



A CENTRE OF REGIONAL EXCELLENCE

AGENDA

ORDINARY MEETING OF COUNCIL

TO BE HELD AT

THE ADMINISTRATION CENTRE, LITHGOW

ON

23 APRIL 2012

AT 7.00pm

AGENDA

APOLOGIES

PRESENT

CONFIRMATION OF THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 26 MARCH 2012

CONFIRMATION OF THE MINUTES OF THE EXTRAORDINARY MEETING OF COUNCIL HELD ON 16 APRIL 2012

DECLARATION OF INTEREST

PUBLIC FORUM

PRESENTATIONS - NIL

MAYORAL MINUTES

Councillor Misbehaviour

NOTICES OF MOTION

Council Public Meeting in Cullen Bullen of the Coalpac Consolidation Project - Councillor M F Ticehurst

Concerns over the increased costs of council water to rural landholders - Councillor M F Ticehurst

Update on outstanding Lithgow City Council plans of management - Councillor M F Ticehurst

Implementation of fluoride into the Lithgow City Councils water supply - Councillor M F Ticehurst

NOTICE OF RECISSIONS - NIL

CORRESPONDENCE AND REPORTS

General Managers Reports
Environment and Development Reports
Operation Services Reports
Finance Reports

COMMITTEE MEETINGS

Youth Council Committee meeting minutes
South Littleton Hall Renovation Sec 355 Committee meeting minutes
Blue Mountains Crossing Committee meeting minutes
Crime Prevention Committee meeting minutes
Lithgow Flash Gift Committee – February 2012 meeting minutes
Lithgow Flash Gift Committee – January 2012 meeting minutes
Environmental Advisory Committee meeting minutes
Crystal Theatre Management Committee meeting minutes
Cemetery Committee Meeting minutes
Sports Advisory Committee Meeting minutes
Lithgow Indoor Aquatic Centre Advisory Committee meeting minutes

REPORTS FROM DELEGATES – NIL

CLOSED REPORTS - NIL

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 - 23/04/12 - COUNCILLOR MISBEHAVIOUR

REPORT FROM: MAYOR NEVILLE CASTLE

SUMMARY

This report calls for a resolution for the suspension of Councillor Martin Ticehurst in accordance with sections 440H and 440I of the NSW Local Government Act 1993 on the grounds of misbehaviour following his expulsion from Council meetings.

COMMENTARY

In the Meetings Practice Note issued by the Department of Local Government in 2009 it was identified that meeting procedures contribute to good public decision-making and increase council's transparency and accountability to its community. Councillors are accountable to their communities for the decisions that they make. The conduct of effective meetings is an indicator of good governance. Well run meetings reflect an effective partnership and relationship between the governing body of council and council administration.

In the recent meetings held by Council there have now been a number of occasions when, as a result of a failure by Councillor Martin Ticehurst to abide by the Council's Code of Meeting Practice and good meeting etiquette, there has been a necessity for the Council to expel him from the meetings.

The Meetings Practice Note makes it very clear that individual councillors and the Council as a whole have obligations in relation to meeting procedure, it provides:

8.2 Maintaining order

8.2.1 Who is responsible for maintaining order?

A council must deal with any disorder of its members. As a councillor you should take responsibility for your own behaviour and that of your colleagues.

In some situations it may be appropriate to consider counselling or mediation to determine the issues motivating a councillor's behaviour. Early attention to issues is often required to prevent problems becoming entrenched.

When disorder at a meeting occurs, the chairperson has both the responsibility and authority to bring the meeting to order, including expelling councillors and others who cause disorder. Failure to effectively exercise this authority can result in a loss of order at meetings.

8.2.3 In what situations may a councillor be expelled for disorder?

Clause 256(1) of the Regulation defines acts of disorder at council and committee meetings. These include a councillor:

- contravening the Act or any Regulation in force under the Act, or
- moving or attempting to move a motion or amendment that has an unlawful purpose, or
- assaulting or threatening to assault another councillor or person present at the meeting, or
- insulting or making personal reflections on or imputing improper motives to any other councillor, or
- saying or doing anything that is inconsistent with maintaining order at the meeting or is likely to bring the council into contempt.

Clause 256(2) of the Regulation authorises the chairperson to require a councillor to take back comments or to apologise without reservation for an act of disorder (see also Clause 12.25 Model Code). If you do not act as requested by the chairperson, you may be expelled from the meeting. This can be done by the council, committee, chairperson (if authorised to do so by a resolution of the meeting), or by a person presiding at the meeting (if the council has authorised exercise of the powers of expulsion under section 10(2) of the Act).

Options available to council for breach of the Model Code or council's Code of Conduct are detailed in sections 440A–440Q of the Act and in Clauses 12.25 and 12.27 of the Model Code.

You may be expelled from a meeting for refusing to apologise for an act of disorder that occurred at that meeting, or at an earlier meeting. This has effect only for the meeting at which the expulsion occurs. You can be expelled from a later meeting only if you again refuse to apologise for your earlier (or new) act of disorder.

Section 10(2) of the Act states that a person is not entitled to be present at a council or committee meeting if expelled. If you refuse to leave a meeting immediately after being expelled, the chairperson may request a police officer or an authorised person to remove you from the meeting. The police officer or authorised person may use necessary force to remove you and prevent your re-entry (cl.258 of the Regulation).

As a result of a failure by a councillor to adhere to the Council's Code of Meeting Practice and is then expelled from the meeting then under the NSW Local Government Act 1993 the following provisions are made for the request for the suspension of a councillor:

440H How is the process for suspension of a councillor for misbehaviour initiated?

- (1) The process for the suspension of a councillor from civic office is initiated by:
- (a) a request made by the council by resolution communicated to the Director-General, in which the council states its belief that grounds may exist that warrant the councillor's suspension, or
 - (b) a request made by the Director-General to the council for a report from the council in relation to the councillor's alleged misbehaviour, or

- (c) a report made by the Ombudsman in which the Ombudsman states that the Ombudsman is satisfied that grounds exist that warrant the councillor's suspension, or
- (d) a report made by the Independent Commission Against Corruption in which the Commission recommends that consideration be given to suspending the councillor under this Division.
- (2) The council must make a report to the Director-General requested under subsection (1) (b) before the date specified in the Director-General's request or any later date allowed by the Director-General.
- (3) This section authorises such requests and reports to be made, and a reference in this section to a report made by the Independent Commission Against Corruption or the Ombudsman is a reference to a report made to the Director-General under the authority of this subsection or under any other provisions of this or any other Act.
- (4) Nothing in this section affects any function under any other provisions of this or any other Act that authorises the making of a report or recommendation concerning suspension of a councillor from civic office.

440I What are the grounds on which a councillor may be suspended?

- (1) The grounds on which a councillor may be suspended from civic office under this Division are that:
 - (a) the councillor's behaviour has:
 - (i) been disruptive over a period, and
 - (ii) involved more than one incident of misbehaviour during that period, and the pattern of behaviour during that period is of such a sufficiently serious nature as to warrant the councillor's suspension, or
 - (b) the councillor's behaviour has involved one incident of misbehaviour that is of such a sufficiently serious nature as to warrant the councillor's suspension.
- (2) The process for the suspension of a councillor from civic office cannot be initiated by a request made by the council unless:
 - (a) where subsection (1) (a) applies-the councillor has:
 - (i) on two or more occasions been formally censured for incidents of misbehaviour that occurred during the period concerned, or
 - (ii) **on at least one occasion been expelled from a meeting of the council or a committee of the council for an incident of misbehaviour during the period concerned, or**
 - (b) where subsection (1) (b) applies-the councillor has:
 - (i) been formally censured for the incident of misbehaviour concerned, or
 - (ii) **been expelled from a meeting of the council or a committee of the V council for the incident of misbehaviour concerned.**
- (3) Subsection (2) does not affect the Director-General's power to initiate the process for the suspension of a councillor from civic office.
- (4) Furthermore, subsection (2) does not prevent the Director-General from initiating the process for the suspension of a councillor from civic office as a result of a request or report referred to in section 440H.

The behaviour of Councillor Ticehurst has been well documented and he has now been expelled from Council on four occasions within the past 6-7 months, these being:

- Ordinary Council meeting of 10 October 2011
- At the resumption of the Ordinary Council meeting from 5 March 2012 held on 19 March 2012.
- Ordinary Council meeting of 26 March 2012
- Ordinary Council meeting of 26 March 2012 following his return to the meeting

On each of these occasions Councillor Ticehurst refused to leave the Chamber and it was then necessary to have the Police called to have him removed from the building. This has been an abhorrent disregard for good meeting procedure, the Council's Code of Meeting Practice and the community. In addition it has been a waste of Council and State resources by Councillor Ticehurst.

The most flagrant disregard occurred on 26 March 2012 when Councillor Ticehurst, despite being expelled earlier in the meeting, returned to the Chamber only to be expelled once again and again requiring the calling of the Police due to his refusal to leave the Chamber.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

In accordance with section 440H and 440I of the NSW Local Government Act 1993.

RECOMMENDATION

THAT Council advises the Director-General of the Division of Local Government that it believes that grounds may exist that warrant the suspension of Councillor Martin Ticehurst and requests that such a suspension be made for him being expelled from the following meetings and on each occasion requiring the calling of Police due to the Councillor's failure to leave the Chamber:

- Ordinary Council meeting of 10 October 2011
- At the resumption of the Ordinary Council meeting from 5 March 2012 held on 19 March 2012.
- Ordinary Council meeting of 26 March 2012
- Ordinary Council meeting of 26 March 2012 following his return to the meeting

NOTICE OF MOTION

ITEM-2 NOTICE OF MOTION - 23/04/12 - COUNCIL PUBLIC MEETING IN CULLEN BULLEN OF THE COALPACE CONSOLIDATION PROJECT - COUNCILLOR M F TICEHURST

REFERENCE

Lithgow City Council Resolutions 11- 329 and 11- 488 respectively.

COMMENTARY

Q. Could the General Manager provide a report to this Council, Councillors, ratepayers and residents on the community consultation process for the Public Meeting to be held at Cullen Bullen on Tuesday 24 April 2012 regarding the ?

RECOMMENDATION

THAT the General Manager provide a report to this Council, Councillors, ratepayers and residents on the community consultation process for the Lithgow City Councils Public Meeting to be held at Cullen Bullen on Tuesday 24 April 2012 regarding the Coalpac Consolidation Project?

**ITEM-3 NOTICE OF MOTION - 23/04/12 - CONCERNS OVER THE
INCREASED COSTS OF COUNCIL WATER TO RURAL
LANDHOLDERS - COUNCILLOR M F TICEHURST**

REFERENCE

Lithgow City Councils Fees and Charges 2011/2012.

COMMENTARY

- Q. Could the General Manager and/or the Internal Services Manager provide a report to this Council, Councillors, ratepayers and residents on what has been the increased costs of Council Water carted to rural landholders?

RECOMMENDATION

THAT the Council General Manager and/or the Internal Services Manager provide a report to this Council, Councillors, ratepayers and residents on what has been the increased costs of Council Water carted to rural landholders?

ITEM-4 NOTICE OF MOTION - 23/04/12 - UPDATE ON OUTSTANDING LITHGOW CITY COUNCIL PLANS OF MANAGEMENT - COUNCILLOR M F TICEHURST

REFERENCE

DLG Local Government Reform Program – Promoting Better Practice Report on the Lithgow City Council in 2007.

Various Council reports and correspondence and undertakings between the LCC and the DLG.

COMMENTARY

- Q. Could the General Manager provide a report to the Council, Councillors, ratepayers and residents on the many remaining and outstanding Plans of Management for community land under the control of the Lithgow City Council, in particular the South Littleton Public Hall and the Council controlled Hassans Walls Reserve?

RECOMMENDATION

THAT the General Manager provide a report to the Council, Councillors, ratepayers and residents on the many outstanding Plans of Management for community land under the control of the Lithgow City Council, in particular the South Littleton Public Hall and the Council controlled Crown Reserve of Hassans Walls Reserve.

ITEM-5 NOTICE OF MOTION - IMPLEMENTATION OF FLUORIDE INTO THE LITHGOW CITY COUNCILS WATER SUPPLY - COUNCILLOR M F TICEHURST

REFERENCE

Resolutions 07 – 489 and 07 – 490 of the Ordinary Meeting of Lithgow City Council on 19 November 2007.

COMMENTARY

- Q. Could the General Manager provide a report to the Council, Councillors, ratepayers and residents on Council Resolutions 07 – 489 and 07 – 490 regarding the proposed implementation of fluoride into the Lithgow City Councils water supplies and the related public education program, if any that will precede the implementation of fluoride?

RECOMMENDATION

THAT the General Manager provide a report to the Council, Councillors, ratepayers and residents on outstanding Council Resolutions 07 – 489 and 07 – 490 regarding the proposed implementation of fluoride into the Lithgow City Councils water supplies and the related public education program, if any that will precede the implementation of fluoride.

GENERAL MANAGERS REPORTS

ITEM-6 GM - 23/04/12 - CHANGES TO POLITICAL DONATIONS LAWS - AMENDMENTS TO ELECTION FUNDING EXPENDITURE AND DISCLOSURES ACT 1981

REPORT FROM: R BAILEY - GENERAL MANAGER

SUMMARY

The NSW Parliament recently enacted amendments to the election campaign funding and disclosure laws. Council recently received information from the Election Funding Authority regarding amendments to the *Election Funding, Expenditure and Disclosures Act 1981*.

The Authority will be conducting information seminars in May, June and July this year for candidates, groups and political parties throughout NSW ahead of the 2012 local government elections.

The amendments came into force on 9 March 2012, a summary of the amendments are available for viewing at www.legislation.nsw.gov.au under the *Election Funding, Expenditure and Disclosures Act 1981*.

The amendments affect the following areas of the legislation;

1. Prohibition of political donations other than by individuals on the electoral roll
2. Meaning of “electoral expenditure” and “electoral communication expenditure”
3. Aggregation of expenditure caps in respect of State election campaigns.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

As per above

ATTACHMENTS

1. Election Funding Authority advice letter

RECOMMENDATION

THAT Council note the amendments to the *Election Funding, Expenditure and Disclosures Act 1981*.

ITEM-7 GM - 23/04/12 - DRAFT SECTION 94A DEVELOPMENT CONTRIBUTIONS PLAN

REPORT BY: S HANRAHAN - STRATEGIC LAND USE PLANNER

REFERENCE

05-368 Item 2 Planning and Development Committee 25/7/2005

SUMMARY

The purpose of this report is for Council to consider a Draft Section 94A Development Contributions Plan and approve the Plan for public exhibition purposes, subject to the concurrence of the NSW Department of Planning and Infrastructure.

COMMENTARY

Section 94 of the Environmental Planning and Assessment Act, 1979 (EP & A Act) has traditionally been the principal method enabling councils to levy contributions for public services and amenities required as a consequence of development.

In 2005 planning reforms widened the scope of the contributions system to include new provisions under S93 and S94A of the EP & A Act, which provide greater flexibility as to the means of levying a contribution.

The Act now provides the following methods of funding local infrastructure by consent authorities which include Councils:

- S94 development contributions
- S94A levy
- Planning agreements (S93 F)

Council is now able to determine which contributions method or combination of methods best suits its particular needs.

The preparation a development contributions plan and the levying of contributions under that plan, or entering into a planning agreement, are discretionary powers of Council.

SUMMARY COMPARISON OF THE CONTRIBUTIONS METHODS

METHOD	DESCRIPTION	APPLICATION/ISSUES
Section 94 Development Contributions Plan	Must be authorised by Section 94 Contributions Plan. Draft Plans must be publicly exhibited before	Optimum where growth is faster and higher levels of contributions are able to offset the considerable administrative costs, financial risks and

METHOD	DESCRIPTION	APPLICATION/ISSUES
	<p>adoption.</p> <p>Imposed by way of condition of development consent or complying development.</p> <p>Can be satisfied by</p> <ul style="list-style-type: none"> • dedication of land • monetary contribution • material public benefit • a combination of some or all of the above. <p>Generally contributions can be sought for the following:</p> <ul style="list-style-type: none"> • capital costs, including acquisition costs • public facilities that a Council has responsibility to provide • public facilities that are needed as a consequence of, or facilitate, new development <p>Contributions capped at \$20,000 per residential lot or dwelling or \$30,000 per lot or dwelling in greenfield /urban release area.</p> <p>Based on two key concepts:</p> <ul style="list-style-type: none"> • Reasonableness in terms of nexus(the connection between development and the demand created) and apportionment (the share borne by 	<p>inefficiencies of managing money amongst and within the funds</p> <p>Greenfield areas with multiple owners who are unable to co-ordinate in offering dedications or works in kind.</p> <p>Key Issue:</p> <p>Substantial work required to satisfy statutory requirements against potential benefits.</p>

METHOD	DESCRIPTION	APPLICATION/ISSUES								
	<p>future development) and other relevant factors.</p> <ul style="list-style-type: none"> Accountability both public and financial. <p>Can only be modified by the making of a new Plan.</p>									
<p>Section 94 Contributions Plan</p>	<p>A Must be authorised by a Section 94 A Contributions Plan</p> <p>Draft Plans must be publicly exhibited before adoption.</p> <p>Imposed by way of condition of development consent or complying development</p> <p>Can only be satisfied by monetary contribution</p> <p>Rate of contributions calculated as a % of development costs at a rate fixed by EP & A Regulation as follows:</p> <table border="1" data-bbox="587 1391 975 2018"> <thead> <tr> <th>Type of Development</th> <th>Levy (%)</th> </tr> </thead> <tbody> <tr> <td>All development types valued at \$100,000 or less</td> <td>0.0%</td> </tr> <tr> <td>All development types valued at \$100,001 and up to \$200,000</td> <td>0.5%</td> </tr> <tr> <td>All development types valued in excess of \$200,000</td> <td>1%</td> </tr> </tbody> </table>	Type of Development	Levy (%)	All development types valued at \$100,000 or less	0.0%	All development types valued at \$100,001 and up to \$200,000	0.5%	All development types valued in excess of \$200,000	1%	<p>Areas of little growth and slow accrual of funds in established urban areas or rural areas, where provision of facilities benefits a dispersed set of contributors</p> <p>Areas with multiple ownership with little scope for land dedications of works in kind</p> <p>Costs of needed infrastructure are relatively low and spread over time.</p> <p>Key Issue:</p> <p>Lower level contribution but greater flexibility in expenditure.</p>
Type of Development	Levy (%)									
All development types valued at \$100,000 or less	0.0%									
All development types valued at \$100,001 and up to \$200,000	0.5%									
All development types valued in excess of \$200,000	1%									

METHOD	DESCRIPTION	APPLICATION/ISSUES
	<p>As the levy is calculated on development cost the cost burden of the contribution is shifted from the subdivision stage (usually paid by the land developer) to the development stage (paid by the land owner upon development on the land).</p> <p>Can only be modified by the making of a new Plan.</p> <p>Direct nexus does not need to be established between the development and the object of expenditure.</p>	
<p>Planning Agreements (VPA)</p>	<p>A planning agreement is a voluntary agreement or arrangement between Council and the developer under which the developer agrees to make development contributions towards a public purpose.</p> <p>Development contributions under a planning agreement can be monetary contributions, the dedication of land free of cost, any other material public benefit, or any combination of them, to be used or applied to towards a public purpose.</p> <p>Planning agreements can be entered into at the rezoning or development application stage.</p> <p>Must be publicly exhibited before being executed.</p> <p>Once entered into, a planning agreement is a</p>	<p>One or few owners that have an incentive to fund infrastructure.</p> <p>More successful where major growth or development occurs in a distinct area.</p> <p>Can offer different and better outcomes through efficiencies in the process or through innovation by the parties</p> <p>Key Issue:</p> <p>Are the outcomes worth the substantial effort required to implement a satisfactory agreement.</p>

METHOD	DESCRIPTION	APPLICATION/ISSUES
	<p>statutory obligation and is registered by the Registrar General in relation to the land it relates to and thereby binds successors in title to the land.</p> <p>Direct nexus does not need to be established between the development and the object of expenditure.</p>	

CURRENT LITHGOW CITY COUNCIL DEVELOPMENT CONTRIBUTIONS SYSTEM

Lithgow City Council currently has the following adopted Section 94 Contributions Plans

Name of Plan	Current Contribution Rates
LCC Section 94 Contribution Plan – Coal Related March 1992	\$4,200 per employee
Section 94 Contribution Plan – Rylstone Council July 1993	\$598 per lot or dwelling for Fire
LCC Section 94 Contribution Plan - Lithgow Rural Roads February 1998	\$2,310 per lot or dwelling
LCC Section 94 Contribution Plan – Rural Fires Services May 1999	\$269 per lot or dwelling
LCC Section 94 Contribution Plan – Blackheath Creek Crossing January 2002	\$1,720 (2002 rates not indexed)
Section 94 Contribution Plan – Rylstone Roads Rural August 2003	\$4,080 per lot or dwelling

There are also 18 planning agreements currently in place. These agreements include monetary contributions for such infrastructure such as car-parking, public open space and embellishments and general community facilities.

As at 30/6/2011 Council holds \$670,000 in collected development contributions under the abovementioned development contributions plans.

NEED FOR REVIEW OF DEVELOPMENT CONTRIBUTIONS SYSTEM

The current contributions plans are outdated with the most recent being nine (9) years since its adoption and the most outdated being twenty (20) years since its adoption. Council also inherited two contributions plans from the former Rylstone Shire that have

not been reviewed since the amalgamation in 2004. These plans create a circumstance of inconsistencies of development contributions for rural roads and fire services across the LGA.

All current contributions plans require substantial review and would not meet the current legislative and best practice guidelines, particularly in relation to establishing nexus and apportionment and identification of costed works schedules.

The following recommendations were included in the Lithgow City Council 2007 Promoting Better Practice Review Report prepared by the Department of Local Government.

R20. Council needs to review its existing contribution plans and explore all the options now offered under the Environmental Planning and Assessment Act for the collection and use of development contributions.

R21. Council needs to take a more strategic approach to the collection and use of development contributions. Council needs to more clearly link its approach to development contributions with its strategic plan and to its capital works program and long-term financial plan.

This review addresses these recommendations.

It has become evident, through the recent extensive community consultation being undertaken that the expectations of the community in relation to the provision of services and facilities is increasing. More often than not these expectations are extending beyond the traditional road, rates and rubbish scenarios and are now expecting much more to be provided from local government.

RECOMMENDED NEW DEVELOPMENT CONTRIBUTIONS SYSTEM

The current plans are obsolete and do not display Council's policy intention for the assessment, collection, expenditure and administration of development contributions.

An internal review of the development contributions system has found that Council is currently not applying development contributions to a wide range of development due to the lack of an appropriate development contributions system. Therefore, Council and the community are missing the opportunity to apportion the cost of new public infrastructure across the existing and future population base.

The internal review has recommended that Council introduce a new development contributions system consisting of a combination of:

- Section 94A Contributions Plan and
- Planning Agreement Policy.

The Section 94A Plan will apply to all development across the LGA except where expressly waived by the Plan itself.

Council will still seek to negotiate a planning agreement for major development, including but not limited to, development as outlined below in accordance with Council's Planning Agreements Policy:

- having a development cost in excess of \$ 1,000,000; or
- being development for the purposes of a mine or extractive industry and associated infrastructure development, including extensions to existing approved developments; or
- subdivisions involving 20 or more lots in any one or more stages.

This system will necessitate the repeal of all existing contributions plans upon the commencement of the new Section 94A Contributions Plan.

PROJECTED CONTRIBUTIONS

An estimate of the likely development contributions that may be collected under the new Section 94A Plan has been determined by projecting forward the relevant average development costs from the years 2007-2010 using the sliding percentage scale set by the EP & A Regulations.

This has found that Council could expect on average \$450,000 per year should current development levels remain relatively constant.

Further it is proposed to rollover the existing \$670,000 currently held in development contributions into the new Section 94A Plan. This Plan expressly authorises that unspent monies collected through previous Section 94 plans is to be expended on works identified in the works schedule attached to the Plan.

PROPOSED WORKS SCHEDULE

A works schedule for the new Section 94A Plan has been developed in conjunction with Council's overall long term financial planning. This schedule has identified \$8.01 million dollars of public infrastructure proposed to be partially funded (\$4.05M) through the new development contributions system in the years 2012/13 to 2023/24.

The works schedule includes infrastructure in the following areas:

- Roads/Traffic Management/Drainage Facilities (Rural and Urban)
- Open Space and Recreational Facilities (including Stage 2 of the Aquatic Centre Re- development and the Adventure Playground)
- Emergency Services (being an upgrade to the Rural Fires Service Control Centre)
- Civic, Community and Cultural Facilities (including Union Theatre upgrade, Lithgow CBD Amenities, Endeavour Park Lithgow Amenities, CCTV Cameras and Crystal Theatre Portland Stage improvements).

The detailed works schedule is provided in Appendix A of the Draft Section 94A Development Contributions Plan attached to this report.

Without the significant injection of funds from the development contributions system, many of these projects would not be able to be undertaken at all or would at the very least be significantly delayed.

PLAN REVIEW AND MONITORING

The Section 94A plan once adopted will be reviewed and/or amended if the works to be funded by the Plan are revised in accordance with Council's financial planning processes.

The Plan can only be amended by the making of a new Plan which requires public exhibition.

POLICY IMPLICATIONS

The decision on the type of contributions system to adopt should be considered in light of Council's corporate wide strategy of infrastructure funding.

The public infrastructure requirements have been identified having regard to Council's Draft Community Strategic Plan, Long Term Financial Plan and Strategic Asset Management Plan.

FINANCIAL IMPLICATIONS

The making of a development contributions plan places a financial obligation on Council to deliver the public amenities and services which it has identified and for which development contributions are then sought.

In this regard, the financial expenditure outlined in the works schedule has been integrated with Council's 2012/13 Operations Plan and 2012/2016 Delivery Program.

LEGAL IMPLICATIONS

The making, adoption and revision process for the development contributions system is legislated by the EP & A Act, 1979 and EP & A Regulations 2000.

Council is obliged to comply with this process.

Any new Plan will require public exhibition for a period not less than 28 days and consideration of submissions raised before being adopted by Council.

ATTACHMENTS

1. Draft Lithgow City Council Section 94A Development Contributions Plan

RECOMMENDATION

THAT Council:

1. Refer the attached Draft Lithgow City Council Section 94A Plan to the NSW Department of Planning and Infrastructure for their concurrence to publicly exhibit the Plan.

2. Provide the General Manager with delegated authority to make any minor amendments to the Plan that do not alter policy content, as may be required by the NSW Department of Planning and Infrastructure and place the Draft Plan on public exhibition in accordance with the EP & A Regulations, 2000.
3. Resolve to repeal all existing development contributions plans upon commencement of the Plan once adopted by Council.
4. Resolve to review the current Planning Agreements Policy of Council.

ITEM-8 GM - 23/04/12 - SENIOR STAFF CONTRACTS

REPORT BY: R BAILEY – GENERAL MANAGER

SUMMARY

This report provides additional advice in relation to Senior Staff Contracts.

COMMENTARY

The provisions of Section 339 of the Local Government Act (1993), requires that,

"The General Manager must, at least once annually, report to the Council on the contractual conditions of senior staff."

The only staff position that is appointed by the governing body of Council is that of the General Manager. The position of General Manager is a senior staff position under Section 334(1) of the Local Government Act (1993).

The General Manager is responsible for the appointment of all other staff (including senior staff) in accordance with the organisation structure and resources approved by the Council's governing body.

The following staff are employed as senior staff:

- General Manager
- Group Manager Community and Strategy

Each senior staff member is employed on a five year fixed term performance based contract. Employment Contracts are in accordance with the Department of Local Government's Standard contracts for General Managers and Senior Staff.

Performance of senior staff is reviewed annually (or more regularly if necessary) by the General Manager. A sub-committee of Council undertakes the performance review of the General Manager, which is reported to the full Council.

All contracts have the same conditions, which include four (4) weeks annual leave (cumulative), three (3) weeks sick leave (cumulative), long service leave in accordance with the Local Government Award, public holidays etc.

Section 338 of the Act sets out the nature of senior staff contracts and provides:

338 Nature of contracts for senior staff

(1) The general manager and other senior staff of a council are to be employed under contracts that are performance-based.

(2) The term of a contract must not be less than 12 months or more than 5 years (including any option for renewal). A term that is less than 12 months is

taken to be for 12 months and a term for more than 5 years is taken to be limited to 5 years.

(3) Contracts may be renewed from time to time.

(4) The Director-General may, by order in writing, approve one or more standard forms of contract for the employment of the general manager or other senior staff of a council.

(5) A standard form of contract approved by the Director-General is not to include provisions relating to the level of remuneration or salary (including employment benefits) of the general manager or other senior staff of a council, performance-based requirements or the duration of the contract.

(6) A council is not to employ a person to a position to which one or more standard forms of contract approved for the time being under this section applies or apply except under such a standard form of contract.

(7) The council may include in an employment contract for the general manager or another member of the senior staff additional provisions to those contained in the standard form of contract but only if those provisions relate to any of the following:

(a) the level of remuneration or salary (including employment benefits) of the person employed under the contract,

(b) subject to subsections (1) and (2), performance-based requirements or the duration of the contract.

(8) Despite subsection (6), the approval, amendment or substitution of a standard form of contract under this section does not affect any employment contract between a council and the general manager of the council or another member of the senior staff of the council if the employment contract was entered into before the approval, amendment or substitution of the standard form of contract.

(9) However, subsection (6) does apply to the renewal of any such employment contract occurring after the standard form of contract is approved, amended or substituted and to all new contracts entered into after the standard form of contract is approved, amended or substituted.

In accordance with Section 332 of the Act a position is not to be determined as a senior staff position unless:

(a) the responsibilities, skills and accountabilities of the position are generally equivalent to those applicable to the Executive Band of the Local Government (State) Award, and

(b) the total remuneration package payable with respect to the position is equal to or greater than the minimum remuneration package (within the meaning of Part 3A of the Statutory and Other Offices Remuneration Act 1975) payable with respect to senior executive office holders whose positions are graded Level 1 (General Management).

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

Staff costs are provided for in the Council's adopted budget.

LEGAL IMPLICATIONS

In accordance with Section 339 of the NSW Local Government Act 1993.

RECOMMENDATION

THAT Council note the report in relation to Senior Staff contracts.

ITEM-9 GM - 23/04/12 - INTEGRATED PLANNING AND REPORTING FRAMEWORK

REPORT FROM: D MCGRATH - CORPORATE STRATEGY AND COMMUNICATIONS OFFICER & C FARNSWORTH - FINANCE MANAGER

REFERENCE

Min 06-05 – Policy and Strategy Committee Meeting 6 February 2006
Min 06-57 – Policy and Strategy Committee Meeting 6 March 2006
Min 06-93 – Policy & Strategy Committee Meeting 3 April 2006
Min 06-153 – Policy & Strategy Committee Meeting 5 June 2006
Min 06-281 – Policy & Strategy Committee Meeting 4 September 2006
Min 07-142 – Ordinary Meeting of Council 16 April 2007
Min 07-251 – Ordinary Meeting of Council 18 June 2007
Min 09-218 – Ordinary Meeting of Council 1 June 2009
Min 09-507 – Ordinary Meeting of Council 23 November 2009
Min 11-444 – Ordinary Meeting of Council 31 October 2011
Min 12-97 - Ordinary Meeting of Council 26 March 2012

SUMMARY

The Council's Integrated Planning and Reporting Framework has been prepared and is provided for the consideration of Council to place on public exhibition. The framework consists of the following suite of documents:

- Draft Community Strategic Plan 2025 (Version 2)
- Resourcing Strategy
 - Draft Long Term Financial Plan
 - Draft Strategic Asset Management Plan
 - Draft Workforce Plan
- Draft Combined Delivery Program 2012-2016 and Operations Plan 2012-2013
 - Draft Budget Fees and Charges 2012-2013

COMMENTARY

Background

In October 2009, NSW Parliament passed the Local Government Amendment (Planning and Reporting) Bill 2009 requiring all NSW local Councils to develop an Integrated Planning and Reporting Framework consisting of a 10 year Community Strategic Plan, Resourcing Strategy (Long-term Financial Plan, Workforce Plan and Asset Management Strategy), 4 year Delivery Program and Annual Operations Plan. Council is required to comply with this legislative requirement by 30 June 2012.

Our Place...Our Future Draft Community Strategic Plan 2025

Following completion of Phase 1 of the community engagement strategy, the Draft Community Strategic Plan has been amended to reflect the needs and vision of the community for the future of the Lithgow local government area. It should be noted that all community submissions, comments and issues were considered by Council at its meeting held on 26 March in a detailed report; Our Place...Our Future Community Strategic Plan Engagement Report. A brief summary of the changes to the document is listed below.

- Inclusion throughout the document of community comments, images and quick facts boxes.
- Changes to typographical, grammatical and formatting errors.
- Minor changes to Principal Activity Areas including re-numbering, inclusion of / or movement of programs to reflect the Delivery Program and Operations Plan for consistency.
- Inclusion of links to additional relevant state and regional plans.
- Inclusion of additional actions or minor amendments to actions identified in the community engagement process not previously included in the Draft Community Strategic Plan.

Combined Delivery Program 2012-2016 and Operations Plan 2012-2013

Lithgow City Council plays an important role in the community by undertaking a wide range of activities and works on behalf of residents and visitors. To inform the community of these planned activities and works, the Council each year prepares a combined four year Delivery Program (previously known as the management plan) and annual Operations Plan. The Plan provides details of how Council will fund proposed activities and how Council will measure its performance.

The combined Draft Delivery Program 2012/2013 – 2015/16 and Draft Operations Plan 2012/13 has been prepared and it details Council's activities for the next 4 years and the Revenue Policy for 2012/13. It incorporates the strategies of the Draft Community Strategic Plan 2025 for the four year period identifying those activities which are operational (recurrent or annual) activities or capital works and new initiatives to be undertaken.

An overview of some of the key features contained in the Council's combined Draft Delivery Program 2012/13 to 2015/16 and Draft Operations Plan 2012/13 is provided below. The aim of the Plan is to provide a solid financial framework to ensure infrastructure and Council services can be provided to meet the requirements of residents and ratepayers as far as is practicably possible.

The 2012/13 Operations Plan has been prepared predicting an increase of 3% in wages and material costs. Energy retailers have recommended a minimum increase of 15% to electricity accounts.

General Rates

The Minister for Local Government, under the rate pegging legislation, has allowed the General Fund to increase by 3.6% for 2012/13. The rate pegging limit has been reflected in the Draft Delivery Program and will provide additional income of \$387,303 on the General Rate income received in 2012/13.

As required by Local Government regulations the 'farmland' and 'intensive use' farmland remain the lowest rate in the dollar.

GST Changes 2012-2013

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 with the effect to directly impact on local government. From 30 June 2012 the new tax arrangements will apply which is following implementation on 1 July 2011 and a twelve month 'grandfather' clause.

GST will be payable from 1 July 2012 on the following charges:

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

Fees and Charges

The Council has reviewed its fees and charges to ensure that they contribute to ensuring a balanced budget. Some fees and charges are set by legislation and these remain unchanged. Other fees and charges are increased in line with CPI, and others, such as the cost to 'Bump in and Bump Out' for events at sporting fields and other facilities have been deleted to allow for single hire of the facility. Water and sewerage charges are discussed further in the report.

Parking Rates

The parking rate has increased by rate pegging of 3.6% to 0.00869204c in the dollar as from 1 July 2012 for the first time. 10% GST of 0.000869204 applies to total 0.009561c in the dollar. This will generate an income of \$224,084.98 (GST exclusive) on 155 properties identified in Railway Parade, Mort and Lithgow Streets.

Special Rate Variation – Infrastructure Levy

Council resolved in 2009 to make application to the Minister for Local Government for a special rate variation for infrastructure improvements in the local government area. The variation was approved for a 10 year period. Funds raised by this special rate are being used to improve many of the local roads and community buildings.

This is in response to Councillor and the community's concerns. Council continues to apply for grants to both the State and Federal Governments and for corporate sponsorship in addition to the special rate to progress improvements as quickly as possible. An example of this is the \$1.4 million Stage 1 development of the Lithgow Aquatic Centre currently being undertaken.

The works funded by the Special Rate Variation in the following table are included in the combined Draft Delivery Program 2012/13 – 2015/16 and Draft Operations Plan 2012/13:

PROPOSED INFRASTRUCTURE LEVY: SPECIAL RATE VARIATION SEC 508 (2) OF THE LG ACT 1993				
	2012/13	2013/14	2014/15	2015/16
Roads				
Cox's River Road			40,000	
Maggpie Hollow Road			157,566	
Mid Hartley Road	80,000	80,000		80,000
Glen Davis Road	105,000	105,000		133,000
Reseals - 10mm	101,000	116,000	133,000	120,000
Lithgow/ Portland Lanes	90,000	90,000	90,000	90,000
Total Road Improvements	376,000	391,000	420,566	423,000
Buildings				
Community Halls Upgrade		20,000		
Vale Hall Upgrade		10,000		
Crystal Theatre Upgrade		20,000		
Golf Club	15,000			15,000
Lake Wallace Toilets: Refit Interior & Security	38,000		24,000	37,000
General Asset Building Maintenance	60,000	64,000	75,000	60,000
Total Building Improvements	113,000	114,000	99,000	112,000
TOTAL EXPENDITURE SPECIAL RATE	489,000	505,000	519,566	535,000

Section 94A Levy Contributions

Council has undertaken a review of its Development Contributions Framework and is proceeding with the introduction of a Section 94A Levy Plan that will apply across the LGA. This review has been necessitated by the obsolete nature of the existing Section 94 Plans that no longer provide for the proper consideration of development contributions for necessary infrastructure and public amenities improvements.

Note: The table below identifies the Section 94A Levy Contribution portion only for each project.

Proposed 4 Year Works Program – Section 94A Levy Contributions				
	2012/13	2013/14	2014/15	2015/16
Roads				
Rural Roads Rehabilitation	50,000	50,000	50,000	50,000
Rural Roads Construction	150,000	150,000	150,000	150,000
Drainage Construction	60,000	60,000	60,000	60,000
Mobility and Pedestrian Upgrade	0	62,000	60,000	50,000
Buildings				

Union Theatre Upgrade	50,000	100,000		
Emergency Services Building Upgrade	120,000			
CCTV		10,000	10,000	
CBD Amenities		150,000		
Other Amenities			125,000	
TOTAL EXPENDITURE SECTION 94	430,000	582,000	445,000	310,000

Waste Charges

Due to the further development of the waste disposal facility at Blackman's Flat, upgrading of the Lithgow Solid Waste Facility and the closure and rehabilitation of rural landfills during 2012/13 it is recommended that the residential and business garbage charge be increased by \$45.00 and for the first time from 1 July 2012 10% GST of \$36.20 applies to all commercial and domestic waste income therefore residential and business waste charge will be \$398.20 GST Inc.

Waste Charges				
Type of Service	Charge (\$)	GST	Total (\$)	Estimated Yield (\$)
Residential	362.00	36.20	398.20	2,931,476
Second Bin				
Medical Waste/Large Family	362.00	36.20	398.20	2,534
Business	362.00	36.20	398.20	229,870
Non Rateable	362.00	36.20	398.20	80,726
Unoccupied Urban	362.00	36.20	398.20	85,946
Rural	86.50	8.65	95.15	203,967
Total Estimated Yield				3,534,519

Stormwater Charges

It is proposed that the following stormwater charges will be levied on all residential and business properties within identified urban areas, except those which are vacant land and remain unchanged from the 2011/12 stormwater charges. The levy is used to partly fund the maintenance and improvements to urban drainage as well as the flood mitigation works at Farmers Creek, Lithgow.

Stormwater Charges		
Type	Charge (\$)	Estimated Yield (\$)
Residential	25.00	151,125
Strata Unit (Residential)	12.50	1,088
Business	25.00 per 350sq metres (\$1,500 Cap)	88,500
Total Estimated Yield		240,713

Key Social, Economic and Environmental Strategies

In the Delivery Program Council is continuing to plan for a sustainable future by responding to the needs outlined in the Draft Community Strategic Plan 2025 for the development of robust planning instruments. During 2011/12 Council continued to plan for the future with the community with the development of the Integrated Planning and Reporting Framework, the Ageing Strategy, the Lithgow Land Use Strategy and Issues

Paper, Open Space and Recreation Study, Lithgow Heritage Development Control Plan Study and the Draft Tourism Strategy.

All of these plans provide, and will provide, well-informed evidence and have had considerable community input. As such, they inform Council's decisions and are informing the Draft Delivery Program and Operations Plan.

During 2012/13 Council will be continuing to work with the community to plan for the future by:

- Developing a Family Friendly Community Strategy.
- Developing a Youth Strategy.
- Developing a Comprehensive Local Environmental Plan for the area and ab Comprehensive Development Control Plan.
- Finalising a Tourism Development Strategy.
- Commencing development of a Housing Strategy.
- Finalising a Disability Access Strategy.
- Developing a Masterplan for Council's major open space recreational precinct in and around Tony Luchetti Sportsground.
- Preparation of Plans of Management for "Community" classified lands, "Operational" classified lands, Crown Lands and other recreational facilities.
- Developing a Floodplain Risk Management Plan which will identify flood effected areas, evacuation routes and emergency provisions.
- Developing a Communications Strategy.

Other significant projects will include:

- Developing the Lithgow Heritage Walk, a public art and placemaking project largely funded with \$150,000 from Xstrata Coal. This project was identified in the Cultural Precinct Study as a priority action and will link Eskbank House Museum, Blast Furnace Park and Lake Pillans Wetland.
- Continuing promotion of Lithgow as a place to invest, do business and visit though integrated marketing and promotional strategies utilising such means as the Lithgow Visitors Guide and Economic Prospectus and by working collaboratively with businesses and regional partners such as Blue Mountains, Lithgow and Oberon Tourism and Bathurst Tourism, as well as government agencies such as the Department of Industry and Investment.

Council will continue to provide a range of community services that underpin quality of life including:

- Operation of the Council's Libraries in Lithgow, Portland and Wallerawang and commencing a pilot program for the Housebound Library Service.
- Financial assistance to community groups.
- Continuing operations of Eskbank House Museum.
- Carrying out of health inspections for food premises, trade waste, septic tanks and water supplies.
- Provision of tourism information services through the Visitor Information Centre.
- Support for youth activities identified by the Youth Council and Youth Forums.

Major upgrades to roads and buildings planned

Significant works need to be undertaken on roads and public buildings to improve their condition. To this end Council is continuing to inject significant funds into infrastructure into the future. Major projects for 2011/12 will include:

Roads to Recovery Program

- Rehabilitation of 2km of the Glen Davis/Glen Alice Roads - \$180,000
- Gravel and bitumen sealing to 2.5km of Dark Corner Road continuing on from previous widening near Mitchells Road. - \$190,000
- Rehabilitation of 1km of Mid Hartley Road between Browns Gap and the Great Western Highway- \$100,000.
- Rehabilitation of 1km of Springvale Lane from the Castlereagh Highway- \$90,000.

Timber Bridge Improvements

- Palmers Oakey Bridge \$65,000

Road works fund from the Infrastructure Levy Program

- Rehabilitation and improved drainage to Mid Hartley Road \$80,000
- Rehabilitation and improved drainage to Glen Davis Road \$105,000
- Urban reseals to various streets in Lithgow and Portland \$101,365
- Laneway improvements \$90,000

Rural Roads sealed rehabilitation funded from revenue

- Resealing 1km of Magpie Hollow Road from the bottom of Mortens Hill towards Lake Lyell \$100,000
- Rehabilitation of 1.5km of Glen Alice Road near Mt Marsden \$108,000

Urban Streets, reseals funded from revenue

- Wallerawang Streets \$100,000
- Portland Streets \$100,000
- Main Street, Wallerawang \$199,000

Road Ancillary Facilities

- Village Drainage Improvements at Capertee \$25,155
- Urban Drainage Improvements Falnash and Green Streets, Portland \$123,300
- Continue the cycleway/pedestrian link from Geordie Street to the Highway linking the Visitor Information Centre to MacDonald's \$100,000.
- Footpath construction over culverts in Hillcrest and Chifley Road and Mort Street - \$49,500.
- Kerb and Gutter Construction in Barton Street, Wallerawang \$64,600.

Improvements to buildings

- External cladding of the Hermitage Hall \$10,000.
- Upgrade the change rooms and toilet facilities for performers in the Union Theatre \$150,000.
- Replacement of roof to 162 Main Street, Lithgow \$20,000.
- Upgrade Lidsdale Tennis Buildings \$30,000

Improvements to buildings from the Special Rate Variation

- Lithgow Golf Club Veranda \$15,000

- Refit the interior and upgrade security of the Lake Wallace Toilets \$38,000
- General asset maintenance \$60,000

Recreation Assets Upgrade

Works included in this program are: Top dressing playing fields, vegetation management of natural watercourses in Lithgow, streetscape improvements, passive parks improvements and cemetery improvements – \$587,355

Flood Mitigation Program

Work is continuing on the design of the next section of Farmers Creek mitigation from Watsford Oval to the Albert Street Bridge. This section will present a number of complex engineering challenges due to the topography and location of existing services. Design costs - \$222,500 which is part funded from grants.

Waste Improvements

Council is continuing to upgrade its waste facilities including:

- Planning for stage 1 rehabilitation of the Lithgow Solid Waste Facility - \$20,000
- Closure of Cullen Bullen Landfill and commencement of rehabilitation - \$20,000
- Provision of recycling facilities at Angus Place, Hampton, Meadow Flat and Tarana Waste Transfer Stations \$30,000
- Undertake post closure monitoring of Angus Place and Cullen Bullen Landfills \$15,000.

Sewerage Treatment and Reticulation Improvements

Council is continuing to upgrade its Sewerage Treatment and Reticulation infrastructure.

- Renewal of sewer mains \$310,000
- Upgrade the Sewerage Reticulation Network in the South Bowenfels/South Littleton area \$750,000.
- Construct upgrades to pumping stations \$100,000.
- Provide sewer overflow protections to infrastructure \$100,000
- Upgrade the Portland Sewerage Treatment Plant \$100,000
- Reserve funds for the extension of the sewer main to Doctors Gap \$500,000.

Water Storage and Reticulation Improvements

Significant works need to be undertaken on to Council's Water Storage and Reticulation systems to improve their condition and maximise efficiencies:

- A major program to renew old water mains is to be undertaken particularly in Wallerawang and Portland to improve security of supply and minimise failure - \$500,000.
- Undertake maintenance works to the Oakey Park Water Treatment Plant \$150,000.
- Undertake safety works to Farmers Creek No. 2 Dam \$100,000.
- Upgrade reservoirs \$200,000.
- Reserve funds for the extension of the water main to Doctors Gap \$255,000.

Grant Funding and Corporate Sponsorship

The Council is continuing to apply for funding from the State and Federal Government and other sources. In 2011/12 Council received \$45,000 funding from Destination NSW for the installation of town entrance signage at Capertee, tourism signage at Wallerawang and Portland and directional signage in Lithgow. This signage will be

developed and installed following completion of the Marketing and Branding Strategy. In addition, Council has applied for \$3,000,000 in Biodiversity Funding over 6 years from the Federal Government's Clean Energy Future Funding Program. This project will target the Farmers Creek Corridor and tributaries in terms of walking, cycling, recreation, tree planting and stream watch activities.

As stated above Xstrata Coal is continuing to contribute to the development of public art for a heritage walk and recently announced an additional \$50,000 in funding for this project. This brings their total contribution to the Lithgow History Walk Project to \$150,000.

Best Practice Water and Sewer Pricing

In 2010/11 Council was required as part of the funding conditions from the NSW State Government for the upgrade of the Lithgow Sewerage Treatment Plant to introduce major changes to its Water and Sewer Pricing which would see best practice in line with industry standards.

The increases to the 2012/13 water pricing will ensure the Lithgow local government area progresses water charges in compliance with the NSW Best Practice Guidelines of 75% of residential income from usage and 25% of revenue from access charges.

Sewerage Charges

Recent financial years has seen Council spend approximately \$30 million in the upgrade of the Lithgow and Wallerawang Sewerage Treatment Plants. Plans are also being made to upgrade the Portland Sewage Treatment Plant and for the provision of sewerage to Cullen Bullen.

Wastewater Major Capital Projects: Summary

Project	2012/13 \$'000	2013/14 \$'000	2014/15 \$'000	2015/16 \$'000	Total Exp. \$'000
Lithgow / Wallerawang: UV	60,000	60,000	60,000	60,000	240,000
Portland: STP	100,000	100,000			200,000
Mains	300,000	300,000	300,000	300,000	1,200,000
Pumping Stations	100,000	100,000	100,000	100,000	400,000
Doctors Gap Extension	500,000	500,000			1,000,000
Cullen Bullen Sewer			100,000	2,000,000	2,100,000
South Bowenfels Infrastructure	750,000	161,000	319,000	150,000	1,380,000
Other Infrastructure	340,000	240,000	240,000	340,000	1,160,000
Total Sewerage	2,150,000	1,461,000	1,119,000	2,950,000	7,680,000

In 2012/13 the following residential or business sewage access charges will be levied on all rateable and non rateable properties which are connected to or within 75 metres of Council's reticulated sewerage system:

Sewerage Access Charges

Type	Charge (\$)	Estimated Yield (\$)
Residential	488	3,473,096
Less write-off pension rebate		-169,750
Business (main size):		
200mm	995	995

100mm	995	20,367
50mm	875	50,312
20mm	660	233,211
Total Estimated Yield		3,608,231

The following sewerage usage charges will be levied to all properties using Council's reticulated sewerage system:

Sewerage Usage Charges	
Type	Charge (\$)
Residential	279
Business (95% of water usage)	1.39

Water Charges

Water Major Capital Projects: Summary

Project	2012/13 \$'000	2013/14 \$'000	2014/15 \$'000	2015/16 \$'000	Total Exp. \$'000
Dam Safety works	100,000	100,000			200,000
Oakey Park WTP	150,000	100,000	100,000	50,000	400,000
Doctors Gap	225,000	225,000			450,000
Reservoir Improvements	200,000	200,000		250,000	650,000
Mains Renewal	500,000	500,000	500,000	500,000	2,000,000
Other Infrastructure	0	350,000	250,000	490,000	1,090,000
Total Water	1,175,000	1,475,000	850,000	1,290,000	4,790,000

The following residential or business water availability charge will be levied on all rateable and non rateable properties which are connected to or within 225 metres of Council's reticulated water supply system:

Water Availability Charges		
Type	Charge (\$)	Estimated Yield (\$)
Residential	125	961,000
Less write-off pension rebate		-172,987
Business (main size):		
200mm	880	880
100mm	880	23,760
50mm	775	58,900
20mm	585	242,775
Total Estimated Yield		1,287,315

The following water usage charges will be levied to all properties using Council's reticulated water supply system:

Water Usage Charges	
Kilolitres Used	Charge (\$)
0 – 250 Residential	2.70 / kl
250+ Residential	4.05 / kl
All business – Flat rate	2.76 / kl

Interest charges on outstanding property balances

Interest to be charged on rate and water arrears has been determined by the Department of Local Government at 11%.

Capital projects and discretionary expenditure

To highlight major capital projects and discretionary expenditure in the combined Draft Delivery Program and Draft Operations Plan they may be summarised as:

Capital Projects & Discretionary Expenditure: Summary of Major Projects			
	Expenditure	Income	2012/13
GENERAL FUND			
<u>EXECUTIVE</u>			
LG Election (From Reserve previous yrs)	130,000	-106,000	24,000
<u>OPERATIONS</u>			
Bridge Improvements			
Timber Bridge Construction	65,000		
Kerb & Gutter Construction			
Urban Construction	62,000	-32,000	30,000
Footpath Construction			
Urban construction	32,740		32,740
Rural Roads Improvements: Gravel Resheeting			
Gravel Resheeting	164,547		164,547
RTA 3x3	320,000	-320,000	0
Roads to Recovery Program Glen Davis Road /Dark Corner Road /Mid Hartley Road /Springvale Lane	560000	-560000	0
Infrastructure Levy Program (2009/10 DLG Application 5% Special Rate Variation)			
Infrastructure Levy Program (5% Special Rate: Income in Operating)			
Mid Hartley Road	80,000		80,000
Glen Davis Road	105,000		105,000
Reseals – 10mm	101,000		101,000
Lithgow/Portland Lanes	90,000		90,000
Golf Club	15,000		15,000

Lake Wallace Toilets: Refit Interior & Security	38,000		38,000
General Asset Building Maintenance	60,000		60,000
	489,000		489,000
Sec 94 Plan			
Rural Roads Rehab	100,000	-50,000	5,000
Rural Roads Construction	300,000	-150,000	150,000
Drainage Construction	120,000	-60,000	60,000
Union Theatre Upgrade	100,000	-50,000	50,000
RFS Building Upgrade	120,000	-120,000	0
	740,000	-430,000	310,000
Rural Sealed Rehabilitation			
Glen Alice Rd	50,000		50,000
OPERATIONS MISCELLANEOUS			
Main St Pavers	50,000		50,000
Guardrail Installations	35,000		35,000
Line marking	23,000		23,000
Tree Removal Contract	20,000		20,000
Village Drainage: Capertee	29,900		29,900
Bus Shelters	5,950		5,950
FLOODPLAIN MANAGEMENT			
Flood mitigation Program	225,000	-150,000	75,000
RECREATION			
Streetscape Improvements	20,000		20,000
Active Recreation	50,000		50,000
Passive Parks Improvements	85,000		85,000
Watercourse Maintenance / Farmers Creek Vegetation	20,000		20,000
Noxious Weed Control	20,000		20,000
Golf Club Improvements	16,000		16,000
Passive P & G QE Park Improvements	42,000		42,000

Cemetery Improvements	27,000		27,000
PLANT			
Light / Heavy Vehicles – Including to Reserve	1,530,000	-480,000	1,050,000
BUILDINGS			
Administration Building Planned Maintenance	8,780		8,780
162 Mort St Shop: New Roof /Paint	20,000		20,000
16-26 Main St Shops - Planned Maintenance	3,500		3,500
Lithgow Lib / Learn Centre - Planned Maintenance	5,500		5,500
Lithgow Sports Stadium - Replace Defective Doors	4,000		4,000
Lithgow Depot Store: Brickwork Repairs	1,500		1,500
Dog Pound Improvements	30,000		30,000
Crystal Theatre: Progressive Upgrade (Bld Res)	20,000		20,000
Memorial Hall Wallerawang	2,000		2,000
Chairs	12,000		12,000
CCTV Camera: Main & Eskbank St	10,000		10,000
Civic Ballroom: Kitchen Upgrade (Bld Res)	1,000		1,000
Hermitage Hall	10,000		10,000
Wallerawang Depot - Plant Shed	80,000		80,000
Lithgow Depot Yard Seal	55,000		55,000
Lithgow Depot Improvements Compound	45,000		45,000
Two Way Radio Upgrade	35,000		35,000
Master Key system	100,000		100,000
POLICY & PLANNING			
PLANNING			
Planning studies	200,000		200,000
CORPORATE			
Community Banners Program	3,000		3,000
Xmas: Main St Decorations Duplicated above	25,700		25,700

Community Client Satisfaction Survey	2,500		2,500
<u>IT CAPITAL</u>			
<u>INFORMATION TECHNOLOGY</u>			
IT Reserve as programmed	320,000	-165,000	155,000
TOTAL INFORMATION TECHNOLOGY			
<u>COMMUNITY CAPITAL</u>			
<u>LIBRARY</u>			
Resources	94,000	-14,000	80,000
<u>COMMUNITY & CULTURAL</u>			
Youth Day Activities	3,000	-1,500	1,500
Museum Advisor Program - Eskbank House	17,000	-10,000	0
Eskbank House Conservation Plan	41,000	-41,000	0
Eskbank House displays & Exhibitions	11,000		11,000
Heritage and Arts Trails	10,000		10,000

Borrowings

In 2012/13 Council intends to borrow up to \$1,250,000 for the Wastewater Fund to carryout the following works:

- South Bowenfels Infrastructure: \$ 750,000
- Doctors Gap Infrastructure: \$ 500,000
- **Total 11/12 Loan Program \$1,250,000**

Depreciation

As advised in previous years, Council's treatment of depreciation has altered from previous management plans. Council had previously 'cash funded' depreciation: this Draft Management Plan reflects Council's injection of the depreciable value, \$9,548,000 back into infrastructure improvements.

Resourcing Strategy

A requirement of the Local Government Amendment (Planning and Reporting) Bill 2009 is for Councils to develop a Resourcing Strategy consisting of a Long Term Financial Plan (10 years), Strategic Asset Management Plan (10 years) and Workforce Strategy (minimum 4 years) to implement the strategies established by the Community Strategic Plan that Council is responsible for. Council's Resourcing Strategy comprises three separate documents all of which are tabled for Council consideration and adoption for exhibition seeking community input and comment.

Long Term Financial Plan

The 2012/13 - 2021/22 Long Term Financial Plan presents the strategic aims, financial objective, financial indicators and strategies Council will use to continue its progress to meet financial sustainability challenges from 2012/13 to 2021/22.

The plan will be reviewed and regularly updated to meet the requirements of integrated planning and reporting reforms on a regular basis and will address Council's ability to meet future demands, community needs and economic growth.

The financial modelling supporting the Long Term Financial Plan is used to forecast Council's financial future for the next ten years. The Strategy provides for decision making and problem solving to enable decisions to be made on how to best achieve the Council's corporate objectives while addressing its long term financial challenges. The Long Term Financial Plan is not intended as a document to indicate what services or proposals should be allocated funds, but rather it addresses areas that impact on Council's ability to fund its services and capital works whilst living within its means.

In order to continue to be financially sustainable, Council must meet its funding requirements relative to the provision of required services including maintenance, renewal and replacement of assets without imposing excessive debt on current or future generations and also without unplanned rate revenue increases.

The Long Term Financial Plan provides an opportunity to identify financial issues at an early stage and gauge the effect of these issues in the longer term predicting Council's performance and position to improve not only infrastructure levels but also standards without the need for unplanned increases in rates or reductions to services.

When reviewing the financial sustainability of all Council's in 2009, IPART noted that Council's had to improve their financial performance or achieve strong financial sustainability using a combination of the following:

- Adopting special rate variations to progressively lift or maintain revenue relative to total revenue;
- Maintain a strong rate base equivalent to 50% or more of total revenue;
- Record operating surpluses, excluding capital over a period of time;
- Address relatively low infrastructure backlogs on a regular basis;
- Retain or reduce expenditure on traditional service levels as a percentage of total expenditure

In order to achieve financial sustainability by 2021/22 the Long Term Financial Plan aims to:

- Deliver the required services in response to community priorities previously identified in Our Place...Our Future Community Strategic Plan 2025.
- Generate funding needed to address community service priorities and maintain assets in a serviceable condition by 2021/22

The 2012/13 -2021/22 financial objectives for achieving financial sustainability are to:

- Improve on the operating result from continuing operations
- Improve the operating balance ratio
- Maintain a reasonable unrestricted working capital to 2021/22

- Increase the 'Rates Coverage Ratio,' while considering the communities capacity to pay
- Address the 'Asset Renewal Ratio'
- Maintain the 'Debt Service Ratio' at a sustainable level

Workforce Strategy

The Lithgow City Council Workforce Strategy 2012-2016 addresses the human resources requirements of Council's Delivery Program 2012-2016. Its purpose is to ensure that strategies are put in place to shape the workforce and provide the capabilities to deliver the vision and objectives of Our Place...Our Future Community Strategic Plan 2025. Workforce strategies will both enhance the effectiveness of the workforce overall and attract, recruit, develop, retain and re-engage valued and skilled employees.

The Workforce Strategy compliments and enhances the effectiveness of our existing strategies, policies and practices in the 'core' areas of:

- Human Resource Management
- Industrial Relations
- Workplace Health and Safety
- Training and Development
- Workers Compensation Management.

The Workforce Strategy describes where Lithgow City Council is today in terms of its workforce, where the Council wants to be and the action that must be taken to achieve the organisation's workforce planning and human resources management objectives. It provides a framework for aligning decisions about human resources (such as recruitment, development, internal deployment etc.) with outcomes, actions and strategies in Our Place...Our Future Community Strategic Plan 2025. It takes into account current information, the economic factors and the 2012-2016 Desired Outcomes, Actions and Performance Indicators identified in Council's 2012-2016 Delivery Program and 2012-2013 Operation Plan.

The strategy reviews Council's human resources capacity and capability as an organisation, both in the way it relates to and delivers services to the community and in its position to become an employer of choice in an increasingly competitive employment market with an ageing workforce. The focus of the Workforce Strategy is to fundamentally review the Council's current approach to Human Resource (HR) Management and to set the strategic Human Resource agenda for Council's sustainable future over the next four years. The key driving influences in developing the Workforce Strategy are to:

- Ensure the Council has in place the necessary human resources to achieve the community's ideas and aspirations for the future, while at the same time;
- Contribute to addressing the financial imperatives facing council.

The financial pressures facing the Council over 2012-2016 are that its costs (in particular employment costs) are continuing to rise faster than income, there are increasing community expectations in terms of service levels and there will be additional capital expenditure and resources needed over the next ten years to improve the condition of the Council's ageing assets. Therefore the strategic focus of the Workforce Strategy

needs to respond to the Community Strategic Plan 2025, Delivery Program and Long Term Financial Plan, particularly in relation to employment costs and required skills.

The Strategy sets out the issues, evidence and strategies required to deliver a sustainable Lithgow Council workforce, capable of maintaining high quality services for our community over the next four years. The aim of the Strategy is to set targets and develop strategies to facilitate recruitment in areas of known shortages and at the same time put in place strategies to retain existing staff. It also aims to influence how our workforce is educated, trained and developed into the future, aligning Our Place...Our Future Community Strategic Plan 2025 with the right people to ensure that the job gets done.

Seven key actions have been developed, which will drive the Council's strategic workforce planning over the next four years as follows:

1. To maintain a focus on sustainable organisational priorities striving to keep total employment costs in line with increases in income - "living within Our Means"
2. To ensure employment demographics meet the organisation's future needs
3. Reduce skills gaps
4. To encourage a culture that supports a cooperative and productive work place
5. To encourage a culture that supports integration and cross functional collaboration supported by integrated service provision and systems.
6. To comply with Council's corporate identity
7. To review Council's current salary system

Within Our Place...Our Future Community Strategic Plan 2025, the Workforce Planning objectives have been included as actions in the Principle Activity Area of Responsible Governance and Civic Leadership. However, a number of the objectives also play a role in meeting the desired outcomes of actions identified within the Principle Activity Areas of Caring for Our Community and Strengthening Our Economy.

Strategic Asset Management Plan

The Strategic Asset Management Plan sets the framework for how Council intends on setting directions to determine how assets should be operated, maintained, acquired and disposed of over the next ten (10) years. Council has a responsibility to provide an extensive range of services to the community, and these services rely on the acquisition of assets. These assets in turn need to be operated effectively and maintained in a satisfactory condition, all of which requires resources.

The decisions that Council must make in relation to future asset management are amongst the most important made by Council. A number of factors that are crucial in assessing and determining how assets are managed have been considered in the development of the Strategic Asset Management Plan, including

- Funding opportunities and limitations;
- Community pressure for improved levels of services at no increased cost;
- Changes in legislation and regulations requiring assets to be upgraded for compliance, identification and depreciation purposes; and
- Relationships to other Council Plans including Our Place...Our Future Community Strategic Plan 2025, Delivery Program 2012-2016, Operations Plan 2012-2013 and integrated planning and reporting requirements.

The aims and objectives of the Strategic Asset Management Plan are to:

- Improve Council's current asset management practices by developing a plan with defined actions, including:
 - Identified responsibility and accountability for all Council assets;
 - Better communication and working relationships with asset users;
 - Enhanced risk management processes in relation to operation and maintenance of assets;
 - Ensuring that all of Council's assets are utilised in an effective and efficient manner by the community;
 - Improved value for money in relation to operation and maintenance of assets.
- Develop and implement a plan that identifies necessary asset improvements, and ensures that asset management principles and practices are undertaken consistently by the entire Council, allowing Council to effectively manage current and future assets.
- Enable Council to fund its Delivery Program and Operations Plan more effectively and efficiently.
- Enable Council to competently deliver appropriate services as identified by the community.
- Enable Council to maintain its assets to an acceptable standard, and extend the lifecycle of major assets to provide for future generations.
- Be a document that will be reviewed periodically to reflect any changes identified through community consultation, or changes to other Council's plans, including the Community Strategic Plan, Delivery Program and Operations Plan.

The Strategic Asset Management Plan sets out a strategic approach to the acquisition, disposal, renewal and maintenance of assets to provide maximum value for money. It provides for a streamlined corporate focus toward asset management which will improve the benefits and costs to Council whilst embracing the overall needs of Council and its community including financial, social, legislative and environmental considerations.

Community Engagement

The Integrated Planning and Reporting Framework is provided for Council's consideration to place on public exhibition for a minimum period of 28 days. Closing date for public submissions will be Friday 25 May 2012. This will allow the document suite to be put to the Council on 4 June for adoption.

Should the Council endorse the Integrated Planning and Reporting Framework, community briefing sessions and open house sessions will be held on the following days and times:

- **Thursday 26 April** 6 - 7.30pm - Capertee Memorial Hall- IPR Briefing Session
- **Wed 2nd May** 6 - 7.30pm – Hartley Old Schoolhouse - IPR Briefing Session
- **Thursday 3rd May** 2-5pm - Portland Library - Open House Session
- **Friday 4th May** 10am - 4pm - Lithgow Valley Shopping Centre - Open House Session
- **Tuesday 8th May** 10am - 1pm - Wallerawang Library - Open House Session
- **Thursday 10th May** 4pm - 6pm - Council Admin Centre - Youth Forum
- **Friday 11 May** 10am-6pm - Lithgow Library - Open House Session

POLICY IMPLICATIONS

Nil arising from the report.

FINANCIAL IMPLICATIONS

The financial implications of the combined Draft Management Plan 2011/12 – 2014/15 and Draft Operations Plan 2011/12 are detailed in the budgets provided.

LEGAL IMPLICATIONS

The Local Government Act 1993 and Local Government (General) Regulation 2005 outlines requirements for the preparation, exhibition and adoption of the management plans. The Draft Management Plan must be exhibited for a minimum period of 28 days.

ATTACHMENTS

1. Draft Community Strategic Plan 2025
2. The combined Draft Delivery Program 2012/13 – 2015/16 and Draft Operations Plan 2012/13.
3. Draft Fees and Charges 2012/13.
4. Draft Strategic Asset Management Plan
5. Draft Long Term Financial Plan
6. Draft Workforce Strategy

RECOMMENDATION

THAT:

1. The Integrated Planning and Reporting Framework suite of documents be placed on public exhibition for a minimum of 28 days. This will include the following documents:
 - a. The Draft Community Strategic Plan 2025
 - b. The combined Draft Delivery Program 2012/13 – 2015/16 and Draft Operations Plan 2012/13 and the Draft Fees and Charges 2012/13
 - c. The Draft Strategic Asset Management Plan
 - d. The Draft Long Term Financial Plan
 - e. The Draft Workforce Strategy
2. The closing date for submissions be Friday 25 May 2012.

ENVIRONMENT AND DEVELOPMENT REPORTS

ITEM-10 ENVIRO - 23/04/12 - WESTON MATRIX LEASE - BLACKMANS FLAT WASTE DEPOT

REPORT BY: A MUIR – GROUP MANAGER ENVIRONMENT AND DEVELOPMENT

REFERENCE

Min No 11-144 – Ordinary Meeting of 8 April 2011
Development Application 017/11DA – Approval 20 June 2011
Development Application 017/11DA – Section 96 Modification – Approval 12 September 2011

SUMMARY

To advise Council of a request from Weston Matrix for a long term lease for the area of their operations at Blackmans Flat Waste Depot and to recommend that the General Manager be authorised to negotiate an appropriate lease.

COMMENTARY

Council would be aware that consent was granted to Development Application 017/11DA for Weston Matrix Pty Ltd to conduct a six month trial of a Mobile Resource Recovery Mill (MRRM) at the Blackmans Flat Waste Management Facility. The mill blends coal washery reject from Centennial Coal's Springvale facility with fly ash from Delta Electricity with water to create a product that is then trucked from the site for use as road construction material.

Council on 12 September 2011 resolved in part that:

That the approval will only operate for a period of six (6) months from the date of commencement of operations.

Weston Matrix have advised that they are committed to a long term venture within the Lithgow region which they say will deliver substantial resource recovery benefits and demonstrate Lithgow Council as a leader in sustainability in NSW. The company indicates that to commit to the substantial capital that is needed to establish and develop the operation to the standard required they request a lease arrangement of at least 5 to 10 years for the site with ongoing options.

The issue for Council to address is that 017/11DA was only for a finite period of six (6) months and for very specific destinations, such as Back Cullen Road. To vary the consent it will be necessary for Weston Matrix to lodge a new development application or a Section 96 modification for the existing DA to cover an extended lease period and final destination for the product.

Council could agree in principle to a lease extension to five (5) years subject to the necessary consents being obtained.

POLICY IMPLICATIONS

Council's Policy 7.6 – Development Applications on Council Owned Land requires that all such applications are to be referred to Council for consideration and determination and that no aspect of the development is to be considered under delegated authority.

As this issue relates to a development application and Council's ownership of the land it is submitted to for determination.

LEGAL IMPLICATIONS

A development application can only be lodged for a development on land if the owner of the land agrees to its lodgement. The land is classified as Operational under the provisions of the Local Government Act.

RECOMMENDATION

THAT

1. Council agree in principle to a five (5) year lease of the site at Blackmans Flat Waste Management Facility with Weston Matrix Pty Ltd subject to them obtaining the necessary development consent before 1 December 2012 and agreeing to commercial terms as determined by Council's property agent.
2. Upon agreement of commercial terms, the General Manager be given authority to execute the lease; and
3. Council authorise the affixing of the Council seal to any necessary documentation.

**ITEM-11 ENVIRO - 23/04/12 - ROAD CLOSURE - LITHGOW DISTRICT
WORKMENS CLUB**

REPORT BY: A MUIR - GROUP MANAGER ENVIRONMENT AND DEVELOPMENT

REFERENCE

Min No 11-210 - Ordinary Meeting of 30 May 2011
Min No 11-269 - Ordinary Meeting of 11 July 2011
Min No 12-21 - Ordinary Meeting of 23 January 2012

SUMMARY

To seek Council authorisation to affix the common seal to the necessary documentation to facilitate the road closure within the Lithgow Workmen's Club car park. The land is described as part of laneway comprised in Certificate of Title - Volume 1072, Folio 154 and Certificate of Title - Volume 1134, Folio 81.

COMMENTARY

Council will recall this matter being discussed on several occasions. Most recently at the Ordinary Meeting of 23 January 2011, it was necessary to dedicate the strip of land within Section 32 DP 3364 as public road. Council's solicitor has now advised that due to the requirements of Land and Property Information (Land Titles Office) that it will be necessary to affix the common seal to the administration sheet which forms part of the title registration documentation. This is because Council is now the owner of the subject land and must execute the administration sheet in its capacity as owner in addition to having completed the subdivision certificate.

LEGAL IMPLICATIONS

Clause 400(4) of the Local Government (General) Regulation 2005 provides that the seal of a Council must not be affixed to a document unless the document relates to the business of the Council and the Council has resolved that the seal be so affixed.

RECOMMENDATION

THAT Council authorise the use of the common seal to be affixed to the necessary documentation in relation to the road closure comprised in Certificate of Title - Volume 1072, Folio 154 and Certificate of Title - Volume 1134, Folio 81 situated within the Workmen's Club car park.

ITEM-12 ENVIRO - 23/04/12 - COOK STREET PLAZA SECURITY CAMERA

REPORT BY: A MUIR – GROUP MANAGER ENVIRONMENT AND DEVELOPMENT

SUMMARY

To advise Council of concerns relating to the location of the CCTV camera in Cook Street Plaza and recommend the removal of one tree.

COMMENTARY

Council would be aware of the article in the Lithgow Mercury and adverse publicity that occurred as a result of the proposal to remove one tree in Cook Street Plaza that is impacting on the existing CCTV security camera.

The issue of the tree removal was initially raised by Lithgow Police with concerns that the tree immediately behind the camera obstructed the view of the railway station entry and the railway side of Main Street. The Police requested that this tree be removed.

The security camera system is on a direct link to the police station and has been an effective policing aid.

The CCTV camera in this location is a PTZ (pan-tilt-zoom) camera that is capable of panning 360 degrees. It was placed in this location some years ago prior to the trees growing to their current size. It was considered by the security consultant to be the prime location to view the whole of the plaza including the public phone, the railway station entry, and the underside of the awnings in both directions along Main Street.

Without the removal of at least one tree, it will be necessary to install a minimum of one additional camera in the location to achieve satisfactory coverage to provide a safe environment for users of the plaza.

The following options are available:

1. Do nothing. Not considered supportable as Council needs to be aware that there is a greater risk of injury/theft/property damage and/or apprehension without having the footage recorded due to trees blocking the field of view.
2. Remove the tree directly behind the existing camera location in Cook Street Plaza. This would eliminate the problem and would mean only a short section of unimpeded vision.
3. Raise the existing camera in its current location above the tree line. This would be ineffective as the camera would then lose vision under the awnings impacting on public safety. The cost of this option is estimated at \$1,500.
4. Relocate the existing camera. This has been assessed by Council's security consultant who advised that this option would be costly and would not provide better vision than what is being achieved in the current location, which also provides perfect shots during the winter months and late autumn when the trees have lost their leaves. The relocation cost is estimated at \$3,500.

5. Place a second fixed camera on the existing pole. The consultant has advised that this involves expensive AV splitting equipment and may become ineffective should the trees continue to grow. The estimated cost is \$4,000.
6. Place a second fixed camera either on the post office wall on the Free Choice building on the opposite corner. This would provide a view of the crossing and the railway station entrance. This would not be a PTZ but would pick up what the trees block out. An estimate of the cost is \$4,500 but this could vary depending on requirements for cables.

Whilst the aesthetic value of the Robinia Mop Top Tree in the locality is appreciated, the least cost and most effective option is Option 2 to remove one tree. Whilst the removal of the tree would be regrettable, the wider public safety issues do carry significant weight. Option 6 would achieve the desired result but would require additional funds being allocated.

FINANCIAL IMPLICATIONS

There will be a cost to Council for all options except option 1.

RECOMMENDATION

THAT Council adopt Option 2 to remove the tree directly behind the camera location in Cook Plaza.

ITEM-13 ENVIRO - 23/04/12 - COUNCIL OWNERS CONSENT - SUBDIVISION OF LAND - USE OF COUNCIL LAND FOR ROAD PURPOSES - OFF GREAT WESTERN HIGHWAY BOWENFELS MARRANGAROO

REPORT BY: A MUIR – GROUP MANAGER ENVIRONMENT AND DEVELOPMENT

REFERENCE

Minute No 09-442 - Ordinary Meeting of 2 November 2009

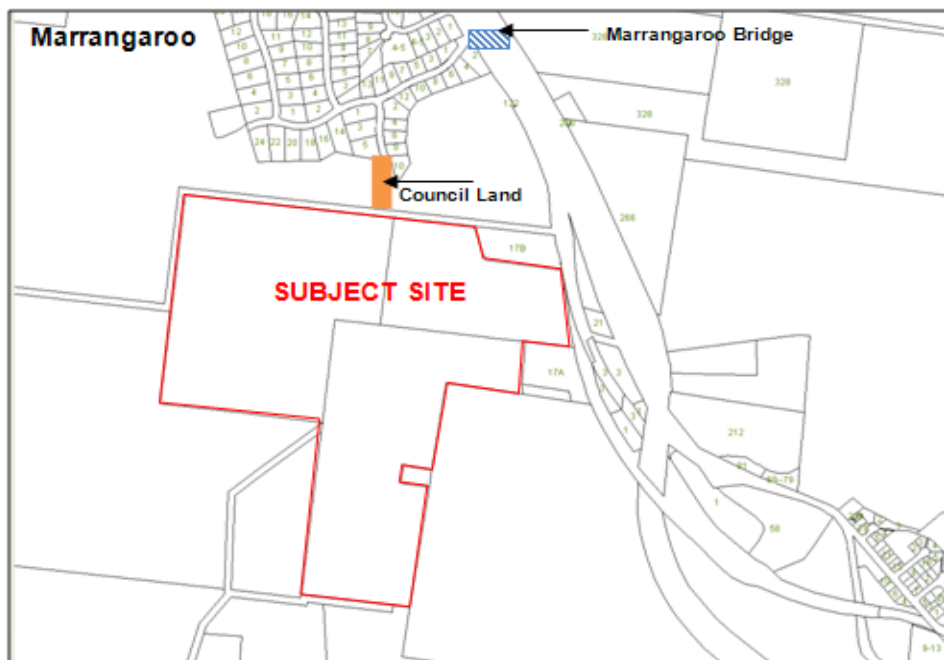
SUMMARY

To advise Council of a second request from developers seeking Council’s consent as landowner to the lodgement of Development Applications 045-09DA and 046-09DA which proposes to gain access over Council owned land (Lot 68 in DP 813538) for the purposes of a road (being the continuation of Bundarra Place, Marrangaroo). This would be for a distance of approximately 200 metres and being a 20 metre wide road reserve to accommodate the 10 lots proposed under DA 043/09, 39 lots proposed under DA045/09 and the 11 lots proposed under DA046/09.

COMMENTARY

Background

Council is in receipt of 3 Development Applications from Lithgow Mountain Estate Pty Ltd/Eagles Nest Estate Pty Ltd for the subdivision of land into 60 allotments. The land affected is shown in the plan below:



The developer has requested Council provide owners consent for the submission of these applications given that they seek Council support to extend Bundarra Place, Marrangaroo to gain access to each development. The allotment in question is Lot 68 DP 813538 and is currently in the ownership of Council and is accessed by Bundarra Place.

The application was referred to Council previously and only 23 allotments were proposed to access off Bundarra Place; however this has since been revised to 60 allotments. At that time owners consent was not granted by Council due to the potential of the development to impact upon access arrangements to Marrangaroo Fields and the level of information provided by the developer on the matter.

No assessment has been carried out on any of the applications yet as Council is still awaiting further information, and as part of current policy the applications would be required to be determined by Council should land owners consent for the application be given. Any land owners consent for the applications does not infer any approval of the developments.

Status

It was previously requested (in 2009) that Council provide landowners consent for Development Applications 045-09DA and 046-09DA. At that time Council resolved:

THAT Council seek from the developer proposed traffic management plan, intersection plan and access plan prior to Council determining if it will give its consent to the lodgement of its development application utilising Council land.

The applicant then submitted a Traffic Impact Assessment which recommended the bridge stay a single lane bridge. Council officers referred this report to TALC who advised the bridge should be upgraded to a 2 lane bridge for the proposed development.

The Traffic Impact Assessment was then referred to the Roads and Maritime Services (RMS, formerly the RTA) who advised that the traffic assessment was deficient in information and recommended that the bridge be upgraded to 2 lanes.

The developer then wrote directly to Australian Rail Track Corporation (ARTC) and RMS indicating that they intend to widen the single lane bridge to 2 lanes, and has now submitted the following letters:

- **From the RTA** (now RMS) – In principle they do not object to the replacement of the existing Marrangaroo railway bridge with a two-lane two-way bridge though it is not an RTA asset. They note however that further information is required (including detailed plans and a traffic management plan) prior to them being in a position to formally consider the application.
- **From ARTC** (now under the control of John Holland) – In principle their proposal [for a prefabricated 2 lane superstructure replacing the existing single lane Marrangaroo bridge] is supported subject to all plans and specifications being designed to the appropriate standard and submitted for review by the infrastructure owner and maintainer.

At no time has the developer formally advised Council that he is willing to construct a 2 lane bridge into Marrangaroo Fields, or indicated which Development Application it would form part of. He has also not submitted the more detailed Traffic Impact Assessment requested by the RTA or the Traffic Management Plan or intersection and access plans requested by the elected Council. A number of other issues non-related to traffic also remain outstanding for the applications.

Conclusions

Should Council provide its landowners consent to allow lodgement of the applications there will be a great deal of public interest from residents of Marrangaroo. Residents will want to know precisely what the developer proposes in terms of bridge construction/specifications, intersection layout and impacts of additional traffic within Marrangaroo Fields. Council should not consider providing its landowners consent until this information is forthcoming.

POLICY IMPLICATIONS

The following policies will apply to each development should Council resolve to approve the applications:

- 1.3 Acquisition And Disposal of Assets – Asset Disposal
- 7.6 Development Applications by Councillors and Staff and Relatives or On Council Owned Land

FINANCIAL IMPLICATIONS

All costs associated with the proposal should be met by the applicant. Council may also wish to consider if it requires payment from the applicants as compensation for allowing road access through council owned land. A valuation may be necessary to allow such negotiations to occur.

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.

RECOMMENDATION

THAT Council NOT provide its landowners consent to DA43/09, DA 045/09 and/or DA046/09 until such time as concept plans are provided for the proposed bridge and intersection with the Great Western Highway and a Traffic Impact Report is provided to the satisfaction of Roads & Maritime Services and having regard to additional traffic movements within Marrangaroo Fields.

ITEM-14 ENVIRO - 23/04/12 - CENTENNIAL COAL WASHERY UPGRADE AND LOGISTIC PROJECT BLACKMANS FLAT

REPORT BY: A MUIR – GROUP MANAGER ENVIRONMENT AND DEVELOPMENT

SUMMARY

To advise Council on a potential Major Project that has been submitted to the Department of Planning and Infrastructure (the Department) for the upgrade of the existing washery at the Centennial Coal Services Site, Blackmans Flat.

COMMENTARY

Proposal

Centennial Coal proposes to construct new infrastructure to support its ongoing operations in the Western Coalfield of NSW. Specifically, the Centennial Coal Services Site Upgrade involves:

- Upgrading the existing washery at the Centennial Coal Services Site by constructing additional processing infrastructure adjacent to the existing facility which is capable of processing a combined total of 7.0 Million tonnes per annum;
- Provision for sufficient reject disposal capacity for a 25 year life;
- Increasing the rate and utilisation of the return side of existing overland conveyor system to enable up to 6.3 Mtpa to be delivered to Lidsdale Siding;
- Construction of additional conveyors and transfer points and other coal handling requirements to cater for the upgraded washery facility;
- Construction of a private haul road linking the Centennial Coal Services site with the existing private haul road from Angus Place Colliery to Mount Piper Power Station. This private road will cross a section of the existing Pine Dale Mine operation and over the Castlereagh Highway;
- Integrate the existing approved transport and processing of coal at Springvale Mine and Angus Place Colliery into this consent;
- Include, the remaining rehabilitation, monitoring and reporting requirements associated with the Lamberts Gully Mine which occupies the Centennial Coal Services Site; and, the continued use of all existing approved infrastructure, facilities and activities associated with the transport and processing of coal from each mine gate and the point of delivery to either power station and the Lidsdale Siding including existing conveyors, private haul roads, services, access roads, car parking and buildings.
- Installation of additional pollution control infrastructure
- The Centennial Coal Services Site upgrade would enable the existing operations of Angus Place Colliery and Springvale Coal Mine to have access to both power stations (Mount Piper and Wallerawang) and export markets.

Status

Centennial Coal has submitted a Briefing Paper to the Department for the abovementioned project. As the project is in excess of \$30 million it is considered a State Significant Development under Clause 5(3) of Schedule 1 of *State Environmental Planning Policy (State and Regional Development) 2011*. Accordingly, the development is to be determined by the Department under Part 4, Division 4.1 of the *Environmental Planning and Assessment Act 1979*.

In February of this year the Department requested Council's input into Director General's Requirements (DGR's) for the project. Council officers raised a number of issues that should be assessed as part of the project. In particular the development may have an impact on Council's approved waste depot at Blackmans Flat, given that a haul road is proposed to traverse the site.

The Department are yet to issue DGR's for the project. However should DGR's be issued, it is anticipated that Centennial Coal will be in preparation of their Environmental Assessment, which would later go through the exhibition and assessment process by the Department of Planning.

FINANCIAL IMPLICATIONS

Additional consultation should be held between Council and Centennial coal to ensure the project does not impact upon the viability of Council's approved waste depot.

LEGAL IMPLICATIONS

As the proposal falls within Part 4, Division 4.1 of the *Environmental Planning and Assessment Act 1979* the Department of Planning and Infrastructure will be the consent authority

ATTACHMENTS

1. Site Plan.

RECOMMENDATION

THAT the report on the Centennial Coal Washery Project be noted.

**ITEM-15 ENVIRO - 23/04/12 - COALPAC CONSOLIDATION PROJECT
 CULLEN BULLEN**

REPORT BY: A MUIR – GROUP MANAGER ENVIRONMENT AND DEVELOPMENT

REFERENCE

Min No 11-329 - Ordinary Meeting of 22 August 2011
Min No 11-488 - Ordinary Meeting of 12 December 2011

SUMMARY

To provide an update to Council on Major Project 10_0178 submitted to the Department of Planning and Infrastructure for the consolidation and expansion of Cullen Valley and Invincible Coal Mines at Cullen Bullen.

COMMENTARY

Environmental Assessment

The Draft Environmental Assessment (EA) was initially referred to Council in July 2011 by the Department of Planning and Infrastructure (the Department) prior to being publicly exhibited. The Department requested comments on whether it was considered the applicant had met the Director General Requirements (DGR's). Accordingly, a preliminary assessment was undertaken by Council officers and it was considered that the EA did not adequately assess a number of the issues raised within the DGR's. These were pointed out to the Department.

Consequently, the Department declared the EA inadequate and the Proponent had to undertake further assessment and review of their proposal.

In February this year the Department referred the amended EA to Council again for comments on whether it was considered the applicant had met the Director General Requirements (DGR's). Council officers advised that it appeared that the DGR's had still not been met for some of the relevant criteria at a number of residences in terms of air quality, noise and blasting, though agreements with many of the affected landowners were being negotiated. However, it was acknowledged that such impacts would be required to be covered by an Environment Protection Authority (EPA) licence. Accordingly, Council deferred its judgement on whether the EA was adequate for exhibition to the EPA on whether these issues had been adequately addressed.

The Department has now declared the EA adequate for exhibition. The EA is on public exhibition for an extended period from **Tuesday 10 April 2012** until **Friday 1 June 2012**.

All relevant project documents are publicly available on the Department's website at <http://majorprojects.planning.nsw.gov.au>

From Tuesday 10 April, the EA for the project will be available to view during business hours at:

- **Cullen Bullen General Store** – Castlereagh Highway, Cullen Bullen;
- **Department of Planning and Infrastructure** – Information Centre, 23-33 Bridge Street, Sydney;
- **Lithgow City Council** – 180 Mort Street, Lithgow CBD;
- **Portland Library** – Williwa Street, Portland; and
- **Nature Conservation Council** – Level 2, 5 Wilson Street, Newtown.

Submissions can be:

- Lodged online at www.planning.nsw.gov.au;
- Emailed to plan_comment@planning.nsw.gov.au;
- Faxed to (02) 9228 6466; or
- Posted to Mining and Industry Projects, Department of Planning and Infrastructure, GPO Box 39, SYDNEY NSW 2001.

Landholder Meeting

In order to discuss the potential impact on Cullen Bullen and affected landholders, Council is holding a meeting with the residents of the area to gauge possible community interest and support in the proposal.

The meeting with residents will commence at 6.30pm and will be held at the Cullen Bullen Community Hall on Tuesday, 24 April 2012. The meeting will be chaired by former local Member for the NSW State seat of Bathurst and the former Mayor of Lithgow City Council, Gerard Martin.

This is to be a meeting of residents and landholders of Cullen Bullen and the affected area only.

Representatives of the Department of Planning along with Coalpac have also been invited to attend the meeting.

FINANCIAL IMPLICATIONS

Coalpac has indicated that they are willing to negotiate a Planning Agreement with Council *under Section 93F “to facilitate the provision of additional services for the forecast increase in demand on existing services due to the Project.”* This negotiation process will occur concurrently with the assessment of the Major Project.

LEGAL IMPLICATIONS

As the proposal was originally declared a Major Project under Part 3A of the *Environmental Planning and Assessment Act 1979* the Department of Planning and Infrastructure will be the consent authority. Although Part 3A has now been repealed, it still exists for projects that were already declared major Projects.

Council has the opportunity to comment on the proposal during public exhibition period.

RECOMMENDATION

THAT the report on the Coalpac Consolidation Project be noted.

OPERATION REPORTS

ITEM-16 OPER - 23/04/12 - FORMER SUBSTATION SITE - RAILWAY PARADE LITHGOW

REPORT FROM: I STEWART – GROUP MANAGER OPERATIONS

SUMMARY

Reference is made to a meeting that was held on 24 January 2012 attended by Rail Corp and Lithgow City Council in relation to the former substation site in Railway Parade Lithgow.

COMMENTARY

The following was agreed upon at the meeting held on 24 January 2012:

1. RailCorp incorporate the site in the existing carpark lease with Council by way of a variation to the existing agreement.
2. Control of this site will be subject to the retention of the existing slab at the site to ensure stability.
3. Council will be responsible for all maintenance and access issues relating to this site to allow it to be used for parking purposes; and
4. RailCorp will ensure the appropriate fencing is in place between the licensed area and the corridor.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Letter received from RailCorp NSW.

RECOMMENDATION

THAT Council agree to the following:

1. RailCorp would incorporate the site, ie, the former substation site in Railway Parade, Lithgow into the existing carpark lease with Council by way of a variation to the existing agreement.
2. Control of this site will be subject to the retention of the existing slab at the site to ensure stability.

3. Council will be responsible for all maintenance and access issues relating to this site to allow it to be used for parking purposes; and
4. RailCorp will ensure the appropriate fencing is in place between the licensed area and the corridor.

ITEM-17 OPER - 23/04/12 - WATER REPORT APRIL 2012

REPORT BY: I STEWART - GROUP MANAGER OPERATIONS

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 Monday 10 April was 100%. Oberon Dam capacity on Monday 2 April was 90.2%.

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	99	0
March	138	0
April	68	0
2011 Monthly Average	124	3
Rolling 12 Month Total	1,465	33

Table 2 - Oakey Park Daily Output and Clarence Transfer

Oakey Park WTP	Avg Daily Use kL	Avg Daily CWTS Transfer kL
March	4,453	0
April	6,843	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
					35.7
4/07/2011	53.09%	23763	51.68%	2.96	66.9
11/07/2011	53.39%	23897	51.44%	2.96	98.1
18/07/2011	53.51%	23951	50.99%	14.666	117.7
25/07/2011	54.05%	24193	50.97%	18.289	133.6
1/08/2011	54.29%	24302	50.75%	12.763	155.0
8/08/2011	54.59%	24438	50.48%	12.693	176.5
15/08/2011	54.84%	24547	50.15%	12.976	197.7
22/08/2011	56.25%	25180	51.06%	13.072	218.8
29/08/2011	57.07%	25544	51.36%	11.09	241.9
5/09/2011	57.32%	25657	51.25%	12.329	263.8
12/09/2011	57.32%	25657	51.18%	14.284	283.7
19/09/2011	57.95%	25940	51.75%	15.039	302.9
26/09/2011	57.89%	25911	51.64%	17.528	319.5
3/10/2011	58.91%	26369	52.60%	14.029	339.7
10/10/2011	59.75%	26745	53.39%	12.242	355.6
17/10/2011	60.07%	26890	53.70%	13.429	355.6
24/10/2011	60.14%	26920	53.76%	15.337	355.6
31/10/2011	60.40%	27037	54.01%	13.327	355.6
7/11/2011	60.33%	27007	53.92%	14.764	355.6
14/11/2011	60.33%	27007	53.91%	16.121	355.6
21/11/2011	60.33%	27007	53.89%	13.834	355.6
28/11/2011	62.59%	28016	56.14%	13.033	355.6
5/12/2011	62.79%	28106	56.33%	13.602	355.6
12/12/2011	63.13%	28257	56.65%	13.572	355.6
19/12/2011	63.13%	28257	56.64%	12.527	355.6
26/12/2011	63.80%	28560	57.29%	0	355.6
2/01/2012	63.87%	28591	57.33%	28.352	355.6
9/01/2012	63.80%	28560	57.24%	11.305	355.6
16/01/2012	63.53%	28439	56.97%	13.588	355.6
23/01/2012	63.40%	28378	56.83%	12.5	355.6
30/01/2012	63.46%	28408	56.90%	13.654	355.6
6/02/2012	63.94%	28621	57.37%	16.279	355.6
13/02/2012	64.21%	28744	57.65%	16.411	355.6
20/02/2012	64.28%	28774	57.72%	15.188	355.6
27/02/2012	64.56%	28897	57.99%	12.865	355.6
5/03/2012	79.99%	35805	73.42%	12.461	355.6
12/03/2012	85.99%	38491	79.42%	12.517	355.6

19/03/2012	88.20%	39482	81.64%	13.028	355.6
26/03/2012	89.33%	39985	82.76%	13.685	355.6
Total				518.3	

OAKEY PARK WATER QUALITY SUMMARY

No health-based ADWG guideline values were exceeded in March. Chlorine dosing was increased at the Oakey Park Water Treatment Plant in order to maintain higher residuals throughout the Lithgow distribution system.

FISH RIVER WATER SCHEME WATER QUALITY SUMMARY

No health-based ADWG guideline values were exceeded in February. An intensive residual chlorine sampling program continued in Wallerawang and Lidsdale and adjustments were made to the chlorine booster station to improve residuals for potable water customers in the Lithgow villages. For several weeks the Lithgow villages have been supplied with water from Oakey Park WTP.

Lithgow Council is responsible for the reticulation of the water supply to consumers within the townships of Wallerawang, Cullen Bullen, Portland, Lidsdale and Glen Davis. State Water provides potable water to Lithgow Council. The maintenance of free residual chlorine levels above 0.2ppm in parts of the reticulation system is the desired standard and is not always easy to maintain due to fluctuating demands and other factors. Lithgow City Council and State Water are undertaking a joint project to improve the potable water quality.

The aim of this project is to conduct a sampling program to assess the levels of Total Organic Carbon in the reticulation system. TOC can be used as an indicator of the presence of natural organic matter in a water supply. Chlorine depletion within the distribution system could be being caused by high levels of natural organic matter remaining in or impacting on the treated water.

This project will be conducted in partnership with State Water, Lithgow Council and the Nepean Blue Mountains Local Health District's Public Health Unit.

In the past sample results recorded on the NSW Health Water Quality Database have shown that at some sample locations where free chlorine is tested in the field at less than 0.2 ppm, that the corresponding sample results exceeded 200 cfu's for total coliforms. The PHU is concerned that low levels of free chlorine throughout the reticulation system is a potential public health risk.

To better assess the water quality throughout the reticulation system, project samples will be taken at a wide range of locations within the Fish River reticulation system.

Sample locations will include:

1. Outlet of Dam,
2. Post Oberon Chlorination Plant,
3. Post Treatment Plant Chlorination,
4. Pre Wallerawang Reservoir
5. Post Wallerawang Reservoir
6. Wallerawang Reticulation System
7. Pre Portland Reservoir

8. Post Portland Reservoir
9. Portland Reticulation System
10. Pre Cullen Bullen Reservoir
11. Post Cullen Bullen Reservoir
12. Cullen Bullen Reticulation System

Samples are proposed to be analysed for Total Organic Carbon (TOC), Biodegradable Dissolved Organic Carbon (BDOC), turbidity, ammonia, alkalinity, major anions and cations, and colour. Temperature, pH, free and total chlorine will be measured in the field.

The results should enable the partners to gain a better understanding of the impact of Total Organic Carbon in the system on the chlorine demand and allow State Water and Council to assess the necessity of booster chlorinators at certain points throughout the system. This will hopefully allow Council to maintain the free chlorine residual required throughout the reticulation system.

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 March with Council receiving 1 application for a household appliance rebate and no applications for a water tank rebate.

FISH RIVER WATER SCHEME

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 21/3/2012 to 23/3/2012 inclusive for minor works (water supply to Lithgow villages) during which time supply will be provided by Oakey Park.

State Water needs to provide the Customer Council (CC) members with a business case for the change in direction of the IPART adopted Capex funding which might then need to be adopted by the individual CC Boards/Councils. This should come back with more accurate costing and a business case to take back to their respective management by CC and is expected in June.

Major Projects Status

2412 - Duckmaloi - Upgrade Chlorinator

- Tender specifications have been completed by State Water and Dept of Commerce and Tenders have been called.

2413 - Oberon Dam - Chlorinator Upgrade

- Tender specifications have been completed by State Water and Dept of Commerce and Tenders have been called.

2362 – Rydal Dam Fencing Upgrade

- Fence relocated to correct boundaries and complete.

2031 – Rydal replacement of pipeline

- TCM Civil are now undertaking the construction works on the pipeline replacement and at the end of January 2012 had completed 3.2 km's of the 3.8 km pipeline replacement. During construction, the pipeline route was redesigned to make the pipeline construction safer but this increased the pipeline length.
- Bypass pipework is now operational and is supplying water to Rydal Dam. The bypass pipework will enable TCM Civil to complete the last section of pipework safely.
- Some planned shutdowns of the water mains have been completed and future ones will be confirmed nearer to the shut down dates.

OBERON DAM STORAGE

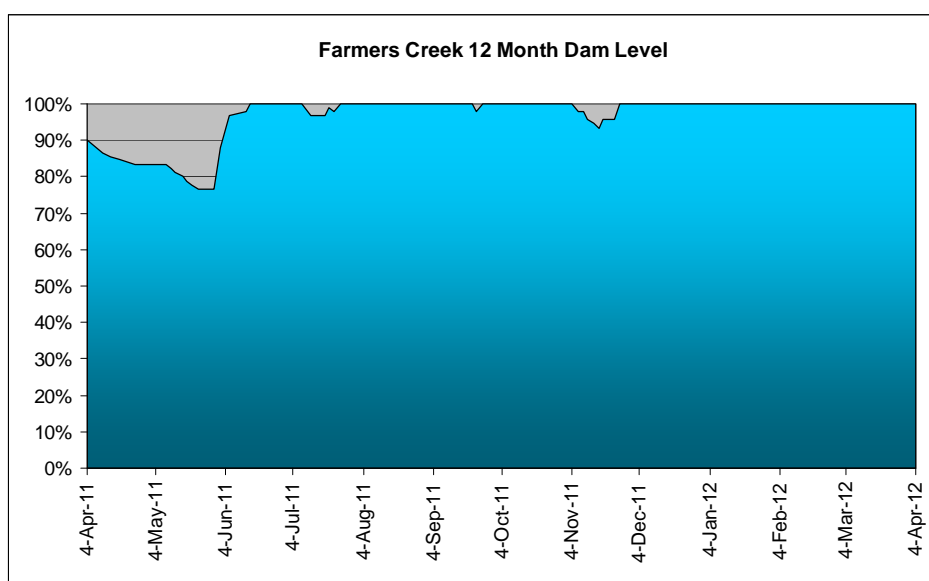
Total rainfall at Oberon Dam from 1 July 2011 to 31 March 2012 has been 776.7mm. This is equal to 121% of the mean rainfall for July to March. Oberon (Spring Bank Station No. 63063), which is a BOM station, has registered a total of 847.4mm of rainfall from July to 31 March 2012. This is about 131% of the mean rainfall for July to March period at this station. Of the total about 324mm fell in Feb and March 2012.

A total of about 2,509 ML of inflows have gone into Oberon Dam in 2009-10. Inflows to Oberon Dam in 2010-11 have been about 22,555 ML. Inflows to Oberon Dam from July to March in 2011-12 have been about 18,692 ML. Historically this inflow has been exceeded only about 35% of the years.

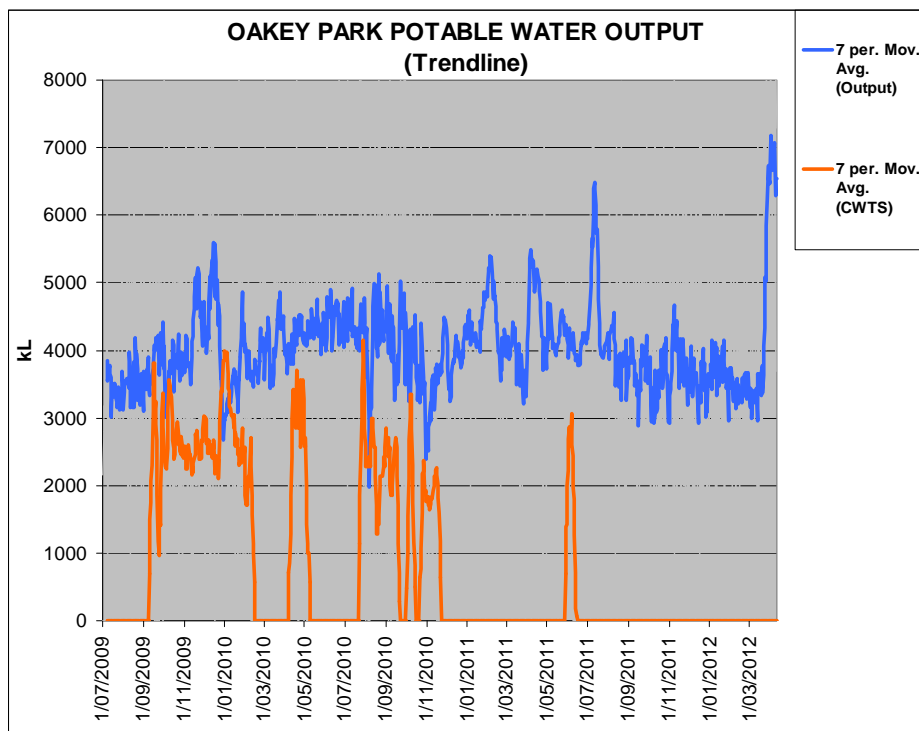
FARMERS CREEK DAM 12 MONTH LEVELS

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 national outlook for April to June 2012 shows the following:

- large parts of eastern Australia more likely to have a wetter season
- southeast SA, western and central Victoria, and Tasmania more likely to have a drier season

This outlook is mostly due to warmer than normal waters over the Indian Ocean.

Routine Dam inspections continued throughout March.

ALTERNATE WATER SOURCES UPDATE

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

RESERVOIRS

An impressed current CP system is to be installed at Shaft St No.2 Reservoir. The design life estimate assumes the reservoir internal surfaces are re-coated within the next year. This will require returning to service Shaft St Old No 1 reservoir and substantial repairs will be required.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

RECOMMENDATION

THAT the water report be noted.

ITEM-18 OPER - 23/04/12 - BITUMEN EMULSION

REPORT FROM: I STEWART – GROUP MANAGER OPERATIONS

SUMMARY

To advise on the assessment of tenders received for the supply of bitumen emulsion on a regional contract.

COMMENTARY

Centroc has previously administered two successful regional bitumen emulsion contracts resulting in cost savings and administration efficiencies for participating Councils. As the current contract has now expired, the Supply Management Team and the General Managers of the Central West Region have resolved to develop another regional contract for the supply and delivery of bitumen emulsion. Lithgow City Council has participated in the last two contracts for the supply of bitumen with Centroc.

Centroc called for tenders for the supply and delivery of bitumen emulsion to member Councils for a 24 month period with an optional 12 month extension, and tenders were received from 3 companies. These being:

- Boral Asphalt
- Downer Edi
- Fulton Hogan Industries

The Supply Management Team reviewed all tendered responses utilising the APET 360 Pro tender evaluation tool and recommended that Boral Asphalt be the preferred provider of Bitumen emulsion.

It should be noted that to date for this financial year Council has expended \$51,167 on the purchase of bitumen and has used 58,736 litres.

Boral Asphalt was the appointed supplier for the previous two contracts.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

RECOMMENDATION

THAT:

1. Council endorse the selection of Boral Asphalt as its bitumen emulsion supplier for a two year period with an option for a further year
2. Council authorise completion of the necessary contract documentation.
3. Council advise Centroc of its decision to support the recommendation of the preferred supplier.

ITEM-19 OPER - 23/04/12 - DRAFT ASSET MANAGEMENT POLICY

REPORT FROM: L KEARNEY - ASSETS AND PROJECT ENGINEER

REFERENCE

NIL

SUMMARY

To advise Council that a Draft Asset Management Policy has been prepared and is required to be adopted by Council.

COMMENTARY

A Draft Asset Management Policy has been prepared by Council's Operations Division in accordance with Council's requirements for Integrated Planning and Reporting Frameworks.

This Policy outlines how and why asset management will be undertaken across Council as a whole, and is designed to set the broad framework for undertaking asset management in a structured way.

The Asset Management Policy is supported by Council's Strategic Asset Management Plan as well as individual management plans for each classification of assets (currently being prepared or reviewed).

The Asset Management Policy also details the role and responsibilities of Council's Asset Management Team, which has been created to enable cross functional representation of Council's departments. This enables a stream lined approach ensuring that successful asset management is achieved. The Asset Management Team has been formed to address asset management requirements for Council to comply with the requirements of Integrated Planning and Reporting Framework.

This Policy has the following objectives:

- Ensure Council's services and infrastructure is provided in a sustainable manner, with appropriate levels of service to residents, visitors and the environment;
- Protect Council's assets by implementing appropriate asset management strategies and allocating appropriate financial resources to those assets;
- Maintain an awareness of asset management throughout Council which encourages all Council employees to play a proactive role;
- Meet all legislative requirements of asset management;
- Ensure resources and operational capabilities are identified and responsibility for asset management is allocated; and
- Demonstrate transparent and responsible asset management processes that align with appropriate best practice.

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. Draft Asset Management Policy

RECOMMENDATION

THAT:

1. Council adopt the Asset 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 Council, including a recommendation for adoption of the policy.

FINANCE REPORTS

ITEM-20 FINAN - 23/04/12 - COUNCIL INVESTMENTS HELD 31 MARCH 2012

REPORT FROM – C FARNSWORTH - FINANCE MANAGER

REFERENCE

Min No 11-342:	Ordinary Meeting of Council 22 August 2011 (July 2011)
Min No 11-374:	Ordinary Meeting of Council 12 September 2011 (Aug 2011)
Min No 11-411:	Ordinary Meeting of Council 10 October 2011 (Sept 2011)
Min No 11-474:	Ordinary Meeting of Council 21 November 2011 (Oct 2011)
Min No 11-501:	Ordinary Meeting of Council 12 December 2011 (Nov 2011)
Min No 12-28:	Ordinary Meeting of Council 23 January 2011 (Dec 2011)
Min No 12-50:	Ordinary Meeting of Council 13 February 2012 (Jan 2012)
Min No 12-98:	Ordinary Meeting of Council 26 March 2012 (Feb 2012)

SUMMARY

To advise Council of investments held as at 31 March 2012 in the 2011/12 financial year.

COMMENTARY

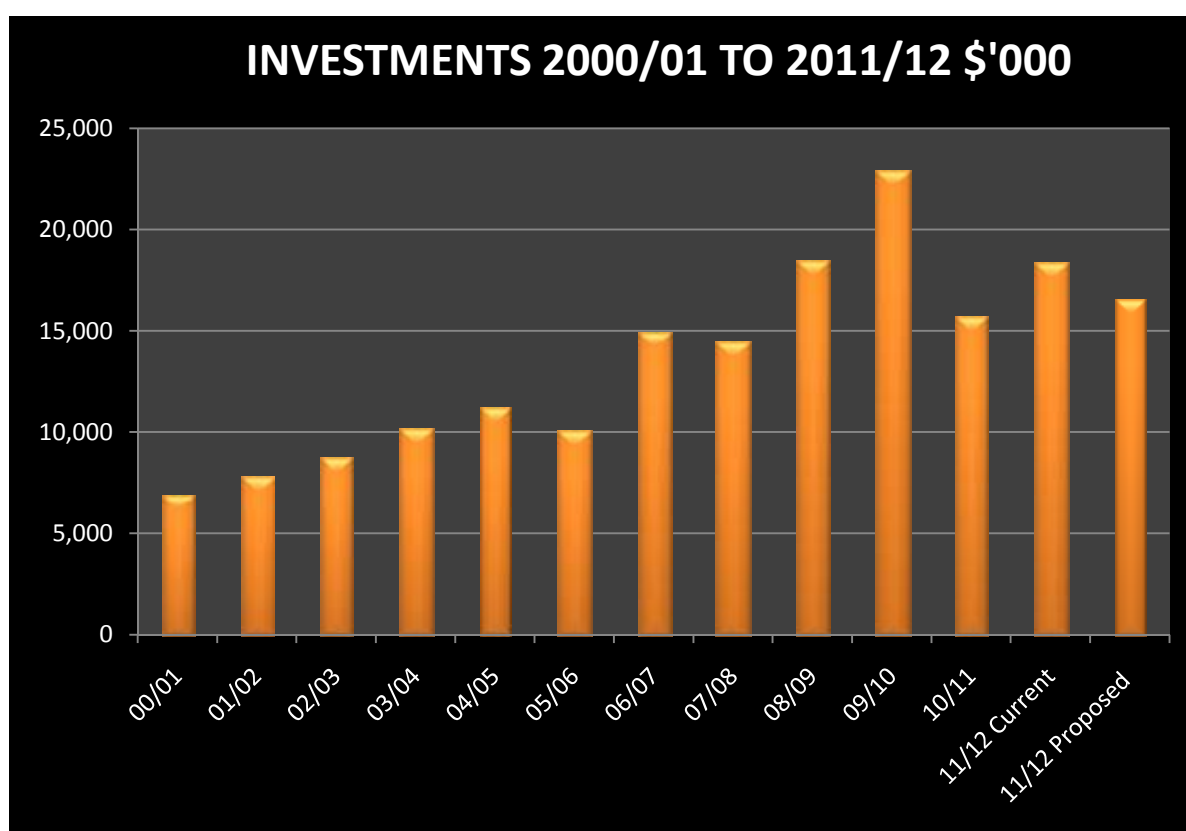
Council's total investment portfolio, as at 31 March 2012 when compared to 29 February 2012, has increased by \$298,246.97 from \$18,104,466.58 to \$18,402,713.55

INVESTMENT REGISTER 2011/12								
INSTITUTION	INV TYPE	DATE LODGED	DATE DUE	DAYS	INT	VALUE 29.02.12	VALUE 31.03.12	% OF TOTAL
ANZ	TD	12.03.12	11.06.12	91	5.51	817,587.80	828,010.36	4.50%
		10.02.12	10.04.12	60	4.93	504,167.12	504,167.12	2.74%
		01.03.12	30.05.12	90	5.40	0.00	500,000.00	2.72%
CBA	On Call				4.20	1,609,361.86	1,618,801.35	8.80%
		30.03.12	30.04.12	30	4.84	500,000.00	502,173.97	2.73%
		29.02.12	30.04.12	60	5.33	500,000.00	500,000.00	2.72%
		01.03.12	30.04.12	60	5.32	0.00	250,000.00	1.36%
		30.03.12	30.04.12	30	4.84	502,005.48	0.00	0.00%
IMBS	TD	27.02.12	28.05.12	91	5.75	1,107,363.30	1,107,363.30	6.02%
		28.02.12	29.05.12	91	5.70	734,182.61	734,182.61	3.99%
		14.03.12	14.06.12	92	5.80	1,029,510.40	1,044,525.74	5.68%
NAB	TD	06.02.12	06.06.12	120	5.82	1,097,827.44	1,097,827.44	5.97%
		25.01.12	25.07.12	180	5.91	1,000,000.00	1,000,000.00	5.43%
		25.01.12	24.04.12	90	5.79	500,000.00	500,000.00	2.72%
WESTPAC	TD	08.01.12	08.04.12	90	5.60	284,780.24	284,780.24	1.55%
		08.01.12	08.07.12	180	5.80	569,560.51	569,560.51	3.09%
		30.01.12	30.05.12	120	5.89	1,156,955.66	1,156,955.66	6.29%
		12.01.12	11.07.12	180	5.80	250,000.00	250,000.00	1.36%
		12.03.12	12.06.12	90	5.67	400,000.00	405,484.93	2.20%
ST GEORGE	On Call				4.25	20,380.00	21,165.20	0.12%
		04.01.12	04.07.12	180	5.94	522,047.36	522,047.36	2.84%
		19.10.11	19.04.12	182	5.90	832,927.30	832,927.30	4.53%

	TD	12.03.12	12.10.12	214	5.91	500,000.00	506,930.96	2.75%
	TD	10.02.12	09.08.12	180	5.78	504,347.95	504,347.95	2.74%
	TD	16.02.12	18.05.12	92	5	502,471.51	502,471.51	2.73%
	TD	25.01.12	25.07.12	180	5.83	1,000,000.00	1,000,000.00	5.43%
SUNCORP	TD	08.02.12	08.05.12	90	5.55	1,158,990.04	1,158,990.04	6.30%
	TD	25.01.12	24.04.12	90	5.35	500,000.00	500,000.00	2.72%
			TOTAL			18,104,466.58	18,402,713.55	100.00%
INTERNAL LN (Commercial Loan Int Rate)	Gen to Sew	15.01.11	On Receipt of Ext Loan		7.31	2,750,000.00	2,750,000.00	

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

On the graph below historical and current investments are shown for 2011/12 to 31 March 2012.



POLICY IMPLICATIONS

Investments are held in accordance with the Lithgow City Council's Investment Policy at the date of investing the funds. On 21 November 2011 Council adopted a draft of the Investment Policy as Policy 8.2 which includes the Ministers Investment Order of 12 January 2011.

FINANCIAL IMPLICATIONS

Interest received to 31 March 2012 is \$461,055.88 of an estimated \$550,802.00 shown in the 2011/12 Management Plan. Interest is paid on the maturity date of the investment.

LEGAL IMPLICATIONS

Investments are held in accordance with the Lithgow City Council's Investment Policy at the date of investing the funds. On 21 November 2011 Council adopted a draft of the

Investment Policy as Policy 8.2 and future investments will comply with this Policy which includes the following:

- Local Government Act 1993 - Section 625
- Local Government Act 1993 - Order dated 12 January 2012
- Local Government (General) Regulation 2005
- Trustee Amendment (Discretionary Investments) Act 1997 Section 14A(2), 14c(1) & (2)

RECOMMENDATION

THAT Investments of \$18,402,713.55 for the period ending 31 March 2012 be noted.

ITEM-21 FINAN - 23/04/12 - DRAFT POLICIES FOR ADOPTION

REPORT FROM – C FARNSWORTH - FINANCE MANAGER

REFERENCE

Min No 12-51: Ordinary Meeting of Council 13 February 2012

SUMMARY

At the Council meeting of 13 February 2012 Minute 12-51 resolved to advertise two draft policies. This report is to advise that no public submissions were received and recommends that the policies be adopted.

COMMENTARY

Minute 12-51 of 13 February 2012 resolved:

THAT

Council advertise Draft Policy 8.8 Main St Façade Restoration Program and Draft Policy 9.7 Gifts and Benefits - Councillors and Staff for public submissions for a period of 21 days prior to further consideration.

Following the required advertising period which closed on 15 March 2012 no submissions were received in relation to the draft policies.

POLICY IMPLICATIONS

Draft Policy 8.8 Main St Façade Policy V2
Draft Policy 9.7 Gifts & Benefits Policy V3

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Draft Policy 8.8 Main St Façade Policy V2
2. Draft Policy 9.7 Gifts & Benefits Policy V3

RECOMMENDATION

THAT Council acknowledge that no submissions were received during the advertising period to 15 March 2012 and adopt:

1. Draft Policy 8.8 Main St Façade Policy V2
2. Draft Policy 9.7 Gifts & Benefits Policy V3

COMMITTEE MEETINGS

ITEM-22 COMM - 23/04/12 - YOUTH COUNCIL MINUTES - 27 MARCH 2012

REPORT BY: V GULABOVSKI - COMMUNITY DEVELOPMENT OFFICER

REFERENCE

Min – 10-457 Ordinary Meeting of Council 1 November 2010
Min – 10-545 Ordinary Meeting of Council 13 December 2010
Min – 11-58 Ordinary Meeting of Council 14 February 2011
Min – 11-508 Ordinary Meeting of Council 12 December 2011
Min – 12-54 Ordinary Meeting of Council 13 February 2012
Min – 12-100 Ordinary Meeting of Council 26 March 2012

SUMMARY

This report details the minutes of the Youth Council meeting held on 27 March 2012.

COMMENTARY

At the Youth Council meeting held 27 March 2012 there were a number of items discussed by the committee including:

- A progress report on the Union Rock event to be held 14 April 2012 and planning for a cinema, basketball hoops and tennis court facilities.
- Discussion on the Youth Council webpage.

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 Youth Council meeting held 27 March 2012.

RECOMMENDATIONS

THAT Council notes the minutes of the Youth Council meeting held 27 March 2012.

**ITEM-23 COMM - 23/04/12 - SOUTH LITTLETON HALL RENOVATION
SECTION 355 COMMITTEE MEETING - 3 APRIL 2012**

**REPORT BY: M JOHNSON - ACTING GROUP MANAGER COMMUNITY AND
STRATEGY**

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
Min No 12-77 Ordinary Meeting of Council held 5 March 2012
Min No 12-101 Ordinary Meeting of Council held 26 March 2012

SUMMARY

This report details the Minutes of the South Littleton Hall Renovation Committee meeting of 3 April 2012.

COMMENTARY

At the South Littleton Hall Renovation Committee meeting held on 3 April 2012 there were various items discussed by the committee including:

Item 4 Works Progress

The following works have been completed since the 6 March 2012 South Littleton Hall Renovation Committee meeting:

- Front steps and handrails have been completed
- Bathroom fittings and hot water service have been installed
- Bathroom tiling has been completed

Remaining works include raising kitchen floor and installation of new cupboards

Item 6 Open Day and Community Survey

A survey has been letterboxed to all residents of South Littleton seeking their views on the future use of the hall. An Open Day and sausage sizzle was held at the hall on 21 April 2012 to provide the opportunity for the community to view the hall and to meet Men's Shed and Council representatives.

POLICY IMPLICATIONS

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

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, \$1,527.53 remains as at 2 April 2011.

LEGAL IMPLICATIONS

Local Government Act NSW 1993, Section 356

ATTACHMENTS

1. Minutes of South Littleton Hall Renovation Committee meeting dated 3 April 2012

RECOMMENDATIONS

THAT Council:

1. Notes the minutes of the South Littleton Hall Renovation Committee meeting of 3 April 2012.
2. Notes that a community survey is being undertaken of South Littleton residents to determine their views on future use of the hall and that a community open day was held at the hall on Saturday 21 April 2012.

**ITEM-24 COMM - 23/04/12 - BLUE MOUNTAINS CROSSING COMMITTEE
MEETING MINUTES - 28 MARCH 2012**

REPORT FROM: W HAWKES - CULTURAL DEVELOPMENT OFFICER

REFERENCE

Minute 11-338 of the Ordinary Meeting of Council held 22 August 2011
Minute 11-507 of the Ordinary Meeting of Council held 12 December 2011
Minute 12-52 of the Ordinary Meeting of Council held 13 February 2012

SUMMARY

This report details the Minutes of the Crossing of the Blue Mountains Committee Meeting held on 28 March 2012.

COMMENTARY

At the Blue Mountains Crossing Committee held on 28 March 2012 various items were discussed including:

Item 3 New Committee Members

Dr Helen Clements has been nominated by the Bowenfels (Lithgow) Presbyterian Church as their representative and Mr Bob Morris Hartley has been nominated by the Mt Blaxland Reserve Trust as their representative with Ms Margaret Combs as alternate.

Item 5 Report of the 17 February 2012 Western Crossing Committee Meeting

Details of various planned events in the region and in Lithgow LGA.

Item 6 Memorandum of Understanding

Discussions with Blue Mountains and Penrith City Councils regarding location of bi-centenary events.

Item 7 Proposed Projects

Details on planned bi-centenary events and projects in Lithgow.

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 from the Crossing of the Blue Mountains Committee Meeting of 28 March 2012.
2. Blue Mountains Crossing Commemorations Calender of Events

RECOMMENDATION

THAT Council:

1. Notes the minutes of the Crossing of the Blue Mountains Committee Meeting of 28 March 2012.
2. Notes that Dr Helen Clements has been nominated by the Bowenfels (Lithgow) Presbyterian Church as their representative and that Mr Bob Morris Hartley has been nominated by the Mt Blaxland Reserve Trust as their representative with Ms Margaret Combs as alternate.

**ITEM-25 COMM - 23/04/12 - CRIME PREVENTION COMMITTEE MEETING
MINUTES 26 MARCH 2012**

**REPORT FROM: M JOHNSON - ACTING GROUP MANAGER COMMUNITY AND
STRATEGY**

REFERENCE

Minute 11-123 of the Ordinary Meeting of Council held 28 March 2011
Minute 11-157 of the Ordinary Meeting of Council held 18 April 2011
Minute 11-218 of the Ordinary Meeting of Council held 30 May 2011
Minute 11-511 of the Ordinary Meeting of Council held 12 December 2011
Minute 12-53 of the Ordinary Meeting of Council held 13 February 2012
Minute 12-78 of the Ordinary Meeting of Council held 5 March 2012

SUMMARY

This report details the Minutes of the Crime Prevention Committee Meeting held 26 March 2012.

COMMENTARY

At the Crime Prevention Committee held on 26 March 2012, there were various items discussed by the Committee including:

- Commencement of the seven (7) week pilot late night transport service on Friday 30 and Saturday 31 March 2012 as discussed in item 5.
- Discussion under item 7 of issues related to CCTV cameras in Main Street Lithgow which were discussed at the Ordinary Meeting of Council held 26 March 2012.

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 from the Crime Prevention Committee meeting of 26 March 2012.

RECOMMENDATION

THAT Council:

1. Notes the minutes of the Crime Prevention Committee meeting of 26 March 2012
2. Notes the commencement of the seven (7) week pilot late night transport service

RECOMMENDATION

THAT Council:

1. Notes the minutes of the Lithgow Flash Gift Committee held on 9 February 2012.
2. Allocates surplus funds from the 2012 Lithgow Flash Gift Carnival event to the 2013 event. Of these surplus funds \$1,000 be set aside to support the Junior Athletics clinic to be held in Lithgow in September 2012 to encourage Juniors to participate in the Lithgow Flash Carnival.

**ITEM-27 COMM - 23/04/12 - LITHGOW FLASH GIFT COMMITTEE MEETING
MINUTES - 23 JANUARY 2012**

REPORT FROM: R PARK - EVENTS CO-ORDINATOR

REFERENCE

Min No 11-286: Ordinary Meeting of Council 11 July 2011
Min No 11-287: Ordinary Meeting of Council 11 July 2011
Min No 11-449: Ordinary Meeting of Council 31 October 2011
Min No 12-29: Ordinary Meeting of Council 23 January 2012

SUMMARY

This report details the Minutes of the Lithgow Flash Gift Committee Meeting held on 23 January 2012.

COMMENTARY

At the Lithgow Flash Gift Committee Meeting held on 23 January 2012, various items were discussed by the Committee including:

Item 5

Schedule for the 2012 athletic events

Item 7

Development of an MOU to clarify stakeholder responsibilities for the 2013 Lithgow Flash Gift Carnival

Item 8

An update on the 2012 Lithgow Triathlon

Item 9

An update on sponsorship for the Lithgow Flash Gift Carnival

Item 10

An update on expenditure for the Lithgow Flash Gift Carnival

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 from the Lithgow Flash Gift Committee meeting of 23 January 2012.

RECOMMENDATION

THAT Council notes the minutes of the Lithgow Flash Gift Committee meeting held on 23 January 2012.

**ITEM-28 ENVIRO - 23/04/12 - ENVIRONMENTAL ADVISORY COMMITTEE
MINUTES - 8 FEBRUARY 2012**

REPORT BY: A MUIR - GROUP MANAGER ENVIRONMENT AND DEVELOPMENT

SUMMARY

This report details the minutes of the Environmental Advisory Committee meeting held 8 February 2012.

COMMENTARY

At the Environmental Advisory Committee held on 8 February 2012, there were eighteen (18) items discussed by the committee.

1. Farmers Creek Track and Trail Network Funding Application
2. Development of an Environmental Position Description for Council with consideration to local needs and issues
3. Sustainable schools newsletter
4. Historic Items
5. Terms of Reference for the LEA Committee
6. Letter to David Durie from the Committee
7. Update on Lake Pillans Works (infrastructure, weed management, signage)
8. Hassans Walls Reserve Downhill Bike Tracks
9. Lithgow Walking Track & Bike Trail Network
10. LCC Current Grant Application
11. LCC Proposed Grant Application
12. Weed Management in the Lithgow LGA
13. Environmental Position Description
14. Hassans Walls Reserve – Planning and Progress Status (request for update if possible)
15. Committee Members Update

Matters requiring a resolution of Council are recommended accordingly.

POLICY IMPLICATIONS

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

LEGAL IMPLICATIONS

Local Government Act NSW 1993

ATTACHMENTS

1. Minutes of the Environmental Advisory Committee held 8 February 2012.

RECOMMENDATION

THAT:

1. Council note the minutes of the Environmental Advisory Committee Meeting held on 8 February 2012.
2. The application for the Department of Sustainability, Environment, Water, Population & Communities 2011-12 Biodiversity Fund for the project Connecting Streams Project - Restoring Lithgow's Riparian Biodiversity be commended to the Federal Member for Calare, John Cobb.

**ITEM-29 ENVIRO - 23/04/12 - CRYSTAL THEATRE MANAGEMENT
COMMITTEE MINUTES - 7 FEBRUARY 2012**

REPORT BY: A MUIR - GROUP MANAGER ENVIRONMENT AND DEVELOPMENT

SUMMARY

This report seeks Council's ratification of the minutes of the Crystal Theatre Management Committee Meeting held on 7 February 2012.

COMMENTARY

At the Crystal Theatre Management Committee Meeting held on 7 February 2012, there were a number of items discussed, as below:

- Mouse Problem in Kitchen Storeroom
- Stage Curtains
- Floor Sanding
- Painting Of Upstairs Room
- Lift Key

The minutes are attached for formal ratification by Council.

ATTACHMENTS

1. Minutes of the Crystal Theatre Management Committee Meeting held on 7 February 2012.

RECOMMENDATION

THAT Council note the minutes of the Crystal Theatre Management Committee Meeting held on 7 February 2012.

**ITEM-30 OPER - 23/4/12 - CEMETERY COMMITTEE MEETING MINUTES 2
APRIL 2012 AND 12 APRIL 2012**

REPORT FROM: I STEWART - GROUP MANAGER OF OPERATIONS

SUMMARY

This report details the Minutes of the Cemetery Committee Meeting held on 2 April 2012.

COMMENTARY

At the Cemetery Committee meeting held on 2 April 2012, there were various items discussed by the Committee.

1. Terms of Reference
2. Headstone Quotation for the late Irene Clare
3. Lithgow Cemetery – Difficulties with re-opening graves in old sections.
4. New Access Road into Lithgow Cemetery – Lawn Portion
5. Refunds- Pre purchased allotments

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Minutes from the Cemetery Committee meeting of 2 April 2012 and 12 April 2012.
2. Terms of Reference

RECOMMENDATION

THAT Council:

1. Notes the minutes of the Cemetery Committee meeting held on 2 April 2012 and 12 April 2012.
2. Adopt the attached Terms of Reference for Committee,
3. Accept Quotation No Q00858 received from Stone Mason & Artist Pty Ltd for the sum of \$3,950 that was received and in accordance with Council minute Number 11-483, at no cost to the family.
4. Agree to buy pre-purchased positions at 80% of the current fees and charges.

ITEM-31 OPER - 23/04/12 - SPORTS ADVISORY COMMITTEE MEETING MINUTES - 26 MARCH 2012

REPORT BY: L KEARNEY - ASSETS AND PROJECTS ENGINEER

SUMMARY

Details of the Minutes of the Sports Advisory Committee Meeting held on Monday, 26 March 2012 for Council adoption.

COMMENTARY

At the Sports Advisory Committee Meeting held on Monday, 26 March 2012, there were nine (9) items discussed by the Committee, with all items being actioned under the Committee's delegated authority, and requiring Council to note the items.

Items discussed included:

- 2012 LJ Hooker Reg Cowden Memorial Sports Star of the Year Awards
- Booking Requests including:
 - St Patrick's Primary School
 - Lithgow Athletics Club
 - Lithgow Owners and Trainers
 - Lithgow Storm Junior RLFC
 - Lithgow Bears RLFC
 - AFL (NSW / ACT)
 - Mingaan Aboriginal Corporation
 - Lithgow District Football Association Inc
 - Lithgow District PSSA
 - Lithgow Primary School
 - Ironfest 2012
- Lithgow Owners and Trainers Use of Tony Luchetti Sportsground, Lithgow
- Booking Amendment for Thales Australia
- General Business including:
 - Thank you from Roxsanne Van Veen for financial assistance
 - 2012 Lithgow Show debriefing
 - Progress of Lithgow City Tennis Club refurbishments, including request for Council to assist with repairing fence
 - Glanmire Oval, Lithgow maintenance issues (removal of lime shed, concreting and repair of area where Contractor's truck caused damage)
 - Maintenance issues at Marjorie Jackson Oval, Lithgow
 - Thanks for assistance from Lithgow District Cricket Association
 - Possibility of relocating field number 1 at Tony Luchetti Sportsground, Lithgow

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Minutes of the Sports Advisory Committee Meeting held on Monday, 26 March 2012.

RECOMMENDATION

THAT Council note the minutes of the Sports Advisory Committee meeting held on Monday, 26 March 2012.

ITEM-32 OPER - 23/04/12 - LITHGOW INDOOR AQUATIC CENTRE ADVISORY COMMITTEE MINUTES - 29 MARCH 2012

REPORT FROM: L KEARNEY – ASSETS AND PROJECT ENGINEER

SUMMARY

This report details the Minutes of the Lithgow Indoor Aquatic Centre Advisory Committee Meeting held on 29 March 2012.

COMMENTARY

At the Lithgow Indoor Aquatic Centre Advisory Committee meeting held on 29 March 2012, there were four (4), items discussed by the Committee, including.

1. Construction Progress Report;
2. Review of Business Plan;
3. Funding for Stage 2; and
4. General Business.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

The Advisory Committee has recommended that Council accept and approve variations totalling \$120,392.65 for rock (\$7,260.00 (ex GST)) and bad ground (\$113,132.65 (ex GST)). These variations can be funded through expenditure allocated for contingencies for this project (\$180,361).

The Advisory Committee has also recommended that Council accept an amended tender price, as there was an error in the initial calculation spreadsheet of figures provided in the revised tender price. It was reported and accepted by Council that the original tender price was \$1,921,669, however, this figure should have been a total of \$1,922,699. This has resulted in the tender awarded being \$1,803,611 (ex GST) when it should have been \$1,804,641 (ex GST). This variation of \$1,030. (ex GST) can also be funded through expenditure allocated for contingencies for this project.

Acceptance of the Advisory Committee's recommendations will result in a total of \$121,422.65 (ex GST) being expended from the contingency allocation, leaving a total of \$58,938.35 (ex GST) remaining for any additional variations.

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Minutes from the Lithgow Indoor Aquatic Centre Advisory Committee meeting of 29 March 2012.

RECOMMENDATION

THAT Council:

1. Accept and approve Variation 1 for Rock (\$7,260 ex GST) and Variation 2 for Bad Ground (\$113,132.65 ex GST), to be funded from Council's allocation for contingencies;
2. Approve the extension of time to 30 July 2012 due to uncontrollable delays caused by inclement weather;
3. Accept the corrected original tender price of \$1,804,611 ex GST;
4. Liaise with consulting companies regarding costs of reviewing the existing business plan and provide a report back to the Advisory Committee;
5. Proceed with planning for funding of Stage 2 of the Lithgow Aquatic Centre through Section 94 contributions and the Management Plan, and for this project to be accelerated if additional grant funding can be secured;
6. Undertake a survey of users and the community to determine needs and peak usage times, and to report back to the Advisory Committee; and
7. Proceed with planning for the official opening of Stage 1 to be held in conjunction with 50 year celebrations in November 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.*