



LITHGOW CITY COUNCIL

MINUTES

POLICY AND STRATEGY COMMITTEE
MEETING OF COUNCIL

HELD ON

03 OCTOBER 2006

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

Meeting Commenced at 6.04pm

Public Gallery: 20

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 who is on holidays

MOVED: Councillor M M Collins **SECONDED:** Councillor W McAndrew.

06- 306 RESOLVED

CARRIED

Also in attendance

General Manager, Mr Paul Anderson
Acting Group Manager Regional Services, Mr Andrew Muir
Group Manager Community and Corporate Services, Ms Kathy Woolley
Minutes Secretary, Ms Casey Clarke

CONFIRMATION OF MINUTES

Confirmation of the Minutes of the Policy and Strategy Committee Meeting of Council held on the 4 September 2005 were taken as read and confirmed by Councillors M J Wilson and B S Moran

06- 307 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 6.00pm members of public gallery were invited to address questions through the Mayor to Councillors and Staff: -

QPG - MR O T O'BRIEN

1. Mr Mayor can you explain the recent suspension of two (2) council employees from the Wallerawang Council Depot and the reasons why?

This is a staff matter of Lithgow City Council and can not be discussed with the public.

QPG - REDDINGS MOTOR REPAIRS

1. The Automotive Trade Section of Lithgow Tafe has been closed. This has been done without consultation with Motor Trades of Lithgow and Lithgow Community. This has a far reaching impact on job opportunities for future Motor Trade Apprentices and flow on affect for employers in our city.

Was Council aware of this closure and what does Council propose to do? When Council was first made aware of this closure? Is Lithgow Council aware that Bathurst Automotive Section is being extended, and has a grant for extensions? Why don't Bathurst students travel to Lithgow for Tafe?

A meeting between Lithgow City Council, the State Member, Gerard Martin and TAFE will be arranged for the near future to discuss these issues.

QPG - MARLENE BRINCKLEY

1. Mr Mayor what action has been taken since my conversation with Carol Farnsworth re the resubmitting of the application to resume ROW on Lot 5 Daintree Lane to enable the owner of lots 2, 3, 4, 6, and 7 unrestricted access to our properties. Local Government Minister Kerry hickey indicated in his letter dated twelve months ago to Gerard Martin that if application were submitted in a different form it would be reconsidered. This letter was given to Councillor Fisher who submitted it to Council. I would like to know who in Councils Office phoned or wrote to M/S Hajgato and the result of this discussion. What was required for an approval?

No action has been taken. The Minister's determination not to approve the acquisition notice was reported to Council at its ordinary meeting of 28 November 2005. The Minister advised that the Council could provide further information to demonstrate that the proposed acquisition "is for a council function appropriate for the current needs of its community". However, no such information exists.

2. Mr Mayor is council aware the entrance to Lot 2 Lot 7 is accessed via Council land as an assumed access and was approved to have an access via ROW on Lot 5? The Council Road has been eroded by three lots that now use this as access to their properties. Ratepayers should not have to pay for upkeep on a road that is a mere turnaround. We have to upkeep ROW through which the owners of Lots 2, 3, 4, 6 and 7 should be accessing Council Road. With at least ten cars a day entering and exiting Lot 2 the dust is unbelievable. There is also a motorbike track on Lot 2. On weekends friends bring friends and it is on. The noise is deafening and I have a hearing problem. The dust is the worst, the winds we have had lately we have been covered in bull dust. Now with the extra traffic through there even a slight breeze raises dust.

It is understood that the ROW over lot 5 is in favour of lots 2, 3, 4, 6 and 7. Lots 2 and 7 also have public road access and Council has a responsibility to maintain Council owned public roads. The maintenance of private ROW's is a matter for the private parties. Any allegation regarding noise from motorbikes should be reported to the Police or Council Rangers.

3. Are all Councillors aware (some I could not contact) of developments since the installation of the gate across ROW on 27 September 2006 by Raymond (Dick) Howell-Shannon Howell Genene Howell Overseer. The STOP signs I think belong to Council they are second hand and have a yellow sticker on the bottom changed traffic conditions. The private property signs are misleading, visitors don't know if they can come in or not. The gate Keeper or Guardian of the ROW or tenant of Lot 2 Shannon Howell and Kristy Wilson and their dog harass and badmouth us to anyone who will listen whilst they are opening the gate. The people (not the dog she just frightens people and chases them up council road, and annoys you when you are trying to undo the gate). A female friend of 68yrs was put in this position and was shaking when she got to our home. She doesn't trust strange large dogs. The Ranger has had trouble with this dog being out before. Saturday night 30th I went out at 5pm had trouble opening the gate dog came out while I was opening the gate, Shannon and his friends laughed at my distress. On my return the chain was wound so tight round and round I could not open it. I rang 000 twice. Police came. He was hiding near a car and made a howling noise when I drove home that could be heard all over the mountain.

Unable to comment other than the gate has been inspected. It appears to be on the private ROW and is not locked. This appears to be a matter for the private parties to resolve.

4. Mr Mayor are you aware this situation is intolerable? We are 63 yrs old and my husband's doctor does not want him behind a gate when people play funny buggers with the gate and have misleading signs that make it hard for Police and Ambulance to get to us, as has happened previously. I am now behind a gate with a man who has assaulted me for walking on ROW as it is his land and thinks they are the dominant tenants not us and I should ask permission for walking on it or if I can have visitors.

Unable to comment.

5. Mr Mayor Could council please keep me informed as to any progress with the application?

If this refers to the previous acquisition proposal then no further action is proposed.

6. Mr Mayor are you aware Lot 5 is up for sale yet negotiations are underway into land owned by Jim Ryan 100 Acres on McKanes falls Road. Access is to be proposed through Lot 5 Daintree Lane Jim Ryan says no trouble with what he wants to do. If Lot 5 is sold, how is he going to gain access to the bottom of his 100 acres? He already has 4 one acre lots approved on McKanes falls road.

A proposal has been submitted via correspondence. This will be reported in due course.

7. Mr Mayor are you aware I have been sitting here for 12 months thinking the Council staff are submitting and rewording the application to the Minister? How wrong can you be?

Unable to comment other than it is understood the Minister's office corresponded directly with Mrs Brinkley.

8. Mr Mayor are you aware the electricity Commission requires a gate across their Easement be earthed? In case of a lightning strike and their employees touch the gate they can be electrocuted. Should they have to bring large trucks in here for posts and a gate has restricted their access?

Unable to comment other than the ROW appears wide enough for a truck.

9. Mr Mayor are you aware Garage on Lot 2 has been converted into a three bedroom house? With new additions of laundry under construction? The garage is occupied by Shannon Howell and Kristy Wilson and 4 children. A massive excavation has been carried out, septic arrangements do not include an Envirocycle which we have to have with 3 people only. The previous owners were required to put in drainage in order to sell. The garage was only approved for them to live in whilst they built their home. This drainage has been dug out.

The structure was approved as a dwelling (DA 600/99). The effluent disposal system was approved through referral to the Sydney Catchment Authority.

10. Mr Mayor I understand Council does not give retrospective approval for illegal dwellings. Is this so?

It is correct that retrospective approval cannot be given for structures.

11. Mr Mayor is Council aware an onsite absorption septic system has been approved on Lot 6 a four bedroom home merely on a letter from the owner saying he does not want his child to run through the water that is pumped out surely on three acres this need not occur. Absorption systems do not require the maintenance and cost of running that Envirocycle incur?

The effluent disposal system on Lot 6 was approved with the DA 352/02 for a dwelling and was approved through referral to the Sydney Catchment Authority. The allegation that this was approved on a letter for the reasons stated cannot be substantiated given the evidence on file that has been located.

12. Mr Mayor are you aware you have not seen my gate and the great excavation and three bedroom garage, dust, all the time. Motor bikes mostly weekend but sometimes weekdays after 5pm.

Council officers have inspected the gate and excavation. A structural detail has been requested in relation to the proximity of the excavation to a nearby wall. Allegations regarding motorcycles and noise can be reported to the Police or Council Rangers.

TABLE OF CONTENTS

<u>ITEM</u>	<u>TITLE</u>	<u>PAGE</u>
	<u>REGIONAL SERVICES REPORTS</u>	<u>7</u>
<u>ITEM:1</u>	<u>REG - 03/10/06 - SITE INVESTIGATION - HCB REPROCESSING FACILITY - ORICA AUSTRALIA</u>	<u>7</u>
<u>ITEM:2</u>	<u>REG - 03/10/06 - PROPOSED HERITAGE LISTING OF ADI SITE</u>	<u>8</u>
<u>ITEM:3</u>	<u>REG - 03/10/06 - REQUEST FOR REMOVAL OF WATTLE TREES 29 ANDREW STREET, LITHGOW</u>	<u>10</u>
	<u>COMMUNITY AND CORPORATE SERVICES REPORTS</u>	<u>11</u>
<u>ITEM:4</u>	<u>COMM - 03/10/06 - NOTIFICATION OF DECISION ON THE LICENCE APPLICATION DIR062/2005 FROM BAYER CROPSCIENCE PTY LTD FOR COMMERCIAL RELEASE OF GENETICALLY MODIFIED COTTON</u>	<u>11</u>
<u>ITEM:5</u>	<u>COMM - 03/10/06 - SHOPPING TROLLEY COLLECTION PROCESSES</u>	<u>12</u>
<u>ITEM:6</u>	<u>COMM - 03/10/06 - EXHIBITION OF PLAN OF WORKS FOR EMORA PARK</u>	<u>13</u>
<u>ITEM:7</u>	<u>COMM - 03/10/06 - STANDARD LEP TEMPLATE - SCHOOLS IN RURAL ZONES</u>	<u>14</u>
<u>ITEM:8</u>	<u>COMM - 03/10/06 - UPDATE OF STRATEGIC PLAN</u>	<u>15</u>
<u>ITEM:9</u>	<u>COMM - 03/10/06 - GARDENS OF STONE NATIONAL PARK</u>	<u>20</u>
	<u>QWN - COUNCILLOR BRIAN MORRISSEY</u>	<u>25</u>
	<u>QWN - COUNCILLOR WAYNE MCANDREW</u>	<u>25</u>
	<u>QWN - COUNCILLOR MARTIN TICEHURST</u>	<u>26</u>
	<u>QWN - COUNCILLOR MICHAEL WILSON</u>	<u>26</u>
	<u>QWN - COUNCILLOR MARGARET COLLINS</u>	<u>26</u>
	<u>QWN - COUNCILLOR HOWARD FISHER</u>	<u>26</u>

REGIONAL SERVICES REPORTS

**ITEM:1 REG - 03/10/06 - SITE INVESTIGATION - HCB REPROCESSING
FACILITY - ORICA AUSTRALIA**

SUMMARY

To advise of a recent meeting with representatives of Orica Australia Ltd in relation to the possible construction of a plant in regional New South Wales for the destruction/reprocessing of Hexachlorobenzene (HCB) waste.

COMMENTARY

The Mayor and the Acting Group Manager Regional Services recently met with representatives of Orica Australia who are investigating possible locations in Regional NSW for the location of a plant to reprocess HCB waste. The waste, which is a by product of other processes, is currently stockpiled at the company's Botany Bay facilities where approval to construct a reprocessing facility has been rejected by the State Government.

Orica has been asked by a State Government Independent review panel to search for suitable locations in regional NSW. To this end the company has been touring regional areas to talk to local government representatives to ascertain interest. No specific site in the Lithgow Local Government area has been examined with the company seeking first to ascertain interest.

The required plant would destroy 15,000 tonnes of HCB waste in a 5 year operation. It would create up to 50 construction and 10 full time jobs. However, balanced against this are the perceived problems that such a facility could create for a local government area. Whilst state of the art processes may be able to be implemented it would still be difficult to reassure the community that no health or environmental effects would result. It would also be difficult to counter the perceived impact on the image of any area which contains a plant to destroy HCB wastes.

The company now believes they may have to apply for permission to transport the wastes off shore and it is understood that it may have accepted this course of action.

Unless Council would like further representations to be made it is suggested that no further action be taken in regard to this issue.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

06- 308 RESOLVED

THAT the information be noted.

MOVED: Councillor M M Collins

SECONDED: Councillor M F Ticehurst.

CARRIED

ITEM:2 REG - 03/10/06 - PROPOSED HERITAGE LISTING OF ADI SITE

**REPORT FROM: ACTING GROUP MANAGER REGIONAL SERVICES - ANDREW
MUIR**

SUMMARY

This report advises of a nomination from the National Trust of Australia to nominate the entire Small Arms Factory Site for inclusion on the State Heritage Register and prior to that process requesting an Interim Heritage Order be put in place.

COMMENTARY

Council has received a copy of correspondence from the National Trust to the Heritage Office of NSW nominating the entire Small Arms Factory Site for inclusion on the State Heritage Register and prior to that process requesting an Interim Heritage Order be put in place. This would include the chimney for which there is currently a development application in place.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Section 24 of the Heritage Act provides that the Minister can make interim heritage orders for items of State or local heritage significance and the Heritage Council is to provide advice to the Minister on the making of interim heritage orders. The Minister is not required, before making an interim heritage order, to notify any person who will be affected by the order of the intention to make the order. Proposals to list items on the State Heritage Register require much wider notification and consultation.

Should an Interim Heritage Order or State Heritage Register listing be made, then an approval must be obtained under the Heritage Act prior to any works being carried out including demolition. Public notice must be given to such application and special matters for consideration apply such as the extent to which the application, if approved, would affect the significance of any item. Section 63 (2) of the Act provides that where an application for approval is made to demolish the whole of a building or work, or an application for approval is made which would, if it were approved, necessitate the demolition of the whole of a building or work, the approval body shall determine that application by refusing approval. However, approval may be granted if the approval body is of the opinion that the building or work constitutes a danger to the users or occupiers of that building or work, the public or a section of the public, it is a condition of the approval that the building or work be relocated on other land, or the building or work is situated in a place or precinct that is an item of State heritage significance, but is not itself such an item, and the approval body is of the opinion that the demolition of the whole of the building or work will not have a materially detrimental effect on the heritage significance of the place or precinct.

RECOMMENDATION

THAT Council request the State Member, Mr Gerard Martin MP, to arrange discussions with the appropriate Minister in relation to the proposal put forward by the National Trust of Australia.

06- 309 RESOLVED

THAT:

1. Council oppose any of this site being heritage listed at all,
2. Council seek a delegation through the State Member to the relevant Minister in relation to this proposal being refused.

MOVED: Councillor H K Fisher

SECONDED: Councillor B P Morrissey.

CARRIED

Councillor M J Wilson voted against the resolution.
7 Councillors voted for the resolution.

**ITEM:3 REG - 03/10/06 - REQUEST FOR REMOVAL OF WATTLE TREES 29
 ANDREW STREET, LITHGOW**

REPORT FROM: WORKS ENGINEER – C SCHUMACHER

SUMMARY

Request for the removal of wattle trees at the rear of 29 Andrew Street, Lithgow due to a medical respiratory condition of a resident.

COMMENTARY

Wattle trees, within the Great Western Highway road reserve, at the rear of 29 Andrew Street are currently in blossom. A request has been received from the property owner to remove these trees as he suffers from a chronic airway limitation, which allergic reactions to pollen aggravate his airway. On the grounds of health reasons the resident has requested Council to remove the offending wattle trees to alleviate his respiratory problems. Supporting documentation from the resident's Doctor has also been received to support the need for the removal of these trees.

The resident has indicated that if Council were to remove the wattle trees, he would be happy to finance the replacement of a more suitable species of tree less harmful to his health.

Whilst medical conditions alone may not be an adequate reason to remove mature trees in this case the trees are not an exceptional example and the resident has offered to fund their replacement. This is considered an important gesture as the removal of trees for this reason could create a difficult precedent to manage.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

06- 310 RESOLVED

THAT:

1. The wattle trees at the rear of 29 Andrew Street, Lithgow be removed and replaced by Council in consultation with the resident and at his full cost.
2. Council create a Policy to cover such matters in the future.
3. That a draft policy be presented to Council for consideration.

MOVED: Councillor M M Collins

SECONDED: Councillor M J Wilson.

CARRIED

COMMUNITY AND CORPORATE SERVICES REPORTS

ITEM:4 COMM - 03/10/06 - NOTIFICATION OF DECISION ON THE LICENCE APPLICATION DIR062/2005 FROM BAYER CROPSCIENCE PTY LTD FOR COMMERCIAL RELEASE OF GENETICALLY MODIFIED COTTON

REPORT FROM: PENNY HALL - COMMUNITY AND CULTURE MANAGER

SUMMARY

The DIR 062/2005 licence for the commercial release of genetically modified cotton in Australia permits the unrestricted commercial release of Liberty Link Cotton.

COMMENTARY

Council has received correspondence from the Federal Department of Health and Ageing, Office of Gene Technology Regulator announcing that the RARMP (Risk Assessment and Risk Management Plan) has been finalised and a licence was issued on 8 August 2006.

The DIR 062/2005 licence permits the unrestricted commercial release of Liberty Link Cotton in all areas of Australia. The risk management plan concludes that the release poses negligible risks to people and the environment. Therefore no specific containment measures have been imposed. The licence conditions relate to ongoing licence holder suitability; auditing and monitoring provisions; and reporting structures which include an obligation to report any unintended effects.

POLICY IMPLICATIONS

There are no policy implications at this stage as there is no policy on genetically modified cotton.

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

06- 311 RESOLVED

THAT the information be noted.

MOVED: Councillor M J Wilson

SECONDED: Councillor W McAndrew.

CARRIED

ITEM:5 COMM - 03/10/06 - SHOPPING TROLLEY COLLECTION PROCESSES

REPORT BY: Community and Culture Manager – P.HALL

SUMMARY

Council has been impounding a number of shopping trolleys found abandoned as a result of Council resolution dated 9 September 2002. A meeting was held to come to some agreement on greater co-operation between the parties involved in the management of abandoned trolleys and an ongoing program to improve the situation has been developed.

COMMENTARY

A meeting was held on 7 September 2006 at the Lithgow Library Learning Centre with Council representatives, Project Manager of Trolley Services Australia Ltd, Retail representatives and Trolley collectors. Trolley Services Australia Pty Ltd is an organisation which provides an information service to all the major retailers in New South Wales. It encourages general public and council staff to contact Trolley Tracker (1800641497) to report the location of abandoned trolleys so they can be quickly collected and returned to the store where they belong.

It was agreed there would be a co-operative education campaign and store managers would sign off on it as Council's resolution stands and the impounding of trolleys must continue. Council will advertise the 1800 number in the Council Connections newsletter so all households are aware of action that could be taken.

Trolley trackers will provide more leaflets to the store requesting the 1800 number be used by the community so abandoned trolleys could be picked up immediately.

Another meeting will be held on 11 October 2006 when the trolley collection maps of the supermarkets can be reviewed and progress with the education campaign could be assessed.

POLICY IMPLICATIONS

Council's resolution of 9 September 2002 must be abided by.

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

RECOMMENDATION

THAT the minutes of the meeting with retail outlets, trolley trackers and Council and the processes to improve trolley abandonment developed in those minutes be noted.

06- 312 RESOLVED

THAT:

1. The Minutes of the meeting with retail outlets, trolley trackers and Council and the processes to improve trolley abandonment developed in those minutes be noted.
2. Council seek advice if coin operated trolleys can be used in Lithgow?

MOVED: Councillor W McAndrew

SECONDED: Councillor H K Fisher.

CARRIED

ITEM:6 COMM - 03/10/06 - EXHIBITION OF PLAN OF WORKS FOR EMORA PARK

REPORT FROM: POLICY & PLANNING MANAGER – A MUIR

REFERENCE

Item 11, COMM, 21 August 2006

SUMMARY

This report requests an extension of the exhibition period for the proposed plan of works for Emora Park.

COMMENTARY

Council may recall that at its meeting of 21 August 2006, it resolved to place the proposed plan of works for Emora Park on exhibition for a period of 21 days. This exhibition period has expired with no submissions being received. However, a request has been received to extend the exhibition period and place the proposed plan of works on exhibition at Bowenfels Cottage.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

The financial implications of the proposed plan of works were reported to Council at its meeting of 21 August 2006 and will be considered in a report following the extended exhibition period if approved.

LEGAL IMPLICATIONS

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

RECOMMENDATION

THAT the proposed plan of works be placed on public exhibition for a further 14 days from 5 October 2006 at the Bowenfels Cottage and Council's Administration Centre.

06- 313 RESOLVED

THAT:

1. The proposed plan of works be placed on public exhibition for a further 14 days from 5 October 2006 at the Bowenfels Cottage and Council's Administration Centre.
2. Council have a letter drop to all residents on the western side of the Great Western Highway informing them of the proposed plan of works.

MOVED: Councillor M J Wilson

SECONDED: Councillor W McAndrew.

CARRIED

ITEM:7 COMM - 03/10/06 - STANDARD LEP TEMPLATE - SCHOOLS IN RURAL ZONES

REPORT FROM: STRATEGIC PLANNER – S HANRAHAN

REFERENCE

Question by Councillor BP Morrissey at the meeting of Council held on 18 September 2006.

SUMMARY

The purpose of this report is to answer a question regarding whether the Standard Local Environmental Plan (LEP) Template gazetted earlier this year prohibited schools in rural zones.

COMMENTARY

Further to a question from Councillor BP Morrissey at Council's meeting of 18 September 2006 regarding the prohibition of schools in rural zones under the Standard LEP Template, the following has been researched. The Standard LEP Template does not mandate the prohibition of schools in any of the land use zones, including rural zones. When preparing the land use tables of the principal LEP in accordance with the Standard LEP Template, councils may:

- Include additional objectives in a zone at the end of the listed objectives to reflect particular local objectives of development, but only if they are consistent with the core objectives for development in the zone as set out in the Table.
- Add specified uses (but not remove from) to the list of development that is permitted or prohibited in a zone.

In this regard councils may elect where they wish to allow for school development through the development of their zoning land use tables. Council will have a role in determining the zoning land use tables in the upcoming comprehensive LEP for the Lithgow Local Government Area which must be completed by April 2009.

POLICY IMPLICATIONS

No policy implications arise from this report.

FINANCIAL IMPLICATIONS

No financial implications arise from this report

LEGAL IMPLICATIONS

No legal implications arise from this report.

06- 314 RESOLVED

THAT the information be received.

MOVED: Councillor B P Morrissey

SECONDED: Councillor B S Moran.

CARRIED

ITEM:8 COMM - 03/10/06 - UPDATE OF STRATEGIC PLAN

REPORT FROM: POLICY & PLANNING MANAGER – A MUIR

REFERENCE

Minute 06-05: Policy & Strategy Committee Meeting 6 February 2006
Minute 06-57: Policy & Strategy Committee Meeting 6 March 2006
Minute 06-93: Policy & Strategy Committee Meeting 3 April 2006
Minute 06-153: Policy & Strategy Committee Meeting 5 June 2006
Minute 06-281: Policy & Strategy Committee Meeting 4 September 2006

SUMMARY

The purpose of this report is to provide a regular update on the Strategic Plan project. In particular, this report recommends the adoption of a Vision Statement and Themes for the Strategic Plan.

COMMENTARY

Draft Vision Statement and Themes

Twyford Consulting has completed the first survey of the Resident Feedback Register (RFR) in relation to the Vision Statement and Themes.

An overall response rate of 41% was achieved, being 41.12% for on-line participants and 80.65% for post back surveys. The following questions (in italics) were asked in relation to the draft Vision Themes:

"We want to know to what extent you support the following vision themes. For each you will be asked whether you support, can live with, or do not support". The following tables detail the draft Vision Themes and the results from the RFR.

Community		
<i>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.</i>		
86% support	14% can live with	0% do not support

Transport			
<i>Providing a choice of effective public and private transport options for those who live, work and visit our community.</i>			
90% support	7% can live with	2% do not support	1% no response

Employment		
<i>Developing and embracing diverse job opportunities for all ages and abilities.</i>		
89% support	9% can live with	2% do not support

Heritage		
<i>Celebrating, protecting and sustaining our unique industrial and natural heritage, its cultural landscapes and its built heritage.</i>		
82% support	15% can live with	3% do not support

Education		
<i>Progressing to a "learning city of excellence" with a broad range of formal and non-formal education services.</i>		
87% support	11% can live with	2% do not support

Health		
<i>Creating a healthy community providing opportunities and facilities for a healthy lifestyle.</i>		
91% support	9% can live with	0% do not support

Environment		
<i>Balancing, protecting and enhancing our diverse environmental elements, both natural and built, for the enjoyment and support of both current and future generations.</i>		
83% support	16% can live with	1% do not support

Arts & Culture		
<i>Supporting, celebrating and expanding a diversity of cultural and creative adventures, that explore and discover the richness in our society.</i>		
63% support	34% can live with	3% do not support

Youth		
<i>Providing suitable entertainment and recreational facilities; education and employment opportunities and lifestyle choices for our valuable community of young people.</i>		
87% support	9% can live with	4% do not support

Growth			
Providing for sustainable and planned growth, while enhancing the existing rural and village identity.			
83% support	13% can live with	3% do not support	1% no response

"Please provide brief reasons, and suggested changes for any themes you do not support or you think may be missing". A number of comments were provided, but the majority of these related to specific issues and suggested actions/strategies. However, the following comments are relevant to the draft Vision Themes:

- "I feel that a statement on how Council will manage its infrastructure commitments is warranted".
- "Infrastructure – replacement and upgrading. How is this topic included in the above?"
- "What is missing is the support to keep the elderly in their homes".

The provision, maintenance and upgrading of infrastructure was a popular issue identified during the visioning sessions, in the draft Issues Discussion Paper and at the recent workshop sessions and open house. Infrastructure is considered to be an integral part of achieving all of the draft Vision Themes.

In relation to supporting the elderly, this theme is part of the draft Community and Health Vision Themes. This link becomes more apparent in draft Local Profile and draft Issues Discussion Paper i.e. the LGA's aging population, the capacity of current service providers and facilities; and the need for housing options.

Additionally, comments have been received from a member of the community who attended the visioning session and a meeting at Glen Alice Community Hall on 25 May 2006. These comments include some minor amendments to the wording of the draft Vision Themes and identify issues to be addressed in the Strategic Plan. It is suggested that the wording of the draft Vision Themes proceed as listed on the Resident Feedback Register. The issues identified will be listed as part of the results from the current Community Engagement Program.

The following question was asked in relation to the Overarching Vision Statement:

"Please consider the three following overarching statements and rate each in terms of how much you approve of them as a summary statement of the Vision for the LGA when supported by the preceding vision themes." The draft Vision Statements and results are presented in the following table:

Overarching Vision Statements Results	
Draft Vision Statement	Score
A sustainable community with a strong identity, working together for the benefit of the community, economic prosperity and the environment.	862
A centre of Regional excellence that: <ul style="list-style-type: none"> • Encourages community growth and development • Contributes to the efficient and effective management of the environment, community and economy for present and future generations. 	854
A contributing community, embracing change to enhance life quality.	806

However, the interpretation of these results can be manipulated for example, if you take the top 2 listed scores for each draft Vision Statement, the "centre for Regional excellence" wins but if you take the top 3 scores the "sustainable community" wins. These 2 draft Vision Statements are very similar and either is suitable as an Overarching Vision Statement. Therefore, it is suggested that the "centre for Regional excellence" be adopted as it provides a generic and broader vision which encapsulates both the LGA and its place in the region.

The RFR also asked the participants to identify infrastructure and capital works which they would like Council to provide within the next 2, 5 and 10 years. These results will be considered in the upcoming Management Planning process.

Stage 2 of the Community Engagement Program

Stage 2 of the Community Engagement Program occurred between 5 and 15 September 2006 and involved 6 workshop sessions and 1 open house at various locations within the Local Government Area (LGA). A total of 98 persons attended the workshops and open house. Participants were asked to review the key local issues from the Draft Issues Discussion Paper and offer comment as to the relevance of each issue to the community and suggest any issues which were absent or required deletion and/or amendments. In addition, participants were asked to select a direction on growth for the LGA, types of activities to achieve that growth and where participants saw these people and activities located. The results of these workshops and open house will be reported to the November Policy and Strategy Committee Meeting.

POLICY IMPLICATIONS

The draft Vision Statement and Themes, if adopted, will be incorporated into the draft Strategic Plan and will be used in the 2007/08 Management Plan.

FINANCIAL IMPLICATIONS

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

LEGAL IMPLICATIONS

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

RECOMMENDATION

THAT

1. The overarching vision Statement for the Strategic Plan be adopted as:
“A centre of Regional excellence that:
 - Encourages community growth and development
 - Contributes to the efficient and effective management of the environment, community and economy for present and future generations.”

2. The following Vision Statements be adopted and incorporated into the Strategic Plan:
 - Community - 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.
 - Transport - Providing a choice of effective public and private transport options for those who live, work and visit our community.
 - Employment - Developing and embracing diverse job opportunities for all ages and abilities.
 - Heritage - Celebrating, protecting and sustaining our unique industrial and natural heritage, its cultural landscapes and its built heritage.

- Education - Progressing to a “learning city of excellence” with a broad range of formal and non-formal education services.
- Health - Creating a healthy community providing opportunities and facilities for a healthy lifestyle.
- Environment - Balancing, protecting and enhancing our diverse environmental elements, both natural and built, for the enjoyment and support of both current and future generations.
- Arts and Culture - Supporting, celebrating and expanding a diversity of cultural and creative adventures that explore and discover the richness in our society.
- Youth - Providing suitable entertainment and recreational facilities; education and employment opportunities and lifestyle choices for our valuable community of young people.
- Growth - Providing for sustainable and planned growth, while enhancing the existing rural and village identity.

06- 315 RESOLVED

THAT

1. The overarching vision Statement for the Strategic Plan be adopted as:

“A centre of Regional excellence that:

 - Encourages community growth and development
 - Contributes to the efficient and effective management of the environment, community and economy for present and future generations.”

2. The following Vision Statements be adopted and incorporated into the Strategic Plan:
 - Community - 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.
 - Transport - Providing a choice of effective public and private transport options for those who live, work and visit our community.
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 - Arts and Culture - Supporting, celebrating and expanding a diversity of cultural and creative adventures that explore and discover the richness in our society.
 - Youth - Providing suitable entertainment and recreational facilities; education and employment opportunities and lifestyle choices for our valuable community of young people.

- Growth - Providing for sustainable and planned growth, while enhancing the existing rural and village identity.
3. Council congratulate all staff that worked on this project.

MOVED: Councillor W McAndrew

SECONDED: Councillor M J Wilson.

CARRIED

ITEM:9 COMM - 03/10/06 - GARDENS OF STONE NATIONAL PARK

REPORT FROM: POLICY & PLANNING MANAGER – A MUIR

REFERENCE

Minute 06-82	Council Meeting 20 March 2006
Minute 06-111	Council Meeting 18 April 2006
Minute 06-119	Policy & Strategy Committee Meeting 1 May 2005

SUMMARY

The Minister for the Environment has responded to Council's submission on the Gardens of Stone Park Proposal Stage 2. The response includes a copy of the Assessment Report which highlights the Government's existing proposals in relation to the Western Escarpment (Blue Mountains Public Lands Rationalisation Project), a State Conservation Area (SCA) at Mt Airy and the possible reservation of some lands on the border of the National Park at Newnes. It also notes that the Department of Environment and Conservation (DEC) will explore the possibility of reserving Ben Bullen and Wolgan State Forests as a SCA and found that the reservation of the majority of the Newnes Plateau and surrounding Crown Reserves such as Hassans Walls Reserve should not be pursued.

In addition, 4 parcels of land have been gazetted as part of the Gardens of Stone National Park. However, these parcels were not part of the Gardens of Stone Park Proposal Stage 2 as put forward by The Colong Foundation for Wilderness, Blue Mountains Conservation Society and the Colo Committee.

COMMENTARY

Gardens of Stone Park Proposal Stage 2

At Council's Policy and Strategy Committee Meeting of 1 May 2006, it was resolved to reject the Gardens of Stone Park Proposal Stage 2 and request a delegation to the Minister for the Environment. A delegation was held with the Honourable Bob Debus, Minister for the Environment during the recent Cabinet visit to Bathurst. In addition, the Minister has now replied to Council with the following:

"Thank you for your letter regarding the proposal put forward by a number of conservation groups in the Blue Mountains to reserve about 47,000 hectares of land in the Lithgow Area.

The Department of Environment and Conservation (DEC) has assessed the proposal, considered all submissions, and documented its findings in the attached Assessment Report. This report outlines the conservation values of the proposal, along with a review of current and future land uses to determine whether or not reservation under the National Parks and Wildlife Act (NPW Act) is merited and feasible.

DEC has received a large number of letters in relation to the reserve proposal. Many people in the Lithgow community are opposed, due to concerns about the effect of the proposal on mining, timber extraction and recreational activities, particularly on Newnes Plateau. Others support the proposal on the basis of concerns for the conservation of the natural values of the area, particularly threatened species, vegetation communities and the pagoda formations on Newnes Plateau.

The reservation of some areas which are included in the proposal is already being pursued. For example, the longer term management of the Western Escarpment as part of the Blue Mountains Public Lands Rationalisation process. Arrangements are also in place to secure the Canyon Colliery site for addition to the Blue Mountains National Park now that the mining lease over the lands has expired.

The key to reconciling those parts of the proposal with both mining and conservation interests is to utilise the State Conservation Areas (SCA) category of reservation. SCAs have been successfully created over land to be mined in the Pilliga region of Western NSW, and over an underground mine at Dharawal SCA. For parts of the Gardens of Stone proposal, there appears to be considerable potential for well-managed coal mining to co-exist with conservation objectives within an SCA.

Discussions between the Department of Primary Industries (Minerals) (DPI Minerals), DEC and Centennial Coal over a possible SCA at Mt Airly are continuing. DEC will also explore, with NSW State Forests and DPI Minerals, the possibility of reservation of Ben Bullen and Wolgan State Forests as an SCA. This will commence once the various issues associated with the establishment of the Mount Airly SCA are resolved with DPI Minerals and Centennial Coal.

Specific details such as the SCA boundaries, protocols for operations associated with mining, and measures for environmental protection need to be agreed with DPI Minerals, DEC and the mine operators. Issues such as subsidence management and surface access would be resolved prior to establishment of an SCA, modelled on existing processes. The coal resource and infrastructure associated with its extraction would be excluded from the SCA. That is to say, in SCA areas existing and future coal mining will be supported.

One of the principal findings of the assessment is that reservation of the majority of Newnes Plateau and surrounding crown reserves should not be pursued. Although Newnes Plateau has significant conservation values, substantial damage has been done as a result of past and continuing uses, including uncontrolled recreational activity and forestry operations. It is also clear that opposition to reservation within elements of the broader community makes it unlikely that a management regime consistent with the NPW Act could effectively be put in place over these lands.

I believe that these outcomes strike an appropriate balance between the need to protect and preserve our natural and cultural heritage, and to support essential economic development through the ongoing operation of forestry, coal and other mining activities in the Lithgow area. These outcomes also align with the range of views expressed by the local community".

Of particular interest to Council is the following in relation to existing Government proposals for investigation:

- Airly Mountain is the subject of a proposal for the establishment of a SCA. "DEC is currently developing a management framework for the reserve for the consideration of DPI Minerals and Centennial Coal. Reservation will not proceed until these organisations are satisfied with the arrangements" (DEC, 2006, Assessment Report Gardens of Stone Stage Two Proposal – State Conservation Areas and Park Extensions).
- As Council is aware the Blue Mountains Public Lands Rationalisation Project has identified Blue Mountains City Council as the appropriate land manager for 2,500 hectares and DEC for a further 660 hectares. There has been no formal sign-off on the outcomes to date.
- An area of some 2,400 hectares situated on the eastern edge of the Newnes Plateau and bordering on the National Park is being considered for reservation once the operational needs of Clarence Colliery are understood. These areas are to be pursued in the medium term.

It should be noted that the DEC concludes "the broader Newnes Plateau area should not be pursued for reservation along with the Blackfellows Hand reserve, the Crown land near Clarence, Hassans Walls Reserve and Zig Zag Crown reserves" (DEC, 2006, Assessment Report Gardens of Stone Stage Two Proposal – State Conservation Areas and Park Extensions).

The Report identifies some potential in the future reservation of the Ben Bullen and Wolgan State Forests and the small blocks of adjoining Crown land. This issue is to be considered once the Mt Airly proposal is resolved. These areas contain significant nature conservation value, in addition to State Forest and coal mining activities. The Report states that these forests have a low productivity. To enable the continuation of coal mining activities under these forests, a SCA is considered to be the appropriate form of reservation category under the NPW Act.

Council may recall that in its consideration of the Gardens of Stone Park Proposal Stage 2 on 1 May 2006, it received submissions relating to the proposed SCAs and its long term effects on coal mining i.e. the creation of long term uncertainties for investment in mining tenements. As the Assessment Report highlights existing and future proposals for the establishment of SCAs, Council may want to consider further the potential impacts on the local coal mining and electricity generation industry which are important component of the LGA's economy. Therefore, it is suggested that a copy of the Assessment Report be forwarded to the local coal mining companies and Delta Electricity.

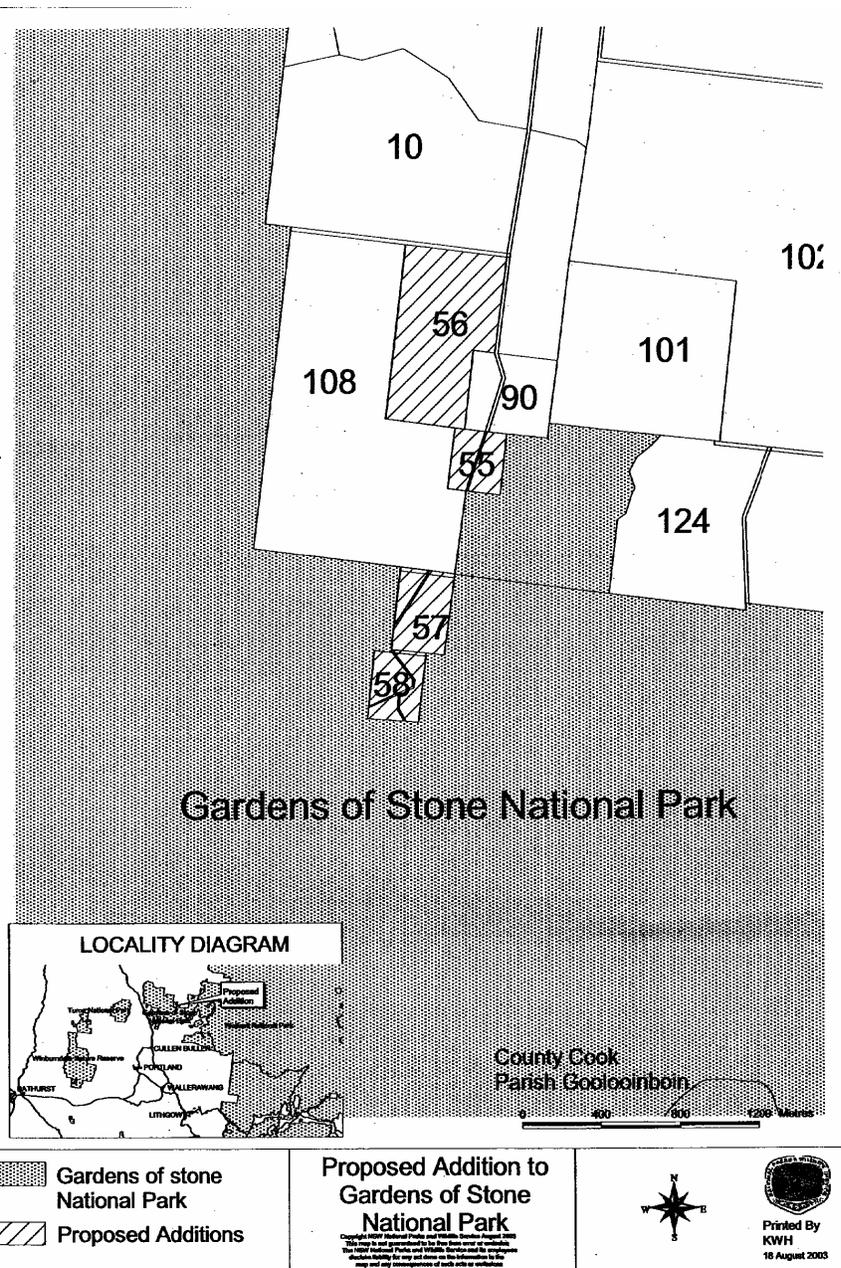
A copy of the Assessment Report for the Gardens of Stone Stage 2 Proposal – State Conservation Areas and Park Extensions is enclosed in Councillor's Business Paper Packages.

Notice of Reservation for Gardens of Stone National Park

Separate to the Gardens of Stone Park Proposal Stage 2, the NSW National Parks and Wildlife Service has provided a copy of the NSW Government Gazette dated 11 August 2006 which reserves the following lands as part of the Gardens of Stone National Park:

"County of Cook, Parish of Goollooinboin, about 70 hectares, being Lots 55, 56, 57 and 58, DP 751640, inclusive of Crown public roads within Lot 55, 57 and 58, DP 751640, the Crown public road separating Lot 108 from 57, DP 751640 and the Crown public road separating Lot 57 from 58, DP 751640".

A plan of these lands is provided below.



POLICY IMPLICATIONS

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

06- 316 RESOLVED

THAT a copy of the Assessment Report for the Gardens of Stone Stage 2 Proposal – State Conservation Areas and Park Extensions be forwarded to local coal mining companies and Delta Electricity.

MOVED: Councillor B P Morrissey

SECONDED: Councillor M J Wilson.

CARRIED

QUESTIONS WITHOUT NOTICE

QWN - COUNCILLOR BRIAN MORRISSEY

1. Mr Mayor could urgent representations be made through the State Member to stop the continued downgrading of Lithgow TAFE by the withdrawal of further trade courses which will have an adverse impact on Lithgow and Blue Mountains apprentices? Can it be ascertained whether this is a considered policy of centralisation of TAFE course to Bathurst?

A meeting is to be arranged with the State Member and TAFE to discuss this issue.

2. Mr Mayor could representation be made to the State Member to ascertain whether there will be major changes to the ambulancing of patients by helicopter to the detriment of the existing care flight services? Can guarantees be given that the quality of any new service will match the existing service especially since the new contracts will be conducting the service as a private business? What implications are there in relation to costs for private and public patients?

Representations will be made to the State Member.

3. Mr Mayor are you aware of criticisms of the state of the toilets in Elizabeth park? In any extra action contemplated to improve the situation?

A major sewer choke occurred due to acts of vandalism. Repairs have been completed.

4. Mr Mayor could further work be done on the medium strip in front of the old Pizza Hut on the Great Western Highway to eradicate weeds growing through the concrete portions of the strip?

A works order has been issued using Community Service Volunteers.

QWN - COUNCILLOR WAYNE MCANDREW

1. Mr Mayor I refer to a community newsletter that I received in relation to Council financial issues. I ask once again as to why Councillor Ticehurst will not debate this issue with council on this matter.

I also ask as to whether Councillor Ticehurst has responded to the 10 points from Council that was raised at a previous meeting?

The Mayor advised that Council had not received a response from Councillor Ticehurst.

Councillor Ticehurst advised that he will respond in due course and also that if he is given an exemption from the Code of Conduct, he will debate the issue.

06- 317 RESOLVED

THAT this issue be once again referred to the Code of Conduct Committee for investigations.

MOVED: Councillor B P Morrissey

SECONDED: Councillor H K Fisher.

CARRIED

QWN - COUNCILLOR MARTIN TICEHURST

1. Mr Mayor I refer to Councillor McAndrew questions, am I able to have an exemption from the Code of Conduct, so therefore I am debate the issues with Council?

The General Manager advised Councillor M F Ticehurst to seek his own independent advice from the Department of Local Government as to whether this is possible.

QWN - COUNCILLOR MICHAEL WILSON

1. Mr Mayor can Council please contact SBS Television in relation to having SBS broadcasted into Hartley? Is their funding for this to happen?

The General Manager advised that he believes it was for SBS radio only, not television but will look into this further.

2. Mr Mayor can an update on the Cement Works site in Portland be brought back to Council?

The Mayor advised that a report will be agenda for the next meeting.

QWN - COUNCILLOR MARGARET COLLINS

1. Mr Mayor can Council investigate the pavement in Waratah Street, as it seems to be unstable and work needed?

Council will investigate this as soon as possible.

QWN - COUNCILLOR HOWARD FISHER

1. Mr Mayor can a report come back on the legal status of the fence in Brewery Lane?

This will be reported to the next meeting.

2. Mr Mayor are you aware that the Greens commented about Lithgow City Council in State Parliament recently?

The Mayor advised he did hear about this and had released a press statement on this matter.

Meeting closed at 7.05PM.