution is 1% unknown, 10% 18-34, 21% 35-44, 44% 45-60 and 24% 60 plus.

Participants were advised of their selection in early April and given the opportunity of completing the survey on line at home or work, attending one of Council's libraries or by hard copy whereby Council would provide a stamped self-addressed envelope for return of the survey.

This represents additional costs in terms of printing, postage and administrative resource, however it is considered necessary to ensure equity for all community members to participate. A total of 34 participants have advised that hard copy mail is their preferred option.

Participants replying on-line will be provided with a password and link within Council's Web-site to complete the survey. All responses will be sent directly to Twyford Consulting who will administer the first two stages of the RFR. The last stage will be administered by Council to enable Council to enable the continuation of the RFR beyond the Strategic Plan project.

**Government Authority/Agency Forum**

A forum was held on 10<sup>th</sup> April, 2006 with government authorities and agencies with 21 attendees from a good cross section of departments. Most notable absentees were the Department of Planning and the RTA. The forum served to validate the main issue areas and discuss further the level of detail needed to successfully capture data for the Strategic Plan. The results of this forum will form part of the Policy and Instrument Analysis in the Local Profile.

A separate meeting was held with the RTA on 23<sup>rd</sup> May, 2006 and arrangements have been made to meet with the Department of Planning, who on 21<sup>st</sup> April, 2006 advised that Lithgow will now again be administered by the Central West/ Far West Region branch.

**Draft Local Profile**

The draft Local Profile is 2 months behind the anticipated work plan/timeline of Mar 20 -31 due to problems being experienced with acquisition of data from the Land and Property Information Service and also the extension of the visioning consultation program. It is anticipated that this will not impact significantly on the final completion date of the project. However, the Community engagement program for the issues paper will be pushed back into August instead of July and other potential risks to the overall timeline are being identified and solutions investigated.

Out of the nine required analyses to form the local profile, five are now in draft format. The remaining analyses being Land Use and Rural Lands, Planning Policy and Instrument Analysis will be provided as supplementary reports due to delays in data acquisition. The spatial analysis will be embedded within the other relevant analysis such as economic, land use & rural lands. The completed draft local profile is expected to be submitted on 9<sup>th</sup> June, 2006.

**Work currently being undertaken**

| <b>TASK</b>  | <b>RESPONSIBLE PERSONS</b>              |
|--|---|
| Completion of draft local profile reports                    | Geolyse                                 |
| Review of draft local profile reports submitted              | Council                                 |
| Finalisation of vision statements                            | Geolyse and Twyford (review by Council) |
| Development of Survey for RFR                                | Twyford (review by Geolyse and Council) |
| Development of Issues Paper                                  | Geolyse and Council                     |
| Identification of risks to project timeline and revised plan | Geolyse and Council                     |

Results of the above work will be provided in the next update report.

**POLICY IMPLICATIONS**

No policy implications arise from this report.

**FINANCIAL IMPLICATIONS**

The Strategic Plan project is funded by the Planning Reform Fund Program and is currently within budget limits.

**LEGAL IMPLICATIONS**

No legal implications arise from this report.

**ATTACHMENTS**

Nil

**06- 153 RESOLVED**

**THAT** the information be received.

**MOVED:** Councillor M M Collins

**SECONDED:** Councillor M J Wilson.

**CARRIED**

**ITEM:4            EPS - 05/06/06 - MARRANGAROO LOCAL ENVIRONMENTAL STUDY  
                         AND MASTERPLAN**

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**REFERENCE**

Planning, Policy and Development Committee

- 7/2/05
- 27/6/05
- 22/8/05
- 12/12/05

Policy and Strategy Committee

- 1/5/06

**SUMMARY**

To inform Council of the progress of the Marrangaroo Local Environmental Study and Masterplan.

**COMMENTARY**

At the last meetings of the working group and the community groups on 25 May 2006, the consultant provided information including maps of planning precincts, concept plan for discussion and a table of permissible likely uses and objectives within the area. These have been distributed to all Councillors.

It was agreed to hold another community meeting prior to the exhibition of the plan in order to confirm the mapping is as agreed with the group. A report will then be presented to Council with the Draft Local Environmental Study to recommend exhibition. It would also be a sensible idea to hold a workshop with Councillors to provide an interactive briefing on the issues prior to exhibition.

Questions have already been received from the communities which are being researched at present. These questions are being developed into a “frequently asked questions” (FAQ’s) sheet for the newsletter and exhibition. There will also be another open house midway through the exhibition.

**06- 154 RESOLVED**

**THAT** the progress of the Marrangaroo Project be noted and a date be set for a Councillor workshop prior to final consideration to exhibit the Local Environmental Study.

**MOVED:** Councillor B S Moran     **SECONDED:** Councillor M J Wilson.

**CARRIED**

## **QUESTIONS WITHOUT NOTICE**

### **QWN - COUNCILLOR B P MORRISSEY**

1. Mr Mayor can Council advise if any development applications for wind towers has been received or if there is any potential for any in the Tarana area?

*No applications have been lodged, but possible land use provision under Councils LEP. Council and Community will be informed if such applications are lodged.*

Meeting closed at 6.25pm.