

3RD JUNE 2008

AGENDA - POLICY AND STRATEGY COMMITTEE MEETING OF COUNCIL



LITHGOW CITY COUNCIL

AGENDA

POLICY AND STRATEGY COMMITTEE
MEETING OF COUNCIL

TO BE HELD AT

THE ADMINISTRATION CENTRE, LITHGOW

ON

03 JUNE 2008

AT 6.00pm

AGENDA

PRESENT

QUESTIONS FROM THE PUBLIC GALLERY - NIL

PRESENTATIONS - NIL

CONFIRMATION OF THE MINUTES OF THE POLICY AND STRATEGY COMMITTEE MEETING OF COUNCIL HELD ON 6TH MAY 2008

DECLARATION OF INTEREST

NOTICES OF MOTION - NIL

NOTICES OF RESCISSION - NIL

CORRESPONDENCE AND REPORTS

General Manager Reports

Community and Corporate Services Report

REPORTS FROM DELEGATES - NIL

COMMITTEE MEETINGS - NIL

CLOSED REPORTS - NIL

QUESTIONS OF AN URGENT NATURE

TABLE OF CONTENTS

<u>ITEM</u>	<u>TITLE</u>	<u>PAGE</u>
	<u>GENERAL MANAGER REPORTS</u>	<u>3</u>
<u>ITEM:1</u>	<u>GM - 03/06/08 - ACTUARIAL REPORT - STATECOVER MUTUAL LTD</u>	<u>3</u>
<u>ITEM:2</u>	<u>GM - 03/06/08 - OPPOSITION TO PRIVATISATION OF THE ELECTRICITY INDUSTRY</u>	<u>4</u>
	<u>COMMUNITY AND CORPORATE SERVICES REPORTS</u>	<u>6</u>
<u>ITEM:3</u>	<u>COMM - 03/06/08 - TENDERS FOR SUPPLY OF GOODS AND SERVICES</u>	<u>6</u>
<u>ITEM:4</u>	<u>COMM - 03/06/08 - RADIOGRAPHY EQUIPMENT LITHGOW HOSPITAL</u>	<u>7</u>
<u>ITEM:5</u>	<u>COMM - 03/06/05 - DRAFT NATURE STRIP MAINTENANCE POLICY</u>	<u>9</u>
<u>ITEM:6</u>	<u>COMM - 03/06/08 - TENDERING POLICY AMENDMENT</u>	<u>11</u>

GENERAL MANAGER REPORTS

ITEM:1 GM - 03/06/08 - ACTUARIAL REPORT - STATECOVER MUTUAL LTD

REFERENCE

NIL

SUMMARY

To advise of the findings of the actuarial report on council's workers compensation Insurer, StateCover Mutual Limited.

COMMENTARY

Council has received correspondence from Local Government Association of NSW advising an actuarial report has been prepared for StateCover Mutual Limited and the report outlines that Councils insured with StateCover Mutual Limited have paid lower workers compensation premiums than the premiums that Councils would have otherwise paid if they remained insured with one of the WorkCover NSW Scheme Agents.

StateCover Mutual Limited (StateCover) is a specialised workers compensation insurer set up by the LGSA in association with Jardine Lloyd Thompson (JLT) with the aim of reducing the cost of workers compensation by improving OHS in councils, reducing the incidence of workers compensation claims, improving return to work outcomes and proactive claims management.

StateCover commenced operations on 1 July 2001 and Lithgow City Council commenced workers compensation insurance with StateCover from this date. Since July 2001 the independent, Australian Prudential Regulation Authority (APRA) approved actuary engaged by StateCover has calculated that those councils and county councils that insure with StateCover have saved a combined total of \$26.5 million, an average saving of 8.8 % per annum on the WorkCover gazetted premiums that Scheme Agents are required to charge. This net saving is after allowance for the Capital Levy contribution made by member councils which has directly contributed to the strong solvency position StateCover has attained.

Councils have, through the capital levy, contributed some \$17 million in capital to StateCover. This is an investment in the future profitability of StateCover. As at the end of February 2008 the net asset value of StateCover is around \$39million. Whilst StateCover has not been immune from the deterioration in the investment markets in the past six months it has continued to maintain a strong capital ratio which is above the APRA requirements.

ATTACHMENTS

1. Copy of the Actuarial Report.

RECOMMENDATION

THAT the information on the actual report is noted.

**ITEM:2 GM - 03/06/08 - OPPOSITION TO PRIVATISATION OF THE
ELECTRICITY INDUSTRY**

REFERENCE

Min No O08-07:Ordinary Meeting of Council held on 18th February 2008
Min No O08-23:Ordinary Meeting of Council held on 17th March 2008

SUMMARY

This report outlines correspondence received in relation to the opposition to the privatisation of the Electricity Industry.

COMMENTARY

Lithgow City Council is in receipt of information from the Local Government Association of NSW in relation to the Opposition to Privatisation of the Electricity Industry.

At the 2007 Annual Conference, Council introduced Motion 26 opposing the privatisation of the electricity industry.

A response has now been received from the Minister of Energy, the Hon Ian Macdonald MLC in relation to resolutions passed at the annual conference in Coffs Harbour in 2007 which is below:

"Item Nos. 26, 56 and 151L:

In order to meet the growing energy requirements of families and businesses across the State, NSW needs new baseload electricity generation built by about 2014. To secure these future energy needs at no cost to taxpayers, the NSW Government has accepted key recommendations of the OWN Inquiry into Electricity Supply in NSW to restructure ownership arrangements for its electricity generation and retail businesses.

The restructure will involve the transfer of the Governments retail electricity functions to the private sector and the lease of NSW power stations, with the exception of Snowy Hydro. All current electricity infrastructure assets will remain in public ownership which includes the power stations and the transmission and distribution "poles and wires" of the state owned companies Energy Australia, Integral Energy and Country Energy, as well as TransGrid.

The reforms will create incentives for the private sector to invest in baseload generation in NSW, thus saving taxpayers up to \$15 billion and allowing these funds to be redirected towards construction and maintenance of roads, train, hospitals, schools and other essential infrastructure.

The changes will also mean that people working in the electricity sector will have a strong and secure employment future. All current public sector retail and generation workers are guaranteed jobs in their current location across the State.

Item No. 108B:

The installation of street lighting in new subdivision must comply with relevant standards and meet necessary requirements, and they have to be energised before any assessment of the work can be undertaken.

Once a subdivision has been completed and the roads become "public roads", street lights must be lit for pedestrian safety and deterrence of anti-social behaviour, regardless of the number of buildings in the subdivision.

Item No. 151O:

Energy Australia holds an open tender process for tree trimming contracts and local government councils are welcome to tender for this work.

Trimming trees around live power lines is inherently dangerous and therefore safety is a paramount issue for contractors, the public and the network. Due to these potential dangers, Energy Australia's tree trimming contracts contain important and specific requirements covering contractors qualifications, expertise and experience; the use of fully insulated and tested tools and elevated work platforms and the maintenance of certified quality, safety and environmental management systems.

If Councils wish to tender for future tree trimming contracts then they are encouraged to maintain contact with Energy Australia to ensure they register for a copy of a tender documents".

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

NIL

RECOMMENDATION

THAT the information be noted.

COMMUNITY AND CORPORATE SERVICES REPORTS

ITEM:3 COMM - 03/06/08 - TENDERS FOR SUPPLY OF GOODS AND SERVICES

REPORT BY: INTERNAL SERVICES MANAGER – CAROL FARNSWORTH

REFERENCE

NIL

SUMMARY

This report seeks a determination from Council to use the open tendering process, pursuant to s167 of the Local Government (General) Regulation 2005, for the procurement of all goods and services for the 2008/09 financial year.

COMMENTARY

Council is required by s55 of the Local Government Act to invite tenders by one of the following methods:

- (a) the open tendering method (s167)
- (b) the selective tendering method by which invitations to tender for a particular proposed contract are made following a public advertisement seeking expressions of interest. (s168)
- (c) the selective tendering method by which recognised contractors selected from a list adopted by Council are invited to tender for proposed contracts.(s169)

The open tendering method allows all interested parties to tender for a proposed contract following public advertising and the selective tendering process is a method by which invitations to tender for a proposed contract are made following public advertisement asking for expressions of interest.

The recommendation is for Council to use the open tendering method pursuant to s167 of the Local Government (General) Regulation 2005. Tenders may be called for the procurement of such items as pipes and fittings, chemicals for treatment plants and the swimming pool, road making materials (except for the Centroc contract with Boral), relevant plant, external plant hire and legal services. Should it be considered more appropriate to use the selective tendering method for a specific purchase a separate report will be prepared and presented to Council.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

RECOMMENDATION

THAT Council use the open tendering method for the 2008/09 financial year, pursuant to s167 of the Local Government (General) Regulation 2005, for the procurement of such items as pipes and fittings, chemicals for treatment works and the swimming pool, road making materials (except for the Centroc contract with Boral), relevant plant, external plant hire, and legal services.

ITEM:4 COMM - 03/06/08 - RADIOGRAPHY EQUIPMENT LITHGOW HOSPITAL

REPORT FROM: SUZANNE LOLLBACK, GROUP MANAGER COMMUNITY & CORPORATE

REFERENCE

QWN: Councillor HK Fisher Policy and Strategy Committee Meeting of Council held on 6 May 2008.

SUMMARY

This report provides the Committee with an update to the urgent question raised by Councillor Fisher to the Policy and Strategy Committee Meeting held on 6 May 2008.

COMMENTARY

The Committee will recall Councillor Fisher's question regarding why residents are being sent to Bathurst and Katoomba for X-Rays and as to why they are not able to have them done in Lithgow.

Council wrote to Mr Gerard Martin, Member for Bathurst requesting information. The Member for Bathurst has now advised Council that:

"Tenders have been called for a range of new radiography equipment, including a 64 slice cat scanner, mammography equipment, General / Fluro combined unit, and ultrasound equipment. The tender was let but subsequently, the successful tenderer withdrew and currently the area health service is negotiating with the remaining tenderers and it is expected that the matter will be finalized by the end of May"

“The delay is regretted that I can assure you there is no more frustrated than myself. When the new equipment is in we will be able to provide a first-class service for the patients at the Lithgow Hospital, and should alleviate the need for patients to travel for this important health service”.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

NIL

RECOMMENDATION

THAT the Committee note the response from Mr Gerard Martin MP, Member for Bathurst in regard to a range of new radiography equipment, including a 64 slice cat scanner, mammography equipment, General / Fluro combined unit, and ultrasound equipment and that it is expected the matter will be finalised by the end of May.

ITEM:5 COMM - 03/06/05 - DRAFT NATURE STRIP MAINTENANCE POLICY**REPORT FROM: SUZANNE LOLLBACK, GROUP MANAGER COMMUNITY AND CORPORATE SERVICES****REFERENCE**

Min P08-18: Policy and Strategy Committee 3 March 2008

SUMMARY

This report summarises submissions received on the Draft Nature Strip Maintenance Policy

COMMENTARY

Council at its Policy and Strategy Committee Meeting of 3 March 2008 resolved to place on public exhibition the Draft Nature Strip Maintenance Policy (Draft Policy). At the conclusion of the public exhibition period, four submissions were received. The following table identifies each submission, sets out the issues raised in relation to the Draft Policy and responds to each issue.

Submission	Issue	Comment/Response
1. Private Submission	Highlighting the need for Council to support elderly/disabled owners with footpath mowing	The matter is noted in the policy and is reiterated in the Standard Working Procedure (SWP)
2. Private Submission	Policy does not cover maintenance in rural areas, outside village areas.	The policy is intended to cover, and states, urban areas only.
3. Private Submission	(a) Suggests that Council commit to the maintenance of all GWH centre medians within the council boundaries, subject to RTA approval. (b)The definition of maintenance should also include the removal of dead animals, dumped rubbish and weeds as well as mowing	(a) The policy states that Council is committed to the GWH median maintenance within the 70kph zone. Council is currently discussing with the RTA extending this responsibility. (b) The draft policy be amended to include a definition of maintenance and should read "Maintenance includes, but not limited to, activities such as mowing, slashing, weed control, and rubbish and waste removal."
4. Private Submission	Suggesting that Council be responsible for those verge areas that adjoining residents cannot maintain due to steepness and/or roughness.	Council's SWP covers this situation

A copy of each submission is provided to Councillors within their Business Paper Packages.

POLICY IMPLICATIONS

The Nature Strip Maintenance Policy (Draft Policy) be amended to include a definition of maintenance and should read:

“Maintenance includes, but is not limited to, activities such as mowing, slashing, weed control, and rubbish and waste removal.”

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

ATTACHMENTS

1. Draft Nature Strip Maintenance Policy
2. Copies of submissions are provided in Councillor Business Paper Packages.

RECOMMENDATION

THAT The Nature Strip Maintenance Policy (Draft Policy) be amended to include a definition of maintenance and should read: “Maintenance includes, but is not limited to, activities such as mowing, slashing, weed control, and rubbish and waste removal” and be adopted.

ITEM:6 COMM - 03/06/08 - TENDERING POLICY AMENDMENT

REPORT FROM: SUZANNE LOLLBACK, GROUP MANAGER COMMUNITY AND CORPORATE SERVICES

REFERENCE

Min No 07-547: Council Meeting 17 December 2007

Min No P08 -19: Policy and Strategy Committee Meeting 3 March 2008

SUMMARY

The attached Draft Amended Tendering Policy is provided to Council with a recommendation that amendments be made to allow for electronic tendering (e-tendering) and that the revised policy be placed on exhibition for 21 days.

COMMENTARY

At its Policy and Strategy Committee Meeting held on 3 March 2008, the Council adopted the Tendering Policy. The Policy currently does not provide for e-tendering.

In December 2007, Council in partnership with CENTROC trialed electronic tendering, which resulted in the purchase of a water tanker. This trial proved successful. A number of other Council's now successfully use electronic tendering.

It is proposed that the Council will establish an e-tendering portal that will accept submitted tenders electronically with security assured.

A Standard Working Procedure (SWP) has also been developed which provides staff with the procedures that detail the steps necessary in running tenders. The SWP includes details of how tenders are to be advertised, reported to Council, managed from a records management point of view and the process of setting criteria to assess tenders. It is totally operational in nature and designed to ensure that tender processes are carried out in accordance with Council's Tendering Policy.

The amended policy is recommended to Council with a proposed exhibition period of 21 days.

POLICY IMPLICATIONS

It is recommended that the policy be amended to allow for electronic tendering.

FINANCIAL IMPLICATIONS

In the first instance a 90 day free trial of e-tendering with a selected portal will be conducted in which time the process will be tested. Upon full implementation, a one off setup fee of \$2,000 will be incurred with a 'pay-as-you-go' rental fee of \$150 per notice.

Fees will be costed to relevant projects.

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. DRAFT Amended Tendering Policy

RECOMMENDATION

THAT the Draft Amended Tendering Policy be placed on exhibition for 21 Days before being presented to Council to be finalised.

QUESTIONS WITHOUT NOTICE