



LITHGOW CITY COUNCIL

AGENDA

ORDINARY MEETING OF COUNCIL

TO BE HELD AT

THE ADMINISTRATION CENTRE, LITHGOW

ON

18 SEPTEMBER 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 21 AUGUST 2006**

DECLARATION OF INTEREST - NIL

NOTICES OF MOTION - NIL

NOTICE OF RESCISSION - NIL

CORRESPONDENCE AND REPORTS

General Manager Reports
Regional Services Reports
Community and Corporate Services Reports

REPORTS FROM DELEGATES

Councillor Castle - Recent Centroc Meeting
Councillor Castle - Further Figures from PACT

COMMITTEE MEETINGS - NIL

QUESTIONS WITHOUT NOTICE

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GENERAL MANAGER REPORTS

ITEM: 1 GM - 18/09/06 - OH&S POLICY

REPRT FROM: DANNY OLDFIELD - RISK AND SAFETY OFFICER

SUMMARY

To advise Council of the review of the OH&S policy at Lithgow City Council.

COMMENTARY

Lithgow City Council has been reviewing all OH&S policies and procedures to ensure that our management system is compliant with Australian Standard 4801 and the State Cover OH&S Audit tool. Council's Risk and Safety Officer has been consulting with Divisional areas of council to formulate a policy which is legally compliant with the OH&S Act 2000 and its subsequent Regulation 2001.

The policy forms part of council's overall management system and is the only document that requires formal approval from council, all other system inclusions take the form of Standard operating procedures and are managed day to day by the General Manager.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

This document is to be placed on public exhibition for 28 days

CONCLUSION

Council is committed to providing a safe place of work for all staff, contractors and visitors to Lithgow City Council. We understand our Legal and moral obligations to the community and support the continual improvement in OH&S performance.

ATTACHMENTS

1. OH&S POLICY

RECOMMENDATION

THAT:

1. The council adopts the revised OH&S Policy in draft format to ensure it meets its legal requirements under the OH&S Act 2000 and subsequent Regulation 2001 and place the document on public exhibition for a period of 28 days.
2. A further report be provided at the conclusion of the exhibition period.

LITHGOW CITY COUNCIL

STRUCTURED POLICY: OH&S POLICY

POLICY NO: L.C.C. 6001

DEPARTMENT: Organisational Development

CATEGORY: Occupational Health and Safety

REFERENCE: A/NZ Standard 4801:2000, OH&S Act 2000 and the OH&S Regulations 2001.

LITHGOW CITY COUNCIL OH&S POLICY

1. INTRODUCTION

The health, safety and welfare of all persons employed within Lithgow City Council and those visiting a Council / workplace are important.

2. POLICY

Appropriate resources will be made available to assist in compliance with all relevant Acts, Regulations, and Codes of Practice to make the workplace safe and without risk to health.

3. STRUCTURE

Our objective is the elimination of all accidents from Council workplaces by the formation of an OH&S Committee with representation in all areas of the Lithgow City Councils activities.

As required by legislation Lithgow City Council adopts the practice of consultation on safety matters in the workplace via employee OH&S representative/committee.

A management representative who is empowered to make decisions on each of the matters discussed will attend committee meetings.

A program of activities relating to health and safety in the workplace will be introduced.

The program includes the following, but is not limited to:

- Health, safety and welfare awareness education and training.
- Workplace design and safe work method statements.
- Emergency procedures.
- Provision of personal protective equipment (PPE).
- Workplace inspections.
- Reporting and recording accidents, illnesses and dangerous occurrences.
- Risk assessment and hazard control.
- Promotion of workplace health and safety

- Take 5 Risk Assessments
- Material Safety Data Sheets

4. RESPONSIBILITY

- a) It is the responsibility of the supervisory staff to ensure that all employees are aware of this policy within the Council workforce and that the OH&S policy is displayed in a prominent position at the workplace.
- b) Supervisory staff shall require employees to adhere to this structure and policy and inform staff in an open forum of the requirement to adhere to this policy and structure.
- c) It shall be the employee's responsibility to strictly adhere to this policy when on Council business and or providing work under Council control and or working on Council controlled premises.
- d) Any responsible senior officer of the Council shall, through his/her various supervisors, ensure that this policy & structure as defined in the policy and structure is adhered to.

General Manager:.....

Commencement Date:

Review Date:

ITEM:2 GM - 18/09/06 - LITHGOW RAILWAY STATION

REFERENCE

NIL

SUMMARY

This report outlines correspondence received from the Minister of Transport John Watkins MP.

COMMENTARY

The Minister of Transport referred to correspondence received by him from Gerard Martin, Member for Bathurst on the 9 January 2006 on behalf of Lithgow City Council concerning the Lithgow Railway Station. He apologised for the delay in responding.

He advised that there are no plans at present to change the business hours or staffing levels for Lithgow Station.

Regarding the possibility of including express train services, RailCorp has advised the Minister that there is no scope to increase the number of express services to Lithgow. The frequency of trains is such that to further increase the number of express services would reduce services to an unacceptable level at some minor stations.

The Minister is committed to ensuring safer, cleaner and more reliable services - across all modes of transport.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

NIL

RECOMMENDATION

THAT the information be received.

REGIONAL SERVICES REPORTS

ITEM: 3 REG - 18/09/06 - PLANNING AGREEMENTS

REPORT FROM: ENVIRONMENTAL PLANNER - P MOPPETT

SUMMARY

To recommend the endorsement of Planning Agreements prepared as part of four development applications in Lithgow in relation to contributions and/or works for open space and community facilities.

COMMENTARY

A planning agreement is a negotiated voluntary agreement or other arrangement between a planning authority and a developer under which the developer is required to dedicate land free of cost, pay a monetary contribution, or provide any other material public benefit, or any combination of them, to be used for or applied towards a public purpose.

An explanatory note shall be prepared for each agreement which includes detail regarding the proposed planning agreement. The explanatory note accompanies the planning agreement and is exhibited and registered with the planning agreement.

Council has considered a number of agreements to date, and carried out the appropriate notification process with no submissions being received. There are currently four agreements ready for endorsement by Council, as follows:

DA NO.	DESCRIPTION	DATE SIGNED	NAMES OF PARTIES	LAND	NOTES
66/05	For open space and community facilities in a residential subdivision		Lithgow City Council & Strathlone EstatesP/L	Lots 10, 11 DP 1074721, Gt Western Highway, South Bowenfels	
67/05	For open space and community facilities in a residential subdivision		Lithgow City Council & Strathlone EstatesP/L	Lots 10, 11 DP 1074721, Gt Western Highway, South Bowenfels	
489/05	For open space and community facilities in a residential subdivision		Lithgow City Council & G & P Cox	Lot 25 DP 30958 Magpie Hollow Road, South Bowenfels	
125/05	For open space and community facilities in a residential subdivision		Lithgow City Council & R E Charles	Lot 11 DP 815871 Lot 22 DP 601501, 52 Tweed Road, Lithgow	

POLICY IMPLICATIONS

No specific policy implications arise as a result of this report. The Planning Agreements have been compiled in accordance with the Draft Planning Agreement Policy through negotiation with Council. Normally negotiation would occur prior to issue of development consent. However Council has the opportunity to process the agreements post consent as long as an offer has been made by the applicant during the DA assessment process. In this instance the consents have been issued and the agreements advertised. They are now due for endorsement by Council and the developer. The Planning Agreements as presented are reported to Council outside the provisions of the Draft Policy.

FINANCIAL IMPLICATIONS

The financial implications for Council are the receipt by Council of a development contribution being a monetary contribution, the dedication of land free of cost, or the provision of a material public benefit in the form of infrastructure, facilities, amenities and services.

LEGAL IMPLICATIONS

The Planning Agreements are subject to the requirements of the Environmental Planning & Assessment Act 1979, and the provisions of Council's Draft Planning Agreement Policy.

ATTACHMENTS

1. Planning Agreement and Explanatory Note - DA 66/05 Strathlone Estates P/L.
2. Planning Agreement and Explanatory Note - DA 67/05 Strathlone Estates P/L.
3. Planning Agreement and Explanatory Note - DA 125/05 C E Charles P/L.
4. Planning Agreement and Explanatory Note - DA 489/05 G & P Cox.

RECOMMENDATION

THAT Council endorse the Planning Agreements as presented and proceed to issue of the final documents, notification to the Minister and registration in Council's Public Register.

COMMUNITY AND CORPORATE SERVICES REPORTS

**ITEM: 4 COMM - 18/09/06 - LEASE OF SUITE 2 HARTLEY BUILDING MORT
ST, LITHGOW**

**REPORT FROM: GROUP MANAGER COMMUNITY AND CORPORATE –
K.WOOLLEY**

REFERENCE

Item17 Finance and Services Committee – 7 August 2006

SUMMARY

This report seeks Council's formal resolution to apply the seal to the lease documents for Suite 2 Hartley Building Mort St Lithgow as referred to in the report which Council adopted on 7 August 2006.

COMMENTARY

Mission Australia will lease the premises and the value of the lease has been negotiated at market value as assessed by the Manager Internal Services.

The lease documents have been prepared as per the resolution of the 7 August 2006 meeting and need to be executed under seal.

Mission Employment have requested termination of the lease on the 30 June 2009 rather than the 30 August 2009 as they had previously advised and resolved by Council on 7 August 2006. This is due to their contractual arrangement with the Government. This alteration is reflected in the recommendation concluding this report for council's consideration.

Policy Implications

Nil

Financial Implications

Annual Rental on combined lease \$45,223.33(GST Excl.) \$3,768.61 per month

Legal Implications

Lease agreement for a period of three years from 1 September 2006

ATTACHMENTS

Nil

RECOMMENDATION

THAT Council affix the Common Seal to the lease to Mission Australia for Suites 1 and 2 Hartley Building with the lease period reflecting tenancy from 1 September 2006 to 30 June 2009.

REPORTS FROM DELEGATES

ITEM:5 DEL - 18/09/06 - RECENT CENTROC MEETING

REPORT FROM: COUNCILLOR NEVILLE CASTLE, MAYOR

REFERENCE

NIL

SUMMARY

This outlines the recent meeting of CENTROC.

COMMENTARY

At the most recent CENTROC meeting a number of issues were discussed.

The first of these issues was the Bells Line Expressway and CENTROC continuing support of this project. We were given an update by the Mayor of Blayney who was in attendance along with our representatives at the meeting with Minister Roosedaal, following the Cabinet meeting in Bathurst.

The Meeting also looked at the possibility of de-averaging of the cost for Telstra which could be disastrous for some of our smaller communities. Broadband and peoples ability to connect was a topic of conversation and concern for many.

CENTROC had an interesting presentation from the Manildra Group. This group apart from producing flour, particularly at their main site in Manildra, also produce ethanol and biodiesel. The ethanol plant is near Nowra, on the South Coast and their blending plant is at Clyde in Sydney. They spoke to us about a lot of misinformation that has been banded around by those against ethanol and biodiesel and from their point of view they see that there is nothing inhabiting large scale use of these products. It is interesting to note that vehicles in Brazil are running on 100% ethanol on motors that they build in Melbourne.

CENTROC as a group is now making savings for its member councils of nearly \$2 million per year. This is a far cry from six years ago before CENTROC had a Projects Officer when CENTROC was little more than a talk fest.

We also discussed the report put before CENTROC from our General Manager; Mr Paul Anderson regarding the proposed new state imposed LEP provisions. After much discussion it was agreed that "one size fits all" solution does not seem feasible nor realistic and as such CENTROC Councils will be encouraged to campaign to have individual councils responsible for setting lot sizes and entitlements at the local level rather than being imposed.

Council may wish to consider having a late item to the LGA Conference on this issue.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

NIL

RECOMMENDATION

THAT:

1. The information be received
2. Council put a late motion to the LGA Conference regarding local planning matters.

ITEM:6 DEL - 18/09/06 - FURTHER FIGURES FROM PACT

REPORT FROM: COUNCILLOR NEVILLE CASTLE, MAYOR

REFERENCE

SUMMARY

This report outlines further figures from the PACT meeting.

COMMENTARY

Following correspondence from Superintendent Wookey, Chifley Local Area command, I can confirm that the figures in the previous report to council were in fact those of the Chifley Local Area Command.

These figures are the official figures which are released by the Bureau of Crime Statistics. Superintendent Wookey has provided for us (as a confidential report) information regarding the Lithgow, Portland, Capertee and Wallerawang and figures which were derived from the Police Computer system reports. These figures indicate for Lithgow there has been an increase in assault of approx 25% over the last three years and an increase in malicious damage of approx 20% in the same period.

However, malicious damage includes incidents such as spray painting and we should realise that a number of offences were attributed to one person who has since been arrested. All other categories of crime have either stayed the same or improved in that time.

It was advised from the Lithgow Police Station that the trail bikes have been used more than four (4) times over the past two weeks and that Council is responsible for the servicing of the trail bikes.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

NIL

RECOMMENDATION

THAT the information be received.

COMMITTEE MEETINGS

Nil.

QUESTIONS WITHOUT NOTICE

Nil.

ATTACHMENTS