



LITHGOW CITY COUNCIL

A CENTRE OF REGIONAL EXCELLENCE

AGENDA

ORDINARY MEETING OF COUNCIL

TO BE HELD AT

THE ADMINISTRATION CENTRE, LITHGOW

ON

05 MARCH 2012

AT 7.00pm

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# AGENDA

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## **APOLOGIES**

## **PRESENT**

## **CONFIRMATION OF THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 13 FEBRUARY 2012**

## **DECLARATION OF INTEREST**

## **PUBLIC FORUM**

## **PRESENTATIONS - NIL**

## **MAYORAL MINUTES**

Recognition of Councillor Wayne Marshall

## **NOTICES OF MOTION**

Lithgow City Council's Investment Prospectus

Impact of the new cuts to Private Health insurance rebates on Lithgow Private Hospital

Council's Rural Address fees and charges and subsidy for VAST satellite

Council's Fees and Charges - on Street Dining and Footpath Trading

## **NOTICE OF RECISSIONS - NIL**

## **CORRESPONDENCE AND REPORTS**

Environment and Development Reports

Operation Services Reports

Community and Strategy Reports

Financial Services Reports

## **COMMITTEE MEETINGS**

Crime Prevention Committee Meeting Minutes

South Littleton Hall Renovation Section 355 Committee Meeting

Lithgow City Council Access Committee

Economic Development Shopfront Committee

## **REPORTS FROM DELEGATES**

Mining Related Councils

## **BUSINESS OF GREAT URGENCY**

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

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## MAYORAL MINUTE

### ITEM-1            MAYORAL MINUTE - 5/3/12 - RECOGNITION OF COUNCILLOR WAYNE MARSHALL

**REPORT FROM:            THE MAYOR, COUNCILLOR NEVILLE CASTLE**

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## REFERENCE

NIL

## COMMENTARY

As by now people are well aware of the very sad passing of Councillor Wayne Marshall. Wayne was a very valuable Councillor who took his job extremely seriously and who always acted with honesty and integrity in all of his doings.

Wayne was enjoying his first term of Council and making a strong contribution to the Council and community. Wayne was Deputy Mayor for 2010/11 year to which he fulfilled that role very admirably.

Wayne will be sadly missed by not only his family and friends but the many acquaintances he had through Council and the very many people he represented so extremely well at Council. As a Councillor he was a person to be rightly proud of. He was very hard working and this was demonstrated, in part, through his involvement in many Council committees most notably his being chairmen of the Aquatic centre committee, the tourism committee and crime prevention committee. Each of those committees having achieved significant milestones whilst he has been chair. Notably the starting of stage one of the aquatic centre, the presentation of our new tourism strategy and associated pamphlets and in the crime prevention committee the successful \$50,000 grant for our crime prevention strategy.

The issue of a possible replacement of Councillor Marshall has been raised by some people. I believe there to be no need to have a bi election to replace him. The legislation was changed last year extending the period for the dispensation of by-election that if a casual vacancy falls within 18 months of an election then a Council can apply not to have that vacancy filled. I believe for the amount of time it would take to organise such a by-election and for the cost of possibly \$100,000 to do so that the Council will be able to function satisfactorily for the remaining meetings between now and September.

Under Section 294 of the Act Council may seek a dispensation in relation to the holding of a by-election to fill the vacancy. The Act provides:

### **294 Dispensing with by-elections**

- (1) This section applies if a casual vacancy occurs in the office of a councillor, including a mayor elected by the electors of an area, within 18 months before the date specified for the next ordinary election of the councillors for the area.

- (2) If such a casual vacancy occurs in the office of a councillor (but not the office of a mayor elected by the electors), the Minister may, on the application of the council:
  - (a) order that the vacancy not be filled, or
  - (b) order the holding on a stated day of a by-election to fill the vacancy and revoke any earlier order made under paragraph (a).
- (3) If such a casual vacancy occurs in the office of a mayor elected by the electors, the casual vacancy is to be filled by the Governor appointing to the vacant office a councillor nominated by the council.
- (4) If the council does not nominate a councillor for the purposes of subsection (3), the Governor may appoint one of the councillors to the vacant office.

In addition to these obligations Council also has other certain obligations under the Local Government Act including informing the Division of Local Government, NSW Electoral Commission and the Local Government and Shires Associations. These obligations have been fulfilled.

Wayne was appointed to the following committees for this current year:

- Tourism Advisory (Chair)
- Indoor Aquatic Centre (Chair)
- Youth Advisory
- Crime Prevention (Chair)
- Clarence Coal Mine Community Committee
- Internal Audit (Alternate)
- Water Committee
- Men's Shed
- Cemetery (appointed at the Council meeting held 23 January 2012)

I am also aware that Councillor Marshall had spent some time on the Lithgow Golf Club committee as well as being a member of the Board of the Lithgow Private Hospital.

Councillor Wayne Marshall's service to the community will be missed.

#### **POLICY IMPLICATIONS**

NIL

#### **FINANCIAL IMPLICATIONS**

NIL

#### **LEGAL IMPLICATIONS**

As per Section 294 of the Local Government Act 1993

#### **ATTACHMENTS**

NIL

#### **RECOMMENDATION**

**THAT:**

1. A letter of condolence including the recognition of Councillor Wayne Marshall's service to the Council and the community be sent to his wife Janice;
2. Council seek through the Minister for Local Government an exemption from a by-election in these circumstances; and
3. Council seek nominations to replace Councillor Marshall on the committees he was on.



## NOTICE OF MOTIONS

### ITEM-2 NOTICE OF MOTION - 05/03/12 - LITHGOW CITY COUNCILS INVESTMENT PROSPECTUS - COUNCILLOR M F TICEHURST

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## REFERENCE

Lithgow City Council's 36-page Investment Prospectus

## COMMENTARY

The Lithgow City Council's 36-page Investment Prospectus, designed to encourage investment in the Lithgow Local Government Area by highlighting Lithgow's attributes and potential

investment opportunities was launched on Thursday 16 June, 2011.

Q. Could the General Manager now, after more than 8 months since the launch of the 36-page Lithgow Investment Prospectus, provide a verbal report to the Council, Councillors, ratepayers and residents on what has been the success or otherwise of the prospectus?

## ATTACHMENTS

NIL

## RECOMMENDATION

**THAT** the General Manager, after more than 8 months since the launch of the Lithgow Investment Prospectus, provide a verbal report to the Council, Councillors, ratepayers and residents on the success or otherwise of the prospectus?

**ITEM-3 NOTICE OF MOTION - 05/03/12 - IMPACT OF THE NEW CUTS TO PRIVATE HEALTH INSURANCE REBATES ON LITHGOW PRIVATE HOSPITAL - COUNCILLOR M F TICEHURST**

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**COMMENTARY**

- Q. Could the Council seek advice and a report from the 14-bed Lithgow Private Hospital as to what impact, if any there will be on its operations as a result of the recent cuts by the Federal Labor Gillard Government to the Private Health Insurance rebates?

**ATTACHMENTS**

NIL

**RECOMMENDATION**

**THAT** the Council seek advice and a report from the 14-bed Lithgow Private Hospital as to what impact, if any there will be on its operations as a result of the recent cuts by the Federal Labor Gillard Government to the Private Health Insurance rebates?

**ITEM-4 NOTICE OF MOTION - 5/3/12 - COUNCILS RURAL ADDRESS FEES AND CHARGES AND SUBSIDY SCHEME FOR VAST SATELLITE SERVICE - COUNCILLOR M F TICEHURST**

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**REFERENCE**

Lithgow City Council Management Plan 2011 – 2015 Fees and Charges 2011 – 2012.

**COMMENTARY**

In the Lithgow City Council Management Plan 2011 – 2015 Fees and Charges 2011 – 2012, it is indicated with respect to Rural Address Numbering that an Application for a dwelling in a rural zone not included with a development application is \$60.00 and per number an additional \$10.00.

Additionally, the Council is currently advertising on its website to encourage eligible residents to ensure that they apply for the Satellite Subsidy Scheme before 17 April 2012 which will them to connect to the VAST satellite service so as to ensure that they are not left without television signal from 5 June 2012.

Unfortunately, I understand that this Subsidy is not available to those rural landholders who do not have a formal rural address.

Q. Given the urgency, it is requested that the Council waive the rural address fee for those rural landholders making application for the Satellite Subsidy Scheme to connect to the VAST satellite service.

**ATTACHMENTS**

NIL

**RECOMMENDATION**

**THAT** the Council waive the rural address fees for those rural landholders making application for the Satellite Subsidy Scheme to connect to the VAST satellite service.

**ITEM-5 NOTICE OF MOTION - 5/3/12 - COUNCIL FEES AND CHARGES ON STREET DINING AND FOOTPATH TRADING - COUNCILLOR M F TICEHURST**

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**REFERENCE**

Lithgow City Council Management Plan 2011 – 2015 Fees and Charges 2011 – 2012.

**COMMENTARY**

In the Lithgow City Council Management Plan 2011 – 2015 Fees and Charges 2011 – 2012, it is indicated with respect to On-Street Dining that there is a current Application Fee of \$130.00 with an additional Per Table charge of \$35.00 and Per Chair \$7.00.

Additionally, with respect to Footpath Trading (including Sandwich Boards) there is a current Per Article Fee of \$95.00.

The Council and Councillors would now be aware that most if not all of the Businesses/Shops/etc. in the Lithgow CBD have recently received letters advising them of the current fees and charges as indicated. A copy is attached.

Q. Could the General Manager or responsible Senior Council Officer provide a verbal report to the Council, Councillors, ratepayers and residents on the background as to why the current letter has been sent out to all Shopkeepers in the Lithgow CBD?

**ATTACHMENTS**

1. Lithgow City Council Letter to Shopkeepers in the Lithgow CBD on Footpath Trading

**RECOMMENDATION**

**THAT** the General Manager or responsible Senior Council Officer provide a verbal report to the Council, Councillors, ratepayers and residents on the background as to why the current letter has been sent out to all Shopkeepers in the Lithgow CBD?

## ENVIRONMENT AND DEVELOPMENT REPORTS

### ITEM-6 ENVIRO - 05/03/12 - RURAL ADDRESS NUMBERING

#### REPORT BY: JIM NICHOLS – ACTING GROUP MANAGER ENVIRONMENT AND DEVELOPMENT

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## REFERENCE

Min No 12-48 – Ordinary Meeting of 13 February 2012

## SUMMARY

In response to the Council resolution 12-48, this report is to provide information to Council of procedures followed in issuing rural address numbers.

## COMMENTARY

Rural addressing procedures are covered by Council Policy 10.9 (Attachment 1) Property Management- Rural Addressing, and Australian/ New Zealand Standard- Geographic Information, Rural and Urban Addressing 2003 (Attachment 2). The basic process for rural numbering is as follows:

1. Rural addressing application lodged and fees paid.
2. Application sent to Council's Development Planner for processing.
3. The Development Planner travels to the associated property and conducts measurement.
4. A number is allocated and noted.
5. Notification to the owner through correspondence of new number.
6. Notification to the following authorities through correspondence:
  - Land and Property Information- Valuation services
  - Department of Lands
  - Endeavour Energy
  - Telstra Office
  - Lithgow Ambulance Service
  - Lithgow Fire Brigade
  - Lithgow Rural Fire Service
  - Lithgow Police Station
  - Australian Electoral Commission
7. File numbering and send letters to ECM (dataworks).

The current fee as detailed in the 2011/12 fees and charges is \$60. This fee has been set by Council and charged to cover part of the cost of processing the request. This

involves travelling to and from the properties to undertake the numbering. This occurs each time a numbering application is lodged as rural numbering is a measurement from the last turn off, to the property access.

**ATTACHMENTS**

1. Policy 10.9 Property Management- Rural Addressing
2. Australian/ New Zealand Standard- Geographic Information, Rural and Urban Addressing

**RECOMMENDATION**

**THAT** Council note the information on the rural addressing process.

**ITEM-7            ENVIRO - 05/03/12 - SSD-5086, PINE DALE COAL MINE, STAGE 2  
EXTENSION**

**REPORT BY: JIM NICHOLS – ACTING GROUP MANAGER ENVIRONMENT AND  
DEVELOPMENT**

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**SUMMARY**

To advise on the issue of Director General's Requirements for a Project Application by the Department of Planning for the Stage 2 extension of Pine Dale Coal Mine.

**COMMENTARY**

The Stage 2 Pine Dale Coal Mine has been declared a Major Project by the Department of Planning, and was recently issued with Director General's Requirements for the preparation of an Environmental Assessment. The application will go on exhibition for public comment following the preparation of a comprehensive Environmental Assessment and will later be determined by the Department of Planning.

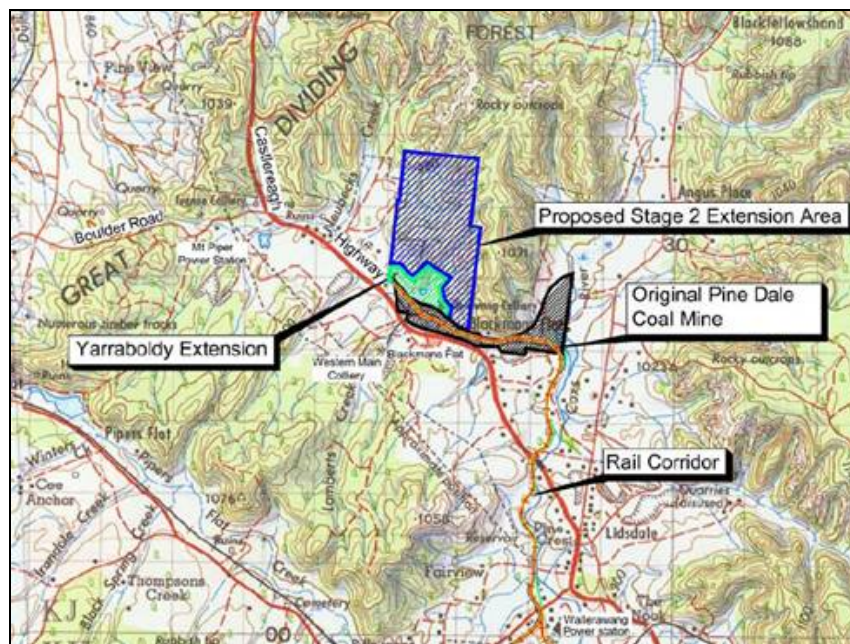
The proposal is an open cut mine and has the potential to directly impact upon the residents of the Blackmans Flat community given its close proximity to the township. The expansion will be in direct line of site to some residents, accordingly issues such as visual impacts, air quality and noise impacts will need to be comprehensively covered within the Environmental Assessment to ensure the residents are not adversely impact upon by the proposal.

Details of the proposal taken from the Preliminary Environmental Assessment by R.W. Corkey & Co. Pty Ltd are provided as follows:

***Applicant: Enhance Place Pty Limited***

***Application Area:***

- *Original Pine Dale Coal Mine (approximately 82ha).*
- *Yarraboldy (Stage 1) Extension Area (approximately 27ha).*
- *Stage 2 Extension Area (approximately 210ha).*
- *Rail Corridor.*



### Proposal Overview

- *Mine Life = 10 to 15 years.*
- *Stage 2 Recoverable Coal Resource = approximately 14.2 million tonnes.*
- *Targeted Coal Seams*
  - *Lithgow Coal Seam - Upper Irondale Coal Seam*
  - *Lidsdale Coal Seam - Middle River Coal Seam*
  - *Irondale Coal Seam - Katoomba Coal Seam*
- *Stage 2 overburden / interburden = approximately 140M bank cubic metres.*
- *Maximum Product Coal = 2.0 million tonnes per year.*
- *Dewatering, treatment (if required) and transfer to Delta Electricity and / or Neubecks Creek of runoff water and groundwater stored within the old Wallerawang Underground Workings and intercepted aquifers.*
- *Employment of up to an additional 60 on-site employees (at maximum production).*
- *Principal components of the Proposal include:*
  - *approximately 210ha Stage 2 Extension Area;*
  - *railway line, spur and Rail Loadout Area;*
  - *Crushing, Stockpiling and Maintenance Area;*
  - *internal access roads and Private Haul Road crossing; and*
  - *Office, Amenities and Parking Area;*
  - *explosive magazine and / or reload area.*
- *Proposed Hours of Operation:*



Activity	Hours of Operation	Day <sup>2</sup>
Clearing / topsoil and subsoil removal	7:00am to 6:00pm	Monday to Sunday
Overburden / interburden / coal removal	24 hours <sup>4</sup>	Monday to Sunday
Drilling	24 hours <sup>4</sup>	Monday to Sunday
Blasting <sup>1</sup>	10:00am to 3:00pm	Monday to Friday
ROM coal haulage	24 hours <sup>4</sup>	Monday to Sunday
Processing Operations	24 hours <sup>4</sup>	Monday to Sunday
Product transportation – Public Road	7:00am to 8:00pm	Monday to Sunday
Product transportation – Private Haul Road	24 hours <sup>4</sup>	Monday to Sunday
Product transportation – Rail <sup>3</sup>	24 hours <sup>4</sup>	Monday to Sunday
Maintenance	24 hours	Monday to Sunday

1. Blasting may occur outside these times in the event of a misfire or for safety reasons. 2. Excluding Public Holidays  
3. Emphasis would be placed upon product despatch by rail during the period 7:00am to 10:00pm, however, the exact period of despatch would be beyond the control of the Applicant. 4. Subject to noise assessment.

- Processing and Stockpiling:

- Continued use of existing processing equipment and stockpiling area within the Yarraboldy Extension Area during initial years of operation producing crushed product coal <50mm.
- Establishment of a Stage 2 crushing and screening plant, run-of-mine coal stockpile (up to 100 000t) and product stockpiles (up to 200 000t).
- Production of product coal <50mm at an average rate of 600 product tonnes per hour.

- Product Transportation:

- Road Transport – Public Roads to any customer: 100 000tpa product coal = average 11 truckloads (22 movements) daily (average load = 30t, 6 days per week, 51 weeks per year).
- Road Transport – Private Haul Road to local Power Stations: 500 000tpa\* = average 28 truckloads (56 movements) daily (average load = 50t, 7 days per week, 51 weeks per year).
- Rail Transport: 1.4Mtpa\* = average nine 3 450t trains per week (assuming 46 weeks per year rail transport) of product coal.

*\*These values are indicative as the amount and proportion of product transported by these methods may increase or decrease depending on customer requirements. However, total product coal transported from site would not exceed 2.0Mtpa.*

The Department of Planning has now issued the Director General's Requirements is consultation with Council and other authorities. The key issues required for consideration within the Environmental Assessment are land resources, water resources, biodiversity, heritage, air quality, greenhouse gases, noise, vibration, blasting, transport, traffic, visual, waster, hazards, social, economic, rehabilitation and consultation.

## ATTACHMENTS

1. The Director General's Requirements for Pine Dale Coal Mine Stage 2.

## RECOMMENDATION

**THAT** Council note the application for the Stage 2 extension of the Pine Dale Coal Mine.

**ITEM-8            ENVIRO - 05/03/12 - 09\_0186MP MOUNT PIPER ASH PLACEMENT**

**REPORT BY: JIM NICHOLS - ACTING GROUP MANAGER ENVIRONMENT AND DEVELOPMENT**

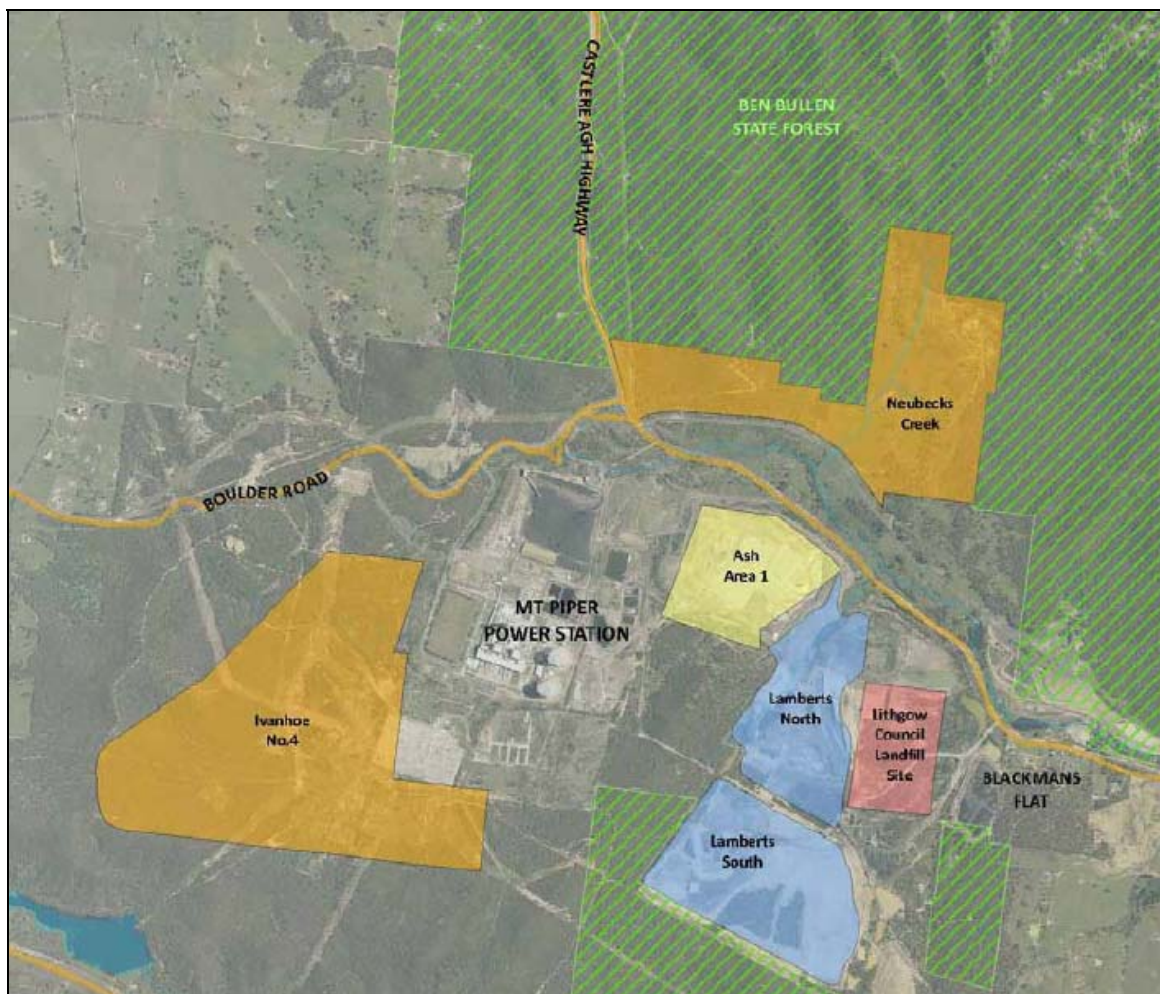
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**SUMMARY**

To advise on the approval of a Project Application by the Department of Planning for the emplacement of ash at Lamberts Gully (Lamberts South and Lamberts North sites) by Delta Electricity (Mt Piper Power Station). Lamberts North adjoins Council's Blackmans Flat landfill site to the west.

**COMMENTARY**

The process of electricity generation at Mt Piper Power Station through the burning of coal results in an ash by-product. The current ash storage facility is nearing maximum capacity; accordingly Delta Electricity has requested the approval of alternative ash storage sites to allow the power station to maintain its role as supplier of electricity to NSW consumers. The current location of ash storage is in the location termed "Area 1" on the map below. Ash removal, placement and storage are considered by Delta Electricity to be critical to the long-term ongoing operation of the Power Station.



**Figure 1 – Site Location (Source: SKM Environmental Assessment)**

The Department of Planning considers that there is potential to reuse the ash and therefore reduce the power stations reliance on disposal and the associated impacts on the community and natural environment. Consequently, the Department has recommended through their Determination that the proponent prepare and implement a Long-Term Ash Management Strategy, including a program for investigation and assessment of alternative ash management measures, with a stipulated goal of 40% reuse of ash by 31 December 2020.

The Environmental Assessment for the Concept Plan prepared by SKM advises:

*“In brief, Delta is seeking Concept Approval and Project Approval for two of the proposed placement sites Lamberts North and Lamberts South and Concept Approval for the future development of Neubecks Creek and Ivanhoe No.4. Lamberts North and Lamberts South are currently being mined for coal and Project Approval is being sought for these sites to allow for their development for ash placement from around 2015.”*

*“The ash storage available at Lamberts North and Lamberts South is sufficient to provide for the existing Mt Piper Power Station Units 1 and 2 until about 2042-2045, which is the effective life of the plant.”*

*“Concept approval only is being sought for Neubecks Creek and Ivanhoe No 4 as it is necessary to provide an approval process for ash storage should Mt Piper Extension proceed as a coal fired plant. Should Mt Piper Extension proceed with the coal fired option, project approval for the use of Neubecks Creek and Ivanhoe No 4 as ash storage areas would be required before 2026 to provide sufficient ash placement capacity for both plants.”*

At this stage the Department of Planning has approved the Project Application for the storage of ash at Lamberts North and Lamberts South, and the Concept Plan for the placement of ash at Neubecks Creek and Ivanhoe No.4 remains on hold whilst the proponent reviews submissions on the Environmental Assessment.

Council raised concern during the Environmental Assessment exhibition period regarding:

- 1) Cumulative impacts on Blackmans Flat;
- 2) Increased heights of ash emplacement and its visual impact;
- 3) The transportation of ash via truck.

The Director-General's Environmental Assessment Report advises that:

- 1) The Proponent has demonstrated that cumulative air quality impacts will be within the EPA guidelines.
- 2) Visual impacts will be managed through industry recognised mitigation measures such as tree screening and landscaping.
- 3) All truck movements will be contained within the site boundaries and will involve the extension of haul roads and the extension/relocation of the existing ash conveyor.

The Project Approval is available for viewing online at:

<https://majorprojects.affinitylive.com/public/348a176619c9717562af217edc5c055f/Final%20Conditons%20of%20Approval.pdf>

#### **POLICY IMPLICATION**

NIL

#### **FINANCIAL IMPLICATIONS**

NIL

#### **LEGAL IMPLICATIONS**

NIL

#### **ATTACHMENTS**

NIL

#### **RECOMMENDATION**

**THAT** the report on Mount Piper ash placement be noted.

## OPERATION SERVICES REPORTS

### ITEM-9 OPER - 5/3/12 - WATER REPORT FEBRUARY 2012

**REPORT BY: GROUP MANAGER OPERATIONS, IAIN STEWART**

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## REFERENCE

Min No 11-208 Ordinary Meeting 30 May 2011

## SUMMARY

This report provides an update on various 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 Friday 24 February was 100%. Oberon Dam capacity on Monday 27 February was 64.561%.

### 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 2011/12.

**Table 1 - Oakey Park Monthly Output and Clarence Transfer**

Month Total	Oakey Park WTP (ML)	Clarence Transfer (ML)
July	149	0
August	119	0
September	112	0
October	105	0
November	118	0
December	109	0
January	113	0
February	96	0

**Table 2 - Oakey Park Daily Output and Clarence Transfer**

<b>Oakey Park WTP</b>	<b>Avg Daily Use kL</b>	<b>Avg Daily CWTS Transfer kL</b>
January	3,649	0
February	3,429	0

**Table 3 2011/2012 Water Consumption for Fish River Water Scheme**

Week Ending	Oberon Dam Level	Oberon Dam Volume in ML	Oberon Dam % Corrected for Carryover	Total Use	Total Carryover balance
					<b>35.7</b>
4/07/2011	53.09%	23763	52.17%	3.0	38.8
11/07/2011	53.39%	23897	52.42%	3.0	41.9
18/07/2011	53.51%	23951	52.48%	14.7	43.9
25/07/2011	54.05%	24193	52.96%	18.3	45.5
1/08/2011	54.29%	24302	53.16%	12.8	47.6
8/08/2011	54.59%	24438	53.41%	12.7	49.8
15/08/2011	54.84%	24547	53.59%	13.0	51.9
22/08/2011	56.25%	25180	54.96%	13.1	54.0
29/08/2011	57.07%	25544	55.71%	11.1	56.3
5/09/2011	57.32%	25657	55.91%	12.3	58.5
12/09/2011	57.32%	25657	55.86%	14.3	60.5
19/09/2011	57.95%	25940	56.44%	15.0	62.4
26/09/2011	57.89%	25911	56.33%	17.5	64.1
3/10/2011	58.91%	26369	57.32%	14.0	66.1
10/10/2011	59.75%	26745	58.10%	12.2	68.3
17/10/2011	60.07%	26890	58.37%	13.4	70.4
24/10/2011	60.14%	26920	58.38%	15.3	72.2
31/10/2011	60.40%	27037	58.59%	13.3	74.3
7/11/2011	60.33%	27007	58.47%	14.8	76.3
14/11/2011	60.33%	27007	58.43%	16.1	78.1
21/11/2011	60.33%	27007	58.38%	13.8	80.1
28/11/2011	62.59%	28016	60.58%	13.0	82.2
5/12/2011	62.79%	28106	60.73%	13.6	84.3
12/12/2011	63.13%	28257	61.01%	13.6	86.3
19/12/2011	63.13%	28257	60.96%	12.5	88.5
26/12/2011	63.80%	28560	61.58%	0.0	91.9
2/01/2012	63.87%	28591	61.61%	28.4	92.5
9/01/2012	63.80%	28560	61.48%	11.3	94.8
16/01/2012	63.53%	28439	61.16%	13.5	96.9
23/01/2012	63.40%	28378	60.98%	12.5	99.0
30/01/2012	63.46%	28408	61.01%	13.7	101.1
<b>Total</b>				<b>405.8</b>	

**Oakey Park Water Quality Summary**

No health-based ADWG guideline values were exceeded in February. 4 Total Coliforms samples exceeded aesthetic guidelines.

**Fish River Water Scheme Water Quality Summary**

No health-based ADWG guideline values were exceeded in February. 3 Total Coliforms samples exceeded aesthetic guidelines.

**Current Water Restrictions Update**

Level 1 water restrictions are now in place for all residents throughout 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 1 application for a household appliance rebate and 1 application for a water tank rebate.

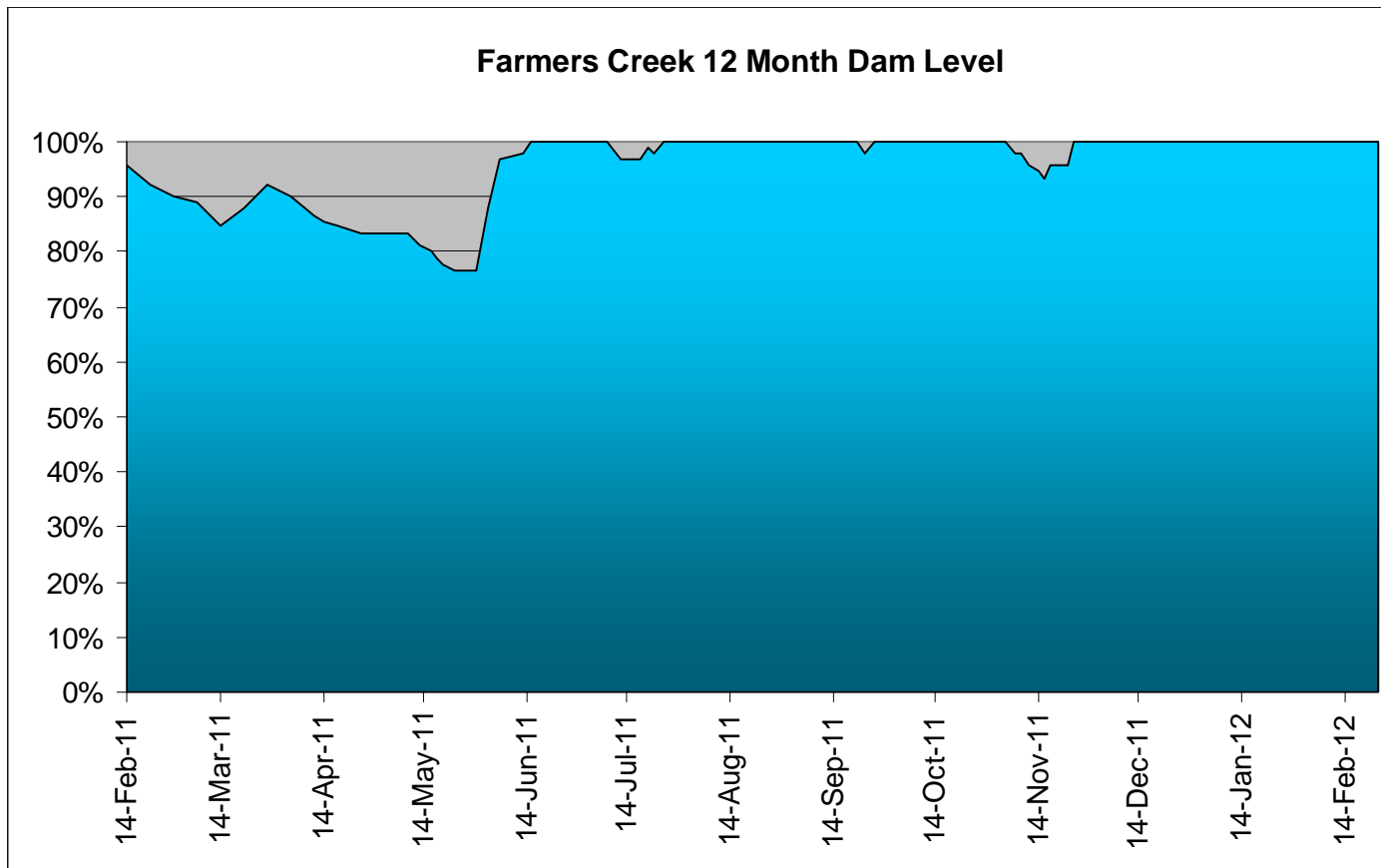
**FISH RIVER WATER SCHEME PIPE UPGRADE**

3.7km of pipelines will be replaced at the Fish River Water Supply in an \$8 million project being managed by State Water Corporation. Wet weather delayed construction of the bypass pipework. There will be a supply interruption from FRWS Stage 1 5/3/2012 to 7/3/2012 inclusive for minor works (water supply to Lithgow villages) during which time supply will be provided by Oakey Park.

**FARMERS CREEK DAM 12 MONTH LEVELS**

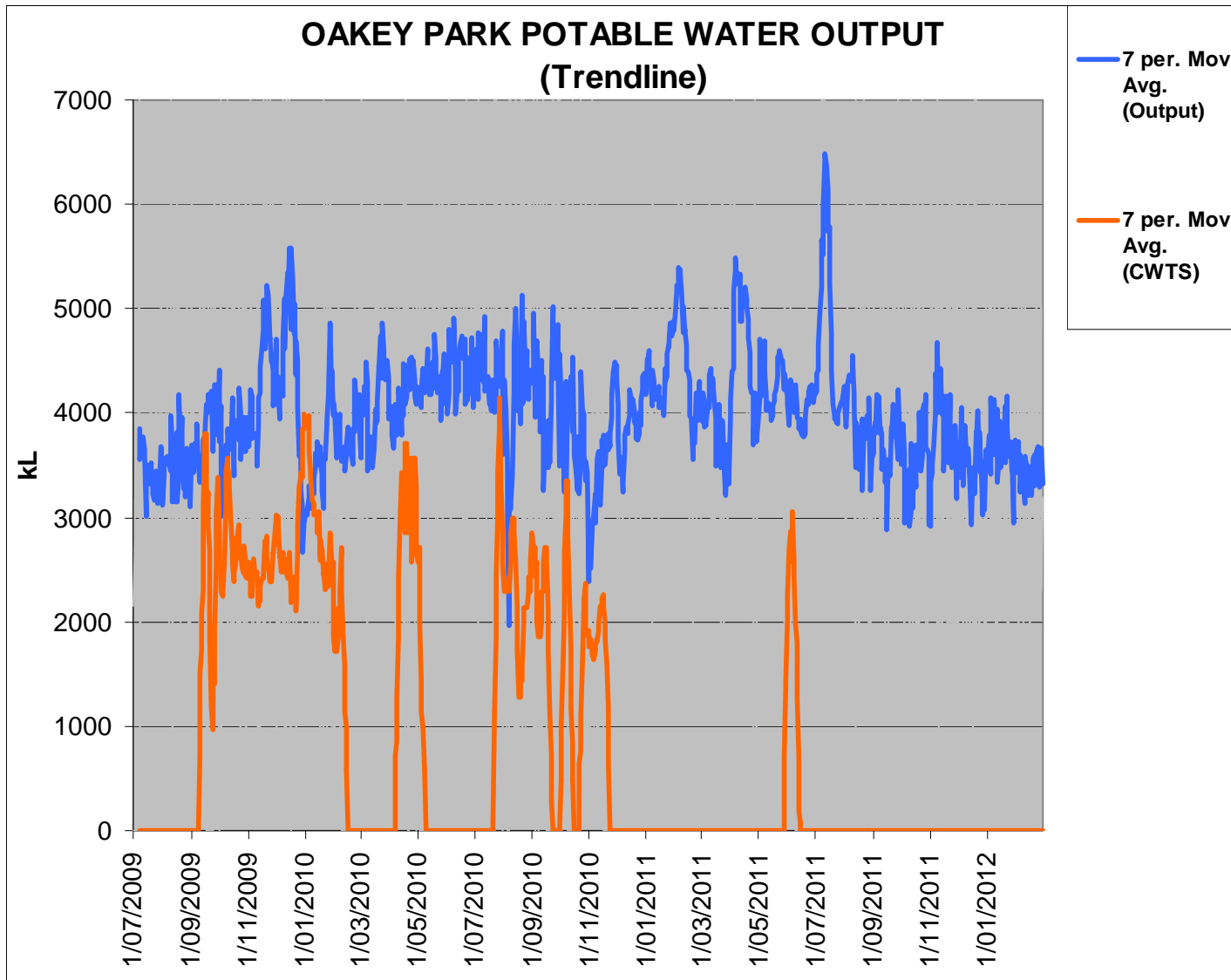
The attached chart shows the storage data to date for the last twelve months.

**Graph 2 Farmers Creek Dam #2 over 12 Months**



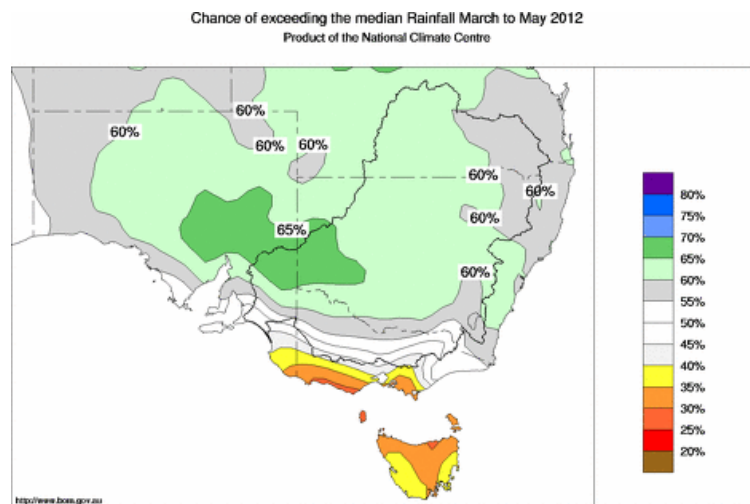


**Graph 3 Trends in Oakey Park WTP Production and Clarence Water Transfer Scheme Use**



**FARMERS CREEK DAM #2 STORAGE OUTLOOK**

The southeast Australian outlook for March to May 2012 shows a wetter autumn is more likely for NSW. At this time of year, the outlook model has low skill over SE Australia and caution is advised using this output. This outlook is mostly due to warmer than normal waters over the Indian Ocean; cooler Pacific waters associated with La Niña have had a lesser impact.



Routine Dam inspections continued throughout February.

### **ALTERNATE WATER SOURCES UPDATE**

The Marrangaroo Zone is currently being supplied from the Oakey Park Water Treatment Plant via Cook St High Level Reservoir.

### **RESERVOIRS**

During February inspections and cleaning were completed for:

- Cook St HL
- Cook St LL
- Lidsdale
- Shaft St New No 2
- South Littleton
- Wallerawang
- Lithgow WTP CWW

Several recommendations have been made and have been incorporated in the Reservoir Maintenance Works Program.

### **POLICY IMPLICATIONS**

NIL

### **FINANCIAL IMPLICATIONS**

NIL

### **LEGAL IMPLICATIONS**

NIL

### **RECOMMENDATION**

**THAT** the water report be noted.

## COMMUNITY AND STRATEGY SERVICES REPORTS

### ITEM-10            COMM- 05/3/2012 - PUBLIC EXHIBITION OF DRAFT AGEING STRATEGY

**REPORT FROM:            MANAGER COMMUNITY AND CULTURE – MATTHEW JOHNSON**

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## REFERENCE

Minute 09-352 Ordinary Council Meeting held 24 August 2009  
Minute 09-353 Ordinary Council Meeting held 24 August 2009  
Minute 09-381 Ordinary Council Meeting held 14 September 2009  
Minute 11-155 Ordinary Council Meeting held 18 April 2011  
Minute 11-500 Ordinary Council Meeting held 12 December 2011

## SUMMARY

Council resolved at the Ordinary Council Meeting held 12 December 2011 (Min 11-500)

THAT Council:

1. Receives the Draft Ageing Strategy Report;
2. Places the Draft Ageing Strategy Report on public exhibition until Friday 10 February at Council's Administration Centre, Lithgow Library Learning Centre, Portland and Wallerawang Libraries and on Council's website; and
3. Extends its thanks to those who participated on the Advisory Committee and provided their time and expertise in the development of this report.

The Draft Ageing Strategy Report was placed on public exhibition until Friday 10 February following which it is now presented, with amendments as listed, for Council's adoption.

## COMMENTARY

The development of an Ageing Strategy was a recommendation of the Lithgow Social Plan produced by Lithgow City Council in 2006.

The Ageing Strategy identifies Council's role in addressing the needs of older people and includes an Action Plan for Council to implement. It is hoped that the Ageing Strategy will assist Council and government and non-government agencies to understand and better meet the needs of older people.

The Draft Ageing Strategy appears to have been well received within the public exhibition period. Two written submissions were received during that period and are addressed in sections 2 and 3 below.

Other minor amendments such as detailed in Section 1 below have been made to ensure the document remains consistent with other relevant forward planning documents adopted by Council and allow due flexibility to implement the action plan.

**Proposed Amendments**

**1. Population Growth Targets**

It is recommended that the last paragraph of page 31 and first paragraph of page 32 of Chapter 3 Demographic Profile be amended to reflect Council’s population growth rate targets as adopted in the Lithgow Land Use Strategy 2010-2030.. The Draft Ageing Strategy used population growth rate targets from the Lithgow City Council 2007 Strategic Plan.

**Replace the following:**

*The Lithgow City Council has established a growth rate target of 1% to 2% for the LGA. A 1% annual growth rate would bring the population to 25,496 in 2025 and a 2% annual growth rate would bring the population to 31,053 in 2025. Both targets are well above NSW Department of Planning projections. It is worth noting that the Australian Bureau of Statistics (ABS) reports that the Estimated Resident Population (ERP) of Lithgow LGA at 30 June 2010 was 21,094, which is above the 2006 ERP of 20,656. The Estimated Resident Population will be confirmed once 2011 ABS Census data becomes available in mid 2012.*

**With the following:**

*The Lithgow Land Use Strategy 2010-2030 (LUS), adopted by Council in October 2011, includes a growth rate target of between 0.5% to 1% for the LGA. A 0.5% annual growth rate would bring the Estimated Resident Population (ERP) to 22,596 in 2025 and a 1% annual growth rate would bring the ERP to 24,830 in 2025. Both targets are above NSW Department of Planning and Infrastructure projections. It is worth noting that the Lithgow LGA ERP at 30 June 2010 was 21,094, which is above the 2006 ERP of 20,656. The Estimated Resident Population will be confirmed once 2011 ABS Census data becomes available in mid 2012.*

It is recommended that the Residential Care Action Plan (Action 4) be reworded to more general terms to allow due process and flexibility in its implementation.

**2. Written Submission from Lithgow Uniting Care**

Uniting Care Lithgow, which was represented on the Ageing Strategy Advisory Group by Ms Julie Favell, commends Council on the Ageing Strategy and looks forward to its implementation. Uniting Care Lithgow makes the following comments:

<b>Matter</b>	<b>Staff Comment</b>
Urges Council to seek funding to ensure that community infrastructure and resources meet the needs of an ageing population.	Noted. Will be considered in Council’s forward financial planning
<b>Social Engagement Action Plan</b>	
Supports older people/youth interaction programs and hopes these will	Noted. Timing subject to available funding.

<b>Matter</b>	<b>Staff Comment</b>
commence soon.	
<b>Crime and Safety Action Plan</b>	
Encourages Council to lobby for a greater Police presence in Lithgow.	Matter to be raised through Crime Prevention Committee.
<b>Education Action Plan</b>	
Council should encourage establishment of University of the Third Age	<b>Action Plan amended accordingly</b>
<b>Healthy Lifestyles and Recreation Action Plan</b>	
Limited public toilets in Main Street and distance of Queen Elizabeth Park toilets from children's playground.	Tenders have been called for replacement toilets in Queen Elizabeth Park.
Would like to see improved design of Cook Street Plaza including public toilets.	Council has no current plans for re-design of Cook Street Plaza.
<b>Transport and Access Action Plan</b>	
Support's Council's plan to develop a pedestrian and disability action plan.	Plan development to commence 3 <sup>rd</sup> Quarter 2011/12.
Encourages Council to consider the community transport needs of people in rural areas.	Matter to be referred to Lithgow Community Transport for action.
Lack of wheelchair accessibility facilities on trains and railway stations.	Matter to be raised through proposed Council Access Committee.
<b>Housing Action Plan</b>	
Requests that in addition to developing collaborative arrangements for responding to domestic squalor, Council proactively seek to reduce the incidence of domestic squalor.	<b>Action Plan amended accordingly</b>
Requests that Council lobby for a higher standard of energy efficiency and sustainability in public and private housing. than provided for by Basix regulations.	State and Federal governments are planning to review energy efficiency issues relating to all types of construction.
<b>Residential Care Action Plan</b>	
Council to consider the needs of aged couples in future development of aged care facilities.	<b>Action Plan amended accordingly</b>
Requests re-wording of objectives in relation to aged care and residential places	Objectives previously amended in an earlier version.
<b>Community Care Action Plan</b>	
Asks that Council appoint a development Officer to work with both older people and people with disabilities	Subject to available funding.
Reinstatement of an Aged Care Assessment Team is a priority.	Noted. Matter already included in Draft Action Plan.

### 3. Written submissions from community member Ms Leanne Hopkins

Supports the Ageing Strategy and hopes for its efficient and sustained implementation.

<b>Matter</b>	<b>Staff Comment</b>
<b>Preparation for Ageing Action Plan</b>	
Requests that there be targeted employment programs to help older workers to find jobs.	<b>This matter is responsibility of business and employment and training agencies. Action Plan amended accordingly.</b>
<b>Social Engagement Action Plan</b>	
Programs needed to connect young people to the wider community.	Matter to be referred to Youth Advisory Council.
Greater contribution needed from mines and power stations to the community.	Noted
Council should lobby power companies to provide pensioner discount.	<b>Noted. To be further considered in implementation of Ageing Strategy.</b>
<b>Education Action Plan</b>	
Labour shortages in disability work due in part to lack of Tafe courses locally in Disability Work.	Matter to be referred to TAFE.
Council should encourage establishment of University of the Third Age	<b>Action Plan amended accordingly</b>
<b>Housing and Accommodation Action Plan</b>	
Council and community to have input into planned new public housing projects due to their potential community impact.	Noted.
<b>Residential Care Action Plan</b>	
The lack of short term respite for people with a disability has an impact on their ageing carers.	Noted. Matter to be considered in implementation of Action Plan.
There is a need for improved housing options for people with a disability.	Matter to be referred to Department of Ageing, Disability and Home Care for action.
Council should consider the needs of aged couples in future development of aged care facilities.	<b>Action Plan amended accordingly</b>
Reinstatement of an Aged Care Assessment Team is a priority.	Noted. Matter already included in Draft Action Plan.

**POLICY IMPLICATIONS**

NIL

**FINANCIAL IMPLICATIONS**

Implementation of the Ageing Strategy recommendations will be undertaken progressively in Council's Management Plan.

## LEGAL IMPLICATIONS

NIL

## ATTACHMENTS

- 1.Final Ageing Strategy Report
- 2.Correspondence from Uniting Care Lithgow (Dataworks Doc 787689)
- 3.Correspondence from Leanne Hopkins (Dataworks Doc 788354)

## RECOMMENDATION

**THAT** Council:

1. Adopts the Ageing Strategy Report with the following amendments to the draft Ageing Strategy as exhibited:
  - Amend the annual population growth targets of 1% to 2% (pages 31-32) to those adopted in the 2011 Land Use Study of 0.5%-1%.
  - Amend the Education Action Plan (page 71) to include an additional action: "Work towards establishing a University of the Third Age in Lithgow".
  - Amend the domestic squalor action within the Housing Action Plan (page 98) to "Develop collaborative arrangements for reducing the incidence of and for responding to domestic squalor".
  - Amend the Residential Care Action Plan (page 106) to include an additional action: "Consider the needs of couples in residential aged care planning".
  - Amend the preparation for Ageing Action Plan (page 47) to include an additional action: "Employment programs to be targeted to older workers".
  - Amend the Residential Care Action Plan (Action 4 Page 105) to read:

Action	Key Partnerships	Priority
Undertake a detailed site assessment of the former Hermitage site to determine its suitability for residential aged care.	Council and Aged Care Providers	High.

**ITEM-11            COMM - 5/3/12 - PREPARATION OF THE PRINCIPAL LOCAL ENVIRONMENTAL PLAN**

**REPORT FROM: STRATEGIC LAND USE PLANNER – MRS SHERILYN HANRAHAN**

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**REFERENCE**

Min No 07-518: Policy and Strategy Committee Meeting 3 December 2007  
Min No 07-519: Policy and Strategy Committee Meeting 3 December 2007  
Min No 08-78: Policy and Strategy Committee Meeting 1 July 2008  
Min No 08-134: Ordinary Meeting of Council 19 August 2008  
Min No 008-227: Ordinary Meeting of Council 15 December 2008  
Min No 10-138: Ordinary Meeting of Council 12 April 2010  
Min No 10-160: Extra Ordinary Meeting of Council 27 April 2010  
Min No 11-23: Ordinary Meeting of Council 24 January 2011  
Min No 11-24: Ordinary Meeting of Council 24 January 2011  
Min No 11-231: Ordinary Meeting of Council 20 June 2011  
Min No 11-422: Ordinary Meeting of Council 31 October 2011  
Min No 11-450: Ordinary Meeting of Council 31 October 2011

**SUMMARY**

The purpose of this report is to seek a Council resolution to prepare a Principal Local Environmental Plan to accord with the Standard Instrument (Local Environmental Plan) Order 2006.

The report also provides a brief update on the progression of the adopted Land Use Strategy 2010-2030 towards endorsement by the NSW Department of Planning.

**COMMENTARY**

**UPDATE ON THE ENDORSEMENT PROCESS OF THE LITHGOW LAND USE STRATEGY 2010-2030.**

Following the adoption of the Lithgow Land Use Strategy 2010-2030 as amended by Council on 31<sup>st</sup> October, 2011, the Strategy was referred to the Western Region Office of the NSW Department of Planning for final endorsement.

No formal response has been received from the Department to date.

**DEVELOPMENT OF THE PRINCIPAL LOCAL ENVIRONMENTAL PLAN (LEP)**

Council is required to prepare a new Principal Local Environmental Plan to accord with the Standard Instrument (Local Environmental Plan) Order 2006.



The Principal Local Environmental Plan will apply to all land within the Local Government Area and will implement the recommended strategies and actions of the adopted and endorsed Lithgow Land Use Strategy 2010-2030.

### **PROCESS TO PREPARE LEP**

In July 2009 the NSW government changed the way in which Local Environmental Plans (LEPs) are prepared and approved. The new system is known as the “gateway” plan making process.

The gateway process has the following steps:

- **Planning proposal** — Council is responsible for the preparation of a planning proposal, which explains the effect of and justification for the plan.

It must include:

- A statement of objectives and intended outcomes of the proposed LEP
  - An explanation of the provisions of the proposal that are to be included in the proposed LEP. It must also include maps.
  - The justification for those objectives, outcomes and provisions and the process for their implementation. The adopted and endorsed Lithgow Land Use Strategy 2010- 2030 will form the basis of this justification process.
  - Details of the community consultation that is to be undertaken on the planning proposal.
- **Gateway** — The Minister (or delegate) determines whether the planning proposal is to proceed. This gateway acts as a checkpoint to ensure that the proposal is justified before further studies are done and resources are allocated to the preparation of a plan. A community consultation process is also determined at this time. Consultations occur with relevant public authorities and, if necessary, the proposal is varied.
  - **Community consultation** — the proposal is publicly exhibited for at least 28 days. A person making a submission may also request a public hearing be held.
  - **Assessment** — Council considers public submissions and the proposal is varied as necessary. Parliamentary Counsel then prepares a draft local environmental plan — the legal instrument.
  - **Decision** — With the Minister’s (or delegate’s) approval the plan becomes law and is published on the NSW legislation website.

A flow chart summarising this process is attached to this report.

A planning proposal will now be prepared and presented back to Council in due course before being referred to the gateway for determination.

### **POLICY IMPLICATIONS**

The new Principal LEP will implement the strategies and actions of the adopted and endorsed Lithgow Land Use Strategy 2010-2030.

### **FINANCIAL IMPLICATIONS**

Council has been granted \$100,000 under Round 4 of the Planning Reform Fund Program and currently holds a Memorandum of Understanding (MOU) with the NSW Department of Planning for the release and expenditure of those funds.

The release of the funds is reliant on obtaining endorsement of the NSW Department of Planning of the completed Lithgow Land Use Strategy 2010-2030.

This agreement will need to be revised and renegotiated as the terms of the current MOU have expired.

### **LEGAL IMPLICATIONS**

The preparation of the Principal LEP is required under the provisions of the Environmental Planning and Assessment Act and the Standard Instrument (Local Environmental Plan) Order 2006.

### **ATTACHMENTS**

1. Flow chart summarising the process for the development and approval of the Principal LEP.

### **RECOMMENDATION**

#### **THAT:**

1. Council resolve to prepare a Principal Local Environmental Plan to accord with the Standard Instrument (Local Environmental Plan) Order 2006 and notify the NSW Department of Planning.
2. Council prepare a planning proposal to implement the strategies and actions of the adopted and endorsed Lithgow Land Use Strategy 2010-2030.

## FINANCIAL SERVICE REPORTS

### ITEM-12           FINAN - 5/3/12 - GST CHANGES TO EXEMPTIONS FOR CERTAIN TAXES, FEES & CHARGES - DIVISION 81 GST ACT

#### REPORT FROM – FINANCE MANAGER C FARNSWORTH

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## REFERENCE

NIL

## SUMMARY

To advise Council of the implementation of the Commonwealth Tax Law Amendment (2011 Measure No 2) Bill 2011 which requires GST to be charged on domestic and commercial waste charges, the special parking rate and development contributions from 1 July 2012.

## COMMENTARY

Recent changes to the Commonwealth, Tax Law Amendment (2011 Measure No 2) Bill 2011, made changes to the determination of GST which is applicable to a number of Australian taxes and the affect will directly impact on Local Government.

The changes will affect:

- Fees & charges for the provision, retention or amendment, under an Australian law, of a permission, exemption, authority or licence (subsection 81-10(4) of the GST Act)
- Fees or charges paid to an Australian government agency for recoding, copying, modifying, receiving, processing, searching for or allowing access to information (subsection 81-5(5) of the GST Act.

DLG Circular 11-17, 5 August 2011, advised Council that the Commonwealth Government has replaced the 'Division 81 Determination listing' to exempt certain government taxes, fees and charges from GST with a new self assessment 'principles – based' approach.

The GST Act has been amended to replace the current practice under Division 81 with specific legislative exemptions to ensure Australian taxes and certain government fees and charges are not subject to GST.

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From 30 June 2012 the new tax arrangements will apply. This is following implementation on 1 July 2011 and a twelve month 'grandfather' clause. Changes will apply to the current and last, Division 81 Treasurers Determination and the additional time has allowed Councils the opportunity to review the GST status of items listed on the Division 81 determination against the new legislation.

The intention of the new legislation is to replace the Determination, therefore it is expected that most items that are currently exempt from GST will remain exempt.

*The associated explanatory memorandum to the Bill, 'Australian Taxes,' includes local government 'ordinary rates,' therefore local government 'ordinary rates' are exempt and will remain exempt from GST, as do water, wastewater and septic charges*

The Local Government & Shires Association (LGSA) advised on 14 October 2011 that they will, on behalf of all NSW Councils, be applying for a class ruling from the ATO on the GST treatment of Council taxes, ie rates, charges and fees.

The ATO class ruling, once made, will be applicable to all NSW Councils and for this reason it would be unnecessary for an individual Council to take up the issue individually with the ATO. The class action will also avoid conflicting rulings and the LGSA strongly recommends that it is not appropriate for individual Councils to submit a private ruling application to the ATO on this issue.

The LGSA advised that the application for class ruling was expected to be submitted in three to four parts with the first part to be lodged by the end of October 2011. Lithgow Council contacted the LGSA, on 9 February 2012 and were advised that the first part of the application has not yet been submitted but this is imminent and will cover:

- Development contributions
- Special Rates
- Domestic & Commercial Waste Charges

It is not known how long the ATO will take to make a determination on the class ruling but it is expected to be at least two to three months and then after that the LGSA will submit further parts of the application.

On 9<sup>th</sup> February 2012 Lithgow Council also contacted the DLG and IPART and neither can update further at this time.

As previously mentioned the new GST arrangements apply from 1 July 2011 and have been 'grandfathered' for one year until 30 June 2012. After discussions with the DLG, LGSA, IPART and other Councils no one is willing to move on any changes to GST from 1 July 2012 at this time and accordingly Council must determine appropriate action to take.

As a general rule current Division 81 legislation applies GST to all goods and services where Council is in competition with the private sector. Lithgow has reviewed the proposed Fees & Charges for 2012/13 to ensure that they are as up to date as possible with the known information but the major impact from 1 July 2012 will be on waste charges, Sec 94 and Special Rates levies. Lithgow Council has one 'Special Rate' being

the special Parking rate which is charged on all business properties within a defined boundary in the Lithgow CBD.

During 2012/13 Management Plan preparations Council will consider and adopt the annual waste charge but as guidance for Council at this stage if GST is applied to domestic and commercial waste charges and the special parking rate, the increases on the 2011/12 would be as follows, per property:

	2011/12	10% GST	Total Due
Parking Rate (Charge x each \$ of valuation of the property)	0.00839	0.0839	0.09229
	<b>2011/12</b>	<b>10% GST</b>	<b>Total Due</b>
Residential - per service	\$317.00	\$31.70	\$348.70
Business - per service	\$317.00	\$31.70	\$348.70
Non-ratable	\$317.00	\$31.70	\$348.70
Waste Disposal - Unocc Urban	\$119.00	\$11.90	\$130.90
Waste Disposal - Rural	\$76.50	\$7.65	\$84.15

Each residential property would pay an additional \$31.70 on their annual rate notice and because private individuals cannot claim GST the impact remains with the ratepayer.

The impact on business properties in Main St Lithgow, will increase because of GST by approx \$31.70 for waste, and an average of \$42.00 to \$225.00 for the parking special rate.

***It must be remembered that businesses will claim, and be reimbursed, GST when they lodge a monthly or quarterly BAS with the ATO.***

From charging GST Council would have collected and remitted, to the ATO, approx \$308,000 from waste charges and \$21,500 from the special parking rate.

At this stage Council has no alternative but to apply GST to all domestic and commercial waste, parking charges and development contributions from 1 July 2012. If we do not and the class action taken by the LGSA on behalf of all NSW Councils, with the ATO is unsuccessful Council will need to remit 10% of all waste and parking collections, ie approx \$330,000 from general revenue, alternatively if the GST is collected and the class action is successful Council will organise the refund of paid GST to the ratepayer. This may be for example by applying a credit to the next notice issued against the property.

Should the LGSA class action progress or additional information become available during the preparation of the DRAFT 2012/13 Management Plan it will be reported to Council.

## POLICY IMPLICATIONS

NIL

**FINANCIAL IMPLICATIONS**

NIL

**LEGAL IMPLICATIONS**

NIL

**ATTACHMENTS**

1. DLG Circular 11-17, 5 August 2011

**RECOMMENDATION**

**THAT** Council note the changes to Council charges as required by the Commonwealth Tax Laws Amendment (2011 Measure No 2) Bill 2011 from 1 July 2012 requiring GST to be applied to such charges as:

- Development contributions
- Special Rates
- Domestic and Commercial Waste Charges.

## COMMITTEE MEETINGS

ITEM-13            **COMM - 05/03/12 - SOUTH LITTLETON HALL RENOVATION  
SECTION 355 COMMITTEE MEETING 070212**

**REPORT BY: MANAGER COMMUNITY AND CULTURE – MATTHEW JOHNSON**

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## REFERENCE

Min No 11-452 Ordinary Meeting of Council held 1 November 2010  
Min No 11-480 Ordinary Meeting of Council held 21 November 2011  
Min No 11-510 Ordinary Meeting of Council held 12 December 2011

## SUMMARY

This report details the Minutes of the South Littleton Hall Renovation Committee meeting of 7 February 2012.

## COMMENTARY

At the South Littleton Hall Renovation Committee meeting held on 7 February 2012 there were various items discussed by the committee.

Council's attention is drawn to:

1. Discussion regarding the Works Progress, in relation to the very successful progress that has been made with the hall renovation works through the volunteer labour of Mens Shed members.
2. Discussion regarding Income and Expenditure, in relation to the full expenditure of funds received under the Community Building Partnerships and RLCIP funding programs in accordance with funding guidelines.

Works undertaken to date include:

- Construction of new toilet block.
- Cladding of rear walls.
- Installation of new windows.
- Gyprock lining of internal walls.
- Provision of disability access.
- Installation of insulation.
- Replacement of some electrical wiring.
- Exterior and interior painting.
- Fencing repairs.
- Guttering and downpipe repairs.

**POLICY IMPLICATIONS**

NIL

**FINANCIAL IMPLICATIONS**

\$16,500 in Community Building Partnership Funding has been fully expended.

\$16,500 in Regional and Local Community Infrastructure Program funding has been fully expended.

Of the \$10,000 Council funding for the project, \$3,285.65 remains as at 7 February 2011.

**LEGAL IMPLICATIONS**

Local Government Act NSW 1993, Section 356

**ATTACHMENTS**

1. Minutes of South Littleton Hall Renovation Committee meeting dated 7 February 2012

**RECOMMENDATION**

**THAT** Council:

1. Notes the minutes of the South Littleton Hall Renovation Committee meeting of 7 February 2012; and
2. Notes the full expenditure of Community Building Partnership and Regional and Local Community Infrastructure Program funding



**ITEM-14            COMM - 05/03 2012- CRIME PREVENTION COMMITTEE MEETING  
MINUTES - 13 FEBRUARY 2012**

**REPORT FROM:            MANAGER COMMUNITY AND CULTURE - MATTHEW  
JOHNSON**

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**REFERENCE**

Minute 11-123 Ordinary Meeting of Council held 28 March 2011  
Minute 11-157 Ordinary Meeting of Council held 18 April 2011  
Minute 11-218 Ordinary Meeting of Council held 30 May 2011  
Minute 11-511 Ordinary Meeting of Council held 12 December 2011  
Minute 12-53 Ordinary Meeting of Council held 13 February 2011

**SUMMARY**

This report details the Minutes of the Crime Prevention Committee Meeting held 13 February 2012.

**COMMENTARY**

At the Crime Prevention Committee held on 13 February 2012, there were various items discussed by the Committee including:

1. Crime Prevention Plan
2. Late Night Transport
3. Domestic Violence Initiatives
4. Police Report

Council's attention is drawn to the imminent commencement of a pilot late night transport service on Friday and Saturday nights in the Lithgow area.

The Crime Prevention Committee also recommended that Council consider bringing forward funding for a second new CCTV camera into the current year budget, in addition to funding already allocated for one new CCTV camera. This matter was considered at the Ordinary Meeting of Council held 13 February 2012 (Min 12-53) where it was resolved that: Council accelerate the installation of another CCTV camera as soon as possible and investigate the installation of another two CCTV cameras into the Lithgow CBD area.

**POLICY IMPLICATIONS**

NIL

**FINANCIAL IMPLICATIONS**

Funding is available in the current year budget for one additional street view CCTV camera bringing the total number to five cameras. Additional funds would be required for

purchase and associated installation costs of a sixth street view CCTV camera as recommended by the Crime Prevention Committee and the Council resolution 12-53 from the Ordinary Meeting of Council held 13 February 2012.

**LEGAL IMPLICATIONS**

NIL

**ATTACHMENTS**

1. Minutes from the Crime Prevention Committee meeting of 13 February 2012.

**RECOMMENDATION****THAT** Council:

1. Notes the minutes of the Crime Prevention Committee meeting of 13 February 2012; and
2. Allocates funding in the current year budget for purchase and associated installation costs of an additional CCTV camera.

**ITEM-15            COMM - 5/3/12 - LITHGOW CITY COUNCIL ACCESS COMMITTEE**

**REPORT FROM: COMMUNITY DEVELOPMENT OFFICER – V GULABOVSKI**

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**REFERENCE**

NIL

**SUMMARY**

This report advises Council that an Access Plan is to be developed and seeks Council endorsement of the attached Terms of Reference for establishment of an Access Committee to oversee the development of the Access Plan.

**COMMENTARY**

The Access Committee will oversee development of an Access Plan for Lithgow which is an activity in Council's Management Plan 2011-2012. Establishing a Council Access Committee and developing a Disability Access Plan are also actions within the Lithgow city Council Ageing Strategy 2012.

A Lithgow City Council Access Committee was previously established in 1998. Some of its work included improving access to shops along Main street, installing adequate toilet facilities at the visitor centre, educating the community about issues related to access, advocacy, and preparation of disability access plans. The Access Committee continued until 2003/2004 at which time the Committee was advised by Council that in view of disability standards being addressed within the Building Code of Australia, the work of the Committee was concluded.

The 2006 Census shows that there are an estimated 2,807 people in the Lithgow LGA requiring assistance with self care, movement, and communication activities.

The incidence of disabilities also increases with age as disabilities are acquired across a lifetime through injury and illness. A rapidly ageing population, as detailed in the Ageing Strategy, means that there is also likely to be a steady increase in the number of people with disabilities in Lithgow LGA.

In developing the Access Plan, the Access Committee will consider accessibility to footpaths, shops, public toilets, pools, trains and transport to other towns. The Access Plan will identify Council's role in addressing the access needs of people with a disability and the frail aged, and will include an Action Plan for Council to implement.

Membership of the Access Committee will include:

- Two (2) Councillors
- Three (3) community representatives with a disability or frail aged or caring for a person who is frail aged.
- Three (3) representatives of organisations involved in advocacy for and/or the provision of services for people with a disability or people that are frail aged.
- One (1) Council staff representative from the Community and Culture Division

- One (1) Council staff representative from the Operations Group
- One (1) Council staff representative from the Environment and Development Group.

The Access Committee shall operate for a period of two years during which time the Access Plan will be developed and implemented.

#### **POLICY IMPLICATIONS**

NIL

#### **FINANCIAL IMPLICATIONS**

The Access Plan will include an Action Plan with potential actions for Council to undertake with financial implications.

#### **LEGAL IMPLICATIONS**

Local Government Act NSW 1993

#### **ATTACHMENTS**

1. Draft Lithgow Access Committee Terms of Reference

#### **RECOMMENDATION**

##### **THAT:**

1. Council adopt the attached Access Committee Terms of Reference.
2. Two Councillors be nominated to the Committee.

**ITEM-16            FINAN - 5/3/12 - MINUTES 01/02/12 - ECONOMIC DEVELOPMENT  
SHOPFRONT COMMITTEE**

**REPORT FROM – FINANCE MANAGER - CAROL FARNSWORTH**

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**REFERENCE**

NIL

**SUMMARY**

This report provides the Minutes of the Economic Development Shopfront Committee Meeting held on 01 February 2012.

**COMMENTARY**

At the Economic Development Shopfront Committee Meeting held on 01 February 2012, there were a number of items discussed by the Committee including:

- Item 1:    Update of Vacant Council Premises
- Item 2:    Referral of Council Minute – Meeting of 23 January 2012 Current users of the Hoskins Institute, Lithgow
- Item 3: Referral of DRAFT Policy 8.8 Main St Façade Restoration Program and increase in the Subsidy
- Item 4:    Applications & enquiries Policy 8.8 Main St Façade Restoration Program

The minutes contain full details with recommendations for Council consideration.

**POLICY IMPLICATIONS**

NIL

**FINANCIAL IMPLICATIONS**

Increase in Main St Façade subsidy from \$1,000 to \$2,500 following the exhibition and consideration of the Draft Policy

**LEGAL IMPLICATIONS**

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

**ATTACHMENTS**

1. Minutes of the Economic Development Shopfront Committee Meeting held on 01 February 2012

## RECOMMENDATION

**THAT** Council note the minutes of the Economic Development Shopfront Committee held on 01 February 2012.

## DELEGATES REPORTS

### ITEM-17 DELEGATES REPORT - 05/03/12 - MINING RELATED COUNCILS MEETING

#### REPORT FROM: THE MAYOR, COUNCILLOR NEVILLE CASTLE

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### SUMMARY

This report outlines the discussions from the Mining Related Council Meeting held in Coonabarabran on Friday 10<sup>th</sup> February 2012.

### COMMENTARY

The most recent meeting of the NSW Association of Mining Related Council was held in Coonabarabran on 10<sup>th</sup> February 2012.

This was the first meeting in held in the Warramungle Shire and even though Coonabarabran doesn't have any particular mine at this stage one of the largest possible mines. The Cabbora Mine is planned in their shire. So for that reason the delegates from Warramungle Shire were pleased to find out as much as possible about the Association and what they do.

There were two speakers at the meeting the first of those was James Marshall who spoke about community consultation and how that should take place as a general rule and some of his experiences both positive and negative in that particular line of work.

The second speaker was Rick Wilkinson from the Australia Petroleum Product and Exploration Association. He spoke about the different amounts of exploration and the different stages in exploration regarding coal seam gas. Rick was able to give a greater understanding to those present regarding coal seam gas and the possibility or otherwise of whether this may interfere with agriculture lands, water tables etc. Information was also given regarding the potential for this fuel source both in NSW and Australia. Many of the delegates asked a number of questions of Rick particularly how these may affect their communities.

The Association will be looking to have a deputation to the Premier regarding the Royalties for Regions Scheme. This particular scheme had been promised prior to the state election and has yet to be implemented. Disappointingly the Royalties for Region Scheme that has been announced is only about 20% of what the Association had been looking for. It is hoped that a deputation to the Premier will outline the Associations position and hopefully see if any gains can be made on behalf of the communities that they represent. The Honourable Andrew Stoner, Deputy Premier will be invited to our May meeting to be able to talk on a number of issues including hopefully by then to explain exactly how Royalties for Regions will work and how much our communities will be able to have.

## RECOMMENDATION

**THAT** Council note the report on the Mining Related Council Meeting held on 10<sup>th</sup> February 2012.



## **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-18            OPER - 05/03/12 - CONFIDENTIAL REPORT - TENDER 04/11  
                          WOLGAN ROAD SLIP STABILISATION DESIGN AND  
                          CONSTRUCTION**

### **REPORT FROM: CHRIS SCHUMACHER – WORKS MANAGER**

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#### **Reason for Confidentiality**

This report is **CONFIDENTIAL** in accordance with Section 10A(2) of the Local Government Act 1993 (General) Regulation 2005, which permits the meeting to be closed to the public for business relating to the following: -

- (a) Commercial information of a confidential nature that would if disclosed &
- (b) Prejudice the commercial position of the person who supplied it.

#### **SUMMARY**

This report provides details of an Open Tender recently invited for the Design & Construction of Wolgan Road Slip Stabilisation repair works.