



LITHGOW CITY COUNCIL

MINUTES

POLICY AND STRATEGY COMMITTEE
MEETING OF COUNCIL

HELD ON

03 MARCH 2008

**MINUTES OF THE LITHGOW CITY COUNCIL MEETING
HELD AT THE CIVIC CENTRE, LITHGOW ON 3 MARCH 2008**

Meeting Commenced at 6.00pm

Public Gallery: 10

PRESENT

His Worship the Mayor
Councillor Neville Castle
Councillor M F Ticehurst
Councillor W McAndrew
Councillor H K Fisher
Councillor M M Collins
Councillor A E Thompson
Councillor M J Wilson
Councillor B S Moran (arrived at 6.03pm)

APOLOGIES

An apology was received and accepted from B P Morrissey who out of the City on personal business.

MOVED: Councillor M M Collins

SECONDED: Councillor W McAndrew.

P08-10 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 4 February 2008 were taken as read and confirmed by Councillors H K Fisher and M J Wilson

P08-11 RESOLVED

CARRIED

DECLARATION OF INTEREST

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

NIL

QUESTIONS FROM THE PUBLIC GALLERY

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

NIL

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GENERAL MANAGER REPORTS

ITEM:1 GM - CONFIDENTIAL REPORT - 03/03/08 - FORMER GAS WORKS SITE, 180 MORT STREET LITHGOW CONFIDENTIAL

Reason for Confidentiality

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

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

The matters and information are the following:

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

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

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

It is not in the public interest to reveal all details of these tenders or the assessment process. Tenderers have provided sensitive information about their operations in the confidence that their details will not be made public by council. The practice of publication of sensitive information provided by tenderers could result in the withholding of such information by tenderers and reduction in the provision of information relevant to council's decision.

REFERENCE

06-143 - Ordinary Council Meeting held on 15/05/06

07-06 - Policy and Strategy Committee Meeting held on 5/2/07

07-57 - Ordinary Council Meeting held on 19/02/07

07-161 - Policy and Strategy Committee Meeting held on 7/5/07

07-347 - Policy and Strategy Committee Meeting held on 6/8/07

07-429 - Ordinary Council Meeting held on 17-9/07

SUMMARY

This report provides Council with an update on the sale of the former Gas Works site in Mort Street Lithgow.

P08-12 RESOLVED

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

MOVED: Councillor M M Collins

SECONDED: Councillor M J Wilson.

CARRIED

**ITEM:2 GM - 03/03/08 - MOTIONS FOR THE SHIRES ASSOCIATION
CONFERENCE 2008**

REFERENCE

Nil

SUMMARY

This report advises Council that any motions for the 2008 Shires Association Conference are due by 14 March 2008.

COMMENTARY

The Shires Association Conference will be held from 2 to 4 June 2008 in Sydney and the Shires Association is currently calling motions for inclusion in the business paper. While there is scope for individual councils to submit motions, it is preferred that divisional meetings be the source of all conference motions. Any motion from a council must be adopted by that council before submission.

The following guidelines may help in the process of sending motions for debate:

- Motions should seek to introduce new policy or alter existing policy, through the addition of new elements or deletion of existing elements.
- Motions seeking to vary existing policy or to address new or emerging policy issues will be classified as Category One and scheduled for debate at conference. Motions reaffirming existing policy, or calling for actions to be taken within existing policy, will be classified as Category Two.
- Motions in Category Two will be included in the conference business paper and may be individually brought forward to be debated with the agreement of conference. Otherwise, they will be referred to the Executive of the Association for consideration. Some may be actioned prior to the conference where they raise issues which can be implemented within policy.

Councils are encouraged to include a note/supporting case for each motion to a maximum of approximately 500 words per motion.

Council will need to decide upon any motion so that they can be forwarded to the Shires Association by the closing date of 14 March 2008.

POLICY IMPLICATIONS

Any motion put by Council should reflect Council's policy stance on such matters or reflect a change to Council's 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.

ATTACHMENTS

Nil

RECOMMENDATION

THAT motion(s) for the 2008 Shires Association Conference be formulated if warranted.

Councillor M M Collins moved a **MATTER OF ARISING** for a motion regarding the opposition to the privatisation of the power industry and the poor form of needing funding for water resource allocation in NSW.

P08-13 RESOLVED

THAT Council provide a motion in relation to the opposition to the privatisation of the power industry.

MOVED: Councillor M M Collins

SECONDED: Councillor H K Fisher.

CARRIED

ITEM:3 GM - 03/03/08 - SECTION 94 LEVIES

REFERENCE

Min 008-03: Council Meeting 18 February 2008

SUMMARY

This report details correspondence received from the Minister for Planning regarding the reforms to section 94 levies.

COMMENTARY

The following correspondence has been received from the Minister for Planning, the Honourable Frank Sartor, MP regarding the proposed changes to section 94 levies:

"I refer to the lemma Government's decision in October last year to reduce both State and local development levies in order to improve housing affordability and facilitate investment in new homes.

In reality Section 94 (S94) levies are quite unusual. In essence, they are taxes with no upper limit. Over the past 20 years they have grown, in many instances, from about \$1000 per new dwelling to in excess of \$50,000 per dwelling. That's why we are containing levies for both State and local infrastructure.

A series of meetings have been held between various Government Ministers and officials and the Local Government and Shires Association (LGSA) to discuss the changes. The Coordinator-General of the Department of Premier and Cabinet is still waiting for additional information to assist these discussions, as requested in his letter to the LGSA dated 21 December 2007.

It is disappointing that a number of local government spokespersons, rather than embracing the real challenge of achieving housing affordability, have made repeated incorrect statements about the Government's position.

The Government's Infrastructure Levy Implementation Committee is continuing its discussions with the LGSA. Meanwhile, I write to correct the record on a number of matters.

Claim 1: "The Government will take and hold all S94 levies throughout the State".

Most Councils will not be affected by this change.

The Government decision has only been made in respect of the Section 94 levies within Sydney's North West and South West Growth Centres, affecting only six Councils in the State. Here the Government is committed to providing \$7.9 billion in infrastructure, of which \$3.5 billion will be funded from NSW taxes. The Growth Centres Commission is coordinating the provision of all infrastructure consistent with the release of development areas. Given the Government's financial commitment it is not unreasonable for the Treasury to hold funds in a Trust account.

In fact, the Government is proposing that the legislative amendments needed to provide for the holding of S94 levies will be contained in the Growth Centres Act and not the Environmental Planning and Assessment Act.

Claim 2: "State Treasury will keep the interest earned on S94 funds held in Trust"

As advised in the Coordinator-General's letter to the LGSA dated 21 December, interest on funds held will be credited to the S94 Trust account to be applied back to S94 works.

Claim 3 "The funds held by State Treasury will be spent on State and local infrastructure outside the LGA"

The State Government will not spend any S94 funds. These funds will continue to be collected and spent by councils on local infrastructure, including parks, roads and community facilities, within the municipality in which they were collected in accordance with Council's S94 plan.

Claim 4: "The Government is stopping Councils providing the full range of essential community infrastructure".

The planning circular of 6 November 2007 clearly states that the "land and facilities for local community infrastructure that services a development site or precinct" can be levied. This is in addition to roads, local parks, local bus infrastructure, drainage and water facilities, and land for recreational and community purposes.

For example, directions issued to the six councils covering the Sydney Growth Centres allow for an extensive range of community facilities.

It is noted that in growth areas new housing provides additional rate income, and that this should be factored into the provision of community facilities. Council can also request special rate variations from the Minister for Local Government where they have a justifiable case to boost revenue.

Claim 5: "Community infrastructure can only be provided within a new development precinct and cannot be located elsewhere".

This has never been required by the Government and would not be feasible in brownfield areas. The Government's only concern has been that new development should not be used to pay for community infrastructure for existing populations. This should be funded from rates and other sources.

Some Councils have some legitimate concerns about the new system. However, the delay in obtaining information from the LGSA has inhibited our ability to consider and address these matters. You are welcome to provide us, as soon as possible, with specific details of any potential unintended consequences so that they may be addressed in the new framework.

Housing affordability is an important issue that must be addressed at all levels of Government. The Government is currently preparing legislation to provide the framework for the new policy having regard to the concerns of local government. This will be considered by the Government shortly."

Therefore, it appears that the State Government is not considering the option of collecting and holding section 94 contributions from all councils even though the Planning Circular released in November 2007 indicated that consideration would be given to areas outside of the growth centres on a case- by-case basis.

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.

P08-14 RESOLVED

THAT the information be received.

MOVED: Councillor W McAndrew

SECONDED: Councillor A E Thompson.

CARRIED

ITEM:4 GM - 03/03/08 - SALE OF 10 RESIDENTIAL ALLOTMENTS AT CARY AVENUE, WALLERAWANG

REFERENCE

Min 05-238: Council Meeting 16 May 2005
Min 05-654: Council Meeting 19 December 2005
Min 05-655: Council Meeting 19 December 2005

SUMMARY

This report seeks Council's approval to sell 10 residential allotments at Cary Avenue, Wallerawang by public auction.

COMMENTARY

Council may recall that the sale of 10 residential allotments at Cary Avenue, Wallerawang is an activity listed in the Management Plan for 2007/08. After reviewing the current property market, it is considered advantageous that Council place these allotments for sale at a public auction and not by private treaty as previously resolved.

POLICY IMPLICATIONS

The Asset Disposal Policy is applicable to this matter and it is noted that Council has previously resolved to sell these allotments and therefore, the only matter being reconsidered is that of the method of disposal.

FINANCIAL IMPLICATIONS

It is suggested that the General Manager be delegated authority to set the reserve prices for the auction.

LEGAL IMPLICATIONS

The contracts and transfers of land will be prepared by Council's Solicitors.

ATTACHMENTS

Nil

RECOMMENDATION

THAT:

1. Council engage the services of LJ Hooker for the sale of the 10 residential allotments by public auction.
2. The Mayor and General Manager or his representative be authorised to sign the relevant documentation associated with the sale of the land.
3. The Council affix the Common Seal to all contracts and transfer of land at its meeting of 17 March 2008.
4. The General Manager be delegated authority to set a reserve price for the sale of the land.
5. A further report be provided to Council following the auction.

P08-15 RESOLVED**THAT:**

1. Council engage the services of LJ Hooker for the sale of the 10 residential allotments by public auction.
2. The Mayor and General Manager or his representative be authorised to sign the relevant documentation associated with the sale of the land.
3. The Council affix the Common Seal to all contracts and transfer of land at its meeting of 17 March 2008.
4. Council set the reserve price for the sale of the land. This item is to be dealt within the closed section of the meeting.
5. A further report be provided to Council following the auction.

MOVED: Councillor M J Wilson**SECONDED:** Councillor W McAndrew.**CARRIED****ITEM:5 GM - 03/03/08 - LITHGOW FLASH GIFT**

REFERENCE

NIL

SUMMARY

Lithgow Flash Gift – The Lithgow Flash Gift was held on the 23rd February 2008. This report outlines the success of the event and future developments.

COMMENTARY**The Lithgow Flash Gift**

“The Lithgow Flash Gift” is a series of short distance running races, held on 23rd February 2008, at the Tony Luchetti Showground. The event was held on grass over 70 metres, 100 metres, 200 metres, 800 metres, 1 mile and 5 kilometres. Events were targeted at junior athletes (age from under 5 to under 16) and senior athletes. Some events were handicapped according to athletes form.

“The Lithgow Flash Gift” is named after Mrs Marjorie Jackson, The Lithgow Flash, who during her athletic career won two Olympic gold medals (Helsinki 1952) and seven Commonwealth Games gold medals.

The Lithgow Flash Gift has been proudly endorsed by Mrs Marjorie Jackson-Nelson.

“The Lithgow Flash Gift” is a uniquely named event for Lithgow. The event, named after a former resident who went on to become an Olympic Champion delivered a series of short distance running races. The footrace attracted sponsors for individual events, ensuring that elite athletes are attracted to the event for the prize money on offer. All junior event winners were presented with medals and all received participant ribbons.

The event delivered a professional athletics meeting carnival atmosphere with plenty of action off the track for all the family, including fashions on the field, live music and children's entertainment.

The event brings together the following elements:

- A unique staging arena for an event of this type as it is the location where Marjorie Jackson won many of her events and also utilised as a training ground – historical connection
- A key range of experiences for the family
- A footrace
- Links to athletes, both past and present from the Lithgow region

The Lithgow Flash Gift boasts the nation's richest women's footrace, and attracted some of Australia's best women sprinters, cementing Lithgow's history as home to championship running. We now endeavour to build on this and make this event comparable with the Stawell Gift staged in Victoria.

The Lithgow Flash Gift provided sponsors with the opportunity to build a powerful brand association, maximising corporate identity in the local community and clearly linking their businesses to this prestigious event.

Event Planning

An event Plan was implemented for the Lithgow Flash Gift. The overall vision for this event is to:

Mission Statement

Co-ordinate, position and sustain an athletic footrace event that leverages off Mrs Marjorie Jackson Nelson's reputation as an elite athlete, offering a diverse, quality and memorable experience.

Vision Statement

To attract a viable, diverse market to an event that generates a major economic impact, provides a quality experience and creates the desire to return.

Objectives

"The Lithgow Flash Gift" Project aims to achieve the following objectives:

1. Develop, strengthen and diversify the brand through the development of a unique, compelling event that delivers iconic and memorable experiences connecting with the target market, becoming a signature Lithgow event.
2. Enhance the visitor appeal of Lithgow as a centre for athletic and fitness pursuits.
3. Delivery of a positive, sustainable economic contribution to the local economy.
4. Deliver a signature athletics event that satisfies the target market and creates the desire to return for other events (customer loyalty).
5. Deliver key health messages to the local community
6. Establishment of an ongoing scholarship fund for junior sport stars

The Lithgow Flash Gift Visitation 2008

The inaugural Lithgow Flash Gift was a successful event.

Both participants and spectators to the event commented on how successful the inaugural event was and how the basis was there to build this event into a major sporting carnival in Australia's sporting calendar.

Approximately 1,500 visitors attended the carnival, including both local, regional, intra-state and international visitors. It is envisaged that the Lithgow Flash Gift will continue to show measurable growth in visitation as the event further becomes an iconic regional event.

Lithgow Flash Gift Target Markets

As a contributor to Lithgow's event calendar, The Lithgow Flash Gift will endeavour to show sustainable visitation growth in target markets. The event proposes to aid an increase in yield to the Lithgow economy, the tourism industry and all businesses that provide services to visitors.

The Lithgow Flash Gift will attract people of all ages, skill levels and fitness levels. The event will also attract a range of spectators to the event.

Market segments matching the "The Lithgow Flash Gift" range of experiences include the following:

Overnight market	Overnight niche market	Day Visits
True Travellers Wanderers Compatriots VFR	Groupies	Compatriots (Lithgow and Oberon area in particular)

(King, Bartlett and Valerio 2004, Blue Mountains Tourism Ltd 2004, Blue Mountains Tourism Ltd 2003, Lithgow Visitor Information Centre 2004)

Visitors attending the 2008 Lithgow Flash Gift were from the following places of origin:

- Sydney region
- Blue Mountains region
- Lithgow
- Bathurst
- Central West
- Wollongong
- Central Coast
- Victoria
- Queensland
- Sierra Leone

Visitor Feedback – The Lithgow Flash Gift 2008

The feedback received from visitors to the Lithgow Flash Gift indicate, a very high level of satisfaction in the event. Comments from visitors included:

- Fantastic to see high calibre athletes performing at an elite level in Lithgow
- The ground facilities at the Tony Luchetti Showground were of a high calibre
- Atmospheric carnival
- Great family atmosphere

- Great entertainment
- Well organised

Participants equally enjoyed the Lithgow Flash Gift experience with most exhibitors making good sales.

Lithgow Flash Gift Committee

The Lithgow Flash Gift Committee includes the following members, who organised the event:

- Lithgow Tourism staff
- Anne Beutel (Little Athletics)
- Ray Stoneley (Little Athletics)
- Eric Arnold (Little Athletics)
- Geoff Cox (Blue Mountains Athletics)
- Sherree Kenniff
- Greg Morley
- Howard Allen
- Sharon Morley
- Neryl Wood
- Danny Oldfield
- Trevor Beutel
- Ron Leggatt
- Michelle Bostock
- Danny Whitty
- Ken English
- Billy Edwards
- John Scott (NSW Athletics League Consultant)
- NSW Athletics League

Local Support for the Lithgow Flash Gift

The following local companies have supported the hosting of the 2008 Lithgow Flash Gift:

- Westfund
- Centennial Coal
- Lithgow City Council
- Lithgow Workmen's Club
- Lithgow Hoteliers Association
- Delta
- Greater City Kitchens
- NSW Athletics League
- Zig Zag Motel
- Collins Transport
- R&A Chainsaw
- McDonald's
- Regency Jewelers
- Top to End Hairdressers
- Vanilla Restaurant
- Bowen Inn

- Ezzence Hairdressers
- K-Teens
- Comet Inn
- Hunter Valley Mining
- Poles and Underground

The Lithgow Flash Athletics Scholarship

Entry to the 2008 Lithgow Flash Gift was by a Gold Coin Donation. This money, as per the event Plan for the Lithgow Flash Gift, is to be utilised to develop a Programme for junior athletics scholarship, to be determined by the Lithgow Flash Gift Committee. An outline of how the Scholarship is to be established and devised and the Scholarship fund implemented. Approximately \$1,000 was taken through the gate during the 2008 Lithgow Flash Gift. A further report on this scholarship will be forwarded to Council.

Economic Impact of Events on a region

Tourism events have the potential to act as a significant tourism promotional vehicles in encouraging:

- Increased visitation during off peak periods
- Encourage overnight stays
- Provide/develop a focal point for the area
- Provide a unique experience
- Encourage repeat visitation
- Position and brand a region
- Derive income from visitors
- Growth in strength areas – build on reputations
- Tourism development
- Specific targeting of market segments
- Infra-structure development – social gains for the wider community

The long-term impacts of successful events on a destination include:

- Employment creation
- Increase in potential for commercial investment in the community
- Construction/improvements to facilities
- Strengthening of local values and traditions
- Increased local community pride
- Sustained development within the community
- Destinalional image development
- Sustainable economy

The Lithgow Flash Gift will be looking for grant sponsorship in the following avenues:

- Sport grants funding
- Major corporate funding
- Tourism funding

Economic Impacts of the Lithgow Flash Gift

Date of Event:	23 rd February 2008
Total participants:	150
Total Attendance:	1,500
Local Visitation:	60%
Intrastate, Interstate & Overseas Visitation:	40%
Visitor Expenditure:	\$208,000 (based on average \$120 per visitor, per night, based on a 2 night stay and \$50 per local. Average spend of visitors per day)

Benefits for Lithgow from the Lithgow Flash Gift

The Lithgow Flash Gift carried out major event awareness and marketing via a range of advertising and promotions. The Lithgow Flash Gift carried out the following marketing activities:

- Channel Ten News Item
- Channel 7 News Item
- Today Show – Channel 9
- Sunrise – Channel 7
- Fox Sport
- Article in the Sydney Morning Herald – event and regional profiling
- Article in Melbourne Morning Herald
- Event mentioned on Sydney Radio
- Website advertising
- Banner placement – strategically located in high visitation areas including Lithgow,
- Poster placement – posters were distributed via the Visitor Information Centre Network throughout NSW, retail areas in Lithgow, Bathurst, Blue Mountains, Oberon, Mudgee, Sydney
- Brochure placement – brochures were distributed via the Visitor Information Centre Network throughout NSW, retail areas in Lithgow, Bathurst, Blue Mountains, Oberon, Mudgee, Sydney, athletes, trainers, Institutes of Sports, Little Athletics networks
- Radio interviews were conducted on Radio 2LT, 107.9, ABC, B-Rock

In undertaking promotional activities as above, The Lithgow Flash Gift successfully contributes to tourism visitation to the region and in shaping the development of a destination image.

Race Winners – 2008 Lithgow Flash Gift

The following were the race winners for the senior events in the 2008 Lithgow Flash Gift:

LITHGOW FLASH WOMENS GIFT 100metres \$11 000 Richest women's race in Australia

Proudly sponsored by Westfund

1st Alison Glapa Corlette 3.00m 11.58secs \$7000

2nd Kristy Smith Engadine 6.25m \$1300

3rd Mikke Foley Brighton Le Sands 12.25m \$1000

LITHGOW MENS GIFT 120metres \$10 000*Proudly sponsored by Centennial Coal*

1st Ali Bangura Sierra Leone 4.25m 12.02secs \$6000

2nd Steve Landers South Aust 5.75m \$1200

3rd Jacob Groth Homebush 2.50m \$1000

“Surrounded by Nature” OPEN MENS 200 metres \$2000*Proudly sponsored by Lithgow Workmen’s Club*

1st Ali Bangura Sierra Leone 9m 20.19secs

2nd Danny James Minmi 25m

3rd Brian Wright Malabar 32m

“Steeped in History” OPEN WOMENS 200 metres \$2000*Proudly sponsored by the Lithgow Hoteliers Association*

1st Suz Sinclair North Lambton 32m 23.52secs

2nd Cara White Victoria 10m

3rd Gianna Mogentale Wollongong 14m

INVITATION BACK-MARKERS HANDICAP 100metres \$2000*Proudly sponsored by Delta*

1st Jacob Groth Homebush Scr 10.54secs

2nd Steve Landers SA 1.75m

3rd Craig Brown Vic 1.75m

ZIG ZAG MILE OPEN WOMEN 1 MILE \$2000*Proudly sponsored by Lithgow City Council*1st Lara Tamsett Sydney2nd Natalie Sharp Lithgow

3rd Renae Beutel Lithgow

ZIG ZAG MILE OPEN MEN 1 MILE \$1000*Proudly sponsored by Lithgow City Council*1st Tim Rowe Sydney2nd Ben St Lawrence Sydney

3rd Gary Howard Sydney

THE VALLEY CHALLENGE 5 KILOMETRE TEAM EVENT \$2000*Proudly sponsored by Greater City Kitchens*1st Sydney Team2nd Sydney Team3rd Sydney Team**LOCAL SPORTING GROUPS CELEBRITY CHALLENGE – Invitation event**1st Michael Doggett Lithgow 11.50 seconds2nd Simon Mobbs Lithgow

3rd Tahlia Nugent Lithgow

2009 Lithgow Flash Gift

It is thought based on the success of the inaugural Lithgow Flash Gift, that the Carnival become an iconic event in the Lithgow calendar. A debrief with the Committee is to be carried out to work out ways to improve the event and gain more volunteers on the committee to help co-ordinate event management.

Some sponsors have already indicated their intentions for ongoing support for this event in a long term capacity.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Ongoing Council support financially for this event for \$10,000 on an annual basis

LEGAL IMPLICATIONS

Nil

ATTACHMENTS

Nil

P08-16 RESOLVED

THAT Council budget \$10,000 in the 2008/09 budget to support the operation of the Lithgow Flash Gift in association NSW Athletics League and the Lithgow Flash Gift Committee.

MOVED: Councillor B S Moran

SECONDED: Councillor W McAndrew.

CARRIED

REGIONAL SERVICES REPORTS

ITEM:6 REG - 3/03/2008 - CULLEN BULLEN PUBLIC TOILET FACILITY

REPORT BY: GROUP MANAGER REGIONAL SERVICES - ANDREW MUIR

SUMMARY

This report advises of the proposed location of a new toilet block at Cullen Bullen.

COMMENTARY

As part of the 2007/2008 works program, Council has allocated an amount of \$70,000 for public toilets at Cullen Bullen. Quotations have been received and a pre-fabricated composting unit has been chosen that can be installed within the budget allocation.

A Meeting was held with representatives of the Cullen Bullen Progress Association and Cullen Bullen Tidy Towns Committee on 12 February 2008 to discuss the location of the facility. A location adjacent to the existing park on Portland Road was indicated to the representatives. Whilst another location was later inspected near the skate ramp as an option, there was general consensus that the park location was the most appropriate site. Development Application and Construction Certificate plans are now being prepared.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Council has budgeted an amount of \$70,000 for the facility.

LEGAL IMPLICATIONS

A Development Application / Construction Certificate application must now be lodged.

P08-17 RESOLVED

THAT the information be noted.

MOVED: Councillor M J Wilson

SECONDED: Councillor M M Collins.

CARRIED

ITEM:7 REG - 03/03/08 - DRAFT NATURE STRIP MAINTENANCE POLICY

REPORT FROM: GROUP MANAGER, REGIONAL SERVICES – ANDREW MUIR

REFERENCE

Nil

SUMMARY

This report recommends the public exhibition of the Draft Nature Strip Maintenance Policy.

COMMENTARY

A Draft Nature Strip Maintenance Policy has been prepared to set out the responsibilities of Council and to acknowledge the efforts of residents in the maintenance of nature strips. It is suggested that the Draft Policy be placed on public exhibition for a period of 28 days. A draft Standard Working Procedure has also been prepared which sets out the service and intervention levels (eg frequency of mowing). This is an operational document that sits under the policy.

POLICY IMPLICATIONS

The Draft Nature Strips Maintenance Policy proposes a policy position for Council.

FINANCIAL IMPLICATIONS

The advertising of the Draft Nature Strips Maintenance Policy will be funded from the Operations Recurrent Budget.

LEGAL IMPLICATIONS

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

P08-18 RESOLVED

THAT the Draft Nature Strip Maintenance Policy be placed on public exhibition for a period of 28 days.

MOVED: Councillor B S Moran

SECONDED: Councillor A E Thompson.

CARRIED

COMMUNITY AND CORPORATE SERVICES REPORTS

ITEM:8 COMM - 03/03/08 - DRAFT TENDERING POLICY

REPORT FROM: POLICY & PLANNING MANAGER – AMANDA MUIR

REFERENCE

07-547: Council Meeting 17 December 2007

SUMMARY

This report recommends that the Draft Tendering Policy be adopted following public exhibition.

COMMENTARY

Council at its meeting of 17 December 2007 resolved to place the Draft Tendering Policy on public exhibition. At the conclusion of the exhibition period, no submissions were received and therefore, it is suggested that Council adopt the Draft Tendering Policy.

POLICY IMPLICATIONS

The Draft Tendering Policy will become a policy of Council if adopted.

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.

P08-19 RESOLVED

THAT the Draft Tendering Policy be adopted.

MOVED: Councillor M J Wilson

SECONDED: Councillor W McAndrew.

CARRIED

**ITEM:9 COMM - 03/03/08 - PROPOSED LOCAL ENVIRONMENTAL PLAN
FOR THE LOCAL GOVERNMENT AREA**

REPORT FROM: POLICY & PLANNING MANAGER – AMANDA MUIR

REFERENCE

Min 07-518: Policy and Strategy Committee Meeting 3 December 2007

SUMMARY

This report seeks Council's approval to prepare a Local Environmental Plan for the Local Government Area.

COMMENTARY

As Council is aware, the Local Environmental Plan for the Local Government Area which accords with the Standard Instrument (Local Environmental Plans) Order 2006 and repeals all existing environmental planning instruments is due by April 2009. This Local Environmental Plan will also be guided by a Council adopted and Department of Planning endorsed Land Use Strategy. Therefore, in order to formally commence the process Council must resolve to prepare a draft Local Environmental Plan for the Local Government Area and advise the Department of Planning of Council's resolution.

In addition, Council will recall that the Department of Planning is preparing a State Environmental Planning Policy for rural lands following the Central West Rural Lands Inquiry. In the last correspondence received it was expected that the State Environmental Planning Policy would be available at the end of last year, however, this is not the case and as it has a potential to effect both Council's Land Use Strategy and the Local Environmental Plan, it is considered appropriate that Council request an extension of time to prepare these documents.

POLICY IMPLICATIONS

The Local Environmental Plan has the potential to change the provisions of the current environmental planning instruments. However, it will be guided by a Council adopted and Department of Planning endorsed Land Use Strategy.

FINANCIAL IMPLICATIONS

The costs of preparing the Local Environmental Plan will be ascertained in the tender process for the preparation of the Land Use Strategy and Local Environmental Plan which Council resolved to call for at its Policy and Strategy Committee Meeting of 3 December 2007. However, the Local Environmental Plan will be funded by a mixture of grant (\$100,000) and Council funding.

LEGAL IMPLICATIONS

The Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulations 2000 set out the legal processes for the preparation of Local Environmental Plans.

ATTACHMENTS

Nil

P08-20 RESOLVED

THAT:

1. A Local Environmental Plan be prepared for the Lithgow Local Government Area in accordance with the Standard Instrument (Local Environmental Plans) Order 2006 and repeal all existing environmental planning instruments.
2. Correspondence be forwarded to the Department of Planning requesting an extension of the completion date for the Local Environmental Plan to allow for the time taken to conduct the Central West Rural Lands Inquiry and the subsequent preparation of a rural lands State Environmental Planning Policy.

MOVED: Councillor M M Collins

SECONDED: Councillor M J Wilson.

CARRIED

DELEGATES REPORTS

ITEM:10 DELEGATES REPORT - 03/03/08 - MINING RELATED COUNCIL MEETING HELD ON FRIDAY 15TH FEBRUARY 2008

COMMENTARY

At the most recent Mining Related Council Meeting which was attended by Andrew Muir and myself it was interesting to note that Wyong Council had pulled out of the Association for the second time.

We had an interesting address from the Deputy Chair of the NSW Grants Commission. It seems that overall the NSW Grants Commission are responsible for recommending to the Federal Government for their "FAGS" (Financial Assistant Grants Scheme) which totalled nearly half billion dollars. There are two components to these grants, being general purpose and local roads and regardless of what the final outcome of a council grant application is, the grants are not tied for those specific purposes. It was also interesting to note that Grants Commission believed that Councils really needed to have doubled the amount of money of which they were getting from the Government, which is something we may wish to pursue.

The possible covering of coal trains was brought up at the meeting. However, the association is pursuing other means such as the watering of coal trains as well as an attempt to try and limit the amount of dust being created as coal trains go through local towns and villages. It will be interesting to see the outcome of this investigation.

The Association is looking to adopt its own Code of Conduct which is in many ways similar to the Code of Conduct that has been adopted by Council. This should be fairly easy for members of the committee to take on board as all members are currently bound by their own Council's Code of Conduct.

Another interesting item was that of the Geosequestration enquiry and where that is up to. It was reported at the meeting that a few delegates had seen maps of where possible Geosequestration may take place but it also seems that these maps have been withdrawn very quickly for the possibility of the affect on the communities as to where this may take place. The association and mining related councils will be very keen to see not only the outcome of the full enquiry because of the long term potential benefits to the coal industry and the power industry of Australia.

P08-21 RESOLVED

THAT the information be noted.

MOVED: Councillor W McAndrew

SECONDED: Councillor M J Wilson.

CARRIED

QUESTIONS WITHOUT NOTICE

QWN - 03/03/08 - COUNCILLOR H K FISHER

1. Mr Mayor I have raised this issue previously and ask Council if the raised footpath behind a dwelling can be fixed. Children are using it as a skate ramp and I believe it to be dangerous.

The Mayor deemed this as urgent and due to a safety issue advised Council Officers will view it this week.

QWN - 03/03/08 - COUNCILLOR W MCANDREW

1. Mr Mayor does Council have an update on the ambulance issue that I raised at the last meeting? Can we please talk to the NSW Ambulance to have this issue rectified?

P08-22 Council **RESOLVED** to have a formal dialogue with NSW Ambulance regarding staffing and on call matters with Lithgow Ambulance services.

MOVED: Councillor McAndrew

SECONDED: Councillor Fisher

CARRIED

2. Mr Mayor I refer to Wolgan Road, near the tennis courts and Angus Place. The condition of the road is very poor and there are concerns for miners with having to drive on this road. Can something be done?

The Mayor deemed this as urgent and the General Manager through the Mayor advised that inspections had been carried out and results have shown that speed is a major safety issue on this road. The speed limit has been lowered to slow drivers down but the engineers will have another look at the patch of road. There are some parts of the road which will need re-gravelling and a prime seal placed on it, this will all be done within the next couple of weeks.

In regards to the road from the Mine to Gap, minor patching work will be carried out.

In regards to the road up to the Emirates Resort gate, this is in fairly good condition but maintenance grading will be done over the next four to five weeks.

The Mayor advised that a copy of these answers will be given to Angus Place for their information.

QWN - 03/03/08 - COUNCILLOR A E THOMPSON

1. Mr Mayor I refer to the road works at Tunnel Hill and ask who is in charge of these works? If it is the RTA can we advise them that it is extremely hard at night to see where you are going as there are no lights, no signs advising motorists which way to go.

The Mayor deemed this as urgent and Council will contact the RTA and report back to Council.

2. Mr Mayor in relation to the road works at Tunnel Hill, does council have a policy on vehicle damage from roads works?

The Mayor deemed this as urgent and advised that Council has an exemption under the Roads Act for damages to cars from road works and therefore we are no liable for any damage.

QWN - 03/03/08 - COUNCILLOR M F TICEHURST

1. Mr Mayor I refer to the Browns Gap road and Mid Hartley Road around the horse stables, can the road please be looked at as it needs repairs done to it?

The Mayor deemed this as a works request and a request will be placed with Council on Tuesday 4th February 2008.

QWN - 03/03/08 - COUNCILLOR M J WILSON

1. Mr Mayor I refer to road works at Tunnel Hill also and ask Council if they can get the RTA to frequently water the works as the dust is unbelievable at times.

The Mayor deemed this as urgent and advised that Council will contact the RTA and seek that this is done.

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

ITEM: 1 GM - CONFIDENTIAL REPORT - 03/03/08 - FORMER GAS WORKS SITE, 180 MORT STREET, LITHGOW

Reason for Confidentiality

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

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

The matters and information are the following:

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

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

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

It is not in the public interest to reveal all details of these tenders or the assessment process. Tenderers have provided sensitive information about their operations in the confidence that their details will not be made public by council. The practice of publication of sensitive information provided by tenderers could result in the withholding of such information by tenderers and reduction in the provision of information relevant to council's decision.

ITEM:4 GM - 03/03/08 - SALE OF 10 RESIDENTIAL ALLOTMENTS AT CARY AVENUE, WALLERAWANG

Reason for Confidentiality

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

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

The matters and information are the following:

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

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

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

It is not in the public interest to reveal all details of the sale price of the land. The practice of publication of sensitive information regarding the sale could result in the Council not receiving the best possible purchase price on the land sales.

The General Manager asked for objections from the Public as to the confidential reports.
There were NIL objections to these reports.

Closed Council started at 6.34pm

CLOSED REPORTS

ITEM: 1 GM - CONFIDENTIAL REPORT - 03/03/08 - FORMER GAS WORKS SITE, 180 MORT STREET, LITHGOW

Reason for Confidentiality

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

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

The matters and information are the following:

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

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

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

It is not in the public interest to reveal all details of these tenders or the assessment process. Tenderers have provided sensitive information about their operations in the confidence that their details will not be made public by council. The practice of publication of sensitive information provided by tenderers could result in the withholding of such information by tenderers and reduction in the provision of information relevant to council's decision.

P08- 23 RESOLVED**THAT:**

1. The report be noted
2. Tender the sale of the site for a period under the same term as previously of 14 days with a report to be provided to the April Meeting.

MOVED: Councillor B S Moran**SECONDED:** Councillor W McAndrew.**CARRIED****ITEM:4 GM - 03/03/08 - SALE OF 10 RESIDENTIAL ALLOTMENTS AT CARY AVENUE, WALLERAWANG****Reason for Confidentiality**

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

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

The matters and information are the following:

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

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

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

It is not in the public interest to reveal all details of the sale price of the land. The practice of publication of sensitive information regarding the sale could result in the Council not receiving the best possible purchase price on the land sales.

P08- 24 RESOLVED

THAT:

1. Council set the reserve price as previously indicated.
2. The Mayor and General Manager be delegated the authority to negotiate sales with the highest bidder to no less than 10% of the reserve price, should the reserve price not be reached.

MOVED: Councillor B S Moran

SECONDED: Councillor W McAndrew.

CARRIED

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

ITEM:1

P08- 23 RESOLVED

THAT:

1. The report be noted
2. Tender the sale of the site for a period under the same term as previously of 14 days with a report to be provided to the April Meeting.

MOVED: Councillor B S Moran

SECONDED: Councillor W McAndrew.

CARRIED

ITEM: 4

P08- 24 RESOLVED

THAT:

1. Council set the reserve price as previously indicated.
2. The Mayor and General Manager be delegated the authority to negotiate sales with the highest bidder to no less than 10% of the reserve price, should the reserve price not be reached.

MOVED: Councillor B S Moran

SECONDED: Councillor W McAndrew.

CARRIED

The meeting closed at 6.56pm.