



LITHGOW CITY COUNCIL

MINUTES

POLICY AND STRATEGY COMMITTEE
MEETING OF COUNCIL

HELD ON

02 SEPTEMBER 2008

**MINUTES OF THE LITHGOW CITY COUNCIL MEETING
HELD AT THE CIVIC CENTRE, LITHGOW ON 2ND SEPTEMBER 2008**

Meeting Commenced 6.00pm

Public Gallery: 5

PRESENT

His Worship the Mayor
Councillor Neville Castle
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 who was ill.

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

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

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

P08-97 RESOLVED

CARRIED

Also in attendance

Acting General Manager, Mr Scott Greensill
Group Manager Regional Services, Mr Andrew Muir
Group Manager Community and Corporate Services, Ms Suzanne Lollback
Minutes Secretary, Miss Casey Clarke
Executive Assistant, Miss Cortney Wood

CONFIRMATION OF MINUTES

Confirmation of the Minutes of the Policy and Strategy Committee Meeting of Council held on the 5th August 2008 were taken as read and confirmed by Councillors B S Moran and M M Collins

P08-98 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 questions were raised.

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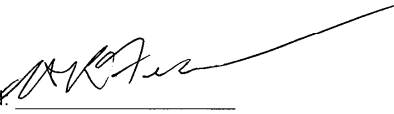
RESCISSION MOTION

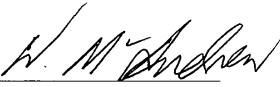
ITEM:1 RESCISSION MOTION - 02/09/08 - GAS WORKS SITE

ITEM RESCISSION MOTION - GAS WORKS SITE

COMMENTARY

We the undersigned having had further consideration and following a meeting between representatives of Ultra Services Pty Ltd and Lithgow City Council believe that a Rescission Motion would be appropriate to allow the possible sale of the old Gas Works Site to Ultra Services Pty Ltd.

Signed:  _____

Signed:  _____

Signed:  _____

P08- 99 RESOLVED

THAT we the undersigned having had further consideration and following a meeting between representatives of Ultra Services Pty Ltd and Lithgow City Council believe that a Rescission Motion would be appropriate to allow the possible sale of the old Gas Works Site to Ultra Services Pty Ltd.

MOVED: Councillor H K Fisher

SECONDED: Councillor M M Collins.

CARRIED

GENERAL MANAGER REPORTS

**ITEM:2 GM - 02/09/08 - MITCHELL CONSERVATORIUM - 2008
 SCHOLARSHIP PROGRAM**

REFERENCE

NIL

COMMENTARY

Correspondence has been received from the Mitchell Conservatorium in relation to the 2008 Scholarship Program at the Lithgow Division.

The Mitchell Conservatorium thanked Council for the generous support that was given to them for the 2008 program. The winner of the scholarship which Council sponsored was Veronica Milroy. She has been studying singing, piano and musicianship this year.

In musicianship Veronica has sat for and passed 6th grade AMEB musicianship (not many people attempt this level) and has been working on music composition skills. She is now using these skills to compose a piece of music for the HSC Music 2 course.

In singing, Veronica is preparing a program of songs for her HSC Music practical, as well as preparing for her 7th Grade AMEB examination later this year. She is also a member of the Gondwana Chorale, this is an Australian Choir. Veronica is the only member of this choir from the Central West and this Choir will travel to the National Museum in Canberra later this year as part of a tour around the State.

In piano Veronica is working towards her 8th Grade AMEB practical examination. Veronica puts her musical skills to good use. She is a member of the Lithgow City Band, where she plays EB soprano cornet. She plays the organ at Church as well as sometimes singing solo.

In addition Veronica has also performed at a number of community events this year as a soloist, accompanist and member of band.

Mitchell Conservatorium thanks Lithgow City Council for the ongoing commitment and support of the Scholarship program and the talented young people of Lithgow.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

P08-100 RESOLVED

THAT the information is noted.

MOVED: Councillor W McAndrew

SECONDED: Councillor H K Fisher.

CARRIED

ITEM:3 GM - 02/09/08 - CANCER CARE WESTERN NSW

REFERENCE

NIL

COMMENTARY

Correspondence has been received from Cancer Care Western NSW in relation to seeking support from Councils and Service Clubs.

The Cancer Care Western NSW is seeking support in terms of fundraising initiatives throughout the Western Region. They have already enlisted the majority of the towns in the area to fundraise and would welcome the involvement of Lithgow in this project.

The accommodation and service of radiotherapy would be supported by the Lithgow community. The Cancer Care Western NSW would welcome the opportunity to address the residents of the Lithgow Community and involve their participation in perhaps naming a room for the community, by fundraising as part of the area project.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

P08-101 RESOLVED

THAT Council support the cancer Care Western NSW fundraising initiative.

MOVED: Councillor H K Fisher

SECONDED: Councillor B S Moran.

CARRIED

ITEM:4 GM - 02/09/08 - CIRCULARS TO COUNCIL FROM DEPARTMENT OF LOCAL GOVERNMENT

REFERENCE

NIL

SUMMARY

This report tables for the Council's information a number of circulars from the Department of Local Government.

COMMENTARY

Following is a summary of the circulars from the Department of Local Government. All circulars are attached.

Commencement of the Local Government and Planning Legislation Amendment (Political Donations) Act 2008.

This circular outlines the changes to the Local Government Act and Environmental Planning and Assessment Act to commence on 1 September 2008.

The changes required include:

Donations

- The General Manager is now required to keep a public register of all current donations and expenditure declarations lodged by councillors with the Election Funding Authority of NSW.
- Should the General Manager reasonably expect that a councillor has failed to comply with his or her obligation to disclose and manage a conflict of interests arising from a political donation, the general manager must refer the matter to the Director General.

Planning decisions

- The General Manager is required to record which councillors vote for and against each planning decision of the council, and make this information publicly available.
- To maintain the register, a division is to be called whenever a planning decision is put at a council or committee meeting, including meetings closed to the public.

Revised Ministerial Investment Order

This circular outlines a number of changes to the Order following the Review of NSW Local Government Investments. All of the recommendations in this report were adopted. The changes to the Order are listed in the circular. The Department is preparing guidelines aimed at assisting councils in developing a comprehensive investment policy.

Amendment to the Local Government Act 1993 – Rating of Land Partially Subject to a Conservation Agreement

This circular advises councils that the Threatened Species Conservation Amendment (Special provisions) Act 2008 was assented to on 1 July 2008. As a result s555(3) of the Local Government Act 1993 has been amended to provide for the continued proportional rating of lands that include a Conservation Agreement.

Mayor’s Role After Ordinary Election

This circular outlines the role of the mayor after General Elections. In effect, all councillors, other than the mayor, cease to hold office on the day of the ordinary election. The mayor holds the mayoral position until a successor is declared to be elected to the office.

POLICY IMPLICATIONS

The information in the circulars may require a number of policies to be amended including:

- Code of Meeting Practice
- Model Code of Conduct
- Investment Policy

FINANCIAL IMPLICATIONS

No specific financial implications have been identified at this time, however, the changes to the Investment Order may have an impact over time.

LEGAL IMPLICATIONS

A number of changes to various Acts are identified in the Circulars.

P08-102 RESOLVED

THAT the information contained in the Circulars to Councils from the Department of Local Government be noted.

MOVED: Councillor H K Fisher

SECONDED: Councillor A E Thompson.

CARRIED

REGIONAL SERVICES REPORTS

ITEM:5 REG - 02/09/09 - BLACK BRIDGE, WALLERAWANG

REPORT BY: OPERATIONS MANAGER – S. DARLINGTON

REFERENCE

QWN - 05/05/08 - Councillor BS Moran
Ordinary Meeting of Council - 19 November 2007 - Min:07-497

SUMMARY

This report is in response to a Question Without Notice from Cllr BS Moran requesting an update on the Black Bridge at Wallerawang

COMMENTARY

As reported to Council on 19 November 2007, following representations to the Roads and Traffic Authority (RTA), Council received a grant to investigate options for Lithgow City Council to progress planning and budgeting of a grade separated crossing of the rail line at or near the Black Bridge, Wallerawang.

This grant has allowed the preparation of a concept report for the construction of a vehicular and shared pedestrian/cycleway grade separated railway crossing. (A grade separated crossing is essentially an overhead bridge rather than a level crossing). The resultant document will provide sufficient information to bid for funding and include a background to the location and problems, traffic and crash history, proposed pedestrian facility, budget and timeline for completion of proposed works. After lengthy consultations with the rail authorities (ARTC) a preferred structure and alignment has been determined by Council's consultants. It will be recommended in the report that the new structure be located adjacent to the existing bridge and include a pedestrian/cycleway. The report is in its final stages of completion with cost estimates of the various options currently being finalised. Upon receipt, the document will be subject to a further report to Council with funding alternatives.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Funding of the structure will be subject to a further report to Council and for inclusion in future Management Plans

LEGAL IMPLICATIONS

Nil

P08-103 RESOLVED

THAT the report on the Black Bridge at Wallerawang be received.

MOVED: Councillor B S Moran

SECONDED: Councillor M M Collins.

CARRIED

**ITEM:6 REG - 02/09/08 - PORTLAND AND WALLERAWANG SEWERAGE
 UPGRADE OPTIONS**

REPORT BY: GROUP MANAGER REGIONAL SERVICES - ANDREW MUIR

REFERENCE

Policy and Strategy Committee Meeting of 05/08/2008

SUMMARY

This report advises Council on discussions with the Sydney Catchment Authority in relation to possible funding toward the transfer of sewerage from Wallerawang to an upgraded Sewerage Treatment Plant at Portland.

COMMENTARY

Council will recall its consideration of this matter at its Policy and Strategy Committee Meeting of 5 August 2008 where it resolved as follows.

THAT

1. Correspondence be forwarded to the Sydney Catchment Authority requesting funding for any shortfall not covered by Council and the Country Towns Water and Sewerage Scheme for the capital and operating costs of option C as outlined in this report due to the positive benefits to the Sydney Drinking Water Catchment and environs.
2. Should the Sydney Catchment Authority decline Council's request, then Option B be pursued with the design of an upgraded Wallerawang Sewerage Treatment Plant being finalised in 2008/2009.

A meeting was held with representatives of the Sydney Catchment Authority (SCA) and also the Department of Environment and Conservation who are another major stakeholder in the options and timeframes for the upgrade of sewerage schemes in the Lithgow Local Government Area. At the meeting the feasibility of the Sydney Catchment Authority contributing additional* funds toward the possible transfer of sewerage from Wallerawang to an upgraded Sewerage Treatment Plant at Portland was discussed (*The SCA is already committed to contributing toward the 'least cost' option under their accelerated scheme providing adequate progress is made before the end of the financial year)

Whilst formal confirmation is to be provided, it appears that there is no possibility of the SCA committing to the shortfall for the Wallerawang to Portland option. Therefore, it appears reasonable for Council to formally commit to proceed with two standalone plants at Wallerawang and Portland. This being the case, Council will need to formally decide to proceed with the option of two standalone plants at Wallerawang and Portland which would be in accordance with the timelines established through the management planning process having regard to the 5 year capital works program below.

Five Year Capital Works Program -Sewer					
Wallerawang Sewer					
Component	2008/2009	2009/2010	2010/2011	2011/2012	2012/2013
Treatment Works					
<i>Buildings</i>					
<i>System</i>					
<i>Design of Wallerawang STP</i>	289,573#				
<i>Wallerawang STP (Standalone)</i>		6,540,000.00			

As design works are well advanced on this option it is anticipated that progress beyond design can be achieved in the 2008/2009 financial year. This will assist in ensuring SCA funding is secured.

Five Year Capital Works Program -Sewer					
Portland Sewer					
Component	2008/2009	2009/2010	2010/2011	2011/2012	2012/2013
Treatment Works					
<i>Buildings</i>	-	-	-	-	-
<i>System</i>	-	-	-	-	-
<i>Design Portland STP</i>	-	-	300,000.00		
<i>Construct Portland STP (Standalone)</i>	-	-	-	6,855,000.00	-

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Council will recall the cost differential of the two final options were as follows:

Option	Capital Cost	Annual Cost	NPV (to 2031 at 7%)
Separate Schemes			
Wallerawang STP Augmentation	\$6,540,000	\$105,000 to \$148,000	
Portland STP Augmentation	\$6,855,000	\$105,000 to \$121,000	
Total	\$13,481,000	\$306,000 to \$325,000	\$14,806,000
Sewage Transfer to Portland			
Transfer System	\$9,964,000	\$57,000 to \$159,000	
Portland STP Augmentation	\$9,344,000	\$181,000 to \$232,000	
Total	\$19,308,000	\$237,000 to \$391,000	\$20,688,000

Funding of the least cost option up to approximately 40% is available through the Country Towns Water and Sewerage Scheme as are funds under the Sydney Catchment Authority's accelerated scheme. Whilst the final funding mix is complicated, Council will be responsible for around 55 – 60% of project costs if it chooses the least cost option.

LEGAL IMPLICATIONS

Under the terms of the relevant Environment Protection Licences both Wallerawang and Portland Sewerage Treatment Plants are to be upgraded by 30 June 2009. As these dates are unachievable, applications to vary the licenses have been lodged. The Department of Environment and Conservation (DECC) have been very reasonable in their understanding that the various options had to be investigated prior to Council proceeding. DECC have now indicated that the licence variation applications will be considered following formal resolution by Council to proceed with two standalone plants and indication of respective timetables.

P08-104 RESOLVED

THAT Council commit to the upgrade of two standalone Sewerage Treatment Plants at Wallerawang and Portland having regard to the timetables in the 5 year capital works program outlined in this report.

MOVED: Councillor B S Moran

SECONDED: Councillor M M Collins.

CARRIED

COMMUNITY AND CORPORATE SERVICES REPORTS

ITEM:7 COMM - 02/09/08 - RECOGNITION OF THE BRACEY FAMILY

REPORT FROM: GROUP MANAGER COMMUNITY AND CORPORATE – SUZANNE LOLLBACK

REFERENCE

Min P08-92: QWN, Councillor H K Fisher – Policy and Strategy Committee – 5 August 2008

SUMMARY

This report provides a response to a Question without Notice from Councillor Fisher at the Policy and Strategy Committee held on 5 August 2008 regarding recognition of the Bracey Family. Some suggestions for such recognition are contained in the report for consideration.

COMMENTARY

At the Policy and Strategy Committee Meeting of 5 August 2008, Councillor Fisher put the following Question without Notice:

Mr Mayor I refer to the recent closing of the Bracey's Store, could a report come back to Council in relation to considering recognition of a significant nature of the Bracey's family for their contributions and sponsorship of the local government area over many years.

In response the Mayor **RESOLVED** to have a report back to Council on this issue.

The Bracey Family are currently acknowledged in Lithgow with the naming of the Bracey Lookout. Formerly the lookout included a shelter which was affected by concrete cancer and was demolished after consultation with the Bracey family as part of an upgrade to the facility. A commemorative plaque that was on the shelter is in safe keeping and could be utilised at the lookout.

The lookout is now in a run-down state; however works are planned in the 2008/09 financial year from an allocation of \$80,000 for the Hassan Walls Reserve.

As part of the works the following works are planned:

- Re-gravelling of road and parking areas.
- Trees trimmed to restore the lookout over the town.
- Replacement of the safety fence.
- Provision of bench seating.

Some suggestions for consideration for further recognition of the Bracey Family include:

- The building of a significant shelter at Bracey's Lookout to restore the original concept
- The provision of a plaque and interpretation of the contribution of the Bracey Family at Bracey's Lookout

- The provision of interpretation at the former Bracey Family home (Wenvoe) in Ordnance Street (subject to approval with current owners) with the place being included on a heritage trail.
- A plaque, possibly in the pavement outside the former Bracey store in Main street
- Council discuss options for recognition in any redevelopment of the Bracey's store with the current owners
- Name a significant park, street, road or subdivision after the family.
- Present them with a memento such as a painting or other object inscribed with a plaque recognising the Bracey family's contribution.

It is recommended that the Council indicate to staff their preferred option. Further investigation could then be undertaken with information reported back to the Council for consideration.

It is also recommended that prior to further action being taken that the Bracey Family be contacted and asked whether they wish for such recognition to take place.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

It is recommended that the Council indicate to staff their preferred option and upper financial amount for recognition of the Bracey Family. Council staff could then investigate costs which could then be considered by the Council in the 2009/10 Management Plan.

LEGAL IMPLICATIONS

NIL

RECOMMENDATION

THAT the Council:

1. Indicates that is the preferred option for recognising the contribution to Lithgow by the Bracey Family.
2. Indicates that the upper financial amount be in the order of \$
3. Contact the Bracey Family and inform them that the Council is considering recognising their family in a significant way and seek their endorsement for the proposal.

P08-105 RESOLVED

THAT Council form a Committee to discuss the options with the Bracey Family, with a report to be brought back to Council.

MOVED: Councillor H K Fisher
CARRIED

SECONDED: Councillor M M Collins.

COMMITTEE MEETINGS

ITEM:8 **COMM - 02/09/08 -TOURISM ADVISORY COMMITTEE MEETING
MINUTES HELD ON 28TH JULY 2008**

COMMENTARY

This report contains the minutes of the Tourism Advisory Committee Meeting held on 28th July 2008.

The Tourism Advisory Committee held a meeting on the 28th July 2008 to discuss:

1. Tourism Trainee of the Year 2008.
2. Regional Flagship Event Funding - 2009.
3. Tourism Strategy
4. Promotions for Lithgow

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

RECOMMENDATION

THAT the minutes be noted.

P08-106 RESOLVED

THAT:

1. The Minutes be noted.
2. '*A letter of support regarding on-going financial commitment for the next 3 financial years to BMTL from Lithgow City Council be forwarded to BMTL*', be deferred until after the development of a Tourism Strategy

MOVED: Councillor M M Collins

SECONDED: Councillor H K Fisher.

CARRIED

QUESTIONS WITHOUT NOTICE

QWN - 02/09/08 - COUNCILLOR W MCANDREW

1. Mr Mayor are you aware of a story in the local paper regarding insurance claims from the explosion at Howard and Sons in December 2007? The story states that Workcover will not cover any of the insurance claims, which I believe to be untrue. Can Council please contact the Local Member seeking further investigations into this matter?

The Mayor declared this as urgent and the Council resolved:

P08-107 RESOLVED

THAT:

1. Council to arrange a meeting with the Local Member, Mr Gerard Martin MP to investigate where the claims are up to and as whether the report from Workcover can be accelerated;
2. Council to arrange a delegation with the Minister for Workcover to discuss this issue.

MOVED: Councillor W McAndrew

SECONDED: Councillor B S Moran.

CARRIED

2. Mr Mayor I refer to Councillor Thompson question in relation to the proposed aquatic centre and advise that I was of the opinion that the figures given were the updated figures. I thought that the figures were based on a special rate basis, is this correct?

The Mayor advised that this information would be taken on notice and further investigations made, with a report to be brought back to Council.

QWN - 02/09/08 - COUNCILLOR A E THOMPSON

1. Mr Mayor can I please have a report brought back on where the Clarence Transfer System is up to?

The Mayor deemed this as urgent and advised that a report will be brought back to Council.

2. Mr Mayor I refer to the proposed aquatic centre and ask where is Council up to in regards to the \$700,000 grant? Also I ask as to why, as a Council, did we vote on information with outdated estimated costs of the centre, the last estimates are from 2004? Can a report please be brought back on this?

The Mayor advised that Council Officers will investigate this issue further and a report will be brought back on this issue.

QWN - 02/09/08 - COUNCILLOR B S MORAN

1. Mr Mayor I refer to the questions raised in relation to the aquatic centre and ask if the grant money will be used for the costings?

The Mayor deemed this as urgent and advised that this will be looked into with a report to be brought back.

The meeting closed at 6.20pm