



LITHGOW CITY COUNCIL

AGENDA

ORDINARY MEETING OF COUNCIL

TO BE HELD AT

THE ADMINISTRATION CENTRE, LITHGOW

ON

18 FEBRUARY 2008

AT 7.00pm

---

# **AGENDA**

---

**PRESENT**

**QUESTIONS FROM THE PUBLIC GALLERY - NIL**

**PRESENTATIONS - NIL**

**CONFIRMATION OF THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 17 DECEMBER 2007**

**DECLARATION OF INTEREST - NIL**

**NOTICES OF MOTION - NIL**

**NOTICE OF RESCISSION - NIL**

**MAYORAL MINUTE - NIL**

**CORRESPONDENCE AND REPORTS**

General Manager Reports

Community and Corporate Services Reports

**CLOSED REPORTS - NIL**

**REPORTS FROM DELEGATES - NIL**

**COMMITTEE MEETINGS - NIL**

**QUESTIONS WITHOUT NOTICE**

---

---

# TABLE OF CONTENTS

---

<u>ITEM</u>	<u>TITLE</u>	<u>PAGE</u>
	<b><u>GENERAL MANAGER REPORTS</u></b>	<b><u>1</u></b>
<b><u>ITEM:1</u></b>	<b><u>GM - 18/02/08 - OUTCOME OF LEADERS FORUM ON PLANNING CHANGES</u></b>	<b><u>1</u></b>
<b><u>ITEM:2</u></b>	<b><u>GM - 18/02/08 - DROUGHT ISSUES</u></b>	<b><u>3</u></b>
<b><u>ITEM:3</u></b>	<b><u>GM - 18/02/08 - E DIVISION CONFERENCE</u></b>	<b><u>5</u></b>
<b><u>ITEM:4</u></b>	<b><u>GM - 18/02/08 - KU-RING-GAI COUNCIL - IMPOSITION OF PLANNING PANEL AND ASSOCIATED MATTERS</u></b>	<b><u>6</u></b>
<b><u>ITEM:5</u></b>	<b><u>GM - 18/02/08 - PROPOSED ELECTRICITY SELL OFF BY NSW GOVERNMENT</u></b>	<b><u>8</u></b>
<b><u>ITEM:6</u></b>	<b><u>GM - 18/02/08 - DRAFT HYDE PARK PLAN OF MANAGEMENT</u></b>	<b><u>11</u></b>
	<b><u>COMMUNITY AND CORPORATE SERVICES REPORTS</u></b>	<b><u>13</u></b>
<b><u>ITEM:7</u></b>	<b><u>COMM - 18/02/08 - COUNCIL INVESTMENTS TO 31 DECEMBER 2007</u></b>	<b><u>13</u></b>
<b><u>ITEM:8</u></b>	<b><u>COMM - 18/02/08 - ADOPTION OF POLICY - CHANGE IN CATEGORY RATING FOR RATING PURPOSES</u></b>	<b><u>15</u></b>
<b><u>ITEM:9</u></b>	<b><u>COMM - 18/02/08 - CAPITAL ASSISTANCE PROGRAM GRANT FOR THE LITHGOW OLYMPIC POOL</u></b>	<b><u>16</u></b>
<b><u>ITEM:10</u></b>	<b><u>COMM - 18/02/08 - QUARTERLY PERFORMANCE REPORT ON MANAGEMENT PLAN 2007/08 - 2009/10 FOR THE PERIOD OF 1 OCTOBER TO 31 OCTOBER 2007</u></b>	<b><u>17</u></b>
<b><u>ITEM:11</u></b>	<b><u>COMM - 18/02/08 - CENTROC HEALTH WORKFORCE GROUP MEMBERSHIP REQUEST</u></b>	<b><u>19</u></b>
	<b><u>ATTACHMENTS</u></b>	<b><u>21</u></b>
<b><u>ITEM:4</u></b>	<b><u>GM - 18/02/08 - KU-RING-GAI COUNCIL - IMPOSITION OF PLANNING PANEL AND ASSOCIATED MATTERS</u></b>	<b><u>21</u></b>

---

## GENERAL MANAGER REPORTS

### ITEM:1 GM - 18/02/08 - OUTCOME OF LEADERS FORUM ON PLANNING CHANGES

---

#### REFERENCE

Nil

#### SUMMARY

This report provides the outcome of the recent Leaders Forum held to discuss the NSW Government's proposed planning changes.

#### COMMENTARY

The Local Government and Shires Association held a Leaders Forum on 30 January 2008 to discuss the NSW Government's proposed planning changes. The meeting made the following resolutions and asked that it be brought to the attention of all mayors as a matter of urgency:

- That the meeting supports the actions of the Presidents and Executives of the Local Government and Shires Associations in mounting a campaign on the NSW Government's proposed planning changes, including both the issue of section 94 developer contributions and the recommendations in the Government's discussion paper, and preparing an alternative reform package as a basis for discussion with the Government, councils, stakeholders and the community.
- The meeting calls on all NSW councils to refuse to cooperate with the NSW Government if requested to transfer section 94 funds held in trust by councils, to the Government.
- The meeting supports in principle the proposal that the Associations seek contributions from member councils towards the costs of engaging high level lobbying and media representation to formulate and assist with the implementation of a continuing public campaign.

A paper is being prepared by the Association with the assistance of a planning consultant to scope an alternative reform package. This paper will be distributed in February for review and comment.

The Association asks that a resolution of Council be sought endorsing the abovementioned 3 points. In light of the serious implications the proposed changes have to our community, it is suggested that Council endorse these points.

#### 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**

The legal implications are unclear as draft legislation has not been introduced into Parliament to date relating to section 94 developer charges and the holding of monies by the State Government in some circumstances.

## **ATTACHMENTS**

1. Key Messages Circular

## **RECOMMENDATION**

**THAT** Council endorse the following:

1. That the meeting supports the actions of the Presidents and Executives of the Local Government and Shires Associations in mounting a campaign on the NSW Government's proposed planning changes, including both the issue of section 94 developer contributions and the recommendations in the Government's discussion paper, and preparing an alternative reform package as a basis for discussion with the Government, councils, stakeholders and the community.
2. Council to consider refusing to cooperate with the NSW Government if requested to transfer section 94 funds held in trust by councils, to the Government.
3. The Council supports in principle the proposal that the Associations seek contributions from member councils towards the costs of engaging high level lobbying and media representation to formulate and assist with the implementation of a continuing public campaign.

**ITEM:2 GM - 18/02/08 - DROUGHT ISSUES**

---

**REFERENCE**

NIL

**SUMMARY**

This report updates Council on the actions of the Rural Alliance following the successful Shires Association Drought Summit held in Parkes on 25<sup>th</sup> September 2007.

**COMMENTARY**

As Council is aware a debilitating and crippling drought has been impacting upon rural communities and families for some time. Given the impact of this drought Council actively participated in the NSW Drought Summit held at Parkes in September 2007.

The Summit came up with a number of priorities for the Government to consider, including debt write offs and greater subsidies and grants for farmers to assist them and rural communities through the drought.

The Rural Alliance formed as a result of the Drought Summit write to the Agriculture Minister the Hon, Ian McDonald seeking approval for the learning of State format and State nature reserves for stock grazing. The minister has now responded and advises:

*The association may be interested to learn that more than 600,000 hectares of State Forests are grazed under leases, occupation permits and short term grazing leases - providing a valuable additional feed source when feed levels are low. Forests NSW already does what it can to accommodate grazing where the environmental impacts can be managed and where sufficient feed exists. However, as you would appreciate, with so much of the state currently drought declared, the availability of feed across the state, including on State Forest, is greatly reduced.*

*The benefits of managed grazing in fire prevention as well recognised in areas where it is environmentally sustainable. For example, selective cattle grazing is managed in the Riverina Red gum forests under a grazing Strategy which provides an invaluable environmental enhancement tool to advantage native species of flora and disadvantage introduced weeds. Naturally to minimise the impact of grazing on environmentally sensitive areas, water courses and exclusion zones are fenced off.*

*In addition to the important role grazing plays in fire prevention and site preparation in plantations, Forest NSW has a commercial imperative to maximise grazing throughout its estate. In the case of plantations, of course, grazing cannot be accommodated until trees are sufficiently mature.*

The matter further advises that the issues raised by the Mid Lachlan Alliance will be considered by the State Cabinet for Drought Assistance.

**POLICY IMPLICATIONS**

NIL

**FINANCIAL IMPLICATIONS**

NIL

**LEGAL IMPLICATIONS**

NIL

**CONCLUSION**

This report has provided Council with an update of the representation made as a result of the drought summit and the rural alliance with respect and the drought impacts to NSW and local communities.

**ATTACHMENTS**

NIL

**RECOMMENDATION**

**THAT** this information be noted.

**ITEM:3 GM - 18/02/08 - E DIVISION CONFERENCE**

---

**REFERENCE**

NIL

**SUMMARY**

This report provides Council with information regarding the recent E Division Conference held in Parkes on 6<sup>th</sup> February 2008.

**COMMENTARY**

The Annual E Division of the Shires Association Conference was held in Parkes on the 6<sup>th</sup> February 2008 and was well attended by many Mayors and General Managers of the Regional including the President of the Shires Association, Councillor Bruce Miller. Councillor Miller is also the Mayor of Cowra.

The Conference debated many relevant issues for Regional Local Government, as can be seen in the attached agenda. These recommendations will now be forwarded to the NSW Shires Conference to be held later in this year.

**POLICY IMPLICATIONS**

The motion suggested following number policy stances of Council.

**FINANCIAL IMPLICATIONS**

NIL

**LEGAL IMPLICATIONS**

NIL

**ATTACHMENTS**

1. The Minutes of the E Division Conference

**RECOMMENDATION**

**THAT** the information be noted.



**ITEM:4 GM - 18/02/08 - KU-RING-GAI COUNCIL - IMPOSITION OF PLANNING PANEL AND ASSOCIATED MATTERS**

---

**REFERENCE**

Nil

**SUMMARY**

To advise Council of the experience of Ku-ring-gai Council where the Minister for Planning has imposed a 'planning panel' on the Local Government Area.

**COMMENTARY**

The Mayor of Ku-ring-gai Council, Councillor Nick Ebbeck, has forward correspondence outlining the circumstances and impacts on the Kur-ring-gai community in relation to the imposition of a Planning Panel for Ku-ring-gai Council.

From time-to-time the Minister for Planning may appoint a planning assessment panel to undertake a council's consent authority role or to prepare environmental planning instruments in a local government area. Circumstances that may give rise to such an appointment include:

- A council has failed to comply with its obligations under the planning legislation
- The performance of a council in dealing with planning and development matters is unsatisfactory, or
- A council agrees to the appointment.

It appears in the Ku-ring-gai case that the Minister formed an opinion that the Council failed to comply with its obligations irrespective of the evidence provided by Ku-ring-gai to the contrary and appointed the panel with powers to consider:

- DA's over 90 days old
- DA's with a construction value exceeding \$30million
- Town centres and LEP's
- Dual Occupancy Code.

Councillors will note a separate report in the business paper dealing with local governments' reaction to other 'planning reforms' proposed by Minister Sartor that will have the effect of eroding the voice of local communities in local planning decisions. The imposition of a planning panel on a community in the absence of genuine reasons is another example of what appears to be a concerning trend by the Minister to centralise planning powers. In this regard it seems appropriate to approach the Member for Bathurst to make representations to the Minister and the Premier outlining the serious concerns that this Council shares with other Council's in New South Wales as to the apparent campaign to erode planning powers in local communities.

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil at this stage

**LEGAL IMPLICATIONS**

Nil

**ATTACHMENTS**

1. Correspondence from the Mayor of Ku-ring-gai, Councillor Nick Ebbeck.

**RECOMMENDATION**

**THAT:**

1. The Member for Bathurst be requested to make representations to the Minister for Planning and the Premier outlining the serious concerns that Lithgow City Council shares with other Council's in New South Wales in relation to the campaign by the Minister to erode planning powers in local communities.
2. Ku-ring-gai Council be advised of Lithgow City Council's representations on this matter.

**ITEM:5            GM - 18/02/08 - PROPOSED ELECTRICITY SELL OFF BY NSW GOVERNMENT**

---

**REFERENCE**

NIL

**SUMMARY**

This report is provided following a request from Councillor Brian Morrissey regarding the proposed power industry sale by the NSW Government. The report will recommend Council make a submission to the Committee on the proposal to which concerns are raised.

**COMMENTARY**

As Council is aware the NSW Government have proposed what is referred to as a "privatisation" of the electricity industry. From the information available it appears this privatisation will involve:

- a) The sale of the retail side of the electricity resellers, i.e. the selling of power currently carried out by Integral, Country Energy or a other government owned corporations.
- b) The lease (for 99yrs) of the electricity generators

It is a pure understatement to suggest that there has been considerable concern expressed by all sectors of the community to the proposals, including the LGSA who have made representations to the Premier regarding the proposals. Formal copies of the LGSA submission have been sought, however at the time of preparing this report such were unavailable and these will be forwarded to Councillors as soon as available.

The Government has set up a "Consultative Reference Committee". This Committee will:

1. The direct and indirect social usefulness of a public asset, service or utility;
2. The original purpose of the enterprise and whether that purpose remains valid, is being appropriately addressed through existing arrangements or could be satisfied by alternative arrangements;
3. Where the original purpose (as discussed above) has become redundant, the other social, redistributive or regulatory roles that have evolved must be taken into account;
4. The retention value of the enterprise measured against its sale value. Any calculation of retention value should incorporate both commercial and non-commercial functions;
5. The current structure of the market place (i.e. monopoly, oligopoly or competitive) and the public sector's role as a competitor and/or regulator in that market;
6. The impact on specific groups or regional areas especially those groups or areas that are already disadvantaged. The assessment should include all factors including the real costs of compensation and/or support that will be needed if the role of the public sector were to change;

7. The impact on employment, skills, training and conditions and the protection of the existing workforce and/or the reform of industrial relations practices in any new enterprise or project;
8. The existing competing demands on the NSW public sector and existing budgetary constraints and/or the alternative sources of funds for public sector investment;
9. The current environmental impact and the need to continue to enhance environmental protection;
10. The administrative economies of scale and coordination that is facilitated by public ownership and control;
11. Appropriate weighting of long-term as well as short to medium term considerations;
12. Where the money is going (i.e. ensuring that the proceeds of the disposal of assets are responsibly directed to priority public capital needs).

The Committee is chaired by Hon Barrie Unsworth and the following members:

- Rev Harry Herbert, Executive Director of Uniting Care NSW/ACT
- Jeff Angel, Total Environment Centre
- Matthew Thistlethwaite, Unions NSW
- Ben Kruse, United Services Union
- Steve Turner, Public Sector Association
- Michael Daley, Member for Maroubra
- Steve Whan, Member for Monaro
- Robyn Kruk, Director-General, Department of Premier and Cabinet
- David Richmond, Coordinator General

The Committee called for submissions to the enquiry with the closing date by 8<sup>th</sup> February 2008. Although outside this time table Council may be able to request a late submission via the Local Member, Gerard Martin. The Committee is due to complete the formulation of the impact statement to the Government by 7<sup>th</sup> March 2008.

Given the huge impact electricity generation has to our local community and the significant employment the industry creates, Council may wish to consider if a submission should be made, to the Committee or if direct lobbying to the Premier is warranted via the Local Member, Gerard Martin.

Council also needs to be mindful of the recommendations of the "Owen Report", where it became obvious that base load power generation would become an issue for NSW in the near future and that the duplication of Mount Piper was listed as a valued option to ensure a "safe yield" of base power supply. This has been a long sought priority for the Council to secure employment and economic development for the City but also the wider region. This priority also gained support at the 2007 LGA Conference held at Coffs Harbour in October, following a successful session part to the conference by the Mayor following Council's previous resolution on the matter.

### **POLICY IMPLICATIONS**

This report has followed Council's previous policy stance on lobbying for the duplication of Mount Piper Power Station.

The report is also suggesting Council make a policy direction on the Government's "privatisation" of the power industry proposal.

### **FINANCIAL IMPLICATIONS**

There are no direct financial implications arising from this report, however, the result on the duplication of Mount Piper will have some significant local economic impacts which will initially have a financial implication to Council.

### **LEGAL IMPLICATIONS**

NIL

### **CONCLUSION**

Given the significant impact of the power industry on our local government area in terms of employment, economic development and social infrastructure and industries, many other levels of employment, this report has suggested Council consider via the Local Member, seeking a delegation to the Premier outlining the concern raised with the "leasing" of the power generators.

Council should also lobby the Premier for the commitment to the duplication of the Mount Piper Power Station to ensure sufficient base load power for NSW.

### **RECOMMENDATION**

#### **THAT:**

1. Council consider making a submission to the Consultative Reference Committee via the Local Member, Gerard Martin.
2. Councillors provide details of the issues for such a submission.
3. Council seek a delegation to the NSW Premier the Hon, Iemma via Gerard Martin to support the submission.
4. Council seek a delegation referred to above to lobby for the expansion / duplication of Mount Piper Power Station.

**ITEM:6 GM - 18/02/08 - DRAFT HYDE PARK PLAN OF MANAGEMENT**

**REPORT FROM: COMMUNITY AND CULTURE MANAGER – P.HALL**

---

**REFERENCE**

Min 07-556: Ordinary Meeting of Council 17 December 2007

**SUMMARY**

To advise of the results of the exhibition of the draft Hyde Park Plan of Management.

**COMMENTARY**

At Council's Ordinary Meeting of 17 December 2007 it resolved:

1. Council approve the completion and then exhibition of the draft Hyde Park Reserve Plan of Management;
2. The draft Hyde Park Reserve Plan of Management be placed on public exhibition for 41 days commencing Friday 21 December 2007;
3. Council receive a subsequent report summarising any submissions from the public exhibition process and consider any alterations recommended arising from those submissions in early 2008 before forwarding of the Plan of Management to the Department of Lands for completion.

Council has exhibited the draft Plan of Management for Hyde Park Reserve, Hartley in order to comply with the Crown Lands Act 1989. The exhibition of the draft plan was made available on Council's website, at council's four local libraries, and council Administrative building. The draft plan invited public comment on the proposed activities for Hyde Park and was available for comment for 41 days from the 21<sup>st</sup> December 2007 closing at the end of January 2008. Numerous contributions were received prior to the draft plan being advertised further assisting with its compilation. Six submissions were received from stakeholders and the community during the exhibition stage.

No significant changes have occurred as a result of the public submissions made, however comments outside the scope of the plan have been referred to relevant council staff.

The Department of Lands has reviewed the document as a draft. They are satisfied with the draft Plan.

Once Council approves the final draft of the Plan of Management, the Department of Lands will forward to the Minister for Lands for adoption. Once the Minister adopts the plan, the final plan will be presented back to Council.

The Hawkesbury Nepean Catchment Management Authority (HNCMA) have provided \$150,000 of funding through the Local Government Advisory Group (LGAG) program, for works in four public bushland Reserves (Hyde Park, Hassans Walls, Londonderry and Hartley Reserves) '*River Lett Catchment Biodiversity Enhancement and Improvement Project*' in the Lithgow LGA.

Council has prepared the Hyde Park Plan of Management as an 'in-kind' contribution toward the program of works in conjunction with a planned program of 'on-ground' activities currently occurring across three of the four Reserves.

In January 2008, Council prepared a Heritage Study to fully document the cultural significance of the area. The results will be incorporated into the Plan of Management. Due to the high occurrence of Aboriginal artefacts discovered as a result of the Heritage Study, Hyde Park Reserve has been partitioned into different management zones permitting varying degrees of soil disturbance and earthworks. A Heritage Impact Permit under a Section 90 Consent (Consent with Salvage) has been applied for to the National Parks and Wildlife Service before permission for conservation earth works can occur.

**POLICY IMPLICATIONS**

This plan will contribute to the State of Environment annual reporting requirements.

**FINANCIAL IMPLICATIONS**

Nil

**LEGAL IMPLICATIONS**

Nil

**CONCLUSION**

The final plan is presented for approval by Council to be forwarded to the Minister for Lands for formal adoption.

**ATTACHMENTS**

Nil

**RECOMMENDATION**

**THAT** Council approve the final version of the draft Hyde Park Reserve Plan of Management and forward the Plan of Management to the Department of Lands and Minister for Lands for adoption.

## COMMUNITY AND CORPORATE SERVICES REPORTS

### ITEM:7            COMM - 18/02/08 - COUNCIL INVESTMENTS TO 31 DECEMBER 2007

#### REPORT FROM - INTERNAL SERVICES MANAGER - C FARNSWORTH

#### REFERENCE

Min 07-401: Finance & Services Committee Meeting 3 September 2007 (July 2007)  
 Min 07-425: Council Meeting 17 September 2007 (August 2007)  
 Min 07-480: Finance & Services Committee Meeting 5 November 2007 (15 Oct 2007)  
 Min 07-528: Finance & Services Committee Meeting 3 December 2007 (31 Oct 2007)  
 Min 07-554: Finance & Services Committee Meeting 17 Dec 2007 (30 Nov 2007)

#### SUMMARY

To advise Council of 2007/08 investments held for the period ending 31 December 2007.

#### COMMENTARY

The amount invested as at 31 December 2007 when compared to 30 November 2007 has decreased by \$705,024.99. The third rate instalment of the 2007/08 rate levy is due for payment on the 29 February 2007 in addition to the third payment of the Financial Assistance Grant on 16 February 2008.

INVESTMENT REGISTER 2007/08								
INSTITUTION	INV TYPE	DATE LODGED	DATE DUE	DAYS	INT	VALUE 31.11.07	VALUE 31.12.07	% OF TOTAL
ANZ	TD	01.11.07	30.01.08	93	6.97	584,376.71	584,376.71	3.73%
BANKWEST	TD	29.11.07	31.01.08	63	7.20	500,000.00	500,000.00	3.19%
	TD	05.12.07	04.03.08	90	7.35	0.00	500,000.00	3.19%
CBA	CMS Nt	20.11.06	20.11.11	1,825	7.31	500,000.00	500,000.00	3.19%
	On Call				6.70	1,195,716.40	695,716.40	4.44%
	Ethical	06.06.06	06.06.11	1,825	9.25	500,000.00	500,000.00	3.19%
	TD	14.12.07	11.01.08	30	7.35	1,008,717.53	519,910.15	3.32%
	TD	21.11.07	05.06.09	547	16.0	750,000.00	750,000.00	4.79%
CITIBANK	TD	10.12.07	11.02.08	60	7.18	534,119.76	543,510.02	3.47%
LG FINANCIAL	On Call				7.55	750,000.00	750,000.00	4.79%
	TD	06.11.07	06.11.08	365	7.55	306,524.05	306,524.05	1.96%
	TD	07.11.07	07.02.08	92	7.13	527,761.01	527,761.01	3.37%
	On Call				6.55	4,714.43	4,714.43	0.03%
	TD	10.12.07	10.03.08	90	7.28	502,915.07	511,817.36	3.27%
	TD	15.10.07	16.01.08	91	7.00	2,472,361.25	2,472,361.25	15.79%
IMBS	On Call				6.50	275,059.04	26,573.78	0.17%
	TD	07.11.07	06.02.08	91	7.22	1,095,058.06	1,095,058.06	7.00%
	TD	15.10.07	15.01.08	92	6.98	488,044.84	488,044.84	3.12%
	TD	06.12.07	05.03.07	90	7.37	787,274.99	801,250.09	5.12%
	TD	23.11.07	22.01.08	60	7.20	775,734.68	775,734.68	4.96%
ALLIANCE	Managed	01.04.02	28.02.08	365		1,000,000.00	1,000,000.00	6.39%
ST GEORGE	TD	17.10.07	17.04.08	180	7.05	508,461.37	508,461.37	3.25%
	TD	19.11.07	19.01.08	60	7.13	500,000.00	500,000.00	3.19%
	TD	15.10.07	15.01.08	90	6.90	792,208.60	792,208.60	5.06%
			<b>TOTAL</b>			<b>16,359,047.79</b>	<b>14,522,810.98</b>	<b>100.00%</b>

I, Carol G Farnsworth, Lithgow City Council Internal Services Manager (Responsible Accounting Officer) certify as required under Local Government (General) Regulations 2005, that Council's investments have been made in accordance with the Local Government Act 1993, Regulations and Lithgow City Council's Investment Policy.



### **POLICY IMPLICATIONS**

All Council's investments are held in accordance with Lithgow City Council's Investment Policy.

### **FINANCIAL IMPLICATIONS**

Investment income to date 31 December 2007 is \$388,949.61. Interest is paid on the maturity date of the investment and managed funds report earnings quarterly.

### **LEGAL IMPLICATIONS**

Investments are held in accordance with the Lithgow City Council's Investment Policy which accords with the requirements of the:

- Local Government Act 1993 - Section 625
- Local Government Act 1993 - Order dated 17 March 2000
- Local Government (General) Regulation 2005
- Trustee Amendment (Discretionary Investments) Act 1997- Section 14A(2), 14c(1) & (2)

### **RECOMMENDATION**

**THAT** Council's 2007/08 investments for the period ending 31 December 2007 be received.

**ITEM:8            COMM - 18/02/08 - ADOPTION OF POLICY - CHANGE IN CATEGORY  
RATING FOR RATING PURPOSES**

**REPORT FROM: INTERNAL SERVICES MANAGER C FARNSWORTH**

---

**REFERENCE**

Min 07-501: Ordinary Council Meeting 19 November 2007

**SUMMARY**

This report provides the public exhibition results for the Draft Change in Category for Rating Purposes Policy and recommends the adoption of the document without alteration to the draft as exhibited.

**COMMENTARY**

Council may recall that at its Ordinary Meeting of 19 November 2007, it resolved to place on public exhibition the Draft Change in Category for Rating Purposes Policy.

At the conclusion of the exhibition period no submissions were received and subsequently it is recommended that the document be adopted without alteration.

**POLICY IMPLICATIONS**

The adoption of the document will form Council policy.

**FINANCIAL IMPLICATIONS**

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

**LEGAL IMPLICATIONS**

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

**ATTACHMENTS**

Nil

**RECOMMENDATION**

**THAT** the Draft Change in Category for Rating Purposes Policy reported to Council on the 19 November 2007 be adopted as the final version.

**ITEM:9            COMM - 18/02/08 - CAPITAL ASSISTANCE PROGRAM GRANT FOR  
                         THE LITHGOW OLYMPIC POOL**

**REPORT FROM: GRANTS OFFICER – SARA KNOX**

---

**REFERENCE**

Nil

**SUMMARY**

To advise Council of successful grant funding from the Department of Sport and Recreation's Capital Assistance Program for the provision of an access ramp into the Lithgow Olympic Pool.

**COMMENTARY**

The Minister for Sport and Recreation, the Honourable Graham West, MP and the State Member for Bathurst, Gerard Martin, MP announced on 5 February 2008 that Council was successful in receiving a Department of Sport and Recreation Capital Assistance Program Grant for \$30,000 to provide an access ramp into the Lithgow Olympic Pool. This grant supplements Council's funds in its 2007/08 Budget to provide for the access ramp and concourse replacement to reduce the length of the pool to 50 metres. After reviewing Council's Capital Works Program for 2007/08 and awaiting the determination of this grant application it is proposed to undertake these works in 2008/09.

It should be noted that this project is in addition to the proposed construction of an indoor aquatic centre which Council will consider in the management planning process for 2008/09 to 2010/11.

**POLICY IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

Council's contribution to this project is \$96,725 which has already been allocated in the 2007/08 Budget and is proposed to be transferred into the 2008/09 Budget. Furthermore, upon receipt of the grant funds, the Management Plan will be amended in the appropriate quarter.

**LEGAL IMPLICATIONS**

A funding agreement will be required to be signed by Council. However, this documentation has not been received to date.

**ATTACHMENTS**

Nil

**RECOMMENDATION**

**THAT** the information be received.

**ITEM:10            COMM - 18/02/08 - QUARTERLY PERFORMANCE REPORT ON  
MANAGEMENT PLAN 2007/08 - 2009/10 FOR THE PERIOD OF 1  
OCTOBER TO 31 OCTOBER 2007**

**REPORT FROM: INTERNAL SERVICES MANAGER – CAROL FARNSWORTH &  
POLICY AND PLANNING MANAGER – AMANDA MUIR**

---

**REFERENCE**

Min 07-258: Extraordinary Meeting 28 June 2007  
Min 07-502: Council Meeting 19 November 2007

**SUMMARY**

This report provides the Quarterly Performance Report on the Management Plan 2007/08 to 2009/10 for the period of 1 October to 31 December 2007.

**COMMENTARY**

The Quarterly Performance Report on the Management Plan 2007/08 to 2009/10 for the period of 1 October to 31 December 2007 has been prepared and is provided within Councillor's Business Paper Packages. It details the achievement of activities identified in the Management Plan and provides the budget review statement.

The Report provides a number of variations to the activities listed in the Management Plan and the Budget Review Statement notes a deficit of \$343,691 after the completion of the budget review which includes the actioning of changes listed in the Quarterly Performance Report. This compares to the deficit of \$504,459 reported in the September Quarterly Review.

Copies of the Report are also available for viewing at Council's Administration Centre and the website.

**POLICY IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

The financial implications are reported in the Quarterly Performance Report on the Management Plan 2007/08 to 2009/10 for the period of 1 October to 31 December 2007.

The Internal Services Manager, as the Responsible Accounting Officer has reviewed the statements and certifies as required by the Local Government (General) Regulation 2005, that Council's 2007/08 Management Plan has been reviewed and the financial position of Council is satisfactory subject to the deficit position being reviewed over the next 2 quarters.

**LEGAL IMPLICATIONS**

The Local Government Act 1993 and Local Government (General) Regulation 2005 sets out requirements for the quarterly reporting of the achievement of performance targets and the submission of a budget review statement after the end of each quarter. This report and attachment achieves this requirement.

## **ATTACHMENTS**

1. Quarterly Performance Report on the Management Plan 2007/08 – 2009/10 for the period of 1 October to 31 December 2007.

## **RECOMMENDATION**

**THAT** the deficit of \$343,691 and changes to the Management Plan 2007/08 to 2009/10 as detailed in the Quarterly Performance Report for the December quarter of 2007/08 be noted.

**ITEM:11            COMM - 18/02/08 - CENTROC HEALTH WORKFORCE GROUP  
MEMBERSHIP REQUEST**

**REPORT FROM: COMMUNITY AND CULTURE MANAGER – P.HALL**

---

**REFERENCE**

Nil

**SUMMARY**

Centroc has requested membership from Lithgow City Council Councillors or staff to be part of the Centroc Health Workforce Group.

**COMMENTARY**

A letter dated 25<sup>th</sup> January 2008 has been received seeking a representative to join the Centroc Health Workforce Group. The objective of the group is to develop a healthy lobbying plan to best position ourselves for improving health outcomes in the region.

The next meeting of the Health Workforce Team will be after the Board meeting in Orange on 28<sup>th</sup> February 2008 at the Orange Civic Centre.

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**LEGAL IMPLICATIONS**

Nil

**ATTACHMENTS**

1. Request Letter Doc: 395591

**RECOMMENDATION**

**THAT** a Councillor Representative be selected for the Centroc Health Workforce group and attend the meetings as required.

## QUESTIONS WITHOUT NOTICE

ATTACHMENTS

ITEM:4 GM - 18/02/08 - KU-RING-GAI COUNCIL - IMPOSITION OF PLANNING PANEL AND ASSOCIATED MATTERS

**Lithgow City Council** Pacific Highway, Gordon NSW 2072  
Scanned Locked Bag 1056, Pymble NSW 2073  
04 FEB 2008 T 02 9424 0888 F 02 9424 0880  
DX 8703 Gordon TTY 02 9424 0875  
Doc. No ..... E kmc@kmc.nsw.gov.au  
GDA Ref. .... W www.kmc.nsw.gov.au  
Years .....  
ABN 86 408 856 411



Reference: S06347 / 885101  
30 January 2008

Contact: Mayor

Clr Neville Castle  
Mayor  
City of Lithgow Council  
180 Mort Street  
Lithgow NSW 2790

Dear Clr Castle

Planning Panel in Ku-ring-gai

I write to you in your capacity as the leader of your community to seek your support regarding the recent gazettal of a planning panel in Ku-ring-gai.

I ask you to take the time to read this letter and politely request you consider how safe your community is from this State Government's proposed controls.

There is a push to remove the voice of our community from every major decision we make regarding planning particularly in relation to planning panels and Part 3A applications.

But what could be equally as devastating is the proposal to take away Section 94 funding from councils allowing decisions for spending these funds to be at the discretion of Macquarie St.

The Department of Planning and Treasury do not discriminate. No council is safe from intervention and to think otherwise is to leave your community at risk. Following is a very brief overview of the position we face at Ku-ring-gai Council and we are not unique.

It is time to say enough is enough and again I plead with you to offer your support in writing to the Premier and your State member asking them to desist the unnecessary planning intervention and unfair levy removal.

On 17 December 2007 the Government gazetted a planning panel for Ku-ring-gai Council to include the following heads of consideration:

- DAs over 90 days old
- DAs with a construction value exceeding \$30 million
- Town centres LEPs
- Dual Occupancy Code

**OFFICE OF THE MAYOR**

Council Chambers

Telephone:- 02 9424-0709 Fax:- 02 9498-5938



Whilst I do not intend to detail the entire chain of events, I should point out that we gave the Minister a copy of the town centres LEPs approximately 18 months ago. The integrated planning for the 6 town centres cost nearly \$2 million.

This included a complete overhaul mid process because the Department of Planning insisted we alter our LEP framework to accord with the new template. Our efforts in achieving this task were formally acknowledged by the Department at the end of 2006.

Some six months then passed before the Department had the courtesy of even responding. After two months of continual requests, we were finally given a detailed list of the Department's concerns.

These included issues that the Department had identified one year earlier (and addressed by Council), together with requirements for additional development based on representations from landowners / developers with no recognition of community concerns.

With the above in mind we met with the Department to address the remaining issues and for the main we had resolved most of them.

Their final concerns related to the viability of some sites despite the fact that Council had spent significant funds on independent feasibility studies.

I would like to make it clear that we, as a council, have most definitely accepted our fair share of growth. In 2006/07 we approved in excess of \$1.75 billion worth of development, more than any other council in NSW with the exception of the City of Sydney.

This level of development has continued to be approved in Ku-ring-gai over the last year and this is before our Town Centre plans are finalised. In addition we have also addressed the Department's concerns relating to development assessment.

Over the past three years we have reduced our DA backlog from 1000 to 298 now. Our median DA processing time had fallen from 135 days to 38 days and we have reduced our legal fees by some 70 percent.

As a council we have done everything humanly possible to address the concerns of the Department while still managing to maintain an extremely well managed council, characterised by sustainable financial management and high quality services.

However we have not been able to fight off the will of the Department of Planning to remove the voice of our community from planning decisions that will alter the characteristics of our community forever.

In addition to the proposed panel, Ku-ring-gai Council has now had two part 3a applications endorsed by the Department of Planning, providing more than 1000 units, with a further Part 3a Application now being considered. These sites do not accord with the methodology of the Metropolitan Strategy.

Notwithstanding the above, and most importantly, we believe the Department has seriously erred in the process it has undertaken in the gazettal of the planning panel.

After months of deliberation by the Minister, he gazetted plans that far exceed the Draft Town Centre LEPs we submitted over one year ago with no consultation or opportunity to comment.

**OFFICE OF THE MAYOR**

Council Chambers

Telephone: - 02 9424-0709 Fax: - 02 9498-5938

In fact the maps provide scope for the panel to plan areas up to 577% larger than our lodged plans. The process undertaken to achieve this outcome by the Minister and the Department is currently the subject of a legal challenge by Council.

As the matter has not yet been heard by the court, I am unable to give details of this case.

I seek the support of your council and community to assist not only our cause, but to jointly form a united state-wide opposition to this Government's plans to deny local communities a say in their futures.

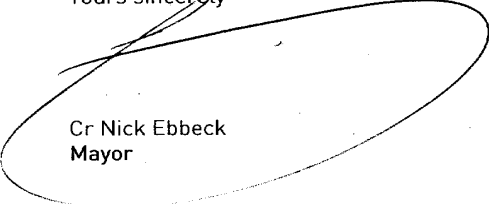
In conclusion, the Department of Planning does not discriminate; and I again reiterate: NO council is safe from department intervention and to think otherwise is to leave your community at risk.

The time has come to say enough is enough and I believe all councils should speak as one voice and tell this State Government to back off.

I have spoken to the president of the LGSA who has offered her unconditional support to our plea in Ku-ring-gai along with support to protect the communities across our state.

I thank you for taking the time to read this letter and stress how important a united force is at the moment. Please consider writing to the Premier and your State member no matter what political persuasion he or she may be. This has gone beyond party politics and urgent action is required.

Yours sincerely



Cr Nick Ebbeck  
Mayor

OFFICE OF THE MAYOR

Council Chambers

Telephone:- 02 9424-0709 Fax:- 02 9498-5938

3/3

# **ATTACHMENTS**

**ORDINARY  
COUNCIL  
MEETING  
18 FEBRUARY  
2008**

**MINUTES OF THE CONFERENCE OF "E" DIVISION COUNCILS OF THE SHIRES  
ASSOCIATION OF NSW HELD IN THE COVENTRY ROOM, PARKES SHIRE COUNCIL ON  
WEDNESDAY, 6 FEBRUARY 2008 (HOST COUNCIL PARKES)**

---

**ATTENDANCE:**

Mrs Dawn Fardell, Member for Dubbo  
Cr Bruce Miller, President Shires Association of NSW  
Cr Ken Keith, Chairman E Division  
Mr Bill Gillooly AM Secretary General, Shires Association of NSW  
Mr David Gibson, Shires Association of NSW  
Mr Geoff Hudson, Shires Association of NSW  
Mr Brian O'Mara, General Manager Local Government Procurement  
Mr Lew Laing, Roads and Traffic Authority Western Region  
Mr Derrick Hines, Country Energy  
Mr Larry Musolino, Cancer Council of NSW

**LIST OF DELEGATES AND OBSERVERS:**

<b>Bathurst Regional Council:</b>	Cr John Byrne Mr David Sherley (General Manager)
<b>Blayney Shire Council:</b>	Mr Andrew Roach (General Manager)
<b>Cabonne Shire Council:</b>	Cr John Farr (Mayor) Cr Kevin Duffy Cr David Hyde Mr Steven Harding (Director Finance & Corporate Services)
<b>Central Tablelands Water:</b>	Cr Geoff McClelland Mr Tony Perry (General Manager)
<b>Cowra Shire Council:</b>	Cr Allan Thompson (Deputy Mayor) Mr James Roncon (General Manager)
<b>Forbes Shire Council:</b>	Cr Rhonda Keane (Mayor) Mrs Carissa Bywater (General Manager)
<b>Lachlan Shire Council:</b>	Cr Des Manwarring (Mayor) Mr George Cowan (General Manager)

---

**MINUTES OF THE CONFERENCE OF "E" DIVISION COUNCILS OF THE SHIRES  
ASSOCIATION OF NSW HELD IN THE COVENTRY ROOM, PARKES SHIRE COUNCIL ON  
WEDNESDAY, 6 FEBRUARY 2008 (HOST COUNCIL PARKES)**

---

<b>Mid Western Regional Council:</b>	Not in attendance
<b>Oberon Shire Council:</b>	Cr Margaret Grady Mr Bruce Fitzpatrick (General Manager)
<b>Orange City Council:</b>	Cr John Davis (Mayor) Mr Gary Styles (General Manager)
<b>Parkes Shire Council:</b>	Cr Robert Wilson (Mayor) Cr John Magill Mr Alan McCormack (General Manager)
<b>Weddin Shire Council:</b>	Cr Maurice Simpson (Mayor) Mr Trevor Lobb (General Manager)

**OBSERVERS.**

Mr Paul Hannan, Local Government Procurement  
Ms Kristie Down, Media Liaison  
Mrs Ruth Fagen, Cancer Council NSW  
Mr Ray Donald, Mayor, Bogan Shire Council  
Mr Paul Anderson, Lithgow City Council  
Mr Greg Ivory, Telstra Country Wide  
Ms Jennifer Bennet, CENTROC

**APOLOGIES:**

Cr Ted Wilson, Blayney Shire Council  
Cr Bob Hooper, Oberon Shire Council  
Cr Neville Castle, Lithgow City Council  
Cr Paul Toole, Bathurst Regional Council  
Cr Graeme Fleming, Cabonne Shire Council

**CALL TO ORDER:**

Cr Ken Keith, E Division Chairman, called the Conference to order at 10.10am

---

**MINUTES OF THE CONFERENCE OF "E" DIVISION COUNCILS OF THE SHIRES  
ASSOCIATION OF NSW HELD IN THE COVENTRY ROOM, PARKES SHIRE COUNCIL ON  
WEDNESDAY, 6 FEBRUARY 2008 (HOST COUNCIL PARKES)**

---

**WELCOME TO DELEGATES, OBSERVERS AND VISITORS:**

Cr Robert Wilson OAM, Mayor of Parkes welcomed the delegates, observers and visitors. Cr Wilson made a presentation to Mr David Gibson who has announced his retirement.

Welcome from Local State Member, Mrs Dawn Fardell

**ADDRESS BY CR BRUCE MILLER PRESIDENT OF SHIRES ASSOCIATION OF  
NSW:**

Cr Miller acknowledged the Wiradjuri people.

Cr Miller made a presentation to Cr R Wilson.

Cr Miller spoke on current issues (Notes distributed at conference. In particular he referred to the drought, planning issues, the water initiatives review and the possibility of changing the election date.)

**OTHER SPEAKERS.**

The Conference was addressed by:

Mr David Gibson, Industrial Relations Issues  
Mr Brian O'Mara, Local Government Procurement  
Mr Geoff Hudson, Natural Resource Management  
Mr Lew Laing, Roads and Traffic Authority  
Mr Derrick Hines, Country Energy  
Mr Larry Musolino, Cancer Council of NSW

**CONFIRMATION OF MINUTES:**

RESOLVED that the Minutes of the Conference of E" Division Councils of the Shires Association of NSW, held at Grenfell on 12 February 2007 be confirmed.

**(Cr Farr/Cr Grady)**

---

**MINUTES OF THE CONFERENCE OF "E" DIVISION COUNCILS OF THE SHIRES  
ASSOCIATION OF NSW HELD IN THE COVENTRY ROOM, PARKES SHIRE COUNCIL ON  
WEDNESDAY, 6 FEBRUARY 2008 (HOST COUNCIL PARKES)**

---

**CONSIDERATION AND DETERMINATION OF MOTIONS:**

**Resolution Motion 1**

That the Association pursue with the State Minister for Regional Development the establishment of a design competition for sustainable house designs in rural and regional areas.

**(Cr Grady/Cr Miller)**

**CARRIED**

**Resolution Motion 2**

That the Association pursue with the State Minister for Health the establishment of an incentive scheme to attract allied health professionals to rural regions.

**(Cr Grady/Cr Manwarring)**

**CARRIED**

**Resolution Motion 3**

That the Federal Government be asked to immediately introduce a loan scheme to enable the planting of 2008 crops.

The President was asked to make immediate representations on this matter.

**(Cr Simpson/Cr Manwarring)**

**CARRIED**

---

**MINUTES OF THE CONFERENCE OF "E" DIVISION COUNCILS OF THE SHIRES  
ASSOCIATION OF NSW HELD IN THE COVENTRY ROOM, PARKES SHIRE COUNCIL ON  
WEDNESDAY, 6 FEBRUARY 2008 (HOST COUNCIL PARKES)**

---

**Resolution Motion 4**

That the Federal Government be informed of the extraordinary rise in crop expenses such as fertiliser and chemicals and be asked to undertake an investigation onto the reasons for these excessive increases.

**(Cr Simpson/Cr Wilson)**

**CARRIED**

**Resolution Motion 5**

That due to the continuing drought in many parts of NSW the State Government be called upon to:

- commit to a 15% rebate on Council and Rural Land Protection Board rates for farmers and businesses in EC areas.
- extend the waiver of fixed water charges where unique water allocations have been severely reduced due to drought conditions.

**(Cr Simpson/Cr Manwarring)**

**CARRIED**

**Resolution Motion 6**

That the Association pursue with the Federal Minister for Broadband, Communication and the Digital Economy, measures to ensure people in regional areas have adequate access to mobile phone coverage and broadband internet.

**(Cr Grady/Cr Farr)**

**CARRIED**

---



**MINUTES OF THE CONFERENCE OF "E" DIVISION COUNCILS OF THE SHIRES  
ASSOCIATION OF NSW HELD IN THE COVENTRY ROOM, PARKES SHIRE COUNCIL ON  
WEDNESDAY, 6 FEBRUARY 2008 (HOST COUNCIL PARKES)**

---

**Resolution Motion 7**

That the Association pursue with the Federal Minister for the Environment and the State Minister for Climate Change, Environment and Water the establishment of an overarching plan to look at water conservation and drought proofing and to provide guidance on the best way to approach the problem of ongoing drought and how to share resources

**(Cr Grady/Cr Byrne)**

**CARRIED**

**Resolution Motion 8**

That the Association pursue with the Federal Minister for Infrastructure, Transport, Regional Development and Local Government and the State Minister for State Development the establishment of incentive schemes to encourage emerging industries to establish themselves in regional and rural centres.

**(Cr Grady/Cr Simpson)**

**CARRIED**

**Resolution Motion 9**

That CENTROC pursue opportunities for regions to form strategic alliances to brand their products and pool their resources to market them and to attract State and Commonwealth Government employment opportunities to regional centres.

**(Cr Grady/Cr Farr)**

**CARRIED**

---

**MINUTES OF THE CONFERENCE OF "E" DIVISION COUNCILS OF THE SHIRES  
ASSOCIATION OF NSW HELD IN THE COVENTRY ROOM, PARKES SHIRE COUNCIL ON  
WEDNESDAY, 6 FEBRUARY 2008 (HOST COUNCIL PARKES)**

---

**Resolution Motion 10**

That the Association support the objection to the removal of public payphones by Telstra purely on economic considerations and with manifest lack of social responsibility to the community.

**(Cr Grady/Cr Miller)**

**CARRIED**

**Resolution Motion 11**

That the Shires Association call on the Federal Government to give a commitment to the proposed Melbourne to Brisbane Rail Line, and seek the support of the Australian Local Government Association (ALGA) in promoting this essential infrastructure.

**(Cr Wilson/Cr Farr)**

**CARRIED**

**Resolution Motion 12**

That the Association pursue with the Federal Minister for Infrastructure, Transport, Regional Development and local Government and the State Minister for Roads action on the upgrade of the Bells Line of Road and that the planning for the upgrade include the preservation along the road of a rail corridor capable of taking freight to Port Botany.

**(Cr Grady/Cr Miller)**

**CARRIED**

---

**MINUTES OF THE CONFERENCE OF "E" DIVISION COUNCILS OF THE SHIRES  
ASSOCIATION OF NSW HELD IN THE COVENTRY ROOM, PARKES SHIRE COUNCIL ON  
WEDNESDAY, 6 FEBRUARY 2008 (HOST COUNCIL PARKES)**

---

**Resolution Motion 13**

That the Shires Association monitor the proposed changes in relation to the forthcoming Local Government elections particularly as cost saving endeavours appear to be at the inconvenience to candidates.

**(Cr Wilson/Cr Simpson)**

**CARRIED**

**Resolution Motion 14**

That the Local Government and Shires Association lobby the State Government to increase the funding for the Regional Sports Facilities Program to be comparable with Victoria and Queensland.

**(Cr Manwarring/Cr Davis)**

**CARRIED**

**Resolution Motion 15**

That the Local Government and Shires Association lobby the State and Federal Governments to significantly increase the amount of water storage in NSW.

**(Cr Manwarring/Cr Farr)**

**CARRIED**

**Resolution Motion 16**

That the Local Government and Shires Association raise the issue of rural Local Government Authorities being able to gain credits for water returned to the river system via local sewer treatment plants.

**(Cr Thompson/Cr Manwarring)**

**CARRIED**

---

**MINUTES OF THE CONFERENCE OF "E" DIVISION COUNCILS OF THE SHIRES  
ASSOCIATION OF NSW HELD IN THE COVENTRY ROOM, PARKES SHIRE COUNCIL ON  
WEDNESDAY, 6 FEBRUARY 2008 (HOST COUNCIL PARKES)**

---

**Resolution Motion 17**

That the Local Government & Shires Association reactivate the Boomerang Alliance and lobby for container legislation.

(Cr Farr/Cr Davis)

**CARRIED**

**Resolution Motion 18**

That the State Government be requested to implement stronger measures in relation to producer responsibility for packaging and containers in New South Wales.

(Cr Farr/Cr Davis)

**CARRIED**

**Resolution Motion 19**

That the Shires Association in conjunction with the Water Directorate carry out a review of the outstanding construction and rehabilitation Council Water and Sewer projects for NSW with a view to developing a 10 Year Plan for presentation and adoption by the State Government.

(Cr Farr/Cr Wilson)

**CARRIED**

There being no further business the conference concluded at 1.10pm

---



## Key Messages

### Proposed Changes by State Government to Development Contributions February 2008

The State Government is changing the rules on development contributions, depriving councils and their communities of hundreds of millions of dollars for basic social infrastructure.

What are councils currently providing?

- High quality, centrally located community and recreational facilities – such as multi purpose indoor centres, swimming pools, parks, libraries and child care centres.
- These facilities make economic sense and follow best practice planning principles.

What will the changes mean?

- Development contributions can only be collected to fund infrastructure for residents of an *individual development site or precinct*.
- The amount of money that councils can collect from developers will be limited.
- This will mean a significant reduction in funds to councils.
- In Western Sydney and other land release areas, the State Government will take control of the remaining funds councils do collect.

What are the implications of the changes?

- A return to the days of the 'pocket parks' and low quality, uneconomic and fragmented community facilities.
- Overcrowding and increased pressure on existing facilities.
- The deferring or cancelling of major new projects and of planned upgrades to existing facilities.

The State Government says the changes would increase housing affordability, but:

- There is no guarantee any savings will be passed on.
- Developers only contribute on average of between \$13,000 and \$15,000 per house, not \$50,000 as claimed.

**This is really about a Government pandering to developers.**

The Government also claims councils are stockpiling the developer funds they do collect. The truth is:

- Councils can only use the funds for specific projects.
- This is set out in a publicly available and exhibited document- local contributions plans.
- If funds are sitting in bank accounts, it's because councils are 'saving' towards various projects.

And the Government also claims councils are living on the interest. This is incorrect:

- Any interest councils collect must go back into the contributions plan, and put towards community facilities.
- **The interest does NOT go into councils' general revenue.**

The Government says the shortfall will be picked up through councils' rate revenue. The truth is:

- Councils are financially stretched and simply do not have the money to pick up the shortfall.
- The Government pegs rates.

What is the solution?

- Councils are calling on the Government to immediately delay the implementation of the new rules for development contributions until all of the impacts on NSW communities have been properly assessed and addressed.



# Opinion

## Councils are nearing melting point



GENIA  
McCAFFERY

Local government usually negotiates as a first option, so it is a measure of how angry we are with the State Government's high-handed treatment that we are now proposing drastic action. On Wednesday 250 mayors, councillors and general managers from across NSW defied the State Government by vowing to refuse to hand over hundreds of millions of dollars in community funds.

The State Government plans to slash the contributions developers are required to pay to councils – usually an amount per lot known as a Section 94 levy – to help fund the additional infrastructure that is needed to service the new population housed by the development.

Furthermore, the State Government plans to take control of the smaller contribution developers will have to pay rather than passing it on to the local council so that the council can use the money to build new roads, stormwater and drainage facilities, parks and sporting fields or to extend existing facilities such as libraries and community centres.

We argue that developers should not be able to walk away with huge profits from development, leaving councils with the cost of providing infrastructure to meet the needs of new residents. This burden is particularly onerous under the rate-pegging scheme, where our revenue from ratepayers is already restricted.

Developer contributions ensure services are available to residents soon after they move in, not 20 years later when enough money has been collected via rates – as was the case in the 1960s and

1970s when Sydney's outer western suburbs were being developed.

The Government is hiding behind the catchphrase of housing affordability. They argue that slashing contributions will take \$50,000 to \$60,000 off the price of a new home. In reality, developers contribute just \$13,000 to \$15,000 per house.

Does anyone really believe that developers will pass the \$15,000 in savings on to new home owners? This Government is pandering to the interests of one group – developers, the same interest group that makes large contributions to party election funding.

The Government wants to be seen as one that "acts", rather than one that implements well thought-out public policy. It is easy to use local government as a scapegoat – there are always a few obscure examples of long development times or unused funds that they can trot out to support their case.

The truth is that strict rules govern developer contributions, and councils work to a plan that is publicly exhibited for comment and publicly available. If funds sit in bank accounts, it is because developments are done in stages or the council is saving to build a significant piece of infrastructure such as a new pool or sports centre.

So what do the proposed changes mean in practice? In short, you will no longer have many of the services you now take for granted, such as modern playgrounds for your children or smart aquatic centres. We will not be able to afford to provide them.

I have been saying for some time now that this State Government is taking a boiling frog approach to communities. It keeps turning up the heat, hoping we will not notice that our quality of life is being eroded on every front.

It has just turned up the heat again, but it is banking on the fact that you will not feel the effects for a few years yet. And it plans to turn up the heat yet again with 83 recommended changes to the planning system that will remove from councils and the community a say in development.

The decision to defy the State Government was not taken lightly. Local government is not recognised in the constitution. We exist at the decree of the State Government, and some might say it is short-sighted to bite the hand that feeds us. But local government exists to manage communities and to ensure they are good and healthy places to live. By and large we do a good job.

We cannot remain silent as the State Government kneecaps us. The fact that councils have united on this issue is testament to how serious we believe it is.

The State Government has a responsibility to put these changes on hold until all the social and economic effects have been assessed and addressed. We will not back down.

Genia McCaffery is president of the Local Government Association of NSW and the Mayor of North Sydney.

This State Government is taking a boiling frog approach to communities.



# CENTROC

CI-Mid Western Regional Council  
PO Box 156  
MUDGEES NSW 2850  
Tel: (02) 6379 0134  
Fax: (02) 6331 7211

Email: [centroc.jb@midwestern.nsw.gov.au](mailto:centroc.jb@midwestern.nsw.gov.au)



25 January 2008

**Lithgow City Council**  
Scanned

29 JAN 2008

Mr Paul Anderson  
General Manager  
City of Lithgow Council  
PO Box 19  
LITHGOW NSW 2790

Doc. No .....  
GDA Ref. ....  
Years .....

Dear Paul

## RE CENTROC HEALTH WORKFORCE GROUP MEMBERSHIP AND TIMES

At the meeting of the Centroc Health Workforce Group 6 December it was resolved as follows:

### MEETING TIMES

<b>RESOLVED</b>	Cr M Simpson/Cr N Hughes
That members be informed that their will be a lunch provided from midday and the meeting will follow son after on Centroc Board meeting dates.	

and

### TEAM MEMBERS

<b>RESOLVED</b>	Cr M Augee/Cr N Hughes
That members be canvassed for interested attendees to the meetings.	

I am therefore writing to your Council to ascertain whether you would like any Councillors or staff to be part of this committee. As you are aware health is a significant priority for our region and we have agreed to develop a healthy lobbying plan to best position ourselves for improving health outcomes in this region.

The Health Workforce Team were keen for interested members to send representatives to provide the best possible information and direction for the health lobbying plan.

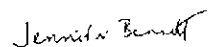
The next meeting of the Health Workforce Group will be after the Board meeting in Orange. If interested persons from your Council could attend lunch with the Board from 12:30 at the Orange Civic Centre on February 28 I look forward to meeting them there.

This Regional Organisation of Councils speaks for over 236,000 people covering an area of over 70,000sq kms comprising Bathurst Regional, Blayney, Boorowa, Cabonne, Cowra, Forbes, Harden, Lachlan, City of Lithgow, Mid Western Regional, Oberon, Orange City, Parkes, Weddin, Wellington and Young Councils and Central Tablelands County Councils

I will forward you the agenda for this meeting via email.

Please contact me with any queries on 0428 690 935.

Yours sincerely



Jennifer Bennett  
Executive Officer  
Central NSW Councils (Centroc)

jb.bjs

This Regional Organisation of Councils speaks for 220,000 residents of Central NSW covering 64,000sq kilometres comprising Bathurst Regional, Blayney, Cabonne, Cowra, Forbes, Lachlan, City of Lithgow, Mid Western Regional, Oberon, Orange City, Parkes, Weddin and Wellington Council and Central Tablelands County Council