



LITHGOW CITY COUNCIL

AGENDA

POLICY AND STRATEGY COMMITTEE  
MEETING OF COUNCIL

TO BE HELD AT

THE ADMINISTRATION CENTRE, LITHGOW

ON

03 MARCH 2008

AT 6.00pm

# AGENDA

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**PRESENT**

**QUESTIONS FROM THE PUBLIC GALLERY - NIL**

**PRESENTATIONS - NIL**

**CONFIRMATION OF THE MINUTES OF THE POLICY AND STRATEGY COMMITTEE MEETING OF COUNCIL HELD ON 4 FEBRUARY 2008**

**DECLARATION OF INTEREST**

**NOTICES OF MOTION - NIL**

**NOTICES OF RESCISSION - NIL**

**CORRESPONDENCE AND REPORTS**

General Manager Reports

Regional Services Reports

Community and Corporate Services Report

**REPORTS FROM DELEGATES** - Mining Related Councils

**COMMITTEE MEETINGS - NIL**

**CLOSED REPORTS** - Gas Works Site

**QUESTIONS WITHOUT NOTICE**

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## GENERAL MANAGER REPORTS

### ITEM:1           GM - CONFIDENTIAL REPORT - 03/03/08 - FORMER GAS WORKS SITE, 180 MORT STREET LITHGOW

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#### Reason for Confidentiality

In accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the following business is of a kind as referred to in section 10A(2) of the Act, and should be dealt with in a part of the meeting closed to the media and public.

**Set out below is section 10A(2) of the *Local Government Act 1993* in relation to matters which can be dealt with in the closed part of a meeting.**

The matters and information are the following:

- (a) personnel matters concerning particular individuals (other than councillors)
- (b) the personal hardship of any resident or ratepayer
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business
- (d) commercial information of a confidential nature that would, if disclosed:
  - (i) prejudice the commercial position of the person who supplied it, or
  - (ii) confer a commercial advantage on a competitor of the council, or
  - (iii) reveal a trade secret
- (e) information that would, if disclosed, prejudice the maintenance of law
- (f) matters affecting the security of the council, councillors, council staff or council property
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege
- (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land.

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

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

It is not in the public interest to reveal all details of these tenders or the assessment process. Tenderers have provided sensitive information about their operations in the confidence that their details will not be made public by council. The practice of publication of sensitive information provided by tenderers could result in the withholding of such information by tenderers and reduction in the provision of information relevant to council's decision.

**REFERENCE**

06-143 - Ordinary Council Meeting held on 15/05/06  
07-06 - Policy and Strategy Committee Meeting held on 5/2/07  
07-57 - Ordinary Council Meeting held on 19/02/07  
07-161 - Policy and Strategy Committee Meeting held on 7/5/07  
07-347 - Policy and Strategy Committee Meeting held on 6/8/07  
07-429 - Ordinary Council Meeting held on 17-9/07

**SUMMARY**

This report provides Council with an update on the sale of the former Gas Works site in Mort Street Lithgow.

**RECOMMENDATION**

**THAT** Council consider this report in closed Council pursuant to Section 10A(2)(c) of the Local Government Act 1993.

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**ITEM:2            GM - 03/03/08 - MOTIONS FOR THE SHIRES ASSOCIATION  
CONFERENCE 2008**

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**REFERENCE**

Nil

**SUMMARY**

This report advises Council that any motions for the 2008 Shires Association Conference are due by 14 March 2008.

**COMMENTARY**

The Shires Association Conference will be held from 2 to 4 June 2008 in Sydney and the Shires Association is currently calling motions for inclusion in the business paper. While there is scope for individual councils to submit motions, it is preferred that divisional meetings be the source of all conference motions. Any motion from a council must be adopted by that council before submission.

The following guidelines may help in the process of sending motions for debate:

- Motions should seek to introduce new policy or alter existing policy, through the addition of new elements or deletion of existing elements.
- Motions seeking to vary existing policy or to address new or emerging policy issues will be classified as Category One and scheduled for debate at conference. Motions reaffirming existing policy, or calling for actions to be taken within existing policy, will be classified as Category Two.

- Motions in Category Two will be included in the conference business paper and may be individually brought forward to be debated with the agreement of conference. Otherwise, they will be referred to the Executive of the Association for consideration. Some may be actioned prior to the conference where they raise issues which can be implemented within policy.

Councils are encouraged to include a note/supporting case for each motion to a maximum of approximately 500 words per motion.

Council will need to decide upon any motion so that they can be forwarded to the Shires Association by the closing date of 14 March 2008.

### **POLICY IMPLICATIONS**

Any motion put by Council should reflect Council's policy stance on such matters or reflect a change to Council's 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.

### **RECOMMENDATION**

**THAT** motion(s) for the 2008 Shires Association Conference be formulated if warranted.

**ITEM:3            GM - 03/03/08 - SECTION 94 LEVIES**

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**REFERENCE**

Min 008-03: Council Meeting 18 February 2008

**SUMMARY**

This report details correspondence received from the Minister for Planning regarding the reforms to section 94 levies.

**COMMENTARY**

The following correspondence has been received from the Minister for Planning, the Honourable Frank Sartor, MP regarding the proposed changes to section 94 levies:

*"I refer to the lemma Government's decision in October last year to reduce both State and local development levies in order to improve housing affordability and facilitate investment in new homes.*

*In reality Section 94 (S94) levies are quite unusual. In essence, they are taxes with no upper limit. Over the past 20 years they have grown, in many instances, from about \$1000 per new dwelling to in excess of \$50,000 per dwelling. That's why we are containing levies for both State and local infrastructure.*

*A series of meetings have been held between various Government Ministers and officials and the Local Government and Shires Association (LGSA) to discuss the changes. The Coordinator-General of the Department of Premier and Cabinet is still waiting for additional information to assist these discussions, as requested in his letter to the LGSA dated 21 December 2007.*

*It is disappointing that a number of local government spokespersons, rather than embracing the real challenge of achieving housing affordability, have made repeated incorrect statements about the Government's position.*

*The Government's Infrastructure Levy Implementation Committee is continuing its discussions with the LGSA. Meanwhile, I write to correct the record on a number of matters.*

*Claim 1: "The Government will take and hold all S94 levies throughout the State".*

*Most Councils will not be affected by this change.*

*The Government decision has only been made in respect of the Section 94 levies within Sydney's North West and South West Growth Centres, affecting only six Councils in the State. Here the Government is committed to providing \$7.9 billion in infrastructure, of which \$3.5 billion will be funded from NSW taxes. The Growth Centres Commission is coordinating the provision of all infrastructure consistent with the release of development areas. Given the Government's financial commitment it is not unreasonable for the Treasury to hold funds in a Trust account.*

*In fact, the Government is proposing that the legislative amendments needed to provide for the holding of S94 levies will be contained in the Growth Centres Act and not the Environmental Planning and Assessment Act.*

*Claim 2: "State Treasury will keep the interest earned on S94 funds held in Trust"*

*As advised in the Coordinator-General's letter to the LGSA dated 21 December, interest on funds held will be credited to the S94 Trust account to be applied back to S94 works.*

*Claim 3 "The funds held by State Treasury will be spent on State and local infrastructure outside the LGA"*

*The State Government will not spend any S94 funds. These funds will continue to be collected and spent by councils on local infrastructure, including parks, roads and community facilities, within the municipality in which they were collected in accordance with Council's S94 plan.*

*Claim 4: "The Government is stopping Councils providing the full range of essential community infrastructure".*

*The planning circular of 6 November 2007 clearly states that the "land and facilities for local community infrastructure that services a development site or precinct" can be levied. This is in addition to roads, local parks, local bus infrastructure, drainage and water facilities, and land for recreational and community purposes.*

*For example, directions issued to the six councils covering the Sydney Growth Centres allow for an extensive range of community facilities.*

*It is noted that in growth areas new housing provides additional rate income, and that this should be factored into the provision of community facilities. Council can also request special rate variations from the Minister for Local Government where they have a justifiable case to boost revenue.*

*Claim 5: "Community infrastructure can only be provided within a new development precinct and cannot be located elsewhere".*

*This has never been required by the Government and would not be feasible in brownfield areas. The Government's only concern has been that new development should not be used to pay for community infrastructure for existing populations. This should be funded from rates and other sources.*

*Some Councils have some legitimate concerns about the new system. However, the delay in obtaining information from the LGSA has inhibited our ability to consider and address these matters. You are welcome to provide us, as soon as possible, with specific details of any potential unintended consequences so that they may be addressed in the new framework.*



*Housing affordability is an important issue that must be addressed at all levels of Government. The Government is currently preparing legislation to provide the framework for the new policy having regard to the concerns of local government. This will be considered by the Government shortly."*

Therefore, it appears that the State Government is not considering the option of collecting and holding section 94 contributions from all councils even though the Planning Circular released in November 2007 indicated that consideration would be given to areas outside of the growth centres on a case- by-case basis.

#### **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 as a result of this report.

#### **ATTACHMENTS**

Nil

#### **RECOMMENDATION**

**THAT** the information be received.

**ITEM:4                    GM - 03/03/08 - SALE OF 10 RESIDENTIAL ALLOTMENTS AT CARY AVENUE, WALLERAWANG**

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**REFERENCE**

Min 05-238: Council Meeting 16 May 2005  
Min 05-654: Council Meeting 19 December 2005  
Min 05-655: Council Meeting 19 December 2005

**SUMMARY**

This report seeks Council's approval to sell 10 residential allotments at Cary Avenue, Wallerawang by public auction.

**COMMENTARY**

Council may recall that the sale of 10 residential allotments at Cary Avenue, Wallerawang is an activity listed in the Management Plan for 2007/08. After reviewing the current property market, it is considered advantageous that Council place these allotments for sale at a public auction and not by private treaty as previously resolved.

**POLICY IMPLICATIONS**

The Asset Disposal Policy is applicable to this matter and it is noted that Council has previously resolved to sell these allotments and therefore, the only matter being reconsidered is that of the method of disposal.

**FINANCIAL IMPLICATIONS**

It is suggested that the General Manager be delegated authority to set the reserve prices for the auction.

**LEGAL IMPLICATIONS**

The contracts and transfers of land will be prepared by Council's Solicitors.

**ATTACHMENTS**

Nil

**RECOMMENDATION**

**THAT:**

1. Council engage the services of LJ Hooker for the sale of the 10 residential allotments by public auction.
2. The Mayor and General Manager or his representative be authorised to sign the relevant documentation associated with the sale of the land.
3. The Council affix the Common Seal to all contracts and transfer of land at its meeting of 17 March 2008.
4. The General Manager be delegated authority to set a reserve price for the sale of the land.
5. A further report be provided to Council following the auction

**ITEM:5            GM - 03/03/08 - LITHGOW FLASH GIFT**

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**REFERENCE**

NIL

**SUMMARY**

Lithgow Flash Gift – The Lithgow Flash Gift was held on the 23<sup>rd</sup> February 2008. This report outlines the success of the event and future developments.

**COMMENTARY**

**The Lithgow Flash Gift**

“The Lithgow Flash Gift” is a series of short distance running races, held on 23<sup>rd</sup> February 2008, at the Tony Luchetti Showground. The event was held on grass over 70 metres, 100 metres, 200 metres, 800 metres, 1 mile and 5 kilometres. Events were targeted at junior athletes (age from under 5 to under 16) and senior athletes. Some events were handicapped according to athletes form.

“The Lithgow Flash Gift” is named after Mrs Marjorie Jackson, The Lithgow Flash, who during her athletic career won two Olympic gold medals (Helsinki 1952) and seven Commonwealth Games gold medals.

The Lithgow Flash Gift has been proudly endorsed by Mrs Marjorie Jackson-Nelson.

“The Lithgow Flash Gift” is a uniquely named event for Lithgow. The event, named after a former resident who went on to become an Olympic Champion delivered a series of short distance running races. The footrace attracted sponsors for individual events, ensuring that elite athletes are attracted to the event for the prize money on offer. All junior event winners were presented with medals and all received participant ribbons.

The event delivered a professional athletics meeting carnival atmosphere with plenty of action off the track for all the family, including fashions on the field, live music and children’s entertainment.

The event brings together the following elements:

- A unique staging arena for an event of this type as it is the location where Marjorie Jackson won many of her events and also utilised as a training ground – historical connection
- A key range of experiences for the family
- A footrace
- Links to athletes, both past and present from the Lithgow region

The Lithgow Flash Gift boasts the nation’s richest women’s footrace, and attracted some of Australia’s best women sprinter’s, cementing Lithgow’s history as home to championship running. We now endeavour to build on this and make this event comparable with the Stawell Gift staged in Victoria.

The Lithgow Flash Gift provided sponsors with the opportunity to build a powerful brand association, maximising corporate identity in the local community and clearly linking their businesses to this prestigious event.

#### Event Planning

An event Plan was implemented for the Lithgow Flash Gift. The overall vision for this event is to:

#### Mission Statement

*Co-ordinate, position and sustain an athletic footrace event that leverages off Mrs Marjorie Jackson Nelson's reputation as an elite athlete, offering a diverse, quality and memorable experience.*

#### Vision Statement

*To attract a viable, diverse market to an event that generates a major economic impact, provides a quality experience and creates the desire to return.*

#### Objectives

“The Lithgow Flash Gift” Project aims to achieve the following objectives:

1. Develop, strengthen and diversify the brand through the development of a unique, compelling event that delivers iconic and memorable experiences connecting with the target market, becoming a signature Lithgow event.
2. Enhance the visitor appeal of Lithgow as a centre for athletic and fitness pursuits.
3. Delivery of a positive, sustainable economic contribution to the local economy.
4. Deliver a signature athletics event that satisfies the target market and creates the desire to return for other events (customer loyalty).
5. Deliver key health messages to the local community
6. Establishment of an ongoing scholarship fund for junior sport stars

#### **The Lithgow Flash Gift Visitation 2008**

The inaugural Lithgow Flash Gift was a successful event. Both participants and spectators to the event commented on how successful the inaugural event was and how the basis was there to build this event into a major sporting carnival in Australia's sporting calendar.

Approximately 1,500 visitors attended the carnival, including both local, regional, intra-state and international visitors. It is envisaged that the Lithgow Flash Gift will continue to show measurable growth in visitation as the event further becomes an iconic regional event.

#### **Lithgow Flash Gift Target Markets**

As a contributor to Lithgow's event calendar, The Lithgow Flash Gift will endeavour to show sustainable visitation growth in target markets. The event proposes to aid an increase in yield to the Lithgow economy, the tourism industry and all businesses that provide services to visitors.

The Lithgow Flash Gift will attract people of all ages, skill levels and fitness levels. The event will also attract a range of spectators to the event.

Market segments matching the “The Lithgow Flash Gift” range of experiences include the following:

Overnight market	Overnight niche market	Day Visits
True Travellers Wanderers Compatriots VFR	Groupies	Compatriots (Lithgow and Oberon area in particular)

*(King, Bartlett and Valerio 2004, Blue Mountains Tourism Ltd 2004, Blue Mountains Tourism Ltd 2003, Lithgow Visitor Information Centre 2004)*

Visitors attending the 2008 Lithgow Flash Gift were from the following places of origin:

- Sydney region
- Blue Mountains region
- Lithgow
- Bathurst
- Central West
- Wollongong
- Central Coast
- Victoria
- Queensland
- Sierra Leone

### **Visitor Feedback – The Lithgow Flash Gift 2008**

The feedback received from visitors to the Lithgow Flash Gift indicate, a very high level of satisfaction in the event. Comments from visitors included:

- Fantastic to see high calibre athletes performing at an elite level in Lithgow
- The ground facilities at the Tony Luchetti Showground were of a high calibre
- Atmospheric carnival
- Great family atmosphere
- Great entertainment
- Well organised

Participants equally enjoyed the Lithgow Flash Gift experience with most exhibitors making good sales.

### **Lithgow Flash Gift Committee**

The Lithgow Flash Gift Committee includes the following members, who organised the event:

- Lithgow Tourism staff
- Anne Beutel (Little Athletics)
- Ray Stoneley (Little Athletics)
- Eric Arnold (Little Athletics)
- Geoff Cox (Blue Mountains Athletics)
- Sherree Kenniff
- Greg Morley
- Howard Allen

- Sharon Morley
- Neryl Wood
- Danny Oldfield
- Trevor Beutel
- Ron Leggatt
- Michelle Bostock
- Danny Whitty
- Ken English
- Billy Edwards
- John Scott (NSW Athletics League Consultant)
- NSW Athletics League

### **Local Support for the Lithgow Flash Gift**

The following local companies have supported the hosting of the 2008 Lithgow Flash Gift:

- Westfund
- Centennial Coal
- Lithgow City Council
- Lithgow Workmen's Club
- Lithgow Hoteliers Association
- Delta
- Greater City Kitchens
- NSW Athletics League
- Zig Zag Motel
- Collins Transport
- R&A Chainsaw
- McDonald's
- Regency Jewelers
- Top to End Hairdressers
- Vanilla Restaurant
- Bowen Inn
- Ezzence Hairdressers
- K-Teens
- Comet Inn
- Hunter Valley Mining
- Poles and Underground

### **The Lithgow Flash Athletics Scholarship**

Entry to the 2008 Lithgow Flash Gift was by a Gold Coin Donation. This money, as per the event Plan for the Lithgow Flash Gift, is to be utilised to develop a Programme for junior athletics scholarship, to be determined by the Lithgow Flash Gift Committee. An outline of how the Scholarship is to be established and devised and the Scholarship fund implemented. Approximately \$1,000 was taken through the gate during the 2008 Lithgow Flash Gift. A further report on this scholarship will be forwarded to Council.

### **Economic Impact of Events on a region**

Tourism events have the potential to act as a significant tourism promotional vehicles in encouraging:

- Increased visitation during off peak periods
- Encourage overnight stays
- Provide/develop a focal point for the area
- Provide a unique experience
- Encourage repeat visitation
- Position and brand a region
- Derive income from visitors
- Growth in strength areas – build on reputations
- Tourism development
- Specific targeting of market segments
- Infra-structure development – social gains for the wider community

The long-term impacts of successful events on a destination include:

- Employment creation
- Increase in potential for commercial investment in the community
- Construction/improvements to facilities
- Strengthening of local values and traditions
- Increased local community pride
- Sustained development within the community
- Destinalional image development
- Sustainable economy

The Lithgow Flash Gift will be looking for grant sponsorship in the following avenues:

- Sport grants funding
- Major corporate funding
- Tourism funding

#### **Economic Impacts of the Lithgow Flash Gift**

Date of Event:	23 <sup>rd</sup> February 2008
Total participants:	150
Total Attendance:	1,500
Local Visitation:	60%
Intrastate, Interstate & Overseas Visitation:	40%
Visitor Expenditure:	\$208,000 (based on average \$120 per visitor, per night, based on a 2 night stay and \$50 per local. Average spend of visitors per day)

#### **Benefits for Lithgow from the Lithgow Flash Gift**

The Lithgow Flash Gift carried out major event awareness and marketing via a range of advertising and promotions. The Lithgow Flash Gift carried out the following marketing activities:

- Channel Ten News Item
- Channel 7 News Item
- Today Show – Channel 9
- Sunrise – Channel 7
- Fox Sport
- Article in the Sydney Morning Herald – event and regional profiling

- Article in Melbourne Morning Herald
- Event mentioned on Sydney Radio
- Website advertising
- Banner placement – strategically located in high visitation areas including Lithgow,
- Poster placement – posters were distributed via the Visitor Information Centre Network throughout NSW, retail areas in Lithgow, Bathurst, Blue Mountains, Oberon, Mudgee, Sydney
- Brochure placement – brochures were distributed via the Visitor Information Centre Network throughout NSW, retail areas in Lithgow, Bathurst, Blue Mountains, Oberon, Mudgee, Sydney, athletes, trainers, Institutes of Sports, Little Athletics networks
- Radio interviews were conducted on Radio 2LT, 107.9, ABC, B-Rock

In undertaking promotional activities as above, The Lithgow Flash Gift successfully contributes to tourism visitation to the region and in shaping the development of a destination image.

### **Race Winners – 2008 Lithgow Flash Gift**

The following were the race winners for the senior events in the 2008 Lithgow Flash Gift:

**LITHGOW FLASH WOMENS GIFT 100metres** \$11 000 Richest women’s race in Australia

*Proudly sponsored by Westfund*

1st Alison Glapa Corlette 3.00m 11.58secs \$7000

2nd Kristy Smith Engadine 6.25m \$1300

3rd Mikke Foley Brighton Le Sands 12.25m \$1000

**LITHGOW MENS GIFT 120metres** \$10 000

*Proudly sponsored by Centennial Coal*

1st Ali Bangura Sierra Leone 4.25m 12.02secs \$6000

2nd Steve Landers South Aust 5.75m \$1200

3rd Jacob Groth Homebush 2.50m \$1000

**“Surrounded by Nature” OPEN MENS 200 metres** \$2000

*Proudly sponsored by Lithgow Workmen’s Club*

1st Ali Bangura Sierra Leone 9m 20.19secs

2nd Danny James Minmi 25m

3rd Brian Wright Malabar 32m

**“Steeped in History” OPEN WOMENS 200 metres** \$2000

*Proudly sponsored by the Lithgow Hoteliers Association*

1st Suz Sinclair North Lambton 32m 23.52secs

2nd Cara White Victoria 10m

3rd Gianna Mogentale Wollongong 14m

**INVITATION BACK-MARKERS HANDICAP 100metres** \$2000

*Proudly sponsored by Delta*

1st Jacob Groth Homebush Scr 10.54secs

2nd Steve Landers SA 1.75m

3rd Craig Brown Vic 1.75m



**ZIG ZAG MILE OPEN WOMEN 1 MILE \$2000**

*Proudly sponsored by Lithgow City Council*

- 1<sup>st</sup> Lara Tamsett Sydney
- 2<sup>nd</sup> Natalie Sharp Lithgow
- 3<sup>rd</sup> Renae Beutel Lithgow

**ZIG ZAG MILE OPEN MEN 1 MILE \$1000**

*Proudly sponsored by Lithgow City Council*

- 1<sup>st</sup> Tim Rowe Sydney
- 2<sup>nd</sup> Ben St Lawrence Sydney
- 3<sup>rd</sup> Gary Howard Sydney

**THE VALLEY CHALLENGE 5 KILOMETRE TEAM EVENT \$2000**

*Proudly sponsored by Greater City Kitchens*

- 1<sup>st</sup> Sydney Team
- 2<sup>nd</sup> Sydney Team
- 3<sup>rd</sup> Sydney Team

**LOCAL SPORTING GROUPS CELEBRITY CHALLENGE – Invitation event**

- 1<sup>st</sup> Michael Doggett Lithgow 11.50 seconds
- 2<sup>nd</sup> Simon Mobbs Lithgow
- 3<sup>rd</sup> Tahlia Nugent Lithgow

**2009 Lithgow Flash Gift**

It is thought based on the success of the inaugural Lithgow Flash Gift, that the Carnival become an iconic event in the Lithgow calendar. A debrief with the Committee is to be carried out to work out ways to improve the event and gain more volunteers on the committee to help co-ordinate event management.

Some sponsors have already indicated their intentions for ongoing support for this event in a long term capacity.

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Ongoing Council support financially for this event for \$10,000 on an annual basis

**LEGAL IMPLICATIONS**

Nil

**ATTACHMENTS**

Nil

**RECOMMENDATION**

**THAT** Council budget \$10,000 in the 2008/09 budget to support the operation of the Lithgow Flash Gift in association NSW Athletics League and the Lithgow Flash Gift Committee.

## **REGIONAL SERVICES REPORTS**

**ITEM:6            REG - 3/03/2008 - CULLEN BULLEN PUBLIC TOILET FACILITY**

**REPORT BY: GROUP MANAGER REGIONAL SERVICES - ANDREW MUIR**

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### **SUMMARY**

This report advises of the proposed location of a new toilet block at Cullen Bullen.

### **COMMENTARY**

As part of the 2007/2008 works program, Council has allocated an amount of \$70,000 for public toilets at Cullen Bullen. Quotations have been received and a pre-fabricated composting unit has been chosen that can be installed within the budget allocation.

A Meeting was held with representatives of the Cullen Bullen Progress Association and Cullen Bullen Tidy Towns Committee on 12 February 2008 to discuss the location of the facility. A location adjacent to the existing park on Portland Road was indicated to the representatives. Whilst another location was later inspected near the skate ramp as an option, there was general consensus that the park location was the most appropriate site. Development Application and Construction Certificate plans are now being prepared.

### **POLICY IMPLICATIONS**

Nil.

### **FINANCIAL IMPLICATIONS**

Council has budgeted an amount of \$70,000 for the facility.

### **LEGAL IMPLICATIONS**

A Development Application / Construction Certificate application must now be lodged.

### **ATTACHMENTS**

1. Site Plan

### **RECOMMENDATION**

**THAT** the information be noted.

**ITEM:7            REG - 03/03/08 - DRAFT NATURE STRIP MAINTENANCE POLICY**

**REPORT FROM: GROUP MANAGER, REGIONAL SERVICES – ANDREW MUIR**

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**REFERENCE**

Nil

**SUMMARY**

This report recommends the public exhibition of the Draft Nature Strip and Median Maintenance Policy.

**COMMENTARY**

A Draft Nature Strip Maintenance and Median Maintenance Policy has been prepared to set out the responsibilities of Council and to acknowledge the efforts of residents in the maintenance of nature strips. It is suggested that the Draft Policy be placed on public exhibition for a period of 28 days. A draft Standard Working Procedure has also been prepared which sets out the service and intervention levels (eg frequency of mowing). This is an operational document that sits under the policy.

**POLICY IMPLICATIONS**

The Draft Nature Strip and Median Maintenance Policy proposes a policy position for Council.

**FINANCIAL IMPLICATIONS**

The advertising of the Draft Nature Strips Maintenance Policy will be funded from the Operations Recurrent Budget.

**LEGAL IMPLICATIONS**

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

**ATTACHMENTS**

1. Draft Nature Strip and Median Maintenance Policy.

**RECOMMENDATION**

**THAT** the Draft Nature Strip and Median Maintenance Policy be placed on public exhibition for a period of 28 days.

## COMMUNITY AND CORPORATE SERVICES REPORTS

**ITEM:8            COMM - 03/03/08 - DRAFT TENDERING POLICY**

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

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### **REFERENCE**

07-547: Council Meeting 17 December 2007

### **SUMMARY**

This report recommends that the Draft Tendering Policy be adopted following public exhibition.

### **COMMENTARY**

Council at its meeting of 17 December 2007 resolved to place the Draft Tendering Policy on public exhibition. At the conclusion of the exhibition period, no submissions were received and therefore, it is suggested that Council adopt the Draft Tendering Policy.

### **POLICY IMPLICATIONS**

The Draft Tendering Policy will become a policy of Council if adopted.

### **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**

1. Draft Tendering Policy.

### **RECOMMENDATION**

**THAT** the Draft Tendering Policy be adopted.

**ITEM:9            COMM - 03/03/08 - PROPOSED LOCAL ENVIRONMENTAL PLAN  
FOR THE LOCAL GOVERNMENT AREA****REPORT FROM: POLICY & PLANNING MANAGER – AMANDA MUIR**

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**REFERENCE**

Min 07-518: Policy and Strategy Committee Meeting 3 December 2007

**SUMMARY**

This report seeks Council's approval to prepare a Local Environmental Plan for the Local Government Area.

**COMMENTARY**

As Council is aware, the Local Environmental Plan for the Local Government Area which accords with the Standard Instrument (Local Environmental Plans) Order 2006 and repeals all existing environmental planning instruments is due by April 2009. This Local Environmental Plan will also be guided by a Council adopted and Department of Planning endorsed Land Use Strategy. Therefore, in order to formally commence the process Council must resolve to prepare a draft Local Environmental Plan for the Local Government Area and advise the Department of Planning of Council's resolution.

In addition, Council will recall that the Department of Planning is preparing a State Environmental Planning Policy for rural lands following the Central West Rural Lands Inquiry. In the last correspondence received it was expected that the State Environmental Planning Policy would be available at the end of last year, however, this is not the case and as it has a potential to effect both Council's Land Use Strategy and the Local Environmental Plan, it is considered appropriate that Council request an extension of time to prepare these documents.

**POLICY IMPLICATIONS**

The Local Environmental Plan has the potential to change the provisions of the current environmental planning instruments. However, it will be guided by a Council adopted and Department of Planning endorsed Land Use Strategy.

**FINANCIAL IMPLICATIONS**

The costs of preparing the Local Environmental Plan will be ascertained in the tender process for the preparation of the Land Use Strategy and Local Environmental Plan which Council resolved to call for at its Policy and Strategy Committee Meeting of 3 December 2007. However, the Local Environmental Plan will be funded by a mixture of grant (\$100,000) and Council funding.

**LEGAL IMPLICATIONS**

The Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulations 2000 set out the legal processes for the preparation of Local Environmental Plans.

**ATTACHMENTS**

Nil

## RECOMMENDATION

### THAT:

1. A Local Environmental Plan be prepared for the Lithgow Local Government Area in accordance with the Standard Instrument (Local Environmental Plans) Order 2006 and repeal all existing environmental planning instruments.
2. Correspondence be forwarded to the Department of Planning requesting an extension of the completion date for the Local Environmental Plan to allow for the time taken to conduct the Central West Rural Lands Inquiry and the subsequent preparation of a rural lands State Environmental Planning Policy.

## **DELEGATES REPORTS**

### **ITEM:10 DELEGATES REPORT - 03/03/08 - MINING RELATED COUNCIL MEETING HELD ON FRIDAY 15TH FEBRUARY 2008**

#### **REPORT FROM: NEVILLE CASTLE, MAYOR**

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### **COMMENTARY**

At the most recent Mining Related Council Meeting which was attended by Andrew Muir and myself it was interesting to note that Wyong Council had pulled out of the Association for the second time.

We had an interesting address from the Deputy Chair of the NSW Grants Commission. It seems that overall the NSW Grants Commission are responsible for recommending to the Federal Government for their "FAGS" (Financial Assistant Grants Scheme) which totalled nearly half billion dollars. There are two components to these grants, being general purpose and local roads and regardless of what the final outcome of a council grant application is, the grants are not tied for those specific purposes. It was also interesting to note that Grants Commission believed that Councils really needed to have doubled the amount of money of which they were getting from the Government, which is something we may wish to pursue.

The possible covering of coal trains was brought up at the meeting. However, the association is pursuing other means such as the watering of coal trains as well as an attempt to try and limit the amount of dust being created as coal trains go through local towns and villages. It will be interesting to see the outcome of this investigation.

The Association is looking to adopt its own Code of Conduct which is in many ways similar to the Code of Conduct that has been adopted by Council. This should be fairly easy for members of the committee to take on board as all members are currently bound by their own Council's Code of Conduct.

Another interesting item was that of the Geosequestration enquiry and where that is up to. It was reported at the meeting that a few delegates had seen maps of where possible Geosequestration may take place but it also seems that these maps have been withdrawn very quickly for the possibility of the affect on the communities as to where this may take place. The association and mining related councils will be very keen to see not only the outcome of the full enquiry because of the long term potential benefits to the coal industry and the power industry of Australia.

### **RECOMMENDATION**

**THAT** the information be noted.

**COMMITTEE MEETINGS**

Nil.

**QUESTIONS OF AN URGENT NATURE**



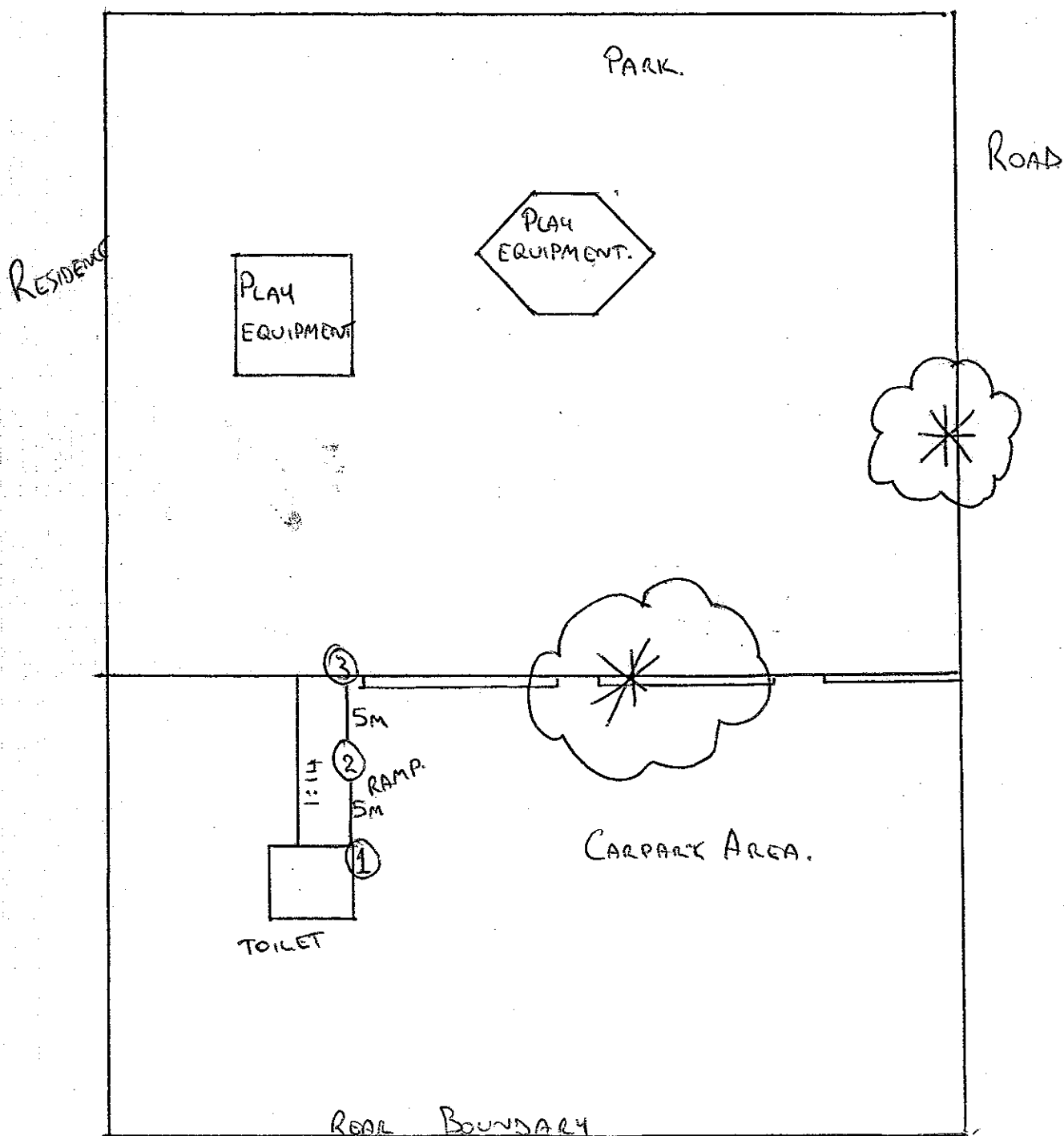
# **ATTACHMENTS**

## **POLICY AND STRATEGY COMMITTEE MEETING 3 MARCH 2008**

Item 6.

- LEVELS
- ① 0.000
  - ② 0.420
  - ③ 0.740

Portland Rd.



## **DRAFT NATURE STRIP AND MEDIAN STRIP MAINTENANCE**

### ***OBJECTIVE:***

This policy sets out the responsibilities of Council and acknowledges the efforts of property owners or tenants in relation to the maintenance of nature strips in urban areas to provide a safe, functional and aesthetically pleasing streetscape.

### ***DEFINITIONS:***

**Nature strip** is the area of land between a property boundary and the edge of the roadway.

**Centre Median:** This is the area in the centre of the road reserve that is either constructed of concrete or is landscaped with grass and or trees.

### ***POLICY:***

1. Council is responsible for the maintenance of the following nature strips:
  - a. Public reserve areas such as parks, gardens, or bushland.
  - b. Council facilities such as public buildings, recreation grounds or swimming pools.
  - c. Central Business Districts
  - d. Vacant blocks where the owner does not or is unable to regularly mow their land.
2. Traditionally, property owners (and tenants) have maintained nature strips adjoining their properties as Council lacks sufficient resources to effectively maintain all nature strips. Council acknowledges and appreciates the efforts of property owners/tenants for the maintenance of nature strips adjoining their properties. Council understands, however, that elderly and/or disabled owners may require assistance from Council to maintain the nature strip adjacent to their properties.
3. Council will mow and/or maintain centre medians, including those on the Great Western Highway within the 70kph zone.
4. The General Manager may cause to prepare and amend from time to time a Standard Working Procedure detailing service levels in relation to this policy.

<b>Maintained Department:</b>	<b>by</b> Regional Services	<b>Approved by:</b>	Council		
<b>Reference:</b>	Dataworks: Policy Register	<b>Council Policy No:</b>		<b>Effective Date:</b>	Dd/mm/yyyy
<b>Min No:</b>		<b>Version No:</b>	DRAFT	<b>Review Date:</b>	
<b>Attachments:</b>					

DRAFT

## 1.4 ACQUISITION AND DISPOSAL OF ASSETS - TENDERING

**OBJECTIVE:** Provision of tendering framework for Council to follow for all purchases of goods with a value in excess of \$150,000 or where Council determines a tender process is to be followed.

### POLICY:

#### GENERAL

- All goods to be purchased with an apparent value of greater than \$150,000 shall be undertaken through a tender process;
- Unless specifically altered by the General Manager, the "appropriate person" who shall be responsible for the management of tender documents in accordance with the Local Government Act 1993 and its associated regulation(s) is the senior officer in the Records section of the Council, or in their absence, their immediate supervisor or the General Manager;
- All tenders will be conducted using principles of transparency, equity and probity;
- Council may determine to charge a fee for the provision of tender documents;
- Council will endeavour to provide the same information to all interested parties where ever possible
- The General Manager shall appoint designated staff to be responsible for opening, processing and assessing tenders;
- The General Manager will appoint a Manager or another member of staff to take leadership of the tender assessment group;
- A set of criteria shall be developed for the assessment of tenders.

#### ADVERTISING

- All Tenders and Expressions of Interest shall be advertised in the Sydney Morning Herald and Lithgow Mercury.
- Other local newspapers may be utilised in addition if required to advertise tenders and expressions of interest at the tender team leader's discretion;
- Advertisements shall be placed in the local newspaper Council column in the format prescribed in the Standard Working Procedure for advertising;
- Advertisements in the Sydney Morning Herald shall be in the format in the SWP Advertising.

#### RELEVANT MANAGERS

- Relevant Managers will be responsible for managing tendering and purchasing processes for goods up to the value of \$150,000 within their divisions;
- The General Manager shall determine the appropriate manager to facilitate a tender process.

#### DETERMINATION OF TENDER APPROACH

- The tender approach shall be determined by a resolution of Council;
- Tender approach decision made by Council shall determine the approach to be either by Open Tender or Selective Tender and will be made by a resolution of Council;
- If a selective tendering process is resolved by Council. Expressions of interest shall result in the determination of potential tenderers for the project who will be invited to submit tender submissions;
- Alternatively, Council may determine to create a list of potential tenderers for works where multiple projects may call for services;
- Council will, by resolution, determine its acceptance or rejection of tender(s).

#### OPEN TENDER PROCESSES

- All open tenders shall be advertised for a period of 21 days minimum from the date of the first publication of the advertisement in accordance with the Local Government Act and its associated regulations;

- Council may consider the particular exceptions circumstances clauses in the Local Government Act and its regulations where the advertised period may be shortened;
- Open tenders shall be managed in accordance with the Local Government Act 1993 and its regulation(s).

#### **SELECTIVE TENDER PROCESSES**

- All Selective tenders shall be advertised for a period of 21 days minimum from the date of the first publication of the advertisement in accordance with the Local Government Act and its associated regulations;
- Council may consider the particular exceptions circumstances clauses in the Local Government Act and its regulations where the advertised period may be shortened;
- Selective tenders shall be managed in accordance with the Local Government Act 1993 and its regulation(s).

#### **SUBMISSION OF TENDERS AND EXPRESSIONS OF INTEREST WHERE SELECTIVE TENDERS WILL BE CALLED**

- All tenders must be submitted in writing;
- Facsimile submissions will be accepted;
- Electronic submission of tenders will not be accepted;
- Tenders received after the closing time and date as advertised will not be considered;
- Unless delivered via facsimile, tenders should be submitted in a sealed envelope;
- Price will be one, but not the sole determinant, of the recommended tenderer;
- Council may determine to reject all tenders;
- All who submit submissions will be advised in writing of the ultimate outcome of the tender consideration following Council's determination of the submissions.

#### **CONTRACTS**

- All contracts are to be in writing;
- All contracts for tendered projects must be executed by or on behalf of the Council.

#### **LOBBYING OF COUNCILLORS AND COUNCIL STAFF**

- Contacting Councillors or Council staff other than the designated contact person directly will automatically disqualify an interested party from all tender or expression of interest processes.

<b>Maintained by Department:</b>	Policy and Planning	<b>Approved by:</b>	Council		
<b>Reference:</b>	Policy Register	<b>Council Policy No:</b>	1.4	<b>Effective Date:</b>	
<b>Min No:</b>	XX-XXX (V1)	<b>Version No:</b>	1	<b>Review Date:</b>	Oct 2008
<b>Attachments:</b>					