



LITHGOW CITY COUNCIL

**MINUTES**

POLICY AND STRATEGY COMMITTEE  
MEETING OF COUNCIL

HELD ON

03 JULY 2006

**MINUTES OF THE LITHGOW CITY COUNCIL MEETING  
HELD AT THE CIVIC CENTRE, LITHGOW ON 3 JULY 2006**

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Meeting Commenced 6.03pm

Public Gallery: 4

**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  
Councillor A E Thompson (arrived at 6.05)

**APOLOGIES**

NIL

**Also in attendance**

General Manager, Mr Paul J Anderson  
Acting Group Manager Regional Services, Mr Andrew Muir  
Acting Manager Internal Services, 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 5 June 2006 were taken as read and confirmed by Councillors H K Fisher and B S Moran

**06- 189 RESOLVED  
CARRIED**

**DECLARATION OF INTEREST**

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

NIL

## QUESTIONS FROM THE PUBLIC GALLERY

At 6.03pm members of public gallery were invited to address questions through the Mayor to Councillors and Staff: -

### QPG - VERONICA NOLAN

1. What are the terms of reference Council used for determining that joy- flights from the rear of the Royal Hotel, Capertee on 28th January 2006 were "private?"

*On merit, from the information provided, there was no reason to suggest the flights were other than for the purpose of charitable fund raising for Careflight. This was also acknowledged by the complainant.*

2. What are the terms of reference Council uses for determining "mode of transport"... defining helicopter usage being the same as that of, for example, a car?

*This would be determined on the facts provided and the merits of the case but if a person uses a particular "vehicle" as transportation then it would be self evident that this would be a 'mode of transport'.*

3. What are the terms of reference Council uses for determining an activity/ business as being "auxiliary" to the main, approved, activity/ business for a site?

*The term is actually "ancillary" and this would be a matter of fact, degree and circumstances of the case. For example, a Kiosk in a hospital would be ancillary and incidental the main use as a hospital.*

4. Does an activity/ business which is auxiliary to and different from the main business need a separate DA?

*Not necessarily. This was explained in some detail to Ms Nolan on 20 June 2006. The facts of the matter must be taken into consideration having regard to the provisions of the Environmental Planning and Assessment Act.*

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NOTICE OF MOTION

29/06/2006 10:18 0880882109 CFMEU BHILL PAGE 01  
28-JUN-2006 14:28 FROM LITHGOW CITY COUNCIL TO 0880882109 P. 02

Lithgow City Council  
Scanned

29 JUN 2006

Doc. No .....  
CDA Ref .....  
Year: .....

NOTICE OF MOTION

In accordance with the provisions of the Local Government Act 1993 I, hereby provide a notice of motion as follows:

THAT

Council adopt, as policy, the provision of \$2,000 in Councils annual recurrent budget for the provision of a Scholarship In Radiology or Physiotherapy, whilst ever such funds and any community funds are matched by SWAHS.

Council had allocated \$2,000 for this purpose in the 2006-09 Management Plan, Non Recurrent Funds, and by the adoption of this policy it would ensure the continuation of the scholarship, as long as an equivalent value is met by Sydney Western Area Health Service or the local Community, for the benefit of future health in the Lithgow district.

Your Faithfully

Councillor: WAYNE McANDREW  
Signature: W. McAndrew

Dated the 28th of June \_\_\_\_\_ 2006

TOTAL P. 02

**06- 190 RESOLVED**

**THAT:**

1. Council adopt, as policy, the provision of \$2000 in Councils annual recurrent budget for the provision of a Scholarship in Radiology or Physiotherapy, whilst ever such funds and any community funds are matched by SWAHS.
2. Council write to the SWAHS advising of the Motion and Policy.

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor B P Morrissey.

**CARRIED**

## GENERAL MANAGER REPORTS

**ITEM:1            EXEC - 03/07/06 - PACIFIC NATIONAL PTY LTD**

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### REFERENCE

Letter sent 18 May 2006. Dataworks Document number 274616.

### SUMMARY

This report outlines a proposed meeting with Pacific National Pty Ltd.

### COMMENTARY

Correspondence was received by Pacific National Pty Ltd regarding a proposed meeting with representatives of Lithgow City Council.

*"We refer to Councils recent letter to us dated 18 May 2006, expressing an interest in Council meeting with us to better understand Pacific Nationals plans for the future of its Lithgow property.*

*As you are no doubt aware, Pacific National is a joint venture between Toll Holdings Limited and Patrick Corporation Limited and has been caught up in the protracted takeover bid of Patrick by Toll.*

*Now that this has been completed, we are in the process of reviewing our operational needs and appropriate levels of use of our assets.*

*We are therefore not presently in a position to be able to hold any meaningful discussions with Council on the future of our Lithgow Property. However we would be pleased to discuss these matters with Council once this review is complete".*

### POLICY IMPLICATIONS

NIL

### FINANCIAL IMPLICATIONS

NIL

### LEGAL IMPLICATIONS

NIL

### RECOMMENDATION

**THAT** the correspondence be received and noted.

**06- 191 RESOLVED**

**THAT:**

1. The Correspondence be received and noted
2. Council rewrite to Pacific National with a further letter to Toll Holdings seeking a meeting to discuss the Lithgow property.

**MOVED:** Councillor H K Fisher

**SECONDED:** Councillor W McAndrew.

**CARRIED**

**ITEM:2            EXEC - 03/07/06 - NEW ICAC PUBLICATION: SPONSORSHIP IN THE PUBLIC SECTOR**

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**REFERENCE**

NIL

**SUMMARY**

This report outlines correspondence received from ICAC re a new publication.

**COMMENTARY**

Correspondence has been received from the Independent Commission Against Corruption regarding the Commissions latest corruption advice resource called the **Sponsorship in the Public Sector**.

It has been created to assist public sector agencies to identify and address the corruption risks associated with this activity. The new resource supersedes ICAC's 1995 publication, *And Now a Word from our Sponsor*.

**Sponsorship in the Public Sector** provides an update of the Commissions ten sponsorship principles as well as guides to developing policies and procedures for receiving and granting sponsorship.

Copies can be arranged by contacting the General Managers, Personal Assistant, Casey Clarke.

**POLICY IMPLICATIONS**

NIL

**FINANCIAL IMPLICATIONS**

NIL



## LEGAL IMPLICATIONS

NIL

## 06- 192 RESOLVED

THAT the information be received.

**MOVED:** Councillor B S Moran

**SECONDED:** Councillor M J Wilson.

**CARRIED**

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## ITEM:3 EXEC - 03/07/06 - LOCAL GOVERNMENT CONFERENCE

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## REFERENCE

NIL

## SUMMARY

This report reminds Council of the upcoming Local Government Association Conference and seeks any motions from Council for consideration at the Conference.

## COMMENTARY

Council will be aware of the annual LGA Conference and the process of having motions listed in the proceedings for consideration.

Councils are requested to advise the Association of any pending motion for inclusion in the business papers. **The closing date for the motions is 21 August 2006.**

Council may move any motion which relates to the operations or strategic issues facing local government. Council may wish to consider matters relating to:

- Shopping trolleys
- RFS contributions
- LEP templates

Council will need to decide upon any motion so that they can be forwarded to the Association by the closing date.

## POLICY IMPLICATIONS

The motions put by the Lithgow City Council should reflect Councils Policy stance on such matters or reflect a change to Councils policy.

## **FINANCIAL IMPLICATIONS**

There are no financial implications arising from this report.

## **LEGAL IMPLICATIONS**

NIL

## **CONCLUSION**

This report provides an opportunity for Councillors to move a specific motion for Councils adoption and forwarding to the Local Government Association for inclusion in the list of motions at the 2006 Local Government Association Conference.

## **RECOMMENDATION**

**THAT** Council formulate any motion it feels are warranted.

## **06- 193 RESOLVED**

**THAT** the General Manager, Mayor and Councillor Fisher develop motions for the LGA Conference and report to the 7 August Policy and Strategy Committee Meeting for consideration.

**MOVED:** Councillor M M Collins

**SECONDED:** Councillor M J Wilson.

**CARRIED**

## ENVIRONMENT & PLANNING SERVICES REPORTS

**ITEM:4            EPS - 03/07/06 - PREPARATION OF A PLAN OF MANAGEMENT FOR  
MOUNT YORK RESERVE BY BLUE MOUNTAINS CITY COUNCIL**

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### REFERENCE

Item 2, EPS, Policy and Strategy Committee, 1 May 2006

### SUMMARY

Blue Mountains City Council is preparing a Plan of Management for Mount York Reserve. As the Plan of Management area contains some land within the Lithgow Local Government Area, this progress report is provided for information.

### COMMENTARY

As previously mentioned in a report to Council's Policy and Strategy Committee meeting of 1 May 2005 regarding the Gardens of Stone Park Proposal Stage 2, Blue Mountains City Council (BMCC) is preparing a Plan of Management (POM) for Mount York Reserve. The area covered by the POM includes Crown Lands located on the western escarpment within both the Blue Mountains and Lithgow Local Government Areas (LGA). Of the lands located within the Lithgow LGA, two parcels are currently managed by BMCC and the third parcel is proposed to be managed by BMCC under the Public Lands Rationalisation Project. It should be noted that this third parcel of Crown Land is currently being managed by private citizens. A diagram of the POM area is attached to the Business Paper.

It is advised that the Public Lands Rationalisation Project and the POM are two different and distinct processes. The Public Lands Rationalisation Project investigated the most appropriate public land manager for a range of public lands including the western escarpment. The Department of Environment and Conservation (DEC) has advised that it favours BMCC managing the western escarpment. Council will recall at its meeting of 4 October 2005 it resolved to consult with the community prior to making a final determination on the matter. In order to prepare any exhibition material, Council firstly required information from DEC and BMCC, however, this information has not been forthcoming to date. Therefore, this issue has been included in the Gardens of Stone Park Proposal Stage 2 submission to the Local Member, Gerard Martin, MP and the Honorable, Minister for the Environment, Bob Debus, MP.

The POM will provide a clear direction for the future of Mount York Reserve. It will address the environmental, social and heritage values of the area. The area incorporates Mount York and Bardens Lookouts and contains a number of historic roads and monuments associated with early European crossings of the Blue Mountains and are currently a popular rock climbing/abseiling site.

To date, the POM preparation process has involved the following public consultation:

- 19 April 2006 a public meeting was held to ascertain the community's values of the Reserve; management issues for the Reserve and ideas on how to manage the issues raised.
- 7 June 2006 a public meeting was held to present a number of draft Masterplans for the Mount York Day Use Area, Bardens Lookout, Lawsons Long Alley/Berghofers Pass track head and Lockyers Line of Road track head.

A copy of the results of the meeting held on 19 April 2006 and the draft Masterplans are attached to the Business Paper.

There will be an opportunity for Council and the community to comment during the exhibition of the draft POM.

Furthermore, as Council would be aware the Rural Fire Service has previously expressed concerns about the Public Lands Rationalisation Project and as such a meeting was convened between Gondwana Consulting, BMCC, LCC and the Lithgow RFS to ensure that the Lithgow RFS could express their concerns during the preparation of the POM. At this meeting it was resolved to have a BMCC representative attend the Joint Lithgow and Blue Mountains Rural Fire Service meeting to discuss this issue.

### **POLICY IMPLICATIONS**

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

### **FINANCIAL IMPLICATIONS**

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

### **LEGAL IMPLICATIONS**

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

### **RECOMMENDATION**

**THAT** the information be received.

### **06- 194 RESOLVED**

#### **THAT:**

1. The information be received.
2. Council advise the Blue Mountains City Council of their objections and ask that a representative be present on this committee.

**MOVED:** Councillor M J Wilson

**SECONDED:** Councillor B S Moran.

**CARRIED**

**ITEM:5            EPS - 03/07/06 - ABS NATIONAL CENSUS OF POPULATION & HOUSING**

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**SUMMARY**

The Australian Bureau of Statistics will conduct the next national Census of Population and Housing on 8 August 2006. Council's support in promoting the Census is being sought.

**COMMENTARY**

The next national Census of Population and Housing will be held on 8 August 2006. Census collectors will drop off a Census form at every household in Australia in the two weeks prior to Census night and will return to pick up the completed census form between 9 and 28 August 2006. Also, people will have the option of completing the Census electronically via the internet.

The Census is an important information source for local government planning. It is used to examine changes in the characteristics of populations and identify services that are required in the Local Government Area.

The Australian Bureau of Statistics has requested the support of councils in promoting public participation in the Census. It is considered appropriate for Council to advertise the Census on its website and in the weekly column of the Lithgow Mercury.

**POLICY IMPLICATIONS**

The data obtained from the Census will inform Council plans, policies and strategies.

**FINANCIAL IMPLICATIONS**

The cost of advertising the Census can be funded through the Recurrent Budget for 2006/07.

**LEGAL IMPLICATIONS**

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

**RECOMMENDATION**

**THAT** the Census of Population and Housing be advertised on Council's website and in the weekly column of the Lithgow Mercury.

**06- 195 RESOLVED**

**THAT:**

1. The Census of Population and Housing be advertised on Council's website and in the weekly column of the Lithgow Mercury.
2. Council seek advice from the Western Area Health System on how they got their recent statistic results.

**MOVED:** Councillor H K Fisher

**SECONDED:** Councillor M M Collins.

**CARRIED**

## CORPORATE SERVICES REPORTS

### ITEM:6           CORP - 03/07/06 COMPETITION TO BE INCLUDED WITH THE 2006/07 RATE NOTICES

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#### REFERENCE

Nil

#### SUMMARY

To advise Council of our involvement in a competition organised by Australia Post for Council customers who pay their rate instalment through Australia Post outlets, phone or internet between 3 July 2006 and 29 September 2006.

#### COMMENTARY

Council has accepted an offer from Australia Post to include in our 2006/07 Annual Rate notices a competition for Council customers who pay their rate instalment through Australia Post outlets, or by phone or on the internet between 3 July 2006 and 29 September 2006.

The competition is advertised by a flyer inserted in the rate envelope and provides a chance for participants to win one of three monetary prizes of \$10,000 (\$30,000 in total).

The following comments are noted:

- No cost to Council
- Australia Post to meet the cost of insertion of the flyer
- Australia Post will deliver the flyers (10,000) to our mailing company before the due date
- Australia Post has complied with Dept Gaming and Racing requirements with regard to conducting a competition. No liability rests with Council
- Advertising is undertaken locally
- Customers may enter in person, by phone or on the internet
- Should a Lithgow City Council customer win one of the prizes it will be publicised in the local media with Council's involvement.

The advantages of Council participation:

- Customers are encouraged to pay their bills sooner which will improve Council's cash flow
- Provide a reward for our customers who pay their bills using Post Bill
- Council promoted in a positive public relations exercise

#### Public Consultation

NIL

#### Budget & Financial Aspects

Nil

Councillor M F Ticehurst was not in support of the motion.

## **06- 196 RESOLVED**

**THAT** the information be received and Council acknowledge our involvement in the 2006/07 rating year.

**MOVED:** Councillor M J Wilson

**SECONDED:** Councillor H K Fisher.

**CARRIED**

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## **ITEM:7            CORP - 03/07/06 CABONNE FLOOD APPEAL THANK YOU**

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### **REFERENCE**

28.11.05 Min 05-589 Report to Ordinary Meeting of Council

### **SUMMARY**

To advise Council of the final distribution of funds donated to the 2005 Cabonne Flood appeal.

### **COMMENTARY**

The Mayor of Cabonne has announced the final distribution of funds donated to his Mayors Flood appeal. The appeal raised over \$260,000 and was initiated after devastating rain caused flooding in four of the villages in the Cabonne areas last November.

Lithgow Council resolved at the meeting of 28 November 2005 to contribute \$1,000 towards the appeal.

Mayor John Farr said the appeal was a great success and that the funds raised had gone towards assisting many individuals and businesses to get back on their feet. He said that money was distributed in three rounds with assistance spreading across the villages and farms that were affected. He also said that no administration charges, dividends or 'bonus payments' were made and all funds raised went to relieve those in need

Donations were received from all levels of government, including \$50,000 from the Federal Government \$27,500 from the Premiers Department and over \$67,000 from local Councils all over NSW. Cr Farr has expressed his absolute amazement at the generosity of city and country councils across NSW and would like to extend his sincere and personal thanks to each and every Council and organisation.

### **Public Consultation**

NIL

**Budget & Financial Aspects**

Nil

**ATTACHMENTS**

NIL

**06- 197 RESOLVED**

**THAT** the information be received

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor M M Collins.

**CARRIED**



## QUESTIONS WITHOUT NOTICE

### QWN - COUNCILLOR H K FISHER

1. Could a full report be given to Council on the Pensioner Rebate and the methodology used to calculate the rebate to those who qualify"

*Pension rebates are granted to a person who receives a pension through Centrelink or the Department of Veterans Affairs and are in receipt of a current 'pension concession card'.*

*The rebate granted to an eligible pensioner is to a maximum of \$425.00, 55% of which is reimbursed by the State Government and 45% subsidised by Lithgow City Council:*

<i>General Rates: Half of the general rate up to a maximum of</i>	<i>\$250.00</i>
<i>Water Rate: To a maximum of</i>	<i>\$ 87.50</i>
<i>Sewerage Rate: To a maximum of</i>	<i>\$ 87.50</i>
<b><i>Total allowable rebate:</i></b>	<b><u><i>\$425.00</i></u></b>

*The pensioner must reside on the property and should it be owned by additional ratepayers who are not pensioners, the rebate is granted on the share held by the pensioner.*

*Persons who become, or cease to be, eligible pensioners during a financial year will receive a concession proportionate on the number of full quarters in which they are an eligible pensioner.*

*For the 2005/06 financial year Council had 2,206 pension rebated properties.*

*The table below shows the total levy write off and the contributions paid both State and Local Government.*

<b>% GRANTED</b>	<b>GENERAL</b>	<b>WATER</b>	<b>WASTEWATER</b>	<b>TOTAL</b>
<i>55% COST TO DLG</i>	<i>\$270,971</i>	<i>\$87,140</i>	<i>\$81,726</i>	<i>\$439,837</i>
<i>45% COST TO COUNCIL</i>	<i>\$221,704</i>	<i>\$71,297</i>	<i>\$66,867</i>	<i>\$359,868</i>
<b><i>TOTAL WRITE OFF</i></b>	<b><u><i>\$492,675</i></u></b>	<b><u><i>\$158,437</i></u></b>	<b><u><i>\$148,593</i></u></b>	<b><u><i>\$799,705</i></u></b>

### 06- 198 RESOLVED

**THAT** council include this issue in their motions for the LGA Conference.

**MOVED:** Councillor H K Fisher

**SECONDED:** Councillor W McAndrew

2. Could a full report be given to Council re: the Ganbenang/Marsden Swamp Road intersection re: a roundabout also line marking on the Ganbenang Road also speed reduction from 100km/h to 80km/h?

*It is understood that the main issue relates to the intersection of Gangbenang Road and Marsden Swamp Road and the priority given to traffic at the intersection. Council's Works Engineer and Road Safety Officer have recently met with residents in the area and a further detailed report will be provided in relation to the results and recommended actions.*

**06- 199 RESOLVED**

**THAT** an onsite meeting be convened with the concerned residents and the Traffic Authority Committee to seek their input and also discuss the Portland and Cullen Bullen road issues.

**MOVED:** Councillor H K Fisher

**SECONDED:** Councillor M J Wilson

3. Could a full report be given on the filthy pavement in most of Main Street, Lithgow etc?

*Council may recall how this problem arose out of an industrial issue. In the interim the pavement has only been 'spot cleaned' up to 6 hours per week. It is proposed commencing this week that a weekly 'clean & scrub' will take place. This will occur for a trial period of 6 weeks and if successful will be put in to place on a permanent basis.*

4. Shopping trolleys outside Integral Depot and Opposite James St via Duct.

*The shopping trolley outside the Integral Depot was gone when the Ranger arrived for collection. The trolley at the James Street viaduct was impounded on 3 July 2006.*

**QWN - COUNCILLOR A E THOMPSON**

1. Mr Mayor I refer to a previous report on Tradewaste in respect to charges. Can a report be brought back on the council resolution, as to where we are up to and where we stand in regards to the legislation of passing this issue onto the appropriate department for action?

*A report will be submitted to a future Policy and Strategy Committee meeting.*

**QWN - COUNCILLOR B P MORRISSEY**

1. Mr Mayor I refer to a question I raised last meeting regarding information from Dr Styles on recent statistics released on the health risk factors in Lithgow. Can we please contact the Sydney West Area Health System and ask how these statistics came about?

*Council will contact SWAHS to determine the method of determining the statistics for health demographics and population productions.*

The meeting closed at 6.52pm.