



LITHGOW CITY COUNCIL

MINUTES

ORDINARY MEETING OF COUNCIL

HELD ON

18 FEBRUARY 2008

**MINUTES OF THE LITHGOW CITY COUNCIL MEETING
HELD AT THE CIVIC CENTRE, LITHGOW ON 18th FEBRUARY 2008**

Meeting Commenced 7.00pm

Public Gallery: 16

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 A E Thompson

APOLOGIES

An apology was received and accepted from M J Wilson due to being out of the City on Business.

MOVED: Councillor H K Fisher **SECONDED:** Councillor W McAndrew.

008-01 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
Internal Services Manager, Mrs Carol Farnsworth

CONFIRMATION OF MINUTES

Confirmation of the Minutes of the Ordinary Meeting of Council held on the 17th December 2007 were taken as read and confirmed by Councillors H K Fisher and B S Moran

008-02 RESOLVED

CARRIED

DECLARATION OF INTEREST

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

NIL

QUESTIONS FROM THE PUBLIC GALLERY

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

NIL Questions were raised.

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GENERAL MANAGER REPORTS

ITEM:1 GM - 18/02/08 - OUTCOME OF LEADERS FORUM ON PLANNING CHANGES

REFERENCE

Nil

SUMMARY

This report provides the outcome of the recent Leaders Forum held to discuss the NSW Government's proposed planning changes.

COMMENTARY

The Local Government and Shires Association held a Leaders Forum on 30 January 2008 to discuss the NSW Government's proposed planning changes. The meeting made the following resolutions and asked that it be brought to the attention of all mayors as a matter of urgency:

- That the meeting supports the actions of the Presidents and Executives of the Local Government and Shires Associations in mounting a campaign on the NSW Government's proposed planning changes, including both the issue of section 94 developer contributions and the recommendations in the Government's discussion paper, and preparing an alternative reform package as a basis for discussion with the Government, councils, stakeholders and the community.
- The meeting calls on all NSW councils to refuse to cooperate with the NSW Government if requested to transfer section 94 funds held in trust by councils, to the Government.
- The meeting supports in principle the proposal that the Associations seek contributions from member councils towards the costs of engaging high level lobbying and media representation to formulate and assist with the implementation of a continuing public campaign.

A paper is being prepared by the Association with the assistance of a planning consultant to scope an alternative reform package. This paper will be distributed in February for review and comment.

The Association asks that a resolution of Council be sought endorsing the abovementioned 3 points. In light of the serious implications the proposed changes have to our community, it is suggested that Council endorse these points.

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

The legal implications are unclear as draft legislation has not been introduced into Parliament to date relating to section 94 developer charges and the holding of monies by the State Government in some circumstances.

O08-03 RESOLVED

THAT Council endorse the following:

1. That the meeting supports the actions of the Presidents and Executives of the Local Government and Shires Associations in mounting a campaign on the NSW Government's proposed planning changes, including both the issue of section 94 developer contributions and the recommendations in the Government's discussion paper, and preparing an alternative reform package as a basis for discussion with the Government, councils, stakeholders and the community.
2. Council to consider refusing to cooperate with the NSW Government if requested to transfer section 94 funds held in trust by councils, to the Government.
3. The Council supports in principle the proposal that the Associations seek contributions from member councils towards the costs of engaging high level lobbying and media representation to formulate and assist with the implementation of a continuing public campaign.

MOVED: Councillor B S Moran

SECONDED: Councillor M M Collins.

CARRIED

ITEM:2 GM - 18/02/08 - DROUGHT ISSUES

REFERENCE

NIL

SUMMARY

This report updates Council on the actions of the Rural Alliance following the successful Shires Association Drought Summit held in Parkes on 25th September 2007.

COMMENTARY

As Council is aware a debilitating and crippling drought has been impacting upon rural communities and families for some time. Given the impact of this drought Council actively participated in the NSW Drought Summit held at Parkes in September 2007.

The Summit came up with a number of priorities for the Government to consider, including debt write offs and greater subsidies and grants for farmers to assist them and rural communities through the drought.

The Rural Alliance formed as a result of the Drought Summit write to the Agriculture Minister the Hon, Ian McDonald seeking approval for the learning of State format and State nature reserves for stock grazing. The minister has now responded and advises:

The association may be interested to learn that more than 600,000 hectares of State Forests are grazed under leases, occupation permits and short term grazing leases - providing a valuable additional feed source when feed levels are low. Forests NSW already does what it can to accommodate grazing where the environmental impacts can be managed and where sufficient feed exists. However, as you would appreciate, with so much of the state currently drought declared, the availability of feed across the state, including on State Forest, is greatly reduced.

The benefits of managed grazing in fire prevention as well recognised in areas where it is environmentally sustainable. For example, selective cattle grazing is managed in the Riverina Red gum forests under a grazing Strategy which provides an invaluable environmental enhancement tool to advantage native species of flora and disadvantage introduced weeds. Naturally to minimise the impact of grazing on environmentally sensitive areas, water courses and exclusion zones are fenced off.

In addition to the important role grazing plays in fire prevention and site preparation in plantations, Forest NSW has a commercial imperative to maximise grazing throughout its estate. In the case of plantations, of course, grazing cannot be accommodated until trees are sufficiently mature.

The matter further advises that the issues raised by the Mid Lachlan Alliance will be considered by the State Cabinet for Drought Assistance.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

CONCLUSION

This report has provided Council with an update of the representation made as a result of the drought summit and the rural alliance with respect and the drought impacts to NSW and local communities.

O08-04 RESOLVED

THAT this information be noted.

MOVED: Councillor W McAndrew

SECONDED: Councillor B S Moran.

CARRIED

ITEM:3 GM - 18/02/08 - E DIVISION CONFERENCE

REFERENCE

NIL

SUMMARY

This report provides Council with information regarding the recent E Division Conference held in Parkes on 6th February 2008.

COMMENTARY

The Annual E Division of the Shires Association Conference was held in Parkes on the 6th February 2008 and was well attended by many Mayors and General Managers of the Regional including the President of the Shires Association, Councillor Bruce Miller. Councillor Miller is also the Mayor of Cowra.

The Conference debated many relevant issues for Regional Local Government, as can be seen in the attached agenda. These recommendations will now be forwarded to the NSW Shires Conference to be held later in this year.

POLICY IMPLICATIONS

The motion suggested following number policy stances of Council.

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

O08-05 RESOLVED

THAT the information be noted.

MOVED: Councillor B S Moran

SECONDED: Councillor M M Collins.

CARRIED

ITEM:4 GM - 18/02/08 - KU-RING-GAI COUNCIL - IMPOSITION OF PLANNING PANEL AND ASSOCIATED MATTERS

REFERENCE

Nil

SUMMARY

To advise Council of the experience of Ku-ring-gai Council where the Minister for Planning has imposed a 'planning panel' on the Local Government Area.

COMMENTARY

The Mayor of Ku-ring-gai Council, Councillor Nick Ebbeck, has forward correspondence outlining the circumstances and impacts on the Kur-ring-gai community in relation to the imposition of a Planning Panel for Ku-ring-gai Council.

From time-to-time the Minister for Planning may appoint a planning assessment panel to undertake a council's consent authority role or to prepare environmental planning instruments in a local government area. Circumstances that may give rise to such an appointment include:

- A council has failed to comply with its obligations under the planning legislation
- The performance of a council in dealing with planning and development matters is unsatisfactory, or
- A council agrees to the appointment.

It appears in the Ku-ring-gai case that the Minister formed an opinion that the Council failed to comply with its obligations irrespective of the evidence provided by Ku-ring-gai to the contrary and appointed the panel with powers to consider:

- DA's over 90 days old
- DA's with a construction value exceeding \$30million
- Town centres and LEP's
- Dual Occupancy Code.

Councillors will note a separate report in the business paper dealing with local governments' reaction to other 'planning reforms' proposed by Minister Sartor that will have the effect of eroding the voice of local communities in local planning decisions. The imposition of a planning panel on a community in the absence of genuine reasons is another example of what appears to be a concerning trend by the Minister to centralise planning powers. In this regard it seems appropriate to approach the Member for Bathurst to make representations to the Minister and the Premier outlining the serious concerns that this Council shares with other Council's in New South Wales as to the apparent campaign to erode planning powers in local communities.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil at this stage

LEGAL IMPLICATIONS

Nil

O08-06 RESOLVED

THAT:

1. The Member for Bathurst be requested to make representations to the Minister for Planning and the Premier outlining the serious concerns that Lithgow City Council shares with other Council's in New South Wales in relation to the campaign by the Minister to erode planning powers in local communities.
2. Ku-ring-gai Council be advised of Lithgow City Council's representations on this matter.

MOVED: Councillor B S Moran

SECONDED: Councillor W McAndrew.

CARRIED

ITEM:5 GM - 18/02/08 - PROPOSED ELECTRICITY SELL OFF BY NSW GOVERNMENT

REFERENCE

NIL

SUMMARY

This report is provided following a request from Councillor Brian Morrissey regarding the proposed power industry sale by the NSW Government. The report will recommend Council make a submission to the Committee on the proposal to which concerns are raised.

COMMENTARY

As Council is aware the NSW Government have proposed what is referred to as a "privatisation" of the electricity industry. From the information available it appears this privatisation will involve:

- a) The sale of the retail side of the electricity resellers, i.e. the selling of power currently carried out by Integral, Country Energy or other government owned corporations.
- b) The lease (for 99%) of the electricity generators

It is a pure understatement to suggest that there has been considerable concern expressed by all sectors of the community to the proposals, including the LGSA who have made representations to the Premier regarding the proposals. Formal copies of the LGSA submission have been sought, however at the time of preparing this report such were unavailable and these will be forwarded to Councillors as soon as available.

The Government has set up a "Consultative Reference Committee". This Committee will:

1. The direct and indirect social usefulness of a public asset, service or utility;
2. The original purpose of the enterprise and whether that purpose remains valid, is being appropriately addressed through existing arrangements or could be satisfied by alternative arrangements;
3. Where the original purpose (as discussed above) has become redundant, the other social, redistributive or regulatory roles that have evolved must be taken into account;
4. The retention value of the enterprise measured against its sale value. Any calculation of retention value should incorporate both commercial and non-commercial functions;
5. The current structure of the market place (i.e. monopoly, oligopoly or competitive) and the public sector's role as a competitor and/or regulator in that market;
6. The impact on specific groups or regional areas especially those groups or areas that are already disadvantaged. The assessment should include all factors including the real costs of compensation and/or support that will be needed if the role of the public sector were to change;
7. The impact on employment, skills, training and conditions and the protection of the existing workforce and/or the reform of industrial relations practices in any new enterprise or project;

8. The existing competing demands on the NSW public sector and existing budgetary constraints and/or the alternative sources of funds for public sector investment;
9. The current environmental impact and the need to continue to enhance environmental protection;
10. The administrative economies of scale and coordination that is facilitated by public ownership and control;
11. Appropriate weighting of long-term as well as short to medium term considerations; and
12. Where the money is going (i.e. ensuring that the proceeds of the disposal of assets are responsibly directed to priority public capital needs).

The Committee is chaired by Hon Barrie Unsworth and the following members:

- Rev Harry Herbert, Executive Director of Uniting Care NSW/ACT
- Jeff Angel, Total Environment Centre
- Matthew Thistlethwaite, Unions NSW
- Ben Kruse, United Services Union
- Steve Turner, Public Sector Association
- Michael Daley, Member for Maroubra
- Steve Whan, Member for Monaro
- Robyn Kruk, Director-General, Department of Premier and Cabinet
- David Richmond, Coordinator General

The Committee called for submissions to the enquiry with the closing date by 8th February 2008. Although outside this time table Council may be able to request a late submission via the Local Member, Gerard Martin. The Committee is due to complete the formulation of the impact statement to the Government by 7th March 2008.

Given the huge impact electricity generation has to our local community and the significant employment the industry creates, Council may wish to consider if a submission should be made, to the Committee or if different lobbying to the Premier is warranted via the Local Member, Gerard Martin.

Council also needs to be mindful of the recommendations of the "Owen Report", where it became obvious that base load power generation would become an issue for NSW in the near future and that the duplication of Mount Piper was listed as a valued option to ensure a "safe yield" of base power supply. This has been a long sought priority for the Council to secure employment and economic development for the City but also the wider region. This priority also gained support at the 2007 LGA Conference held at Coffs Harbour in October, following a successful session part to the conference by the Mayor following Council's previous resolution on the matter.

POLICY IMPLICATIONS

This report has followed Council's previous policy stance on lobbying for the duplication of Mount Piper Power Station.

The report is also suggesting Council make a policy direction on the Gato "privatisation" of the power industry proposal.

FINANCIAL IMPLICATIONS

There are no direct financial implication arising from this report, however and the result on the duplication of Mount Piper will have some significant local economics impacts which will initially have a financial implication to Council.

LEGAL IMPLICATIONS

NIL

CONCLUSION

Given the significant impact of the power industry to our local government area in terms of employment, economic development and social infrastructure and industries, many other levels of employment, this report has suggested Council consider via the Local member, seeking a delegation to the Premier outlining the concern raised with the "leasing" of the power generators.

Council should also lobby the Premier for the commitment to the duplication of the Mount Piper Power Station to ensure sufficient base load power for NSW.

RECOMMENDATION

THAT:

1. Council consider making a submission to the Consultative Reference Committee via the Local Member, Gerard Martin.
2. Councillors provide details of the issues for such a submission.
3. Council seek a delegation to the NSW Premier the Hon, lemma via Gerard martin to support the submission.
4. Council seek a delegation referred to above to lobby for the expansion / duplication of Mount Piper Power Station.

O08-07 RESOLVED

THAT:

1. Council consider making a submission to the Consultative Reference Committee via the Local Member, Gerard Martin opposing privatisation of electricity assets.
2. Councillors provide details of the issues for such a submission.
3. Council seek a delegation to the NSW Premier the Hon, lemma via Gerard martin to support the submission.
4. Council seek a delegation referred to above to lobby for the expansion / duplication of Mount Piper Power Station.
5. Council seek advice from the Federal Local Member on the Governments position on this matter.

MOVED: Councillor W McAndrew
CARRIED

SECONDED: Councillor B S Moran.

ITEM:6 GM - 18/02/08 - DRAFT HYDE PARK PLAN OF MANAGEMENT

REPORT FROM: COMMUNITY AND CULTURE MANAGER – P.HALL

REFERENCE

Min 07-556: Ordinary Meeting of Council 17 December 2007

SUMMARY

To advise of the results of the exhibition of the draft Hyde Park Plan of Management.

COMMENTARY

At Council's Ordinary Meeting of 17 December 2007 it resolved:

1. Council approve the completion and then exhibition of the draft Hyde Park Reserve Plan of Management;
2. The draft Hyde Park Reserve Plan of Management be placed on public exhibition for 41 days commencing Friday 21 December 2007;
3. Council receive a subsequent report summarising any submissions from the public exhibition process and consider any alterations recommended arising from those submissions in early 2008 before forwarding of the Plan of Management to the Department of Lands for completion.

Council has exhibited the draft Plan of Management for Hyde Park Reserve, Hartley in order to comply with the Crown Lands Act 1989. The exhibition of the draft plan was made available on Council's website, at council's four local libraries, and council Administrative building. The draft plan invited public comment on the proposed activities for Hyde Park and was available for comment for 41 days from the 21st December 2007 closing at the end of January 2008. Numerous contributions were received prior to the draft plan being advertised further assisting with its compilation. Six submissions were received from stakeholders and the community during the exhibition stage.

No significant changes have occurred as a result of the public submissions made, however comments outside the scope of the plan have been referred to relevant council staff.

The Department of Lands has reviewed the document as a draft. They are satisfied with the draft Plan.

Once Council approves the final draft of the Plan of Management, the Department of Lands will forward to the Minister for Lands for adoption. Once the Minister adopts the plan, the final plan will be presented back to Council.

The Hawkesbury Nepean Catchment Management Authority (HNCMA) have provided \$150,000 of funding through the Local Government Advisory Group (LGAG) program, for works in four public bushland Reserves (Hyde Park, Hassans Walls, Londonderry and Hartley Reserves) '*River Lett Catchment Biodiversity Enhancement and Improvement Project*' in the Lithgow LGA.

Council has prepared the Hyde Park Plan of Management as an ‘in-kind’ contribution toward the program of works in conjunction with a planned program of ‘on-ground’ activities currently occurring across three of the four Reserves.

In January 2008, Council prepared a Heritage Study to fully document the cultural significance of the area. The results will be incorporated into the Plan of Management. Due to the high occurrence of Aboriginal artefacts discovered as a result of the Heritage Study, Hyde Park Reserve has been partitioned into different management zones permitting varying degrees of soil disturbance and earthworks. A Heritage Impact Permit under a Section 90 Consent (Consent with Salvage) has been applied for to the National Parks and Wildlife Service before permission for conservation earth works can occur.

POLICY IMPLICATIONS

This plan will contribute to the State of Environment annual reporting requirements.

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

CONCLUSION

The final plan is presented for approval by Council to be forwarded to the Minister for Lands for formal adoption.

O08-08 RESOLVED

THAT Council approve the final version of the draft Hyde Park Reserve Plan of Management and forward the Plan of Management to the Department of Lands and Minister for Lands for adoption.

MOVED: Councillor M M Collins

SECONDED: Councillor B S Moran.

CARRIED

COMMUNITY AND CORPORATE SERVICES REPORTS

ITEM:7 COMM - 18/02/08 - COUNCIL INVESTMENTS TO 31 DECEMBER 2007

REPORT FROM - INTERNAL SERVICES MANAGER - C FARNSWORTH

REFERENCE

Min 07-401: Finance & Services Committee Meeting 3 September 2007 (July 2007)
 Min 07-425: Council Meeting 17 September 2007 (August 2007)
 Min 07-480: Finance & Services Committee Meeting 5 November 2007 (15 Oct 2007)
 Min 07-528: Finance & Services Committee Meeting 3 December 2007 (31 Oct 2007)
 Min 07-554: Finance & Services Committee Meeting 17 Dec 2007 (30 Nov 2007)

SUMMARY

To advise Council of 2007/08 investments held for the period ending 31 December 2007.

COMMENTARY

The amount invested as at 31 December 2007 when compared to 30 November 2007 has decreased by \$705,024.99. The third rate instalment of the 2007/08 rate levy is due for payment on the 29 February 2007 in addition to the third payment of the Financial Assistance Grant on 16 February 2008.

INVESTMENT REGISTER 2007/08								
INSTITUTION	INV TYPE	DATE LODGED	DATE DUE	DAYS	INT	VALUE 31.11.07	VALUE 31.12.07	% OF TOTAL
ANZ	TD	01.11.07	30.01.08	93	6.97	584,376.71	584,376.71	3.73%
BANKWEST	TD	29.11.07	31.01.08	63	7.20	500,000.00	500,000.00	3.19%
	TD	05.12.07	04.03.08	90	7.35	0.00	500,000.00	3.19%
CBA	CMS Nt	20.11.06	20.11.11	1,825	7.31	500,000.00	500,000.00	3.19%
	On Call				6.70	1,195,716.40	695,716.40	4.44%
	Ethical	06.06.06	06.06.11	1,825	9.25	500,000.00	500,000.00	3.19%
	TD	14.12.07	11.01.08	30	7.35	1,008,717.53	519,910.15	3.32%
	TD	21.11.07	05.06.09	547	16.0	750,000.00	750,000.00	4.79%
CITIBANK	TD	10.12.07	11.02.08	60	7.18	534,119.76	543,510.02	3.47%
LG FINANCIAL	On Call				7.55	750,000.00	750,000.00	4.79%
	TD	06.11.07	06.11.08	365	7.55	306,524.05	306,524.05	1.96%
	TD	07.11.07	07.02.08	92	7.13	527,761.01	527,761.01	3.37%
	On Call				6.55	4,714.43	4,714.43	0.03%
	TD	10.12.07	10.03.08	90	7.28	502,915.07	511,817.36	3.27%
	TD	15.10.07	16.01.08	91	7.00	2,472,361.25	2,472,361.25	15.79%
IMBS	On Call				6.50	275,059.04	26,573.78	0.17%
	TD	07.11.07	06.02.08	91	7.22	1,095,058.06	1,095,058.06	7.00%
	TD	15.10.07	15.01.08	92	6.98	488,044.84	488,044.84	3.12%
	TD	06.12.07	05.03.07	90	7.37	787,274.99	801,250.09	5.12%
	TD	23.11.07	22.01.08	60	7.20	775,734.68	775,734.68	4.96%
ALLIANCE	Managed	01.04.02	28.02.08	365		1,000,000.00	1,000,000.00	6.39%
ST GEORGE	TD	17.10.07	17.04.08	180	7.05	508,461.37	508,461.37	3.25%
	TD	19.11.07	19.01.08	60	7.13	500,000.00	500,000.00	3.19%
	TD	15.10.07	15.01.08	90	6.90	792,208.60	792,208.60	5.06%
			TOTAL			16,359,047.79	14,522,810.98	100.00%

I, Carol G Farnsworth, Lithgow City Council Internal Services Manager (Responsible Accounting Officer) certify as required under Local Government (General) Regulations 2005, that Council's investments have been made in accordance with the Local Government Act 1993, Regulations and Lithgow City Council's Investment Policy.

POLICY IMPLICATIONS

All Council's investments are held in accordance with Lithgow City Council's Investment Policy.

FINANCIAL IMPLICATIONS

Investment income to date 31 December 2007 is \$388,949.61. Interest is paid on the maturity date of the investment and managed funds report earnings quarterly.

LEGAL IMPLICATIONS

Investments are held in accordance with the Lithgow City Council's Investment Policy which accords with the requirements of the:

- Local Government Act 1993 - Section 625
- Local Government Act 1993 - Order dated 17 March 2000
- Local Government (General) Regulation 2005
- Trustee Amendment (Discretionary Investments) Act 1997- Section 14A(2), 14c(1) & (2)

O08-09 RESOLVED

THAT Council's 2007/08 investments for the period ending 31 December 2007 be received.

MOVED: Councillor A E Thompson **SECONDED:** Councillor M M Collins.

CARRIED

**ITEM:8 COMM - 18/02/08 - ADOPTION OF POLICY - CHANGE IN CATEGORY
RATING FOR RATING PURPOSES**

REPORT FROM: INTERNAL SERVICES MANAGER C FARNSWORTH

REFERENCE

Min 07-501: Ordinary Council Meeting 19 November 2007

SUMMARY

This report provides the public exhibition results for the Draft Change in Category for Rating Purposes Policy and recommends the adoption of the document without alteration to the draft as exhibited.

COMMENTARY

Council may recall that at its Ordinary Meeting of 19 November 2007, it resolved to place on public exhibition the Draft Change in Category for Rating Purposes Policy.

At the conclusion of the exhibition period no submissions were received and subsequently it is recommended that the document be adopted without alteration.

POLICY IMPLICATIONS

The adoption of the document will form Council policy.

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.

O08-10 RESOLVED

THAT the Draft Change in Category for Rating Purposes Policy reported to Council on the 19 November 2007 be adopted as the final version.

MOVED: Councillor H K Fisher

SECONDED: Councillor W McAndrew.

CARRIED

**ITEM:9 COMM - 18/02/08 - CAPITAL ASSISTANCE PROGRAM GRANT FOR
 THE LITHGOW OLYMPIC POOL**

REPORT FROM: GRANTS OFFICER – SARA KNOX

REFERENCE

Nil

SUMMARY

To advise Council of successful grant funding from the Department of Sport and Recreation's Capital Assistance Program for the provision of an access ramp into the Lithgow Olympic Pool.

COMMENTARY

The Minister for Sport and Recreation, the Honourable Graham West, MP and the State Member for Bathurst, Gerard Martin, MP announced on 5 February 2008 that Council was successful in receiving a Department of Sport and Recreation Capital Assistance Program Grant for \$30,000 to provide an access ramp into the Lithgow Olympic Pool. This grant supplements Council's funds in its 2007/08 Budget to provide for the access ramp and concourse replacement to reduce the length of the pool to 50 metres. After reviewing Council's Capital Works Program for 2007/08 and awaiting the determination of this grant application it is proposed to undertake these works in 2008/09.

It should be noted that this project is in addition to the proposed construction of an indoor aquatic centre which Council will consider in the management planning process for 2008/09 to 2010/11.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Council's contribution to this project is \$96,725 which has already been allocated in the 2007/08 Budget and is proposed to be transferred into the 2008/09 Budget. Furthermore, upon receipt of the grant funds, the Management Plan will be amended in the appropriate quarter.

LEGAL IMPLICATIONS

A funding agreement will be required to be signed by Council. However, this documentation has not been received to date.

O08-11 RESOLVED

THAT the information be received.

MOVED: Councillor M M Collins

SECONDED: Councillor B S Moran.

CARRIED

**ITEM:10 COMM - 18/02/08 - QUARTERLY PERFORMANCE REPORT ON
MANAGEMENT PLAN 2007/08 - 2009/10 FOR THE PERIOD OF 1
OCTOBER TO 31 OCTOBER 2007**

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

REFERENCE

Min 07-258: Extraordinary Meeting 28 June 2007
Min 07-502: Council Meeting 19 November 2007

SUMMARY

This report provides the Quarterly Performance Report on the Management Plan 2007/08 to 2009/10 for the period of 1 October to 31 December 2007.

COMMENTARY

The Quarterly Performance Report on the Management Plan 2007/08 to 2009/10 for the period of 1 October to 31 December 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 Report provides a number of variations to the activities listed in the Management Plan and the Budget Review Statement notes a deficit of \$343,691 after the completion of the budget review which includes the actioning of changes listed in the Quarterly Performance Report. This compares to the deficit of \$504,459 reported in the September Quarterly Review.

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 to 2009/10 for the period of 1 October to 31 December 2007.

The Internal Services Manager, as the Responsible Accounting Officer has reviewed the statements and certifies as required by the Local Government (General) Regulation 2005, that Council's 2007/08 Management Plan has been reviewed and the financial position of Council is satisfactory subject to the deficit position being reviewed over the next 2 quarters.

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.

RECOMMENDATION

THAT the deficit of \$343,691 and changes to the Management Plan 2007/08 to 2009/10 as detailed in the Quarterly Performance Report for the December quarter of 2007/08 be noted.

O08-12 RESOLVED

THAT:

1. The deficit of \$343,691 and changes to the Management Plan 2007/08 to 2009/10 as detailed in the Quarterly Performance Report for the December quarter of 2007/08 be noted.
2. Council fund the Lithgow Show Society \$8000 to support the activities at the 2008 Lithgow Show.

MOVED: Councillor B P Morrissey

SECONDED: Councillor H K Fisher.

CARRIED

**ITEM:11 COMM - 18/02/08 - CENTROC HEALTH WORKFORCE GROUP
MEMBERSHIP REQUEST**

REPORT FROM: COMMUNITY AND CULTURE MANAGER – P.HALL

REFERENCE

Nil

SUMMARY

Centroc has requested membership from Lithgow City Council Councillors or staff to be part of the Centroc Health Workforce Group.

COMMENTARY

A letter dated 25th January 2008 has been received seeking a representative to join the Centroc Health Workforce Group. The objective of the group is to develop a healthy lobbying plan to best position ourselves for improving health outcomes in the region.

The next meeting of the Health Workforce Team will be after the Board meeting in Orange on 28th February 2008 at the Orange Civic Centre.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

RECOMMENDATION

THAT a Councillor Representative be selected for the Centroc Health Workforce group and attend the meetings as required.

O08-13 RESOLVED

THAT Council elect Councillor H K Fisher as the representative on the Centroc Health Workforce group.

MOVED: Councillor B S Moran

SECONDED: Councillor M M Collins.

CARRIED

QUESTIONS WITHOUT NOTICE / OR AN URGENT NATURE

QWN - 18/02/08 - COUNCILLOR H K FISHER

1. Mr Mayor is Council aware that a Business Community forum is being held this week and are Council representatives attending?

The Mayor deemed this as urgent and advised that Council is aware of this Forum and yes the Deputy Mayor and the Group Manager of Regional Services will be in attendance. The Mayor and General Manager will attend if able to get back from Canberra in time.

2. Mr Mayor can Council please provide an update on the status of the Cullen Valley Mine operations and the Consultative Committee?

The Mayor deemed this as urgent and the General Manager, through the Mayor, advised that the Department of Planning was making moves to re-constitute the Committee.

QWN - 18/02/08 - COUNCILLOR W MCANDREW

1. Mr Mayor I have received a letter from Dargan residents in relation to a bus shelter being required for school students. Can this please be actioned ASAP?

The Mayor deemed this as not urgent and advised it will be an inclusion in the draft budget.

2. Mr Mayor is Council aware that our local government area only has one (1) ambulance on call after 8.30pm every night? Can Council please confirm with the relevant authorities if this is correct?

The Mayor deemed this as urgent and will have Council follow it up ASAP.

3. Mr Mayor I refer to the meetings you are holding with Ministers on Tuesday 19th February and ask as to whether the water issue for Clarence will be on the agenda?

The Mayor deemed this as urgent and advised that this issue and other various issues will be discussed with a range of Ministers including:

- *The Bells Line of Expressway*
- *Regional Transport*
- *Inland Rail Route*
- *Super Health Facilities*
- *Broadband*
- *Industrial Relation issues*
- *Educational issues*

QWN - 18/02/08 - COUNCILLOR B P MORRISSEY

1. Mr Mayor I refer to the meetings being held in Canberra on 19th February 2008 with a range of Ministers and ask if the issue of the bypass at Mount Victoria will be discussed? Does Council have an idea of the specific route of the bypass and processes involved?

The Mayor deemed this as urgent and advised that this issue will be discussed as part of the Bells Line Expressway project.

2. Mr Mayor I refer to a query from a Ben Bullen resident regarding the Serrated Tussock weed. Can Council help to arrest the explosion of this weed and also write a letter of support to the Upper Macquarie County Council in helping the residents to stop this weed from growing?

The Mayor deemed this as urgent and advised that a letter will be written to the Upper Macquarie County Council seeking their help and advice.

QWN - 18/02/08 - COUNCILLOR M M COLLINS

1. Mr Mayor are you aware of an article in the Mercury in relation to Oberon Council attempting to get a new dam in Oberon? Is there anything that Lithgow Council can do to help them?

The Mayor deemed this as urgent and advised that this issue will be raised at a meeting with the Fish River Water Scheme and also will be included in a submission from Centroc at the Meetings with Ministers in Canberra. A report will also be brought back to Council.

The meeting closed at 7.39pm.