



LITHGOW CITY COUNCIL

## AGENDA

POLICY AND STRATEGY COMMITTEE  
MEETING OF COUNCIL

TO BE HELD AT

THE ADMINISTRATION CENTRE, LITHGOW

ON

03 OCTOBER 2006

AT 6.00pm

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# AGENDA

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**PRESENT**

**QUESTIONS FROM THE PUBLIC GALLERY**

**PRESENTATIONS - NIL**

**CONFIRMATION OF THE MINUTES OF THE POLICY AND STRATEGY  
COMMITTEE MEETING OF COUNCIL HELD ON 4 SEPTEMBER 2006**

**DECLARATION OF INTEREST**

**NOTICES OF MOTION - NIL**

**NOTICES OF RESCISSION - NIL**

**CORRESPONDENCE AND REPORTS**

Regional Services Reports  
Community and Corporate Services Reports

**REPORTS FROM DELEGATES - NIL**

**COMMITTEE MEETINGS - NIL**

**QUESTIONS WITHOUT NOTICE**

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## **REGIONAL SERVICES REPORTS**

**ITEM:1            REG - 03/10/06 - SITE INVESTIGATION - HCB REPROCESSING  
FACILITY - ORICA AUSTRALIA**

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### **SUMMARY**

To advise of a recent meeting with representatives of Orica Australia Ltd in relation to the possible construction of a plant in regional New South Wales for the destruction/reprocessing of Hexachlorobenzene (HCB) waste.

### **COMMENTARY**

The Mayor and the Acting Group Manager Regional Services recently met with representatives of Orica Australia who are investigating possible locations in Regional NSW for the location of a plant to reprocess HCB waste. The waste, which is a by product of other processes, is currently stockpiled at the company's Botany Bay facilities where approval to construct a reprocessing facility has been rejected by the State Government.

Orica has been asked by a State Government Independent review panel to search for suitable locations in regional NSW. To this end the company has been touring regional areas to talk to local government representatives to ascertain interest. No specific site in the Lithgow Local Government area has been examined with the company seeking first to ascertain interest.

The required plant would destroy 15,000 tonnes of HCB waste in a 5 year operation. It would create up to 50 construction and 10 full time jobs. However, balanced against this are the perceived problems that such a facility could create for a local government area. Whilst state of the art processes may be able to be implemented it would still be difficult to reassure the community that no health or environmental effects would result. It would also be difficult to counter the perceived impact on the image of any area which contains a plant to destroy HCB wastes.

The company now believes they may have to apply for permission to transport the wastes off shore and it is understood that it may have accepted this course of action.

Unless Council would like further representations to be made it is suggested that no further action be taken in regard to this issue.

### **POLICY IMPLICATIONS**

Nil

### **FINANCIAL IMPLICATIONS**

Nil

### **LEGAL IMPLICATIONS**

Nil

## **ATTACHMENTS**

Nil

## **RECOMMENDATION**

**THAT** the information be noted.

**ITEM:2            REG - 03/10/06 - PROPOSED HERITAGE LISTING OF ADI SITE**

**REPORT FROM: ACTING GROUP MANAGER REGIONAL SERVICES - ANDREW  
MUIR**

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## **SUMMARY**

This report advises of a nomination from the National Trust of Australia to nominate the entire Small Arms Factory Site for inclusion on the State Heritage Register and prior to that process requesting an Interim Heritage Order be put in place.

## **COMMENTARY**

Council has received a copy of correspondence from the National Trust to the Heritage Office of NSW nominating the entire Small Arms Factory Site for inclusion on the State Heritage Register and prior to that process requesting an Interim Heritage Order be put in place. This would include the chimney for which there is currently a development application in place.

## **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

Nil

## **LEGAL IMPLICATIONS**

Section 24 of the Heritage Act provides that the Minister can make interim heritage orders for items of State or local heritage significance and the Heritage Council is to provide advice to the Minister on the making of interim heritage orders. The Minister is not required, before making an interim heritage order, to notify any person who will be affected by the order of the intention to make the order. Proposals to list items on the State Heritage Register require much wider notification and consultation.

Should an Interim Heritage Order or State Heritage Register listing be made, then an approval must be obtained under the Heritage Act prior to any works being carried out including demolition. Public notice must be given to such application and special matters for consideration apply such as the extent to which the application, if approved, would affect the significance of any item. Section 63 (2) of the Act provides that where an application for approval is made to demolish the whole of a building or work, or an application for approval is made which would, if it were approved, necessitate the demolition of the whole of a building or work, the approval body shall determine that application by refusing approval. However, approval may be granted if the approval body is of the opinion that the building or work constitutes a danger to the users or occupiers of that building or work, the public or a section of the public, it is a condition of the approval that the building or work be relocated on other land, or the building or work is situated in a place or precinct that is an item of State heritage significance, but is not itself such an item, and the approval body is of the opinion that the demolition of the whole of the building or work will not have a materially detrimental effect on the heritage significance of the place or precinct.

## **ATTACHMENTS**

1. A copy of correspondence from the National Trust to the Heritage Office nominating the Small Arms Factory site for inclusion on the State Heritage Register and implementation of an Interim Heritage Order in the interim.

## **RECOMMENDATION**

**THAT** Council request the State Member, Mr Gerard Martin MP, to arrange discussions with the appropriate Minister in relation to the proposal put forward by the National Trust of Australia.

**ITEM:3            REG - 03/10/06 - REQUEST FOR REMOVAL OF WATTLE TREES 29  
                         ANDREW STREET, LITHGOW**

**REPORT FROM: WORKS ENGINEER – C SCHUMACHER**

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**SUMMARY**

Request for the removal of wattle trees at the rear of 29 Andrew Street, Lithgow due to a medical respiratory condition of a resident.

**COMMENTARY**

Wattle trees, within the Great Western Highway road reserve, at the rear of 29 Andrew Street are currently in blossom. A request has been received from the property owner to remove these trees as he suffers from a chronic airway limitation, which allergic reactions to pollen aggravate his airway. On the grounds of health reasons the resident has requested Council to remove the offending wattle trees to alleviate his respiratory problems. Supporting documentation from the resident's Doctor has also been received to support the need for the removal of these trees.

The resident has indicated that if Council were to remove the wattle trees, he would be happy to finance the replacement of a more suitable species of tree less harmful to his health.

Whilst medical conditions alone may not be an adequate reason to remove mature trees in this case the trees are not an exceptional example and the resident has offered to fund their replacement. This is considered an important gesture as the removal of trees for this reason could create a difficult precedent to manage.

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**LEGAL IMPLICATIONS**

Nil

**ATTACHMENTS**

Nil

**RECOMMENDATION**

**THAT:**

1. The wattle trees at the rear of 29 Andrew Street, Lithgow be removed and replaced by Council in consultation with the resident and at his full cost.
2. Council create a Policy to cover such matters in the future.
3. That a draft policy be presented to Council for consideration.

## COMMUNITY AND CORPORATE SERVICES REPORTS

**ITEM:4            COMM - 03/10/06 - NOTIFICATION OF DECISION ON THE LICENCE APPLICATION DIR062/2005 FROM BAYER CROPSCIENCE PTY LTD FOR COMMERCIAL RELEASE OF GENETICALLY MODIFIED COTTON**

**REPORT FROM: COMMUNITY AND CULTURE MANAGER - PENNY HALL**

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### SUMMARY

The DIR 062/2005 licence for the commercial release of genetically modified cotton in Australia permits the unrestricted commercial release of Liberty Link Cotton.

### COMMENTARY

Council has received correspondence from the Federal Department of Health and Ageing, Office of Gene Technology Regulator announcing that the RARMP (Risk Assessment and Risk Management Plan) has been finalised and a licence was issued on 8 August 2006.

The DIR 062/2005 licence permits the unrestricted commercial release of Liberty Link Cotton in all areas of Australia. The risk management plan concludes that the release poses negligible risks to people and the environment. Therefore no specific containment measures have been imposed. The licence conditions relate to ongoing licence holder suitability; auditing and monitoring provisions; and reporting structures which include an obligation to report any unintended effects.

### POLICY IMPLICATIONS

There are no policy implications at this stage as there is no policy on genetically modified cotton.

### FINANCIAL IMPLICATIONS

Nil

### LEGAL IMPLICATIONS

Nil

### ATTACHMENTS

1. Executive Summary of the Risk Assessment and Risk Management Plan
2. Questions and Answers on Licence DIR 062/2005
3. Summary of submissions received from local councils on the consultation RARMP

### RECOMMENDATION

**THAT** the information be noted.

**ITEM:5            COMM - 03/10/06 - SHOPPING TROLLEY COLLECTION PROCESSES**

**REPORT BY: Community and Culture Manager – P.HALL**

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**SUMMARY**

Council has been impounding a number of shopping trolleys found abandoned as a result of Council resolution dated 9 September 2002. A meeting was held to come to some agreement on greater co-operation between the parties involved in the management of abandoned trolleys and an ongoing program to improve the situation has been developed.

**COMMENTARY**

A meeting was held on 7 September 2006 at the Lithgow Library Learning Centre with Council representatives, Project Manager of Trolley Services Australia Ltd, Retail representatives and Trolley collectors. Trolley Services Australia Pty Ltd is an organisation which provides an information service to all the major retailers in New South Wales. It encourages general public and council staff to contact Trolley Tracker (1800641497) to report the location of abandoned trolleys so they can be quickly collected and returned to the store where they belong.

It was agreed there would be a co-operative education campaign and store managers would sign off on it as Council's resolution stands and the impounding of trolleys must continue. Council will advertise the 1800 number in the Council Connections newsletter so all households are aware of action that could be taken.

Trolley trackers will provide more leaflets to the store requesting the 1800 number be used by the community so abandoned trolleys could be picked up immediately.

Another meeting will be held on 11 October 2006 when the trolley collection maps of the supermarkets can be reviewed and progress with the education campaign could be assessed.

**POLICY IMPLICATIONS**

Council's resolution of 9 September 2002 must be abided by.

**FINANCIAL IMPLICATIONS**

Nil

**LEGAL IMPLICATIONS**

Nil

**ATTACHMENTS**

1. Minutes of the shopping trolley meeting held on 7<sup>th</sup> September 2006 are attached.

**RECOMMENDATION**

**THAT** the minutes of the meeting with retail outlets, trolley trackers and Council and the processes to improve trolley abandonment developed in those minutes be noted.

**ITEM:6            COMM - 03/10/06 - EXHIBITION OF PLAN OF WORKS FOR EMORA PARK**

**REPORT FROM: POLICY & PLANNING MANAGER – A MUIR**

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**REFERENCE**

Min: 06-263 Ordinary Council Meeting 21 August 2006

**SUMMARY**

This report requests an extension of the exhibition period for the proposed plan of works for Emora Park.

**COMMENTARY**

Council may recall that at its meeting of 21 August 2006, it resolved to place the proposed plan of works for Emora Park on exhibition for a period of 21 days. This exhibition period has expired with no submissions being received. However, a request has been received to extend the exhibition period and place the proposed plan of works on exhibition at Bowenfels Cottage.

**POLICY IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

The financial implications of the proposed plan of works were reported to Council at its meeting of 21 August 2006 and will be considered in a report following the extended exhibition period if approved.

**LEGAL IMPLICATIONS**

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

**ATTACHMENTS**

Nil

**RECOMMENDATION**

**THAT** the proposed plan of works be placed on public exhibition for a further 14 days from 5 October 2006 at the Bowenfels Cottage and Council's Administration Centre.

**ITEM:7            COMM - 03/10/06 - STANDARD LEP TEMPLATE - SCHOOLS IN RURAL ZONES**

**REPORT FROM: STRATEGIC PLANNER – S HANRAHAN**

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**REFERENCE**

Question by Councillor BP Morrissey at the meeting of Council held on 18 September 2006.

**SUMMARY**

The purpose of this report is to answer a question regarding whether the Standard Local Environmental Plan (LEP) Template gazetted earlier this year prohibited schools in rural zones.

**COMMENTARY**

Further to a question from Councillor BP Morrissey at Council's meeting of 18 September 2006 regarding the prohibition of schools in rural zones under the Standard LEP Template, the following has been researched. The Standard LEP Template does not mandate the prohibition of schools in any of the land use zones, including rural zones. When preparing the land use tables of the principal LEP in accordance with the Standard LEP Template, councils may:

- Include additional objectives in a zone at the end of the listed objectives to reflect particular local objectives of development, but only if they are consistent with the core objectives for development in the zone as set out in the Table.
- Add specified uses (but not remove from) to the list of development that is permitted or prohibited in a zone.

In this regard councils may elect where they wish to allow for school development through the development of their zoning land use tables. Council will have a role in determining the zoning land use tables in the upcoming comprehensive LEP for the Lithgow Local Government Area which must be completed by April 2009.

**POLICY IMPLICATIONS**

No policy implications arise from this report.

**FINANCIAL IMPLICATIONS**

No financial implications arise from this report

**LEGAL IMPLICATIONS**

No legal implications arise from this report.

**ATTACHMENTS**

Nil

**RECOMMENDATION**

**THAT** the information be received.

**ITEM:8            COMM - 03/10/06 - UPDATE OF STRATEGIC PLAN**

**REPORT FROM: POLICY & PLANNING MANAGER – A MUIR**

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**REFERENCE**

- Minute 06-05:    Policy & Strategy Committee Meeting 6 February 2006
- Minute 06-57:    Policy & Strategy Committee Meeting 6 March 2006
- Minute 06-93:    Policy & Strategy Committee Meeting 3 April 2006
- Minute 06-153:   Policy & Strategy Committee Meeting 5 June 2006
- Minute 06-281:   Policy & Strategy Committee Meeting 4 September 2006

**SUMMARY**

The purpose of this report is to provide a regular update on the Strategic Plan project. In particular, this report recommends the adoption of a Vision Statement and Themes for the Strategic Plan.

**COMMENTARY**

**Draft Vision Statement and Themes**

Twyford Consulting has completed the first survey of the Resident Feedback Register (RFR) in relation to the Vision Statement and Themes.

An overall response rate of 41% was achieved, being 41.12% for on-line participants and 80.65% for post back surveys. The following questions (in italics) were asked in relation to the draft Vision Themes:

*"We want to know to what extent you support the following vision themes. For each you will be asked whether you support, can live with, or do not support".* The following tables detail the draft Vision Themes and the results from the RFR.

<b>Community</b>		
<i>We retain, respect and strengthen both our overall sense of community, and the unique linked communities of groups, rural areas, villages and towns that make up the Lithgow LGA.</i>		
86% support	14% can live with	0% do not support

<b>Transport</b>			
<i>Providing a choice of effective public and private transport options for those who live, work and visit our community.</i>			
90% support	7% can live with	2% do not support	1% no response

<b>Employment</b>		
<i>Developing and embracing diverse job opportunities for all ages and abilities.</i>		
89% support	9% can live with	2% do not support

<b>Heritage</b>		
<i>Celebrating, protecting and sustaining our unique industrial and natural heritage, its cultural landscapes and its built heritage.</i>		
82% support	15% can live with	3% do not support

Education		
Progressing to a “learning city of excellence” with a broad range of formal and non-formal education services.		
87% support	11% can live with	2% do not support

Health		
Creating a healthy community providing opportunities and facilities for a healthy lifestyle.		
91% support	9% can live with	0% do not support

Environment		
Balancing, protecting and enhancing our diverse environmental elements, both natural and built, for the enjoyment and support of both current and future generations.		
83% support	16% can live with	1% do not support

Arts & Culture		
Supporting, celebrating and expanding a diversity of cultural and creative adventures, that explore and discover the richness in our society.		
63% support	34% can live with	3% do not support

Youth		
Providing suitable entertainment and recreational facilities; education and employment opportunities and lifestyle choices for our valuable community of young people.		
87% support	9% can live with	4% do not support

Growth			
Providing for sustainable and planned growth, while enhancing the existing rural and village identity.			
83% support	13% can live with	3% do not support	1% no response

*"Please provide brief reasons, and suggested changes for any themes you do not support or you think may be missing".* A number of comments were provided, but the majority of these related to specific issues and suggested actions/strategies. However, the following comments are relevant to the draft Vision Themes:

- "I feel that a statement on how Council will manage its infrastructure commitments is warranted".
- "Infrastructure – replacement and upgrading. How is this topic included in the above?"
- "What is missing is the support to keep the elderly in their homes".

The provision, maintenance and upgrading of infrastructure was a popular issue identified during the visioning sessions, in the draft Issues Discussion Paper and at the recent workshop sessions and open house. Infrastructure is considered to be an integral part of achieving all of the draft Vision Themes.

In relation to supporting the elderly, this theme is part of the draft Community and Health Vision Themes. This link becomes more apparent in draft Local Profile and draft Issues Discussion Paper i.e. the LGA's aging population, the capacity of current service providers and facilities; and the need for housing options.

Additionally, comments have been received from a member of the community who attended the visioning session and a meeting at Glen Alice Community Hall on 25 May 2006. These comments include some minor amendments to the wording of the draft Vision Themes and identify issues to be addressed in the Strategic Plan. It is suggested that the wording of the draft Vision Themes proceed as listed on the Resident Feedback Register. The issues identified will be listed as part of the results from the current Community Engagement Program.

The following question was asked in relation to the Overarching Vision Statement:

*"Please consider the three following overarching statements and rate each in terms of how much you approve of them as a summary statement of the Vision for the LGA when supported by the preceding vision themes."* The draft Vision Statements and results are presented in the following table:

Overarching Vision Statements Results	
Draft Vision Statement	Score
A sustainable community with a strong identity, working together for the benefit of the community, economic prosperity and the environment.	862
A centre of Regional excellence that: <ul style="list-style-type: none"> <li>• Encourages community growth and development</li> <li>• Contributes to the efficient and effective management of the environment, community and economy for present and future generations.</li> </ul>	854
A contributing community, embracing change to enhance life quality.	806

However, the interpretation of these results can be manipulated for example, if you take the top 2 listed scores for each draft Vision Statement, the "centre for Regional excellence" wins but if you take the top 3 scores the "sustainable community" wins. These 2 draft Vision Statements are very similar and either is suitable as an Overarching Vision Statement. Therefore, it is suggested that the "centre for Regional excellence" be adopted as it provides a generic and broader vision which encapsulates both the LGA and its place in the region.

The RFR also asked the participants to identify infrastructure and capital works which they would like Council to provide within the next 2, 5 and 10 years. These results will be considered in the upcoming Management Planning process.

**Stage 2 of the Community Engagement Program**

Stage 2 of the Community Engagement Program occurred between 5 and 15 September 2006 and involved 6 workshop sessions and 1 open house at various locations within the Local Government Area (LGA). A total of 98 persons attended the workshops and open house. Participants were asked to review the key local issues from the Draft Issues Discussion Paper and offer comment as to the relevance of each issue to the community and suggest any issues which were absent or required deletion and/or amendments. In addition, participants were asked to select a direction on growth for the LGA, types of activities to achieve that growth and where participants saw these people and activities located. The results of these workshops and open house will be reported to the November Policy and Strategy Committee Meeting.

**POLICY IMPLICATIONS**

The draft Vision Statement and Themes, if adopted, will be incorporated into the draft Strategic Plan and will be used in the 2007/08 Management Plan.

**FINANCIAL IMPLICATIONS**

The Strategic Plan is funded by the Planning Reform Fund Program and is currently within budget limits.

## **LEGAL IMPLICATIONS**

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

## **ATTACHMENTS**

Nil

## **RECOMMENDATION**

### **THAT**

1. The overarching vision Statement for the Strategic Plan be adopted as:  
“A centre of Regional excellence that:
  - Encourages community growth and development
  - Contributes to the efficient and effective management of the environment, community and economy for present and future generations.”
  
2. The following Vision Statements be adopted and incorporated into the Strategic Plan:
  - Community - We retain, respect and strengthen both our overall sense of community, and the unique linked communities of groups, rural areas, villages and towns that make up the Lithgow LGA.
  - Transport - Providing a choice of effective public and private transport options for those who live, work and visit our community.
  - Employment - Developing and embracing diverse job opportunities for all ages and abilities.
  - Heritage - Celebrating, protecting and sustaining our unique industrial and natural heritage, its cultural landscapes and its built heritage.
  - Education - Progressing to a “learning city of excellence” with a broad range of formal and non-formal education services.
  - Health - Creating a healthy community providing opportunities and facilities for a healthy lifestyle.
  - Environment - Balancing, protecting and enhancing our diverse environmental elements, both natural and built, for the enjoyment and support of both current and future generations.
  - Arts and Culture - Supporting, celebrating and expanding a diversity of cultural and creative adventures that explore and discover the richness in our society.
  - Youth - Providing suitable entertainment and recreational facilities; education and employment opportunities and lifestyle choices for our valuable community of young people.
  - Growth - Providing for sustainable and planned growth, while enhancing the existing rural and village identity.

**ITEM:9                    COMM - 03/10/06 - GARDENS OF STONE NATIONAL PARK**

**REPORT FROM: POLICY & PLANNING MANAGER – A MUIR**

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**REFERENCE**

Minute 06-82                Council Meeting 20 March 2006  
Minute 06-111              Council Meeting 18 April 2006  
Minute 06-119              Policy & Strategy Committee Meeting 1 May 2005

**SUMMARY**

The Minister for the Environment has responded to Council's submission on the Gardens of Stone Park Proposal Stage 2. The response includes a copy of the Assessment Report which highlights the Government's existing proposals in relation to the Western Escarpment (Blue Mountains Public Lands Rationalisation Project), a State Conservation Area (SCA) at Mt Airly and the possible reservation of some lands on the border of the National Park at Newnes. It also notes that the Department of Environment and Conservation (DEC) will explore the possibility of reserving Ben Bullen and Wolgan State Forests as a SCA and found that the reservation of the majority of the Newnes Plateau and surrounding Crown Reserves such as Hassans Walls Reserve should not be pursued.

In addition, 4 parcels of land have been gazetted as part of the Gardens of Stone National Park. However, these parcels were not part of the Gardens of Stone Park Proposal Stage 2 as put forward by The Colong Foundation for Wilderness, Blue Mountains Conservation Society and the Colo Committee.

**COMMENTARY**

**Gardens of Stone Park Proposal Stage 2**

At Council's Policy and Strategy Committee Meeting of 1 May 2006, it was resolved to reject the Gardens of Stone Park Proposal Stage 2 and request a delegation to the Minister for the Environment. A delegation was held with the Honourable Bob Debus, Minister for the Environment during the recent Cabinet visit to Bathurst. In addition, the Minister has now replied to Council with the following:

*"Thank you for your letter regarding the proposal put forward by a number of conservation groups in the Blue Mountains to reserve about 47,000 hectares of land in the Lithgow Area.*

*The Department of Environment and Conservation (DEC) has assessed the proposal, considered all submissions, and documented its findings in the attached Assessment Report. This report outlines the conservation values of the proposal, along with a review of current and future land uses to determine whether or not reservation under the National Parks and Wildlife Act (NPW Act) is merited and feasible.*

*DEC has received a large number of letters in relation to the reserve proposal. Many people in the Lithgow community are opposed, due to concerns about the effect of the proposal on mining, timber extraction and recreational activities, particularly on Newnes Plateau. Others support the proposal on the basis of concerns for the conservation of the natural values of the area, particularly threatened species, vegetation communities and the pagoda formations on Newnes Plateau.*

*The reservation of some areas which are included in the proposal is already being pursued. For example, the longer term management of the Western Escarpment as part of the Blue Mountains Public Lands Rationalisation process. Arrangements are also in place to secure the Canyon Colliery site for addition to the Blue Mountains National Park now that the mining lease over the lands has expired.*

*The key to reconciling those parts of the proposal with both mining and conservation interests is to utilise the State Conservation Areas (SCA) category of reservation. SCAs have been successfully created over land to be mined in the Pilliga region of Western NSW, and over an underground mine at Dharawal SCA. For parts of the Gardens of Stone proposal, there appears to be considerable potential for well-managed coal mining to co-exist with conservation objectives within an SCA.*

*Discussions between the Department of Primary Industries (Minerals) (DPI Minerals), DEC and Centennial Coal over a possible SCA at Mt Airly are continuing. DEC will also explore, with NSW State Forests and DPI Minerals, the possibility of reservation of Ben Bullen and Worgan State Forests as an SCA. This will commence once the various issues associated with the establishment of the Mount Airly SCA are resolved with DPI Minerals and Centennial Coal.*

*Specific details such as the SCA boundaries, protocols for operations associated with mining, and measures for environmental protection need to be agreed with DPI Minerals, DEC and the mine operators. Issues such as subsidence management and surface access would be resolved prior to establishment of an SCA, modelled on existing processes. The coal resource and infrastructure associated with its extraction would be excluded from the SCA. That is to say, in SCA areas existing and future coal mining will be supported.*

*One of the principal findings of the assessment is that reservation of the majority of Newnes Plateau and surrounding crown reserves should not be pursued. Although Newnes Plateau has significant conservation values, substantial damage has been done as a result of past and continuing uses, including uncontrolled recreational activity and forestry operations. It is also clear that opposition to reservation within elements of the broader community makes it unlikely that a management regime consistent with the NPW Act could effectively be put in place over these lands.*

*I believe that these outcomes strike an appropriate balance between the need to protect and preserve our natural and cultural heritage, and to support essential economic development through the ongoing operation of forestry, coal and other mining activities in the Lithgow area. These outcomes also align with the range of views expressed by the local community".*

Of particular interest to Council is the following in relation to existing Government proposals for investigation:

- Airly Mountain is the subject of a proposal for the establishment of a SCA. "DEC is currently developing a management framework for the reserve for the consideration of DPI Minerals and Centennial Coal. Reservation will not proceed until these organisations are satisfied with the arrangements" (DEC, 2006, Assessment Report Gardens of Stone Stage Two Proposal – State Conservation Areas and Park Extensions).
- As Council is aware the Blue Mountains Public Lands Rationalisation Project has identified Blue Mountains City Council as the appropriate land manager for 2,500 hectares and DEC for a further 660 hectares. There has been no formal sign-off on the outcomes to date.
- An area of some 2,400 hectares situated on the eastern edge of the Newnes Plateau and bordering on the National Park is being considered for reservation once the operational needs of Clarence Colliery are understood. These areas are to be pursued in the medium term.

It should be noted that the DEC concludes "the broader Newnes Plateau area should not be pursued for reservation along with the Blackfellows Hand reserve, the Crown land near Clarence, Hassans Walls Reserve and Zig Zag Crown reserves" (DEC, 2006, Assessment Report Gardens of Stone Stage Two Proposal – State Conservation Areas and Park Extensions).

The Report identifies some potential in the future reservation of the Ben Bullen and Wolgan State Forests and the small blocks of adjoining Crown land. This issue is to be considered once the Mt Airly proposal is resolved. These areas contain significant nature conservation value, in addition to State Forest and coal mining activities. The Report states that these forests have a low productivity. To enable the continuation of coal mining activities under these forests, a SCA is considered to be the appropriate form of reservation category under the NPW Act.

Council may recall that in its consideration of the Gardens of Stone Park Proposal Stage 2 on 1 May 2006, it received submissions relating to the proposed SCAs and its long term effects on coal mining i.e. the creation of long term uncertainties for investment in mining tenements. As the Assessment Report highlights existing and future proposals for the establishment of SCAs, Council may want to consider further the potential impacts on the local coal mining and electricity generation industry which are important component of the LGA's economy. Therefore, it is suggested that a copy of the Assessment Report be forwarded to the local coal mining companies and Delta Electricity.

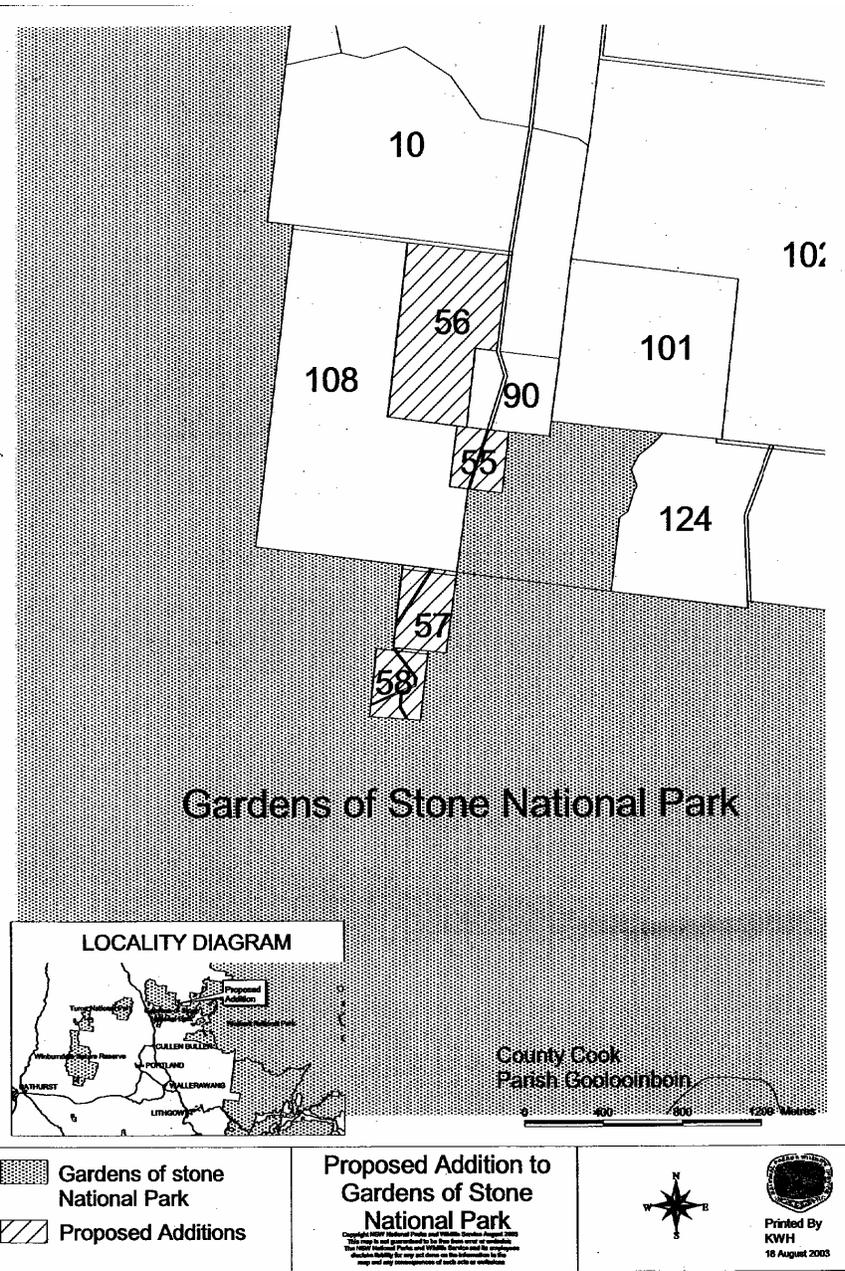
A copy of the Assessment Report for the Gardens of Stone Stage 2 Proposal – State Conservation Areas and Park Extensions is enclosed in Councillor's Business Paper Packages.

#### **Notice of Reservation for Gardens of Stone National Park**

Separate to the Gardens of Stone Park Proposal Stage 2, the NSW National Parks and Wildlife Service has provided a copy of the NSW Government Gazette dated 11 August 2006 which reserves the following lands as part of the Gardens of Stone National Park:

*"County of Cook, Parish of Goollooinboin, about 70 hectares, being Lots 55, 56, 57 and 58, DP 751640, inclusive of Crown public roads within Lot 55, 57 and 58, DP 751640, the Crown public road separating Lot 108 from 57, DP 751640 and the Crown public road separating Lot 57 from 58, DP 751640".*

A plan of these lands is provided below.



**POLICY IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

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

**LEGAL IMPLICATIONS**

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

## **ATTACHMENTS**

1. Assessment Report for the Gardens of Stone Stage 2 Proposal – State Conservation Areas and Park Extensions is enclosed in Councillor's Business Paper Packages.

## **RECOMMENDATION**

**THAT** a copy of the Assessment Report for the Gardens of Stone Stage 2 Proposal – State Conservation Areas and Park Extensions be forwarded to local coal mining companies and Delta Electricity.

**COMMITTEE MEETINGS**

Nil.

**QUESTIONS WITHOUT NOTICE**

Nil.

## ATTACHMENTS

### **ITEM 5 - Minutes of the shopping trolley meeting held on Thursday 7<sup>th</sup> September 2006 at the Lithgow Library Learning Centre**

Present: Julie Pilley (Coles Administration Manager), Penny Hall (Community and Culture Manager), Amanda Muir (Policy and Planning Manager), Lyn Hall ( Project Manager, Trolley Trackers ) Richard Kim, Jin Lee, and Steve Le Brocque, Trolley collectors, Jason Bootsma (Woolworth's Store Manager).

Apologies: None

#### **Item 1**

#### **9<sup>th</sup> September 2002 Code of Practice for the Management of Shopping Trolleys in the Lithgow Council Area.**

As per the resolution it was resolved

THAT

1. Any shopping trolley found on public property be immediately impounded and an impounding fee be charged.
2. All supermarkets and businesses providing shopping trolleys for customer use be advised.

#### **Item 2**

#### **Lyn Hall and retailers' comments**

These included:

- Greater co-operation between the parties
- Contact the retailers immediately when trolleys are found unattended in the streets.
- More use of the 1800 number by the Lithgow community.
- Council should only impound the trolley if there is imminent danger
- Council should fine the person abandoning the trolley.
- Penrith City Council officers say coin operated system does not work.
- Another report to Council recommended.
- They will approach Councillors to try and change the resolution.

#### **Item 3**

#### **Council's comments**

These included:

- Aldi or the Warehouse trolleys have never been impounded.
- Council has to impound trolleys as soon as we see them in accordance with Council's resolution.
- Trolleys are a public liability if left unattended.
- Council has to actually see the person abandoning the trolley to fine the person needs to be checked.
- 1800 number doesn't work for Council.
- In the DA application for Woolworth's a coin operated trolley system was to be tested. There was to be a twelve month trial for a non coin operated system. Trial period now up?

**Item 4**

**Education campaign**

All agreed on a co-operative education campaign as Council still needs to impound trolleys.

- Penny and Lyn to develop an education campaign and store managers to sign off on it.
- Leaflets can be provided through the stores. (Lyn) Initially rate notices were suggested but don't cover all residents.
- Approach Mayor to address issue on radio and in the Mayoral Column. (Penny)
- Advertise in the Council Connections newsletter which goes to the whole community. (Penny)
- Lyn suggested that if the rangers are out of the normal collection area they could give the 1800 number a ring but once again Amanda said that Council had to work to the resolution of Council dated 9<sup>th</sup> September 2002.
- A copy of the condition of the Woolworth's twelve month trial to be sent to Jason at the Woolworth's store. (Amanda)
- Lyn Hall asked for a report on the number of trolleys impounded in the last year (breakdown of brands)
- *Also Lyn requested figures on the number of trolleys impounded before Woolworth's relocated (requested by phone on 8/9/06)*
- Retailers to look at map area for trolley collection and bring maps to next meeting
- Lyn requested that a copy of these minutes be forwarded to her.
- Penny will report to Senior Management on outcomes of this meeting

**Next meeting:**

Wednesday 10am 11<sup>th</sup> October at the Lithgow Library Learning Centre.