



A CENTRE OF REGIONAL EXCELLENCE

AGENDA

ORDINARY MEETING OF COUNCIL

TO BE HELD AT

THE ADMINISTRATION CENTRE, LITHGOW

ON

25 JUNE 2012

AT 7.00pm

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# AGENDA

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## **APOLOGIES**

## **PRESENT**

**CONFIRMATION OF THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 4 JUNE 2012**

**CONFIRMATION OF THE MINUTES OF THE EXTRAORDINARY MEETING OF COUNCIL HELD ON 20 JUNE 2012**

## **DECLARATION OF INTEREST**

## **PUBLIC FORUM**

## **PRESENTATIONS - NIL**

## **MAYORAL MINUTES - NIL**

## **NOTICES OF MOTION**

Snap Send Solve App for Local Councils – Councillor M Ticehurst

## **NOTICE OF RECISSIONS - NIL**

## **CORRESPONDENCE AND REPORTS**

Environment and Development Reports  
Operation Services Reports  
Community and Strategy Reports  
Finance Reports

## **COMMITTEE MEETINGS**

Youth Council Committee  
Economic Development Shopfront Committee  
Disability Access Committee  
Commemoration of the Blue Mountains Crossing Bicentenary Committee  
South Littleton Hall Renovation Section 355 Committee  
Environmental Advisory Committee  
Lithgow Indoor Aquatic Centre Advisory Committee

## **REPORTS FROM DELEGATES**

Centroc Meeting 11 May 2012

## **BUSINESS OF GREAT URGENCY**

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

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## NOTICES OF MOTION

### ITEM-1 NOTICE OF MOTION - 25/06/12 - SNAP SEND SOLVE APP FOR LOCAL COUNCILS - COUNCILLOR M F TICEHURST

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## REFERENCE

[www.snapsendsolve.com](http://www.snapsendsolve.com)

## COMMENTARY

From the [www.snapsendsolve.com](http://www.snapsendsolve.com) website.

### What is Snap Send Solve?

Snap Send Solve is a free app for your iPhone or Android device that lets you report issues and provide feedback to your local council in under 30 seconds Australia wide.

### How Snap Send Solve Works

Snap Send Solve determines your council using your smartphone's GPS location.

Once your GPS location has been determined the server sends back all relevant council details, including contact information, location, and email contact.

Snap Send Solve allows you to easily capture and report on common issues including Litter, Hard waste, Parking, Street Cleaning, Trees, Noise, and also provide a general request or general feedback.

All reports from Snap Send Solve are sent from the app using your email address so that the council can communicate directly with you to fix the issue.

I understand that this new Phone App has been picked up by many Local Government Authorities across both NSW and Australia and would be an excellent way to assist and work in conjunction with the Lithgow City Councils Compliments and Complaints website service.

## ATTACHMENTS

1. NIL

## RECOMMENDATION

**THAT** the Council provide a link on its website for information on the Snap Send Solve Phone App and make reference it in it's weekly Council Column in the Lithgow Mercury.

## **ENVIRONMENT AND DEVELOPMENT REPORTS**

### **ITEM-2            ENVIRO - 25/06/12 - STATUS OF SLOGGETS LANE, PORTLAND**

**REPORT BY: ANDREW MUIR - GROUP MANAGER ENVIRONMENT AND DEVELOPMENT**

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#### **SUMMARY**

To dedicate a Crown Road at Portland known as Sloggets Lane as a Council Public Road.

#### **COMMENTARY**

Following the submission of a development application Council is in receipt of representations for the construction of a dwelling on land that retains legal and practical access from Ellen Close, Portland. The applicant wishes to gain access for his dwelling from a Crown Road at the rear of his property known as Sloggets Lane. A map is attached to the business paper that indicates the location of both Ellen Close and Sloggets Lane.

It appears that when the subdivision creating the rural residential lots in the area took place, that the intention was for residents to gain access to their new dwellings via the new subdivisional road known as Ellen Close. However, there appears to be two long standing residences that gain access directly via Sloggets Lane which is a Crown Road not under care and control under Lithgow City Council. The applicant has made representations to Council seeking to gain access via Sloggets Lane for his proposed new dwelling. However at this stage this would not constitute legal and practical access to the land as it is currently a Crown Road. Councillors will be aware of the long standing policy of Department of Lands in that it will only consider access from Crown Roads if they are taken over and dedicated as public roads by Roads Authorities, e.g. Councils. In this instance there appear to be a potential of five allotments that could gain access from Sloggets Lane; two being long standing dwellings and one gaining secondary access from Sloggets Lane. Therefore, if Council was to agree to the dedication of Sloggets Lane as a Council Public Road, it could potentially access another three residences.

Whilst it is always with great reluctance that a recommendation would be made to take over a Crown Road as a Public Road due to possible expectations of upgrading and maintenance, discussions have been held with the Group Manager Operations and in this instance due to the minor number of potential allotments that could be serviced by Sloggets Lane it could be taken over as a Public Road and those residences either gaining access or potentially gaining access would be advised that Council has no intention of upgrading the lane, nor has it any intention of undertaking anything but minimal maintenance.

Therefore under the circumstances, no objection is raised to the dedication of Sloggets Lane as a Council Public Road.

### **POLICY IMPLICATIONS**

Policy 1.2 Acquisition & Disposal of Assets – Asset Acquisition would be applicable.

### **FINANCIAL IMPLICATIONS**

Providing it is made clear to owners of allotments gaining or potentially gaining access to Sloggets Lane that Council has no intention to upgrade the Lane and will only be undertaking minimal maintenance then no significant financial implications would apply.

### **LEGAL IMPLICATIONS**

The provisions of the Roads Act 1993 apply.

### **ATTACHMENTS**

1. Plan showing allotments and existing residences on Ellen Close and Sloggets Lane, Portland.

### **RECOMMENDATION**

#### **THAT:**

1. Council accept dedication of the Crown Road known as Sloggets Lane, Portland as a Council Public Road.
2. The relevant documentation be completed to allow dedication of the road and if necessary the Council Seal be approved to be applied to any such documentation.
3. Owners of allotments of land gaining access to Sloggets Lane be advised that whilst Council will be accepting dedication of the laneway as a public road, it has no plans for the upgrade of the road and will only be carrying out minor maintenance to the road as required.

## OPERATION SERVICES REPORTS

ITEM-3            OPER - 25/06/12 - WATER REPORT JUNE 2012

REPORT BY: I STEWART - GROUP MANAGER OPERATIONS

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### REFERENCE

Min No 11-208: Ordinary Meeting 30 May 2011

### SUMMARY

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

### COMMENTARY

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

#### CURRENT DAM LEVELS FOR BOTH FARMERS CREEK AND OBERON

Farmers Creek Dam #2 capacity on Friday 1 June was 100%. Oberon Dam capacity on Tuesday 5 June was 93.47%.

#### 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	166	0
May	110	0
<b>2011 Monthly Average</b>	<b>124</b>	<b>3</b>
<b>Rolling 12 Month Total</b>	<b>1,497</b>	<b>14</b>



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

Oakey Park WTP	Avg Daily Use kL	Avg Daily CWTS Transfer kL
May	3,558	0
June	3,371	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
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
<b>Total</b>				<b>518.3</b>	

**Oakey Park Water Quality Summary**

Oakey Park Water Treatment Plant is currently supplying water to Lithgow. No health-based ADWG guideline values were exceeded in May. Chlorine residuals improved throughout the Lithgow distribution system.

**Fish River Water Scheme Water Quality Summary**

The FRWS is currently supplying water to Marrangaroo, Wallerawang, Lidsdale, Portland, Cullen Bullen, Glen Davis and Rydal. No health-based ADWG guideline values were exceeded in May. Total Coliforms exceeded recommended levels 2 times. Chlorine residuals improved for potable water customers in the Lithgow villages.

**Current Water Restrictions Update**

Level 1 water restrictions are 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 May with Council approving 2 applications for a household appliance rebate and 2 applications for a water tank rebate.  
 New Alum storage tanks have been commissioned at OPWTP and comply with Environmental Protection Agency requirements.

**FISH RIVER WATER SCHEME**

With the assumption of all customers using their maximum volume and nil rainfall there would be 20% left in the dam after 2 yrs.

The minor consumer contacts were also discussed with letters drafted and ready to go out with the contract. State Water will also be visiting the 50 or so untreated water consumers to ensure that they were aware of the risks of using this water.

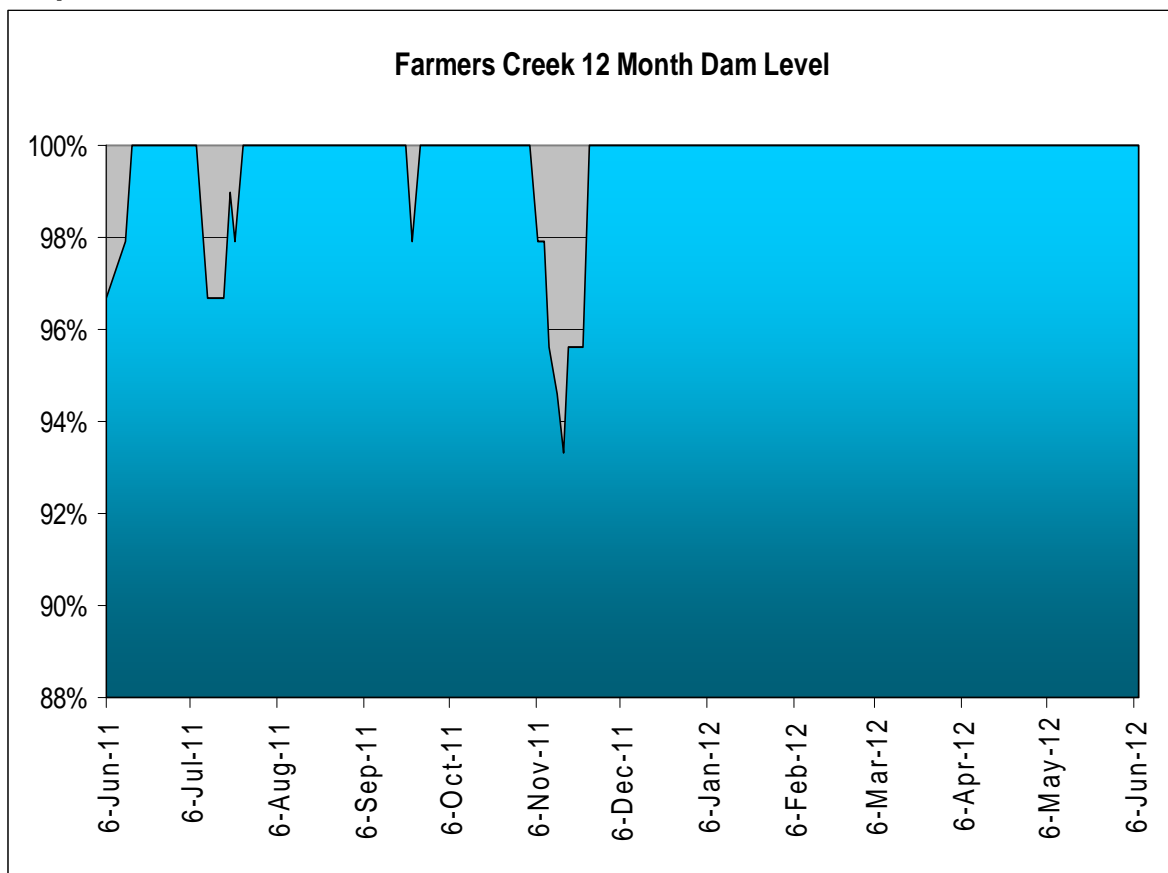
**OBERON DAM STORAGE**

The Oberon Dam storage has been looking good; Oberon dam is at 93% and the effective storage is at 83%, there is currently an average 30ML per week being used from Oberon Dam with 3ML being treated for villages per day. Use was down due to construction works in early March 2012.

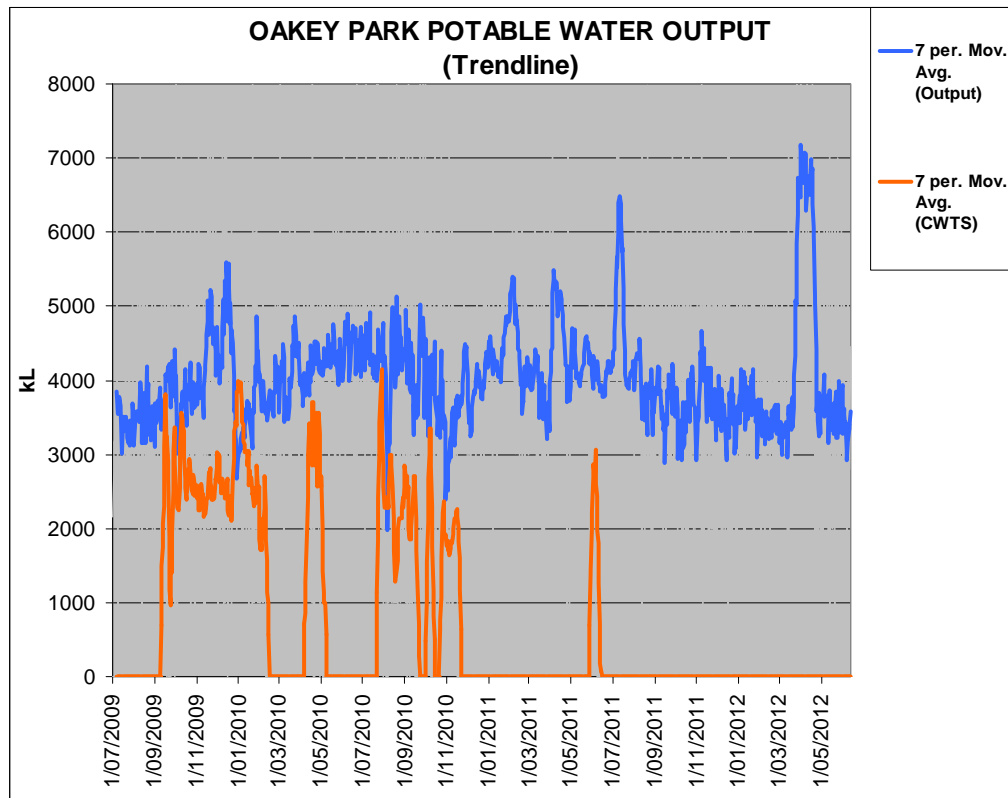
**FARMERS CREEK DAM 12 MONTH LEVELS**

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

**Graph 1 Farmers Creek Dam #2 over 12 Months**



**Graph 2 Trends in Oakey Park WTP Production and Clarence Water Transfer Scheme Use**



### **FARMERS CREEK DAM #2 STORAGE OUTLOOK**

The southeast Australian outlook for winter 2012 shows the chances of receiving above median rainfall during the June to August period are between 60% and 65% over much of eastern and northern NSW. Such odds mean that for every ten years with similar ocean patterns to those currently observed, about six to seven winters would be expected to be wetter than average over these areas, while about three to four would be drier. This outlook is mainly influenced by warmer than normal waters in the Indian Ocean.

Routine Dam inspections continued throughout May.

### **ALTERNATE WATER SOURCES UPDATE**

The Lithgow villages and Marrangaroo Zone are currently being supplied from FRWS.

### **RESERVOIRS**

Some modifications have been made to South Bowenfels Reservoir in order to better seal the walls and joints. This has delayed final commissioning.

### **POLICY IMPLICATIONS**

NIL

### **FINANCIAL IMPLICATIONS**

NIL

**LEGAL IMPLICATIONS**

NIL

**RECOMMENDATION**

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

**ITEM-4            OPER - 25/06/12 - TENDER 04/12 SUPPLY OF BITUMEN SEALING SERVICES (3 YR CONTRACT)**

**REPORT BY:    ACTING    GROUP    MANAGER    OPERATIONS    -    CHRIS SCHUMACHER**

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## **REFERENCE**

Minute No. 12-160

## **SUMMARY**

This report provides details of tenders recently called for the supply of Bitumen Sealing Services for the period 1<sup>st</sup> July 2012 to 30<sup>th</sup> June 2015.

## **COMMENTARY**

Tenders for the Supply of Bitumen Sealing Services, Tender No. 04/12 has been advertised and closed, with two (2) competitive tenders being received prior to the closing time of 10.00am Tuesday 12<sup>th</sup> June 2012.

The Supply of Bitumen Sealing Services is for a 3 year period 1<sup>st</sup> July 2012 to 30<sup>th</sup> June 2015 and the tenders received reflect this. Council's road works program during this period is extensive and includes a combination of reconstruction projects and resealing works scattered throughout the Lithgow LGA.

Tenders received were based on the average annual forecast amount of works for each of the next 3 year's road sealing programs at a per square meter schedule of rates. The rates were based upon the supply of traffic control, pavement sweeping, supply and spray bitumen C-170, supply, deliver, load and haul aggregate, roll pavement and site establishment.

In order to compare tenders the schedule of rates was based on an anticipated minimum pavement area of 75,000sq/m per annum. As conforming tenders satisfied the tender specification, no comprehensive assessment matrix was required. Tenders received are in alphabetical order, all unit prices are GST exclusive:

(1) Fulton Hogan Industries Pty Ltd	\$282,448.74 @ \$3.77 Ex gst.
(2) Sami Road Services (SRS) Pty Ltd	\$297,596.25 @ \$3.96 Ex gst.

Having analysed the submitted tenders for bitumen sealing services, it would appear that the best value tendered price was submitted by Fulton Hogan Pty Ltd. Whilst it is clear that the lowest tender was received from Fulton Hogan Pty Ltd, it is evident from Item 6.0 SRS Road Services Pty Ltd sub clause "Establishment Surcharge" that an additional increase in price will be charged for establishment should sealing projects fall in to the below categories, and

**SRS Road Services – Table.**

2000 – 25,000 litres (C-170)	@ \$3,950.00 Establishment
25,001 – 35,000 litres (C170)	@ \$2,950.00 Establishment
35,001 – 45,000 litres (C-170)	@ \$1,250.00 Establishment
> 45,000 litres (C-170)	@ \$Nil Charge

Also note that pricing has been based on the 'Bitumen Price List (C-170 Emulsion)' as such each contractor purchases from Fuel Refineries within the state of NSW. The pricing of C-170 is subject to market place 'Rise and Fall' provisions which can alter the per/litre price of the C-170 emulsion component in the contract at any time.

**POLICY IMPLICATIONS**

Policy 1.4 – Tendering applies as does Policy 9.11 Tenders – Canvassing/Lobbying of Councillors and Staff.

**FINANCIAL IMPLICATIONS**

Funds are available across the 20012/13, 2013/14 and 2015/16 Management Plan for the various roadwork's projects.

**LEGAL IMPLICATIONS**

The tendering procedure has been undertaken pursuant to the provisions of Section 55, Local Government Act 1993 and the Local Government (General) Regulations 2005.

**RECOMMENDATION****THAT:**

1. Council accept the tender received from Fulton Hogan Industries Pty Ltd at an estimate of \$282,448.74 based on an estimated pavement area of 75,000m<sup>2</sup> for the Supply of Bitumen Sealing Services for the period 1<sup>st</sup> July 2012 to 30 June 2015.
2. Council authorise the affixing of the 'Common Seal' to contract documents as required.

**ITEM-5            OPER - 25/06/12 - CONFIDENTIAL REPORT - TENDER 05/12  
SUPPLY OF ROAD BASE EX BIN (3 YR CONTRACT)**

**REPORT BY: C SCHUMACHER - ACTING GROUP MANAGER OPERATIONS**

## **REFERENCE**

Minute No. 12-159

## **SUMMARY**

This report provides details of tenders recently called for the supply of Road Base for the period 1<sup>st</sup> June 2012 to 30<sup>th</sup> June 2015.

## **COMMENTARY**

At the request of tendering companies expressing dissatisfaction about tendered prices being disclosed in Open Council, it was considered that pricing not be disclosed and kept Confidential, subject to the potential commercial prejudice that may result.

Tenders for the supply of Road Base product, Tender No. 05/12 have been advertised and closed, with three (3) tenders being received prior to the closing time of 10.00am Tuesday 12<sup>th</sup> June 2012.

The supply of road base, RMS Specification 3051, is for the period 1<sup>st</sup> July 2012 to 30<sup>th</sup> June 2015. Council's road works program during this period is extensive and will require upwards of 20,000 tonnes per annum of material for various projects scattered throughout the Lithgow LGA. As a consequence, more than one source of material will be required depending on the location of the project and the haul distance from the pit to the project.

Tenders received, based on a schedule of rates, are summarised below in alphabetical order. All prices are per tonne and are GST exclusive, as conforming tenders satisfied the tender specification no comprehensive assessment matrix was required.

1. Metromix Quarries Pty Ltd. – Supply RMS Spec 3051 Ex. Pit \$17.50/Tonne
2. Hy-tec Quarries Pty Ltd. – Supply RMS Spec. 3051 Ex. Pit \$16.00/Tonne
3. Sibelco Quarries Pty Ltd. – Supply RMS Spec. 3051 Ex. Pit \$16.00/Tonne

## **POLICY IMPLICATIONS**

Policy 1.4 – Tendering applies as does Policy 9.11 Tenders – Canvassing/Lobbying of Councillors and Staff.

## **FINANCIAL IMPLICATIONS**

Funds are available across the 20012/13, 2013/14 and 2015/16 Management Plan for the various roadwork's projects.

**LEGAL IMPLICATIONS**

The tendering procedure has been undertaken pursuant to the provisions of Section 55, Local Government Act 1993 and the Local Government (General) Regulations 2005.

**RECOMMENDATION****THAT:**

1. Council accept tenders received from Metromix Quarries Pty Ltd. (Supply RMS Spec 3051 Ex. Pit \$17.50/Tonne), Hy-tec Quarries Pty Ltd. (Supply RMS Spec. 3051 Ex. Pit \$16.00/Tonne) and Sibelco Quarries Pty Ltd. (Supply RMS Spec. 3051 Ex. Pit \$16.00/Tonne) for the supply of road base (RTA Specification 3051) for the period 1<sup>st</sup> July 2012 to 30 June 2015.
2. The source of supply of road base for various projects will be determined on the proximity of the pit to the project and associated transport costs.
3. Council authorise the affixing of the 'Common Seal' to contract documents as required.



## COMMUNITY AND STRATEGY REPORTS

### ITEM-6            **COMM - 25/06/12 - ENDORSEMENT OF LITHGOW LAND USE STRATEGY 2010-2030**

#### **REPORT FROM: S HANRAHAN - STRATEGIC LAND USE PLANNER**

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### REFERENCE

Min No 07-518:	Policy and Strategy Committee Meeting 3 December 2007
Min No 07-519:	Policy and Strategy Committee Meeting 3 December 2007
Min No 08-78:	Policy and Strategy Committee Meeting 1 July 2008
Min No 08-134:	Ordinary Meeting of Council 19 August 2008
Min No 008-227:	Ordinary Meeting of Council 15 December 2008
Min No 10-138:	Ordinary Meeting of Council 12 April 2010
Min No 10-160:	Extra Ordinary Meeting of Council 27 April 2010
Min No 11-23:	Ordinary Meeting of Council 24 January 2011
Min No 11-24:	Ordinary Meeting of Council 24 January 2011
Min No 11-231:	Ordinary Meeting of Council 20 June 2011
Min No 11-422:	Ordinary Meeting of Council 31 October 2011
Min No 11-450:	Ordinary Meeting of Council 31 October 2011
Min No 12-75:	Ordinary Meeting of Council 5 March 2012

### SUMMARY

The purpose of this report is to advise Council that the Department of Planning and Infrastructure have issued their formal endorsement of the final Lithgow Land Use Strategy 2010-2030 dated 31 October 2012.

### COMMENTARY

#### **ENDORSEMENT ADVICE**

In a letter dated 24 May, 2012, the Director General of the Department of Planning and Infrastructure advised Council that he has endorsed the final Lithgow Land Use Strategy 2010-2030 dated 31 October, 2011 and congratulated Council on its work on the Strategy.

In endorsing the strategy the Director noted Council's resolution to retain the existing minimum lot size of 40ha for a dwelling on rural lands, despite the comprehensive recommendation of the Strategy for an alternative outcome. The Director also stated that "it is important Council continue to review its strategic planning work moving forward to ensure it remains on track to achieving a strong and viable land use planning future for the Lithgow Local Government Area."

**NEXT STEP IN THE PLANNING PROCESS**

The next step in the planning process is to continue with the preparation of the Principal Local Environmental Plan (LEP) according to the Standard Instrument (Local Environmental Plan) Order 2006.

The process for development of the LEP was outlined in a report to Council on 5 March 2012.

Council will be kept informed of the progress of the Principal LEP development at significant milestone points in the process.

It is estimated that a Draft LEP may be available for public comment towards the end of this year.

**POLICY IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

NIL arising from this report.

**LEGAL IMPLICATIONS**

NIL arising from this report.

**ATTACHMENTS**

1. Letter from Department of Planning and Infrastructure

**RECOMMENDATION**

**THAT** Council note that the Council's Land Use Strategy has been endorsed by the Director General of the Department of Planning.

**ITEM-7                    COMM - 25/06/12 - CAPERTEE VILLAGE IMPROVEMENTS PLAN**

**REPORT FROM: D MCGRATH - CORPORATE STRATEGY AND COMMUNICATIONS OFFICER**

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**REFERENCE**

Min 12-182 – Ordinary Meeting of Council 4 June 2012

**SUMMARY**

This report provides:

1. An update on the development of the Capertee Village Improvements Plan following the community meeting held at Capertee on 12 June and makes recommendations for actions to be undertaken.
2. Identifies the community engagement process for the development of the Capertee Village Improvements Plan and proposed timeframes.

**COMMENTARY**

Council at the Ordinary Meeting of 4 June 2012 adopted the Integrated Planning and Reporting Framework with the following resolutions relevant to the Village of Capertee:

1. *Council adopts the Lithgow City Council combined Draft Delivery Program 2012-2016 and Draft Operations Plan 2012-2013, Draft Fees and Charges 2012-2013, Long Term Financial Plan 2012-2022 and Strategic Assets Management Plan 2012-2022 with the following amendments where appropriate:*
  - a. *A Village Improvements Program be developed for Capertee.*
  - b. *\$90,000 allocated in 2018/19 for the upgrade/replacement of Clarence Pirie Park Toilets be brought forward to 2015/16.*
  - c. *\$5,000 be allocated from the General Maintenance allocation 2012-13 in the Infrastructure Levy program to attend to short-term issues with the Clarence Pirie Park toilets.*
2. *Council, in addition to the above and separately to the Delivery Program submissions:*
  - a. *Representations be made to the RMS (RTA) regarding:*
    - i. *The stabilisation of the Blackman's Crown rock face on the Castlereagh Highway adjacent to Pearsons Lookout.*
    - ii. *The development of a rest area at Clarence Pirie Park (subject to the identification of the Village Improvement Programs).*

A community meeting was held at the Royal Hotel, Capertee on 12 June which was attended by 8 members of the Capertee community (including representatives from the Capertee Progress Association and Capertee Valley Alliance); Mr Doug White, General Manager Airly Coal Mine; the Mayor, Councillor Neville Castle; Acting

General Manager, Mr Andrew Muir, Acting Group Manager Community and Strategy, Mrs Ally Shelton; Tourism Manager, Ms Kellie Barrow and Corporate Planning and Communications Officer, Ms Deborah McGrath.

An update was provided to the meeting with regard to the matters raised by the Capertee Progress Association at the Community Information Session held on 26 April. Further discussion was had with regard to these matters and additional items identified by the community which are summarised in the table below along with Officers Comments (made during the meeting and following further investigation) and Officers recommendations.

## Capertee Village Improvements Meeting 12 June 2012

Community Issue/Comment	Officers Comment	Officers Recommendation
<p><b>Clarence Pirie Park and Rest Area</b></p> <ul style="list-style-type: none"> <li>The RMS bins are not emptied frequently enough and are often overflowing which causes issues with litter at the park. Is it possible for additional or larger bins to be supplied?</li> <li>Beautification and development of the park and the rest area was discussed. With suggestions for additional picnic tables, entry and exiting of traffic into the parking area and development of the small island in the centre of the carpark.</li> <li>What type of toilets will be installed at the park?</li> </ul>	<ul style="list-style-type: none"> <li>Clarence Pirie Park is owned by Railcorp and leased to Council. The lease is due for renewal in October 2012. In addition there are land ownership issues relating to the carpark area which need to be resolved.</li> <li>It was suggested however, that a concept plan be developed for the future beautification and development of the park.</li> <li>Council will be looking to install a toilet similar to the public toilet at the park in Cullen Bullen.</li> </ul>	<p>That</p> <ul style="list-style-type: none"> <li>Representation is made to the RMS regarding the emptying of bins at the rest area.</li> <li>Council investigate the feasibility of a) acquiring ownership of Clarence Pirie Park and the adjoining land or b) negotiate a long-term lease with Railcorp and/or other land owners.</li> <li>Following resolution of ownership/control a concept plan be developed for Clarence Pirie Park and Rest Area.</li> <li>Funding be considered as part of any future Voluntary Planning Agreements for the acquisition and development of Clarence Pirie Park and Rest Area.</li> </ul>
<p><b>Signage</b></p> <p>The Destination NSW Signage was discussed. Concern was expressed that the original intent was for Gateway signage for the Capertee Valley and there was some discussion regarding the original signage application.</p> <p>It was requested that consideration be given to ensuring that the signage be easily updated as things change so that it remains current.</p>	<ul style="list-style-type: none"> <li>Costings have been obtained for a double sided covered information bay to be purchased at \$4-5K. This does not include artwork and installation.</li> <li>A development application does need to be submitted due to the height and size of the structure and this will need to be signed by the Landowners.</li> <li>The signage will include information regarding attractions and businesses in and around Capertee and the Capertee Valley.</li> <li>Discussions will be entered into with NPWS regarding content for the signs.</li> </ul>	<p>The information be noted.</p>

	<ul style="list-style-type: none"> <li>Installation of an information board will allow Council to apply for TASAC signage directing travellers to the information bay.</li> </ul>	
<p><b>Signage and ownership – Glen Alice Park</b> The Capertee Valley Alliance noted that they are seeking support for a community noticeboard (similar to the ones used by Schools) to be located in the Glen Alice Park to inform the community of events and meetings in the Valley.</p> <p>They also asked who owns/is responsible for the Park.</p>	<p>The Glen Alice Sports Reserve Trust (Park) is Crown Land with Council as the Trust Managers. Any development on the site is subject to the approval of Crown Lands.</p>	<p>That</p> <ul style="list-style-type: none"> <li>The Capertee Valley Alliance be advised to obtain quotations for the purchase and installation of the signage and seek funding through the Financial Assistance Program.</li> <li>Subject to funds being approved the Capertee Valley Alliance liaise with Council regarding the required approvals for the erection of Community Information Signage on the Glen Alice Sports Reserve.</li> </ul>
<p><b>Section 94 Contributions – Airly</b> The matter of Section 94 Contributions was further discussed. It was asked whether future contributions could be allocated to projects in the village and the Capertee Valley.</p> <p>Doug White, General Manager Airly Coal Mine noted that they will be renewing their Consent in 2014 and are currently looking at how their Section 94 Contributions can be targeted towards the Capertee Community.</p>	<p>It was noted that it may be possible to negotiate a Voluntary Planning Agreement which could identify funding to be used to implement part of the Village Improvements Plan and projects in the Capertee Valley.</p>	<p>The information be noted</p>
<p><b>Road Safety Issues</b></p> <p><b>Castlereagh Highway – Blackman’s Crown Rock Face</b> The matter of safety issues on the Castlereagh Highway was discussed. When it rains large rocks fall from the rock face onto the highway and present a safety hazard for motorists.</p> <p><b>Castlereagh Highway – Right turning entrance to Farms/Rural Properties</b></p>	<p>Note: With respect to the stabilisation of the Blackman’s Crown Rock Face, at its meeting held on 4 June 2012 Council resolved (Min No. 12-182) that:</p> <p><i>Council, in addition to the above and separately to the Delivery Program submissions:</i></p> <p>1. Representations be made to the RMS</p>	<p>That the road safety issues identified be referred to TALC for investigation and report.</p>

<p>A number of residents expressed concern with regard to turning right off the Castlereagh Highway to enter their properties with vehicles overtaking them as they are about to turn. It was requested that signage indicating hidden driveways be put in place in the following locations:</p> <p>a) Mudgee side of Capertee as there are a number of properties near the cemetery on both sides of the road.</p> <p>b) At Ben Bullen from the cutting just past Baalbone to the other side of the bridge over Jews Creek.</p> <p><b>Glen Davis Road – Entering/Exiting Airly Coal Mine</b></p> <p>Airly Coal Mine has identified as part of their risk assessment process the issue of entering and exiting the mine entrance from the Glen Davis Road as an issue. The mine has purchased signage and is willing to put it up but, has been told by RMS that they are not allowed to. They are concerned for the safety of road users who are travelling at speed along this section of road and who overtake vehicles turning into the mine and also mineworkers and visitors to the mine.</p>	<p><i>(RTA) regarding:</i></p> <p>a. <i>The stabilisation of the Blackman's Crown rock face on the Castlereagh Highway adjacent to Pearsons Lookout.</i></p> <p>This matter has now, also been referred to TALC for investigation and recommendation.</p>	
<p><b>Derelict/Overgrown Properties at Capertee</b></p> <p>Further discussion was had with regard to properties at Capertee. In addition to the current property which currently has a table of orders placed on it requiring the property to be made healthy and safe it was requested that Council investigate a property located two doors up from this property and also inspect other properties in the village for overgrown vegetation.</p>	<p>The Acting General Manager and a Ranger undertook an inventory on 13 June of the property currently under order to ascertain if what is still outstanding on the order.</p> <p>They also drove around the village and identified one additional property that would be contacting and advising that Council would be seeking them to tidy up stored goods and materials viewable from the Castlereagh Highway in the first instance.</p>	<p>The information be noted.</p>
<p><b>Village Drainage Program</b></p>		

<p>The Village Drainage Program for 2012/13 was discussed.</p> <p>Issues with the footpath and drainage on the north east side of the Castlereagh Highway opposite the Royal Hotel. The need for an extension of the footpath to the phone booth and/or beyond and improvements to drainage in this location. At present dirt from the unpaved section is silting up the drain that is located near the un-named lane adjacent to Bandanora Street. The drain requires cleaning out.</p>	<ul style="list-style-type: none"> <li>• The Acting General Manager and Mayor inspected the area following the meeting.</li> <li>• This issue will be investigated to identify which authority is responsible for undertaking works to alleviate the ponding of water on the verge and silting of the drain.</li> </ul>	<p>The information be noted.</p>
<p><b>Funding for the Hall</b> Discussions continued with regard to funding for the hall. It was suggested that the hall requires heating, roofing and a ceiling.</p>	<p>Council Officers will inspect the building to identify works that need to be undertaken and establish estimated costings for the work for inclusion in the Village Improvements Plan.</p>	<p>The information be noted.</p>
<p><b>Pearsons Lookout</b> There was further discussion in relation to the re-opening of Pearsons Lookout.</p> <p>It was considered appropriate that an onsite meeting be convened with Paul Toole, Member for Bathurst to discuss the issues and progress this matter.</p>	<p>The current status of possible line marking works to allow a safe left hand turning movement from the Castlereagh Highway.</p>	<p>The Member for Bathurst, Paul Toole be requested to attend an onsite meeting at Pearsons Lookout to discuss the re-opening of the Lookout.</p>
<p><b>Capertee Village Expansion</b> The recent Land Use Strategy was discussed and it was requested that Council consider reviewing the areas identified for possible development within the village for the following reasons?</p> <ol style="list-style-type: none"> <li>1. The land is privately owned</li> <li>2. With respect to the land identified behind the hotel the owner does not (at this stage) intend to sell or make this land available for residential development.</li> </ol>	<p>The Mayor and Acting General Manager noted that Council will be developing the Local Environmental Plan in 2012/13 and the Community will be able to make submissions when it goes on exhibition.</p> <p>Furthermore, these issues can be considered in the Local Environmental Plan as long as they are consistent with the framework set by the Land Use Strategy.</p>	<p>The information be noted.</p>



<ol style="list-style-type: none"> <li>3. It was felt that larger rural residential allotments are more suited to the area as people want to live on small acreages in rural areas.</li> <li>4. A Development Plan should be developed for expansion of the Capertee village to provide a strategic and sustainable approach to the development of the area.</li> <li>5. There are currently 8 children at the school and this may drop to 5 soon.</li> </ol>		
<p><b>Glen Davis/Glen Alice Road</b> Clarification was sought as to the actual name of the Glen Davis/Glen Alice Road as it was thought that these were not the gazetted names of the road and that it was actually one road to Rylstone.</p>	<p>According to GIS Data from Land and Property Information (LPI) the Glen Davis Road goes from the Castlereagh Highway to Glen Davis and the Glen Alice Road is from the three ways intersection to Rylstone.</p> <p>However, this can be further investigated to identify if the roads have been gazetted.</p>	<p>The information be noted.</p>

### Community Engagement for the Village Improvements Plan

To date Council has met with representatives of the Capertee community twice and identified a number of priority areas for further investigation as part of the development of the Capertee Village Improvements Plan. However, in order to further develop the plan it is considered appropriate that a community survey be undertaken of residents who reside in the village of Capertee and the surrounding area serviced by the village to

- Build a profile of the area.
- Identify their needs.
- Identify their vision for the future of the Capertee village.
- Identify priorities for future improvements within the village.

The following timeframes and actions are proposed for the development of the Capertee Village Improvements Plan.

Proposed Timeframe	Action
2 – 31 July	Distribute Survey to community <ul style="list-style-type: none"> <li>• Make available on Council's website</li> <li>• Send links to Capertee Progress Association and Capertee Valley Alliance and request they post on their blogs.</li> <li>• Contact the proprietors of the Royal Hotel and Capertee General Store and Café to ascertain if they will make the surveys available for the community and distribute copies.</li> <li>• Mail out surveys to all ratepayers and community groups within Capertee and the surrounding area; Glen Davis, Glen Alice, Bogee, Running Stream, Palmers Oakey, Ben Bullen.</li> <li>• Advertise in Council Column and provide media releases to local and regional media.</li> </ul>
31 July	Community Survey Close.
August/September	<ul style="list-style-type: none"> <li>• Collate data and develop Capertee Village Improvements Plan.</li> <li>• Conduct additional meetings with Capertee Progress Association and Capertee Valley Alliance (if required)</li> </ul>
October	Report Draft Capertee Village Improvements Plan to Council
October/November	<ul style="list-style-type: none"> <li>• Place Draft Capertee Village Improvements Plan on exhibition for 28 Days.</li> <li>• Make copies available at the following locations:               <ul style="list-style-type: none"> <li>○ Council Website</li> <li>○ Council Administration Centre</li> <li>○ Lithgow, Portland, Wallerawang and Rydal Libraries.</li> <li>○ Royal Hotel Capertee</li> <li>○ Capertee General Store and Café</li> </ul> </li> <li>• Copies to be provided to Capertee Progress Association and Capertee Valley Alliance, Glen Davis Progress Association and Glen Alice Progress Association for comment.</li> <li>• Notify survey respondents who have provided contact details of the exhibition and how to make a submission.</li> <li>• Advertise in Council Column and provide media releases to local and regional media.</li> </ul>
December	Finalise Capertee Village Improvements Plan and report to Council for adoption.

### POLICY IMPLICATIONS

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

**FINANCIAL IMPLICATIONS**

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

**LEGAL IMPLICATIONS**

Council investigate the feasibility of

- a) Acquiring ownership of Clarence Pirie Park and the adjoining land or
- b) Negotiate a long-term lease with Railcorp and/or other land owners.

**RECOMMENDATION****THAT:**

1. Council notes the community issues and staff comments provided as part of the Capertee Village Improvements Plan meeting held on Tuesday 12 June 2012.
2. The following actions be undertaken with respect to Clarence Pirie Park and Rest Area:
  - a. Representation is made to the RMS regarding the emptying of bins at the rest area.
  - b. Council investigate the feasibility of a) acquiring ownership of Clarence Pirie Park and the adjoining land or b) negotiate a long-term lease with Railcorp and/or other land owners.
  - c. Following resolution of ownership/control a concept plan be developed for Clarence Pirie Park and Rest Area.
  - d. Funding be considered as part of any future Voluntary Planning Agreements for the acquisition and development of Clarence Pirie Park and Rest Area.
3. The Capertee Valley Alliance be advised
  - a. to obtain quotations for the purchase and installation of the signage in the Glen Alice Sports Reserve and seek funding through the Financial Assistance Program; And
  - b. Subject to funds being approved the Capertee Valley Alliance liaises with Council regarding the required approvals for the erection of Community Information Signage on the Glen Alice Sports Reserve.
4. The road safety issues identified on the Castlereagh Highway and Glen Davis Road be referred to TALC for investigation and recommendation.
5. The Member for Bathurst, Paul Toole be requested to attend an onsite meeting at Pearsons Lookout to discuss the re-opening of the lookout.

**ITEM-8            COMM - 25/06/12 - SECTION 94A DEVELOPMENT CONTRIBUTIONS PLAN**

**REPORT FROM: S HANRAHAN - STRATEGIC LAND USE PLANNER**

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**REFERENCE**

Min No 05-358:            Planning and Development Committee 25 July 2005  
Min No 12-123:            Ordinary Meeting of Council 23 April 2012

**SUMMARY**

The purpose of this report is to recommend adoption of the Draft Section 94A Development Contributions Plan as exhibited.

**COMMENTARY**

**PUBLIC EXHIBITION**

Following receipt of concurrence from the Department of Planning and Infrastructure to public exhibit the document, the Draft Section 94A Development Contributions Plan was placed on public exhibition for a period of twenty-eight days between 18<sup>th</sup> May, 2012 and 15<sup>th</sup> June 2012.

During this period the Draft Plan and explanatory fact sheet was available for public viewing at Council's Administration Building. Notification of the public exhibition was undertaken by public notice in the Lithgow Mercury each week of the exhibition period as well as being placed on Council's website.

No public submissions or enquiries were received during this period.

**REPEAL OF EXISTING DEVELOPMENT CONTRIBUTIONS PLANS**

The following development contributions plans will be repealed upon commencement of this new Section 94A Development Contributions Plan;

- Lithgow City Council Section 94 Contributions Plan – Coal Related March 1992
- Section 94 Contribution Plan – Rylstone Council July 1993 (as it relates to land now within Lithgow LGA).
- Lithgow City Council Section 94 Contribution Plan – Lithgow Rural Roads February 1998
- Lithgow City Council Section 94 Contribution Plan – Rural Fires Services May 1999
- Lithgow City Council Section 94 Contributions Plan – Blackheath Creek Crossing January 2022
- Section 94 Contributions Plan – Rylstone Roads August 2003.

The repeal of these contributions plans does not affect the previous operation that plan or anything carried out under than plan. This means that any condition of consent

imposed in accordance with a contributions plan is not affected by the subsequent repeal of that plan.

### **ROLLING OVER UNSPENT FUNDS COLLECTED UNDER EXISTING PLANS**

This new 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. Generally these funds will be applied to the same public purpose for which they were paid such as roads, emergency service provisions and community facilities.

As at 30<sup>th</sup> June 2011, Council held \$670,000 in unspent funds collected under the above mentioned development contributions plans. Council can expect that this amount will be higher once contributions collected and those still outstanding since that date have been included.

### **APPLICATION OF NEW PLAN**

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

The Plan will operate in a framework also involving the use of Voluntary Planning Agreements. 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.

### **COMMENCEMENT DATE OF PLAN**

The new Plan will take effect on the date that a public notice is issued in the local newspaper notifying of Council's decision to approve the Plan.

### **POLICY IMPLICATIONS**

The new plan forms part of Council's development contributions management framework.

### **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.

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 adoption of the Section 94A Development Contributions Plan requires Council to be both publicly and financially accountable as set out in the provisions of the Environmental Planning and Assessment Act and its Regulations and the Local Government Act and its Regulations.

**ATTACHMENTS**

1. Section 94A Development Contributions Plan as exhibited. Note: Once adopted this plan will be appropriately formatted and published to be consistent with Council's corporate documents.

**RECOMMENDATION****THAT:**

1. Council adopts the Section 94A Development Contributions Plan for Lithgow City Council.
2. Council gives public notice of its decision in the local newspaper within 28 days of its resolution, the date of which will become the commencement date of the new plan.

## FINANCE REPORTS

### ITEM-9            **FINAN - 25/06/12 - NSW GOVT GRANTS COMMISSION ADVICE 201213 FINANCIAL ASSISTANCE GRANT - ADVANCE PAYMENT**

#### **REPORT FROM – C FARNSWORTH - FINANCE MANAGER**

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## REFERENCE

Min 12-182:    Integrated Planning & Reporting Framework Adoption of the 2012-13 Operational Plan

## SUMMARY

This report is to update Council on an advance payment made of one half of the estimated 2012-13 local government financial assistance grant allocation in the 2011-12 financial year, following a recent announcement in the May Federal Budget by the Australian Government.

## COMMENTARY

On the 6 June 2012 the NSW Local Government Grants Commission advised that as part of the May Federal Budget the Australian Government announced that it would bring forward one half of the estimated 2012-13 local government financial assistance grant allocation estimated at \$4,603,000 for payment in the 2011-12 financial year.

The advance payment for Lithgow city Council amounts to \$2,315,197 which is made up of \$1,742,106 for the general purpose component of the grant and \$573,091 for the local roads component. These amounts have been proportionally allocated on the basis of the 2011-12 grant entitlement.

Lithgow Council received the advance payment of \$2,315,197 on the 12 June 2012. The advance will be disclosed in the 2011-12 General Purpose Financial Reports as a payment for the 2012-13 financial year and held as an internally restricted reserve to be spent in the forthcoming year as previously provided for in the 2012-13 Operational Plan.

The balance of the funds for 2012-13 will be paid in a corresponding reduction to the quarterly instalment during 2012-13. Adjustments will also be made that take into account CPI and population adjustments for the 2011-12 entitlements.

Advanced quarterly payments have been made by the NSW Government since 2008/9. This is the first occasion a half yearly payment has been made in advance.

## POLICY IMPLICATIONS

NIL

**FINANCIAL IMPLICATIONS**

Recognition of the one half advance payment of the 2012-13 financial assistance grant of \$2,315,197 in the 2011-12 financial year.

**LEGAL IMPLICATIONS**

NIL

**RECOMMENDATION**

**THAT** Council note the receipt of the advance payment of \$2,315,197 representing one half of the 2012-13 financial assistance grant.



**ITEM-10            FINAN - 25/06/12 - SEPTEMBER 2012 LOCAL GOVERNMENT  
ELECTION BUDGET ESTIMATES**

**REPORT FROM - C FARNSWORTH - FINANCE MANAGER C FARNSWORTH**

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**REFERENCE**

Min 11-427:    31/10/11 2012 Local Government Elections  
Min 11-459:    21/11/11 2012 Local Government Elections – Engage NSW Electoral  
                         Commission  
Min 12-90:     26/03/12 2012 Local Government Elections – Councillor Sessions

**SUMMARY**

This report is to update Council with a detailed budget estimate received from the NSW Electoral Commission for the cost of providing election services to Council for the 2012 Local Government Election.

**COMMENTARY**

Mr Colin Barry, Electoral Commissioner of the NSW Electoral Commission has advised Lithgow Council of the estimated cost to conduct the 2012 Local Government election to be held on 8 September 2012.

The correspondence is summaries as follows:

*The NSW Electoral Commission (NSWEC) identifies all expenses for the conduct of the election and invoices these expenses on a dollar for dollar basis to the appropriate councils. There are some 19 major projects that go to making up the election programme and these have been calculated individually for each council.*

*The budget estimate is based on our Services Charter which was previously provided to all Councils. The Service Charter reflects a number of issues that were raised in the Joint Standing Committee on Electoral Matters Inquiry in the 2008 Local Government Elections including:*

- *Where possible, in country and regional NSW the count of ballot papers to be undertaken at the local level. (Please note this comes at an increased cost compared to counts being done centrally in Sydney);*
- *Revised staffing for polling places to ensure minimal likelihood of queues;*
- *Consideration of the impact of increased demand on pre-poll voting;*
- *Increasing the number of electors on the NSW roll (estimated to be about 500,000) as a result of the successful 'SmartRoll' activity; and*
- *The introduction of an Officer Manager (substitute Returning Officer) to mitigate the risk of the Returning Officer is unable to perform his or her duties.*

**Administration Fee:**

*The NSW Treasury pricing policy requires a recoupment of some charges that the NSWEC incurs at head office for the conduct of Local Government elections. This is reflected in the Administration Fee.*

*The Administration Fee has been independently assessed by Pricewaterhouse Coopers and their report is available on our website [www.elections.nsw.gov.au](http://www.elections.nsw.gov.au). I am pleased to advise that all depreciation charges have been removed from the Administration Fee. The removal of the depreciation charges has assisted in reducing the fee from \$195 per hour (in 2008) to \$175 per hour. The fee will be charged on a dollar per elector basis, naturally, should a council, after the close of nominations find they have an uncontested election or elections, the Administration Fee will be discounted.*

**Pre-poll Locations:**

*The budget does not include staffing costs for any pre poll location tother than the Returning Officers office.*

**Budget Estimate:**

*The budget estimate for Lithgow City Council is \$97,714.00 plus GST of \$9,771.40 ie \$107,485.40, this estimate, as mentioned above has been formed with the best available information at the time. The estimate does not include the cost of conducting any polls or referendums. It is also based on all wards being contested (if the Council is divided into wards); and all the infrastructure arrangements mentioned above.*

**Cost of Maintaining the NSW Electoral Roll and 'SmartRoll':**

*As was the case in 2008, the NSWEC will not charge councils for any portion of the maintenance of the NSW electoral roll and the operation of 'SmartRoll'. This cost is presently met by the Government for an annual charge in excess of \$4.6M.*

**Capital Assets:**

*As was the case in 2008, no charge is made to councils for the capital assets primarily consisting of IT software systems. All costs associated with the acquisitions, maintenance and development of the NSWEC's computerised election systems are paid by the NSW government and not charged to councils.*

**Advance Payment:**

*In 2008 the NSWEC requested an advance payment towards the conduct of the elections, I advise that for 2012 no advance payment is required for the September 2012 elections. Final invoices will be issued when we are in receipt of all supplier invoices. This is expected to be by the end of January 2013 and payment will be required within 30 days.*

**2012 COUNCIL ELECTION BUDGET ESTIMATE  
LITHGOW CITY COUNCIL**

Service Charter	Service Charter Description	Cost
1	Enrolment	1,018.00
2	Council Liaison	40.00
3	Data Management	444.00
4	Election Staffing	43,954.00
5	Financial Services	2,239.00
6	Venue Procurement	11,117.00
7	Voting	1,562.00
8	Council & Results	4,883.00
9	Logistics	6,738.00
10	Media, communication & Advertising	5,438.00
11	IT Infrastructure & Application Support	3,289.00
12	Call Centre	1,492.00
13	Ballot production, allocation & distribution	3,261.00
14	Nomination & How to Vote	398.00
15	Event Operations Management	66.00
16	External Reporting & Evaluation	964.00
17	Virtual Tally Room	977.00
18	Town hall	318.00
19	Admin Fees @ 0.65cents per elector	9,516.00
	Sub Total	<b>97,714.00</b>
	GST	<b>9,771.40</b>
	<b>TOTAL (GST Inclusive)</b>	<b>107,485.40</b>

**POLICY IMPLICATIONS**

NIL

**FINANCIAL IMPLICATIONS**

Lithgow Council has provided \$130,000 in the 2012/13 Operational Plan for the NSW Electoral Commission to conduct the 2012 Local Government Election on our behalf.

**LEGAL IMPLICATIONS**

NIL

**RECOMMENDATION**

**THAT** the information from the NSW Electoral Commission relating to the budget for the 2012 Local Government Election on 8 September 2012 be noted.

**ITEM-11            FINAN - 25/06/12 - COUNCIL INVESTMENTS HELD 31 MAY 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)  
 Min No 12-136:            Ordinary Meeting of Council 23 April 2012 (Mar 2012)  
 Min No 12-169:            Ordinary Meeting of Council 14 May 2012 (April 2012)

**SUMMARY**

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

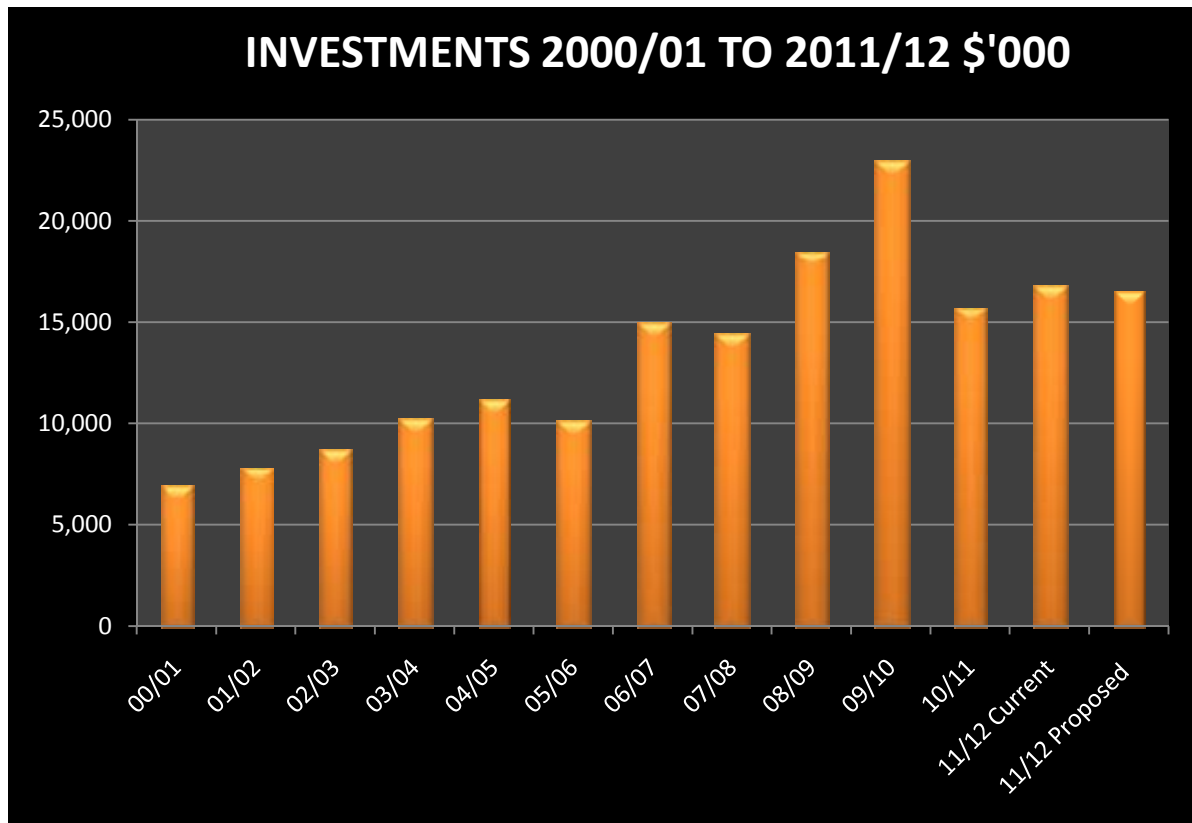
**COMMENTARY**

Council's total investment portfolio, as at 31 May 2012 when compared to 30 April 2012, has increased by \$1,904,397.13 from \$14,914,604.92 to \$16,819,002.05.

<b>INVESTMENT REGISTER 2011/12</b>								
<b>INSTITUTION</b>	<b>INV TYPE</b>	<b>DATE LODGED</b>	<b>DATE DUE</b>	<b>DAYS</b>	<b>INT</b>	<b>VALUE 30.04.12</b>	<b>VALUE 31.05.12</b>	<b>% OF TOTAL</b>
ANZ	TD	12.03.12	11.06.12	91	5.51	828,010.36	828,010.36	4.92%
		30.05.12	29.06.12	30	4.35	500,000.00	500,000.00	2.97%
CBA	On Call				4.20	133,441.13	1,988,603.67	11.82%
IMBS	TD	28.05.12	27.08.12	91	5.15	1,107,363.30	1,123,238.04	6.68%
	TD	29.05.12	27.08.12	90	5.15	734,182.61	744,616.05	4.43%
	TD	14.03.12	14.06.12	92	5.80	1,044,525.74	1,044,525.74	6.21%
NAB	TD	06.02.12	06.06.12	120	5.82	1,097,827.44	1,097,827.44	6.53%
	TD	25.01.12	25.07.12	180	5.91	1,000,000.00	1,000,000.00	5.95%
	TD	24.04.12	23.07.12	90	5.55	507,138.36	507,138.36	3.02%
WESTPAC	TD	08.01.12	08.07.12	180	5.80	569,560.51	569,560.51	3.39%
	TD	30.01.12	30.05.12	120	5.89	1,156,955.66	1,156,955.66	6.88%
	TD	12.01.12	11.07.12	180	5.80	250,000.00	250,000.00	1.49%
	TD	12.03.12	12.06.12	90	5.67	405,484.93	405,484.93	2.41%
ST GEORGE	On Call				3.75	21,165.20	21,315.80	0.13%
		04.01.12	04.07.12	180	5.94	522,047.36	522,047.36	3.10%
	TD	19.04.12	19.10.12	180	5.75	857,565.97	857,565.97	5.10%
	TD	12.03.12	12.10.12	214	5.91	506,930.96	506,930.96	3.01%
	TD	10.02.12	09.08.12	180	5.78	504,347.95	504,347.95	3.00%
	TD	18.05.12	19.11.12	180	5.10	502,471.51	509,386.62	3.03%
	TD	25.01.12	25.07.12	180	5.83	1,000,000.00	1,000,000.00	5.95%
SUNCORP	TD	08.05.12	08.08.12	92	4.90	1,158,990.04	1,174,850.74	6.99%
	TD	24.04.12	24.07.12	91	5.55	506,595.89	506,595.89	3.01%
			<b>TOTAL</b>			<b>14,914,604.92</b>	<b>16,819,002.05</b>	<b>100.00%</b>
INTERNAL LN (Commercial)	Gen to Sew	15.01.11	On Receipt of		7.31	2,750,000.00	2,750,000.00	

Loan Int Rate)			Ext Loan				
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 May 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 Minsters Investment Order of 12 January 2011.

**FINANCIAL IMPLICATIONS**

Interest received to 31 May 2012 is \$583,908.39 which is an increase on the 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 \$16,819,002.05 for the period ending 31 May 2012 be noted.

**ITEM-12            FINAN - 25/06/12- REQUEST TO WRITE OFF SUNDRY DEBTS  
UNABLE TO BE RECOVERED**

**REPORT FROM - FINANCE MANAGER C FARNSWORTH**

**SUMMARY**

This report requests Council to authorise the write off three sundry debts, which total \$7,945.18, and are deemed to be uneconomical to recover or unrecoverable.

**COMMENTARY**

Policy 8.1 Debt Recovery states:

*“All debts, with a value less than \$1,000, deemed to be uneconomical to recover or unrecoverable by the Group Manager Community and Corporate will be referred to the General Manager.*

*The General Manager may determine whether such debts will be written-off. All debts written-off will be reported to Council on an annual basis.”*

The following debts were written off by the General Manager under delegated authority in Policy 8.1 during May 2012:

**2011/12 SUNDRY DEBTS WRITTEN OFF UNDER DELEGATE AUTHORITY**

Original Date	Inv No:	Address	Amount	Reason for Write Off
14.01.09	159869	Jenolan Rd Hartley	145.50	All attempts to recover amounts due have failed. Unable to locate debtor since 2009.
16.04.08	158091	Main St Lithgow	157.50	All attempts to recover amounts due have failed. Unable to locate debtor since 2008 as business has closed
17.11.09	161119 161121 161165 161268 161285 161664	Main St Lithgow	250.00	All attempts to recover amounts due have failed by external recovery agent. Company in liquidation.
11.11.11	163882	Main St Lithgow	180.00	All attempts to recover amounts due have failed by external recovery agent. Food contractor no longer in business and location unknown
05.11.08	159557 159558	Landa St Lithgow	37.00	All attempts to recover amounts due have failed. Unable to locate debtor since 2008.
12.04.11	163070	Rydal Rd Wang	7.20	All attempts to recover amounts due have failed. Unable to locate debtor since Library debt raised
18.04.11	163086	James Pde Wang	56.40	All attempts to recover amounts due have failed. Unable to locate debtor since Library debt raised
11.06.08	158402	Main St Lithgow	124.70	All attempts to recover amounts due have failed. Unable to locate debtor since 2008.
11.10.10	162450	Oxley St Wang	8.80	All attempts to recover amounts due have failed. Unable to locate debtor since Library debt raised
		<b>TOTAL</b>	<b>967.10</b>	<b>Sundry Debts Written off under delegation May 2012</b>

The following three debts exceed \$1,000 and are recommended to Council for write off as they are deemed to be uneconomical to recover or unrecoverable.

**2011/12 SUNDRY DEBTS REQUESTED TO BE WRITTEN OFF**

Original Date	Inv No:	Address	Amount	Reason for Write Off
09.12.10	162607 162623 & legal	Main St Lithgow	1,915.80	All attempts to recover amounts due have failed by external recovery agent & Courts. Company in liquidation
22.02.07	156176 & legal	Comara Cres Lithgow	2,729,38	External & court recovery action has failed. Since 2008 the location of the debtor is unknown.
23.04.08	158264	Scarborough Cres Bligh Park	3,300.00	External recovery action has failed. Since 2008 the location of the contractor is unknown.
		<b>TOTAL</b>	<b>7,945.18</b>	<b>Requests to Council Sundry Debts to be written off</b>

**POLICY IMPLICATIONS**

Policy 8.1 Debt Recovery

**FINANCIAL IMPLICATIONS**

Reversal of income which totals \$7,945.18 brought to account in previous years.

**LEGAL IMPLICATIONS**

NIL

**RECOMMENDATION**

**THAT** Council:

1. Note the write of debts to the value of \$967.10 by the General Manager under Policy 8.1 Debt Recovery using his delegate authority
2. Endorse the write off of three debts which total \$7,945.18 as follows:

Original Date	Inv No:	Address	Amount	Reason for Write Off
09.12.10	162607 162623	Main St Lithgow	1,915.80	All attempts to recover amounts due have failed by external recovery agent & Courts. Company in liquidation
22.02.07	156176	Comara Cres Lithgow	2,729,38	External & court recovery action has failed. Since 2008 the location of the debtor is unknown.
23.04.08	158264	Scarborough Cres Bligh Park	3,300.00	External & court recovery action has failed. Since 2008 the location of the debtor is unknown.
		<b>TOTAL</b>	<b>7,945.18</b>	



## COMMITTEE MEETINGS

**ITEM-13            COMM - 25/06/12 - YOUTH COUNCIL COMMITTEE MEETING  
MINUTES - 29 MAY 2012**

**REPORT BY: V GULABOVSKI - COMMUNITY DEVELOPMENT OFFICER**

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## REFERENCE

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  
Min – 12-138: Ordinary Meeting of Council 23 April 2012  
Min – 12-198: Ordinary Meeting of Council 4 June 2012

## SUMMARY

This report details the minutes of the Youth Council meeting held on 29 May 2012.

## COMMENTARY

At the Youth Council meeting held on 29 May 2012 various items discussed by the committee including:

- Development of a drug and alcohol awareness raising project
- Results of the 10 May 2012 Youth Forum
- Development of a Lithgow Youth Strategy
- Planning for a further Union Rock event in September 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 of Youth Council meeting held 29 May 2012.

## RECOMMENDATION

**THAT** Council notes the minutes of the Youth Council meeting held 29 May 2012.

**ITEM-14          FINAN - 25/06/12 - ECONOMIC DEVELOPMENT SHOPFRONT  
COMMITTEE MINUTES 30 MAY 2012**

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

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**REFERENCE**

NIL

**SUMMARY**

Details of the Minutes of the Sports Advisory Committee Meeting held on Monday, 30 May 2012 for Council adoption.

**COMMENTARY**

At the Economic Development Shopfront Committee Meeting held on Wednesday, 30 May 2012, there were a number of items discussed by the Committee, with all items actioned under the Committee's delegated authority, and requiring Council to note the items.

Items discussed included:

- Update of vacant Council premises
- Update of current users of the Hoskins Institute in Lithgow
- Update of enquiries for the Main St Façade Restoration Program
- General business

**POLICY IMPLICATIONS**

NIL

**FINANCIAL IMPLICATIONS**

NIL

**LEGAL IMPLICATIONS**

NIL

**ATTACHMENTS**

1. Minutes of the Economic Development Shopfront Committee Meeting held on 30 May 2012.

**RECOMMENDATION**

**THAT** Council note the minutes of the Economic Development Shopfront Committee meeting held on Wednesday 30 May 2012.

**ITEM-15            COMM - 25/06/12 - DISABILITY ACCESS COMMITTEE MINUTES - 28  
MAY 2012**

**REPORT BY: V GULABOVSKI - COMMUNITY DEVELOPMENT OFFICER**

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## **REFERENCE**

Min – 12-79 Ordinary Meeting of Council 5 March 2012

## **SUMMARY**

This report details the minutes of the Disability Access Committee meeting held on 28 May 2012.

## **COMMENTARY**

At the Disability Access Committee meeting held on 28 May 2012, various items were discussed by the committee including:

### **Item 3 Committee Terms of Reference**

The Committee made recommendations to Council that:

- An occupational therapist or social worker from Lithgow Health Service be invited onto the committee.
- Daniel Smith, Janine Smith and Peter Lee be endorsed as the three community representatives on the Committee.
- Councillor Howard Fisher be nominated Chairperson of the Committee
- Levente Boda be nominated as Deputy Chairperson of the Committee.

### **Item 4 Disability Access Plan**

Discussion on a workplan for development of the Disability Access plan.

### **Item 5.1 2012 Meeting Schedule**

A 2012 schedule was adopted for Disability Access Committee meetings.

## **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 Disability Access Committee meeting held 28 May 2012.

## **RECOMMENDATION**

### **THAT:**

1. Council notes the minutes of the Disability Access Committee meeting held 28 May 2012.
2. An occupational therapist or social worker from Lithgow Health Service be invited onto the committee.
3. Daniel Smith, Janine Smith and Peter Lee be endorsed as the three community representatives on the Committee.
4. Councillor Howard Fisher be nominated Chairperson of the Committee
5. Levente Boda be nominated as Deputy Chairperson of the Committee.

**ITEM-16            COMM - 25/06/12 - COMMEMORATION OF THE BLUE MOUNTAINS  
CROSSING BICENTENARY COMMITTEE MEETING MINUTES - 6  
JUNE 2012**

**REPORT FROM:            CULTURAL DEVELOPMENT OFFICER - WENDY HAWKES**

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**REFERENCE**

Minute 11-338:    Ordinary Meeting of Council held 22 August 2011  
Minute 11-507:    Ordinary Meeting of Council held 12 December 2011  
Minute 12-52:     Ordinary Meeting of Council held 13 February 2012  
Minute 11-140:    Ordinary Meeting of Council held 23 April 2012

**SUMMARY**

This report details the Minutes of the Commemoration of the Blue Mountains Crossing Bicentenary Committee Meeting held on 6 June 2012.

**COMMENTARY**

At the Commemoration of the Blue Mountains Crossing Bicentenary Committee Meeting held on 6 June 2012, various items discussed by the Committee.

- Item 3 Funding allocated by Lithgow City Council in 2012/13 for bicentenary events.
- Item 4 Funding options for bicentenary commemorative projects
- Item 5 A report on the 20 April 2012 Western Crossing Committee Meeting
- Item 6 A report on the Combined Councils Meeting.
- Item 7 events planned by Hartley District Progress Association
- Item 8 Signage for Cox's Road
- Item 9 Proposed local bicentenary projects

**POLICY IMPLICATIONS**

NIL

**FINANCIAL IMPLICATIONS**

NIL

**LEGAL IMPLICATIONS**

NIL

**ATTACHMENTS**

1. Commemoration of the Blue Mountains Crossing Bicentenary Committee Meeting Minutes of 6 June 2012

**RECOMMENDATION**

**THAT** Council notes the Commemoration of the Blue Mountains Crossing Bicentenary Committee Meeting Minutes of 6 June 2012.

**ITEM-17            COMM - 25/06/12 - SOUTH LITTLETON HALL RENOVATION  
SECTION 355 COMMITTEE MEETING - 5 JUNE 2012**

**REPORT BY: M JOHNSON - MANAGER COMMUNITY AND CULTURE**

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## **REFERENCE**

Min No 11-452:	Ordinary Meeting of Council held 1 November 2010
Min No 11-480:	Ordinary Meeting of Council held 21 November 2011
Min No 11-510:	Ordinary Meeting of Council held 12 December 2011
Min No 12-77:	Ordinary Meeting of Council held 5 March 2012
Min No 12-101:	Ordinary Meeting of Council held 26 March 2012
Min No 12-139:	Ordinary Meeting of Council 23 April 2012
Min No 12-165:	Ordinary Meeting of Council held 14 May 2012
Min No 12-200:	Ordinary Meeting of Council held 4 June 2012

## **SUMMARY**

This report details the Minutes of the South Littleton Hall Renovation Committee meeting of 5 June 2012.

## **COMMENTARY**

At the South Littleton Hall Renovation Committee meeting held on 5 June 2012, there were various items discussed by the committee including:

### **Item 4 Works Progress**

Installation of the kitchen is the only remaining work to be completed.

Council's attention is drawn to information provided by the Mens Shed that during the course of the renovation a total of 24 people contributed on a regular basis towards the building project with over 5,000 man hours in total.

### **Item 5 Income and Expenditure**

Approximately \$371 in Council funding for the renovation remains.

## **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 \$12,000 Council funding for the project, approximately \$371 remains at 5 June 2012.

## **LEGAL IMPLICATIONS**

Local Government Act NSW 1993, Section 356

## **ATTACHMENTS**

1. Minutes of South Littleton Hall Renovation Committee meeting dated 5 June 2012

## **RECOMMENDATION**

**THAT** Council notes the minutes of the South Littleton Hall Renovation Committee meeting of 5 June 2012.

**ITEM-18            ENVIRO - 25/06/12 - ENVIRONMENTAL ADVISORY COMMITTEE  
MINUTES - 11 APRIL 2012**

**REPORT BY: ANDREW MUIR - GROUP MANAGER ENVIRONMENT AND  
DEVELOPMENT**

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**SUMMARY**

This report details the minutes of the Environmental Advisory Committee meeting held 11 April 2012.

**COMMENTARY**

At the Environmental Advisory Committee held on 11 April 2012, there were four (4) items discussed by the committee.

1. Formal Notification Of Lithgow Environment Group's New Second Nominated Representative
2. 'Tracking Historic Items' Template
3. Proposal by Lithgow Environment Group for a Tree Planting Of the Riparian Zone of Farmers Creek.
4. Hassans Walls - Of Concern Is The Current Spate Of Tree Vandalism Presumably At Night. Surveillance?

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 11 April 2012.

**RECOMMENDATION**

**THAT:**

1. Council note the minutes of the Environmental Advisory Committee Meeting held on 11 April 2012.
2. Dr Richard Stiles and Kathleen Compton be accepted as alternate delegates to the Environmental Advisory Committee representing the Lithgow Environment Group and Lithgow Tidy Towns respectively.
3. Additional signage be investigated advising of penalties for dumping and vandalism within the Hassans Walls Reserve.



**ITEM-19            OPER - 25/06/12 - LITHGOW INDOOR AQUATIC CENTRE ADVISORY  
COMMITTEE MINUTES - 31 MAY 2012**

**REPORT FROM: L KEARNEY – ASSETS AND PROJECT ENGINEER**

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**SUMMARY**

This report details the Minutes of the Lithgow Indoor Aquatic Centre Advisory Committee Meeting held on 31 May 2012.

**COMMENTARY**

At the Lithgow Indoor Aquatic Centre Advisory Committee meeting held on 31 May 2012, there were various items discussed by the Committee, including;

1. Construction Progress Report / Tour of the Site;
2. Entry / Turnstiles Software; and

**POLICY IMPLICATIONS**

NIL

**FINANCIAL IMPLICATIONS**

The Advisory Committee has recommended that Council approve the quotation from Links Management Systems for \$9,620.00 (ex GST) for the entry / turnstile software, to be funded from Council's allocation for contingencies.

Acceptance of the Advisory Committee's recommendations will result in a total of \$9,620.00 (ex GST) being expended from the contingency allocation, leaving a total of \$12,890.18 (ex GST) remaining for any additional variations.

**LEGAL IMPLICATIONS**

NIL

**ATTACHMENTS**

1. Minutes from the Lithgow Indoor Aquatic Centre Advisory Committee meeting of 31 May 2012.

**RECOMMENDATION**

**THAT** Council:

1. Note the minutes of the Aquatic Centre Working Party meeting held on 31 May 2012;
2. Approve the quotation from Links Management Systems for \$9,620.00 (ex GST) for the entry / turnstile software, to be funded from Council's allocation for contingencies; and
3. Install a commemorative plaque or bench seat at the Lithgow War Memorial Olympic Swimming Pool to acknowledge the contribution to local swimming by Mrs Meg Blowes.

## DELEGATES REPORTS

### ITEM-20 DELEGATES REPORT - 25/06/12 - CENTROC MEETING HELD ON 11 MAY 2012

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

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### SUMMARY

This report outlines the discussions from the Centroc meeting held in Centroc on 24<sup>th</sup> May 2012.

### COMMENTARY

The most recent meeting of the CENTROC board took place on 24<sup>th</sup> May in Crookwell. We were welcomed to the Crookwell area by their Mayor, Councillor John Shaw who explained the various things that make up the community of Crookwell.

The meeting then proceeded to hear two speakers, one of those Mr O'Shea, Regional Coordinator DPC Riverina Murray and Western Region. Mr O'Shea from the Premiers Department was able to give background about himself and the position but unfortunately there has been very little presence of this position in the past. Mr O'Shea says he intends to attend more meetings in the future. Some issues were discussed regarding the Natural Disaster Flood Damage in various parts of Central Western NSW and in particular to some of the water and sewage systems. Mr O'Shea was going to look into this.

The next person to speak was the CEO of the Life Education Vans, Jay Bacik who spoke about what the Life Education Vans did and the fact that some places were partly sponsored by Local Councils. As part of his talk he then outlined a plan for wanting renewed further involvement from Local Councils for the Life Education Vans.

CENTROC then considered a report on the Bells Line of Road and have indicated their disappointment and frustration at not being able to have the report released regarding the Bells Line of Road or possibly Bells Line Expressway, at the same time a similar sentiment was expressed regarding the report into work on the Great Western Highway between Lithgow and Mt Victoria. CENTROC is now writing to both the State and Federal transport Ministers and are looking to have these plans released so that work can commence rather than the Government sitting on their hands doing nothing while the completed report is yet to be released.

There was an update on Telecommunications in the CENTROC area with the switchover to Digital TV taking place in early June. The switchovers earlier in the year in two of the smaller areas in Eugowra and Peak Hill seem to have been quite successful. However concerns have been raised that still in some areas some people are not fully aware of what this will mean for their areas. There will need to be a close eye kept on proceedings after the switchover takes place.

Another interesting item was in regard to the financial situation in regards to savings made by member Councils in CENTROC. Between December 2009 and March 2012 Lithgow Council has made savings of nearly \$150,000 by being a member of CENTROC. This has been particularly pleasing as Lithgow has been one of the driving forces to have a full time Executive Officer to be able to pursue various savings on various Council's behalves.

## **RECOMMENDATION**

**THAT** Council note the report on the CENTROC meeting held on 24<sup>th</sup> May 2012.

## **BUSINESS OF GREAT URGENCY**

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

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

## CLOSED REPORTS

ITEM-21        ENVIRO - 250612 - CONFIDENTIAL REPORT - LOAN FOR  
                  INSTALLATION OF NEW SEPTIC TANK PURCELL STREET,  
                  PORTLAND

REPORT BY: A MUIR – GROUP MANAGER ENVIRONMENT AND DEVELOPMENT

### Reason for Confidentiality

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

- (b) the personal hardship of any resident or ratepayer

### SUMMARY

To advise Council of the loan made to certain residents of Purcell Street, Portland.

### RECOMMENDATION

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

# ITEM            LATE REPORT - OPER - 25/06/12 - LITHGOW CBD FOOTPATH PAVING REPORT

**REPORT BY: ACTING GROUP MANAGER OPERATIONS - CHRIS SCHUMACHER**

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## REFERENCE

Notice of Motion - Extra Ordinary Meeting of Council 20<sup>th</sup> June 2012.

## SUMMARY

At the request of Councillors this report provides details of possible alternatives to further assist with surface friction and slip resistance to areas of the Lithgow CBD specifically raised of concerns was the existing north western end section of footpath that has an elevated gradient in Main Street, Lithgow notably between James Street and Lithgow Street.

## COMMENTARY

Concerns surrounding the northern side section of Main Street paved footpath between James Street and Lithgow Streets have been raised. Subject to the natural topography of land fall particularly at the bottom end of Main Street the northern side section of footpath from James Street to the old railway easement corridor has a gradient of around 7.4% over a distance over 27metres. As part of Councils on-going commitment to its footpath maintenance program Council cleans all pavers on a weekly cycle. The paved footpath area adjacent to James Street is notably exposed to all elements of weather with no protection of an overhead awning, potentially being more susceptible during the colder winter months. Areas of Lithgow's CBD footpath paving has exposure to seasonal elements, and the chances of rain, frost, black ice or even snow are real probability in Lithgow's climatic conditions. Evidentially black ice plays a role during the winter months on many roads and footpaths and predominately throughout many central western Council areas. Through due diligence and recognising these issues Council has treated this area with anti-slip agent recognising this area as a priority case, however **black ice unfortunately cannot be prevented.**

The area of pavement in question has been treated with the current AST-1 anti-slip treatment product and complied with an acceptable W Classification (Contribution of floor surface to the risk of slipping when wet is low) this is required for '*External Colonnade*', *walkways and pedestrian crossings* to ensure compliance with the recommendations in Table 3 of HB 197. This classification was achieved on the brick pavers following the contractor's anti-slip application to the pavers.

Council has requested that officers investigate possible alternative solutions to further improve pavement friction resistance at this location adjacent to James Street. From interim investigations it has been noted that Blue Mountains City Council had similar slip resistance concerns of their paving in the very steep sections of their CBD area at Katoomba. As a result BMCC elected to sandblast the top surface off their paving in order to try and achieve the best possible fiction resistance rating to their footpaths.

Evidently this process was not cheap and did present aesthetic damage and further ramifications as a result of trying to correct surface friction resistance that complied with Australian Standards.

This sandblasting process lead to a raft of issues primarily because it compromised the structural integrity of the paver. Issues as below:

- Visual appearance of the pavers and the surface becoming undulated.
- The paver's porosity to absorb further grime changed the colour pigment of the paver very quickly.
- The coarse surface allowed moss, grime, chewing gum, food etc. to accumulate making pavers look filthy and could not be successfully removed.

- High pressure cleaning continued to erode the pavers away.
- Weakened pavers began to fracture and fall apart requiring regular replacement.
- Council never found an effective way to keep the pavers clean, leading to constant criticism by the community and the Katoomba Chamber of Commerce.

If sandblasting were to occur the success rating for a slip resistance may increase, but further ramifications may also present, and in little time. Notably if Lithgow Council elected to undertake a sandblasting process, that all existing AST-1 anti-slip treatment of the pavers would become void of this product.

Having investigated the market place, there are additional Polyurethane Anti Slip Coating Solutions that may prove successful in obtaining at high degree of slip resistance. However, the current application of AST-1 is already a *Micro Etching Product* that has absorbed into the top section of the surface of the paver, actively improving the slip resistance performance. This has been proven by independent testing conducted by 'Slip Assessment Services' 14<sup>th</sup> January 2009.

Council would recognise that maintenance is mandatory process to any asset in order to maintain performance and longevity. The CBD paving is no different, and an on-going cycle of cleaning maintenance and re-application of slip resistance products will be required into future years should Council elect to stay with the current paving in Lithgow's CBD area.

Many of the uneven surface issues have become more apparent as a result of utility providers and or their sub-contractors constantly requiring access to the footpaths in various locations for a maintenance or replacement work of their assets. As a result it is evident that many of the footpath restorations are not carried out satisfactorily leading to uneven or raised edges protruding from the pavement. Other issues that contribute to uneven surfaces are poor compaction or subsidence and settlement of sub-surface materials as a result of sub-contractor excavation work.

From discussion with other LG authorities it is noted that control of utility authorities whom own assets in Council paved footpath areas has proven a challenge for councils to ensure quality assurance restoration work. Notification from authorities is rare and most times no communication or correspondence is received from utility authorities, leaving Council with the headache and cost to fully restore these area's.

Upon short-term investigations it is evident that other neighbouring councils have experienced technical issues with paving, and have elected to further review long-term options for treatment and/or replacement of their footpaths. The highly frequented Katoomba Street in the Blue Mountains City Council LGA presented issues encompassing steep gradient, pavement type and seasonal weather problems.

Longer term and less costly footpath treatment 'Management Plan Options' for Lithgow City Council's consideration may possibly pursue the following options, subject to further thorough investigations pertaining to compliance and pricing.

### **Options & Indicative Costs per sq/m:**

Currently there is approx 10,000 sq/m of pavement area Staged option replacement of existing footpath pavement with below possible alternatives:

- |  |                            |
|--|----------------------------|
| • Stencil concrete (subject to pattern and colour) basic price | \$35.00 - \$45.00 per sq/m |
| • Alternative paver type                                       | \$25.00 - \$35 per sq/m    |
| • Standard grey concrete                                       | \$26.00 – per sq/m         |
| • Continue to apply micro etching slip resistant AST-1 product | \$20.00 - per sq/m         |

Note: indicative costing's are based on a above listed materials **only** and does not include any new kerb, excavation, disposal, sand, concrete or other related construction labour/machinery cost's.

When last tested the CBD footpath pavers met the acceptable standards. Before Council proceeds to spend a significant amount of ratepayers' money to rectify a perceived problem another slip assessment should be completed to determine the level of compliance presently. Should this test indicate that the existing pavers meet the requirements then Council would need to identify the higher standard that it wishes to achieve.

### **POLICY IMPLICATIONS**

The creation of an additional policy document could possibly be developed and introduced to better manage utility authorities' works in Council footpaths. i.e. 'Footpath Management Plan CBD Lithgow'. The education and integration of new stands may assist control all future footpath openings and restorations in the CBD of Lithgow.

### **FINANCIAL IMPLICATIONS**

Current Funding to be continued available across the future financial years in each Management Plan for the various maintenance upgrade works required to Lithgow CBD footpath areas.

### **LEGAL IMPLICATIONS**

To keep an acceptable level of maintenance associated with minimising any slip, trip or fall risk along to CBD footpaths.

A report of 14<sup>th</sup> February 2009 undertaken by Mr. Anthony Debeck of 'Slip Assessment Services' concluded with wet pendulum test results pre and post works that the application of anti-slip agent AST-1 was active on Main Street footpath paving. This advised that the paving complied with an acceptable W Classification (Contribution of floor surface to the risk of slipping when wet is low) this is required for '*External Colonnade*', *walkways and pedestrian crossings* to ensure compliance with the recommendations in Table 3 of HB 197.

### **ATTACHMENTS**

NIL

### **RECOMMENDATION**

#### **THAT Council:**

1. Conduct another 'Slip Assessment' to determine the compliance with current standards;
2. Until the slip assessment is completed continue in accordance with current maintenance practices in relation to the application of anti slip agents;
3. Conduct an inspection with the Access Committee of the paved footpaths in the Lithgow CBD for trip fall concerns and report back to Council; and
4. Develop an additional policy document to better manage utility authorities' works in Council footpaths. i.e. 'Footpath Management Plan – CBD Lithgow'.