



LITHGOW CITY COUNCIL

MINUTES

POLICY AND STRATEGY COMMITTEE
MEETING OF COUNCIL

HELD ON

05 NOVEMBER 2007

**MINUTES OF THE LITHGOW CITY COUNCIL MEETING
HELD AT THE CIVIC CENTRE, LITHGOW ON 5 NOVEMBER 2007**

Meeting at 6.05pm

Public Gallery: 13

PRESENT

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

ABSENT

Councillor M F Ticehurst

APOLOGIES

An apology was received and accepted from Paul Anderson, General Manager who is out of the City on business.

MOVED: Councillor H K Fisher **SECONDED:** Councillor B S Moran.

07- 456 RESOLVED

CARRIED

Also in attendance

Group Manager Regional Services, Mr Andrew Muir
Group Manager Community and Corporate Services, Ms Kathy Woolley
Minutes Secretary, Miss Casey Clarke
IT Manager, Mrs Ally Shelton
Policy and Planning Manager, Mrs Amanda Muir
Internal Services Manager, Mrs Carol Farnsworth

CONFIRMATION OF MINUTES

Confirmation of the Minutes of the Policy and Strategy Committee Meeting of Council held on the 2 October 2007 were taken as read and confirmed by Councillors B S Moran and M J Wilson

07-457 RESOLVED

CARRIED

Confirmation of the Minutes of the Extra Ordinary Meeting held on 17 September 2007 were taken as read and confirmed by Councillors H K Fisher and Councillor M J Wilson.

07-458 RESOLVED

CARRIED

DECLARATION OF INTEREST

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

Councillor M M Collins declared a pecuniary interest in item 1 due to being a Director of the mentioned Company and vacated the Chambers.

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 Questions Were Asked

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ITEM:1 NOTICE OF MOTION - 05/11/07 - PROPOSED ROCK CRUSHING PLANT AT LIDSDALE

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Lithgow City Council
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NOTICE OF MOTION

24 OCT 2007

MOTION TITLE/TOPIC:

Doc No
GD & Ref
Year
.....

Councillor receipt of a Community Petition against proposed Rock Crushing Plant at Lidsdale.

Listed by Councillor Martin Ticehurst

Date: 20 October 2007

BACKGROUND

I am writing to advise of the Councillor receipt of a Community Petition against a proposed Rock Crushing Plant at Lidsdale.

The Community Petition, signed by some 29 residents of Lidsdale, states that: -

“We, the undersigned wish to object to the construction and operation of a Rock Crushing Plant by AC & HC Collins Transport Pty Ltd of Lidsdale.”

The Group Manager, Regional Services, Lithgow City Council Mr Andrew Muir is requested to provide an urgent report to the Council and fellow Councillors at the next Committee Meetings of the Lithgow City Council scheduled for Monday 5 November 2007.

ATTACHMENT:

Community Petition against proposed Rock Crushing Plant at Lidsdale.

RECOMMENDATION

THAT the Community Petition be received and that the Group Manager, Regional Services, Lithgow City Council Mr Andrew Muir provide an urgent report to the Council and fellow Councillors at the next Committee Meetings of the Lithgow City Council scheduled for Monday 5 November 2007.

Signed: _____

MF Ticehurst

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(We wish this depot to be moved
 To an Industrial site)
 and we are ~~amusement~~ by fly ash .

Petition against proposed Rock Crushing Plant at Lidsdale

We, the undersigned wish to object to the construction and operation of a Rock Crushing Plant by AC and HC Collins Transport Pty Ltd of Lidsdale.

NAME	ADDRESS	PHONE	SIGNATURE
K HORNER	46 Wolgarn Rd Lidsdale	63551126	K Horner
G Lambert	7 Duncan St Lidsdale	63557151	G Lambert
J Connor	5 Duncan St Lidsdale	63551356	J Connor
P BRAUN	115-117 WOLGARN RD LIDSDALE		P Braun
M JACKSON	47 Wolgarn Rd Lidsdale	63551463	M Jackson
C RYAN	51 Wolgarn Rd Lidsdale	63551471	C Ryan
G WHEELER	51 Wolgarn Rd Lidsdale	63551471	G Wheeler
C MORRIS	55 Wolgarn Rd Lidsdale	63557320	C Morris
L BROWN	61 Wolgarn Rd Lidsdale	63551463	L Brown
S HOWARTH	1 View St Lidsdale	63551491	S Howarth
D BISHOP	65 Wolgarn Rd Lidsdale	63551403	D Bishop
K HOGAN	68 Wolgarn Rd Lidsdale		K Hogan
P HOWARTH	1 View St Lidsdale	63551491	P Howarth
A HOLLAND	57 Wolgarn Lidsdale	63551096	A Holland
L HOLLAND	"	"	L Holland
L HOLLAND	59 Wolgarn Rd Lidsdale	63551254	L Holland
P LANE	61 Wolgarn Rd Lidsdale		P Lane
J LANE	61 Wolgarn Rd Lidsdale		J Lane
S BEECROFT	1 Newbeck St LIDSDALE	63551198	S Beecroft
J BEECROFT	1 NEWBECK ST LIDSDALE	63551198	J Beecroft
J ROSEWARNE	2 Newbeck St LIDSDALE	63551883	J Rosewarne
E MARSHALL	2 Newbeck St LIDSDALE	63551883	E Marshall
B FITZGERALD	2 Kelly Rd Lidsdale	63551610	B Fitzgerald
V FITZGERALD	2 Kelly Rd LIDSDALE	63551610	V Fitzgerald
E THOMPSON	18 WOLGARN ROAD LIDSDALE	63551749	E Thompson
E THOMPSON	18 WOLGARN ROAD	63551749	E Thompson
T CONNOR	DUNCAN ST LIDSDALE	63551356	T Connor

Councillor M M Collins declared a pecuniary interest in this item and vacated the Chambers.

The Notice of Motion LAPSED due to no mover.

A **MATTER OF ARISING** was moved that an onsite visit be carried out by Council representatives before this matter is determined.

07-459 RESOLVED

MOVED: Councillor H K Fisher

SECONDED: Councillor B S Moran.

CARRIED

ITEM:2 NOTICE OF MOTION - 05/11/07 - COMPULSORY ACQUISITION OF LAND - MORRELL ST, MEADOW FLAT

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NOTICE OF MOTION

Lithgow City Council

24 OCT 2007

MOTION TITLE/TOPIC:

Request for an update on the compulsory acquisition by the Lithgow City Council of land formerly owned by Thomas Hope Knox in Morrell Street, Meadow Flat, that is the Meadow Flat Community Hall, Rural Fire Shed and Morrell Street itself.

Listed by Councillor Martin Ticehurst

Date: 20 October 2007

BACKGROUND

At the Ordinary Meeting of the Lithgow City Council on the 21 May 2007, I asked the following Question without Notice and received the following Minuted response: -

6. Following the compulsory acquisition by the Lithgow City Council of land formerly owned by Thomas Hope Knox in Morrell Street, Meadow Flat, that is the Meadow Flat Community Hall, Rural Fire Shed and Morrell Street itself, could the Council now advise the community if all the land has subsequently been registered in the Lithgow City Council's asset register and if so, at what monetary value?

Council is in receipt of the Certificate of Titles for Lot 1 and 2 in Deposited Plan 1081225, being the land which the Community Hall and part of the Rural Fire Shed are located upon. These properties have not been included in Council's Assets Register to date, however, the process has commenced. In relation to Morell Street, this Street was not part of the compulsory acquisition, however, in 2004 there was a partial road closure to formalise the land which the majority of the Rural Fire Shed is located upon. The current status of Morrell Street is being investigated.

An updated report from Council Officers is requested to advise: -

1. After some six months, could Council Officers advise if the Titles of Lot 1 and Lot 2 in Plan 1081225, being the land upon which the Meadow Flat Community Hall and part of the Meadow Flat Rural Fire Service Shed are located, have been included in the Lithgow City Councils Asset Register and is not why the ongoing delay, and if so, on what date were the assets included on Councils register and at what monetary value?
2. After some six months, could Council Officers advise what is the current status of the previously stated legal investigations into Morrell Street?
3. Further, could Council Officers advise what is the current update on the status of the use of the Meadow Flat Community Hall and the Councils previous consideration to initiate and formalise a Section 355 Committee to manage the Community Hall?

RECOMMENDATION

THAT the Group Manager, Corporate Services, Lithgow City Council provide an urgent report on the matters raised in this Notice of Motion to the Council and fellow Councillors at the next Committee Meetings of the Lithgow City Council scheduled for Monday 5 November 2007.

Signed: _____

M Ticehurst

The Notice of Motion **LAPSED** due to no mover.

A **MATTER ARISING** was moved that a report come back on the potential to create a S355 Committee to manage the Meadow Flat Hall.

07-460 RESOLVED

MOVED: Councillor B S Moran

SECONDED: Councillor W McAndrew.

CARRIED

REGIONAL SERVICES REPORTS

ITEM:3 REG - 05/11/07 - COUNCIL ats AGONIC HOLDINGS PTY LTD

REPORT FROM: GROUP MANAGER REGIONAL SERVICES - ANDREW MUIR

REFERENCE

Ordinary Meeting 17/09/2007 - Min 07-422

SUMMARY

To advise Council of the status of this matter currently before the Land and Environment Court.

COMMENTARY

As Council will recall, this is an appeal against the refusal of a development application to subdivide 40 rural lots from a large agricultural holding (Westholme) at Tarana/Meadow Flat. The reasons for the refusal were outlined in the report to Council of 17/09/06.

A non-binding preliminary conference under Section 34 of the Land and Environment Court Act 1979 was held at the property before Commissioner Murrell on 21 September 2007. This conference was attended by representatives of both parties, including a number of experts and a representative of the Department of Primary Industries (Agriculture and Fisheries).

A number of options and opinions were discussed before the Commissioner. Although the conference was successful in reducing the number of contentions before the Court, it was not possible to achieve a final solution acceptable to Council and the Applicant. As a result a hearing date has now been set for 18 and 19 December 2007. Council officers will continue discussions with the applicant in an attempt to reach an agreed position prior to the hearing date.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Legal costs will be associated with the appeal.

LEGAL IMPLICATIONS

The subject of this report.

07-461 RESOLVED

THAT the information be received and noted.

MOVED: Councillor B S Moran

SECONDED: Councillor M J Wilson.

CARRIED

**ITEM:4 REG - 05/11/07 - LAND AND ENVIRONMENT COURT PROCEEDINGS
- LITHGOW WATER TREATMENT PLANT****REPORT BY: GROUP MANAGER REGIONAL SERVICES - ANDREW MUIR**

REFERENCE

Finance & Services Committee – 5 February 2007 - Min 07- 34

Finance & Services Committee – 6 August 2007 - Min 07-337

Ordinary meeting – 20 August 2007 - Min 07-373

SUMMARY

To advise Council of the judgement handed down in the Land and Environment Court in relation to prosecution proceedings for failure to comply with licence condition requirements for the Lithgow Water Treatment Plant.

COMMENTARY

Council will recall this matter where the Department of Environment and Conservation (DEC) initiated prosecution proceedings for failure to comply with licence condition requirements to provide a backwash options study and line sludge lagoons by December 2005. Specifically, these conditions related to:

- Remedial works to sludge lagoons as recommended in a geotechnical investigation, including the lining of the sludge lagoons by 5pm on 31 December 2005.
- Engage a suitably qualified and experienced person to undertake an Options Study for the Oakey Park Water Treatment Plant such to prevent discharge backwash to Farmers Creek to be submitted by 31 December 2005.

In the proceedings Council entered a plea of guilty and the hearing took place before Justice Preston on 24 July 2007. At the conclusion of the proceedings the Chief Judge advised that he was considering making an order requiring Council to undertake certain works at the plant within a timeframe to be negotiated between Council and DEC. The timeframe and scope of works were then negotiated with DEC which is reflected in Order No 3 of the orders handed down by the Court (attached). Council should note that Order 3(1)(a) has already been complied with. The Court convicted Council and imposed fines of \$37,500 for not completing the works on the sludge lagoons by 31 December 2005 and \$11,250 for not submitting the options study by 31 December 2005. Council is to also pay DEC's costs of \$20,000.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

In addition to Council's legal costs, which are yet to be finalised, the total in fines and costs is \$68,750.

LEGAL IMPLICATIONS

The subject of this report.

07-462 RESOLVED

THAT the information be received and noted.

MOVED: Councillor B S Moran

SECONDED: Councillor M M Collins.

CARRIED

ITEM:5 REG - 05/11/07 - LAKE LYELL CARETAKERS CONTRACT

REPORT BY: GROUP MANAGER REGIONAL SERVICES - ANDREW MUIR

REFERENCE

Nil

SUMMARY

To inform Council of advice from the current Caretaker at Lake Lyell indicating that the option to renew the contract will not be exercised.

COMMENTARY

Correspondence has been received from the current caretaker of the Lake Lyell recreation area, Snowy Mountain Adventures Pty Ltd advising that “as per the current Lake Lyell Caretaker’s Contract, dated 27th May 2004: clause **2 - 2.3 Term of Contract**, we are writing to inform Council that we will not be taking up the option to renew the contract, and our intentions would be to vacate Lake Lyell, as per contract, on the 31st March 2008.”

The contractor also advises “as the lake levels began to recede, certain actions by Council made it evident to us that we would not receive the support required for us to make such a large investment.” The actions raised are being investigated to determine their validity and advice will be sought if necessary to protect Council’s position. However, at first instance it will be necessary to seek expressions of interest from parties interested in taking on the caretaking duties.

POLICY IMPLICATIONS

No immediate Policy issues from this report, but may arise further in the process, eg Policy 3.1 Contracts - disclosure on request of information contained in council contracts.

FINANCIAL IMPLICATIONS

Council had been providing an amount of \$20,000 per annum to the current caretaker.

LEGAL IMPLICATIONS

No immediate issues arise. However, the contract is being reviewed and if necessary advice may be sought.

RECOMMENDATION**THAT:**

1. Expressions of interest be sought from parties interested in undertaking the caretaker duties at Lake Lyell and the General Manager be delegated authority to determine the content of the Expressions of Interest in terms of scope, length of tenure and financial consideration.
2. Expressions of interest received be reported for determination at the appropriate time.

07-463 RESOLVED**THAT:**

1. Expressions of interest be sought from parties interested in undertaking the caretaker duties at Lake Lyell and the General Manager be delegated authority to determine the content of the Expressions of Interest in terms of scope, length of tenure and financial consideration.
2. Expressions of interest received be reported for determination at the appropriate time.
3. Council receive information on the terms of the contract for a future caretaker.
4. A report to be brought back to Council on the concerns raised in the letter.

MOVED: Councillor W McAndrew

SECONDED: Councillor M J Wilson.

CARRIED

COMMUNITY AND CORPORATE SERVICES REPORTS

ITEM:6 COMM - 05/11/07 - DRAFT LOCAL ETHNIC AFFAIRS PRIORITY STATEMENT

REPORT FROM: COMMUNITY AND CULTURE MANAGER - P. Hall

REFERENCE

Min 06-392: Council Meeting 20 November 2006

SUMMARY

Council's Social Plan was adopted in November 2006 and as one of the objectives noted on page 92 of the plan was the creation of a Local Ethnic Affairs Priority Statement (LEAPS) was identified to be undertaken in June 2007.

Council is presented with the attached Draft LEAPS for consideration.

COMMENTARY

The *Local Government Act 1993* requires local councils to include in their Management Plans the proposed access and equity activities to meet the needs of local residents. Council will formalise and achieve this through the proposed LEAPS activities should they be adopted by Council.

The key roles of Council for the LEAPS are:

- Providing equity of access and information to Council services and facilities;
- Leadership;
- Advocacy for activities and services that have been identified within the Social Plan 2006/11;
- Facilitation;
- Providing grants and assistance to source and apply for grants.

In the performance of these key roles and in implementing the LEAPS, Council will provide leadership in fostering the development of collaborative networks and partnerships with other government, non-government and private sector agencies.

The Strategy Framework of this LEAPS will focus on strategies that improve the leadership role that Council has in the community and provide a framework for Council to build a working relationship with the Culturally and Linguistically Diverse (CALD) community and provide access and equity within Council as an organisation, through position recruitment, staff training, and the development of internal procedures.

The Social Plan consultation process and consultation for the development of the LEAPS document highlighted the following key issues within the Lithgow LGA in relation to the CALD community:

- Employment
- Education

- Lack of cultural awareness
- Lack of recognition of cultural diversity within Lithgow

The *Community Relations Commission and Principles of Multiculturalism Act 2000* (Part 1 Section 2(1)) and the *Local Government Act 1993* outline 4 key principles to multiculturalism.

Principle 1 – All individuals in New South Wales should have the greatest possible opportunity to contribute to, and participate in, all aspects of public life in which they may legally participate.

Principle 2 – All individuals and institutions should respect and make provision for the culture, language and religion of others within an Australian legal and institutional framework where English is the common language.

Principle 3 – All individuals should have the greatest possible opportunity to make use of and participate in relevant activities and programs provided or administered by the Government of New South Wales.

Principle 4 – All institutions of New South Wales should recognise the linguistic and cultural assets in the population of New South Wales as a valuable resource and promote this resource to maximise the development of the State.

Within this framework four key objectives have been developed. The Council LEAPS will deliver outcomes against these objectives. The objectives are:

- Leadership
- Community Harmony
- Access and Equity
- Economic and Cultural Opportunities.

POLICY IMPLICATIONS

The LEAPS will form a framework for Council to follow.

FINANCIAL IMPLICATIONS

The Social Plan 2006/11 included estimated costs for a number of strategies to support actions for the CALD community which are reflected in the LEAPS:

- Ongoing cost of staff training (customer service staff) – social plan estimates \$2500 (\$2000 as one off, and estimated \$500 ongoing as required) – this item will be considered in the creation of Council's 2008/09 Training Plan which provides the dollar amount Council resolves to put into staff development each year
- One off cost of updating procedures – costs would be minimal and can be absorbed into the existing Community and Culture budget;
- Ongoing support Multicultural Newsletter – social plan suggests the consideration of \$1000 annually and this is included in the 2007/08 Management Plan.

Future budgetary processes may consider options arising from the LEAPS such as the following will be presented as suggestions for inclusion in future management plans and budget setting sessions for Council to determine:

- Consider provision for use of the interpreter service in the budget – have estimated an annual cost of \$500 to be considered and monitored to see if service is utilised with spending to be reviewed based on results of monitoring;
- Consider conducting feasibility study for a small scale refugee relocation program (apply for external funding – Grants Officer) – Estimated cost of \$1600;
- Survey Lithgow residents – as a part of the next Social Plan (beyond the current Plan, cost to be considered as a part of this);
- Educate community about the availability of community language collections from the state library to be loaned free through the Lithgow Library – Social Plan estimates \$300 ongoing.

LEGAL IMPLICATIONS

The Community Relations Commission is currently drafting a framework for Local Government to aid in the development of an Ethnic Affairs and Priority Statement. The draft framework has been used in the development of Lithgow City Council's LEAPS. This document will need to be reported on to the Community Relations Commission annually as recommended under the *Community Relations Commission and Principles of Multiculturalism Act 2000*.

CONCLUSION

Consultation from the development of the Social Plan raised some issues affecting the Lithgow CALD community. Council objectives are to increase awareness of cultural diversity, promote community harmony, improve opportunities for people from CALD background to become acquainted with Council and its facilities and services, and improve access to community information. The proposed document provides actions for Council to implement in order to work towards achieving these outcomes.

07-464 RESOLVED

THAT the Draft Local Ethnic Affairs Priority Statement be placed on exhibition for a period of 28 days prior to a further report on any submissions being considered in the finalisation of the Statement.

MOVED: Councillor M J Wilson

SECONDED: Councillor M M Collins.

CARRIED

ITEM:7 COMM - 05/11/07 - UPDATE ON PROMOTING BETTER PRACTICE REVIEW**REPORT BY: GROUP MANAGER- COMMUNITY AND CULTURE – K. WOOLLEY**

REFERENCE

Min 07-286: Council Meeting 16 July 2007

SUMMARY

This report provides an update on the action list that arose from the Department of Local Government Promoting Better Practice review completed in June 2007 and reported to Council in July 2007.

COMMENTARY

The Promoting Better Practice review generated a list of 38 recommendations and the attached list and responses indicates the significant progress made on items on the list.

POLICY IMPLICATIONS

A number of policies will be altered or created arising from this report.

FINANCIAL IMPLICATIONS

There are financial implications from some actions which will be accommodated in the actioning of the recommendations.

LEGAL IMPLICATIONS

NIL

CONCLUSION

The Council's progression on the majority of the recommendations indicates a commitment to the improvement of the operations of the Council and illustrates the progressive approach Council is taking in improving its performance.

07-465 RESOLVED**THAT:**

1. Council note the actions achieved to date arising from the recommendations in the Department of Local Government's Promoting Better Practice Review
2. A copy of the updated action list be provided to the Department to illustrate the progress that has been made on the recommendations.

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

ITEM:8 COMM - 05/11/07 - NEW / UPDATED POLICIES

REPORT FROM: GROUP MANAGER – COMMUNITY AND CORPORATE – K. WOOLLEY

SUMMARY

New policies recommended to Council to be placed on exhibition.

COMMENTARY

In continuing to improve the governance processes within Council, the attached policies are provided to Council with a recommendation to place these on exhibition for a period of 28 days and to provide Council with comments and suggested amendments at the conclusion of the exhibition should there be any recommended changes.

Enforcement Policy – this policy is based upon the NSW Ombudsman’s guidelines for council enforcement policies and has also been formulated after consideration of other council’s policy position on such matters. The creation of this policy provides the framework for Council’s compliance work and it is recommended to Council.

Records Management Policy – This is an amendment and simplification of the existing policy. The other significant change is to appoint the Records Manager as the Corporate Records Officer. This task was previously the responsibility of the Internal Services Manager but it is more appropriate that the most senior specialist records officer fulfils this requirement.

POLICY IMPLICATIONS

These are new or amended policies for Council’s consideration.

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

Consideration of legal implications and legislative compliance is considered in the creation of policies.

CONCLUSION

The policies attached to this report are recommended to Council to be placed on exhibition.

07-466 RESOLVED

THAT Council place the policies entitled Draft Enforcement Policy and Draft Records Policy on exhibition for 28 days and receive a report at the conclusion of the exhibition period summarising any submissions made on the policies

MOVED: Councillor M J Wilson

SECONDED: Councillor W McAndrew.

CARRIED

ITEM:9 COMM - 05/11/07 - SISTER CITY COMMITTEE TERMS OF REFERENCE AND COMMITTEE ESTABLISHMENT**REPORT BY: GROUP MANAGER – COMMUNITY AND CORPORATE – K. WOOLLEY****REFERENCE**

Min 07-254: Council meeting 18 June 2007

SUMMARY

In order to seek expressions of interest for the community representatives to re-establish the Sister City Committee, the draft terms of reference for the committee are provided to Council and a recommendation to place advertisements in the local media to determine nominations for the committee is made.

COMMENTARY

In June 2007, Council resolved to create Committees under s355 of the Local Government Act who are charged with providing the Council with assistance in particular areas.

The Sister City Committee was one of these committees with Councillor and staff membership determined at that meeting to be the Mayor, Councillor Castle, Councillor Wilson, the General Manager and another staff member, determined subsequently by the General Manager to be the Group Manager – Community and Corporate. The General Manager has also determined the staff alternates will be the Group Manager – Regional Services and the Policy and Planning Manager to ensure support is supplied to the committee.

A draft Terms of Reference document is attached to this report which suggests the makeup of the other members of the committee and operational matters such as meeting frequency and recommended delegations for Council to consider.

It is recommended that Council advertise the Committee membership in the local media and to formally invite the Lithgow Business Association to seek an interested member to participate on the Committee.

The aim of the Sister City Committee is to advise Council on sister city issues, to draft and propose policy positions on sister city establishment issues to Council, to assess and provide information to Council on the benefits and opportunities of creating new sister city relationships, to manage the sister city relationships

In terms of the delegations Council may like to make to the Committee, the following are recommended:

- To assess and present to Council proposals for the creation of Sister City friendships
- To interview and meet in the Lithgow Local Government Area with representative of other cities interested in becoming Sister Cities

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

07-467 RESOLVED**THAT:**

1. Council delegate to the Sister City Committee the following functions:
 - To assess and present to Council proposals for the creation of Sister City friendships
 - To interview and meet in the Lithgow Local Government Area with representatives of other cities interested in becoming Sister Cities;
2. Council adopt the Draft Terms of Reference for the Sister City Committee attached to the report and update the document to finalise it with the inclusion of the minute number adopting the Terms of Reference and delegations to the Committee;
3. Council advertise for expressions of Interest for membership of the Committee for a period of 28 days from 8 November 2007 until 7 December 2007;
4. Consideration of applications received to be undertaken by Councillors Castle and Wilson, the General Manager and the Group Manager – Community and Corporate.

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

DELEGATES REPORTS

ITEM:10 DELEGATES REPORT - 05/11/07 - LOCAL GOVERNMENT CONFERENCE 2007 - COFFS HARBOUR

REPORT FROM: THE MAYOR - NEVILLE CASTLE

COMMENTARY

Lithgow City Council had a number of motions before the recent Local Government Conference. Of those motions we were successful on most but unfortunately also lost on one motion. The motion regarding having the LGA support the non privatisation of the power industry was passed nearly unanimously by around 400 voting delegates. This should add to the motion that we passed at Council and I have already informed the State Member, Gerard Martin of this outcome.

Possibly the most important motion for Lithgow was the one regarding the expansion to the Mount Piper Power Station. After much debate particularly against the Greens Councillors, the motion that was carried was *"if the governments response to the Owen report is for a coal fired power station to be able to be built, then the LGA seeks State Government confirmation and commitment to an expansion to the Mount Piper Power Station to assist in the management of the NSW base load power supply"*. This motion was passed and is now the LGA policy. This information has already been passed on to the State Member, Gerard Martin, as well as Steve Saladine, General Manager Western for Delta Electricity, who is responsible for the expansion of the Mount Piper option.

A motion regarding the Model Code of Conduct and the Code of Conducts that have been accepted by Councils around NSW and the difficulties that a number of councils has had with implementing these Codes was also put to the Conference, with the motion looking for the Government to review / rescind these Codes of Conducts because of their ineffectiveness, as well as the cost involved.

Lithgow's motion regarding Pecuniary Interests and our attempt to have Councillors put on the same footing as State and Federal Politicians was lost. In State and Federal politics the parliamentarians have their written declarations of interest at the start of a term and are then allowed to vote on all issues within parliament. In local Council however, if someone has a pecuniary interest (financial) in a matter before council they are not able to vote on this matter. Lithgow Councillors have wanted to vote on all issues that come before Council, keeping in mind that people would still be able to find out what interest they do have. However in many cases in Sydney councils people hide behind the fact that have an interest in an item, so as to avoid being in the debate and not wishing to make a decision on a particular item. It seems that the majority of interest of those wishing to hide behind this legislation has won out on this particular occasion.

Finally, the Bells Line Expressway also came under considerable debate. The main opposition was from Hawkesbury Council and some of the Greens Councillors who don't wish for any expansion to the roads network. Interestingly enough the same Greens Councillors benefited from being able to drive to the Conference on the much improved Pacific Highway.

Even though the Bells Line Expressway is actually one of the policies of the LGA, having been agreed to a few years ago at the LGA Conference in Wollongong, it was disappointing that on this occasion full support was not given to the road. Some who opposed the road wanted additional rail transport and unfortunately these people were not aware that the Bells Line Project is intended to have land set aside for a rail corridor as well but debate was "gagged" before this information could be given. The one pleasing thing regarding this project was that it was being referred to the Executive rather than being defeated, especially in line with the fact that on the Executive is Bruce Miller, the Mayor of Cowra, as well as being the President of the Shires Association, knows the value of the road and fought for it and has pledged its support for this project when it comes before the executive.

07-468 RESOLVED

THAT the information be received.

MOVED: Councillor W McAndrew

SECONDED: Councillor B S Moran.

CARRIED

QUESTIONS WITHOUT NOTICE

QWN - 05/11/07 - COUNCILLOR A E THOMPSON

1. Mr Mayor I have received a complaint from a ratepayer in regards to emails that have been sent to Council requesting a break down on the \$3M for Wolgan Road, in which have not been answered. Can Council please explain as to why these emails have not been answered and provide a break down to this ratepayer and to all Councillors as well? Also can Council explain as to why the Councillors were not invited to the public Emirates Meeting held recently?

The Mayor advised that a break down will be given to the ratepayer and a copy given to all Councillors. The Mayor also advised that the meeting was not arranged by Council it was arranged by the Emirates Group. People invited to this meeting were arranged by the Emirates. A response has been provided to emails received and the information will be made available to all Councillors.

QWN - 05/11/07 - COUNCILLOR B P MORRISSEY

1. Mr Mayor can Council please do some work to the nature strip from the Donnybrook Hotel down to McDonalds on the Great Western Highway as it is a disgrace.

The Mayor advised that this is a works request but maintenance works are to be carried out as soon as possible.

QWN - 05/11/07 - COUNCILLOR M M COLLINS

1. Mr Mayor can Council please purchase some lights for the festive season this year, to brighten up the town?

The Mayor asked that a report be brought back to Council identifying costs of lights and decorations for Council's consideration.

QWN - 05/11/07 - COUNCILLOR H K FISHER

1. Mr Mayor can Council please write to Mr Sartor regarding the Lamberts Gully Committee and facilitate as to where we are up to regarding the cumulative impact of development on Blackman's Flat.

The Mayor advised that a letter will be written in due course.

QWN - 05/11/07 - COUNCILLOR M J WILSON

1. Mr Mayor can a report be brought back on the Civic Ballroom? There are some works that need to be done to the ballroom.

The Mayor asked that a report be done.

The meeting closed at 6.32pm.