



LITHGOW CITY COUNCIL

MINUTES

POLICY AND STRATEGY COMMITTEE
MEETING OF COUNCIL

HELD ON

03 DECEMBER 2007

**MINUTES OF THE LITHGOW CITY COUNCIL MEETING
HELD AT THE CIVIC CENTRE, LITHGOW ON 3 DECEMBER 2007**

Meeting Commenced 6.00pm

Public Gallery: 18

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 was absent in the City on personal business.

MOVED: Councillor M M Collins

SECONDED: Councillor M J Wilson.

07-507 RESOLVED

CARRIED

Also in attendance

General Manager, Mr Paul Anderson
Group Manager Regional Services, Mr Andrew Muir
Minutes Secretary, Miss Casey Clarke
Policy and Planning Manager, Mrs Amanda Muir

CONFIRMATION OF MINUTES

Confirmation of the Minutes of the Policy and Strategy Committee Meeting of Council held on the 5 November 2007 were taken as read and confirmed by Councillors H K Fisher and Councillor M M Collins

07-508 RESOLVED

CARRIED

DECLARATION OF INTEREST

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

Councillor Wayne McAndrew declared a Pecuniary Conflict of Interest in Item 11 as his wife is employed by the Lithgow Golf Club. He vacated the Chambers.

QUESTIONS FROM THE PUBLIC GALLERY

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

NIL questions were received.

PRESENTATIONS

A presentation was given by Blue Mountains Tourism in relation to the Greater Blue Mountains Drive, Blue Mountains Tourism and the hope of securing a partnership with Lithgow City Council.

A presentation was given by Lithgow Tidy Towns in relation to the awards received by both Lithgow and Portland Tidy Towns and the Wallerawang Public School. The Mayor congratulated these committees and publicly thanked Lithgow Tidy Towns for their commitment to the Lithgow Local Government Area.

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MAYORAL MINUTE**ITEM:1 MAYORAL MINUTE - 03/12/07 - LAUNCH OF PORTLAND PERSPECTIVES**

1

ITEM MAYORAL MINUTE - 03/12/07 - LAUNCH OF PORTLAND PERSPECTIVES**REPORT FROM: NEVILLE CASTLE, MAYOR**

COMMENTARY

Recently I attended the book launch of the "Portland Perspectives - Looking Back Looking Forward". This book was a research project by Fusion Australia. The Main author of the book was Miriam Palmer a life long resident of the Portland area and the book was compiled by Mal Renkin (Fusion Orange).

The book takes the form of a large number of interviews, coupled with research and having a number of recommendations.

Many of the recommendations are to do with community groups that already exist although there are a number of recommendations that Council itself may be able to contribute to. It would be reasonable for Council to review the recommendations and seeing if a plan can be done to try and help make the recommendations of this book into a reality.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

NIL

RECOMMENDATION**THAT:**

1. Council congratulate Miriam Palmer and the Fusion Group for their efforts and enthusiasm in producing the book
2. The book be placed in Lithgow and Portland Libraries for people to access.
3. The General Manager review the book and its recommendations and provide a report to Council on what actions Council can assist with.

Signed: N. Castle
Neville Castle, Mayor

07-509 RESOLVED

THAT:

1. Council congratulate Miriam Palmer and the Fusion Group for their efforts and enthusiasm in producing the book.
2. The book be placed in Lithgow and Portland Libraries for people to access.
3. The General Manager review the book and its recommendations and provide a report to Council on what actions Council can assist with.

MOVED: Councillor Neville Castle

SECONDED: Councillor H K Fisher.

CARRIED

GENERAL MANAGERS REPORTS

ITEM:2 GM - 03/12/07 - TIDY TOWNS

REFERENCE

NIL

SUMMARY

This report outlines the recent Tidy Towns Awards held in Leeton over the weekend of 23rd November to 25th November 2007.

COMMENTARY

As Council is aware the local Tidy Towns Committee recently travelled to Leeton to the Annual Tidy Towns Presentation and Awards. This year the Deputy Mayor, Lady Mayoress and myself accompanied the Group.

As is normally the case our Tidy Towns Committee has served our "local communities" very proud and successfully won many categories and highly commended awards. The Lithgow Committee for the second year running actually took out the Second place in the overall Award for the Category Town.

The following is a completed list of all the awards taken out by the local committee.

Overall Town Category

- Second - Lithgow

National Parks and Wildlife Service

Wildlife Corridors and Habitats Conservation Award

- Winner - Lithgow - Lithgow & District Community Nursery - Wildlife Corridors and Habitat Conservation Project

Cultural Heritage Award

- Highly Commended - Lithgow - Furnace, Fire and Forge

Schools Environment Award

- Highly Commended - St Patrick's Primary School, Lithgow
- Highly Commended - Wallerawang Public School, Wallerawang
- Highly Commended - Portland Central School, Portland

Litter Prevention and Waste Minimisation Award

- Highly Commended - Lithgow - Lithgow City Council's Litter Program

Clubs Partnership Program

- Winner - Portland RSL Sport and Recreation Club

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

07-510 RESOLVED

THAT Council congratulate all the local Tidy Towns Committee on the recent news and fantastic efforts in making our community a better place!

MOVED: Councillor M M Collins
CARRIED

SECONDED: Councillor M J Wilson.

ITEM:3 GM - 03/12/07 - GREATER BLUE MOUNTAINS TOURIST DRIVE

REFERENCE

NIL

SUMMARY

This report updates Council on the Greater Blue Mountains Tourist Drive which will be the subject of a presentation to the Committee.

COMMENTARY

As Council is aware the Blue Mountains Tourism Limited were successful in gaining a grant via the ATDP for the establishment of an iconic drive around and within the Greater Blue Mountains World Heritage area.

The drive is intended to showcase the Greater Blue Mountains World Heritage Area and illustrate the many and varied experiences that can be enjoyed and experiences from and within the drive and world heritage area.

The Drive is to be launched in mid December and will see new signage illustrating the area being erected throughout the region and our LGA.

Mrs Kerry Fryer, CEO Blue Mountains Tourism Limited and Mr Dave Allen, Blue Mountains City Council will be present at the Committee to further discuss the drive and Blue Mountains Tourism Limited.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

The budget has fully allocated for the signage as per the Management Plan.

LEGAL IMPLICATIONS

NIL

07-511 RESOLVED

THAT Council note the report and receive this presentation for Blue Mountains Tourism Limited.

MOVED: Councillor W McAndrew**SECONDED:** Councillor B S Moran.**CARRIED****ITEM:4 GM - 03/12/07 - GREAT ESCAPADE EVENT 2008****REPORT BY: TOURISM MANAGER – J. RAYNER**

REFERENCE

NIL

SUMMARY

Further to a report on The Great Escapade, presented to the Finance and Services meeting of the 5th November, 2007, this report provides further information on the impact of waiving fees for this event.

COMMENTARY

At the Finance and Services meeting on the 5th November 2007, in regards to The Great Escapade Bike event hosted by Bicycle Victoria and Bicycle NSW, Council resolved to:

- Manage waste and sewerage services for the event at both the Tony Luchetti and Portland Showground
- Charge The Great Escapade a total of \$500 for hire of the grounds and camping fees
- Waive \$589 for the hire of Tony Luchetti Showground and Portland Showground

The Council resolution ensures that some fees for use have been waived for the Great Escapade.

The Great Escapade will play a pivotal role in marketing the Lithgow region to a niche target market and injecting an economic benefit into the area. The event will highlight the region as a destination for bike riding.

The following fees for the Great Escapade have been waived by Council and will be funded by the following sources:

Council Charges	Fee	Funding source
Sewerage Includes dumping of sewerage from both locations and use of staff to co-ordinate	\$1128.02	There is an amount of \$6000 within the Tourism budget for the Great Escapade. As it is likely that this amount will be fully expended a budget adjustment will need to be made in the December quarterly review to allocate additional funding to the Great Escapade and find corresponding savings within the Tourism budget.
Garbage Waste Removal Includes the use of staff to remove all garbage from both sites	\$1404.80	There is an amount of \$6000 within the Tourism budget for the Great Escapade. As it is likely that this amount will be fully expended a budget adjustment will need to be made in the December quarterly review to allocate additional funding to the Great Escapade and find corresponding savings within the Tourism budget.

As per the resolution from the Finance and Services Meeting of the 5th November 2007 budget, Council resolved to charge The Great Escapade \$500. The following fees for hire and camping on the grounds will be funded by the following sources:

Council Charges	Fee	Fee Waived	Funding source for Waived Fees
Site Hire Includes use of both Glanmire and Portland Showground	\$726.00	\$250.00	Tourism budget
Camping on Ground Fees Includes camping fees for both Glanmire and Portland Showground	\$363.00	\$250.00	Tourism budget

POLICY IMPLICATIONS

Council's Donations policy provision apply.

FINANCIAL IMPLICATIONS

The following fees that have been resolved to be waived would be funded by from the following sources:

Council Charges	Fee	Funding source
Sewerage Includes dumping of sewerage from both locations and use of staff to co-ordinate	\$1128.02	There is an amount of \$6000 within the Tourism budget for the Great Escapade. As it is likely that this amount will be fully expended a budget adjustment will need to be made in the December quarterly review to allocate additional funding to the Great Escapade and find corresponding savings within the Tourism budget.
Garbage Waste Removal Includes the use of staff to remove all garbage from both sites	\$1404.80	There is an amount of \$6000 within the Tourism budget for the Great Escapade. As it is likely that this amount will be fully expended a budget adjustment will need to be made in the December quarterly review to allocate additional funding to the Great Escapade and find corresponding savings within the Tourism budget.

Council Charges	Fee	Fee Waived	Funding source for Waived Fees
Site Hire Includes use of both Glanmire and Portland Showground	\$726.00	\$250.00	Tourism budget
Camping on Ground Fees Includes camping fees for both Glanmire and Portland Showground	\$363.00	\$250.00	Tourism budget

LEGAL IMPLICATIONS

NIL

07-512 RESOLVED

THAT the information be received and Council note that a budget adjustment is to occur in the December quarterly budget review to allocate additional funding to the Great Escapade event with corresponding savings to occur within the Tourism budget.

MOVED: Councillor M M Collins
CARRIED

SECONDED: Councillor M J Wilson.

REGIONAL SERVICES REPORTS

ITEM:5 REG - 3/12/07 - PROPOSED NAMING OF BRIDGES OVER COX'S RIVER ROAD, WALLERAWANG

REPORT FROM: ANDREW MUIR – GROUP MANAGER REGIONAL SERVICES

SUMMARY

To advise Council of a request to name the bridges which cross the Cox's River on the Great Western Highway at Wallerawang.

COMMENTARY

Council has received a proposal from the Lithgow Branch of the National Trust to name the bridges on the Great Western Highway which cross the Cox's River at Wallerawang "Jack Wilson Bridge". This proposal is based on the long history the Wilson family and in particular, Mr John Wilson, had with the Wallerawang township and surrounding districts. In 1881, the Wilson family established themselves at 'Rock Hill', Wallerawang and were predominately engaged in farming and grazing. John Wilson was born on 20th March 1884 and resided at the Wilson family property of 'Rock Hill'. He and his wife, Harriet had seven children and resided at the 'Rock Hill' property for many years where he was an active and respected member of the Wallerawang community. He died on the 4th March, 1970 aged 86. The Roads and Traffic Authority have advised Council that whilst it does not normally name bridges, it would give consideration to such a proposal if this was supported by Council.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

Nil at this stage other than minor advertising costs if the recommendation is adopted.

LEGAL IMPLICATIONS

NIL

07-513 RESOLVED

THAT Council advertise the proposal to name the bridges crossing the Cox's River on the Great Western Highway at Wallerawang 'Jack Wilson Bridge' and seek public comment.

MOVED: Councillor M J Wilson
CARRIED

SECONDED: Councillor W McAndrew.

ITEM:6 REG - 3/12/07 - ROAD NAMING - DA 374/04 OFF COX'S RIVER ROAD, LITTLE HARTLEY

REPORT FROM: ANDREW MUIR – GROUP MANAGER REGIONAL SERVICES

SUMMARY

To update Council on a proposal to name roads in a sixteen (16) lot subdivision of Lot 3 DP 609669 Cox's River Road, Little Hartley.

COMMENTARY

Following a report presented to the Ordinary Meeting of Council on 15th October, 2007 regarding the proposed naming of two new roads within a sixteen (16) lot subdivision off the Cox's River Road, Hartley Council resolved to call for submissions on the naming of these roads in accordance with Council's Road Naming Policy. The proposed names of these new roads are 'Leathem Place' and 'Parklands Close'. These roads have been advertised in the Lithgow Mercury calling for submissions from the public for the statutory twenty eight (28) day period in accordance with Council's Road Naming Policy.

POLICY IMPLICATIONS

These roads have been named in accordance with Council's Road Naming Policy.

FINANCIAL IMPLICATIONS

The applicant is to pay all costs associated with the acquisition and erection of signage.

LEGAL IMPLICATIONS

Nil

07-514 RESOLVED

THAT the roads suggested by the applicant and listed above be adopted as the road names for this estate and that Council advise the Emergency Services and Government Gazette of these road names.

MOVED: Councillor B S Moran

SECONDED: Councillor M J Wilson.

CARRIED

ITEM:7 REG - 3/12/07 - PROPOSED RENAMING OF PART OF FRANKS PLACE, HARTLEY

REPORT FROM: ANDREW MUIR – GROUP MANAGER REGIONAL SERVICES

SUMMARY

To advise Council of a request to rename a part of Franks Place, Hartley.

COMMENTARY

Council has received a proposal from the applicant of a 12 Lot subdivision at the end of Franks Place Hartley to rename the entrance road to the subdivision "River Lett Close". The property been subdivided, known as "Twilla", is at the end of Franks Place and is a small acreage estate that fronts the Lett River. The applicant feels that it would be appropriate to rename this section of Franks Place to River Lett Close due to the estate's close proximity to the Lett River and to give the estate its own identity. Whilst originally not supporting the proposal, as it is a section of road that is an extension of Franks Place on the other side of a roundabout, it was advertised for public comment. No comments were received and under the circumstances the name 'River Lett Close' can be adopted.

POLICY IMPLICATIONS

That this road naming be in accordance with Council's Road Naming Policy.

FINANCIAL IMPLICATIONS

The applicant pay all advertising costs and for the acquisition and erection of signage.

LEGAL IMPLICATIONS

NIL

07-515 RESOLVED

THAT the section of road be named River Lett Close and the relevant notifications to emergency services and necessary gazettal take place.

MOVED: Councillor M J Wilson

SECONDED: Councillor B P Morrissey.

CARRIED

**ITEM:8 REG - 03/12/07 - XSTRATA LANDS - OFF STEPHENSON STREET
 AND WIRRAWAY STREET LITHGOW**

REPORT BY: GROUP MANAGER REGIONAL SERVICES - ANDREW MUIR

REFERENCE

Ordinary meeting – 18/12/06
Ordinary meeting – 16/04/07
Policy & Strategy Committee – 04/06/07

SUMMARY

To advise Council of the results of an Expression of Interest lodged in relation to Xstrata lands.

COMMENTARY

At its Ordinary meeting of 16/04/07 Council resolved that it ‘negotiate with Xstrata for the dedication of land shown as items 1 and 2 and boundary adjustments for parcel 8’. Council may recall the details of these parcels as follows:

Parcel 1

This consists of an old ‘rail/tram line’ at the rear of property in Stephenson Street which has been used as a ‘de-facto’ laneway and adjoining lands in parcels 1a to 1e on attached maps.

Parcel 2

Parcel 2 is land zoned Open Space off Wirraway Street.

Parcel 8

Part of this parcel 8 adjoins the Lithgow landfill.

Following an inspection of the lands with Xstrata representatives and further discussions an expression of interest was lodged and enquiries made as to the company’s terms, conditions and requested sale price in respect of items 1(a) to 1(e). It was further requested that item 2 be dedicated to Council.

The company has responded proposing that items 1(a) to 1(e) inclusive be offered at a purchase price of \$110,000 and that the dedication of parcel 2 be included in the purchase price. It is understood that the company may be in a position to consider a deferred settlement. The company wishes to know Council’s response as it is understood that another party may be interested in items 1(a) to 1(e).

Should Council be inclined to purchase items 1 (a) to 1(e) then at least ‘on the surface’ there appears to be some subdivision potential. However, balanced against this are the likely development costs, considering contamination investigation and possible remediation, look to be an issue.

POLICY IMPLICATIONS

Council's policy on asset acquisition will apply if Council is contemplating acquiring any of the lands. The Policy follows:

OBJECTIVE: To ensure Council considers the full life cost of all asset acquisitions prior to entering into any process to acquire/develop future assets.

POLICY:

When considering the acquisition and/or development of assets, Council will take into consideration;

- *The comparative long term ownership costs of the asset;*
- *Evidence of community demand for the provision or retention of the asset;*
- *The strategic worth of the asset and its community benefit;*
- *Whether the asset provides Council as positive return on the investment, and*
- *The extent to which the asset is subsidised by the community, through the use of general rate revenue.*

The long term ownership costs of asset acquisition and/or development must take into account;

- *Acquisition or Development costs;*
- *The cost of providing finance (i.e. opportunity costs and interest charges);*
- *Any warranty period applicable;*
- *The length, value and cost of any applicable maintenance agreements;*
- *The lifetime maintenance profile and costs;*
- *Energy consumption and projected costs;*
- *Any residual value (where applicable);*
- *An investigation of alternative acquisition arrangements, eg. Purchase, lease, rent, public partnership or resource sharing;*
- *An investigation as to alternative financing arrangements, eg. User pay, grants, loan funds or private sector, and*
- *Taxation issues under competition policy;*

Reports to Council on the acquisition and/or development of assets must include commentary on the above points as well as including details of (commentary in brackets);

- *Community demand* – (there is no known community demand for any of the lands, however if another party acquired parcel 1 there would likely be pressure on Council to intervene and allow continued access to the rear of properties)
- *Strategic Worth to the Community* (the strategic worth to the community is considered negligible)
- *Asset return* (there is potential for some asset return on parcel 1, however development costs are difficult to predict), *and*
- *A comparison of long term ownership costs* (There are likely to be long term ownership costs if Council acquires any of the lands and holds them for a significant period)

FINANCIAL IMPLICATIONS

There will be financial implications to Council depending on whether Council chooses to acquire any of the lands. Any expenditure would be un-budgeted.

LEGAL IMPLICATIONS

Council is under no legal obligation to acquire any of the lands with the exception of privately owned open space lands where the owner may require Council to purchase the land at a market valuation

RECOMMENDATION

THAT Council indicate to Xstrata that it does not wish to proceed with the purchase of items 1(a) to 1(e) but it would be pleased to accept dedication of parcel No. 2 located off Wirraway Street, Lithgow..

07-516 RESOLVED

THAT Council continue to negotiate the acquisition of all land from Xstrata Pty Ltd as identified in the report.

MOVED: Councillor H K Fisher

SECONDED: Councillor W McAndrew.

CARRIED

COMMUNITY AND CORPORATE SERVICES REPORTS

ITEM:9 **COMM - 03/12/07 - UPDATE ON CENTRAL WEST RURAL LANDS INQUIRY**

REPORT FROM: POLICY & PLANNING MANAGER – A MUIR

REFERENCE

Min 07-73: Policy and Strategy Committee Meeting 5 March 2007

Min 07-387: Policy and Strategy Committee Meeting 3 September 2007

SUMMARY

This report provides an update on the Central West Rural Lands Inquiry.

COMMENTARY

The Director General of the Department of Planning has written to Council providing the following update on the Central West Rural Lands Inquiry.

"The Department appreciates that a number of councils are currently undertaking rural land use strategies to support the preparation of their new local environmental plan. Councils are urged to continue this work, although in doing so councils are encouraged to take into consideration the findings and recommendations of the Panel. Key areas of the Panel's recommendations that councils are encouraged to consider include the controls for minimum lot size, concessional allotments and dwelling entitlements.

A major recommendation of the report was the preparation of a rural lands State environmental planning policy (SEPP) and the Department has commenced preparation of a draft SEPP. Further information will be provided on this in the future. With regard to minimum lot size, it is proposed that councils will have the option of either retaining existing minimum lot sizes or seeking to vary minimum lot sizes based on a set of principles in the SEPP. Councils should continue to progress with their rural strategies and LEPs on this basis. The SEPP is expected to be finalised by the end of the year."

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 as a result of this report.

07-517 RESOLVED

THAT the information be received.

MOVED: Councillor M J Wilson

SECONDED: Councillor M M Collins.

CARRIED

ITEM:10 COMM - 03/12/07 - TENDERS FOR THE PREPARATION OF A LAND USE STRATEGY AND LOCAL ENVIRONMENTAL PLAN**REPORT FROM: POLICY & PLANNING MANAGER – AMANDA MUIR**

REFERENCE

Nil

SUMMARY

The report seeks Council's resolution to use an open tendering method for the contract to prepare the Land Use Strategy and Local Environmental Plan.

COMMENTARY

Council would be aware that it must prepare a comprehensive Local Environmental Plan for the Local Government Area by April 2009. However, in order to prepare the Local Environmental Plan, a Land Use Strategy must first be prepared to guide its preparation. To undertake these projects, it is considered that a consultant will be required to work closely with Council's Working Group for the Strategic Plan, internal working groups and the Department of Planning.

Section 55 of the Local Government Act 1993 requires Council to invite tenders before entering into a contract to undertake the preparation of the Land Use Strategy and the Local Environmental Plan. In this regard, clause 166 of the Local Government (General) Regulation 2005 states that Council has the following tendering options available:

- Open tendering by which tenders for the proposed contract are invited by public advertisement.
- Selective tendering by which invitations to tender for the proposed contract are made following a public advertisement asking for expressions of interest.
- Selective tendering by which recognised contractors selected from a list prepared or adopted by the Council are invited to tender for proposed contracts of a particular kind.

It is suggested that the open tendering method be chosen for the contract to prepare the Land Use Strategy and Local Environmental Plan.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

The costs of advertising will be funded from the Planning Reform Funds for the Land Use Strategy.

LEGAL IMPLICATIONS

The Local Government Act 1993 and Local Government (General) Regulation 2005 set out the procedures for tendering. The relevant sections and clauses of the Act and Regulation which are applicable to this report are discussed in the commentary section above.

07-518 RESOLVED

THAT the open tendering method be used for the contract to prepare the Land Use Strategy and Local Environmental Plan.

MOVED: Councillor M M Collins

SECONDED: Councillor W McAndrew.

CARRIED

ITEM:11 COMM - 03/12/07 - PROPOSED LOCAL ENVIRONMENTAL PLAN TO RECLASSIFY COMMUNITY LAND

REPORT FROM: POLICY & PLANNING MANAGER – AMANDA MUIR

REFERENCE

Min 06-144: Council Meeting 15 May 2006

Min 06-346: Council Meeting 16 October 2006

Min 07-386: Policy and Strategy Committee Meeting 3 September 2007

SUMMARY

This report identifies properties under Council's ownership which are classified as community land under the Local Government Act 1993 and recommends that a Local Environmental Plan be prepared to reclassify these properties to operational land following additional community consultation.

COMMENTARY

Further to a report at Council's Policy and Strategy Committee Meeting of 3 September 2007, this update report is provided for Council's consideration on the proposal to reclassify community lands.

Union Theatre Stables, Bridge Street, Lithgow

The proposed reclassification of the land upon which the Union Theatre Stables is located is illustrated in the plan attached to this report and was discussed at the Union Theatre Management Committee on 15 November 2007. The Committee raised no objections to the proposal to reclassify the land or the process of reclassification, providing that the boundary line and pathway is maintained. As explained to the Committee the exact boundaries of the proposed reclassification and future subdivision would be subject to a survey and compliance with the fire safety requirements of the Building Code of Australia. Therefore, it is suggested to reclassify the subject land from community to operational land.

Lithgow Golf Club, Marrangaroo

Following a meeting between staff and members of the Lithgow Golf Club on 17 October 2007, the Board of the Lithgow Golf Club at its meeting of 23 October 2007 decided "that there will be no further objection to the change of designation, with the proviso that a satisfactory long term lease of the golf club can be negotiated". Therefore, it is suggested to reclassify the land from community to operational land.

In the correspondence a lease period of 50 years was indicated as necessary in light of the proposed financial outlay for the transfer of treated effluent from the Lithgow Sewage Treatment Plant to the Golf Club and installation of fairway watering. Whilst it is necessary to separate the issues of reclassification and leases to allow due process to occur, it is appropriate to separately hold discussions with the Lithgow Golf Club as to the terms of a lease as the current lease expires on 30 April 2009. These discussions are expected to commence shortly.

Fire Control Centre, Silcock Street, Lithgow

The reclassification of the Fire Control Centre was discussed at the Lithgow District Liaison Committee meeting held on 5 September 2007. The following extract is provided from the minutes:

"Supt. Tom Shirt has sought advice from RFS Head Office regarding this and it is a very grey area because Lithgow City Council purchased the building and the fund reimbursed them, however Supt. Tom Shirt was satisfied with Paul Anderson's answers to his questions posed at the council meeting.

It was resolved that Charles Johnson will write to the Advisory regarding the process and he has, as a volunteer representative, agreed to the consultation process. Charles will forward this to the Lithgow Fire Control Centre and Supt. Tom Shirt will take it to the Advisory Committee as a late item. Paul Anderson will forward his response to Supt. Tom Shirt questions that were addressed with notice to the Lithgow City Council on Monday 3rd September in writing".

A copy of the questions and answers has been provided to the Rural Fire Service and advice from the Fire Control Officer is that the matter can be reported back to Council for determination. Therefore, it is suggested to change this classification from community to operational land to maintain consistency with other similar land classifications and uses within Council's property portfolio such as emergency services and fire stations.

Meadow Flat Rural Fire Service, Morrell Street, Meadow Flat

The land upon which the Meadow Flat Rural Fire Service is located is owned by Council and is currently classified as community land. Therefore, it is suggested to change this classification from community to operational land to maintain consistency with other similar land classifications and uses within Council's property portfolio such as emergency services and fire stations. The Rural Fire Service has been notified of this proposal.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Cost will be incurred if Council resolves to prepare a Local Environmental Plan for the reclassification of the abovementioned lands.

Whilst it is considered that salary and advertising costs could be absorbed by the Policy and Planning Recurrent Budget, the costs of a public hearing are likely to be reported as an amendment to the budget in the December quarterly review of the Management Plan 2007/08 to 2009/10.

LEGAL IMPLICATIONS

The Local Government Act 1993 and Local Government (General) Regulation 2005 contains provisions concerning the reclassification of community land. This includes the need to reclassify land by a Local Environmental Plan and a requirement to hold a public hearing in respect of a draft Local Environmental Plan to reclassify community land as operational land.

In addition, the Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2000 set out the legal processes for the preparation of Local Environmental Plans.

Councillor Wayne McAndrew declared a pecuniary conflict of interest and vacated the Chambers.

07-519 RESOLVED**THAT:**

1. A Local Environmental Plan be prepared for the reclassification of the Union Theatre Stables as illustrated on the plan, Lithgow Golf Club, Fire Control Centre and Meadow Flat Rural Fire Service lands.
2. Subject to the receipt of Department of Planning approval, a Local Environmental Plan be prepared.

MOVED: Councillor B S Moran

SECONDED: Councillor B P Morrissey.

CARRIED

ITEM:12 COMM - 03/12/07 - UPDATED ASSETS DISPOSAL POLICY

REPORT BY: GROUP MANAGER – COMMUNITY AND CORPORATE – K. Woolley

REFERENCE

NIL

SUMMARY

Following the recommendation in the Department of Local Government Promoting Better Practice review that Council develop criteria for the disposal of small value assets, the existing Assets Disposal Policy has been updated to include how various categories of assets will be valued and managed in the disposal process.

COMMENTARY

The amended policy for Assets disposal is attached for Council's consideration.

The policy has been expanded to cover in detail the management of asset categories and values to provide greater certainty in the management of Council's assets.

Given the level of change to this policy, it is recommended that the policy be placed on exhibition for 28 days to determine any public comment on the policy.

POLICY IMPLICATIONS

The changes will alter Council's policy position on asset disposal.

FINANCIAL IMPLICATIONS

The policy alterations will alter the allocation of asset sale proceeds.

LEGAL IMPLICATIONS

NIL

07-520 RESOLVED

THAT Council place the Draft Assets Disposal Policy – version 2 – on exhibition for 28 days and receive a report on any submissions made while the policy is on exhibition.

MOVED: Councillor B S Moran

SECONDED: Councillor M M Collins.

CARRIED

COMMITTEE MEETINGS

Nil.

QUESTIONS WITHOUT NOTICE

QWN - 03/12/07 - COUNCILLOR B P MORRISSEY

1. Mr Mayor I refer to the drainage failure in Queen Elizabeth Park and seek an update on this issue.

The Mayor advised that this issue has been inspected by the General Manager and himself and that Council is working feverishly to have this issue fixed.

2. Mr Mayor I refer to information on the planning reform and ask for the General Manager to provide a report to Council in relation to the issues raised.

The Mayor advised that a report is hoped to be received at the Ordinary Meeting of Council on 17th December 2007 but due to some information sessions on this topic over the next few weeks, which staff will be attending to, a report will be forthcoming.

The meeting closed at 7.01pm.