



LITHGOW CITY COUNCIL

A CENTRE OF REGIONAL EXCELLENCE

AGENDA

ORDINARY MEETING OF COUNCIL

TO BE HELD AT

THE ADMINISTRATION CENTRE, LITHGOW

ON

07 MARCH 2011

AT 7.00pm

AGENDA

APOLOGIES

PRESENT

CONFIRMATION OF THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 14TH FEBRUARY 2011

DECLARATION OF INTEREST

PUBLIC FORUM

PRESENTATIONS - NIL

MAYORAL MINUTES - NIL

NOTICES OF MOTION - Councillor M F Ticehurst - Fines Enforcement Review Process Councillor M F Ticehurst - Delta Electricity - Cobbora Mine - Carbon Tax

NOTICE OF RESCISSIONS - NIL

CORRESPONDENCE AND REPORTS

General Managers Reports
Regional Services Reports
Community and Corporate Services Reports
Internal Services Reports

COMMITTEE MEETINGS

Crystal Theatre Committee
Traffic Authority Local Committee
Sports Advisory Committee
Tourism Advisory Committee
Environmental Advisory Committee
Lithgow Flash Gift Committee
Sister City Advisory Committee

REPORTS FROM DELEGATES - NIL

BUSINESS OF GREAT URGENCY

As identified by Clause 241 of the Local Government (General) Regulations 2005

CLOSED REPORTS

Reg - Department of Environment, Climate Change and Water (DECCW) - v - Lithgow
City Council

Councillors Only - GM - Organisation Structure

Councillors Only - GM - Senior Staff

TABLE OF CONTENTS

<u>ITEM</u>	<u>TITLE</u>	<u>PAGE</u>
	<u>NOTICE OF MOTIONS</u>	<u>5</u>
<u>ITEM: 1</u>	<u>NOTICE OF MOTION - 07/03/11 - QUESTION WITHOUT NOTICE - FINES ENFORCEMENT REVIEW PROCESS - COUNCILLOR M F TICEHURST</u>	<u>5</u>
<u>ITEM: 2</u>	<u>NOTICE OF MOTION - 07/03/11 - DELTA ELECTRICITY - COBBORA MINE - CARBON TAX - COUNCILLOR M F TICEHURST</u>	<u>6</u>
	<u>REGIONAL SERVICES REPORTS</u>	<u>7</u>
<u>ITEM: 3</u>	<u>REG - 07/03/11 - WATER REPORT</u>	<u>7</u>
<u>ITEM: 4</u>	<u>REG - 07/03/11 - SOURCING OF UNDERGROUND WATER</u>	<u>10</u>
<u>ITEM: 5</u>	<u>REG - 07/03/11 - UPDATE ON MAJOR PROJECTS - LITHGOW AND WALLERAWANG SEWERAGE TREATMENT PLANTS</u>	<u>11</u>
<u>ITEM: 6</u>	<u>REG - 07/03/11 - WASTE AND ENVIRONMENTAL LEVY - LITHGOW LANDFILL</u>	<u>14</u>
<u>ITEM: 7</u>	<u>REG - 07/03/11 - DEVELOPMENT APPLICATION / CONSTRUCTION CERTIFICATE 018/11 DUAL OCCUPANCY - CALLING IN OF APPLICATION</u>	<u>16</u>
<u>ITEM: 8</u>	<u>REG - 07/03/11 - DEVELOPMENT APPLICATION / CONSRUCTION CERTIFICATE 193/10 PROPOSED DUPLEX - IVATT STREET, LITHGOW</u>	<u>17</u>
	<u>OPERATION SERVICES REPORTS</u>	<u>20</u>
<u>ITEM: 9</u>	<u>OPER - 07/03/11 - TREE MANAGEMENT POLICY</u>	<u>20</u>
	<u>COMMUNITY AND CORPORATE SERVICES REPORTS</u>	<u>21</u>
<u>ITEM: 10</u>	<u>COMM - 07/03/2011 - RECURRENT FINANCIAL ASSISTANCE PROGRAM</u>	<u>21</u>
<u>ITEM: 11</u>	<u>COMM - 07/03/2011 - DRAFT OPEN SPACE AND RECRETIONAL NEEDS STUDY</u>	<u>24</u>
	<u>COMMITTEE MEETING REPORTS</u>	<u>31</u>
<u>ITEM: 12</u>	<u>REG - 07/03/11 - CRYSTAL THEATRE MANAGEMENT COMMITTEE MINUTES - 7TH DECEMBER 2010</u>	<u>31</u>
<u>ITEM: 13</u>	<u>REG - 07/03/11 - CRYSTAL THEATRE MANAGEMENT COMMITTEE MINUTES - 15TH FEBRUARY 2011</u>	<u>32</u>
<u>ITEM: 14</u>	<u>OPER - 07/03/11 - TRAFFIC AUTHORITY LOCAL COMMITTEE</u>	<u>33</u>

MEETING - MINUTES 3RD FEBRUARY 2011

<u>ITEM: 15</u>	<u>OPER - 07/03/11 - SPORTS ADVISORY COMMITTEE MEETING - 31ST JANUARY 2011</u>	<u>34</u>
<u>ITEM: 16</u>	<u>COMM - 07/03/2011 - TOURISM ADVISORY COMMITTEE MEETING MINUTES - 1 FEBRUARY 2011</u>	<u>35</u>
<u>ITEM: 17</u>	<u>COMM - 07/03/2011 - ENVIRONMENTAL ADVISORY COMMITTEE MEETING MINUTES - 8 DECEMBER 2011</u>	<u>37</u>
<u>ITEM: 18</u>	<u>COMM - 07/03/2011 - LITHGOW FLASH GIFT COMMITTEE MEETING MINUTES - 20 JANUARY 2011</u>	<u>39</u>
<u>ITEM: 19</u>	<u>COMM - 07/03/2011 - LITHGOW FLASH GIFT COMMITTEE MEETING MINUTES - 10 FEBRUARY 2011</u>	<u>40</u>
<u>ITEM: 20</u>	<u>COMM - 07/03/11 - SISTER CITY ADVISORY COMMITTEE MEETING - MINUTES 25TH JANUARY 2011</u>	<u>42</u>
	<u>BUSINESS OF GREAT URGENCY</u>	<u>44</u>
	<u>CLOSED REPORTS</u>	<u>45</u>
<u>ITEM: 21</u>	<u>CONFIDENTIAL REPORT - 07/03/11 - REG - DEPARTMENT OF ENVIRONMENT, CLIMATE CHANGE AND WATER (DECCW) - v - LITHGOW CITY COUNCIL</u>	<u>45</u>
<u>ITEM: 22</u>	<u>CONFIDENTIAL REPORT - COUNCILLORS ONLY - GM - 07/03/11 - COUNCIL ORGANISATION STRUCTURE</u>	<u>46</u>
<u>ITEM: 23</u>	<u>CONFIDENTIAL REPORT - COUNCILLORS ONLY - 07/03/11 - GM - SENIOR STAFF</u>	<u>47</u>

NOTICE OF MOTIONS

ITEM: 1 NOTICE OF MOTION - 07/03/11 - QUESTION WITHOUT NOTICE - FINES ENFORCEMENT REVIEW PROCESS - COUNCILLOR M F TICEHURST

REFERENCE

Listed by Councillor Martin Ticehurst

26 February 2011

COMMENTARY

Council and Councillors may already be aware of the Parramatta City Councils recent introduction of a Council Community Adjudication Panel, a policy aimed at providing an avenue for members of the public who want to have their Council issued infringement notices, including parking fines, reviewed.

It is also aimed at establishing fair, impartial and equitable guidelines, so that greater discretion can be used when dealing with unlawful activities, including parking fines.

Copies of the relevant passages of the Parramatta City Councils Parking Enforcement Policy – Parking Infringement Review Process is attached along with a recent Parramatta City Council Media Release on the background and the initial sitting of their Adjudication Panel and a letter of support on the Councils initiative by the local Parramatta Chamber of Commerce.

Q. Could the General Manager and Council Officers provide the Council, Councillors and ratepayers with a written report on establishing a Lithgow City Council based Community Adjudication Panel, similar to that recently established by the Parramatta City Council?

ATTACHMENTS

1. Parramatta City Councils Parking Enforcement Policy – Review Process
2. Parramatta City Council Media Release – ‘Adjudication Panel sits for the first time.’
3. Parramatta Chamber of Commerce Media Release in support of Councils initiative.

RECOMMENDATION

THAT the General Manager and Council Officers provide the Council, Councillors and ratepayers with a written report on establishing a Lithgow City Council based Community Adjudication Panel, similar to that recently established by the Parramatta City Council?

ITEM: 2 NOTICE OF MOTION - 07/03/11 - DELTA ELECTRICITY - COBBORA MINE - CARBON TAX - COUNCILLOR M F TICEHURST

REFERENCE

Listed by Councillor Martin Ticehurst

26 February 2011

COMMENTARY

1. As the Council would be aware from recent media reports (see attached Daily Telegraph 23 February 2011) the Keneally State Labor Government has now sold off most of its State Electricity assets, including the generation trading rights of our local major employer, Delta Electricity. Contracts are expected to be formally exchanged and finalised by the 1 March 2011.
- Q. *Is the Council, Councillors and ratepayers aware that the new owners of Delta Electricity have already confirmed that they will not be taking up any option or action to install the two additional Electricity Units at their Mt Piper facility?*
2. The attached Daily Telegraph 23 February 2011 reports that the NSW Auditor-General, Peter Achterstraat has revealed that State Governments operations of the Cobbora Mine near Dunedoo, will result in the spot price of coal being sold from Cobbora Mine to Delta Electricity would be \$31.16 per tonne when the spot price for coal was \$125 per tonne. Councillors will recall that Delta Electricity has approval for a Rail Coal Unloader between Wallerawang and Portland for Mt Piper for the receipt of coal from the Cobbora Mine.
- Q. *Is the Council, Councillors and ratepayers aware of what impact the transport of cheap coal from the State Government owned and operated Cobbora Coal Mine near Dunedoo will have on both the social, financial and employment status of the Lithgow Local Government area and the Western Coalfields?*
3. As Council, Councillors and ratepayers would be aware, the Federal Labor Prime Minister Julia Gillard, the Greens Party and aligned Independents last week announced the introduction of a new Carbon Tax to commence on the 1 July 2012.
- Q. *Given the Lithgow Local Government areas major reliance on employers who are involved in both the Coal and Electricity generating industries, is the Council, Councillors and ratepayers aware of what additional financial impact the new Carbon Tax will have on future large scale employment opportunities in the LGA?*

ATTACHMENTS

1. Daily Telegraph 23 February 2011 report: 'Scarp the Power deals.'

RECOMMENDATION

THAT Council formally debate and determine what its position is in reply to the above Questions with Notice.

REGIONAL SERVICES REPORTS

ITEM: 3 REG - 07/03/11 - WATER REPORT

REPORT BY: ANDREW MUIR – GROUP MANAGER REGIONAL SERVICES

REFERENCE

Min No 10-05 - Ordinary Meeting of 18 January 2010
Min No 10-33 - Ordinary Meeting of 8 February 2010
Min No 10-60 - Ordinary Meeting of 1 March 2010
Min No 10-131 - Ordinary Meeting of 12 April 2010
Min No 10-175 - Ordinary Meeting of 3 May 2010
Min No 10-239 - Ordinary Meeting of 21 June 2010
Min No 10-273 - Ordinary Meeting of 12 July 2010
Min No 10-305 - Ordinary Meeting of 3 August 2010
Min No 10-349 - Ordinary Meeting of 23 August 2010
Min No 10-390 - Ordinary Meeting of 20 September 2010
Min No 10-425 - Ordinary Meeting of 11 October 2010
Min No 10-466 - Ordinary Meeting of 1 November 2010
Min No 10-478 – Ordinary Meeting of 22 November 2010
Min No 10-536 – Ordinary Meeting of 13 December 2010
Min No 11-13 – Ordinary Meeting of 24 January 2011
Min No 11-47 – Ordinary Meeting of 14 February 2011

SUMMARY

This report provides an update on various drought and water management issues as per Minute Number 10-03.

COMMENTARY

In relation to current water management issues the following information is provided.

CURRENT DAM LEVELS FOR BOTH FARMERS CREEK AND OBERON

Farmers Creek Dam #2 capacity on Monday 21 February 2011 was 92.2%. Oberon Dam capacity on Thursday 24 February 2011 was 54.53%.

CURRENT WATER USAGE FROM EACH SUPPLY

Table 1 below indicates total output from the Oakey Park Water Treatment Plant (consumption) and the volume transferred from the Clarence Transfer System for 2011.

Table 1 - Oakey Park Output and Clarence Transfer

Month	Oakey Park WTP (ML)	Clarence Transfer (ML)
January	144	0
February (to 24/2/11)	87	0
Total 2010	231	0

Table 2

2010/11	Water Consumption (ML)					
	Delta Electricity	Lithgow Council	Sydney Catchment Authority	Oberon Council	Minor Consum	Total
Jul	425	50	0	55	20	550
Aug	768	54	0	66	20	907
Sep	603	51	0	51	20	725
Oct	555	75	3	50	20	703
Nov	585	74	155	66	20	900
Dec	199	44	40	45	20	348
Jan						0
Feb						0
Mar						0
Apr						0
May						0
Jun						0
Total	3,134	349	198	333	120	4,134
1998	7,243	970	3,003	827	192	12,235
1999	7,204	898	3,317	855	171	12,445
2000	7,294	858	3,468	767	179	12,567
2001	8,640	998	3,913	921	180	14,652
2001/2	8,359	1,019	3,677	838	180	14,073
2002/03	8,303	1,183	4,390	911	237	15,023
2003/04	6,734	968	3,005	732	216	11,655
2004/05	4,960	735	1,878	677	162	8,412
2005/06	6,367	959	2,098	725	228	10,378
2006/07	6,590	795	3,115	749	218	11,468
2007/08	4,367	747	1,077	601	150	6,942
2008/09	3,356	699	208	583	240	5,086
2009/10	2,856	554	-	590	158	4,158
MAQ	8,184	2,092	3,650	750	200	14,876

CURRENT WATER RESTRICTIONS UPDATE

Council's restriction triggers for levels 1, 2 and 3 are linked to the Fish River Drought Management Strategy. Therefore, given the current storage in Oberon Dam, Level 1 water restrictions are now in place for all residents through Lithgow and villages receiving water from both the Lithgow and the Fish River water supplies.

WATER SAVING SCHEMES OR PROCESSES UPDATE

Council's Rainwater Tank and Domestic Appliance Rebate Program continued in February with Council receiving 6 applications for a household appliance repair and no applications for a water tank rebate up until 25 February 2011.

ALTERNATE WATER SOURCES UPDATE

Drought Relief Project

The pipeline below Cook Street High Level Reservoir has been laid and fittings to enable the completion of the connection have but it has been ascertained that some fittings have not arrived to enable the final connection to occur.

Clarence Transfer System

Consultants GHD are continuing with their hydro geological assessment on the available transfer supply as well as their hydrology investigation into sustainable yield from Farmers Creek Dam #2.

POLICY IMPLICATIONS

No specific policy issues arise as a result of this report.

FINANCIAL IMPLICATIONS

No specific financial issues arise as a result of this report.

LEGAL IMPLICATIONS

No specific legal issues arise as a result of this report.

RECOMMENDATION

THAT the information in relation to water management issues be noted.

ITEM: 4 REG - 07/03/11 - SOURCING OF UNDERGROUND WATER

REPORT BY: ANDREW MUIR – GROUP MANAGER REGIONAL SERVICES

REFERENCE

Min No 10-390 – Ordinary Meeting of 20 September 2010

SUMMARY

To provide Council with the Minister's response following its request for information regarding the sourcing of underground water in Lithgow.

COMMENTARY

Councillors will recall at the Ordinary Meeting of 20 September 2010, Council considered its regular report on Drought Management and in particular considered information provided by Delta Electricity in relation to preliminary investigations with a view to accessing underground mine water from disused mines in the vicinity of the Lithgow Urban Area. This preliminary report, concluded that the extraction of underground water from disused mines had the potential to result in increased mine subsidence activity on the surface.

Council resolved to make representations to the local member in relation to the sourcing of bore water for the Lithgow water supply and the potential extraction of such water and what processes would need to be put in place to pursue this option.

Correspondence addressing the abovementioned matter was sent to Mr Gerard Martin MP, Member for Bathurst on 4 October 2010. Council has since received a response from The Hon Paul Lynch MP, Minister for Energy; dated 15 February 2011 advising that Delta Electricity has confirmed that it investigated the feasibility of extracting water from a number of interconnected and abandoned mine workings in the vicinity of the Lithgow township, including some sites under the township, with an aim to partially recover Delta's water storages which were critically low at the time.

Delta Electricity employed Douglas Partners, specialist geotechnical, environment and groundwater engineers; to assess the potential for any increased mine subsidence likely to occur as a result of the dewatering project. Delta has confirmed that the report from Douglas Partners indicated that there was a significant risk of increased subsidence in and around Lithgow Township, and as such Delta abandoned the project in its preliminary phase.

Delta Electricity provided Council with a copy of the Douglas Partners report on 27 July 2010.

The correspondence from the Minister for Energy also advised that Council's letter has been referred to the Hon Phillip Costa MP, Minister for Water, for a separate response.

It should be noted that the response from Minister Lynch did not provide any new information. Perhaps the response from Minister Costa may be of greater assistance when it comes to hand.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

ATTACHMENTS

1. Correspondence from the Hon Paul Lynch, dated 15 February, 2011.

RECOMMENDATION

THAT the report on sourcing of underground water be noted.

ITEM: 5 REG - 07/03/11 - UPDATE ON MAJOR PROJECTS - LITHGOW AND WALLERAWANG SEWERAGE TREATMENT PLANTS

REPORT BY: GROUP MANAGER REGIONAL SERVICES - ANDREW MUIR

REFERENCE

Nil

SUMMARY

To provide a progress report on the construction of the augmentation of the Lithgow and Wallerawang Sewage Treatment Plants.

COMMENTARY

The following outlines current progress on the construction/augmentation of the Lithgow Sewage Treatment Plant:

- Tender awarded to Haslin Constructions on 14 October 2009.
- Contract Duration: 60 weeks (Commissioning), 64 weeks (incl WAX O&M);
- Current Contract Completion Date: 10 March 2011 (not including Extensions of Time)
- Expected Completion Date: 22 July 2010
- Tender Price: \$ 18,969,403.00 (incl. GST);
- Work commenced on site: mid January 2010;

- Program: Approximately 90% of building works complete. 42 days approved Extension of Time (EOT) due to wet weather, further EOT requests pending relating to design and power supply issues which have been outside the control of Council and the Contractor and equate to approximately 3 months.

Major works completed or underway

Completed

- Importation, placement and compaction of fill.
- Piling for the Pipelines, IDEA, Catch Balance and Chlorine Contact Tanks including hydrostatic testing.
- Flow Divider Pit.
- Chlorine Contact Tank including hydrostatic testing.
- EP8 pit and hydraulic installation and hydrostatic testing.
- Sludge Lagoon geosynthetic lining, apron slabs and handrails, pump wells, access bridges including water testing.
- Installation of mechanical equipment in the Inlet Works.
- Electrical switchroom buildings.
- Mechanical installations within the IDEA Tank.
- Installation of pump skids into chemical dosing areas.
- Construction of the Interception pit.
- Installation of decant equipment.

Underway

- Electrical installations and terminations.
- Hydraulic installations.
- Installation of pipework for both on and off-site effluent re-use.
- IDEA embankment construction.
- Dosing line installation.
- Roadway construction.

Other

- Sludge Lagoons. Council proposes to abandon one existing lagoon on the basis that 3 lagoons are sufficient, as was originally proposed and in light of the addition of the Sludge Handling Facility included in the construction contract.
- Generator Facility at SPS1. The installation of the Generators was a Condition of consent as part of the STP Augmentation Development Approval. Concept design has been completed by PWD and Finalisation of Design and Tender Documents are complete. A development application has been lodged.
- UV treatment. SCA have engaged NSW Water Solutions to undertake design for works to be funded by SCA and incorporated into the contract works. Council and SCA have entered into a Funding Agreement that would see SCA fully fund the capital cost for installation and operational and maintenance costs for a period of 2 years. At the end of the 2 year period SCA will contribute to the ongoing operational and maintenance cost which is to be determined after the initial 2 year period.

The construction program provided by Haslin Construction shows the addition of the UV Disinfection System to the contract will not delay the final testing and commissioning of the plant, although the UV System will not be complete until late November.

The following outlines current progress on the construction/augmentation of the Wallerawang Sewage Treatment Plant:

- Tender awarded to Gongues Constructions on 5th October 2010.
- Contract Duration: 44 weeks (incl WAX O&M);
- Current Contract Completion Date: 9 August 2011;
- Contract Price at Date of Contract: \$6,789,760 .00 (incl. GST);
- Work commenced on site: 18 October 2010;
- Program: About 32% complete.

Major works completed or underway.

Completed

- Site establishment.
- Amenities building brickwork.
- Switchroom Building brickwork and roof.
- Inlet works civil construction.
- Power Supply Upgrade.
- IDEA Tank Civil construction.
- Bunded areas for Chemical Storage.

Underway

- Sludge hardstand area and bulk filling for road construction.
- Chlorine Contact Tank Construction.
- Outlet main from Chlorine Contact Tank.
- Return rising main from the existing effluent ponds.
- IDEA tank walkways.
- GRP pipelines around IDEA tank.
- Remediation of Sludge Lagoon No 1
- Switchroom construction and fitout.
- Caustic Soda bund.
- Hardstand for in the sludge handling area.
- The construction of effluent discharge pipe.

Other

- UV treatment. SCA have engaged NSW Water Solutions to undertake design for works to be funded by SCA and incorporated into the contract works. Council and SCA have entered into a Funding Agreement that would see SCA fully fund the capital cost for installation and operational and maintenance costs for a period of 2 years. At the end of the 2 year period SCA will contribute to the ongoing operational and maintenance cost which is to be determined after the initial 2 year period.

An inspection of both projects is being arranged for Councillors. This will be an opportunity to appreciate the scale of the projects and ask any specific questions.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

The total budget for Lithgow is \$21,300,000 and Wallerawang \$11,000,000. This includes works outside the contract, eg roadworks, fencing. The total contract works for both projects is over \$25 million (excl GST). Thus far variations have been able to be kept to a minimum given the scale of the projects and the introduction of UV disinfection which is to be 100% funded by the Sydney Catchment Authority.

LEGAL IMPLICATIONS

Nil.

ATTACHMENTS

1. table of the statistics for the Wallerawang STP Upgrade

RECOMMENDATION

THAT the progress on the construction/augmentation of Lithgow and Wallerawang Sewage Treatment Plants and the proposed inspection for Councillors be noted.

**ITEM: 6 REG - 07/03/11 - WASTE AND ENVIRONMENTAL LEVY - LITHGOW
 LANDFILL**

REPORT BY: ANDREW MUIR – GROUP MANAGER REGIONAL SERVICES

REFERENCE

Nil

SUMMARY

To advise Council of the action taken by contractors at the Lithgow Landfill of accepting waste from the Sydney Metropolitan Area which, has incurred a levy of \$45,345.70.

COMMENTARY

Council has been informed by the Department of Environment, Climate Change and Water (DECCW) that between June 2008 and November 2009, waste material that originated from the Sydney Metropolitan Area was delivered to the Lithgow Landfill by a company known as Alcobell Pty Ltd.

This material was accepted by the landfill contractor, Henry Plant and Equipment Hire Pty Ltd. As the waste originated from the Sydney Metropolitan Area this incurs a levy, at the time \$46.70 per tonne. DECCW have informed that whilst they appreciate this action was taken without Council's knowledge, the responsibility for the payment of the incurred Waste and Environmental Levy rests with the licence holder of the facility where the waste was received. Consequently, it will be necessary for Council to pay the levy and recover the costs from Henry Plant and Equipment Hire. Discussions have been held with Henry Plant and Equipment Hire, who have advised that they are willing to reimburse Council's costs in relation to this matter. They have also advised that they now understand the implications of receiving waste from other areas and in the future will not be receiving such waste. Discussions are also ongoing in relation to other issues at the facility such as limiting the amount of waste collected annually and improved litter control to ensure compliance with the Environment Protection Licence.

DECCW have advised that they would accept a repayment plan for the payment of the levy in four equal instalments of \$11,336.42. It would be proposed to take advantage of this offer with reimbursements to Council to occur on each occasion.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Council will be required to pay \$45,345.70 to DECCW, however this amount will be reimbursed by Henry Plant & Equipment Hire.

LEGAL IMPLICATIONS

The Waste and Environment Levy is incurred under Provisions of the Protection of the Environment Operations (Waste) Regulation 2005.

ATTACHMENTS

Nil

RECOMMENDATION

THAT the report on the Waste and Environment Levy to the DECCW be noted.

**ITEM: 7 REG - 07/03/11 - DEVELOPMENT APPLICATION / CONSTRUCTION
CERTIFICATE 018/11 DUAL OCCUPANCY - CALLING IN OF
APPLICATION**

REPORT FROM: GROUP MANAGER REGIONAL SERVICES – ANDREW MUIR

REFERENCE

Development Application/Construction Certificate No.018/11

SUMMARY

To inform Council that this Development Application/Construction Certificate has been called in pursuant to Council policy.

COMMENTARY

A Development Application has been received for the establishment of a dual occupancy at Lot 40 DP 1103064 being 21 Kirkley Street, South Bowenfels. This application is currently under assessment. The application has been called in for determination by Council by Councillors Graham Danaher and Wayne McAndrew.

POLICY IMPLICATIONS

The application has been called in pursuant to Policy 7.7 'Calling in of Applications by Councillors' Item 3 that states:

Should written notice, signed by a minimum of one (1) Councilor, be received by the General Manager prior to determination of a development application or development application/construction certificate, the application shall not be determined under delegated authority but shall be:

- *Reported to the next Ordinary Meeting for the information of Council that the development application or development application/construction certificate has been "called in"; and*
- *Reported to an Ordinary Meeting of Council for determination.*

This application is reported pursuant to the first dot point.

FINANCIAL IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

No specific implications at this point of the process.

ATTACHMENTS

Nil

RECOMMENDATION

THAT the action of calling in the Development Application/Construction Certificate No 018/11 be noted.

**ITEM: 8 REG - 07/03/11 - DEVELOPMENT APPLICATION / CONSRUCTION
CERTIFICATE 193/10 PROPOSED DUPLEX - IVATT STREET,
LITHGOW**

REPORT BY: ANDREW MUIR – GROUP MANAGER REGIONAL SERVICES

REFERENCE

Min No 11-46 - Ordinary Meeting of 14 February 2011

SUMMARY

To access and clarify issues raised at Ordinary Meeting 14 February 2011 and recommend determination of 193-10DACC. Recommendation will be for approval subject to conditions. The application has been assessed by the Mine Subsidence Board and Council officers.

COMMENTARY

Council is in receipt of DACC 193/10 for the construction of a duplex development in Ivatt Street, Lithgow. The proposal will exist on Lot 2 DP 1158898 and consist of two units which are single level at the front and two levels at the rear. Each unit consists of three (3) bedroom units with kitchen/meals, laundry, bathroom, lounge, veranda, patio, single garage and storage below the main living areas. The total floor area for both dwellings is 326.70m² on the lot that has an area of 700m².

On consideration of this application at its Ordinary meeting of 14 February 2011, Council resolved:

THAT this matter be deferred to the next meeting to consider the following:

- *Parking*
- *screening / privacy*
- *drainage*
- *safety and;*
- *planning agreement*

Each item is discussed below:

Parking: There is appropriate parking available in regards to each unit having a single garage and driveway which may utilise stacked parking. This complies with Council's Guidelines for unit development and with the Lithgow Development Control Plan for Off Street Car Parking which both state:

Duplex's: 1 enclosed garage plus 1 visitors car parking space per 3 bedroom unit.

Therefore, the development complies with the Council control measures to provide off street parking.

Screening/Privacy:

The building was designed so as to minimise the issue of privacy to the rear properties. This is implemented by constructing the bedrooms at the rear of the property (being classified as non-living areas) and locating the main living areas towards the front of the building further so as to minimise impact on neighbouring landowners.

The building design in regards to privacy issues is considered adequate as the dwelling is approximately 6.7m from the boundary of the rear properties. Additionally, the basement storage area at the rear of the building below the first floor level is excavated in to reduce the overall impact on adjoining premises.

Drainage:

The Group Manager Operations has advised that all site drainage issues were addressed and approved at subdivision stage prior to release of the construction certificate. The subdivision certificate was issued following compliance with all Council requirements. Kerb and guttering and stormwater sumps have been provided on Ivatt Street and inter-allotment drainage has been provided on the rear boundary. The duplex development itself will have no adverse effect on the drainage infrastructure.

Safety:

In relation to parking and traffic issues the development complies with Lithgow's Development Control Plan for Off Street Parking and Guidelines for Residential Unit Development, being one space per unit and one space for every unit for visitors.

If on street parking issues become evident after a reasonable period, Council could refer the matter to TALC for consideration of 'no stopping' signs being placed along appropriate areas of Ivatt Street.

Planning Agreement:

Given the nature of the development, Council has negotiated with the applicant to enter into a Planning Agreement to contribute towards the cost of maintenance to the rear laneway. The applicant has indicated that they would be willing to enter into a Planning Agreement for this development. Accordingly, it is considered appropriate that if the application is approved, a condition be imposed requiring particulars of a Planning Agreement be finalised. It should be noted that such a contribution in this instance will be nominal due to the limited scale of the development.

POLICY IMPLICATIONS

The application was called in under Policy 7.7 – Calling in of Development Applications by Councillors. Accordingly, the application requires determination by the elected Council.

FINANCIAL IMPLICATIONS

The applicant is willing to enter into a Planning Agreement. This will only be a nominal sum, but it can be applied to the rear laneway.

LEGAL IMPLICATIONS

In determining a development application, a consent authority is required to take into consideration the matters of relevance under Section 79C of the Environmental Planning and Assessment Act 1979.

CONCLUSIONS

The development complies with Council's Policy and Guidelines for Residential Unit Development in regards to site density, setback, colour and materials, presentation to the street and parking. The proposed development is also consistent with the above requirement of Lithgow Local Environmental Plan 1994. As such, given the information provided and the additional modifications made through the assessment process it is considered that the development can be supported in this instance.

ATTACHMENTS

1. The complete Section 79C Assessment in accordance with the Environmental Planning & Assessment Act 1979.

RECOMMENDATION

THAT:

1. Combined Development & Construction Certificate Application 193/10DACC be approved subject to conditions specified in the attached Section 79C assessment.
2. A Division be called in accordance with the requirements of Section 375A(3) of the Local Government Act, 1993.

OPERATION SERVICES REPORTS

ITEM: 9 OPER - 07/03/11 - TREE MANAGEMENT POLICY

REPORT FROM: IAIN STEWART, GROUP MANAGER OPERATIONS

REFERENCE

NIL

SUMMARY

To advise Council that a “Tree Management” Policy has been drafted and is required to be adopted by Council

COMMENTARY

The “Tree Management” Policy has been prepared by Council’s Operations Division in consultation with Council’s insurers, with the aim to ensure that the City of Lithgow has a well managed and sustainable tree population. This includes providing an efficient and effective reporting and maintenance system to ensure that customer concerns and expectations are addressed and met.

POLICY IMPLICATIONS

As per the above changes.

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

The document is required to be placed on public exhibition for 28 days

ATTACHMENTS

1. Tree Management Policy

RECOMMENDATION

THAT:

1. Council adopt the Tree Management Policy in draft format and place the document on public exhibition for 28 days.
2. Following public exhibition, comments from the public be reported to the Council, including a recommendation for adoption of the policy.

COMMUNITY AND CORPORATE SERVICES REPORTS

ITEM: 10 COMM - 07/03/2011 - RECURRENT FINANCIAL ASSISTANCE PROGRAM

REPORT FROM: MANAGER COMMUNITY AND CULTURE – MATTHEW JOHNSON

REFERENCE

MIN No 09-227 – Ordinary meeting of Council dated 1 June 2009
MIN No 09-331 – Ordinary meeting of Council dated 3 August 2009
MIN No 09-333 – Ordinary meeting of Council dated 3 August 2009
MIN No 09-425 – Ordinary meeting of Council dated 6 October 2009
MIN No 09-452 – Ordinary meeting of Council dated 2 November 2009
MIN No 09-551 – Ordinary meeting of Council dated 14 December 2009
MIN No 09-552 – Ordinary meeting of Council dated 14 December 2009
MIN No 10-30 – Ordinary meeting of Council dated 8 February 2010
MIN No 10-115 – Ordinary meeting of Council dated 22 March 2010
MIN No 10-200 – Ordinary meeting of Council dated 24 May 2010
Min No 10-244 - Ordinary meeting of Council dated 21 June 2010
Min No 10-539 - Ordinary meeting of Council dated 13 December 2010
Min No 11-02 - Ordinary meeting of Council dated 24 January 2011

SUMMARY

This report recommends that a number of organisations that currently receive Non-Recurrent Financial Assistance be re-categorised in future years to receive Recurrent Financial Assistance.

COMMENTARY

Council allocates Recurrent Financial Assistance to a number of organisations each year. In 2010/11, \$54,792 has been allocated for Recurrent Financial Assistance to the following organisations:

Lithgow Business Association	\$10,712
Western Region Academy of Sport	\$1,607
Lithgow Show Society	\$8,000
White Ribbon Day	\$803
Solid Fuel Incentive	\$9,000
Portland Art Show	\$2,142
Arts Out West	\$11,066
Ironfest	\$10,712
School Presentation Nights	\$750

Council has also allocated \$92,168 in the 2010/11 Management Plan for Non-Recurrent Financial Assistance which has been allocated to approximately 44 projects.

The following organisations have received Non-Recurrent Financial Assistance in the current year and they generally receive Non-Recurrent Financial Assistance each year:

Lithgow Tidy Towns	\$2,000
Wallerawang Tidy Towns	\$1,000
Portland Tidy Towns	\$1,000
Cullen Bullen Tidy Towns	\$1,000
Lithgow Golf Club	\$2,000
Portland Golf Club	\$800
Lithgow Information & Neighbourhood Centre Rental Assistance	\$15,000

It is recommended that in future years these organisations be re-classified as Recurrent and that the Non-Recurrent Financial Assistance allocation be reduced by the same amount. The amounts allocated to both Recurrent and Non-Recurrent Financial Assistance will be adjusted for CPI.

POLICY IMPLICATIONS

Council Policy 4.4, Financial Assistance Under Section 356 of the Local Government Act will require amendment to reflect this change.

FINANCIAL IMPLICATIONS

Council has approved a total Financial Assistance allocation in the 2010/11 Management Plan of \$146,960.15. Of this allocation, \$54,792 has been allocated for Recurrent Financial Assistance to the following organisations:

Lithgow Business Association	\$10,712
Western Region Academy of Sport	\$1,607
Lithgow Show Society	\$8,000
White Ribbon Day	\$803
Solid Fuel Incentive	\$9,000
Portland Art Show	\$2,142
Arts Out West	\$11,066
Ironfest	\$10,712

Council has also allocated \$92,168 in the 2010/11 Management Plan for Non-Recurrent Financial Assistance for distribution throughout the 2010/11 Financial Year.

An increase in the Recurrent Financial Assistance allocation of \$22,800, adjusted for CPI, would reduce the Non-Recurrent Financial Assistance allocation in future years to \$69,368, adjusted for CPI.

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

Policy 4.4 Financial Assistance – Section 356 of the Local Government Act

RECOMMENDATION

THAT:

1. The following organisations be categorised in 2011/12 and subsequent financial years as recipients of Recurrent Financial Assistance with the amounts allocated to be adjusted for CPI:

Lithgow Tidy Towns	\$2,000
Wallerawang Tidy Towns	\$1,000
Portland Tidy Towns	\$1,000
Cullen Bullen Tidy Towns	\$1,000
School Presentation Nights	\$750
Lithgow Golf Club	\$2,000
Portland Golf Club	\$800
Lithgow Information and Neighbourhood Centre Rental Assistance	\$15,000

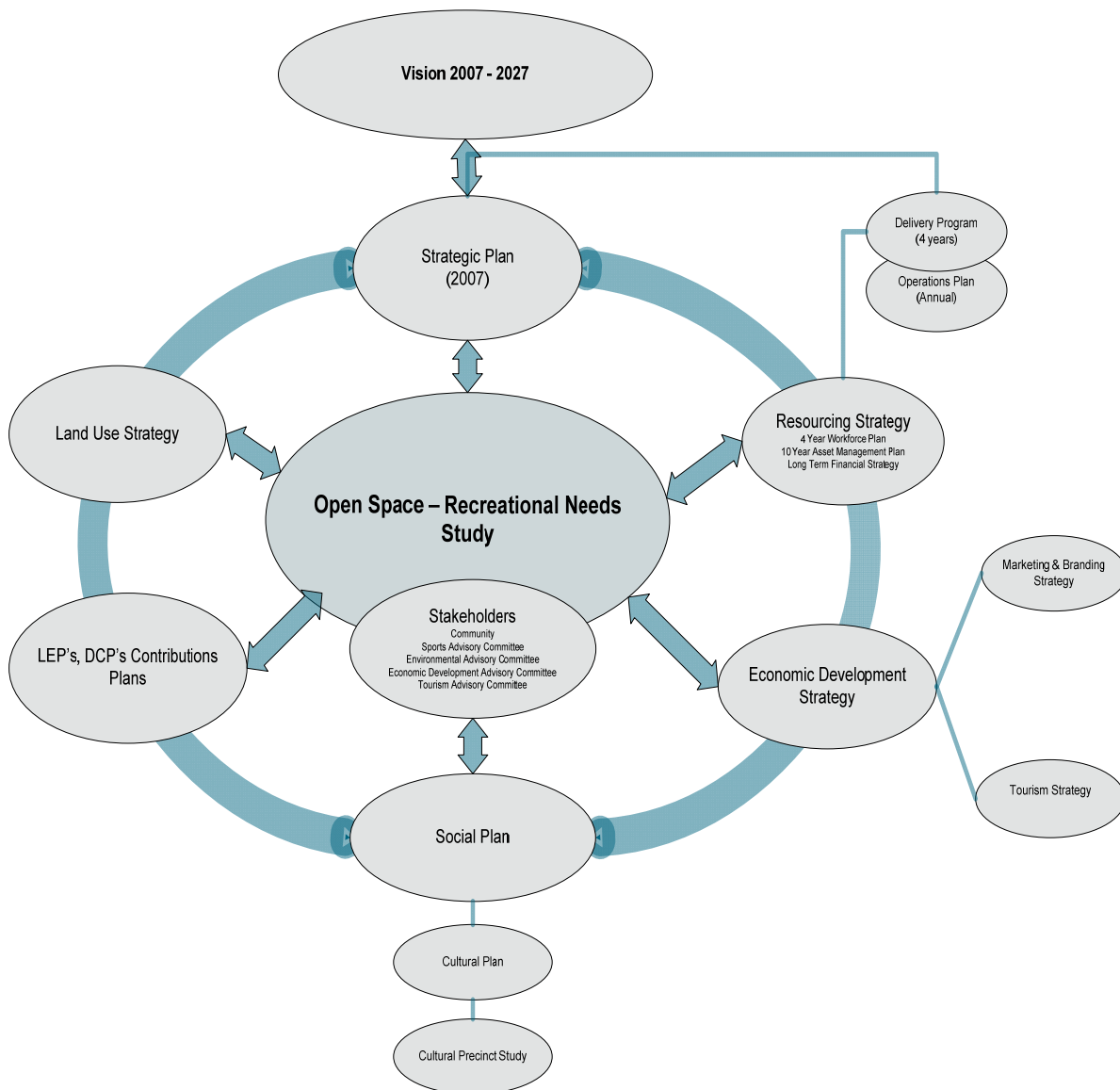
2. Council Policy 4.4, Financial Assistance Under Section 356 of the Local Government Act be amended to reflect that these organisations receive Recurrent Financial Assistance.
3. The revised Policy 4.4, Financial Assistance Under Section 356 of the Local Government Act be placed on public exhibition for 28 days.

- *To provide direction on capital works, priorities and action to ensure “best practice” planning and management of open space and recreation facilities*

STRATEGIC CONTEXT

This Study forms a critical component of Council’s strategic planning processes, especially in relation to the development of Council’s Community Strategic Plan, Land Use Strategy and Principal Local Environmental Plan.

The following figure illustrates the context of the Study in relation to other corporate strategies:



CONSULTATION/COMMUNITY ENGAGEMENT

Extensive consultation was undertaken during the development of the Draft Study to understand the wants, needs and desires for open space in the community.

A range of tools and techniques were used to engage target groups and the general community, ensuring all interested people has multiple opportunities to comment during the development of the Study.

Broadly, consultation was undertaken with:

- Councillor and Council officers
- General Community through community surveys, workshops and through general discussion at key locations (retail centres and in parks), additional consultation occurred with key target groups such as young people and active adults
- Sport and recreation providers- sport club specific survey, sports forum and interview/discussions
- Key stakeholders – Sports Advisory S. 355 Committee, Environmental Advisory S. 355 Committee, Lithgow Tourism.

WHAT THE COMMUNITY HAS SAID

The key findings of the consultation undertaken can be summarised below:

- Excellent quality and quantity of sporting opportunities
- Parks are well maintained and there are generally enough of them
- Access to natural areas is important
- LGA lacks an indoor, heated pool
- Need more (and better quality) paths for walking and cycling
- Needs more play, shade and picnic facilities
- Need more “recreation” activities

FURTHER CONSULTATION

It is now proposed to consult the community again regarding the Draft Study to confirm the issues and ensure that the findings and recommendations are acceptable to the community.

This consultation phase will be undertaken jointly with the Draft Land Use Strategy.

KEY FINDINGS AND RECOMMENDATIONS

“The Study is not about telling future generations, forty years from now what to do, but is about ensuring that decisions are taken now that give generations opportunity and choice.”

The key findings of the Study are summarised as follows:

- Broadly the LGA and more specifically each urban centre has an oversupply of open space lands based on the desired standard of service for quantity of land.
- Generally there is good distribution across the LGA

- Some opportunity exists to dispose of some lands that currently do not have an identified contributory role within the open space network either now or in the future. Any money received from this action should be invested in upgrading of other lands.
- Not all lands meet the desired standards of service in regard to visibility, accessibility, land characteristics and level of embellishment.
- Some improvements to park embellishments are required to fulfil their role within the open space network and meet community need.
- The LGA growth projections and the ageing of the existing population will influence the demand for open space and recreation facilities.
- With an older population and a high proportion of low income earners, the provision of low cost and easily accessible recreation and physical activity opportunities is imperative across the LGA.
- Provision of open space and recreational facilities need to recognise and address the changing trends in sport, recreation and physical activity.
- Factors such as age, gender and family life phase can impact on the type of activities and frequency with which people recreate.
- The changing demographics of the LGA and the influence of changing trends will require Council to:
 - Introduce new play experiences to broaden the depth of choice
 - Plan the sites to be managed more effectively
 - Provide space for low cost recreation as well as community celebration
 - Maximise opportunities for walking and cycling, as these are popular activity options
 - Introduce a wide variety of sport, recreation and physical activity opportunities within the sites so that they have broad appeal
 - Adopt CPTED (crime prevention through environmental design) principles to encourage feelings of safety. Lighting of open spaces and facilities to encourage greater numbers of people to the parks and allowing passive observation have been key tools
 - Create naturally and artificially shaded areas
 - Cater for all age groups and consider the needs of the aged and less physically mobile
 - Create opportunities for the development of higher standard recreation spaces and sporting facilities.
- Much of the formal play opportunities across the LGA are plastic kit style playgrounds that do not meet many of the criteria for good engaging play. While this style of equipment is important as a basic level of provision to all residents, some playgrounds should go the next level and offer a greater play experience.
- There is a need to improve and/or develop recreational corridors and links between open space lands and residential lands/community hubs.

The recommendations of the Study are grouped into three strategic areas. These are:

- Governance – these relate to Council policies, coordination and management arrangements
- Facilities – including maintenance and improvement of existing facilities and new facility needs
- Programs and Services – to retain and attract more people to use facilities and be involved in sport and recreation.

The key recommendations of the Study are summarised as follows:

Governance

- Use the framework developed in the Study to appropriately zone and classify lands to accord with Council's legal obligations under the EP & A Act and the Local Government Act.
- Consider the disposal of identified surplus lands and reinvest the proceeds into upgrading other sites.
- Review the role, function and communication protocols of the S.355 Sports Advisory Committee to more effectively manage the supply side of open space planning and administration.
- Adopt the open space framework, including the guiding principles, classifications/hierarchies and desired standards of service for open space supply, range, land characteristics and embellishments.
- Review staff resourcing to consider the employment of an Open Space, Sport and Recreation Planning Officer.
- Undertake a play and shade strategy to guide maintenance and development of play opportunities across the LGA.
- Develop an over-arching plan of management for all recreation parks with additional detailed plans of management for those parks and sporting precincts with a wider appeal.

Facilities

- Undertake a walkability and bikeability audit and use such to develop a Walk Cycle Strategy.
- Consider the provision of the following new facilities as budget constraints allow:
 - A district level park in Portland – preferred location Saville Park
 - More play opportunities in Glen Davis and Rydal
 - Dirt jumps for BMX in Lithgow, Portland and Wallerawang
 - Adventure play for older children in Lithgow (Endeavour Park), Portland (Saville Park) and Charles Darwin Park (Wallerawang)
 - Upgrades to existing small parks to local park standard
 - Access to a multi-purpose court in Lithgow (Emora Park and near the Skate Park), Portland (Kremer Park of Saville Park), Wallerawang (Charles Darwin Park, Glen Davis (upgrade to tennis court to multi purpose court) and consider a tennis court in Capertee

- Consider outdoor fitness equipment in Lithgow, Portland and Wallerawang
 - Upgrade the skate facilities in Portland and Wallerawang with consideration being given to their appropriate location
 - Review options for walking tracks in Lithgow, Portland and Wallerawang
 - Develop a local recreation park and one district recreation park within the South Bowenfels Release Area
 - Develop the utility open space in Thornton Avenue to a local recreation park standard.
- Over time, develop concept master plans for all district recreation parks (or town feature parks) with the following priority

Endeavour Park
Blast Furnace Park
Saville Park

- Undertake an assessment of the aquatic needs across the LGA.
- Provide assistance to sporting groups to access funding opportunities.
- Complete the first stage of the walkway along Farmers Creek and commence detailed design of Stage 2.
- Encourage community use of existing facilities by providing community fields and courts not hindered by complicated key and hire systems
- Develop an exciting playground in Lithgow, Wallerawang and Portland incorporating elements that are not provided in other parks.

Programs and Services

- Consider a travelling program of movies throughout the LGA, particularly in school holiday periods.
- Facilitate partnerships to develop a range of physical activity programs for target groups.
- Develop a range of regular youth activities, events and school holiday programs throughout the LGA using existing service providers and facilities.

It should be noted that it is not Council's responsibility to implement all recommendations of the Study. The Study should be seen as one owned by the community and one both the Council and the community, generally through sport and recreation clubs or community organisations, can deliver in partnership.

POLICY IMPLICATIONS

Nil arising from this report.

FINANCIAL IMPLICATIONS

Nil arising from this report.

LEGAL IMPLICATIONS

Nil arising from this report

ATTACHMENTS

1. Draft Open Space and Recreational Needs Study

RECOMMENDATION

THAT Council endorse the Draft Open Space and Recreational Needs Study (February 2011) for public exhibition purposes to be undertaken jointly with the Draft Land Use Strategy.

COMMITTEE MEETING REPORTS

ITEM: 12 REG - 07/03/11 - CRYSTAL THEATRE MANAGEMENT COMMITTEE
MINUTES - 7TH DECEMBER 2010

REPORT BY: GROUP MANAGER REGIONAL SERVICES – ANDREW MUIR

SUMMARY

This report seeks Council's ratification of the minutes of the Crystal Theatre Management Committee Meeting held on 7 December 2010.

COMMENTARY

At the Crystal Theatre Management Committee Meeting held on 7 December 2010, there were a number of items discussed. The minutes are attached for formal ratification by Council.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

ATTACHMENTS

1. Minutes of the Crystal Theatre Management Committee Meeting held on 7 December 2010.

RECOMMENDATION

THAT Council note the minutes of the Crystal Theatre Management Committee Meeting held on 7 December 2010.

**ITEM: 13 REG - 07/03/11 - CRYSTAL THEATRE MANAGEMENT COMMITTEE
MINUTES - 15TH FEBRUARY 2011**

REPORT BY: GROUP MANAGER REGIONAL SERVICES – ANDREW MUIR

SUMMARY

This report seeks Council's ratification of the minutes of the Crystal Theatre Management Committee Meeting held on 15 February 2011.

COMMENTARY

At the Crystal Theatre Management Committee Meeting held on 15 February 2011, there were a number of items discussed. The minutes are attached for formal ratification by Council.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

ATTACHMENTS

1. Minutes of the Crystal Theatre Management Committee Meeting held on 15 February 2011.

RECOMMENDATION

THAT Council note the minutes of the Crystal Theatre Management Committee Meeting held on 15 February 2011.

ITEM: 14 OPER - 07/03/11 - TRAFFIC AUTHORITY LOCAL COMMITTEE MEETING - MINUTES 3RD FEBRUARY 2011

REPORT FROM: GROUP MANAGER OPERATIONS, IAIN STEWART

REFERENCE

NIL

SUMMARY

This report details the Minutes of the Traffic Authority Local Committee Meeting held on 3 February 2011

COMMENTARY

At the Traffic Authority Local Committee Meeting held on 3 February, there were (4) items discussed by the Committee.

1. Confirmation of the Minutes from the previous meeting
2. Ongoing issues from the meeting held on 2 December 2010 – 11 items
3. New Business – Item 4
4. General Business – 10 Items.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

Nil.

ATTACHMENTS

1. Minutes from the Traffic Authority Local Committee meeting of 3 February 2011.

RECOMMENDATION

THAT Council:

1. Note the minutes of the Traffic Authority Local Committee held on 3 February 2011.
2. Remove the timed parking signs that presently exist on Methven St outside and opposite the Museum including the Bus Zone and No Parking signage. The existing 1 hr parking sign located in Ordnance Ave near Family First Credit Union be removed. All current No Stopping signs are to remain in place.
3. Adopt the recommendation that the development application for a proposed demolition of a shed and the construction of 3 units in Padley Street proceed, with the driveway to remain in the proposed driveway location in Padley Street.

4. Approve the introduction of a parking permit scheme for residents at 53 Railway Parade (and other properties within the designated parking zone upon application).
5. Note the resignation of Mr George Schurr
6. That TALC members meet with the residents of Fullagar Avenue to discuss the issue of vehicles speeding in this street and possible solutions to the issues.

ITEM: 15 OPER - 07/03/11 - SPORTS ADVISORY COMMITTEE MEETING - 31ST JANUARY 2011

REPORT BY: PROJECT CO-ORDINATOR – LEANNE KEARNEY

SUMMARY

Details of the Minutes of the Sports Advisory Committee Meeting held on Monday, 31 January 2011 for Council adoption.

COMMENTARY

At the Sports Advisory Committee Meeting held on Monday, 31 January 2011, there were ten (10) items discussed by the Committee, with all items except agenda Item 7 being actioned under the Committee's delegated authority, and requiring Council to note the items.

Item 7 relates to a request for Council to waive the hire fees for a booking by the Lithgow information and Neighbourhood Centre, which the Committee supports.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Item 7 relates to a request from the Lithgow Information and Neighbourhood Centre for Council to consider providing a donation equivalent of the hire fees for Lake Wallace, Wallerawang for their approved booking, and will require \$194.00 to be expended from the 2010 / 2011 current allocation for community donations.

LEGAL IMPLICATIONS

Nil.

ATTACHMENTS

1. Minutes of the Sports Advisory Committee Meeting held on Monday, 31 January 2011.

RECOMMENDATION

THAT:

1. Council note the minutes of the Sports Advisory Committee meeting held on Monday, 31 January 2011; and
2. Consideration be given to the Lithgow Information and Neighbourhood Centre's request for Council to provide a donation of \$194.00 (equivalent to hire fees for Lake Wallace, Wallerawang) for the conduct of the annual Mini Olympics.

ITEM: 16 **COMM - 07/03/2011 - TOURISM ADVISORY COMMITTEE MEETING MINUTES - 1 FEBRUARY 2011**

REPORT FROM: TOURISM MANAGER - KELLIE BARROW

REFERENCE

Min No 09-234 - Ordinary Meeting of Council 1 June 2009
Min No 09-338 - Ordinary Meeting of Council 3 August 2009
Min No 09-381 - Ordinary Meeting of Council 14 September 2009
Min No 09-338 - Ordinary Meeting of Council 14 September 2009
Min No 09-463 - Ordinary Meeting of Council 2 November 2009
Min No 09-464 - Ordinary Meeting of Council 2 November 2009
Min No 09-515 - Ordinary Meeting of Council 23 November 2009
Min No 10-21 - Ordinary Meeting of Council 18 January 2010-06-30
Min No 10-74 - Ordinary Meeting of Council 1 March 2010
Min No 10-210 - Ordinary Meeting of Council 24 May 2010
Min No 10-311 - Ordinary Meeting of Council 2 August 2010
Min No 10-363 - Ordinary Meeting of Council 23 August 2010
Min No 10-458 - Ordinary Meeting of Council 1 November 2010
Min No 10-492 - Ordinary Meeting of Council 22 November 2010
Min No 11-35 - Ordinary Meeting of Council 24 January 2011

SUMMARY

This report details the Minutes of the Tourism Advisory Committee Meeting held on 1 February 2011.

COMMENTARY

At the Tourism Advisory Committee Meeting held on 1 February 2011, there were eight (8) items discussed by the Committee.

1. Present and apologies.
2. Confirmation of minutes from the previous meeting.
3. Business arising from previous minutes.

4. Friends of Lithgow District Ltd Regional Museum & Cultural Complex.
5. Heritage Rail Tourism.
6. Upcoming events.
7. Tourism Manager's report.
8. General Business.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

Nil.

ATTACHMENTS

1. Minutes from the Tourism Advisory Committee meeting of 1 February 2011.

RECOMMENDATION

THAT Council:

1. Notes the minutes of the Tourism Advisory Committee meeting held on 1 February 2011.
2. Notes the information that Mr Ron Fitzpatrick has resigned from the Tourism Advisory Committee.
3. Writes to the Department of Environment, Climate Change and Water to encourage the Department to develop a Conservation plan for Glow Worm Tunnel and Newnes Works in the Wolgan Valley.

**ITEM: 17 COMM - 07/03/2011 - ENVIRONMENTAL ADVISORY COMMITTEE
MEETING MINUTES - 8 DECEMBER 2011**
REPORT FROM: ENVIRONMENTAL HEALTH OFFICER - DAVID DURIE

REFERENCE

Min 07-389: Policy and Strategy Committee 3 September 2007
Min F08-21: Finance and Services Committee 3 March 2008
Min 008-153: Extraordinary Meeting 29 September 2008
Min 008-198: Ordinary Meeting of Council dated 18 November 2008
Min 09-381: Ordinary Meeting of Council dated 14 September 2009
Min 10-137: Ordinary Meeting of Council dated 12 April 2010
Min 10-454: Ordinary Meeting of Council dated 1 November 2010
Min 10-433: Ordinary Meeting of Council dated 11 October 2010
Min 10-309: Ordinary Meeting of Council dated 2 August 2010
Min 10-209: Ordinary Meeting of Council dated 24 May 2010

SUMMARY

This report details the minutes of the Environmental Advisory Committee meeting held 8 December 2010.

COMMENTARY

At the Environmental Advisory Committee held on 8 December 2010, there were eleven (11) items discussed by the committee.

1. Apologies
2. Confirmation of Minutes
3. Coal Fire Rebate
4. Master Plan For Farmers Creek Including Lithgow Bike Track And Walking Trail
5. Willow And Weed Control Plan/Budget For Farmers Creek
6. Motorist Litter Bag
7. Mountain Bike Track Conditions Of Consent
8. Natural Resource Management Priorities And Council
9. Members Update
10. General Business
11. Historic Items

The Environmental Advisory Committee made the following three recommendations:

1. That Council develop a Weed Management Plan for Farmers Creek and provide support for weed removal. That Council utilise the Weed Management Plan to obtain grant funding for on ground works and weed removal.

2. That Council provide an update to the EAC in regard to Plans of Management and Management Plans across the Local Government Area and in particular to Hassans Walls.

Officer Note: Group Manager Community and Corporate, Suzanne Lollback, addressed the EAC at its February 2011 on this matter.

3. That Council Employ a Biodiversity and Bushland Officer. Members of the committee noted that this is the third year that this recommendation has been made by the Committee.

Officer Note: A staff submission for such an officer has been made in the draft 2011/12 budget which will be considered by Council during the 2011/12 budget process.

POLICY IMPLICATIONS

In accordance with the terms of reference of S355 Committees of Council.

FINANCIAL IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

Local Government Act NSW 1993

ATTACHMENTS

1. Minutes of the Environmental Advisory Committee held 8 December 2010.

RECOMMENDATION

THAT Council:

1. Notes the minutes of the Environmental Advisory Committee held 8 December 2010.
2. Seeks funding for the development of a Weeds Management Plan and provides support for weed removal along Farmers Creek and its tributaries.
3. Considers as part of the 2011/12 budgetary process, the employment of a Biodiversity and Bushland Officer.

**ITEM: 18 COMM - 07/03/2011 - LITHGOW FLASH GIFT COMMITTEE MEETING
MINUTES - 20 JANUARY 2011**

REPORT FROM: EVENTS CO-ORDINATOR - ROBERT PARK

REFERENCE

Min No 09-235:	Ordinary Meeting of Council dated 1 June 2009.
Min No 09-305:	Ordinary Meeting of Council dated 13 July 2009.
Min No 09-462:	Ordinary Meeting of Council dated 2 November 2009.
Min No 09-514:	Ordinary Meeting of Council dated 23 November 2009.
Min No 09-514:	Ordinary Meeting of Council dated 23 November 2009.
Min No 10-22:	Ordinary Meeting of Council dated 18 January 2010.
Min No 10-43:	Ordinary Meeting of Council dated 8 February 2010.
Min No 10-75:	Ordinary Meeting of Council dated 1 March 2010.
Min No 10-146:	Ordinary Meeting of Council dated 12 April 2010.
Min No 10-147:	Ordinary Meeting of Council dated 12 April 2010.
Min No 10-362:	Ordinary Meeting of Council dated 23 August 2010
Min No 10-455:	Ordinary Meeting of Council dated 1 November 2010
Min No 10-548:	Ordinary Meeting of Council dated 13 December 2010
Min No 11-34:	Ordinary Meeting of Council dated 24 January 2011

SUMMARY

This report details the Minutes of the Lithgow Flash Gift Committee Meeting held on 20 January 2011.

COMMENTARY

At the Lithgow Flash Gift Committee Meeting held on 20 January 2011, there were ten (10) items discussed by the Committee.

1. Present and Apologies.
2. Confirmation of Minutes from the Previous Meeting.
3. Business Arising from Previous Minutes.
4. Report from NSW Athletic League.
5. Report from Little A's.
6. Update on Sponsorship.
7. Marketing & Expenditure Plan.
8. Proposal for Supper Presentation.
9. Proposal is to combine the Lithgow Flash Gift Carnival and the Lithgow Triathlon as a weekend event.
10. General Business.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

Nil.

ATTACHMENTS

1. Minutes from the Lithgow Flash Gift Committee meeting of 20 January 2011.

RECOMMENDATION

THAT Council notes the minutes of the Lithgow Flash Gift Committee Meeting held on 20 January 2011.

**ITEM: 19 COMM - 07/03/2011 - LITHGOW FLASH GIFT COMMITTEE MEETING
MINUTES - 10 FEBRUARY 2011**

REPORT FROM: EVENTS CO-ORDINATOR - ROBERT PARK

REFERENCE

Min No 09-235:	Ordinary Meeting of Council dated 1 June 2009.
Min No 09-305:	Ordinary Meeting of Council dated 13 July 2009.
Min No 09-462:	Ordinary Meeting of Council dated 2 November 2009.
Min No 09-514:	Ordinary Meeting of Council dated 23 November 2009.
Min No 09-514:	Ordinary Meeting of Council dated 23 November 2009.
Min No 10-22:	Ordinary Meeting of Council dated 18 January 2010.
Min No 10-43:	Ordinary Meeting of Council dated 8 February 2010.
Min No 10-75:	Ordinary Meeting of Council dated 1 March 2010.
Min No 10-146:	Ordinary Meeting of Council dated 12 April 2010.
Min No 10-147:	Ordinary Meeting of Council dated 12 April 2010.
Min No 10-362:	Ordinary Meeting of Council dated 23 August 2010
Min No 10-455:	Ordinary Meeting of Council dated 1 November 2010
Min No 10-548	Ordinary Meeting of Council dated 13 December 2010
Min No 11-34:	Ordinary Meeting of Council dated 24 January 2011

SUMMARY

This report details the Minutes of the Lithgow Flash Gift Committee Meeting held on 10 February 2011.

COMMENTARY

At the Lithgow Flash Gift Committee Meeting held on 10 February 2011, there were nine (9) items discussed by the Committee.

1. Present and Apologies.
2. Confirmation of Minutes from the Previous Meeting.
3. Business Arising from Previous Minutes.
4. Report from NSW Athletic League.
5. Report from Little A's.
6. Update on Sponsorship.
7. Marketing & Expenditure Plan.
8. Lithgow Flash Gift and Lithgow Triathlon.
9. General Business.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

Nil.

ATTACHMENTS

1. Minutes from the Lithgow Flash Gift Committee meeting of 10 February 2011.

RECOMMENDATION

THAT Council notes:

1. The minutes of the Lithgow Flash Gift Committee Meeting held on 10 February 2011.
2. That \$47,715 has been received for the Lithgow Flash Gift, including the Councils contribution of \$10,000, and \$10,000 from Tourism NSW for marketing the event outside of the Lithgow area.

ITEM: 20 COMM - 07/03/11 - SISTER CITY COMMITTEE MEETING

REPORT FROM: ECONOMIC DEVELOPMENT OFFICER – ARABELLA PERUGINI-SHEERE

REFERENCE

Ordinary Meeting of Council 22nd November 2010

SUMMARY

This report provides the Minutes of the Sister City Advisory Committee meeting held on 25 January 2011.

COMMENTARY

At the Sister City Advisory Committee meeting held on 25 January 2011, there were five items discussed by the Committee:

- ITEM 1: Attendance and appologies
- ITEM 2: Incoming correspondence
- ITEM 3: Business arising from previous minutes
- ITEM 4: Update on various sister cities
- ITEM 5: Next meeting

The minutes contain full details on the Sister City Advisory Committee meeting with recommendations for Council.

Subsequent to this meeting Huainan City have advised that they will be sending a delegation to visit Lithgow in March/April 2011.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

There is a budget allocation of \$5000 for Sister City relationships.

LEGAL IMPLICATIONS

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

ATTACHMENTS

1. Minutes of the Sister City Advisory Committee meeting held on 25 January 2011.
2. Draft Sister City Agreement between Lithgow City Council and Huainan City.

RECOMMENDATION

THAT Council:

1. Notes the minutes of the Sister City Advisory Committee meeting held on 25 January 2011.
2. Approves the signing of a Sister City Agreement between Lithgow City Council and Huainan City.
3. Authorises the General Manager and Mayor to finalise the agreement.
4. Welcomes overseas delegations as and when appropriate.
5. Continues with cordial contact with LinLithgow.
6. Provides Shrewsbury Council with images and a copy of the Mercury's article on the commemorative planting.

BUSINESS OF GREAT URGENCY

In accordance with Clause 241 of the Local Government (General) Regulations 2005 business may be transacted at a meeting of Council even though due notice of the business has not been given to the Councillors. However, this can happen only of:

- a) *A motion is passed to have the business transacted at the meeting: and*
- b) *The business proposed to be brought forward is ruled by the Chairperson to be of great urgency.*

CLOSED REPORTS

ITEM: 21 **CONFIDENTIAL REPORT - 07/03/11 - REG - DEPARTMENT OF ENVIRONMENT, CLIMATE CHANGE AND WATER (DECCW) - v - LITHGOW CITY COUNCIL**

REPORT FROM: GROUP MANAGER REGIONAL SERVICES, ANDREW MUIR

Reason for Confidentiality

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

- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege

REFERENCE

Min No 11-52 – Ordinary Meeting of 14 February 2011

SUMMARY

To advise Council on legal advice in relation to the recent fines handed down by the Land & Environment Court, and whether it is advisable to lodge an appeal.

RECOMMENDATION

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

**ITEM: 22 CONFIDENTIAL REPORT - COUNCILLORS ONLY - GM - 07/03/11 -
COUNCIL ORGANISATION STRUCTURE**

Reason for Confidentiality

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

- (a) personnel matters concerning particular individuals (other than councillors)

SUMMARY

Council may re-determine the organisation from time to time

RECOMMENDATION

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

ITEM: 23 CONFIDENTIAL REPORT - COUNCILLORS ONLY - 07/03/11 - GM - SENIOR STAFF

Reason for Confidentiality

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

- (a) personnel matters concerning particular individuals (other than councillors)

SUMMARY

The expiry date of the contract of employment for Council's Group Manager Regional Services is later this year. The Local Government Act provides that consultation with Council is to in relation to contracts for senior staff members.

RECOMMENDATION

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