



LITHGOW CITY COUNCIL

## **MINUTES**

ORDINARY MEETING OF COUNCIL

HELD ON

19 NOVEMBER 2007

**MINUTES OF THE LITHGOW CITY COUNCIL MEETING  
HELD AT THE CIVIC CENTRE, LITHGOW ON 19 NOVEMBER 2007**

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Meeting Commenced 7.00pm

Public Gallery: 30

**PRESENT**

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

**APOLOGIES**

An apology was received and accepted from W McAndrew due to being out of the city on personal business.

**MOVED:** Councillor H K Fisher **SECONDED:** Councillor M M Collins.

**07-485 RESOLVED**

**CARRIED**

**Also in attendance**

General Manager, Mr Paul Anderson  
Group Manager Regional Services, Mr Andrew Muir  
Group Manager Community and Corporate, Ms Kathy Woolley  
Internal Services Manager, Mrs Carol Farnsworth  
Policy and Planning Manager, Mrs Amanda Muir  
Executive Assistant, Miss Cortney Wood

**CONFIRMATION OF MINUTES**

Confirmation of the Minutes of the Ordinary Meeting of Council held on the 15 October 2007 were taken as read and confirmed by Councillors B S Moran and M J Wilson

**07-486 RESOLVED**

**CARRIED**

**DECLARATION OF INTEREST**

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

Councillor MJ Wilson declared a pecuniary interest in Item 11 as Delta Electricity is his employer.

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## **QUESTIONS FROM THE PUBLIC GALLERY**

At 7.00pm members of public gallery were invited to address questions through the Mayor to Councillors and Staff: -

NIL.

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CLOSED REPORT

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ITEM:11

REG - 19/11/07 - CONFIDENTIAL REPORT - WATER TRADE WITH  
DELTA ELECTRICITY CONFIDENTIAL

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## GENERAL MANAGER REPORTS

### ITEM:1           GM - 19/11/07 - AGREEMENT - DISTRICT RURAL FIRE SERVICE AND LITHGOW CITY COUNCIL

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#### REFERENCE

NIL

#### SUMMARY

This report will seek Councils approval to attach the Common Seal to a Rural Fire Service Agreement with The District Rural Fire Services and Lithgow City Council

#### COMMENTARY

Lithgow City Council and the District Rural Fire Services have agreed to enter into a rural fire district service agreement pursuant to the provision of section 12A of the Rural Fire Act 1997 (NSW).

The General Manager of Lithgow City Council pursuant to Section 378 (1) of the Local Government Act 1993 (NSW), delegates the Fire Control Officer power and authority, subject to compliance with any policy, regulation or resolution of Council or directive of an authorised officer of Council;

- a) To carry out the regular fire protection services and operations of Council, limited to any single expenditure amount being no greater than \$30,000.00 and within the sums voted by the Council for expenditure within the positions area of responsibility, and
- b) To act as an authorised person within the meaning of the Local Government Act 1993, and
- c) To organise the repairs / maintenance of Council plant and machinery provided for bush fire related purposes and
- d) To authorise the carrying out of works on a contract basis for other business, individuals or government instrumentalities in accordance with Councils guidelines and fee schedules for such works and,
- e) To enter upon any land in accordance with the powers granted under my Act administered by Council, for the purpose of carrying out duties on council's behalf and

#### POLICY IMPLICATIONS

NIL

#### FINANCIAL IMPLICATIONS

NIL

## LEGAL IMPLICATIONS

NIL

## 07-487 RESOLVED

**THAT** Council affix the Common Seal to an Agreement between Lithgow City Council and the District Rural Fire Services.

**MOVED:** Councillor H K Fisher

**SECONDED:** Councillor M M Collins.

**CARRIED**

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## ITEM:2            GM - 19/11/07 - CHRISTMAS AND NEW YEAR CLOSURE

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### REFERENCE

06-410 - Policy and Strategy Committee Meeting - 4<sup>th</sup> December 2006

### SUMMARY

This report advises Council of the closure of the administration office between Christmas and New Year and the essential service operations that will operate over this time.

### COMMENTARY

As Council is aware the Administration building was closed in 2006 between Christmas and New Year.

The Christmas closure for 2007 was discussed at a Executive Management Team meeting and the following arrangements have been decided on.

- Council administration areas will close for business from Tuesday 25<sup>th</sup> December 2007 and will re-open on Wednesday 2<sup>nd</sup> January 2008. Only "skeleton" staff will be required to cover 24<sup>th</sup> December 2007, 2 - 4 January 2008.
- Council depots will be closed from Monday 24<sup>th</sup> December 2007 and will re-open on Monday 7<sup>th</sup> January 2008.
- Staff will have the same arrangement as last year for concessional leave. Indoor staff will receive 1.5 days concessional leave to be utilised during this period, with part time staff receiving the leave on a pro-rata basis consistent with their hours worked over the past year. The remaining 1.5 days can be taken as RDO/banked RDO, accrued time in lieu or annual leave.
- Outdoor staff will be required to use their RDO's, accrued leave or annual leave to cover the 7 day shutdown.

- An outdoor "skeleton" crew will be required to work during this period to attend to emergencies.

Essential service and works staff will remain on duty during the period to ensure all such matters are attended to. An advertising program will commence shortly to advise the community along with advertising advice to many of the Council clients.

### **Essential Services Operating over Christmas/New Year**

- Lithgow Visitor Information Centre – only closed Christmas Day
- Eskbank House Museum – only closed Christmas Day
- Rural Tip Controller - works all days except for Christmas Day
- Cleaner Driver (emptying street bins) - works selected days
- Streetsweeper – works selected days
- Water and Sewerage Treatment Plants – necessary staff work every day (limited hours over public holidays)

All staff who are on-call on a weekly basis will be required to be on-call over this period.

### **POLICY IMPLICATIONS**

NIL

### **FINANCIAL IMPLICATIONS**

NIL

### **LEGAL IMPLICATIONS**

NIL

### **CONCLUSION**

This report has advised Council on the office closure during Christmas and New Year in line with many councils, Government Departments and private organisations in New South Wales and Australia.

### **07-488 RESOLVED**

**THAT** Council note the closure of the administration building and depots in this report and the arrangements for essential services and works staff as outlined.

**MOVED:** Councillor M M Collins

**SECONDED:** Councillor M J Wilson.

**CARRIED**



**ITEM:3            GM - 19/11/07 - WATER FLUORIDATION**

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**REFERENCE**

Policy and Strategy Committee meeting of 3 April 2006  
Policy and Strategy Committee meeting of 6 August 2007  
Ordinary meeting of 17 September 2007

**SUMMARY**

To advise of the results of a recent public meeting on water fluoridation and provide Council with information so that it may determine its position on water fluoridation.

**COMMENTARY**

At its Ordinary meeting of 17 September 2007 Council resolved:

**THAT** Council and the SWAHS convene a public meeting urgently on the issues of fluoridation and report be brought back to Council on the outcome of this meeting.

**MOVED:** Councillor A E Thompson        **SECONDED:** Councillor B P Morrissey.

The meeting subsequently took place at the Union Theatre on 12 November 2007. Approximately 50 people were in attendance (including Councillors, General Manager and SWAHS Staff) and 3 speakers made presentations.

Mr John Irving of the Teeth for Health program spoke in favour of fluoridation. He explained how fluoride is produced and provided statistics on poor decay rates in Lithgow requiring surgical intervention compared to the rest of NSW. Mr Irving also provided information on natural occurrences of fluoride and scientific information on accepted safe levels of fluoride. He also provided information on a number of prominent organisations that support fluoridation of water supplies.

Mr Bill Sanday, a local resident, spoke against the fluoridation of the water supply. Whilst acknowledging that he was not an expert he indicated that he had been on the periphery of the fight against water fluoridation since the 1960's. He maintained that numerous studies indicate fluoride is harmful. He also indicated that fluoride used in water supplies is actually a waste product that causes environmental problems if released into the atmosphere.

Mrs Deborah Morris, a local resident spoke against water fluoridation. Mrs Morris was on Council in 1991 and opposed water fluoridation at the time. Her son is allergic to fluoride and she is still opposed to its use in water supplies as she has been unable to find any information from State or Federal health departments satisfying concerns on its toxic effects. Mrs Morris, like Mr Sanday, maintained that fluoride is not able to be released into the environment and claimed that the only recognised means of disposal was by release into water supplies. Mrs Morris maintained that fluoride is linked to bone cancer and World Health Organisation information shows dental decay has gone down in many countries in any event (this claim was the subject of debate). Mrs Morris maintained that fluoride is toxic to babies and young children are warned not to swallow fluoride toothpaste.

She also indicated that she had set up a survey on a website under her control and claimed that many votes in favour of fluoridation had been placed from the one IP address.

The speakers took questions from the floor. However, it was clear that the majority of attendees were either in favour of fluoridation on public health grounds or vehemently opposed and that 'never the twain would meet'. Of the numerous questions and statements made probably the only significant question to emerge related to notifying the community that the supply is fluoridated and the options open to a person who is allergic to fluoride.

### **POLICY IMPLICATIONS**

There is no formal policy on water fluoridation. The current 'official' position relates to the decision of Council at its Finance and Policies Committee Meeting of 14 October 1991 which resolved "that Council not proceed with the fluoridation of the public water supply in Greater Lithgow".

### **FINANCIAL IMPLICATIONS**

Should Council wish to move toward fluoridation then there would be no up front capital cost. The annual running costs for the required plant have been estimated to be in the vicinity of \$38,000 although this is considered to be at the 'upper end of the scale' with costs estimated to be between \$1.20 and \$2.40 per head of population per year. Council would need to consider covering these additional costs from water consumers if fluoridation was introduced.

### **LEGAL IMPLICATIONS**

No specific legal issues arise as a result of this report.

### **CONCLUSION**

Determining the Council's position on water fluoridation is a matter for the elected Council given the public interest considerations.

The options seen as open to Council are:

1. Proceed with water fluoridation and request the installation of the necessary infrastructure. (NB: This option would require a budget adjustment if it was to occur in the current financial year as there is currently no allocation for running costs and discussions with State Water/Fish River Water Supply as to the appropriate location of any plant to cater for consumers utilising this water supply would be necessary)
2. Not proceed with fluoridation.
3. Refer the matter to the Director General of Health.

### **RECOMMENDATION**

**THAT** Council determine its position on fluoridation of its water supply.

A **MOTION** was moved by Councillor B S Moran and Councillor B P Morrissey that Council proceed with water fluoridation and request the installation of the necessary infrastructure. (NB: This option would require a budget adjustment if it was to occur in the current financial year as there is currently no allocation for running costs and discussions with State Water/Fish River Water Supply as to the appropriate location of any plant to cater for consumers utilising this water supply would be necessary).

Councillor MF Ticehurst moved an **AMMENDMENT** Council conduct a community poll on fluoridation of Council's water supply in conjunction with Council's General Election in September 2008 and council support Fluoridation if a 67% majority is received. The Amendment **LAPSED** due to want of a seconder.

### **07-489 RESOLVED**

**THAT** Council proceed with water fluoridation and request the installation of the necessary infrastructure. (NB: This option would require a budget adjustment if it was to occur in the current financial year as there is currently no allocation for running costs and discussions with State Water/Fish River Water Supply as to the appropriate location of any plant to cater for consumers utilising this water supply would be necessary)

**MOVED:** Councillor B S Moran

**SECONDED:** Councillor B P Morrissey.

A **MATTER ARISING** was moved by Councillor BS Moran and HK Fisher that a report be brought back to Council detailing implementation of fluoridating Council's water supply.

### **07-490 RESOLVED**

**CARRIED**

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### **ITEM:4 GM - 19/11/07 - CIVIC BALLROOM**

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#### **SUMMARY**

To advise of recent and proposed expenditure undertaken to improve the Civic Ballroom.

#### **COMMENTARY**

The Mayor has requested that I provide a report to Council in relation to the program of works (previous and proposed) for the Civic Ballroom. The following table represents income, recurrent and capital expenditure from the financial years 2002/2003 to 2006/2007.

FINANCIAL YEAR	MAINTENANCE	PAINTING	CLEANING	SPECIAL EVENTS	TOTAL MR	CAPITAL	INCOME
2002/03	8,339.86	2,061.55	6,079.57	195.19	16,676.17	0.00	-7,337.18
2003/04	7,382.54	0.00	6,943.36	0.00	14,325.90	9,180.20	-3,732.97
2004/05	2,731.55	10.27	8,212.67	3,235.54	14,190.03	94,284.63	-5,971.35
2005/06	8,722.84	21.78	10,855.00	215.51	19,815.13	70,191.93	-3,420.92
2006/07	4,307.04	122.06	14,271.09	4,431.76	23,131.95	18,999.62	-2,464.55
	<b>31,483.83</b>	<b>2,215.66</b>	<b>46,361.69</b>	<b>8,078.00</b>	<b>88,139.18</b>	<b>192,656.38</b>	<b>-22,926.97</b>

Capital works in recent years have included

- Floor replacement
- New Stage
- Disabled access ramp (Sportsground end entrance)
- New exit door
- Kitchen refurbishment
- New ceiling

Although there are some works required on the facility, the Council will note the income/expenditure gap which makes it difficult to justify significant expenditure. In my opinion this highlights the need to critically review fees and charges for the hire of facilities as part of the preparation of the 2008/2009 draft management plan.

The current Management Plan proposes that an amount of \$15,000 be expended on an upgrade to toilets provided Council is able to secure grant funding. In this regard an Expression of Interest has been submitted under the Regional Partnerships Program to which further information has been requested. An amount of \$11,232 is proposed to be revoted in the September quarterly review for painting and disabled access. This allocation is proposed to be used to support a grant application and 'leverage' maximum funds.

### **POLICY IMPLICATIONS**

Policy 4.6 - Request For Donation By Waiving Of Fees For Council Facilities and policy 4.8 - Union Theatre/Civic Ballroom - Functions By Charitable Organisations are partially relevant to the issue as they may operate to reduce income for hire of facilities.

### **FINANCIAL IMPLICATIONS**

The subject of this report.

### **LEGAL IMPLICATIONS**

No specific legal issues arise as a result of this report.

### **07-491 RESOLVED**

**THAT** the information be received.

**MOVED:** Councillor M J Wilson  
**CARRIED**

**SECONDED:** Councillor B S Moran.

**ITEM:5 GM - 19/11/07 - COUNCIL ORDINARY MEETING AND COMMITTEE MEETING DATES FOR 2008**

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**SUMMARY**

This report outlines the proposed dates for both the Ordinary Council meetings and the Committee meetings for 2008.

**COMMENTARY**

The proposed dates for the Ordinary Meetings of Council for 2007 are as follows:

**Policy and Strategy / Finance and Services Committee Meetings**

Monday 4<sup>th</sup> February 2008  
Monday 3<sup>rd</sup> March 2008  
Monday 7<sup>th</sup> April 2008  
Monday 5<sup>th</sup> May 2008  
Monday 2<sup>nd</sup> June 2008  
Monday 7<sup>th</sup> July 2008  
Monday 4<sup>th</sup> August 2008  
Monday 1<sup>st</sup> September 2008  
Tuesday 7<sup>th</sup> October 2008  
Monday 3<sup>rd</sup> November 2008  
Monday 1<sup>st</sup> December 2008

The Policy and Strategy Committee Meetings will commence at 6pm and the Finance and Services Committee Meetings will commence at 7pm.

**Ordinary Council Meetings**

Monday 18<sup>th</sup> February 2008  
Monday 17<sup>th</sup> March 2008  
Monday 21<sup>st</sup> April 2008  
Monday 19<sup>th</sup> May 2008  
Monday 16<sup>th</sup> June 2008  
Monday 21<sup>st</sup> July 2008  
Monday 18<sup>th</sup> August 2008  
Monday 15<sup>th</sup> September 2008  
Monday 20<sup>th</sup> October 2008  
Monday 17<sup>th</sup> November 2008  
Monday 15<sup>th</sup> December 2008

The Ordinary Council Meeting will commence at 7pm.

**POLICY IMPLICATIONS**

NIL

**FINANCIAL IMPLICATIONS**

NIL

**LEGAL IMPLICATIONS**  
NIL

**07-492 RESOLVED**

**THAT** Council note the proposed dates.

**MOVED:** Councillor M J Wilson

**SECONDED:** Councillor M M Collins.

A **MATTER ARISING** was moved by Councillor M F Ticehurst and H K Fisher that a report be brought back to Council regarding the possibility of adjoining the Council committee meetings.

**07-493 RESOLVED**

**CARRIED**

## REGIONAL SERVICES REPORTS

**ITEM:6 REG - 19/11/07 - TRANSFER OF A CROWN ROAD TO COUNCIL -  
OFF BONNIE BLINK DRIVE, LITTLE HARTLEY**  
**REPORT FROM: DEVELOPMENT ENGINEER- PAUL CREELMAN**

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### REFERENCE

DA 603/04

### SUMMARY

To advise of a request for Lithgow Council to approve the transfer of a Crown Road off the end of Bonnie Blink Drive, Little Hartley to become a public road under Council's control.

### COMMENTARY

As a part of Development Application 603/04 for the subdivision of 5 rural Lots off Bonnie Blink Drive Little Hartley, the applicant was required to dedicate a strip of unformed Crown Road as Council public road. A request has now been received from the applicant, Mr Daniel Muir, for Council to accept the transfer of the relevant section of Crown Road. The road has been formed to Lithgow Council's standards as a part of the development and will be an extension of Bonnie Blink Drive. All fees will be paid by the applicant. As part of this process Council will be required to place the Common Seal on the documentation.

### POLICY IMPLICATIONS

Council Policy 1.2- Asset Acquisition applies as Council will be taking over ownership of the section of road. Under Councils code of meeting practice affixing of the common seal may only occur by resolution at an ordinary meeting of Council.

### FINANCIAL IMPLICATIONS

Council will take on future maintenance of the road and obtain rate income from additional rateable properties created by the subdivision.

### LEGAL IMPLICATIONS

Development Consent 603/04 places an obligation on the applicant to construct and dedicate the road to Council. The transfer of the Crown Road is undertaken under the provisions of the Roads Act 1993.

### 07-494 RESOLVED

**THAT** Council formally agree to the transfer of the Crown Road as indicated on the attached mapping and the Common seal be affixed to the relevant documentation.

**MOVED:** Councillor B P Morrissey  
**CARRIED**

**SECONDED:** Councillor B S Moran.

**ITEM:7            REG - 19/11/07 - WRITE OFF OF ACCOUNT - GRAVEL SUPPLY - FORESTS NSW**

**REPORT BY: OPERATIONS MANAGER – S. DARLINGTON**

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**SUMMARY**

This report seeks to write off an account issued to Forests NSW for the supply of gravel in relation to the Dark Corner project.

**COMMENTARY**

The 2006/07 works program included a stage of the Dark Corner reconstruction project, funded substantially by Forests NSW. At the same time, Bathurst Regional Council (BRC) was also undertaking reconstruction works in their LGA for Forests NSW. The agreement with Forests NSW included access to a Forests NSW gravel pit at no cost. Bathurst Regional Council also had the same agreement. BRC had accessed the gravel pit and won and stockpiled a large quantity of material at their expense. Lithgow Council staff believed that they had full access to this material but were unaware that BRC had incurred expenses in winning and stockpiling. BRC legitimately invoiced Lithgow Council for the material used, to the value of \$10,129.20. Lithgow Council then attempted to recover this cost by invoicing Forests NSW the full amount of \$10,129.20. Forests NSW have declined to pay on the basis that it had provided access to the quarry at no cost. LCC is responsible for the full cost of winning and stockpiling the gravel from the Forests NSW pit as a legitimate charge against the project

**POLICY IMPLICATIONS**

Policy No 8.1 Debt Recovery allows the General Manager to write off accounts up to \$1,000 in certain circumstances. This amount exceeds the limits of the policy.

**FINANCIAL IMPLICATIONS**

An amount of \$23,641 is to be revoted in the September Quarterly review which was unexpended Council funds for the project. The written off amount of \$10,129.20 will be charged to the Dark Corner project as a legitimate charge. In other words the \$10,129.20 will be charged against Council's proportion of funding for the project and not Forests NSW.

**LEGAL IMPLICATIONS**

NIL

**07-495 RESOLVED**

**THAT** Council write off the Forests NSW invoice in the sum of \$10,129.20 and that this amount be charged to the Dark Corner project.

**MOVED:** Councillor A E Thompson  
**CARRIED**

**SECONDED:** Councillor B S Moran.



**ITEM:8            REG - 19/11/07 - PURCHASE OF LAND - MAGPIE HOLLOW ROAD**

**REPORT BY: GROUP MANAGER REGIONAL SERVICES - ANDREW MUIR**

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**REFERENCE**

Finance and Services Committee – 5 June 2006

**SUMMARY**

To advise of the necessary acquisition of a further piece of land at South Bowenfels in relation to the construction of a new reservoir.

**COMMENTARY**

During survey works to complete the acquisition of land for the proposed new reservoir at South Bowenfels it was discovered that part of the constructed Magpie Hollow Road was actually within the boundaries of the same landholders land. To determine compensation, Council engaged a Valuer who valued the land at \$3,600. The landowners Valuer valued the land at \$20,000. Negotiations took place and an amount of \$12,500 was agreed. This is in addition to \$30,000 for the purchase of land for the reservoir site. Whilst it is possible that a lesser amount of compensation may have been obtained should the matter have proceeded to determination by the Land and Environment Court, it is doubtful if overall cost savings could have been achieved given the legal costs and time delay. The common seal must now be affixed to any documentation.

**POLICY IMPLICATIONS**

Policy 1.2 Asset Acquisition is applicable.

**FINANCIAL IMPLICATIONS**

Council will pay \$12,500 plus legal costs.

**LEGAL IMPLICATIONS**

Legal matters are being handled by Council's Solicitor.

**07-496 RESOLVED**

**THAT:**

1. Council acquire the section of land within Lot 180 DP 751650 currently occupied by part of the constructed Magpie Hollow Road and an amount of \$12,500 be paid to the landowners in compensation.
2. Council pay all legal and survey costs associated with the acquisition.
3. The common seal be affixed to the relevant documentation.

**MOVED:** Councillor B S Moran

**SECONDED:** Councillor M J Wilson.

**CARRIED**

**ITEM:9            REG - 19/11/07 - BLACK BRIDGE - WALLERAWANG**

**REPORT BY: OPERATIONS MANAGER – S. DARLINGTON**

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**REFERENCE**

NIL

**SUMMARY**

This report seeks Council's acceptance of an offer of \$20,000 from the Roads and Traffic Authority (RTA) for a preliminary study into a pedestrian overbridge at Wallerawang.

**COMMENTARY**

Following representations to the RTA, \$20,000 has made available for Lithgow City Council to progress planning and budgeting of a pedestrian grade separated crossing of the rail line at or near the Black Bridge, Wallerawang.

This special grant will allow the preparation of a concept report for the construction of a shared pedestrian and cycleway grade separated railway crossing. (A grade separated crossing is essentially an overhead bridge rather than a level crossing) It is envisaged that the resultant document will provide sufficient information to bid for funding and include a background to the location and problems, traffic and crash history, proposed pedestrian facility, budget and timeline for completion of proposed works.

Whilst the offer of funding for a preliminary study into a pedestrian overbridge may fall short of Council's preferred solution, it is a very positive development on this issue that has been the subject of numerous representations in recent years.

**POLICY IMPLICATIONS**

NIL

**FINANCIAL IMPLICATIONS**

The grant of \$20,000 is additional income and expenditure to the 2007/08 budget

**LEGAL IMPLICATIONS**

NIL

**07-497 RESOLVED**

**THAT** Council accept the offer of funding from the RTA in the sum of \$20,000 for the planning of a pedestrian grade separated crossing of the rail line at or near the Black Bridge, Wallerawang.

**MOVED:** Councillor B S Moran

**SECONDED:** Councillor M J Wilson.

**CARRIED**

**ITEM:10 REG - 19/11/07 - LITHGOW SEWERAGE TREATMENT PLANT  
UPGRADE - STAGE 2**

**REPORT BY: GROUP MANAGER REGIONAL SERVICES - ANDREW MUIR**

**REFERENCE**

Policy and Strategy meeting - 4 September 2006  
Ordinary meeting - 21 May 2007.  
Ordinary meeting -17 September 2007

**SUMMARY**

To advise of the current status of this project and associated issues.

**COMMENTARY**

At its Ordinary meeting of 17 September 2007 the Council resolved as follows:

THAT the General Manager be delegated authority to proceed with the most cost effective and least risk option in relation to the design and construction of Stage 2 of the Sewerage Treatment Plant upgrade whether or not this is to be by a design and construct package or the separation of these components.

MOVED: Councillor M M Collins SECONDED: Councillor M J Wilson.

In response to this resolution a quotation was sought from the NSW Department of Commerce for the design of Stage 2. In previous quotations from Commerce concern had been raised in relation to project management costs. However, Commerce have agreed that Council can deal directly with their specialist design section. Commerce has also agreed to absorb a 4% increase in wages since the last quotation was received. The Department of Commerce submitted the following quotation.

<b>Component</b>	<b>Fee</b>
- Initial site inspection/start-up meeting (3 designers)	\$ 4,000
- Sewage treatment plant (civil) structural, mechanical and electrical – concept finalization and design and management	\$260,000
- Design Initiation meeting	\$ 1,500
- Review meeting – 50% completion	\$ 4,000
- Review meeting – 75% completion	\$ 4,000
- Review meeting – 90% completion	\$ 4,000
- Design finalisation meeting	\$ 1,500
- Additional Survey	\$ 4,800
- GC21 Documentation	\$ 7,000
- Telemetry System	\$ 7,000
- Geotechnical	\$ 27,000
- Printing	\$ 3,000
- Sludge Lagoon Remediation	\$ 6,200
<b>TOTAL FEE (Excluding GST)</b>	<b>\$334,000</b>

The additional survey work and geotechnical investigation were deemed as critical and were commissioned immediately so as not to impact on the timeframe. The Sludge Lagoon Design was also critical having regard to operational problems and concerns of the Department of Environment and Conservation (DEC) but could be separated from the Stage 2 design. Therefore, this component has also been commissioned. The supply of GC21 documentation is considered very worthwhile in terms of project risk management and smooth transition to the tender phase. Therefore, the proposal from Commerce has been assessed as being 'the most cost effective and least risk option in relation to the design and construction of Stage 2 of the Sewerage Treatment Plant upgrade'.

Irrespective of the delegation provided to the General Manager by the Council it would normally be necessary to tender for any project over \$150,000 and the tender be determined by the Council. However, the Department of Commerce has an exemption under the Local Government Act as follows:

'55 What are the requirements for tendering?

- (1) A council must invite tenders before entering into any of the following contracts:
  - (a) a contract to carry out work that, by or under any Act, is directed or authorised to be carried out by the council, (etc, etc)
- (2A) Nothing in this section prevents a council from tendering for any work, service or facility for which it has invited tenders.
- (3) This section does not apply to the following contracts:
  - subject to the regulations, a contract for the purchase of goods, materials or services specified by a person prescribed by the regulations made with another person so specified, during a period so specified and at a rate not exceeding the rate so specified (*This section relates to 'Local Government Procurement'*)
  - a contract entered into by a council with the Crown (whether in right of the Commonwealth, New South Wales or any other State or a Territory), a Minister of the Crown or a statutory body representing the Crown (*This includes the Department of Commerce*)

The Department of Commerce confirms that "All NSW government agencies can engage us directly without the need for and cost of tendering. Similarly, councils and local water utilities can also engage Commerce directly as stipulated in Part 3, Section 55 of the Local Government Act." Therefore, the General Manager has exercised the delegation provided by Council and the Department of Commerce have been engaged to undertake the Design of Stage 2 of the Lithgow Sewerage Treatment Plant as it represents the most cost effective and least risk option.

## **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

Funding for the project is in the 2007/2008 capital budget. Council is also eligible to receive part funding for the project under the Country Towns Water and Sewerage Scheme.

## **LEGAL IMPLICATIONS**

There are no immediate legal issues as a result of engaging the Department of Commerce except for normal contractual requirements. However, Council should be aware that DEC have issued Council with a Section 193 information notice that can be a pre-cursor to prosecution which is likely to be associated with delays in the project. This relates to a licence condition requiring completion of the upgrade by 31 December 2006. An application to vary the licence has been lodged seeking an extension to 31 December 2009. If this is refused Council will have an opportunity to appeal to the Land and Environment Court. Potentially the Premier is also able to be requested to intervene in disputes between public authorities and DEC in relation to licence issues. Discussions have also been held with DEC's Manager Bathurst Region in relation to what is known as an 'enforceable undertaking'. An amount has also been included in the September Quarterly budget review to fund an 'external environmental audit' of Council's Environment Protection Licences which would form part of an undertaking if such was entered into and is good practice in any event. All options are being explored and legal advice will be sought if necessary to 'reasonably' satisfy DEC and protect Council's position.

## **07-498 RESOLVED**

**THAT** the information be received.

**MOVED:** Councillor M J Wilson

**SECONDED:** Councillor H K Fisher.

## **CARRIED**

## **MATTER ARISING**

The Council extended his thanks to Council staff for their efforts to overcome the problems recently experienced with the failure of pumps at number one pump station in Lithgow.

**ITEM:11            REG - 19/11/07 - CONFIDENTIAL REPORT - WATER TRADE WITH  
                         DELTA ELECTRICITY    CONFIDENTIAL**

**REPORT BY: GROUP MANAGER REGIONAL SERVICES - ANDREW MUIR**

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## **Reason for Confidentiality**

In accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the following business is of a kind as referred to in section 10A(2) of the Act, and should be dealt with in a part of the meeting closed to the media and public.

**Set out below is section 10A(2) of the *Local Government Act 1993* in relation to matters which can be dealt with in the closed part of a meeting.**

The matters and information are the following:

- (a) personnel matters concerning particular individuals (other than councillors)
- (b) the personal hardship of any resident or ratepayer
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business
- (d) commercial information of a confidential nature that would, if disclosed:
  - (i) prejudice the commercial position of the person who supplied it, or
  - (ii) confer a commercial advantage on a competitor of the council, or
  - (iii) reveal a trade secret
- (e) information that would, if disclosed, prejudice the maintenance of law
- (f) matters affecting the security of the council, councillors, council staff or council property
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege
- (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land.

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

If Council discussed the financial figures within this report in open council it would provide an advantage to the parties that Council may negotiate with in terms of trading part of its water allocation.

Pursuant to section 10A(4), the public are invited to make representations to the council meeting before any part of the meeting is closed, as to whether that part of the meeting should be closed.

## **SUMMARY**

To advise Council Delta Electricity's interest in extending the water trade agreement for Fish River Water allocation for an additional 12 months.

## **07-499 RESOLVED**

**THAT** Council consider this report in the closed Council pursuant to the provision of Sec 10(A)(2)(c) of the Local Government Act 1993.

**MOVED:** Councillor M M Collins

**SECONDED:** Councillor B S Moran.

**CARRIED**

## COMMUNITY AND CORPORATE SERVICES REPORTS

ITEM:12            **COMM - 19/11/07 - MEADOW FLAT HALL S355 COMMITTEE PROPOSAL**

**REPORT BY:    GROUP MANAGER – COMMUNITY AND CORPORATE – K. WOOLLEY**

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### **SUMMARY**

Council considered the establishment of committees under section 355 of the Local Government Act 1993 at the June 2007 round of meetings.

This report seeks Council's determination of the potential to create an additional committee for the management of the hall at Meadow Flat.

### **COMMENTARY**

Council may consider the benefit of empowering committees to manage the public hall at Meadow Flat and the attached draft Terms of Reference are recommended to Council to be used as the basis for establishing the responsibilities of the committee.

The Meadow Flat Hall Committee is a new committee and arises from Council's completion of the compulsory acquisition of the Hall. The draft Terms of Reference and composition of the committee would need to be resolved by Council and then a call for Expressions of Interest for Committee membership can be initiated.

Council may wish to consider its own membership on the committees. The recommendation is that one Councillor be appointed to the committee and Council would need to name the Councillor for this purpose and add to the resolution.

### **POLICY IMPLICATIONS**

NIL

### **FINANCIAL IMPLICATIONS**

NIL

### **LEGAL IMPLICATIONS**

NIL

### **RECOMMENDATION**

#### **THAT:**

1. Council amend its list of Committees formed under section 355 of the Local Government Act 1993 to include the Meadow Flat Hall Committee;
2. Council call for Expressions of Interest for members of the Meadow Flat Hall Committee;
3. Council determine if it wishes to appoint a councillor and nominate the Councillor for membership of the committee;

4. Meadow Flat Hall be delegated to take bookings for Hall usage in accordance with the fees and charges as specified in Council's Management Plan as identified in the Draft Terms of Reference.

## **07-500 RESOLVED**

### **THAT:**

1. Council amend its list of Committees formed under section 355 of the Local Government Act 1993 to include the Meadow Flat Hall Committee;
2. Council call for Expressions of Interest for members of the Meadow Flat Hall Committee;
3. Council appoint Mayor N Castle as a representative on the Committee with Councillor B Moran as the alternate.
4. Meadow Flat Hall be delegated to take bookings for Hall usage in accordance with the fees and charges as specified in Council's Management Plan as identified in the Draft Terms of Reference.
5. Meadow Flat School be offered a position on the committee.

**MOVED:** Councillor B P Morrissey

**SECONDED:** Councillor B S Moran.

**CARRIED**

## **ITEM:13      COMM - 19/11/07 - POLICIES REVIEW AND UPDATE**

**REPORT BY: GROUP MANAGER – COMMUNITY AND CORPORATE - K.WOOLLEY**

### **SUMMARY**

Council resolved to annually review its Policy Register and this report provides Council with the outcome of the review of policies and recommends amendments and additions be made to the Register.

### **COMMENTARY**

During October 2007, Council's Management Team reviewed policies in the Council's Policy register.

The following recommendations are made to Council arising from this review:

Policy No.	Policy Name	Proposed Change
1.1	Land (Council) – Leases – Legal Costs	Inserted paragraph regarding the payment of fees associated with retail leases in accordance with the Retail Leases Act 1994.



1.2	Asset Acquisition	Inserted additional criteria for long term ownership costs if the asset is land i.e. to investigate land contamination to ensure that it is suitable for the intended use in accordance with the strategy "ensuring Council land is suitable for its intended use" in the Strategic Plan.
1.3	Assets Disposal	Addition of criteria for minor assets so that they can be disposed of in a timely manner and identification of disposal of information technology assets and plant items through the best value process after assessment of the asset and its condition. New policy to be drafted to accommodate these changes.
4.4	Donations – Section 356 of the Local Government Act 1993	<p>The time of year for the consideration of applications from the community for donations is suggested to change from February to October/November each year to better align with the management plan and budget preparation processes.</p> <p>Addition of clause to indicate applications for donations of \$10,000 or more will only be considered as part of the assessment of the next financial year's budget and are required to be received in October/November to ensure they are included in budget proposals for the next financial year.</p> <p>Addition of Guidelines and Application form to assist those seeking donations from Council.</p> <p>Addition of a formal agreement template for those seeking \$10,000+ to ensure they are providing Council with adequate reporting.</p> <p>Addition of criteria for the donations for sporting achievements that are done via the Council's Sports Advisory Committee are recommended to provide greater certainty and consistency and ensure</p>

		<p>that only the Sports Advisory Committee is determining donations for sporting purposes for greater consistency and equity. The two guidelines documents have been submitted by the Sports Advisory Committee for Council's consideration.</p> <p>A copy of the policy is attached and given the large number of alterations it is recommended that this be placed on exhibition before being finalised to gather any comments from the community.</p>
5.4	Footpaths – Use of Public Footpaths for Restaurant Seating and Display of Goods	Alerted 2(iv) to read 600mm instead of 600m.
6.1	Copyright of Plans	Added a requirement for the copyright of all documents (i.e. studies, profiles, surveys etc) to belong to Council in addition to plans.
7.6	Development Applications by Councillors and Staff and Relatives or on Council Owned Land	Inserted additional paragraph from Policy No. 10.1, requiring a supervising delegate or the General Manager to determine the listed applications for staff members, not senior staff.
9.4	Competitive Neutrality	Inserted Category 1 businesses i.e. wastewater and water.
9.7	Gifts and Benefits – Councillors and Staff	Inserted words "modest promotional products" in the token gifts and benefits section.
9.12	Records Management	Inserted new draft Policy as placed on exhibition at 5 November Committees meeting..
10.1	Development Applications – Councillors, Staff and Family Members	Deleted as is incorporated in Policy No. 7.6.
10.15	Removal of Trees from Public Land	Inserted 2 new requirements regarding alleged damage to private property.
10.16	Property Leases Policy	Added delegation of authority to the General Manager to sign leases of property which are not owned by Council but Council operations are located upon.

**POLICY IMPLICATIONS**

The amendments will alter Council's position in a policy sense.

**FINANCIAL IMPLICATIONS**

NIL

**LEGAL IMPLICATIONS**

Compliance with various Acts applies.

The General Manager amended the recommendation to include point 3.

**RECOMMENDATION**

**THAT:**

1. The recommended changes to the policies in Council's policy register be made as per the report;
2. Council place on exhibition the Draft Change in Category for Rating Purposes Policy for a period of 28 days and a report be provided back to Council on any submissions received in order to finalise the policy;
3. Council place on exhibition the Draft Donations Policy for a period of 28 days after the next Sports Advisory Committee Meeting and a report be provided back to Council on any submissions received in order to finalise the policy.

**07-501 RESOLVED**

**THAT:**

1. The recommended changes to the policies in Council's policy register be made as per the report;
2. Council place on exhibition the Draft Change in Category for Rating Purposes Policy for a period of 28 days and a report be provided back to Council on any submissions received in order to finalise the policies;
3. Council place on exhibition the Draft Donations Policy for a period of 28 days after the Sports Advisory Committee and a report be provided back to Council on any submissions received in order to finalise the policies;

**MOVED:** Councillor B S Moran

**SECONDED:** Councillor M M Collins.

**CARRIED**

**ITEM:14            COMM - 19/11/07 - QUARTERLY PERFORMANCE REPORT ON  
MANAGEMENT PLAN 2007/08 - 2009/10 FOR THE PERIOD OF 1  
JULY TO 30 SEPTEMBER 2007**

**REPORT FROM: INTERNAL SERVICES MANAGER – CAROL FARNSWORTH &  
POLICY AND PLANNING MANAGER - AMANDA MUIR**

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**REFERENCE**

Min 07-258: Extraordinary Meeting 28 June 2007

**SUMMARY**

This report provides the Quarterly Performance Report on the Management Plan 2007/08 to 2009/10 for the period of 1 July to 30 September 2007.

**COMMENTARY**

The Quarterly Performance Report on the Management Plan 2007/08 to 2009/10 for the period of 1 July to 30 September 2007 has been prepared and is provided within Councillor's Business Paper Packages. It details the achievement of activities identified in the Management Plan and provides the budget review statement.

The format of the Report has changed to reflect the Management Plan 2007/08 to 2009/10, in particular, it focuses on the principal activity areas and includes reporting on the key performance indicators.

The Report provides a number of variations to the activities listed in the Management Plan 2007/08 to 2009/10 and the Budget Review Statement notes a deficit of \$504,459 after the completion of the budget review which included the actioning of changes as noted in the General Manager's Introduction of the Report.

Copies of the Report are also available for viewing at Council's Administration Centre and the website.

**POLICY IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

The financial implications are reported in the Quarterly Performance Report on the Management Plan 2007/08 – 2009/10 for the period of 1 July to 30 September 2007.

The Internal Services Manager, as the Responsible Accounting Officer has reviewed the statements and is satisfied with them with the comment that the current financial position is to be reviewed over the next 3 months with regard to the deficit position.

**LEGAL IMPLICATIONS**

The Local Government Act 1993 and Local Government (General) Regulation 2005 sets out requirements for the quarterly reporting of the achievement of performance targets and the submission of a budget review statement after the end of each quarter. This report and attachment achieves this requirement.

## **07-502 RESOLVED**

### **THAT**

1. The deficit of \$504,459 and changes to the Management Plan 2007/08 to 2009/10 as detailed in the Quarterly Performance Report for the September quarter of 2007/08 be noted.
2. Council place \$85,000 internally restricted as the Valuer General's valuation of the Meadow Flat Hall asset and Council seek the determination of the Minister of Lands with regard to the treatment of the money.

**MOVED:** Councillor H K Fisher

**SECONDED:** Councillor M J Wilson.

### **CARRIED**

**ITEM:15            COMM - 19/11/07 - AFFIXING OF COUNCIL'S SEAL FOR THE SITE  
EXTENSION OF WALLERAWANG PUBLIC SCHOOL AND ACCESS  
INTO THE WALLERAWANG INDOOR SPORTS STADIUM**

### **REPORT FROM: POLICY & PLANNING MANAGER – A MUIR**

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#### **REFERENCE**

Min 07-478: Finance and Services Committee Meeting 5 November 2007

#### **SUMMARY**

This report seeks Council's approval to attach the seal in relation to the site extension of Wallerawang Public School and access into the Wallerawang Indoor Sports Stadium.

#### **COMMENTARY**

At its Finance and Services Committee Meeting of 5 November 2007, Council resolved that "all documents be executed under Council's Seal for the sale and Right of Carriageway at the next Council meeting" in relation to the site extension of Wallerawang Public School and access into the Wallerawang Indoor Sports Stadium. Therefore, this report recommends that the Council Seal be affixed to documents arising from these matters.

#### **POLICY IMPLICATIONS**

Clause 73 of Council's Code of Meeting Practice outlines the requirements for the affixing of Council's Seal.

#### **FINANCIAL IMPLICATIONS**

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

#### **LEGAL IMPLICATIONS**

The affixing of the Council Seal to documents requiring such will fulfil Council's legal obligations.

**07-503 RESOLVED**

**THAT** the affixing of Council's Seal on documents arising from the site extension of Wallerawang Public School and access/parking into the Wallerawang Indoor Sports Stadium is approved.

**MOVED:** Councillor H K Fisher

**SECONDED:** Councillor M M Collins.

**CARRIED**

## DELEGATES REPORT

### ITEM:16 DELEGATES REPORT - 19/11/07 - MINING RELATED COUNCILS MEETING

#### REPORT FROM: COUNCILLOR WAYNE MCANDREW

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#### SUMMARY

This report provides Council with an update of the Mining Related Councils Annual General Meeting held in Quirindi on 9th November 2007. A copy of the business paper is available to any Councillor on request.

#### COMMENTARY

As fellow Councillors are aware Lithgow City Council is a founding member of the NSW Associations of Mining Related Councils and the Mayor holds an Executive position on the Association.

On the 9<sup>th</sup> November the General Manager and I travelled to Quirindi to attend the AGM. This AGM also acted as a normal meeting of the Association.

The Mayor was once again successfully elected to the executive of the Association.

The meeting considered 3 very important matters:

- a) The Rivers SOS DVD
- b) The CFMEU's position on Climate Change
- c) The NSW Minerals Council's positions on climate Change.

A copy of the CFMEU's paper is attached for Councillors information.

The Association have unanimously endorsed the actions of the CFMEU and NSW Minerals Councils in the position with regards to Climate Change and have agreed to work with these two peak bodies to assist Councils in preparing for the future with Climate Change in mind. It is exciting and pleasing to note that both the industry body and the Union have been able to agree that collectively we can tackle this issue for the betterment and development of many towns and communities.

The NSW Minerals Council also gave an insight into the SOS Rivers DVD which the Association considered at the last meeting. Again following the Council's point of view the Association resolved to take no further action in the matter and refer it to the Minister for his attention. This is a very important step in the process given the emotional and misleading information obtained within.

A pleasing note for 2008 will see the Association hold its AGM in Lithgow. This will be a unique opportunity to showcase local mining operations and provide all Councillors with a opportunity to attend the meeting and observe the Associations deliberations.

**POLICY IMPLICATIONS**

NIL

**FINANCIAL IMPLICATIONS**

NIL

**LEGAL IMPLICATIONS**

NIL

**CONCLUSION**

This report has provided Council with a briefing of the most recent Mining Related Councils meeting held in Quirindi.

**07-504 RESOLVED**

**THAT** the Delegates Reports on the Mining Related Councils Meeting be noted.

**MOVED:** Councillor H K Fisher

**SECONDED:** Councillor B P Morrissey.

**CARRIED**



## QUESTIONS OF AN URGENT NATURE

Nil.

The meeting closed at 8.15pm.

The General Manager advised the Public that Council will now consider the Closed Confidential report. The report was confidential in nature due to:

**ITEM 11 - CONFIDENTIAL REPORT - WATER TRADE WITH DELTA ELECTRICITY  
CONFIDENTIAL**

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

(c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

If Council discussed the financial figures within this report in open council it would provide an advantage to the parties that Council may negotiate with in terms of trading part of its water allocation.

Pursuant to section 10A(4), the public are invited to make representations to the council meeting before any part of the meeting is closed, as to whether that part of the meeting should be closed.

**The General Manager asked for objections from the Public for Council to consider the confidential report.**

NIL objections

**07-505 RESOLVED**

**THAT** the report would be considered in Closed Council.

**MOVED:** Councillor M M Collins

**SECONDED:** Councillor H K Fisher.

**CARRIED**

Closed Council started at 8.18pm

## CLOSED REPORT

ITEM:11           REG - 19/11/07 - CONFIDENTIAL REPORT - WATER TRADE WITH  
DELTA ELECTRICITY   CONFIDENTIAL

**REPORT BY: GROUP MANAGER REGIONAL SERVICES - ANDREW MUIR**

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### Reason for Confidentiality

In accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the following business is of a kind as referred to in section 10A(2) of the Act, and should be dealt with in a part of the meeting closed to the media and public.

**Set out below is section 10A(2) of the *Local Government Act 1993* in relation to matters which can be dealt with in the closed part of a meeting.**

The matters and information are the following:

- (a) personnel matters concerning particular individuals (other than councillors)
- (b) the personal hardship of any resident or ratepayer
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business
- (d) commercial information of a confidential nature that would, if disclosed:
  - (i) prejudice the commercial position of the person who supplied it, or
  - (ii) confer a commercial advantage on a competitor of the council, or
  - (iii) reveal a trade secret
- (e) information that would, if disclosed, prejudice the maintenance of law
- (f) matters affecting the security of the council, councillors, council staff or council property
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege
- (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land.

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

If Council discussed the financial figures within this report in open council it would provide an advantage to the parties that Council may negotiate with in terms of trading part of its water allocation.

Pursuant to section 10A(4), the public are invited to make representations to the council meeting before any part of the meeting is closed, as to whether that part of the meeting should be closed.

### **SUMMARY**

To advise Council Delta Electricity's interest in extending the water trade agreement for Fish River Water allocation for an additional 12 months.

### **07-506 RESOLVED**

**THAT** the General Manager be delegated authority to negotiate with the parties outlined in this report to trade up to 915ML of Council's allocation for one year to achieve the most financially beneficial outcome for Council.

**MOVED:** Councillor B P Morrissey

**SECONDED:** Councillor H K Fisher.

**CARRIED**

The Mayor reopened the meeting to the public and the General Manager advised them that the following resolutions were made in relation to the confidential reports:

**ITEM 11 - CONFIDENTIAL REPORT - WATER TRADE WITH DELTA ELECTRICITY  
CONFIDENTIAL**

**07-506 RESOLVED**

**THAT** the General Manager be delegated authority to negotiate with the parties outlined in this report to trade up to 915ML of Council's allocation for one year to achieve the most financially beneficial outcome for Council.

**MOVED:** Councillor B P Morrissey

**SECONDED:** Councillor H K Fisher.

**CARRIED**

Meeting closed at 8.25pm.