



LITHGOW CITY COUNCIL

AGENDA

ORDINARY MEETING OF COUNCIL

TO BE HELD AT

THE ADMINISTRATION CENTRE, LITHGOW

ON

19 JUNE 2006

AT 7.00pm

AGENDA

PRESENT

QUESTIONS FROM THE PUBLIC GALLERY

PRESENTATIONS - NIL

CONFIRMATION OF THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 15 MAY 2006

DECLARATION OF INTEREST

NOTICES OF MOTION - NIL

NOTICES OF RESCISSION - NIL

CORRESPONDENCE AND REPORTS

General Manager Reports
Environment And Planning Services Reports
Corporate Services Report

REPORTS FROM DELEGATES

Mayoral Minute

COMMITTEE MEETINGS

Tourism Advisory Committee

CLOSED REPORTS

QUESTIONS WITHOUT NOTICE

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GENERAL MANAGER REPORTS

ITEM: 1 EXEC - 19/06/06 - MEMORANDUM OF UNDERSTANDING - STRATEGIC ALLIANCE - LITHGOW, MID WESTERN REGIONAL AND OBERON COUNCIL

REFERENCE

Reported to the Finance and Services Committee Meeting of Council on the 5 June 2006.

SUMMARY

This report introduces the Memorandum of Understanding (MOU) between Lithgow, Mid Western Regional and Oberon Councils for the Strategic Alliance and recommends Council affix the Common Seal to the MOU.

COMMENTARY

Council will recall the previous report regarding the formulation of a Strategic Alliance between Lithgow City Council, Mid Western Regional Council and Oberon Council and the potential benefits for each organisation individually and the collective region.

The MOU has been drafted to enable it to act as a reporting tool, as well as providing an understanding and basis for the alliance to commence.

The signing of the MOU will illustrate Councils commitment to regional resource sharing and enable the process to be commenced whereby, as a region we can commence making some positive gains.

POLICY IMPLICATIONS

This report provides a MOU for the formation of a Strategic Alliance in accordance with previous recommendation of Council.

FINANCIAL IMPLICATIONS

The signing of the MOU has the potential to provide positive financial outcomes for Council.

LEGAL IMPLICATIONS

NIL

CONCLUSION

The MOU for the Strategic Alliance is the major step towards the three (3) Local Government areas creating a regional entity, whilst maintaining individual characters. The Alliance will enable the Councils to commence a process of working together for individual and regional benefits.

ATTACHMENTS

1. Memorandum of Understanding

RECOMMENDATION

THAT Council affix the common seal to the Memorandum Of Understanding (MOU) to create a Strategic Alliance between Lithgow City Council, Mid Western Regional Council and Oberon Council.

ENVIRONMENT & PLANNING SERVICES REPORTS

ITEM: 2 EPS - 19/06/06 - DRAFT MARRANGAROO LOCAL ENVIRONMENTAL STUDY AND STRUCTURE PLAN

REFERENCE

Planning, Policy and Development Committee

- 7/2/05
- 27/6/05
- 22/8/05
- 17/10/05
- 14/11/05
- 12/12/05

Policy and Strategy Committee

- 1/5/06
- 5/6/06

SUMMARY

This report seeks Council's resolution to publicly exhibit the Draft Marrangaroo Local Environmental Study and Structure Plan.

COMMENTARY

The Draft Marrangaroo Local Environmental Study (LES) and Structure Plan have been prepared and are provided for Council's consideration. The purpose of the Draft Marrangaroo LES and Structure Plan is to identify the highest and best use of the land in terms of its suitability and capability; the community's needs and expectations; environmental impact and the efficient and economic allocation of resources to service the land. The study area comprises approximately 1100 hectares and is illustrated in the plan below.



The Draft Marrangaroo LES investigates a range of factors necessary to inform the Structure Plan, which adopts the preferred land use option to provide the following:

- the preferred land uses and their location
- areas to be conserved and protected from future development
- key infrastructure needs and preliminary costs
- a staging plan
- urban design guidelines upon which subsequent development will be assessed.

As advised to Council's Policy and Strategy Committee meeting of 5 June 2006, a further meeting of the Marrangaroo Community Group was held on 7 June 2006. The Group provided their support for the final concept plan to be exhibited. Furthermore, a Councillor Workshop was held on 15 June 2006 to provide an overview of the draft Marrangaroo LES and Structure Plan.

Although there are no statutory procedures guiding this process, it is suggested that the Draft Marrangaroo LES and Structure Plan be publicly exhibited for a period of 28 days from Thursday 22 June 2006. It is proposed to notify the community and government authorities. In addition, an Open Day is proposed to be held at the Lithgow Golf Club early in the exhibition period.

POLICY IMPLICATIONS

The policy implications will depend upon the direction Council wishes to take following the completion of this project.

FINANCIAL IMPLICATIONS

Any costs associated with the exhibition will be funded from the budget for the project.

LEGAL IMPLICATIONS

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

ATTACHMENTS

1. A copy of the Draft Marrangaroo Local Environmental Study and Structure Plan is provided within Councillor Business Paper packages.

RECOMMENDATION

THAT the Draft Marrangaroo Local Environmental Study and Structure Plan be exhibited for 28 days from Thursday 22 June 2006.

ITEM:3 **EPS - 19/06/06 - COUNCIL ats CHARLES - TWEED ROAD - LAND AND ENVIRONMENT COURT PROCEEDINGS**

REFERENCE

DA 125/05.

SUMMARY

This report provides an overview of the Court appointed expert's report in the above proceedings and recommends action which, if adopted, will alter Council's position on the development proposal.

COMMENTARY

As the Council is aware a Court appointed expert, Mr Kerry Nash, has inspected the proposed development site and received verbal submissions from residents. Mr Nash has now completed his report which may be summarised as follows. These points should be read in conjunction with the hand written notes on the attached plans.

1. It recommends against the approval of Stage 3 of the proposal. (See Stage 3 plan attached indicating lots 301 to 308)
2. Changes are recommended to the configuration of lots within Stage 2 of the development, specifically the lots off road 3 and the provision of a pedestrian/cycle link at the northern cul-de-sac of road 2. (See Stage 2 Plan indicating pedestrian/cycleway link, required alterations to lots 202 and 203 to incorporate the pedestrian/cycleway link & provide an opportunity to locate a dwelling on lot 202 without having adverse impacts on an adjoining neighbour. It is also recommended that lots 216/217 & 218/219 be amalgamated into 2 lots)
3. The report largely accepts and supports the traffic assessment report provided by the applicant's consultant and reviewed by Council's Engineer. This traffic report, provided by Christopher Hallam & Associates, concludes that:

- i. The operation of the local street system, in particular Outer Crescent, will not be detrimentally impacted by the traffic generated by the proposed development as evidenced by a survey of existing traffic volumes and the projected increase in volumes arising from 38 additional dwellings.
- ii. The projected increase in traffic on Outer Crescent will not be such as to change the status of Outer Crescent as a Local Access Street under the South Bowenfels DCP.
- iii. The existing and proposed carriageway widths are satisfactory for a Local Access Street.

The report recommends the following works:

- Lot 233 become a pedestrian/cycleway linking road 2 to Tweed Road. (See Stage 2 plan)
- Introduce a 40km/hr speed limit on Outer Crescent from its northern intersection with Tweed Road and its southern intersection with Tweed Road and also consider extending this 40km/hr zone to Inner Crescent and Tangent Street west of Tweed Road.
- Construct a kerb blister at Tangent Street and Outer Crescent to 'tighten' up the intersection. (See Stage 2 plan)
- Alter the alignment of road 1 at its intersection with Outer Crescent to provide better sight distance. (See Stage 2 plan)
- Provide a series of traffic calming measures in Outer Crescent. (This suggestion assists in including design measures that make the 40 km/hr suggestion realistic without the need to rely on policing)
- Construct a concrete footpath along the western side of Outer Crescent.
- Construct concrete footpaths within the road reserve of Roads 1, 2 and 3. (See location of roads 1, 2 & 3 on the Stage 2 Plan)

(NB: Any constructed elements within or as a result of the proposal would need to be funded by the developer)

4. Whilst the Mr Nash's report considers the position of the resident objectors he concludes that stage 2 can proceed with acceptable impacts.

The choices available to Council as advised by its Solicitors are:

- a. To accept the report of Kerry Nash and invite the Applicant to make amendments in accordance with the report.
 - i. If the applicant then makes the amendments that are satisfactory to the Council, proceed to a consent orders hearing.
 - ii. If the applicant does not make the recommended changes, seek dismissal of the case by relying on the report of Kerry Nash.
- b. If Council does not accept the report of Kerry Nash and wishes to oppose the development new consultants will need to be retained and the leave of the Court sought to rely on these consultant witnesses to persuade the Court not to accept the opinion of Kerry Nash.

Should Council resolve to accept the report of Mr Nash and invite the applicant to make amendments then this will involve a change of its position as the outright refusal of the proposal would be conceded. However, given the non-approval of Stage 3 and a number of suggested alterations then a more satisfactory development than originally proposed will result and this is considered a reasonable outcome. Should Council concur with this course of action then there would be two further issues that would require some negotiation. Firstly, as Stage 3 is situated

partially in an Open Space Zone then the applicant, under the terms of the LEP, may require Council to acquire the land. Secondly, it is considered that the issues relating to No 32 Outer Crescent, which is to be isolated by a new access road, requires a design solution such as landscaping to ameliorate any impacts that have been raised by the property owner. The Court has allowed the matter to be stood over to allow Council to consider its position. Should the Council concur with the recommendation then it would be likely that a consent orders hearing would be held in Lithgow, however this can be reinforced by making such a request to allow resident input.

POLICY IMPLICATIONS

No specific policy implications arise out of this report but Council would be moving from a previously adopted resolution of refusal of the application which is possible give the process of the Land and Environment Court which becomes the consent authority.

FINANCIAL IMPLICATIONS

Should Council concur with the recommendation then a significant saving in legal and consultant's costs will be achieved.

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Executive Summary of report from KN Planning.
2. Stage 2 and Stage 3 layout plans.
3. A full copy of the report from KN Planning is supplied with Councillors Business Papers.

RECOMMENDATION

THAT:

1. The applicant be advised that Council is prepared to consider amendments to the proposal in line with the report of Kerry Nash providing the amendments also include an adequate design solution to protect the amenity of the property No 32 Outer Crescent and a solution to the open space land is provided, including its rehabilitation and embellishment, that does not require Council to acquire the land. Furthermore, the Court be requested to hold a consent orders hearing in Lithgow to allow the residents an opportunity to provide input.
2. Should the applicant make the amendments then the General Manager be delegated authority to negotiate on conditions of development consent to be included in any consent orders.
3. The residents who made submissions on the Development Application be advised.

CORPORATE SERVICES REPORTS

ITEM:4 CORP - 19/06/06 - RENEWAL LEASE TO OCTEC 162 MORT ST
LITHGOW

REFERENCE

Nil

SUMMARY

This report will seek Council approval to attach the Common Seal to a renewal lease for OCTEC 162 Mort St Lithgow, Lot 25 Sec 1 DP 2308 from 1 July 2006 to 31 December 2007.

COMMENTARY

OCTEC has advised of their wish to renew the current lease held on Council owned premises 162 Mort St Lithgow, for the purpose of an employment agency.

OCTEC advise:

"The option for extending the lease was meant to be taken up by the end of March 2006. Due to the uncertainty of our ongoing business levels at the time and due to an oversight in terms of that cut off date, we have not yet advised of our intention to extend the lease.

We are now in a position to formally request an extension of the lease for a further 18 months. We would appreciate your early advice as to whether this request is acceptable to Council.

We would also like to take this opportunity to advise you of our intention to sub let two or three offices for the duration of the lease extension."

PROPOSED DETAILS OF THE LEASE:

- Commencing Date: 1 July 2006
- Terminating Date: 31 December 2007
- Annual Rental: \$18,546.00 (GST Exc) \$1,545.50 per month
- Renewal Lease: Subject to CPI increase from 1 July 2006
- Sub lease of offices: Sub lease of 2 or 3 offices (subject to prior Council approval of tenant)
- Max term under lease: 18 months
- Property manager: L J Hooker

Policy Implications

Nil

Financial Implications

Rental income of \$18,546.00 (GST Exc) per annum.

Legal Implications

Nil

ATTACHMENTS

Nil

RECOMMENDATION

THAT Council affix the Common Seal to a renewal lease to OTEC Incorporated, 162 Mort St Lithgow. The renewal lease will be on the same terms as the existing lease, covering the period 1 July 2006 to 31 December 2007. A CPI increase will be effective from 1 July 2006 and the lessee will be requested to seek Council approval prior to the sub letting of offices.

**ITEM:5 CORP - 19/06/06 - GOODS & SERVICES TAX CERTIFICATE 1 JULY
2005 TO 30 APRIL 2006**

REFERENCE

Nil

SUMMARY

To provide authorisation to the Mayor, Deputy Mayor, General Manager and the Responsible Accounting Officer to sign the 'Goods and Services Tax Certificate' for the period 1 July 2005 to 30 April 2006.

COMMENTARY

For the 2005/06 financial year the Department of Local Government has changed the requirements for GST compliance.

It is no longer mandatory for Councils to have their auditors undertake a review of the GST system but Council is required to lodge a certificate of confirmation with the Department in the place of the audit review report.

This request allows the Commonwealth Commissioner of Taxation to make a determination concerning the amount of GST collected in the financial year in question. Accordingly, local governing bodies are requested to provide the DLG with this advice before 1 June each year who in turn provide advice to the NSW Treasury for confirmation with the Commonwealth Commissioner of Taxation.

The Goods and Service Tax Certificate must be signed from a resolution of Council and states:

To assist compliance with Section 114 of the Commonwealth Constitution, we specify that:

- *Voluntary GST has been paid by Lithgow City Council for the period 1 July 2005 to 30 April 2006*
- *Adequate management arrangements and internal controls were in place to enable the Council to adequately account for its GST liabilities and Recoup all GST input tax credits eligible to be claimed.*
- *No GST non - compliance events by the Council were identified by or raised with the Australia Taxation Office*

Council has claimed refund of the following GST amounts in the required period:

MONTH	GST REFUNDS
2005	
July	127,173
August	153,704
Sept	88,024
October	65,247
November	102,095
December	99,547
2006	
January	62,700
February	69,952
March	230,266
April	59,249

As previously report to Council the Australian Taxation Office completed a GST audit of Council records in 2005. The audit covered the financial periods from the inception of GST 1 July 2000 to 31 January 2005.

The audit extensively covered the following risk areas:

- Implementation Activities
- Management of Transitional Issues
- Risk Identification and Mitigation
- Internal control relating to computer system (including QA activities)
- Decision Making - Supplies (eg sales, Division 81 Fees and Charges)
- Contracts Management
- BAS Preparation - in depth on the October 2004 BAS
- Training and Succession Planning
- Grant Providers (Grant paid to other entities)
- Grants Received
- Recipient Created Tax Invoices - supplies and acquisition tother than grants
- Acquisitions
- Tax Invoice Integrity - Supplier and Recipient
- Disposal and acquisition of assets
- Related Party Transactions
- Record keeping and Tax Invoice Management

No problems arose during the audit and minor suggestions have been internally implemented since that time.

Policy Implications

Nil

Financial Implications

Nil

Legal Implications

Nil

ATTACHMENTS

1. Goods and Services Tax Certificate

RECOMMENDATION

THAT the information be received and Council authorise the Mayor, Deputy Mayor, General Manager and the Responsible Accounting Officer to sign the Goods and Services Tax Certificate for the period 1 July 2005 to 30 April 2006.

ITEM:6 CORP - 19/06/06 - PROPOSED 2006/07 RENUMERATION FOR COUNCILLORS & MAYOR

REFERENCE

Nil

SUMMARY

To advise Council of the 2006/07 report handed down by the Local Government Remuneration Tribunal with regard to the setting of fees payable to Councillors and the Mayor

REPORT

The tribunal sets the range of fees for all Councillors and Mayors in NSW each year. In determining the increase to the range of fees the tribunal invites submissions from Councils and the Local Government & Shires Associations of NSW.

Having regard to key economic data and the views of the assessors the tribunal determined that an increase of 4% in fees for Councillors and Mayors is appropriate. The increase is effective on and from the 1 July 2006.

The tribunal also considered the categorisation of all Councils. It was considered that Category 4 Councils, of which Lithgow is one, and Category 5 Councils were virtually identical and it was determined to remove all Category 5 Councils and combine with those in Category 4.

The following is the determination for Category 4 Councils for the 2006/07 financial year:

CATEGORY 4	Min	Max	Current 05/06
Councillors Annual Fee	6,355	8,380	5,875
Mayor	6,750	18,300	15,350
TOTAL	13,105	26,680	21,225

RECOMMENDATION

THAT Council determine the level of remuneration for the Councillors and Mayor for the 2006/07 financial year.

ITEM:7 CORP - 19/06/06 - AUTHORISATION OF SIGNATORIES FOR COUNCILS BANKING ACTIVITIES

REFERENCE

Nil

SUMMARY

To request Council authorisation for nominated Councillors and Council Officers to act as signatories for Council's banking and investment activities.

COMMENTARY

Following Council's current restructure it is appropriate for Council to authorise appropriate signatories to operate daily banking and investment activities. Previously nominated officers will be deleted and the nominated officers will need to satisfy individual banks own requirements with regard to identification. Two signatories are required at any given time.

OFFICER	POSITION HELD
Paul ANDERSON	General Manager
Kathy WOOLLEY	Group Manager Community & Corporate
Carol FARNSWORTH	Acting Manager Internal Services

Policy Implications

Nomination of Council banking signatories

Financial Implications

Nil

Legal Implications

Nil

ATTACHMENTS

Nil

RECOMMENDATION

THAT the Council authorise the General Manager, Group Manager Community & Corporate and Acting Manager Internal Services.

**ITEM:8 CORP - 19/06/06 - ACCESS DEED CIRRUS COMMUNICATIONS
 HASSANS WALLS TELECOMMUNICATIONS TOWER**

REFERENCE

Nil

SUMMARY

This report will seek Council approval to attach the Common Seal to an Access Deed with Cirrus Communications Pty Ltd for a telecommunications attachment on the tower at Hassans Walls Reserve.

COMMENTARY

Over recent months Council has negotiated an agreement with Cirrus Communications to provide broadband to the Hartley area. An Access Deed has been entered into which allows Cirrus to attach to the Hassans Walls Reserve, telecommunications tower, Site No S1710 from 17 April 2006.

The site administration fee has been determined under the IPART agreement less 30% per annum.

Council acknowledges that some structures on the site are owned by the State Government, NSW Police Service and should access be sought to this structure negotiation will need to be made directly with them.

Policy Implications

Nil

Financial Implications

Site Administration fee as agreed under the IPART agreement less 30% per annum which will be held as an internally restricted asset for future improvements to the Hassans Walls Reserve.

Legal Implications

Nil

ATTACHMENTS

Nil

RECOMMENDATION

THAT:

1. Council affix the Common Seal to an Access Deed with Cirrus Communications to attach to the Hassans Walls Reserve telecommunications tower. Site no S1710.
2. Income received from the sub lease to be internally restricted for the purpose of upgrades to Hassans Walls Reserve whilst Council is the reserve Trust Manager

ITEM:9 CORP - 2006/09 MANAGEMENT PLAN ADOPTION

REFERENCE

Min 06-135: 01 May 2006 Resolution to exhibit 2006/09 Management Plan

SUMMARY

To advise Council of submissions received following the Community Consultation period of the draft document which closed on 31 May 2006

REPORT

The Draft 2006-09 Management Plan was placed on public exhibition from 1 May 2006 to 31 May 2006 and the following submissions have been received.

Attachments are provided where appropriate:

1. Residents Blackman's Flat

- a) Recreation: Imbalance in funding for active recreation vs passive recreation, cultural and other activities.
- b) Improved monitoring and effective warning system for water pollution and blue - green algae in the waterways.
- c) Concern on how few targets and KPI's for Environmental Management
- d) Funding for Blackman's Waste Disposal Facility should be reallocated to such projects as a Waste Minimisation Strategy to extend the life
- e) to address illegal dumping etc
- f) Wastewater: Targets and KPI's to implement quicker repairs.
- g) Emergency Services: more proactive rather than reactive fire management
- h) Bush Fire Mitigation: more proactive rather than reactive fire management
- i) Tourism: targets & KPI's to attract historical, cultural, eco tourism, nature based and adventure based Tourism in the local area.
- j) Transport: Council not to consider narrow streets and cul de sacs in new subdivisions.

- k) Finance: Sustainable options for maintaining our quality of life through economic development and public private partnerships.
- l) Geographical Information Systems: Link with GIS system to UMCC
- m) Customer Service: Only minor mention in Corporate Values, Mission Statement
- n) Co operative Arrangements/ Cost Sharing/ Networking with other LGA's
- o) Benchmarking Survey
- p) Stormwater Levy: Opposed to stormwater levy believing Council is penalising ratepayers for poor mining and industrial practices of the past.
- q) Query Council's decision on 1 May 2006 regarding GoS2 highlight the conflicts of interest of a number of Councillors have with regard to mining and power generations
- r) Road and Rail Entry Corridors: Higher levels of maintenance and beautification of RTA and State Rail land
- s) Farmers Creek Recovery Project: Demonstration that Farmers Creek is a valuable asset worth protecting and enhancing
- t) Waterworks Gully as a conservation and recreation area.
- u) Marjorie Jackson Soccer Fields: Windbreak
- v) Lake Pillans: Attention to
- w) Marrangaroo LEP: Community perception that Marrangaroo will become industrial
- x) Black Bridge Wallerawang: Source materials from another Government Department
- y) Adopt Wollemi Pine and Platypus as LCC Flora and Fauna Emblems
- z) BBQs for Lithgow Township: Currently there are no public BBQs

Many of these issues will be resolved with a new management plan format, which will identify KPI's and performance targets

RECOMMENDATION: Acknowledged
NET EFFECT: Nil

2. Lithgow Family Support Service

Late submission for financial support of \$3,000 from the Lithgow Family Support Service for the Homework Centre at Bowenfels. This request should be allocated from Sec 356 donations.

RECOMMENDATION: Included by funding from Sec 356 Donations. Nil effect on the bottom line.
NET EFFECT: \$3,000

3. Glen Davis Community Association

Concern expressed on distribution of road funding and suggestion to seal Glen Davis Rd from Roads to Recovery funding. Phone call on 5 June 2006 also requested a meeting at Glen Davis with Councillors.

RECOMMENDATION: Acknowledged
NET EFFECT: Nil

4. Lithgow Oberon Landcare Association

- a) Bushland Management Officer to be responsible for working with community volunteers and group, assist in management of grant funds
- b) Biodiversity Strategy for the Lithgow LGA
- c) Local Government Advisory Group: Bushland / Grants Officer

RECOMMENDATION: Acknowledged
NET EFFECT: Nil

5. Lithgow Youth Council

Concern that Youth Council funding for the financial years 2006-09 is cut by 50% from \$2,000 to \$1,000

RECOMMENDATION: For determination
NET EFFECT: \$1,000

6. Resident of Glen Alice

- a) No provision for road improvements between Capertee and Rylstone
- b) No mention of Enhancing our natural and built environment in the Capertee Valley
- c) No upgrade of telecommunications to the Capertee Valley eg broadband
- d) No effective public transport in or out of the Capertee Valley

RECOMMENDATION: Acknowledged to be considered for future plans
NET EFFECT: Nil

7. Lake Lyell Caretaker / Manager

The Lake Lyell caretaker has made submissions in relation to three issues pertaining to viability of caretaker functions. The first request is that the boat ramp be extended to coincide with the minimum operating level of the lake which he asserts is a requirement in the contract between his company and Council. These works, if approved, have been estimated to cost \$30,000 and may be undertaken by Council staff.

The caretaker also requests the continuation of a subsidy arrangement that terminates this financial year and is seeking an additional \$20,000 subsidy each year until the expiration of the contract in 2008. It should be noted that this is not in the current contract.

Finally, the Caretaker has requested an amount of \$30,000 to carry out general improvements to the recreation area. Mr Browning has requested the opportunity to address Council on these matters prior to the adoption of the management plan.

It is recommended the funding of the boat ramp extension appears to be reasonable and will be suggested for final adoption. Funding may be sourced from Sec 94 income. The Council will need to determine the other requests on their merits.

RECOMMENDATION: Partial acknowledgement by the way of inclusion of the extension to the boat ramp of \$30,000 to be funded from Sec 94 income
NET EFFECT: Nil

8. Gorrie Ban

Late submission for financial support to install a split system air conditioner at Fatima Hall Lithgow. Request for a third of the funding of \$15,000 ie \$5,500

RECOMMENDATION: For determination, as not a Council facility and if to be funded would need to be allocated from Sec 356 funding. This would not impact on the bottom line of the budget
NET EFFECT: \$5,500 from Sec 356 funds

9. Jack & Jill Preschool

Submission for 'in kind' support for the installation of playground equipment.

RECOMMENDATION: Acknowledged
NET EFFECT: Nil (Resources provided in original recurrent budget)

10. Waste Estimate: Review

- a) Closure Plan Lithgow: Original quote of \$105,000 estimate received \$41,655
Nett Effect: Decrease of expenditure by \$63,345
- b) Closure Angus Place: Originally planned for 2006/07 now to be undertaken 2007/08
Nett Effect: Decrease of expenditure 06/07 \$15,000 increase 07/08 \$15,000
- c) Wallerawang Groundwater Monitoring: (Recurrent Budget) Original quote of \$23,500 estimate received \$20,000
Nett Effect: Decrease of expenditure by \$3,500

RECOMMENDATION: Acknowledge: Nil effect on Waste Fund. Decrease in expenditure will be adjusted by the waste reserve.

NET EFFECT: Nil

11. Wastewater Estimate: Review

- a) Additional recurrent and non recurrent requirements within the Wastewater Fund

A review has been undertaken of all sewerage related activities. This review indicated a number of necessary works in relation to infrastructure maintenance, environmental protection, occupational health & safety, development consent compliance, operational efficiency, operation of new plant and sound forward planning. A summary of these items is as follows:

Item	Details	Budget	Amount
Step Screen	Inlet works STP – requires replacement	Capital	\$10,000
Sedimentation Tank Repairs	Replace Bearing & Rusted Walkway	Capital	\$10,000
Equipment Shed	Storage of Equipment & Materials security and after hours callouts	Capital	\$25,000
Telemetry Upgrade Ongoing Program	To ensure prompt response & prevent pollution incidents	Capital	\$60,000
Odour Management Plan	Stage 1 STP upgrade consent condition	Non - Recurrent	\$10,000
New Position – Vacuum Tanker Driver	New Tanker requires driver (income possibilities – septic & grease trap pump out)	Recurrent	\$90,980
Feasibility Study - Treated Effluent to Golf Course	If feasible, this would follow next Stage of STP upgrade to utilise high quality treated effluent rather than valuable potable water	Non - Recurrent	\$20,000
Total impact on sewer fund			\$225,980

Works need to be effected. Impact on Reserve for capital works is \$105,000 and impact to operating revenue for recurrent and non recurrent \$120,980. This additional recurrent and non recurrent funding can be managed but the reserve for the Wastewater Fund.

RECOMMENDATION: Acknowledge: Nil effect on Wastewater Fund. Decrease in expenditure will be adjusted by the wastewater reserve.

NET EFFECT: Nil

12. Fees & Charges: Review (Env)

Inclusion of the following fees & charges

DESCRIPTION	UNIT	GST	FEE
Hoarding Approval - Footway	Per lineal metre per month (min one mth)	No	20.00
	Application fee	No	100.00
Hoarding Approval - Roadway	Per lineal metre per month (min one mth)	No	30.00
	Application fee	No	100.00
Septic Tank Desludging only	Per	Yes	200.00
Septic Tank Commercial pump out up to 3,100 litres	Per	Yes	200.00
"	Per litre	Yes	0.10
Septic Tank Domestic pump out up to 3,100 litres	Per	Yes	200.00
"	Per litre	Yes	0.05
Chemical Toilet pump out	Per	Yes	50.00
Greasetrap Commercial pump out up to 1,000 litres	Per	Yes	200.00
"	Per litre	Yes	0.10

RECOMMENDATION: Inclusion in 2006/07 Fees & Charges
 NET EFFECT: Additional income \$12,000

Public Consultation

Advertising of the Draft 2006-09 Management Plan has taken place in the local media for 28 days it has been publicly available at Council's Administration Centre, Lithgow, Wallerawang and Portland libraries and on Council's official website.

In conjunction with the display of the draft Council conducted a series of 'Workshops' which involved a Management Plan presentation, question and answer sessions with Councillors and Council officers present and feedback from the community as what they envisage for future plans. A summary of the feedback received from the workshops at Lithgow, Portland, Wallerawang and Rydal are detailed below:

- Kerb & Guttering Lidsdale
- Heated 50m indoor pool
- Walkway from the Portland Golf Club to John Mackie Drive (6km circuit)
- Property development in the Pottery Estate
- Improvements to SES occupied premises in Silcock St, notably lack of garage space, office space and the kitchen is dysfunctional
- SES vehicle approx \$35,000
- Purpose of stormwater levy
- Contracting of Council machinery
- RFS – what controls does Council have over RFS work
- Road works Dark Corner is the value \$1.2M?
- Gravel roads – review of program of works
- Potholes – different skills and work practices.
- Member of the public will send map of area where drainage needs to be reviewed.
- Concept of an aquatic centre

- Rydal tip cleaning.
- Drainage in Rydal needs to be addressed

All items are noted and will be considered with the development of Council's future management planning and strategic capital budgets and infrastructure renewal programs.

Budget & Financial Aspects

Final adoption of 2006/09 Management Plan estimating a deficit in General Fund of \$365,441 with the inclusion of the Special Rate if approved by the DLG and a deficit of \$416,441 if the Special Rate variation is declined. A balanced budget is projected in Water, Wastewater and Waste Funds.

ATTACHMENTS

1. Submissions received during exhibition period
2. Rate Model 2 with Special Rate
3. Rate Model 2 without Special Rate

RECOMMENDATION

THAT:

1. Council adopt the 2006/09 Management Plan estimating a deficit in General Fund of \$365,441 with the inclusion of the Special Rate if approved by the DLG and a deficit of \$416,441 if the Special Rate variation is declined. A balanced budget is projected in Water, Wastewater and Waste Funds. This alteration to the Draft Management plan notes the following submissions received.

Submissions:

Item 7) Lake Lyell boat Ramp \$30,000 to be funded from Sec 94
Item 9) Works 'in kind' to be offset by Council recurrent estimates
Item 10) Decrease in the draft Waste fund adjusted by the Waste Reserve \$81,845
Item 11) Increase in the draft Wastewater fund to adjust the Wastewater Reserve \$225,980
Item 12) Fees & charges to be adjusted to include proposed fees noting additional income of \$12,000 to General Fund

2006/2007 Revenue & Rating Policy:

1) Increase the 2006/7 rate levies by 3.6% rate pegging and 5.27% shortfall both pre approved by the Department of Local Government to provide rate income of \$8,646,778.00

2) Await further advice from the DLG with regard to the special rate application of 0.63%. If approved it is noted the income raised will be \$51,000 and increase the rate levy to \$8,697,777.93

a) Council adopt rate Model 2, as attached, for the 2006/07 financial year which will provide the following rate income:

Special Rate of 0.63%

Residential	60.8%	\$5,286,819.79
Farmland	15.2%	\$1,320,343.57
Business	15.0%	\$1,306,083.36
Coal Mines	9.0%	\$ 784,531.22

TOTAL \$8,697,777.93

Without Special Rate

Residential	60.8%	\$5,255,632.44
Farmland	15.2%	\$1,312,930.14
Business	15.0%	\$1,298,561.71
Coal Mines	9.0%	\$ 779,653.71

TOTAL \$8,646,778.00

b) Council adopt the Wastewater, Tradewaste, Water, Waste and Parking charges as follows.

2006/2007 WATER, WASTEWATER, TRADE WASTE & WASTE

RESIDENTIAL

Water

Access Charge:

Infrastructure charge on rate notice \$206.00

Usage Charge:

0-500kl	0.85/kl
500kl +	1.60/kl

Sewerage

Access Charge:

Infrastructure charge on rate notice \$270.00

Usage Charge:

Residential on Sewer account \$113.50

BUSINESS

Water

Access Charge:

Infrastructure charge on rate notice

Business on size of meter

20mm	\$510.00
50mm	\$680.00
100mm	\$772.50
200mm	\$1,545.00

Usage Charge:

0-500kl	0.85/kl
500kl +	1.60/kl

Sewerage

Access Charge:

Infrastructure charge on rate notice

Business on size of meter

20mm	\$510.00
50mm	\$680.00
100mm	\$772.50
200mm	\$1,545.00

Sewerage Usage Charge:

Business on % of ingoing water depending on business type
 eg 95% is regarded as outgoing sewerage 0.98c /kl

Trade Waste: As defined by category of business

Annual Fee Category 1	\$128.00.
Annual Fee Category 2	\$190.00.
Annual Fee Category 3 non food	\$348.00.
Annual Fee Category 3 – food	\$348.00.
Usage Cat 2 with approved treatment	\$1.20/kl
Usage Cat 2 without approved treatment	\$11.00/kl

Waste

Residential / service	\$238.00
Residential 2nd	\$238.00
Non rateable	\$238.00
Business /service	\$252.00
Base – unoccupied	\$ 88.00
Base – Rural	\$ 54.00

Parking unchanged from 06/07
 Storm water residential \$25.00 per property
 Business \$25.00 per 350sqm
 Strata unit \$12.50

Fees & Charges 2006/07

Council adopt the fees and charges for 2006/07 exhibited in the draft with the inclusion of:

DESCRIPTION	UNIT	GST	FEE
Hoarding Approval - Footway	Per lineal metre per month (min one mth)	No	20.00
	Application fee	No	100.00
Hoarding Approval - Roadway	Per lineal metre per month (min one mth)	No	30.00
	Application fee	No	100.00
Septic Tank Desludging only	Per	Yes	200.00
Septic Tank Commercial pump out up to 3,100 litres	Per	Yes	200.00
"	Per litre	Yes	0.10
Septic Tank Domestic pump out up to 3,100 litres	Per	Yes	200.00
"	Per litre	Yes	0.05
Chemical Toilet pump out	Per	Yes	50.00
Greasetrap Commercial pump out up to 1,000 litres	Per	Yes	200.00
"	Per litre	Yes	0.10

REPORTS FROM DELEGATES / CLOSED REPORTS

ITEM:10 DELE - 19/06/06 - CONFIDENTIAL - GENERAL MANAGER
PERFORMANCE AGREEMENT

Reason for Confidentiality

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

- (d) commercial information of a confidential nature that would if disclosed:
 - (i) prejudice the commercial position of the person who supplied it

REFERENCE

NIL

SUMMARY

This report will provide Council with an update of the recent mid term review carried out with the General Manager.

RECOMMENDATION

THAT Council consider this report in the Closed Council pursuant to the provision of Section 10A (2) (d)(i) of the Local Government Act 1993.

COMMITTEE MEETINGS

ITEM:11 MINUTES OF THE LITHGOW TOURSIM ADVISORY COMMITTEE MEETING HELD ON 22 MAY 2006

REFERENCE

NIL

SUMMARY

This report outlines the issues raised and resolved at the Lithgow Tourism Advisory Committee Meeting held on 22 May 2006.

COMMENTARY

MINUTES

Present: Ms J Rayner, Mr & Mrs B Upton, Mr R Hamment, Mr B Hustwaite, Mr D Whitty, Mr G Johnston,

Apologies: Cr M Collins, Mrs K Fryer, Mr J Eggenhuizen, Mr M Wells, Mr M Pascoe

Declaration of Interests: Nil

ITEM: 1 CONFIRMATION OF MINUTES

Minutes of the meeting of the 13th March 2006 be taken as read and confirmed.

RECOMMENDATION

THAT the Minutes of the meeting of the 13th March 2006 be taken as read and confirmed.

MOVED: Mr B Hustwaite **SECONDED:** Mr R Hamment

ITEM: 2 VIC VISITATION & COMMISSION REPORT

SUMMARY

Visitation and commissionable bookings taken at the Lithgow Visitor Information Centre.

COMMENTARY

Visitation statistics for the 2005/06 period for door statistics at the Lithgow Visitor Information Centre are as follows:

Month	2004/05	2005/06
Jul	2995	3181
Aug	2741	2846
Sept	2085	2948
Oct	3854	4132
Nov	3258	3701
Dec	3755	3557
Jan	4241	4310
Feb	3254	4310
Mar	3795	3952
Apr	4661	5365
May	3136	0
June	3059	0
Total Visitation	40834	36845

Total commissionable bookings at the Lithgow Visitor Information Centre from July 2005 to April 2006 are as follows:

Month	Total Price for Accommodation	Total Commission	No. of Visitor Nights	Employee attaining most Bookings	Total no. of bookings for the month	VIC Total monthly visitation	Booking % to Visitation
Jul-05	\$ 1,923.00	\$ 190.16	17	Jodie	13	3181	4.09%
Aug-05	\$ 90.00	\$ 8.18	1	Simon	1	2846	0.35%
Sep-05	\$ 930.00	\$ 99.00	4	Heidi	2	2948	0.68%
Oct-05	\$ 125.00	\$ 11.37	2	Heidi	2	4132	0.48%
Nov-05	\$ 697.00	\$ 68.93	9	Jodie	4	3701	1.08%
Dec-05	\$ -	\$ -	0	-	0	3557	0.00%
Jan-06	\$ 1,590.00	\$ 158.99	32	Jodie	2	4310	0.46%
Feb-06	\$ 2,211.00	\$ 220.49	24	Simon	15	2853	5.26%
Mar-06	\$ 1,446.00	\$ 144.30	\$15.00	Beverley	13	3952	3.29%
Apr-06	\$2,419.55	\$242.40	21	Beverley	16	5365	2.98%
May-06							
Jun-06							
	\$ 11,431.55	\$ 1,143.82	125		68	36845	

RECOMMENDATION

MOVED: THAT the information be received
Mr R Hamment **SECONDED:** Mr D Whitty

ITEM: 3 BMTL REPORT – MR M WELLS

SUMMARY

Report on the operations at BMTL

COMMENTRY

Visitation Statistics from BMTL Research

Please find attached information on visitation to the Blue Mountains region. This report has been generated by BMTL.

Appointment of Office Bearer Position on the BMTL Board

Following the resignation of Ms B Johnson on the BMTL Board, Mrs R Fisher has been appointed as the new BMTL Chair. Mr G Luscombe has also been appointed to the position of Finance Officer and Secretary.

Marketing Manager Appointment

Following an intensive interview process, Blue Mountains Tourism is pleased to announce that Paul Cosgrave has been appointed as Marketing Manager within the BMCC Tourism Branch.

The Tourism Branch is contracted to undertake Secretariat & Marketing initiatives for and on behalf of Blue Mountains Tourism Limited. Paul will drive development of the Marketing Plan for Blue Mountains Tourism Limited. He brings a range of skills to the position. Paul worked in the commercial broadcasting industry for fifteen years as a broadcast producer, presenter and recording engineer. He also has a journalism background and is a past winner of the Best Commercial Radio Documentary of the Year Award.

His corporate experience in PR, Community Relations and Local Government has been acquired in the private and public sectors and he has run his own successful Blackheath-based business as a photographer and writer since moving to the Blue Mountains in 2000. He is also a qualified mediator with significant experience in the resolution of sensitive corporate issues. A member of Biznet, the Regional Chamber of Commerce for the Blue Mountains, Lithgow and Oberon, Paul stepped into the Biznet Presidency twelve months ago and has now relinquished that role to focus fully on his new responsibilities marketing the region.

RECOMMENDATION

THAT:

1. the information be received
2. Mr P Cosgrave be invited to the next meeting of the TAC

MOVED: Mr B Hustwaite **SECONDED:** Mrs D Upton

ITEM: 4 COMMISSIONABLE BOOKINGS POLICY

SUMMARY

Attached is information on the Lithgow Visitor Information Centre Accommodation Commissions Policy.

COMMENTRY

At the last meeting of the Lithgow Tourism Advisory Committee, the Commissionable Bookings Policy was requested to be forwarded to the Committee.

Attached is a copy of the Commissionable Bookings Policy which has also been forwarded to appropriate member operators.

RECOMMENDATION

THAT Commission Policy is again submitted to Council to be scrutinised to ensure that it meets Council's guidelines and policies

MOVED: Mrs D Upton **SECONDED:** Mr D Whitty

ITEM: 5 IRONFEST

SUMMARY

Mr M Ross will be in attendance to discuss the success of Ironfest 2006.

COMMENTRY

Mr M Ross presented the attached report on the success of Ironfest 2006. Visitation to Ironfest has considerably risen from 2005, with many positive comments generated from visitors. PR releases resulted in a variety of positive advertising, particularly in the Sydney Morning Herald. Ironfest will be seeking sponsors for 2007 event.

RECOMMENDATION

THAT the information be received

MOVED: Mr B Hustwaite **SECONDED:** Mr R Hamment

ITEM: 6 SIGNAGE PLAN TARGET TEAM

SUMMARY

Progression in relation to the draft promotional signage plan

COMMENTRY

The Signage Team engaged to progress the draft promotional signage plan held there first meeting in April 2006.

RECOMMENDATION

THAT:

1. the information be received
2. recommendations of the minutes be progressed
3. Issue of Tourist drives to be addressed within the documentation

MOVED: Mr B Hustwaite **SECONDED:** Mr G Johnston

ITEM: 7 LITHGOW BUSINESS AWARDS

SUMMARY

Information on the 2006 Lithgow Business Awards

COMMENTRY

Information has been received from the Lithgow Business Association regarding the 2006 Lithgow Business Awards.

Nominations for awards close on the 26th May 2006, with the “Gala Awards Evening” with the announcement of category winners on 26th August, 2006.

RECOMMENDATION

MOVED: **THAT** information be received
 Mr R Hamment **SECONDED:** Mr B Hustwaite

ITEM: 8 TOURISM MANAGERS EXCHANGE

SUMMARY

Report on the Tourism Mangers Exchange held on 29th March, 2006

COMMENTRY

The annual Tourism Managers Exchange was held at Penrith City Council on 29th March, 2006.

The Exchange highlighted the strategic direction that Tourism NSW will be following as outlined in the Tourism Masterplan. The forum provided the opportunity to meet with and network with the representatives from Tourism NSW.

Tourism NSW highlighted both domestic and international figures to Australia, forecasting visitation patterns. Statistical information can be found on the Tourism NSW Corporate website.

One of the major issues discussed on the day was the Sydney visitor Information Centre not placing regional marketing collateral in the Centres located at the Rocks and the Airport. This issue is to be further investigated, with a report on this issue to be provided by Mrs K Fryer..

RECOMMENDATION

THAT:
 1. the information be received
 2. Further information on the VIC’s at the Rocks and the airport to be provided by Mrs K Fryer
MOVED: Mr B Hustwaite **SECONDED:** Mrs D Upton

ITEM: 9 ACCOMMODATION SECTOR MEETING MINUTES

SUMMARY

Accommodation Sector Meeting Minutes

RECOMMENDATION

THAT:

1. the information be received
2. recommendations of the minutes be progressed

MOVED: Mr B Hustwaite **SECONDED:** Mr D Whitty

ITEM: 10 LITHGOW /HAWKESBURY PARTNERSHIP

SUMMARY

The Lithgow and Hawkesbury Councils are endeavouring to participate in some collaborative marketing to raise the profile of both regions

COMMENTRY

As an integral component of the Lithgow/Hawkesbury project, both Councils are currently considering the installation of flagpoles that also incorporates The Botanists Way marketing, to highlight the Bell's Line of Road.

The Botanists Way Project is expected to be officially opened in early June 2006.

RECOMMENDATION

THAT the information be received.

MOVED: Mr B Hustwaite **SECONDED:** Mr R Hamment

ITEM: 11 WHAT'S IN YOUR BACKYARD PROMOTIONAL CAMPAIGN – VFR MARKET

SUMMARY

Summary of visitation for the "What's in your backyard" campaign targeting the VFR market

COMMENTRY

The "What's in your backyard" promotional campaign was held on Saturday 25th & Sunday 26th April, 2006.

"What's in your backyard" encourages local Lithgow residents to discover the local Lithgow attractions, promoting community awareness of the regions tourism industry. Tourism NSW statistics indicate that 40% of total visitation to the area is visiting the friends and relatives (VFR) market and as such it is important to ensure the local community is aware of the range of tourism products.

“What’s in your backyard campaign” attracted large interest by locals, resulting in visitation to attractions by the VFR market. Attractions that were involved in this programme include Zig Zag Railway, Archvale Trout Farm, State Mine Heritage Park & Railway, Lake Lyell, Jannei Goat Dairy, Eskbank House Museum, Delta Energy Expo, Mt Tomah Botanic Gardens and Jenolan Caves. These attractions offered free entries for locals over the weekend. Figures for some attractions were in excess of 400 locals visiting local attractions.

It is anticipated that this educational programme continue.

RECOMMENDATION

MOVED: **THAT** the “What’s in Your Backyard” Programme continues
 Mr B Hustwaite **SECONDED:** Mr D Whitty

GENERAL BUSINESS

1. Information on roads budgeted to be upgraded by Lithgow City Council in the Lithgow area is to be forwarded to the next meeting of the TAC
2. Budget information relating to Tourism is to be forwarded to the next meeting of the TAC
3. The issue of potential accidents due to the location of the car park at the Lithgow VIC was once again discussed. This issue is to be referred to TALC for further information
4. Operator membership of the Lithgow VIC is to be forwarded to the next meeting of the TAC
5. The TAC Charter is to be forwarded to the next meeting of the TAC
6. Variation to minute's layout. THE TAC discussed the layout of the minutes and it was decided that each sector is to prepare a report on there sector for the next meeting. These sector reports are to be forwarded to MS J Rayner prior to the meeting, with recommendations to be decided by the committee. The Notice Paper is to include:
 - Agenda (all attachments to be dated)
 - Managers update
 - Financial reports – against the Business and Marketing Plan
 - Sector updates
 - Business arising

The Minutes are also to include what sector each TAC member represents

RECOMMENDATION

THAT the “What’s in Your Backyard” Programme continues
MOVED: Mr G Johnston **SECONDED:** Mr P Hamment

RECOMMENDATION

THAT the minutes of the Lithgow Tourism Board be noted and received.

QUESTIONS WITHOUT NOTICE

Nil.

ATTACHMENTS

**ITEM:1 EXEC - 19/06/06 - MEMORANDUM OF UNDERSTANDING -
STRATEGIC ALLIANCE - LITHGOW, MID WESTERN REGIONAL
AND OBERON COUNCIL**

Memorandum of Understanding

between

Lithgow City Council,
Oberon Council

and

Mid-Western Regional Council

This Memorandum of Understanding (MOU) is made between Lithgow City Council (LCC), Oberon Council (OC) and Mid-Western Regional Council (MWRC) (hereinafter call the “parties”) on _____ day of _____ 2006.

The parties acknowledge a range of areas where an alliance and cooperative planning will assist in the effective and efficient management of the 3 councils’ assets and achievements.

The MOU does not restrict the parties in any way in terms of working cooperatively with other entities, nor are all the parties to this MOU required to participate in all of the programs arising from the MOU. There may be instances when two parties will ascent to participate in components while the third party may decline.

For other participants to join activities determined under this MOU, the consent of all parties participating in a particular program is required.

WHEREAS

1. The parties are bound by the provision of the Local Government Act 1993 Proclamation of 26 May 2004;
2. The parties agree that the term of the MOU begins on the date of the MOU and continues until agreed jointly by the parties to terminate the agreement;
3. Any matter that leads to a dispute as a result of this MOU will be referred to an agreed arbitrator or failing attainment of agreement on an arbitrator, the matter will be referred to the Director-General NSW Department of Local Government for determination or for the selection of an agreed arbitrator;
4. The parties will as the first component of the MOU undertake information sharing and business process review exercises as listed in Appendix 1 to ascertain areas of operation which exhibit commonality and potential for cost savings via cooperative programs;
5. The staff assigned responsibility will report to the General Managers their progress on a monthly basis until all items in Appendix 1 are completed;
6. The General Managers will provide updates to Council to illustrate the progress on the items listed in Appendix 1;
7. Following the completion of item 4, the parties will undertake a strategic planning exercise to create a plan with clearly identified performance indicators and means to measure the successes of the MOU outcomes to meet the MOU objectives of cost savings and operational efficiencies;
8. The Mayors and General Managers will participate in the strategic planning session and the items agreed to will be presented to each Council as a Strategic Plan for the alliance formed in this MOU;
9. Staff will develop a common reporting mechanism to ensure Councils are briefed on the outcomes and completion of processes associated with the Strategic Plan;
10. The General Managers shall undertake an annual review of the progress made in relation to the Strategic Plan and suggest any changes to priorities to their respective councils as a result of the review.

The below mentioned agree to the terms and conditions of this MOU on behalf of the City of Lithgow Council

MAYOR

GENERAL MANAGER

The below mentioned agree to the terms and conditions of this MOU on behalf of the Oberon Council

MAYOR

GENERAL MANAGER

The below mentioned agree to the terms and conditions of this MOU on behalf of the Mid-Western Regional Council

MAYOR

GENERAL MANAGER

Appendix 1: Operational review

The parties agree that they will undertake an investigation in the following areas to fully determine potential areas for cost savings and operational efficiencies which may be brought about through co-operative exercises done jointly by the parties.

1. Human Resources functions

Team:

HR and OH&S - 2 from each council. One appointed team leader to report to General managers on monthly basis.

Program	Activities	Outcomes	Date
1.1 OH&S systems and policies – review	<ul style="list-style-type: none"> • Benchmarking exercise • Systems review – assess Riskemap vs Lithgow option etc – alternatives • OH&S – ongoing internal audits • Safe Work Method Statements, Manual handling sheets and other documentation audit and assessment • Assessment CENTROC OH&S project and how the recommended actions from the team may work with the outcomes recommended by team in the audit. • Consideration of implementation of a module (eg 	<p>Options paper reporting on the current status of each council's OH&S procedures and policies and potential joint processes and processing.</p> <p>Savings to be identified in terms of sharing of information and procedures, possible joint staffing of projects to develop staff skills.</p>	Sep 06

Program	Activities	Outcomes	Date
	Asbestos handling) to be jointly done to assess advantages of cooperative approach		
1.2 Review HR policies	<ul style="list-style-type: none"> • Obtain copies and distribute to each party for their assessment and determine is standardization of policies can be achieved • Review recruitment and selection procedures • Review use external recruitment agencies • Review salary sacrifice options for staff to assist in continuing to offer opportunities as employers of choice 	<p>Options paper on employment incentivisation, salary packaging etc</p> <p>Templates for policies to be investigated – making it easier to update</p>	Oct 06
1.3 Salary systems – review	<ul style="list-style-type: none"> • Determination of commonality and options for standardization 	Options paper	Mar 07
1.4 Workchoices impact – options for future, AWAs etc.	<ul style="list-style-type: none"> • Assessment of corporate entity issue • Determination future actions vis AWAs, Award etc • Liaises with CENTROC HR group 		
1.5 Options for cadetships and traineeships	<ul style="list-style-type: none"> • Water and Sewer, Waste, Engineering, H&B, Planning, Finance – mentoring from other councils – move cadets around the regions to gain greater 	Options paper detailing the cadetship and traineeship options	Mar 07

Program	Activities	Outcomes	Date
	experience <ul style="list-style-type: none"> • consider paying HECS proportionally to time retained after finish training if university course involved in professional jobs • Develop relationship TAFE and universities locally 		
1.6 Workers compensation insurance	<ul style="list-style-type: none"> • Review of premiums, services offered by insurers • staff skills in managing and minimizing claims assessed with idea of sharing skills across all councils 	Options paper – include processes to minimize claims, manage existing claims and insurer assessments	Dec 06
1.7 Payroll and HR systems review	<ul style="list-style-type: none"> • Review of existing payroll and HR systems and potential for joint resource sharing in terms of movement to next generation options 	Determination of status of payroll and HR systems – recommendations on future developments and determination if systems could be jointly developed by the councils to save costs. Could also result in ongoing systems maintenance costs savings	Jul 06
1.8 Consideration of implications re amalgamated council status	<ul style="list-style-type: none"> • Review of the legislative commitments of the three councils as all impacted by amalgamation 	Determination of implications and strategy to deal with issues	Aug 06

2. Information technology functions

Information Technology staff - 2 from each council. One appointed team leader to report to General managers on monthly basis.

Program	Activities	Outcomes	Date
2.1 Overall systems review and identification of future IT strategic directions which may offer common development sharing opportunities	<ul style="list-style-type: none"> • Benchmarking exercise • Systems review – what each council is currently using • Software and hardware audits • Telecommunications devices – now and future – current coverage – links with CENTROC project to be determined • Determine strategic planning in each Council – future needs and what network/system options have been considered. • Remote commuting needs – e.g. Blackberry options • Opportunity to share development costs, networking costs, maintenance costs • Skills development options attained by IT staff working together 	Options paper on future direction and determination of sharing opportunities with identified benefits for each council articulated.	Aug 06
2.2 IT Policies review	<ul style="list-style-type: none"> • Review and consideration of standardization of policies across Councils • Consideration and position statement re privacy issues and information management 	Templates for standardized policies	July 06
2.3 Mentoring and skills building options	<ul style="list-style-type: none"> • Team identifies areas where skills need to be developed. 	Options for mentoring identified and listed.	Sep 06

3.Plant and Equipment programs

Managers of plant programs and an engineer from each council. One appointed team leader to report to General managers on monthly basis.

Program	Activities	Outcomes	Date
3.1 Assessment of plant replacement programs of each council	<ul style="list-style-type: none"> • Identification of what plant has been listed to be updated and when • Determination of plant utilization rates – acceptable and tolerable rates • Life stage for each piece of equipment 	Options paper for any plant items which could be shared	Aug 06
3.2 Internal leasing costs model considered	<ul style="list-style-type: none"> • Consideration of options for sharing pieces of equipment and what costs for internal charging would be • For eg – kerbside collection/recycling collection processes – is there an opportunity to share vehicle? 	Internal fleet charging and determination of which pieces of equipment might be shared	Sept 06
3.3 Group purchasing options – particularly on large fleet	<ul style="list-style-type: none"> • Consideration of benefits and pricing wins if purchased as a group • Consideration of LGAct implications 	Identification of items to be jointly purchased	Oct 06
3.4 Sharing of items in existing fleets – or scheduled to be replaced	<ul style="list-style-type: none"> • Identification of roads and other major infrastructure projects – determine required items of plant – view is to identify where plant could be shared by adequately planning works to maximize plant utilization and minimize costs to each council 	Assessment of items which can be shared without disadvantaging individual councils	Nov 06

Program	Activities	Outcomes	Date
	through having to hire equipment/operators		

4.Economic Development and Strategic Land use planning
General Managers

Program	Activities	Outcomes	Date
4.1 Tourism initiatives – review current tourism operations and set directions for 2007/08	<ul style="list-style-type: none"> • Review which regional tourism sector offers most for the councils • Consideration of outsourced model for councils and assess benefits of this model vs disadvantages • Determine how can maximize leverage from Canberra, Blue Mountains and Central NSW Tourism promotions. 	Determine membership of RTO for 2007/08 and advise NSW Tourism.	Jun 06
4.2 Roads Safety Officer	<ul style="list-style-type: none"> • Consideration of sharing between three councils – principle place of work and establishment of service level agreement for other councils if implemented 	Determination of funding level for RSO and location	Jun 06

Program	Activities	Outcomes	Date
4.3 Strategic land use planning	<ul style="list-style-type: none"> • Review existing strategic land use planning already done by each council • Determine how might be able to offer strategic land use planning works to other councils if combine activities. • Review of Geographic Information Systems – joint development of future upgrades considered. 	<p>Review complete.</p> <p>Strategic study services to be offered to other councils.</p> <p>Options on sharing resources and development opportunities to improve the systems in each council.</p>	<p>July 06</p> <p>July 07</p> <p>Aug 07</p>
4.4 Economic development information gathering processes	<ul style="list-style-type: none"> • Determine currency of each council's economic development data (e.g. population projections, retail sector studies, employment stats, collector district movements inter censal periods etc) • Consider use of Business Retention and Expansion Program framework for surveys of retail and major industries. 	<p>Program to share and keep current Economic development data – develop annual program for inclusion in budget proposals each year</p>	<p>Dec 06</p>
4.5 Grants officer employment	<ul style="list-style-type: none"> • Determination of grants officer position description 	<p>Position recruited</p>	<p>Jul 06</p>

ITEM:3 **EPS - 19/06/06 - COUNCIL ats CHARLES - TWEED ROAD - LAND AND ENVIRONMENT COURT PROCEEDINGS**

KN PLANNING PTY LIMITED

1. **EXECUTIVE SUMMARY**

- 1.1 I have been appointed by the Land and Environment Court to provide expert evidence in this matter in the field of town planning.
- 1.2 The appeal relates to Lithgow City Council's refusal of Development Application No 125/05 for the subdivision of vacant land at 52 Tweed Road, Lithgow into 38 residential allotments to be developed in two stages.
- 1.3 In my opinion the proposal in its current form does not warrant approval.
- 1.4 In my opinion the proposal to utilise the provisions of Clause 31 of the Lithgow City LLEP 1994 to vary the boundary of the land zoned Open Space to create Stage 3 of the proposed subdivision comprising eight (8) allotments cannot be supported for the reasons detailed in Section 3.1 of this report.
- 1.5 However, in respect to Stage 2 of the proposed development, it is my opinion that changes to the proposal would address my concerns and ensure compliance with the South Bowenfels DCP. The suggested changes are as follows:-
- (i) The extension of Lot 233 from Tweed Road to the northern cul-de-sac of Road 2 to provide a pedestrian/cycle link to Tweed Road and dedication to Council.
 - (ii) Amendment to the configuration of Lot 203 to accommodate (i) above whilst ensuring minimum frontage of 12.5 metres.
 - (iii) The frontage of Lot 208 to be amended to achieve a minimum frontage of 18.5 metres. This can be achieved by variation to the size and shape of Lot 207 or the amalgamation with Lot 209.
 - (iv) The amalgamation of Lots 216/217 and 218/219 to achieve compliance with the DCP and to allow greater flexibility on the location of the "building platform" whilst minimizing benching/cut & fill on what is the steepest land proposed for residential development at the head of Road 3.
 - (v) Increase the width of Lot 202 by a minimum of five (5) metres in order to achieve a greater frontage or "address" to the cul-de-sac and to provide the opportunity for an increase in the setback of any future dwelling from the northern side boundary of Lot 202, which forms a common boundary with the existing dwelling at 50 Tweed Road in order to address potential adverse privacy impacts.
 - (vi) The southern end of Road 2, adjacent to Lot 230, will need to be redesigned to accommodate a turning head for a cul-de-sac as the road extension into Stage 3 is not supported.

R.E. Charles Pty Limited v. Lithgow City Council
Preliminary Report by Court Appointed Town Planning Expert Witness

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