



A CENTRE OF REGIONAL EXCELLENCE

AGENDA

ORDINARY MEETING OF COUNCIL

TO BE HELD AT

THE ADMINISTRATION CENTRE, LITHGOW

ON

25 FEBRUARY 2013

AT 7.00pm

AGENDA

ACKNOWLEDGEMENT OF COUNTRY

APOLOGIES

PRESENT

CONFIRMATION OF THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 4 FEBRUARY 2013

DECLARATION OF INTEREST

PUBLIC FORUM

PRESENTATIONS - NIL

MAYORAL MINUTES - NIL

NOTICES OF MOTION

T Corp Report on Lithgow City Council's Financial Sustainability - Councillor M Ticehurst
Operation of Poultry Farm at Wallerawang - Councillor M Ticehurst
Council letters on Revised Footpath Trading Policy - Councillor J McGinnes
Plan of Management for Blackfellows Hands Reserve - Councillor M Ticehurst
Section 94A Development Contributions Plan June 2012 - Councillor W McAndrew
Request for Minor Works by Vale Ladies Lithgow - Councillor J McGinnes
Car Parking Issues in the Lithgow Central Business District - Councillor M Ticehurst

NOTICE OF RECISSIONS - NIL

CORRESPONDENCE AND REPORTS

General Managers Reports
Environment and Development Reports
Operation Reports
Community and Strategy Reports
Finance Reports

COMMITTEE MEETINGS

Crime Prevention Committee Meeting - 4 February 2013
Commemoration of the Blue Mountain Crossing Bicentenary Committee - 6 February 2013
Youth Council Committee Meeting - 29 January 2013
Lithgow Flash Gift Committee Meeting - 6 February 2013
Lithgow Flash Gift Committee Meeting - 24 January 2013
Operations Works Committee Meeting - 6 February 2013

Sports Advisory Committee Meeting - 5 February 2013
Sports Advisory Committee Meeting - 29 January 2013

REPORTS FROM DELEGATES - NIL

BUSINESS OF GREAT URGENCY

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

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NOTICE OF MOTIONS

**ITEM-1 NOTICE OF MOTION - 25/02/13 - T CORP REPORT ON LITHGOW
CITY COUNCILS FINANCIAL SUSTAINABILITY - COUNCILLOR M
TICEHURST**

REFERENCE

Division of Local Government Circular 12 – 13 titled, T Corp Assessment of Financial Sustainability.

COMMENTARY

- Q.** Further to the attached Division of Local Government Circular 12 – 13 titled ‘T Corp Assessment of Financial Sustainability’, could the General Manager and Senior Council Officers provide the Council, Councillors, ratepayers and residents with an update at this Council Meeting on the recent assessment by the NSW State Government’s T Corp authority into the Lithgow City Council’s Financial Sustainability and advise when a copy of the T Corp Report on Lithgow City Council will be made available to all Councillors?

ATTACHMENTS

1. Division of Local Government Circular 12 – 13 titled, T Corp Assessment of Financial Sustainability.

RECOMMENDATION

THAT further to Division of Local Government Circular 12 – 13 titled ‘T Corp Assessment of Financial Sustainability’, could the General Manager and Senior Council Officers provide the Council, Councillors, ratepayers and residents with an update at this Council Meeting on the recent assessment by the NSW State Government’s T Corp authority into the Lithgow City Council’s Financial Sustainability and provide a copy of the T Corp Report on Lithgow City Council to all Councillors as soon as possible.

**ITEM-2 NOTICE OF MOTION - 25/02/13 - OPERATION OF POULTRY FARM
AT WALLERAWANG - COUNCILLOR M TICEHURST**

REFERENCE

NIL

COMMENTARY

- Q.** Could the General Manager and Senior Council Officers provide the Council, Councillors, ratepayers and residents with a report at this Council Meeting on whether the Council has received any verbal or written complaints from local residents concerning the foul 'smell' emanating from the daily operation of the Poultry Farm off Pipers Flat Road at Wallerawang?

RECOMMENDATION

THAT the General Manager and Senior Council Officers provide the Council, Councillors, ratepayers and residents with a report at this Council Meeting on whether the Council has received any verbal or written complaints from local residents concerning the foul 'smell' emanating from the daily operation of the Poultry Farm off Pipers Flat Road at Wallerawang?

ITEM-3 NOTICE OF MOTION - 25/02/13 - COUNCIL LETTERS ON REVISED FOOTPATH TRADING POLICY - COUNCILLOR J MCGINNES

REFERENCE

Council Environment & Development Letter 16 January 2013 - to the Proprietor.

COMMENTARY

Recently, the Lithgow City Council Environment and Development Branch in letter dated the 16 January 2013 and simply addressed To the Proprietor, sent out false and misleading information on the Council's Revised Footpath Trading Policy.

The false and misleading information stated in the letter to many local businesses as that the Council would review its Draft Policy on Footpath Trading by 1st July 2013 **'WITH THE INCLUSION OF \$20M IN THE POLICY FOR PUBLIC LIABILITY'**. This last statement in bold and upper case was seriously incorrect.

RECOMMENDATION

THAT Council as a matter of urgency, draft a new letter of correction to the previous Lithgow City Councils Environment and Development Branch letter dated the 16 January 2013 and addressed To the Proprietor; and resend it back out to all of those Businesses in the Lithgow LGA who received the original letter.

ITEM-4 NOTICE OF MOTION - 25/02/13 - PLAN OF MANAGEMENT FOR BLACKFELLOWS HANDS RESERVE - COUNCILLOR M TICEHURST

REFERENCE

Resolution P08 – 115 at the Policy & Strategy Committee Meeting 7 October 2008.
Draft Plan of Management for Blackfellows Hands Reserve 20 May 2011.

COMMENTARY

At the Ordinary Meeting of Lithgow City Council on 14 December 2009, it was reported that Council has the care and management of Crown Reserve No. 42350, commonly known as Blackfellows Hands Cave Reserve and for which (at that time), No Management Plan existed for the Reserve. In July 2008 it was gazetted as an Aboriginal Place which has caves, hand paintings and both male and female areas.

I am now advised that a Plan of Management (hereafter known as the Plan) has been prepared by Eco Logical Australia (ELA) at the request of Mingaan Aboriginal Corporation, on behalf of Lithgow City Council, in conjunction with the Hawkesbury Nepean Catchment Management Authority (HNCMA), as part of the Aboriginal Small Projects Funding.

The Plan identifies management options and actions to improve environmental values, within the area of Blackfellows Hands Reserve, a declared Aboriginal Place under the *National Parks and Wildlife Act 1974*. The reserve is on Wolgan Rd, approximately 8kms north of Lidsdale, NSW, in the Lithgow City Council Local Government Area.

I also understand that the Lithgow City Council has held a copy of this Plan of Management since 2011.

- Q.** Could the General Manager and Senior Council Officers provide the Council, Councillors, ratepayers and residents with a report at the next Council Meeting on the current status and proposed implementation of the Draft Plan of Management for Blackfellows Hands Cave Reserve?

ATTACHMENTS

1. Draft Plan of Management for Blackfellows Hands Reserve 20 May 2011.

RECOMMENDATION

THAT the General Manager and Senior Council Officers provide the Council, Councillors, ratepayers and residents with a report at the next Council Meeting on the current status and proposed implementation of the Draft Plan of Management for Blackfellows Hands Cave Reserve?

ITEM-5 NOTICE OF MOTION - 25/02/13 - SECTION 94A DEVELOPMENT CONTRIBUTIONS PLAN JUNE 2012 - COUNCILLOR W MCANDREW

COMMENTARY

Since the implementation of this Plan I have received a number of complaints and concerns regarding the financial impact of this levy on ratepayers and residents and more specifically on “your young mums and dads” trying to afford the cost of a new home.

Aside from the costs associated with the purchase of land and then the construction of a new home, there are many other development costs/levies required by Council and/or other Government Bodies.

This new levy adds a further imposition for young homebuyers already struggling with ever increasing living costs.

It is well documented that the dream of buying or building your own home is becoming a more distant dream everyday in our society.

The Section 94A levy removes six former Section 94 Contribution Plans (once funded at the source of developments) and now loads it onto the end user or consumer. In the case of many residential home applications especially made by young families, this is unfair and unjust.

The levy (%) currently requires a payment of:

All development types valued at \$100,000 or less	0.0%
All development types valued at \$100,001 up to \$200,000	0.5%
All development types valued in excess of \$200,000	1%

This means in effect, that a home built for say \$400,000 will attract a levy of \$4,000 to be paid by the applicant on top of all the other costs/levies associated with building a new home.

RECOMMENDATION

THAT the Lithgow Section 94A Development Contributions Plan June 2012, Schedule 2 Summary of Section 94A Levy Rates be amended to read:

All development types other than residential valued at \$100,000 or less	0.0%
All development types other than residential valued at \$100,001 up to \$200,000	0.5%
All development types other than residential valued in excess of \$200,000	1%

Each value calculation shall be indexed each year to reflect movement in the annual CPI figure.

ITEM-6 NOTICE OF MOTION - 25/02/13 - REQUEST FOR MINOR WORKS BY VALE LADIES LITHGOW - COUNCILLOR J MCGINNES

REFERENCE

Letter from the Vale Ladies Club, Vale Hall, Lithgow

COMMENTARY

I have received the attached letter from the Secretary of the Vale Ladies Club, users of the Lithgow City Council Public Hall in the Vale of Clwydd, Lithgow.

The Vale Ladies are making a minor request for the Council to replace the concrete pathway on the eastern side of the Vale Hall, which has become rough and uneven.

The Vale Ladies have also stated that recently a few members husbands constructed a ramp at the rear of the door so they would now be grateful if the Council would consider joining the ramp to the front door by replacing the hazardous path.

ATTACHMENTS

1. Letter from the Vale Ladies Club, Vale Hall, Lithgow

RECOMMENDATION

THAT Council provide the requested assistance to the Vale Ladies by undertaking their requested minor works under the Councils current Works Program.

ITEM-7 NOTICE OF MOTION - 25/02/13 - CAR PARKING ISSUES IN THE LITHGOW CENTRAL BUSINESS DISTRICT - COUNCILLOR M TICEHURST

REFERENCES

NIL

COMMENTARY

- Q.** Could the General Manager and Senior Council Officers provide the Council, Councillors, ratepayers and residents with a report at this Council Meeting on what are the current actions of the Council towards patrols and policing of cars parking in the Lithgow Central Business District?

RECOMMENDATION

THAT the General Manager and Senior Council Officers provide the Council, Councillors, ratepayers and residents with a report at this Council Meeting on what are the current actions of the Council towards patrols and policing of cars parking in the Lithgow Central Business District?

GENERAL MANAGERS REPORTS

ITEM-8 GM - 25/02/13 - QUARTERLY PERFORMANCE REPORT ON 2012/13 OPERATIONS PLAN FOR THE PERIOD 1 OCTOBER TO 31 DECEMBER 2012

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

REFERENCE

Min No 12-182: Ordinary Meeting of Council 4 June 2012
Min No 12-445: Ordinary Meeting of Council 26 November 2012

SUMMARY

This report provides the Quarterly Performance Report on the 2012-2013 Operations Plan for the period of 1 October to 31 December 2012 with a recommendation that the adjusted surplus of \$174,258 be noted.

COMMENTARY

The July to December September Six Monthly Performance Report on the 2012-2013 Operations Plan has been prepared and details are provided with the attachment to the Business Paper.

This report provides a detailed summary of achievements against the Delivery Program 2012-2016,

2012/13 QUARTERLY BUDGET COMPARISON			
Budget (Inc Internal)	Income \$'000	Expenditure \$'000	Total \$'000
Original	61,979	61,979	0
September Quarter	70,313	70,302	11
December Quarter	76,649	76,476	174

The revised December quarter of the 2012-2013 Operations Plan has been adjusted as detailed in the following table.

		Variation >\$2 (\$'000)
EXECUTIVE		
Rate Modelling completed Dec 2011 for 2012/13. VG advice on monthly supplementary lists then completed Jan to June 2012 which alters actual rate levied.		
In compliance with DLG Notional Yield Return		
Rates Income: Following VG advice – Residential	Additional Inc	\$66,625
Rates Income: Following VG advice – Business	Additional Inc	\$31,371
Rates Income: Following VG advice – Farmland	Additional Inc	\$15,135
Rates Income: Following VG advice – Mining	Additional Inc	\$1,518
Rates Income: Following VG advice – Parking	Additional Inc	\$6,201
Members Fees: Clr Marshall to Comm Donation LDH	Reduce Exp	\$5,420
TOURISM		
Flash Gifts: Increase in income from expected	Additional Inc	\$4,425
OPERATIONS		
Swimming Pool Kiosk; Lease to Uniting Church	Decrease Inc	\$22,314
Swimming Pool Kiosk; Lease to Uniting Church	Decrease Exp	\$17,182
Civic Ballroom: Increase in rent	Additional Inc	\$4,000
Grant Emirates / RMS Funding Wolgan Road Upgrade	Additional Exc	\$4,200,000
Grant Emirates / RMS Funding Wolgan Road Upgrade	Additional Inc	\$4,200,000
Grant RMS Road Toll Response Browns Gap Rd	Additional Exp	\$210,000
Grant RMS Road Toll Response Browns Gap Rd	Additional Inc	\$210,000
Grant Sec 44 Bush Fire RFS	Additional Exp	\$10,000
Grant Sec 44 Bush Fire RFS	Additional Inc	\$10,000
DEVELOPMENT / ENVIRONMENT		
QE Park Toilets – Minute 12-254 Additional Funding from Reserve	Additional Exp	\$135,000
QE Park Toilets – Minute 12-254 Additional Funding from Reserve	Additional Inc	\$135,000
Meadow Flat Hall from Reserve 11/12	Additional Exp	\$10,000
Meadow Flat Hall from Reserve 11/12	Additional Inc	\$10,000
Grant Hawkesbury Nepean Weed Control	Additional Exp	\$53,131
Grant Hawkesbury Nepean Weed Control	Additional Inc	\$53,131
INFORMATION TECHNOLOGY		
Telephone – Refund Telstra call charges	Additional Inc	\$4,000
FINANCE		
Certificates	Additional Inc	\$11,348
Insurance Risk Incentive Rebate	Additional Inc	\$8,047
Insurance Claims Excess Refund	Additional Inc	\$12,680
Insurance Claims Excess	Additional Exp	\$10,020
Insurance Miscellaneous Fid Guarantee	Additional Exp	\$2,664
VG Valuation Fees	Additional Exp	\$11,348
Insurance Public Liability	Reduce Exp	\$12,684
COMMUNITY		
Library Meeting Room	Additional Inc	\$3,000
Members Fees: Clr Marshall to Comm Donation LDH	Additional Exp	\$5,420
Grant Eskbank House Conservation Plan	Additional Exp	\$3,833
Grant Eskbank House Conservation Plan	Additional Inc	\$3,833
Grant Library Children's Book Council	Additional Exp	\$3,877
Grant Library Children's Book Council	Additional Inc	\$3,877
Gun Emplacements Sth Bowen Reserve 11/12	Additional Exp	\$21,000
Gun Emplacements Sth Bowen Reserve 11/12	Additional Inc	\$21,000
WATER		

Grant Clarence Transfer System Upgrade 11/12	Additional Exp	\$3,635,477
Grant Clarence Transfer System 11/12	Additional Inc	\$3,635,477
Grant NSW Health Fluoridation 11/12	Additional Exp	\$196,000
Grant NSW Health Fluoridation 11/12	Additional Inc	\$196,000
WASTEWATER		
Treatment Works increase operating offset by P/Stations & Mains		
- STP Mechanical Maintenance	Additional Exp	\$90,000
- STP Bio Aug Chemicals	Additional Exp	\$140,000
- STP Clear Blockages	Decrease Exp	\$30,000
- P Station Electricity	Decrease Exp	\$10,000
- P Station Maintenance	Decrease Exp	\$83,936
- P Station Mechanical Maintenance	Decrease Exp	\$20,000
- P Station Electrical Maintenance	Decrease Exp	\$20,000
- P Station Clear Blockages	Decrease Exp	\$20,000
- Mains Clear Blockages	Decrease Exp	\$97,000

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

The financial implications as reported in the July to December six monthly Performance Report on the 2012-2013 Operations Plan.

The Finance Manager, as the Responsible Accounting Officer has reviewed the statements and certifies as required by the Local Government (General) Regulation 2005, that Council's 2012-2013 Operations Plan has been reviewed and the financial position of Council is satisfactory.

LEGAL IMPLICATIONS

The Local Government Act 1993 and Local Government (General) Regulation 2005 sets out requirements for the quarterly reporting of the achievement of performance targets and the submission of a budget review statement after the end of each quarter. This report and attachment achieves these requirements.

ATTACHMENTS

1. Six month progress report 1 July – 31 December 2012
2. Income & Expenditure Budget Review Statement
3. Cash & Investment Budget Review Statement
4. Key Perform Indicators Budget Review Statement
5. Contract Budget Review Statement – Contracts entered
6. Consultancy & Legal Expenses Budget Review Statement

RECOMMENDATION

THAT:

1. The surplus of \$174,258 for the 2012-2013 Operations Plan as detailed in the Quarterly Performance Report for the period 1 October to 31 December 2012 be noted;

2. Council authorise the variations to the Council budget as outlined in the report;
and
3. The Council notes that the Finance Manager, as the Responsible Accounting Officer has reviewed the statements and certifies as required by the Local Government (General) Regulation 2005, (s203) that Council's 2012-2013 Operations Plan has been reviewed and the financial position of Council is satisfactory.

ITEM-9 GM - 25/02/13 - DRAFT MODEL CODE OF CONDUCT

REPORT FROM: R BAILEY - GENERAL MANAGER

REFERENCE

NIL

SUMMARY

The Division of Local Government has published the Draft Model Code of Conduct in the NSW Government Gazette and is to come into effect from 1 March 2013.

COMMENTARY

A new Model Code of Conduct has been drafted and gazetted to come into effect on 1 March 2013. The Model Code of Conduct is made for the purposes of Section 440 of the *Local Government Act 1993* which requires that **all** councils adopt a code of conduct that incorporates the provisions of the Model Code.

Councillors, administrators, members of staff, independent conduct reviewers and members of council committees including delegates of the council must comply with the provisions of council's code of conduct in carrying out their functions as council officials.

Failure to comply with the provisions of the code of conduct constitutes misconduct for the purposes of the Act and penalties that can now be imposed for misconduct include suspension or disqualification from civic office.

Procedures for the Administration of the Model Code of Conduct have also been developed.

Amendments to the 2008 Model Code of Conduct include:

1. Binding caucus voting is prohibited in relation to matters to be considered by a council or committee meetings but does not apply to the election of the Mayor or Deputy Mayor.
2. Councillors that have received or knowingly benefited from a reportable political donation made by a major political donor in the previous four years or that has a matter before council must declare a non-pecuniary conflict of interest. Major political donor is defined in Section 84 of the *Election Funding, Expenditure and Disclosure Act 1981*. This will not prohibit a councillor from participating in a decision to delegate council's decision making role to council staff through the General Manager or appointing another person or body to make the decision.

3. Where council does not have a quorum to consider a matter the council or committee must resolve to delegate the matter in question to another person.
4. Where the Director General allows a council to make a decision where a quorum cannot be formed for the matter, all councillors must still disclose any interest in the matter.
5. Personal benefits will now include the receipt of any gift or benefit even when they are a prize of token value and cash like gifts include gift vouchers, credit cards, debit cards with credit on them, prepayments such as phone or internet credit, memberships or entitlements to discounts.
6. Council's external auditors or the Chair of Council's audit committee may request information from individual councillors so they can perform their functions.
7. Council staff must ensure that any participation in political activity outside the service of the council does not conflict with the performance of their official duties.
8. Councillors and administrators will only be able approach staff and staff organisations to discuss broad workplace policy issues. The same will apply to staff approaching councillors.
9. Council staff will not be able to meet with Development Approval (DA) objectors alone and outside office hours to discuss DAs or proposals.
10. The General Manager and the Public officer will be responsible for access to the *Government Information (Public Access) Act 2009*.
11. Council resources, property or facilities will not be allowed to be used for assisting in the election campaigns unless those facilities are available for use or hire by the public and any applicable fee is paid.
12. Council letterheads, crests or other information that may give the appearance that it is official council material must not be used for election campaign or other non-official purposes.
13. The Model Code of conduct is not to be used for an improper purpose and this includes trivial, frivolous, vexatious purposes or not made in good faith. It must not be used to intimidate or harass or damage another councillor's reputation or to gain a political advantage.

14. Detrimental action must not be taken against any person in reprisal for a complaint that has been made by way of the Model Code.
15. Breaches of the provisions of the Model Code dealing with maintaining the integrity of the Code are to be reported to the Division of Local Government.

Councillors should also be aware:

- There will be limited rights of review to the Division where a person is subject to an adverse outcome.
- The Division will have more options for dealing with matters directly under the misconduct provisions. This will enable it to directly police the administration of the code and address issues such as misuse or failure to cooperate.
- Penalties for misconduct will be expanded and increased to improve deterrence.
- Both the Division and the Pecuniary Interest and Disciplinary Tribunal will be able impose stronger penalties for repeated misconduct. This will enable the more effective management of ongoing disruptive behaviour by individual councillors to enable councils to get on with the core business of serving their communities.
- Complaints made or yet to be finalised before 1 March 2013 are to be dealt with under the current Model Code of Conduct and Procedures.
- Complaints received after 1 March 2013 but where the alleged conduct occurred prior to this date are to be assessed against the standards prescribed under the current Model Code but dealt with under the new Procedures.
- Complaints relating to alleged conduct that occurred after 1 March 2013 are to be assessed against the new Code and Procedures.

POLICY IMPLICATIONS

This will update Council's current Code of Conduct.

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

Council is required to adopt the Model Code of Conduct as its minimum standard.

ATTACHMENTS

1. DLG Circular 12-45

RECOMMENDATION

THAT Council:

1. Adopts the new Model Code and Procedures; and
2. Calls for expressions of interest, either individually and/or with other councils or Centroc, for conduct reviewers.

ITEM-10 GM - 25/02/13 - LOCAL GOVERNMENT REVIEW

REPORT FROM: R BAILEY - GENERAL MANAGER

REFERENCE

Min No 12-318: Ordinary Meeting of Council 3 September 2012

SUMMARY

As a result of Destination 2036 the New South Wales State Government is reviewing local government. A Review Panel has been appointed and the Panel is seeking input from Council and the community in relation to the reform.

COMMENTARY

In March of 2012 the Minister for Local Government, the Hon Don Page MP, appointed a Local Government Review Panel consisting of; Panel Chairman, Professor Graham Sansom, Director of the Australian Centre for Excellence in Local Government; Ms Jude Munro AO; and Mr Glenn Inglis.

The Review follows on from the Destination 2036 event, held in Dubbo in 2011, when councils from throughout NSW discussed the future of local government. Destination 2036 highlighted the need to take a closer look at local government structures and finances and the way that councils would deliver services in the future. These issues were included in the Panel's Terms of Reference which includes the panel will investigate and identify options for governance models, structural arrangements and boundary changes for local government in NSW, taking into consideration:

1. ability to support the current and future needs of local communities
2. ability to deliver services and infrastructure efficiently effectively and in a timely manner
3. the financial sustainability of each local government area
4. ability for local representation and decision making; and
5. barriers and incentives to encourage voluntary boundary changes.

In conducting the review the panel will:

- Ensure recommendations meet the different nature and needs of regional, rural and metropolitan communities.
- Consult widely with the broader community and key stakeholders.

- Take into account the work completed, and future work to be completed, under the Destination 2036 initiative.
- Take into account the broader interests of the State including as outlined in the State Plan.
- Consider the experiences of other jurisdictions in both the nature and implementation of local government reform.
- Take into account the Liberal-National's 2011 election policy of no forced amalgamations.
- To support the above the Panel may commission appropriate investigations and research consistent with the intent of the review.

The Independent Review is to consider the possibility that different models may be applied to different councils within the State, depending on their circumstances and the needs of their communities.

The Panel is now seeking input from councils and the community through a survey a range of issues including:

- The Local Government System
- Fiscal Responsibility
- Services and Infrastructure
- Structures and Boundaries
- Governance
- A Compact for Change

The next paper due to be released by the Panel is due in late March 2013 with a final report due for release in July 2013.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Independent Local Government Review Panel – Stage 2 Update, January 2013
2. Better, Stronger Local Government, The Case for Sustainable Change November 2012
3. Options to Enhance Regional Collaboration amongst Councils in NSW: the Role of Regional Organisations of Councils – November 2012
4. Report: Assessing processes and outcomes of the 2004 Local Government boundary changes in NSW – January 2013

RECOMMENDATION

THAT Council:

1. Note the report on Local Government Review;
2. Inform the community of the Review and the process;
3. Councillors workshop the issue; and
4. Authorise the Mayor to complete the survey and make a submission on behalf of Council.

ENVIRONMENT AND DEVELOPMENT REPORTS

ITEM-11 ENVIRO - 25/02/13 - STABLE DEMOLITION UNION THEATRE BUILDING IMPROVEMENTS

REPORT BY: A MUIR – GROUP MANAGER ENVIRONMENT AND DEVELOPMENT

REFERENCE

Min No 12-262 Ordinary Meeting of 23 July 2012

SUMMARY

To advise Council of legal and heritage advice in relation to demolition of the old stable building behind the Tin Shed and adjacent to the Union Theatre and recommend that a demolition order be issued for this building. Also to update Council on proposed improvements to the Union Theatre.

COMMENTARY

Stables

Council at its meeting of 23 July 2012 agreed that demolition of the old stable building owned by Council and located behind the Tin Shed be demolished following consultation with the NSW Office of Environment & Heritage (OE&H). The building has been identified as being of heritage significance in documentation held by the OE&H. A heritage architect has been engaged to prepare the necessary documentation to justify demolition of the building (copy attached). This initially had been pursued to accompany a development application.

Councillors will be aware of the development by the University of Western Sydney taking place in the Hoskins Building and on the site below the Union Theatre and stables that will be the car park for the University. The University have contacted Council to express their concern about the condition of the stables and the risk it presents to their activities on the adjacent site. They have provided a structural engineering report that indicates that the building is in danger of further collapse and have stopped any work on the car park occurring adjacent to the building.

Due to the danger the building represents it was considered necessary to look at any available alternatives to hasten the demolition. Council's solicitor for planning matters, Pikes & Verekers, was contacted for advice on the most appropriate course of action to expedite the demolition of the building. A copy of that advice is attached to this report.

The advice recommends that the most expeditious way of dealing the issue is by way of a demolition order issued pursuant to Section 121B of the Environmental Planning & Assessment Act 1979 (EPA Act). This action eliminates the requirement for a development application and notification to the OE&H.

Section 121S(2) of the Act requires that:

- (2) *A person must not give an order under this Division in respect of an item of the environmental heritage to which this section applies until after the person has considered the impact of the order on the heritage significance of the item.*

In order to meet its obligations under Section 121S(2) it is necessary for Council to have considered the attached Heritage Impact Report from Integrated Design Associates so that it can make an informed decision on the demolition.

The Historical Analysis Report advises that the building is beyond repair and demolition is the most viable option.

It is considered appropriate based on legal advice and the Heritage Impact Statement for Council to issue an Order pursuant to Section 121B2(c) of the Environmental Planning & Assessment Act 1979 as the:

“Building is so dilapidated as to be prejudicial to its occupants or to persons or property in the neighbourhood.”

Union Theatre

The following update is provided on progress with the Union Theatre improvements:

1. Architectural plans are currently under preparation for improvements to the toilets, disabled access and replacement of the concrete walkway on the Tin Shed side of the building which has been identified as structurally non-compliant. This project is being funded from reserves for the building and a \$50,000 grant from the Community Building Partnerships Program which is for this specific work. Tenders will be called when final documentation is completed.
2. Council has previously resolved to provide temporary dressing rooms on the site following demolition of the stables building. This will need to be funded from within the existing budget allocation which will impact on the extent of the other works identified in item 1.
3. There is no funding currently available to construct new change room facilities at the theatre. The cost of this work based on the concept design plans is in excess of \$700,000.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

Quotations are currently being received for demolition of the stables. This has been allowed for in the current budget.

LEGAL IMPLICATIONS

Identified in the written advice from Pike & Verekers attached to this report.

ATTACHMENTS

1. Legal advice from Pikes & Verekers Solicitors

2. Historical Analysis Report from Integrated Design Associates

RECOMMENDATION

THAT Council issue an order to demolish the stables building located on Lot 2 DP 1077295 Bridge Street Lithgow pursuant to the provisions of Section 121B2(c) of the Environmental Planning and Assessment Act 1979.

ITEM-12 ENVIRO - 25/02/13 - REQUEST FOR SECTION 94A EXEMPTION - LA SALLE ACADEMNY DA 161/12

REPORT BY: A MUIR – GROUP MANAGER ENVIRONMENT AND DEVELOPMENT

SUMMARY

To advise Council of a request received from the Catholic Education Office on behalf of La Salle Academy for Council to exempt them from the payment of Section 94A Contributions for DA161/12 for a Multipurpose Hall at Lot 321 DP 1142036 – 96 Rabaul Street, Lithgow.

COMMENTARY

Council is in receipt of a submission from the Catholic Education Office, Diocese of Bathurst, seeking an exemption of Section 94A Contributions of \$16,335.80 payable in accordance with Council's "Section 94A Development Contributions Plan 2012".

The following condition was included in Development Consent 161/12 for the project:

9. Prior to commencement of any building work the applicant shall pay to Council a contribution of \$16,335.80, in accordance with the Lithgow City Council Section 94A Development Contribution Plan 2012. It is advised that the level of contribution in this plan may be adjusted at the time of actual payment, in accordance with the provisions of the Lithgow City Council Section 94A Development Contribution Plan 2012.

A copy of the submission is attached that provides the following grounds for the exemption:

Council may consider exempting development or components of development from the Section 94A Plan if the development, as in Part C7(k) of the Plan, is for privately funded community infrastructure such as educational facilities.

The applicant states that the development fits the above category. It is proposed to construct a multipurpose hall of around 500m² that will contain a large assembly area that will accommodate approximately 480 people. The hall will be extensively used for performance related curricula such as drama, dance and music. The hall will also provide valuable meeting spaces and will contain modern ITC infrastructure which will be used for school, but will also be made available for community use.

The applicant also states that La Salle Academy has always been receptive to community use of its facilities. At present the school allows community use of its gymnasium facility for community sporting groups including netball and women's soccer. It also currently permits a local boxing association to use space for the development of boxing skills to young people across all local schools. The new Trade Training Centre is also available for use by local industry.

The school has always been well regarded for its generous offering of its facilities to local organisations.

The Catholic Education Office advises that the funding of the hall will be entirely met at a local level and it is not a government funded project. The budget for the project is tight and the school has borrowed extensively to assist in funding this facility.

The applicant respectfully request Council to consider an exemption from payment of the Section 94A contribution in whole or in part.

POLICY IMPLICATIONS

It is considered that the request is well founded and meets the criteria for an exemption under the provisions of Part C7(k) of the Lithgow City Council Section 94A Development Contribution Plan 2012.

FINANCIAL IMPLICATIONS

Should Council decide to exempt the Catholic Education Office in this instance, it would forgo \$16,335.80.

LEGAL IMPLICATIONS

The Contributions Plan has been duly made under the provisions of Section 94A of the Environmental Planning and Assessment Act.

ATTACHMENTS

1. Correspondence from the Catholic Education Office, Diocese of Bathurst dated 14 January 2013.

RECOMMENDATION

THAT an exemption from payment of the Section 94A development contribution of \$16,335.80 be granted to the Catholic Education Office for Development Consent 161/12 pursuant to Part C7(k) of the said plan, and that Condition No.9 be removed from the subject consent.

**ITEM-13 ENVIRO - 25/02/13 - DEVELOPMENT APPLICATION REPORT -
001/11DACC - PROPOSED ADDITION & ALTERATIONS TO
EXISTING FAMILY HISTORY SOCIETY HALL**

REPORT BY: A MUIR – GROUP MANAGER ENVIRONMENT AND DEVELOPMENT

SUMMARY

To determine a development application for additions and alterations to the Family History Society Hall.

COMMENTARY

Council is in receipt of a Development Application for alterations and additions to the existing Family History Society Hall, a Council owned building.

The proposal provides for the construction of a timber framed colourbond roofed addition having external dimensions of 4m x 4m to the western side and replacement of existing roof with colourbond (Stage 1) and upgrading of access and facilities for people with disabilities including principle entrance to the building, refit of existing toilet facilities and accessible on-site car space and walkway / ramp (Stage 2). The estimated cost of this development is stated as \$45,000.

The building is to be upgraded (Stage 2) to provide complying access and sanitary facilities for people with disabilities in accordance with the Premises Standard and Australia Standard 1428.1 and AS2890.6, through the following works:

- a new accessible car space within the rear yard area;
- construction of 1m wide concrete walkway/ ramp between the car space and principle front entrance doorway threshold; and
- refurbishment of the existing toilet facilities.

A review of the existing building under fire safety related objectives of Clause 94 of the Environmental Planning & Assessment Act 1979 identifies the need for minor fire safety upgrading works to be carried out. These include the upgrading of door furniture to provide lever action devices and hold-open devices and the formalising of annual fire safety statements in relation to portable fire extinguishers and fire blanket.

The proposed new work will comply with the relevant Deemed-To-Satisfy Provisions of the BCA2012.

The subject land is zoned 2(a) Village under Council's LEP 1994 and is identified as flood liable in Council's Interim Policy for Flood Liable Land 1992 (Kinhill), however the subject building has anecdotally not been subject to flood inundation. Moreover the proposal meets the relevant objectives under Clause 3.3.5 of Council's Policy. The proposed minor floor area addition of 16m² will not increase the flood hazard to the subject building or other properties.

The subject land is within the proclaimed Lithgow Mines Subsidence District. The design of footings is to meet with the requirements of the Mines Subsidence Board.

The subject land is within the Sydney Water Supply Catchment Area. Erosion and sedimentation controls together with rainwater harvesting / reuse is proposed in accordance with the requirements of the Sydney Catchment Authority.

POLICY IMPLICATIONS

Council's *Policy 7.6 – Development Applications on Council owned land* requires Development Applications on Council land to be referred to the elected Council for consideration and determination and that no aspect of the development is dealt with under delegated authority. Given Council's ownership of this land the proposal is reported to Council for determination.

FINANCIAL IMPLICATIONS

Whilst not relevant to determination of the application, Council has received a grant through the Community Building Partnership Program in the amount of \$17,500 towards this project. The Family History Society is contributing a further \$17,500. Council will fund works consisting of the removal of asbestos roof and site works.

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*.

ATTACHMENTS

1. Section 79C report under Environmental Planning & Assessment Act 1979.

RECOMMENDATION

THAT:

1. Combined Development/Construction Certificate Application No. 001/11DACC be approved subject to the attached conditions.
2. A **DIVISION** be called in accordance with the requirements of Section 375A(3) of the Local Government Act, 1993.

OPERATION REPORTS

ITEM-14 OPER - 25/02/13 - WATER REPORT - FEBRUARY 2013

REPORT BY: I STEWART - GROUP MANAGER OPERATIONS

REFERENCE

Min No 13-28: Ordinary Meeting 04/02/13.

SUMMARY

This report provides an update on various water management issues as per Minute Number 13-28.

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 Wednesday 6 February was 100%.Oberon Dam capacity on Monday 21 January was 90.9%

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 (CWTS) for 2012/13.

Table 1 - Oakey Park Monthly Output and Clarence Transfer

Month Total	Oakey Park WTP (ML)	Clarence Transfer (ML)	Farmers Ck Dam Accumulative Yield (ML)
July	107	0	107
August	106	0	213
September	115	0	327
October	140	0	467
November	140	5	607
December	135	81	742
January	146	73	889
2011/12 Monthly Av	121	0	
Rolling 12 Month Total	1,341	158	1,182

Table 2 - Oakey Park Daily Output and Clarence Transfer

Oakey Park WTP	Avg Daily Use kL	Avg Daily CWTS Transfer kL	FRWS Avg Daily Use kL
February	3,138	0	567
January	4,716	2,346	541

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 January. One Fluoride ratio result was higher than the quality control guideline but has no impact on health.

Monitoring results for the licence to operate the water treatment plant have been published on the Lithgow City Council website as required by the *Protection of the Environment Operations Act 1997*.

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 January. Two Total Coliform samples exceeded guidelines and were investigated.

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.

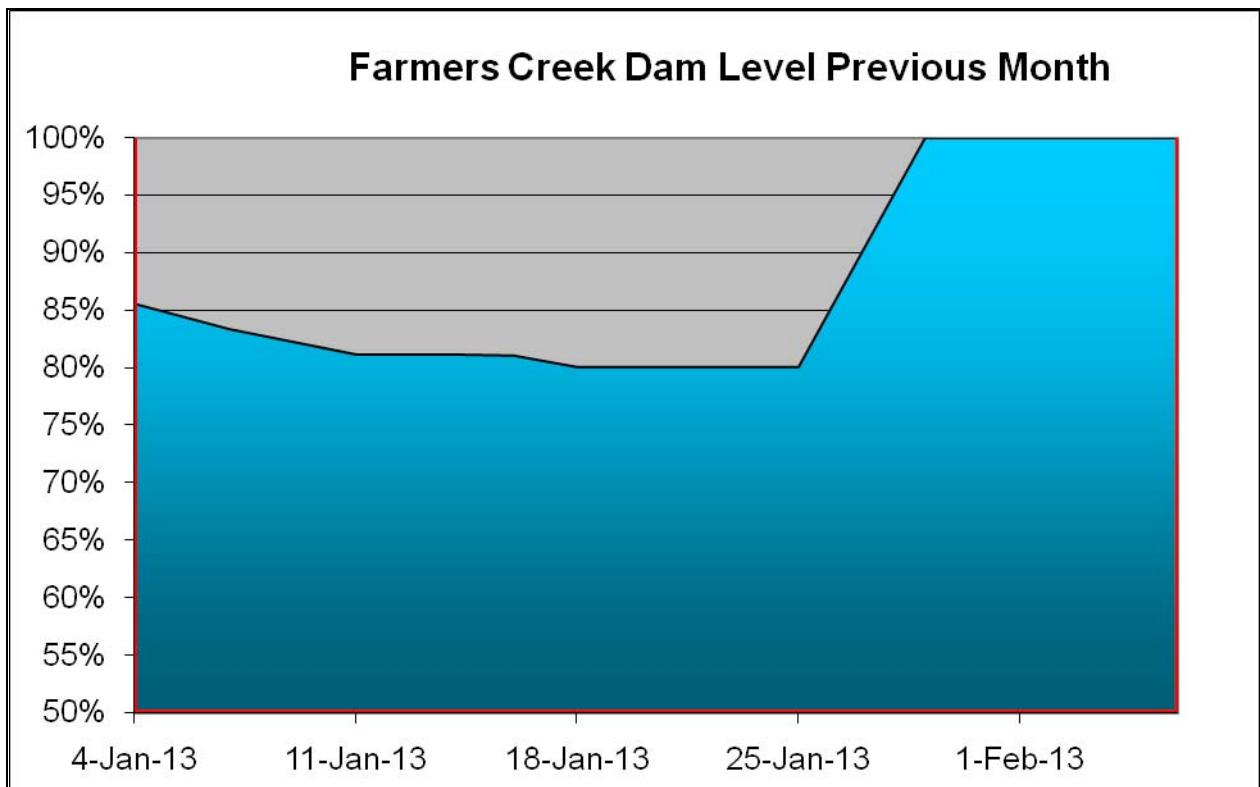
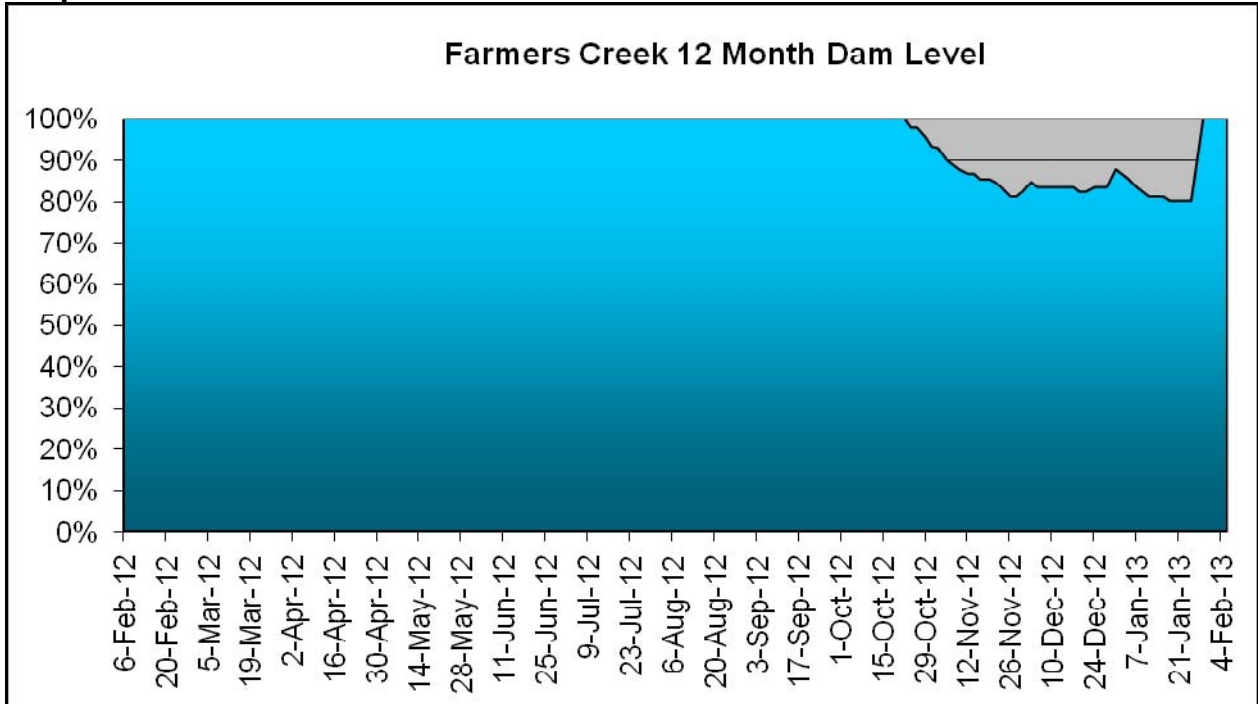
WATER SAVING SCHEMES OR PROCESSES UPDATE

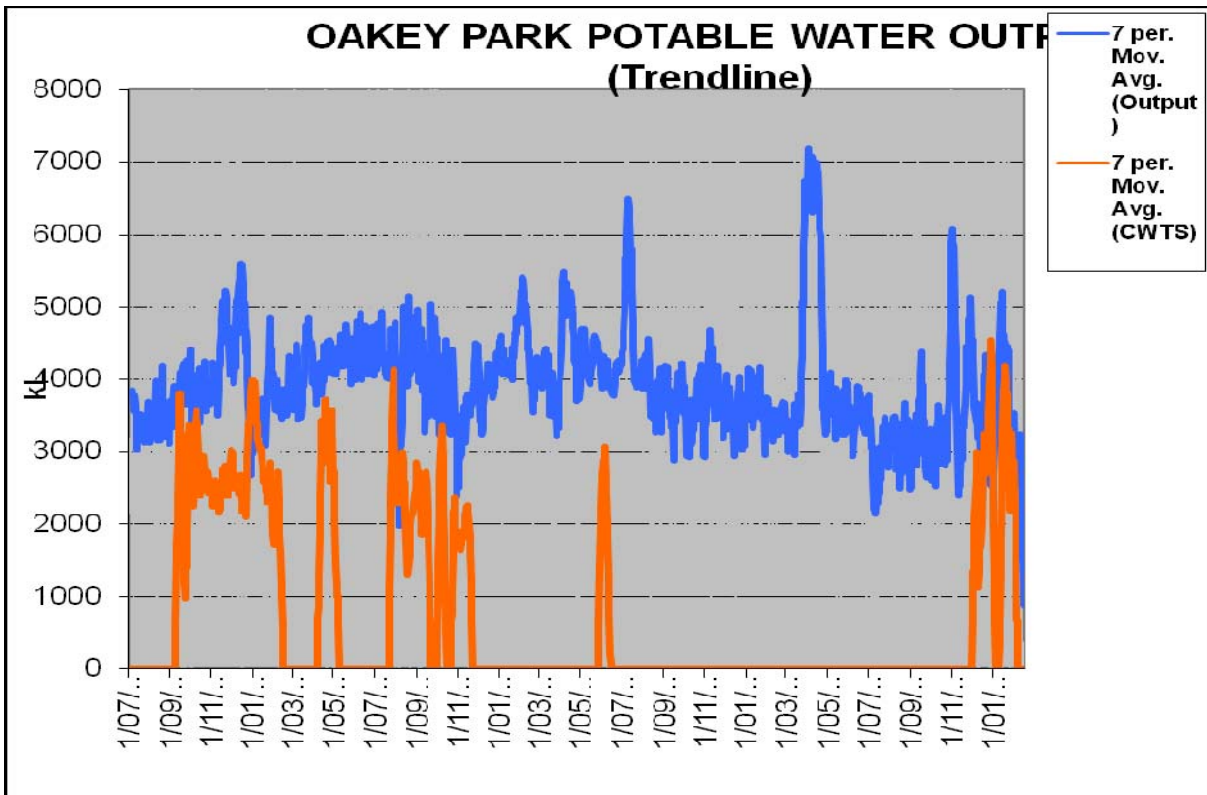
Council's Rainwater Tank and Domestic Appliance Rebate Program continued in January with Council approving two applications for a household appliance rebate and no applications for a water tank rebate.

FARMERS CREEK DAM 12 MONTH LEVELS

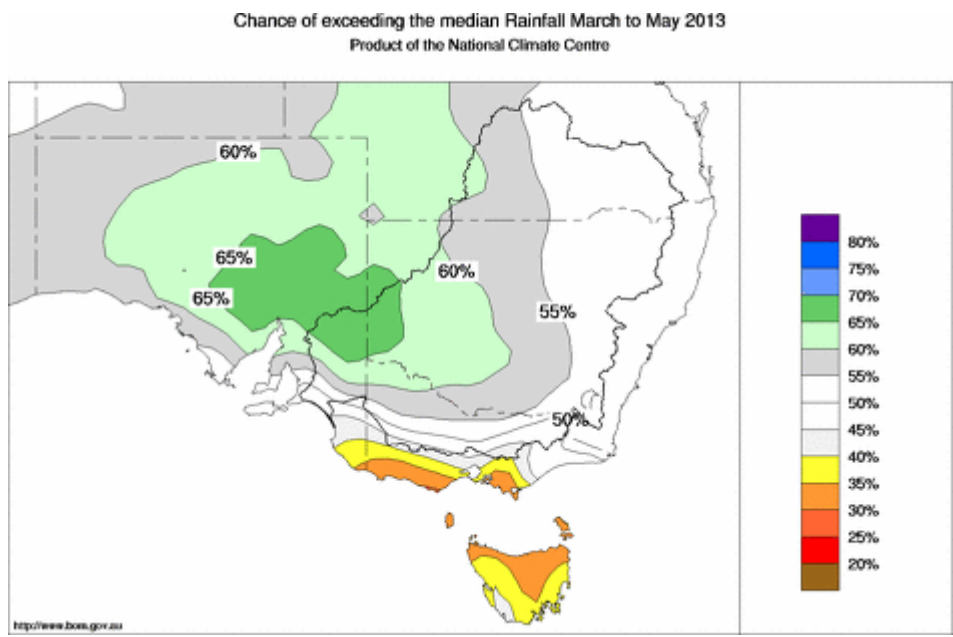
The attached chart shows the storage data to date for the last twelve months.

Graph 1 Farmers Creek Dam #2 over 12 Months





The southeast Australian outlook for February to April 2013 indicates that a drier than normal season is likely for central agricultural regions of SA and northeast NSW. This outlook is a result of warmer than normal waters in the Indian and Pacific Oceans. The tropical Pacific remains neutral with respect to ENSO (El Niño-Southern Oscillation). Climate models surveyed by the Bureau of Meteorology suggest sea surface temperatures in the tropical Pacific Ocean are likely to stay at neutral levels during early 2013.



ALTERNATE WATER SOURCES UPDATE

The Lithgow villages and Marrangaroo Zone are currently being supplied from Fish River Water Scheme (FRWS).

POLICY IMPLICATIONS
NIL

FINANCIAL IMPLICATIONS
NIL

LEGAL IMPLICATIONS
NIL

RECOMMENDATION

THAT Council note the water report.

ITEM-15 OPER - 25/02/13 - TEMPORARY TAXI ZONE

REPORT BY: K SNOW ROAD - SAFETY OFFICER

REFERENCE

Min 12 - 505: Ordinary Meeting of Council 17 December 2012

SUMMARY

A request has been received from Lithgow Taxi Co-op for a temporary after hours taxi zone to be installed at the existing bus stop adjacent to the Courthouse Hotel from 6.00pm to 6.00am on Friday and Saturday nights.

COMMENTARY

The existing bus zone operates from 6.00 am to 6.00 pm and then reverts to limitless general parking. The purpose of the proposal is to allow taxis to stop safely and legally collect and drop off passengers during the times that demand is highest during the non bus zone parking period of 6.00 pm to 6.00 am Friday and Saturday each week The Courthouse Hotel is the busiest late night venue in Lithgow and can be open until 3.00-4.00am.

This matter was considered by the TALC Committee on 15 November 2012 and reported to Council on 17 December 2012 (Min 12-505). TALC resolved to write to the Minister of Transport regarding this matter however the Minister of Transport has advised that the matter is for Council to resolve.

The licensee of the Courthouse Hotel has advised that he supports this request. The Police and RMS also gave their support to the proposal at the 15 November 2012 TALC meeting.

The Police noted that parking is at a premium on Friday and Saturday nights in this area and that although taxis try to do the right thing in regard to parking safely, they cannot always achieve pick up and set down legally.

The temporary taxi zone would be located within the bus zone on the southern side of Main Street adjacent to the Courthouse Hotel. The temporary taxi zone would be approximately two car spaces in size and use approximately 50% of the bus zone. Enforcement would be undertaken by the Police.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

The cost of signage

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Letter from Lithgow Taxi Co-op Dataworks Document Number 918044

RECOMMENDATION

THAT Council:

1. Approve the establishment of a temporary taxi zone between the hours of 6.00pm and 6.00am each Friday and Saturday nights in the bus zone on the southern side of Main Street adjacent to the Courthouse Hotel.
2. Install appropriate signage.
3. Inform the community by way of public notice.

ITEM-16 OPER - 25/02/13 - TENDERS FOR THE DESIGN AND CONSTRUCTION OF HASSANS WALLS BOARDWALK

REPORT BY: I STEWART - GROUP MANAGER OPERATIONS

REFERENCE

NIL

SUMMARY

This report seeks a determination from Council to award a contract for the Design and Construction of a boardwalk and viewing platform at Hassans Walls Reserve, Lithgow.

COMMENTARY

The tender process for engaging suitable contractors was undertaken through a selective tender process (previously reported to Council) and five (5) tenderers were selected for the issuing of tender documents. Five (5) tender offers were received, these being:

1. Australian Built Urban Designs tender price being \$217,602.00
2. Steel Works Engineering tender price being \$164,159.96
3. Wagner Pty Ltd tender price being \$338,310.50
4. Fleetwood Urban Pty Ltd tender price being \$170,997.20 (Option 1) or \$178,214.30 (Option 2).

The tenders have been evaluated using the attached criteria and weighting, with Steelworks Engineering scoring the highest rating of 4.7 out of a possible 5 with regard to the evaluation.

Steelworks Engineering's design incorporates a hot-dip galvanised steel frame with fibre reinforced plastic deck. The proposal was considered to have minimal environmental impact as a result of the cantilever design. Steelworks Engineering have proposed a 2m wide, 80m long boardwalk commencing at the picnic shelter at Hassans Walls Reserve, and extending south to a 25sqm viewing platform to be located near Padley's Pedestal Trig Station. The structure is designed to allow for minimum maintenance, and has a design life in excess of 40 years. The tendered price includes provision of a handrail for the entire length of the boardwalk

Fleetwood Urban proposed a similar design to Steelworks Engineering, incorporating an 80m boardwalk and 25.2sqm viewing platform. Fleetwood's design is particularly environmentally friendly, with all work to be carried out by hand, without the requirement for heavy machinery. A hardwood timber handrail has been proposed, which would require yearly maintenance. Fleetwood also offered an alternate design, which included a hardwood deck. The hardwood deck option would require yearly maintenance and would have a reduced design life of 30 years.

Australian Built Urban Designs (ABUD) have included an aluminium frame, Engineered Fibre Composite (EFC) deck, and Stainless steel handrail in their design. Two alternate structures have been submitted, with the first proposal extending for 80m south from the Picnic Shelter, with a 32sqm hexagonal viewing platform near Padley's Pedestal Trig Station. The second design incorporates three individual viewing platforms (28sqm, 16.5sqm, 10.6sqm) located at advantageous locations along the boardwalk, with a total combined viewing platform area of 55.10sqm.

The final submission comes from Wagners CFT Manufacturing, who have submitted a proposal incorporating a specialised composite fibre frame, deck and handrail. Wagners CFT composite fibre has superior maintenance and durability qualities compared to steel, aluminium or hardwood.

Proposed boardwalk and viewing platform designs from all four tenderers are attached for review.

Having given due consideration to the four tenders received, it is considered that the tender from Steelworks Engineering satisfies all the necessary criteria and is the lowest tender price received.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

This project is funded from a reserve created for improvements to the Hassans Walls Reserve area. The current balance in the reserve is \$233,217. In addition to the construction of the boardwalk and viewing platform, other works proposed to be funded from this reserve include :-

Formalise and resurface car park area and provide pedestrian link to boardwalk - \$30,000.

Installation of covered seats and picnic tables - \$12,000

Interpretative signage - \$15,000

Contingencies - \$10,000

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Boardwalk design breakdown
2. Tender evaluation matrix
3. Proposed Boardwalk designs

RECOMMENDATION

THAT Council accept Steelworks Engineering's tender of \$164,159.96 including GST for the design and construction of an 80m Boardwalk and 25sqm viewing platform at Hassans Walls Reserve, Lithgow.

COMMUNITY AND STRATEGY REPORTS

ITEM-17 COMM - 25/02/13 - LITHGOW SENIOR CITIZENS CLUB

REPORT BY: M JOHNSON - MANAGER COMMUNITY AND CULTURE

REFERENCE

Min 12-342: Ordinary Meeting of Council dated 15 October 2012.

SUMMARY

This report advises Council on the current situation with the Lithgow Senior Citizens group.

COMMENTARY

Lithgow Senior Citizens group were previously located at the Hoskins Building in Mort St Lithgow and were requested to relocate following the decision by Council to enter into a lease with the University of Western Sydney (UWS).

At the Ordinary Meeting of Council held 15 October 2012 (Min 12-342), Council resolved the following in relation to the relocation of the Senior Citizens group:

THAT

- 1. The General Manager and Senior Council Officers provide the Council, Councillors, ratepayers and residents with a report at the Council Meeting on the recent relocation of the Senior Citizens Rooms from the Hoskins Building in Lithgow to the Masonic Building in Lithgow.*
- 2. The Council urgently investigate the recently advertised Public Tender Sale of the former Masonic Building at 206-208 Mort Street Lithgow by Councils Property Agents, LJ Hooker Lithgow to see why it would not be suitable for future use as both a new Council public hall and a current facility for both our current Senior Citizens Group and other local community groups and organisations.*
- 3. Council hold an urgent on site meeting at the former Masonic Building in Mort Street Lithgow with both the Senior Citizens Group and other interested local community groups and organisations.*

The Lithgow Senior Citizens group meets on a Thursday and Friday afternoon and consists of up to 30 members who play cards and have afternoon tea. A smaller number of their members play indoor bowls on a Friday afternoon.

Council officers first met with the Seniors group in the second half of 2009 when the possible UWS development of the Hoskins building was first proposed to inform them of the proposal and to assure them that Council would assist them if and when their relocation was required.

Shortly following confirmation in December 2011 that the UWS proposal would proceed, Council officers met with the Seniors group to discuss options for their relocation. During January and February 2012 a number of options were considered including the Hermitage Hall, Historical Society hall, Vale Hall, Red Cross Hall, Fatima Hall and Lithgow Information and Neighbourhood Centre. These facilities were either not available at the required times, were too small or too far from the centre of town.

The Civic Ballroom supper room was then considered however it was found that it was often unavailable when the Civic Ballroom was booked for major functions.

Following this, Council officers assisted the Seniors to negotiate a lease on the Masonic Lodge hall in Mort Street and Council provided \$5,000 financial assistance towards meeting rental costs.

Since the Masonic Lodge has been listed for sale, Council officers have made further inquiries in respect of Lithgow Workmen's Club, Club Lithgow and Lithgow Information and Neighbourhood Centre. These three organisations have suitable space for card playing but do not have the space for carpet bowls. Further, the Seniors would be required to pack up their equipment after each session.

The Seniors group have continued to meet each week at the Masonic Lodge however following a meeting of their members in early February 2013, they have decided to relocate permanently to Club Lithgow, free of charge, from 13 March 2013. This will be as a meeting and card group only each Thursday, without their Friday indoor bowls session. The Seniors group has decided to take this course of action as the Club Lithgow auditorium is only available for bowls on a Monday as the space is used by the Club's Chinese restaurant on all other days and participation in their bowls day has declined to a small number of participants.

The group has asked Council for assistance with moving their equipment to Club Lithgow and to store surplus equipment at Council's depot until the equipment is sold.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

RECOMMENDATION

THAT Council note that the Lithgow Senior Citizens group will shortly be relocating from the Masonic Hall to Club Lithgow.

ITEM-18 COMM - 25/02/13 - LITHGOW MENS SHED

REPORT BY: M JOHNSON - MANAGER COMMUNITY AND CULTURE

REFERENCE

Min No 568:	Ordinary Meeting of Council held 14 June 1994
Min No 50:	Ordinary Meeting of Council held 13 January 1997
Min No 06-433:	Ordinary Meeting of Council held 4 December 2006
Min No F08-131:	Ordinary Meeting of Council held 4 November 2008
Min No 09-157:	Ordinary Meeting of Council held 20 April 2009
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 held 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
Min No 12-226:	Ordinary Meeting of Council held 25 June 2012

SUMMARY

This report discusses a proposal by Lithgow Men's Shed to relocate their operations from the South Littleton Hall to the old amenities block at the Lithgow Aquatic Centre and to return the South Littleton Hall to general community use.

COMMENTARY

Background

Council considered a report on 4 December 2006 (Min 06-433) which recommended demolition of the South Littleton Hall due to its poor state of repair and there being few community inquiries for its use. Upon considering this report, Council resolved to convene a meeting with the residents at the South Littleton Hall to discuss the future of hall. This meeting did not take place.

In a 4 November 2008 report to Council (Min F08-131), it was concluded that it would cost at least \$90,000 to refurbish the hall for suitable use due to its poor state and the amount of asbestos sheeting. It was recommended in that report that the hall be demolished at a cost of up to \$12,000.

Council resolved at the 4 November 2008 meeting to convene a Citizen's Access Meeting at the South Littleton Hall to discuss the proposal to demolish the hall and to consider possible alternatives.

The Citizen's Access Meeting was held on 15 January 2009 where there was community support for retention of the hall. A list of potential users of the hall was later provided to Council. Council resolved on 20 April 2009 (Min 09-157) to seek wider expressions of

interest for use of the hall; form a Sec 355 Management Committee; call for quotations for a transportable building, and; investigate funding sources from government grants and internal Council sources.

In November 2009, Council identified cost estimates for repair of \$151,000 and replacement costs of between \$255,000 and 300,000. Accordingly, no further work was undertaken on identifying potential users for the hall.

Lithgow City Council was approached in late 2008 by a group of local men wanting to establish a Men's Shed in Lithgow. Men's Sheds play a significant role in addressing isolation, loneliness and depression in men of all ages. Men's sheds help connect men with their communities and at the same time act as a catalyst in stimulating their community's activities.

Extensive efforts were undertaken, without success, by Council in partnership with Shed members to find a suitable site. Following this, the proposal was developed for the men to renovate the South Littleton Hall. The hall was in a poor state of repair and had not been used for many years.

Following community consultation, Council resolved at the Ordinary Meeting of Council dated 1 November 2010 (Min 10-452):

THAT Council:

1. Supports the proposal from the Lithgow Men's Shed Group to use and undertake renovations of the South Littleton Hall.
2. Establish an s355 Committee of Council for the purpose of undertaking the renovation of the South Littleton Hall.
3. The Committee to be known as "The South Littleton Hall Renovations Committee"
4. The Terms of Reference for the Committee to be:
 - Develop a plan for the renovation of the South Littleton Hall, including works to be undertaken and recommended timeframes.
 - Liaise with the broader community in terms of long-term use of the hall
 - Undertake the renovation of prescribed areas of the South Littleton Hall
 - Seek and advocate for funds and grants for carrying out the works.
5. Membership of the Committee to consist of:
 - 2 Councillors
 - 6 community members from the Lithgow Men's Shed Group
 - 1 officer from Council's Regional Services
 - 1 officer from Council's Community and Cultural Services
6. The term of the Committee be for the duration of the renovations.
7. After an agreed timeframe, the hall to become available for community use.
8. Consider allocating funds to the renovation of South Littleton Hall as part of Council's budget review process.
9. Appoints two Councillors to the Committee.
10. Seek advice in relation to the above.

The works were undertaken with many hours of voluntary labour by Shed members together with funding for materials and specialised works from the Community Building Partnership program (\$16,500), Regional and Local Community Infrastructure program (\$16,500) and Council (\$12,000). These funds have been fully expended. For a total cost of \$45,000, the hall has undergone a major renovation.

The South Littleton Hall renovation project, completed in 2012, has been a great success story as shown in the attached before and after photos. The hall has undergone a major refurbishment both inside and out with a high quality of workmanship by Shed volunteers. This has demonstrated their capacity to undertake similar projects in the future. Further, the renovation project has been a very effective way of attracting and involving men in the organisation's work.

Proposal

The Lithgow Men's Shed proposal is to renovate the old pool entrance/kiosk and change rooms for sole use by their group. Since completion of the South Littleton Hall renovations in 2012, their active membership has increased to the point, 25 – 30 per day, that they have outgrown the hall. The Australian Men's Shed Association recommends that approximately 10m² is required per participant whilst the South Littleton Hall offers approximately 3-4m² per participant. The aquatic centre amenities block is approximately 500m² in size, which will meet the needs of the current membership and allow for a growth in membership.

Benefits of this proposal identified by the Men's Shed include:

- The pool amenities would offer enough space for the current and future needs of the group and to expand the types of activities they offer.
- It would enhance security to the pool complex.
- The Men's Shed would be responsible for maintenance, other than major maintenance, which would result in cost savings for Council.
- Savings to Council from not demolishing the buildings, estimated at \$25,000-\$30,000 not including site remediation costs.
- The South Littleton Hall can be returned to community use.

The Men's Shed seeks clarification from Council on:

- Responsibility and funding arrangements for isolating the amenity buildings from the rest of the pool complex
- Restrictions on internal alterations
- The Men's Shed seeks a long term lease.

A site visit by Council staff and Shed members has determined that with some renovation, the amenities block would be suitable for Shed use. Council staff would work closely with Shed members, as occurred with the South Littleton hall renovations, to ensure that the works were undertaken to the required standard.

Community Survey

Council undertook a community survey of South Littleton residents in April 2012 seeking their views on the future use of the South Littleton Hall by the Men's Shed and also other

potential uses should the Men's Shed vacate at some point. The survey was letterboxed to over 500 dwellings with 85 completed surveys returned.

- 96.5% of the 85 survey respondents stated that they would be happy for the Men's Shed to continue to solely occupy the hall. 47 respondents also stated they would be happy for the Men's Shed to use the hall indefinitely.
- 65 of the 67 responses to the question, "Do you have any objection to future expansion of the hall on the site?", stated that they have no objection.
- 59 of the 66 responses to the question "Would you have any objection to the playground being relocated within the site to accommodate a possible future expansion of the hall?", stated that they have no objection.
- The survey also sought responses on other potential uses of the hall. Respondents identified a range of other potential uses including general community activities, senior groups, children's activities, dancing, arts and crafts playgroups etc.
 - Of the 65 responses to the question "Are you currently involved in any of those activities elsewhere in Lithgow?", 57 people stated no and 5 people stated they would like to relocate their current activity to the South Littleton Hall.
 - Many survey respondents were opposed to parties and functions with alcohol being held at the hall.
 - Of the 69 responses to the question "Does your household use the adjoining children's playground area?", 18 people stated that they use the playground with the majority being weekly or monthly use.
- 7 people stated that they would be interested in being part of a Council led management committee to operate the hall.

Conclusion

There is clearly a need for a Men's Shed in Lithgow. Lithgow has an ageing population, including an increasing number of ageing men. 2011 Census data shows that there has been a significant increase in the number of people aged 55+ living in the Lithgow LGA in the period 2001 – 2011, up from 4,605 in 2001, 5,531 in 2006 to 6,498 in 2011.

Significantly, there are more men than women aged 55 to 69 year years. There was a 19% increase in the number of older men between 2006 and 2011 while the number of women increased by 16%.

Lithgow Men's Shed has demonstrated through the renovation of the South Littleton hall that they have the skills and commitment necessary to renovate the pool amenities block. Their growing membership also demonstrates that they are meeting an important community need.

Consideration had been given to the alternative option of locating an additional shed adjacent to the South Littleton Hall to accommodate the growing needs of the Men's

Shed. It is considered however that the installation of a shed sufficiently large to accommodate the group's needs, together with parking space would require the excision of an unacceptably large part of the East Street Park and would quite likely be unacceptable to residents.

Council has been unable to identify any alternative sites for a permanent Men's Shed although alternative sites and funding sources may be identified in the future. For these reasons it is recommended that the Men's Shed be offered a lease of no more than 5 years.

Council has no current plans for the old amenities block and kiosk, nor for the land on which they sit however possible uses for this site may be identified as part of future stages of the aquatic centre development. Council's Indoor Aquatic Centre Committee is looking to a long term redevelopment proposal that complements the recreation objectives of the site with health & fitness related uses including physiotherapists, chiropodists and doctors etc. A Recreation Precinct Master plan is also to be developed in 2013 for the showground, sporting fields, skatepark and aquatic centre precinct which may also identify potential uses of the site.

The aquatic centre site is Crown land therefore the approval of the Minister will be required to any proposed lease over the site. Council will ensure that all legal requirements are met.

It is further recommended that Council call for expressions of interest from the community to manage the South Littleton hall for community use once renovations of the aquatic centre amenities block are completed and the Men's Shed vacates the South Littleton Hall.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

The estimated costs of \$38,000 associated with the demolition of the old kiosk and amenities blocks and remediation work of the site consists of the following:

- Demolition of building \$30,000
- Restoration of fence line \$3,000
- Alteration of paths \$3,000
- Landscaping \$2,000

Should Council support the Men's Shed proposal to relocate to the site, alterations to the old kiosk and amenities will be required to isolate it from the pool grounds. This work involves blocking the exits to the pool complex from the amenities blocks and creating interior doorways from the kiosk into the amenities areas. The cost of this work has been estimated at \$10,000.

Further work may be required including:

- Relocation of roller door to front of building and construction of timber framed wall to rear wall of kiosk \$5,000
- Removal of existing fittings in all areas \$6,000

- Ensuring building is secure/blocking gaps between wall and roofs \$4,000
- Fitout of old kiosk \$5,000
- Electrical/lighting improvements \$7,000
- Bench construction \$8,000
- Heating/Insulation \$10,000
- Miscellaneous \$10,000

The Men's Shed have previously been advised that Council did not have funds available for the refurbishment of the site, however the identification of the remaining funds in the Special Rate infrastructure levy may be used to assist in making good the cohabitation of the site.

LEGAL IMPLICATIONS

Local Government Act NSW 1993, Section 356

The aquatic centre site is Crown land therefore the approval of the Minister will be required to any proposed lease over the site. Council will ensure that all legal requirements are met.

Should Council agree to the Men's Shed occupying the site legal agreement for access will be met

ATTACHMENTS

1. Letter from Lithgow Men's Shed – Dataworks Document Number 906995
2. Photos showing South Littleton Hall before and after renovation by the Men's Shed.

RECOMMENDATION

THAT Council:

1. Supports the proposal from the Lithgow Men's Shed Group to use and undertake renovations to the old aquatic centre amenities block.
2. Enters negotiations with the Lithgow men's Shed to develop a plan for the renovation, including leasing, works to be undertaken, funding responsibility and recommended timeframes.
3. Allocates \$50,000 from the remaining Special Rate Infrastructure Levy funds to the project. A priority of the funding shall be the making good of the site for cohabitation with the pool.

ITEM-19 COMM - 25/02/13 - RECOGNITION OF SIR JOSEPH COOK AND MARJORIE JACKSON

REPORT BY: M JOHNSON - MANAGER COMMUNITY AND CULTURE

REFERENCE

Min – 10-179: Ordinary Meeting of Council 3 May 2010
Min – 12-244: Ordinary Meeting of Council 23 July 2012
Min – 12-369: Ordinary Meeting of Council 15 October 2012

SUMMARY

This report discusses a proposal to recognise Sir Joseph Cook and Marjorie Jackson.

COMMENTARY

At the Ordinary Meeting of Council held 15 October 2012 (Min 12-369), Council resolved THAT:

1. In view of Cook Street being originally named after the County of Cook, Council not rename Cook Street Plaza to Sir Joseph Cook Plaza.
2. Council note that interpretive signage to Sir Joseph Cook, Jim Robson and the Bracey Family is being installed in Main Street Lithgow.
3. Council investigate another icon to name after Sir Joseph Cook.
4. Council investigate renaming the Cook Street Plaza after Marjorie Jackson.

In relation to point 3, at the Sir Joseph Cook 100th Anniversary Commemoration Projects Committee meeting of 11 October 2012, the Committee suggested that the walking track from Eskbank Street to Bracey Lookout, known as Eskbank track, be re-named as Sir Joseph Cook Track. It is recommended that this proposal be placed on public exhibition for 28 days.

In relation to point 4, Council has written to Mrs Marjorie Jackson – Nelson seeking her views on the proposal to rename Cook Street plaza. Mrs Marjorie Jackson – Nelson replied on 24 January 2013 saying that she would be honoured with such a tribute. Accordingly it is recommended that the proposal be placed on public exhibition for 28 days.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

The estimated fabrication cost of two interpretive signs is \$2,000.

LEGAL IMPLICATIONS

Local Government Act NSW 1993

ATTACHMENTS

1. Correspondence from Mrs Marjorie Jackson-Nelson - Dataworks Document Number 913517

RECOMMENDATION

THAT Council:

1. Exhibits for 28 days, a proposal to re-name the walking track from Eskbank Street to Bracey Lookout, known as Eskbank track, to Sir Joseph Cook Track.
2. Exhibits for 28 days, a proposal to rename Cook Street Plaza after Marjorie Jackson.

**ITEM-20 COMM - 25/02/13 - ESTABLISHMENT OF ALCOHOL FREE ZONES IN
THE LITHGOW PORTLAND AND WALLERAWANG CENTRAL
BUSINESS DISTRICTS**

REPORT FROM: M JOHNSON - MANAGER COMMUNITY AND CULTURE

REFERENCE

Lithgow Alcohol Free Zone

Min 05-503: Ordinary Meeting of Council 4 October 2005
Min 09-24: Ordinary Meeting of Council 27 January 2009
Min 09- 101: Ordinary Meeting of Council 9 March 2009
Min 12-496: Ordinary Meeting of Council 17 December 2012

Portland and Wallerawang Alcohol Free Zones

Min 05-503: Ordinary Meeting of Council 4 October 2005
Min 09-24: Ordinary Meeting of Council 27 January 2009
Min 09-138: Ordinary Meeting of Council 30 March 2009
Min 09-191: Ordinary Meeting of Council 11 May 2009
Min 12-496: Ordinary Meeting of Council 17 December 2012

SUMMARY

At the Ordinary meeting of Council held 17 December 2012 (Min 12-496), Council resolved to place on public exhibition, a proposal under Section 644 of the Local Government Act 1993 to extend the operation of the Alcohol Free Zones in the Lithgow, Portland and Wallerawang CBD areas for a further 4 years.

The proposal was placed on exhibition until 9 February 2013. As required by the legislation, the proposal was advertised by way of a newspaper notice and the Police, liquor licensees and Mingaan Aboriginal Corporation were also advised and invited to make submissions. This report recommends that with completion of the exhibition period and with the receipt of community submissions, the proposal be adopted by Council with some amendments.

COMMENTARY

Council has powers under Sections 644 of the local Government Act 1993 to establish Alcohol Free Zones on roads, footpaths and public carparks. The establishment of an Alcohol Free Zone gives powers to the Police to seize, tip out or otherwise dispose of open containers of alcohol. The Police may also issue a warning or where a person does not cooperate with the Police, they can be charged with obstruction under Section 660 of the Local Government Act 1993.

The Lithgow Alcohol Free Zone

The public areas included in the proposed re-established Lithgow CBD Alcohol Free Zone are unchanged from those in the existing Alcohol Free Zone and include the following:

- Main Street (from Bridge Street to Laurence Street)
- Main Street Lane and Burns Lane (between Bridge Street and Bank Lane)
- Tank Street (from Bridge Street to Read Avenue)
- Bridge Street (from Tank Street to Main Street Lane)
- Railway Parade (from Tank Street to Sandford Avenue and including Gray and Station Streets.)
- Eskbank Street (from Mort Street to Railway Parade)
- Cook Street Plaza
- Bank Lane
- Tatts Lane
- Collins Laneway
- Exchange Walkway
- Bank Street between Main Street and Gray Street.

The Lithgow Alcohol Free Zone will expire on 8 March 2013.

The Portland Alcohol Free Zone

The public areas included in the proposed re-established Portland CBD Alcohol Free Zone are unchanged from those in the existing Alcohol Free Zone and include the following:

- Williwa Street from Lett Street to Saville Street.
- Lett Street from Vale Street to Williwa Street
- Scheidel Lane
- Cox Street from Villiers Street to Vale Street.
- Vale Street from Lett Street to Wolgan Street
- Wolgan Street from Villiers Street to Williwa Street.
- Villiers Street from Lett Street to Wolgan Street
- Wallerawang Road from Cullen Street to Wolgan Street
- Cullen Street from Wallerawang Road to Williwa Street

The Wallerawang Alcohol Free Zone

The public areas included in the proposed re-established Wallerawang CBD Alcohol Free Zone are unchanged from those in the existing Alcohol Free Zone and include the following:

- Main Street between Pipers Flat Road (Black Bridge) and the Royal Hotel including Daintree Lane, Blackberry Lane and Doggett Lane.

The Portland and Wallerawang Alcohol Free Zones will expire on 10 May 2013.

Community Submissions

1. The writer agrees with the majority of the proposal but raises three matters for consideration:

Why does the Alcohol Free Zone extend as far as Laurence Street (*Lithgow*)?

Commentary

Laurence Street was included in the previous Alcohol Free Zone which operated until March 2009 and for that reason was included in the zone for the following 4 years and is

included in this proposal. It is believed that it was originally included due to the nearby operation of a late night venue from the nightspot.

Why is Queen Elisabeth Park not included in the proposal?

Commentary

Alcohol free zones can only be established on roads, footpaths and public carparks. Parks such as Queen Elisabeth Park can however be established as Alcohol Prohibited Areas under a different section (Section 632A) of the Local Government Act. Queen Elisabeth Park is already established as an Alcohol Prohibited Area.

Alcohol Prohibited Areas may operate without time limit and offences and penalties are consistent with those that apply in Alcohol Free Zones.

Why is Mort Street (Lithgow) not included in the proposal?

Commentary

Comment was sought from Inspector Chris Sammut of Chifley Local Command on the matters raised in the community submission. Inspector Sammut agrees states that including areas in proximity to the CBD and nightspots within the alcohol free zone area assists the Police with enforcement and further agrees with the suggestion that Mort Street between Bridge and Lithgow Streets be included within the zone.

Accordingly, it is recommended that Council amend the proposal to incorporate Mort Street between Bridge and Lithgow Streets together with the connecting streets, laneways and public carparks between Mort Street and the existing zone boundaries as follows:

- Mort Street between Bridge and Lithgow Streets,
- Bridge Street between Mort Street and Main Street Lane,
- Cook Street between Mort Street and Main Street Lane,
- Eskbank carpark,
- Burns Lane carpark,
- Bank Lane between Mort Street and Main Street Lane,
- Naomi Street between Mort Street and Main Street.
- Lithgow Street between Mort Street and Main Street.

The establishment of the Alcohol Free Zones will come into effect 7 days after Council resolves to adopt the proposal, publishes a notice to that effect and once the areas included in the zones are adequately signposted. There is no requirement for Council to re-exhibit any changes that it makes to the zone boundaries at tonight's Council meeting.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

There will be the additional cost of new signage for Mort Street and minimal cost in altering the dates of operation on existing signage.

LEGAL IMPLICATIONS

Local Government Act NSW 1993

ATTACHMENTS

1. Proposal to establish the Alcohol Free Zones in the Lithgow, Portland and Wallerawang CBD areas for a further 4 years with recommended amendments marked.
2. Maps of proposal with recommended amendments to Lithgow zone marked.
3. Community Submission 1 – Dataworks Document Number 902556
4. Submission from Inspector Sammut – Dataworks Document Number 916876

RECOMMENDATION

THAT Council:

1. Establishes Alcohol Free Zones in the Lithgow, Portland and Wallerawang CBD's for a further 4 years in accordance with Section 644 of the Local Government Act 1993 in the following areas:

Lithgow

- Main Street (from Bridge Street to Laurence Street)
- Main Street Lane and Burns Lane (between Bridge Street and Bank Lane)
- Tank Street (from Bridge Street to Read Avenue)
- Bridge Street (from Tank Street to Main Street Lane)
- Railway Parade (from Tank Street to Sandford Avenue and including Gray and Station Streets.)
- Eskbank Street (from Mort Street to Railway Parade)
- Cook Street Plaza
- Bank Lane
- Tatts Lane
- Collins Laneway
- Exchange Walkway
- Bank Street between Main Street and Gray Street.
- Mort Street between Bridge and Lithgow Streets,
- Bridge Street between Mort Street and Main Street Lane,
- Cook Street between Mort Street and Main Street Lane,
- Eskbank carpark,
- Burns Lane carpark,
- Bank Lane between Mort Street and Main Street Lane,
- Naomi Street between Mort Street and Main Street.
- Lithgow Street between Mort Street and Main Street.

Portland

- Williwa Street from Lett Street to Saville Street.
- Lett Street from Vale Street to Williwa Street
- Scheidel Lane
- Cox Street from Villiers Street to Vale Street.
- Vale Street from Lett Street to Wolgan Street
- Wolgan Street from Villiers Street to Williwa Street.
- Villiers Street from Lett Street to Wolgan Street
- Wallerawang Road from Cullen Street to Wolgan Street
- Cullen Street from Wallerawang Road to Williwa Street

Wallerawang

- Main Street between Pipers Flat Road (Black Bridge) and the Royal Hotel including Daintree Lane, Blackberry Lane and Doggett Lane.
2. Advises the Police and all affected liquor licensees of the establishment of the Alcohol Free Zones in these areas.
 3. Advises the general community of the establishment of the Alcohol Free Zones in these areas by way of publishing a notice to that effect.
 4. Installs appropriate signage.

FINANCE REPORTS

ITEM-21 FINAN - 25/02/13 - DRAFT POLICY 9.2 RECORDS MANAGEMENT VERSION 4 FOR ADOPTION

REPORT BY: C FARNSWORTH - FINANCE MANAGER

REFERENCE

Min No 12-497: Ordinary Meeting of Council 17 December 2012

SUMMARY

At the Council meeting of 17 December 2012 Minute 12-497 resolved to advertise Draft Policy 9.2 Records Management Version 4. This report is to advise that no public submissions were received and recommends that the policy be adopted.

COMMENTARY

Minute 12-497 of 117 December 2012 resolved:

THAT:

Council advertise the revised Policy 9.2 Records Management Version 4, for a period of 28 days.

Following the required advertising period which closed on 11 February 2013 no submissions were received in relation to the draft policy.

POLICY IMPLICATIONS

Draft Policy 9.2 Records Management V4

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Draft Policy 9.2 Records Management V4

RECOMMENDATION

THAT Council acknowledge that no submissions were received during the advertising period to 11 February 2013 and adopt Draft Policy 9.2 Records Management Version 4.

ITEM-22 FINAN - 25/02/13 - FINAL COST OF SEPTEMBER 2012 LOCAL GOVERNMENT ELECTION

REPORT BY: C FARNSWORTH - FINANCE MANAGER

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
Min 12-219: 25/06/12 2012 Local Government Elections – Budget Estimate

SUMMARY

This report is advised of correspondence from the NSW Electoral Commission in relation to the final cost of the September 2012 Local Government Election.

COMMENTARY

Prior to the 2012 September Local Government Election the NSW Electoral Commission provided an estimate of cost to Lithgow Council of \$107,485 (GST inc) to conduct the 2012 Local Government election.

A dissection of the budget estimate was as follows:

**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	97,714.00
	GST	9,771.40
	TOTAL (GST Inclusive)	107,485.40

The NSW Electoral Commission has now advised on 30 January 2013 that the final cost of the election was as follows:

On 31 May 2012 the NSW Electoral Commission wrote to Council and included a Budget Estimate for the conduct of the Local Government Elections in September 2012. We provided a scope summary detailing the deliverables for each line item of the estimate.

Since that time the Local Government Election has been conducted and our books closed. Please find enclosed the invoice for this election (\$97,929.00 GST of \$9,792.90 a total of \$107,721.90).

I am pleased to report that the State wide cost of conducting these elections came in at 4.1% below budget. As advised, the NSW Electoral Commission was able to conduct the election without any advance payment of this occasion.

The Electoral Commission did not include costs for pre-polling and advertising. Council expended \$2,733.63 of its own funds for this purpose, bringing the final for the election in the Lithgow LGA to \$100,663 (GST exc). Council had set aside reserve funds each year for the election and allowance was made in the 2012/13 Operation Plan & Delivery Program for this purpose.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

Final cost of the 2012 September election is noted in the 2013/13 Operation Plan & Delivery Program as \$100,663 (GST exc) to be funded from reserve.

LEGAL IMPLICATIONS

NIL

RECOMMENDATION

THAT:

1. The information from the NSW Electoral Commission relating to the 2012 Local Government Election on 8 September 2012 be noted.
2. Council acknowledge that the final cost of the 2012 September election as \$100,663 (GST exc) to be funded from reserve.

ITEM-23 FINAN - 25/02/13 - NO SUBMISSIONS TO THE 2011/12 GENERAL PURPOSE FINANCIAL REPORTS FOLLOWING THE AUDIT PRESENTATION

REPORT BY: C FARNSWORTH - FINANCE MANAGER

REFERENCE

Min No 12-371: Ordinary Meeting of Council 15 October 2012
Min No 12-499: Ordinary Meeting of Council 17 December 2012
Min No 13-05: Ordinary Meeting of Council 4 February 2013

SUMMARY

To advise Council that no submissions were received following advertising of the 2011/12 General Purpose Financial Reports, Special Purpose Financial Reports and Special Schedules to 12 February 2013.

COMMENTARY

At the Council meeting of 4 February 2013 Minute No 13-05 resolved to advertise the 2011/12 General Purpose Financial Reports, Special Purpose Financial Reports and Special Schedules following the audit presentation.

Advertising closed at 4.30pm on 12 February 2013 and no submissions were recieved.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

RECOMMENDATION

THAT Council note no submissions were received in relation to the 2011/12 General Purpose Financial Reports, Special Purpose Financial Reports and Special Schedules following the audit presentation and advertising to 4.30pm 12 February 2013.

ITEM-24 FINAN - 25/02/13 - COUNCIL INVESTMENTS HELD TO 31 JANUARY 2013

REPORT FROM: C FARNSWORTH - FINANCE MANAGER

REFERENCE

Min 12-330: Investments as at 31 July 2012
 Min 12-372: Investments as at 30 Aug 2012 & Sept 2012
 Min 12- 462: Investments as at 31 Oct 2012
 Min 12-500: Investments as at 30 Nov 2012
 Min 13-35: Investments as at 31 Dec 2012

SUMMARY

To advise Council of investments held as at 31 January 2013 in the 2012/13 financial year.

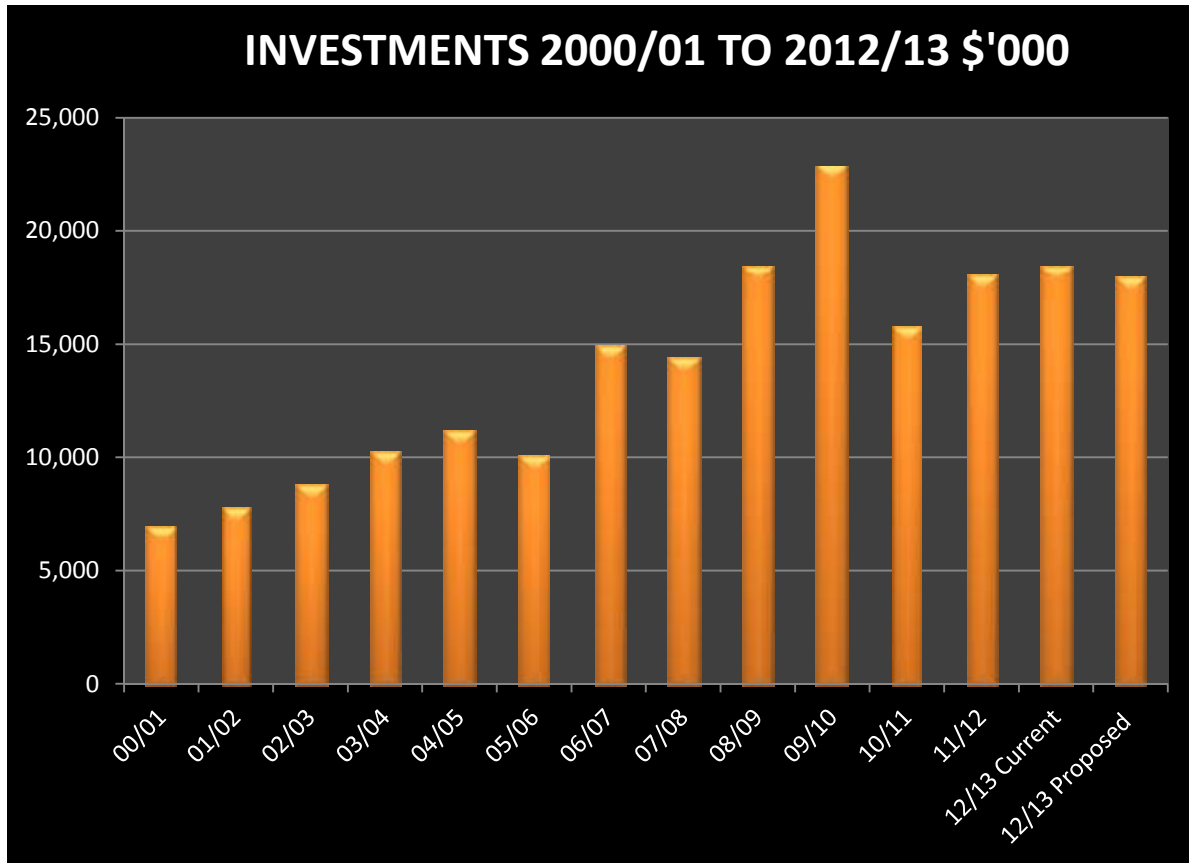
COMMENTARY

Council's total investment portfolio, as at 31 January 2013 when compared to 31 December 2012, has increased by \$745,221.70 from \$17,760,680.56 to \$18,505,902.26

INVESTMENT REGISTER 2012/13								
INSTITUTION	INV TYPE	DATE LODGED	DATE DUE	DAYS	INT	VALUE 31.12.12	VALUE 31.01.13	% OF TOTAL
ANZ	TD	10.12.12	11.03.13	91	4.60	858,516.48	858,516.48	4.64%
	TD	10.12.12	11.03.13	91	4.06	511,469.14	511,469.14	2.76%
	TD	28.11.12	26.02.13	90	4.31	511,156.92	511,156.92	2.76%
	TD	04.12.12	04.03.13	90	4.07	1,011,712.33	1,011,712.33	5.47%
CBA	On Call				2.95	1,435,304.55	1,544,262.67	8.34%
	TD	01.02.13	05.03.13	32	4.01	0.00	1,000,000.00	5.40%
IMBS	TD	25.01.13	26.04.13	91	4.50	1,146,636.72	1,000,000.00	5.40%
	TD	25.01.13	26.04.13	91	4.50	760,021.59	500,000.00	2.70%
NAB	TD	03.12.12	03.03.13	90	4.51	1,147,050.01	1,147,050.01	6.20%
	TD	25.01.13	25.04.13	90	4.33	1,029,469.05	1,055,780.59	5.71%
	TD	10.12.12	10.03.13	90	4.65	512,404.76	512,404.76	2.77%
WESTPAC	TD	07.01.13	09.04.13	91	4.13	585,942.01	600,696.51	3.25%
	TD	30.11.12	29.05.13	179	4.51	1,209,871.74	1,209,871.74	6.54%
	TD	09.01.13	09.04.13	90	4.14	257,190.41	263,666.68	1.42%
	TD	12.12.12	14.03.13	91	4.41	1,024,954.80	1,024,954.80	5.54%
	TD	05.09.12	05.03.13	180	4.90	500,000.00	500,000.00	2.70%
ST GEORGE	On Call				3.50	21,510.27	21,510.27	0.12%
	TD	04.01.13	04.02.13	30	3.56	543,823.15	549,662.47	2.97%
	TD	19.10.12	19.04.13	180	4.00	882,288.54	882,288.54	4.77%
	TD	12.10.12	12.04.13	182	4.47	524,496.33	524,496.33	2.83%
	TD	09.08.12	11.02.13	186	4.81	518,803.81	518,803.81	2.80%
	TD	19.11.12	24.05.13	186	4.42	522,553.92	522,553.92	2.82%
	TD	25.01.13	25.03.13	60	3.68	500,000.00	505,482.19	2.73%
SUNCORP	TD	08.08.12	07.02.13	92	4.45	1,204,335.49	1,204,335.49	6.51%
	TD	21.01.13	22.04.13	91	4.40	519,937.77	525,226.61	2.84%

			TOTAL			17,739,449.79	18,505,902.26	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 to 31 January 2013 are shown.



POLICY IMPLICATIONS

Investments are held in accordance with the Lithgow City Council's Investment Policy at the date of investing 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 December is \$395,869.75 of an estimated \$519,045 for the 2012/13 financial year.

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 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 \$18,505,902.26 for the period ending 31 January 2013 be noted.

COMMITTEE MEETINGS

ITEM-25 COMM - 25/02/13 - 4 FEBRUARY 2013 - CRIME PREVENTION COMMITTEE MEETING MINUTES

REPORT FROM: M JOHNSON - MANAGER COMMUNITY AND CULTURE

REFERENCE

Minute 11-123:	Ordinary Meeting of Council held 28 March 2011
Minute 11-157:	Ordinary Meeting of Council held 18 April 2011
Minute 11-218:	Ordinary Meeting of Council held 30 May 2011
Minute 11-511:	Ordinary Meeting of Council held 12 December 2011
Minute 12-53:	Ordinary Meeting of Council held 13 February 2012
Minute 12-78:	Ordinary Meeting of Council held 5 March 2012
Minute 12-141:	Ordinary Meeting of Council held 23 April 2012
Minute 12-270:	Ordinary Meeting of Council held 23 July 2012
Minute 12-332:	Ordinary Meeting of Council held 3 September 2012
Minute 12-430:	Ordinary Meeting of Council held 5 November 2012

SUMMARY

This report details the Minutes of the Crime Prevention Committee Meeting held 4 February 2013.

COMMENTARY

At the Crime Prevention Committee held on 4 February 2013, there were various items discussed by the Committee including:

- Item 3.1 - the current status of CCTV cameras..
- Item 3.4 - littering.
- Item 5 - late night transport scheme.
- Item 6 - crime local trends.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

Local Government Act NSW 1993

ATTACHMENTS

1. Minutes of the Crime Prevention Committee meeting of 4 February 2013.

RECOMMENDATION

THAT Council notes the minutes of the Crime Prevention Committee meeting of 4 February 2013.

**ITEM-26 COMM - 25/02/13 - 6 FEBRUARY 2013 - COMMEMORATION OF THE
BLUE MOUNTAINS CROSSING BICENTENARY COMMITTEE
MEETING MINUTES**

REPORT FROM: W HAWKES - CULTURAL DEVELOPMENT OFFICER

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 12-140: Ordinary Meeting of Council held 23 April 2012
Minute 12-225: Ordinary Meeting of Council held 25 June 2012
Minute 12-331: Ordinary Meeting of Council held 3 September 2012
Minute 12-463: Ordinary Meeting of Council held 26 November 2012
Minute 12-508: Ordinary Meeting of Council held 17 December 2012

SUMMARY

This report details the Minutes of the Commemoration of the Blue Mountains Crossing Bicentenary Committee Meeting held on 6 February 2013.

COMMENTARY

At the Commemoration of the Blue Mountains Crossing Bicentenary Committee Meeting held on 6 February 2013, various items were discussed by the Committee including:

- Item 4 – A report on the 14 December 2013 Western Crossings Committee Meeting
- Item 5 - Attendance by Mayor Statham at a crossing reception at Government House
- Item 6 - A planned Fly Over from Penrith to Bathurst for Saturday 25 May 2013
- Item 8 - Blue Mountains, Lithgow and Oberon Tourism Organisation have established a website to be used by organisations planning events and projects
- Item 9 - The Blue Mountains, Lithgow and Oberon Tourism Organisation is placing a regular column in the Blue Mountains Gazette to promote crossing events. The Lithgow Mercury has agreed to do a fortnightly column on the Blue Mountains Crossings from the beginning of February until June 2013 and has requested that a member of their staff be allowed to attend Committee meetings so they can be informed of planned events.
- Item 10 - Interpretive signage is being planned along the Cox's Road to commemorate the bicentenary of the completion of Cox's Road 2015.
- Item 11 - Access to Mt Blaxland is being negotiated with the owners of the areas surrounding the mountain.
- Item 12 - Wiradjuri Council of Elders met with members of the Committee to discuss their involvement in the Crossing Commemorations.
- Item 13 - A request from Anne Collins of Tree View Estate to join the Committee.
- Item 14 - Proposed Crossing Projects in Lithgow LGA.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Commemoration of the Blue Mountains Crossing Bicentenary Committee Meeting Minutes of 6 February 2013.

RECOMMENDATION

THAT Council:

1. Note the minutes of the Blue Mountains Crossing Committee meeting held 6 February 2013.
2. Invite Anne Collins of Tree View Estate to join the Committee.
3. Invite the Lithgow Mercury to attend Committee Meetings.

REFERENCE

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
Min 12-222:	Ordinary Meeting of Council 25 June 2012
Min 12-305:	Ordinary Meeting of Council 13 August 2012
Min 12-431:	Ordinary Meeting of Council 5 November 2012
Min 12-465:	Ordinary Meeting of Council 26 November 2012
Min 12-506:	Ordinary Meeting of Council 17 December 2012

SUMMARY

This report reports on the minutes of the Youth Council meeting held on 29 January 2013.

COMMENTARY

At the Youth Council meeting held on 29 January 2013 various items were discussed by the committee. Matters of interest include:

- Development of sporting scholarships for disadvantaged young people.
- Youthweek 2013 events.
- Legal Aid free information and advice event to be held 13 and 14 February 2013.
- Discussion of Committee Meeting – Code of Practice.

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 29 January 2013.

RECOMMENDATION

THAT Council note the minutes of the Youth Council meeting held 29 January 2013.

**ITEM-28 COMM - 25/02/13 - 6 FEBRUARY 2013 - LITHGOW FLASH GIFT
COMMITTEE MEETING MINUTES**

REPORT BY: R PARK - EVENTS CO- ORDINATOR

REFERENCE

Min No 12-509: Ordinary Meeting of Council 17 December 2013

SUMMARY

This report details the Minutes of the Lithgow Flash Gift Committee Meeting held on 6/2/2013

COMMENTARY

At the Lithgow Flash Gift Committee Meeting held on 6 February 2013 there were a number of items for discussion including a report from NSW Athletics League, Catering of the Flash Gift and Gate Entry to the event.

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 6 February 2013

RECOMMENDATION

THAT Council notes the minutes of the Committee Meeting held on 6 February 2013.

**ITEM-29 COMM - 25/02/13 - 24 JANUARY 2013 - LITHGOW FLASH GIFT
COMMITTEE MEETING MINUTES**

REPORT BY: R PARK - EVENTS CO- ORDINATOR

REFERENCE

Min No 12-509: Ordinary Meeting of Council 17 December 2013

SUMMARY

This report details the Minutes of the Lithgow Flash Gift Committee Meeting held on 24/1/2013

COMMENTARY

At the Lithgow Flash Gift Committee Meeting held on 24 January 2013 there were various items for discussion including;

1. Sponsorship up-date
2. Marking budget
3. Operational budget
4. Memorandum of Understanding
5. Regional Flagship Funding from Destination NSW
6. Report from Lithgow Little Athletics
7. Report from NSW Athletics League
8. Lithgow Triathlon up-date

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

LEGAL IMPLICATIONS

Local Government Act NSW 1993

ATTACHMENTS

1. Minutes from the Lithgow Flash Gift Committee meeting of 24 January 2013

RECOMMENDATION

THAT Council:

1. Notes the committee draw a formal binding agreement between Lithgow City Council and the athletics organising body with terms and conditions to be accepted by both parties for any future Lithgow Flash Carnivals beyond 2013.

2. Notes the committee agreed not to pay for coaches for the coaching clinics as it was decided not acceptable for coaches or athletes who are already be attending the carnival.
3. That Council Notes the committee were concerned that there are three other athletic carnivals being held on the same day as the Lithgow Flash Carnival and this may impact registration numbers high level athletes registering for carnival.

**ITEM-30 OPER - 25/02/13 - OPERATIONS WORKS COMMITTEE MEETING - 6
FEBRUARY 2013**

REPORT FROM: I STEWART – GROUP MANAGER OPERATIONS

SUMMARY

The Operations Works Committee Meeting was held on Wednesday 6 February 2013.

COMMENTARY

At the Operations Works Committee Meeting held on 6 February 2013 there were two (2) items discussed, these included discussions on the Expressions of Interest for Lake Lyell Caretakers position and future meeting dates.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Minutes of the Operations Works Committee Meeting held on 6 February 2013

RECOMMENDATION

THAT:

1. Council accept the expression of interest submitted by Peter Philips and Simon Townsend for the lease of caretaker's at Lake Lyell, subject to the execution of appropriate Contract documents.
2. Authorise the seal to be affixed to the relevant documentation.

ITEM-31 OPER - 25/02/13 - 5 FEBRUARY 2013 - SPORTS ADVISORY COMMITTEE MEETING MINUTES

REPORT BY: I STEWART - GROUP MANAGER OPERATIONS

SUMMARY

Details of the Minutes of the Sports Advisory Committee Meeting held on Tuesday, 5 February 2013 for Council adoption.

COMMENTARY

At the Sports Advisory Committee Meeting held on Tuesday, 5 February, there were 5 items discussed by the Committee, with all items being actioned under the Committee's delegated authority.

Items discussed included:

- Declaration of Interest
- Minutes from the previous meeting held on Tuesday, 29 January 2013
- Business arising from the minutes
- Reg Cowden 2012 Memorial Sports Star of the Year Awards
- General Business including:
 - International award criteria
 - Creation of the Eric Arnold Memorial Trophy
 - Change of awards

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Minutes of the Sports Advisory Committee Meeting held on Tuesday, 5 February 2013.

RECOMMENDATION

THAT Council note the minutes of the Sports Advisory Committee meeting held on Tuesday, 5 February 2013.

**ITEM-32 OPER - 25/02/13 - 29 JANUARY 2013 - SPORTS ADVISORY
COMMITTEE MEETING MINUTES**

REPORT BY: I STEWART - GROUP MANAGER OPERATIONS

SUMMARY

Details of the Minutes of the Sports Advisory Committee Meeting held on Tuesday, 29 January 2013 for Council adoption.

COMMENTARY

At the Sports Advisory Committee Meeting held on Tuesday, 29 January, there were 9 items discussed by the Committee, with all items except item 4 being actioned under the Committee's delegated authority.

Items discussed included:

- Declaration of Interest
- Minutes of the previous meeting held on Monday, 17 December 2012
- Business Arising from the minutes
- Financial Assistance Requests:
 - Nancy Haslop from the Western Region Academy of Sport has requested to use the Lithgow Pool on Saturday, 2 February 2013 for the WRAS athletes and would like to request that the Lithgow City Council consider waiving the pool entry fee for this session. In the past they have paid the entry fee to the pool on the day and have then been reimbursed by Lithgow City Council through Sports Advisory Committee.
 - Andrew Neville is requesting that all booking fees associated with his proposed duathlon event at Saville park on 9th or 10th February 2013 be waived as the event is to be raised for charity
- 2012 LJ Hooker Reg Cowden Memorial Sports Star of the Year Awards
- Booking requests include:
 - Deborah Holder (Seal Swim School)
 - Western Region Academy of Sport (Recovery session for athletes)
 - Lithgow Storm JRLFC (Muster Day, Group Training, Training Sessions and 2013 Season Competition)
 - Parkes Shire Council (Big Ride for Parkinson's)
 - Easter Festival Committee (Spring Festival)
 - ANT Fitness (Duathlon)
- P&C Federation Association of New South Wales request elimination of pool fees
- 2012 Reg Cowden Memorial Sports Star of the Year Voting of Awards
- General Business including:
 - Advertisements for Tony Luchetti Sportsground Scoreboard
 - Lack of Public knowledge for Reg Cowden Awards Programme

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS
NIL

LEGAL IMPLICATIONS
NIL

ATTACHMENTS

1. Minutes of the Sports Advisory Committee Meeting held on Tuesday, 29 January 2013

RECOMMENDATION

THAT Council note the minutes of the Sports Advisory Committee meeting held on Tuesday 29 January 2013.

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.*