



A CENTRE OF REGIONAL EXCELLENCE

AGENDA

ORDINARY MEETING OF COUNCIL

TO BE HELD AT

THE CRYSTAL THEATRE, WOLGAN STREET,
PORTLAND

ON

18 MARCH 2013

AT 7.00pm

AGENDA

ACKNOWLEDGEMENT OF COUNTRY

APOLOGIES

PRESENT

CONFIRMATION OF THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 25 FEBRUARY 2013

DECLARATION OF INTEREST

PUBLIC FORUM

PRESENTATIONS - NIL

MAYORAL MINUTES - NIL

NOTICES OF MOTION

Notice of Motion - Update on Councils Investment Prospectus - Councillor M Ticehurst

Notice of Motion - Sewerage Overflows In the Extension Estate Lithgow - Councillor M Ticehurst

Notice of Motion - Cullen Bullen - Request for on site community meeting with residents - Councillor M Ticehurst

Notice of Motion - Request for on Site Community Meeting with Residents of the Vale of Clwydd - 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

OPER - Sports Advisory Committee Meeting Minutes - 26 February 2013

OPER - Traffic Authority Local Committee Meeting Minutes - 31 January 2013

OPER - Aquatic Centre Committee Meeting Minutes - 21 February 2013

COMM - Tourism Advisory Committee Meeting Minutes - 5 March 2013

COMM - Youth Council Minutes - 26 February 2013

REPORTS FROM DELEGATES - NIL

BUSINESS OF GREAT URGENCY

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

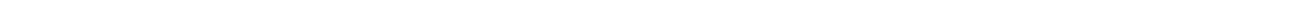


TABLE OF CONTENTS

<u>ITEM</u>	<u>TITLE</u>	<u>PAGE</u>
	<u>NOTICE OF MOTIONS</u>	<u>5</u>
<u>ITEM-1</u>	<u>NOTICE OF MOTION - 18/03/13 - UPDATE ON COUNCILS INVESTMENT PROSPECTUS - COUNCILLOR M TICEHURST</u>	<u>5</u>
<u>ITEM-2</u>	<u>NOTICE OF MOTION - 18/03/13 - SEWERAGE OVERFLOWS IN THE EXTENSION ESTATE LITHGOW - COUNCILLOR M TICEHURST</u>	<u>7</u>
<u>ITEM-3</u>	<u>NOTICE OF MOTION - 18/03/13 - CULLEN BULLEN - REQUEST FOR ON SITE COMMUNITY MEETING WITH RESIDENTS - COUNCILLOR M TICEHURST</u>	<u>8</u>
<u>ITEM-4</u>	<u>NOTICE OF MOTION - 18/03/13 - REQUEST FOR ON SITE COMMUNITY MEETING WITH RESIDENTS OF THE VALE OF CLWYDD - COUNCILLOR M TICEHURST</u>	<u>9</u>
	<u>GENERAL MANAGERS REPORTS</u>	<u>10</u>
<u>ITEM-5</u>	<u>GM - 18/03/13 - RESOURCES FOR REGIONS</u>	<u>10</u>
<u>ITEM-6</u>	<u>GM - 18/03/13 - DRAFT COMBINED DELIVERY PROGRAM 2013/17 AND OPERATIONAL PLAN 2013/14</u>	<u>14</u>
<u>ITEM-7</u>	<u>GM - 18/03/13 - LOCAL LAND SERVICES REVIEW</u>	<u>27</u>
<u>ITEM-8</u>	<u>GM -18/03/13 - MODEL CODE OF CONDUCT 2013 - COMMENCEMENT AND KEY RESOURCES</u>	<u>30</u>
	<u>ENVIRONMENT AND DEVELOPMENT REPORTS</u>	<u>31</u>
<u>ITEM-9</u>	<u>ENVIRO - 18/03/13 - PUBLIC TOILET PROGRAM</u>	<u>31</u>
<u>ITEM-10</u>	<u>ENVIRO - 18/03/13 - DEVELOPMENT APPLICATION REPORT - DA12812 - PROPOSED SUBDIVISION- OAKEY FOREST ROAD MARRANGAROO NSW 2790</u>	<u>34</u>
<u>ITEM-11</u>	<u>ENVIRO - 18/03/13 - ONGOING MAINTENANCE CONTRIBUTION - WOLGAN ROAD</u>	<u>39</u>
<u>ITEM-12</u>	<u>ENVIRO - 18/03/13 - ROAD RENAMING - 061_07DA - NEW ROAD OFF OLD BATHRUST ROAD - SOUTH BOWENFELS</u>	<u>40</u>
<u>ITEM-13</u>	<u>ENVIRO - 18/03/13 - COUNCIL MANAGEMENT OF CAMPING IN PUBLIC PLACES</u>	<u>41</u>
<u>ITEM-14</u>	<u>ENVIRO - 18/03/13 - HOWARD AND SONS PYROTECHNICS COMMUNITY LIAISON COMMITTEE</u>	<u>43</u>
<u>ITEM-15</u>	<u>ENVIRO - 18/03/13 - NSW GOVERNMENT WASTE LESS RECYCLE MORE INITIATIVE</u>	<u>46</u>

<u>OPERATION REPORTS</u>	<u>49</u>	
<u>ITEM-16</u>	<u>OPER - 18/03/13 - WATER REPORT - FEBRUARY 2013</u>	<u>49</u>
<u>ITEM-17</u>	<u>OPER - 18/03/13 - WESTERN NEW SOUTH WALES REGIONAL AND LOCAL ROAD PLAN</u>	<u>54</u>
<u>ITEM-18</u>	<u>OPER - 18/03/13 - TRANSFER OF CROWN PUBLIC ROAD TO LITHGOW CITY COUNCIL - RYDAL</u>	<u>55</u>
<u>ITEM-19</u>	<u>OPER - 18/03/13 - NATURAL DISASTER DECLARATION</u>	<u>56</u>
<u>COMMUNITY AND STRATEGY REPORTS</u>	<u>58</u>	
<u>ITEM-20</u>	<u>COMM - 18/03/13 - DRAFT TOURISM STRATEGY-DESTINATION MANAGEMENT PLAN</u>	<u>58</u>
<u>FINANCE REPORTS</u>	<u>61</u>	
<u>ITEM-21</u>	<u>FINAN - 18/03/13 - COUNCIL INVESTMENTS HELD TO 28 FEBRUARY 2013</u>	<u>61</u>
<u>ITEM-22</u>	<u>FINAN - 18/03/13 - REQUEST FROM LITHGOW GREYHOUND RACING CLUB FOR RELIEF WITH WATER AND SEWERAGE USAGE ACCOUNTS</u>	<u>64</u>
<u>COMMITTEE MEETINGS</u>	<u>68</u>	
<u>ITEM-23</u>	<u>OPER - 180313 - SPORTS ADVISORY COMMITTEE MEETING MINUTES - 26 FEBRUARY 2013.doc</u>	<u>68</u>
<u>ITEM-24</u>	<u>OPER - 18/03/13 - TRAFFIC AUTHORITY LOCAL COMMITTEE MEETING MINUTES - 31 JANUARY 2013</u>	<u>70</u>
<u>ITEM-25</u>	<u>OPER - 18/03/13 - AQUATIC CENTRE COMMITTEE MEETING MINUTES - 21 FEBRUARY 2013</u>	<u>72</u>
<u>ITEM-26</u>	<u>COMM - 18/03/13 - TOURISM ADVISORY COMMITTEE MEETING MINUTES - 5 MARCH 2013</u>	<u>74</u>
<u>ITEM-27</u>	<u>COMM - 18/03/13 - YOUTH COUNCIL MINUTES - 26 FEBRUARY 2013</u>	<u>76</u>
<u>BUSINESS OF GREAT URGENCY</u>	<u>78</u>	

NOTICE OF MOTIONS

ITEM-1 NOTICE OF MOTION - 18/03/13 - UPDATE ON COUNCILS INVESTMENT PROSPECTUS - COUNCILLOR M TICEHURST

REFERENCE

Media Launch of the Lithgow City Council's 36-page Investment Prospectus 16 June 2011. http://council.lithgow.com/media/2011/110609_launch.html

Lithgow City Council's 36-page Investment Prospectus.
<http://archive.lithgow.nsw.gov.au/documents/LithgowInvestmentProspectus.pdf>

Item 4 and Resolution 12 – 392 of the Ordinary Meeting of the Lithgow City Council on 5 November 2012.

COMMENTARY

At the Ordinary Meeting of the Lithgow City Council on 5 November 2012, I submitted a Notice of Motion in the following terms:

The Lithgow City Council's 36-page Investment Prospectus, designed to encourage investment in the Lithgow Local Government Area by highlighting Lithgow's attributes and potential investment opportunities was launched on Thursday 16 June, 2011.

Q. Could the General Manager now, after more than 15 months since the launch of the 36-page Lithgow Investment Prospectus, provide a report to the Council, Councillors, ratepayers and residents on what has been the success or otherwise of the prospectus?

At the Council Meeting, the Councillors and Council resolved the Notice of Motion as follows:

12-392 RESOLVED

THAT the General Manager now, after more than 15 months since the launch of the 36-page Lithgow Investment Prospectus, provide a report to a future meeting of Council on what has been the success or otherwise of the prospectus.

MOVED: Councillor M F Ticehurst **SECONDED:** Councillor J J McGinnes

Q. Given now that another four and a half months has passed since Council resolution 12 – 392; and nearly 21 months has passed since the launch of the 36-page Lithgow Investment Prospectus, could the General Manager provide a verbal report at this Council Meeting of when the Council, Councillors, ratepayers and residents may finally receive the report so resolved by the Council?

RECOMMENDATION

THAT given now that another four and a half months has passed since Council resolution 12 – 392; and nearly 21 months has passed since the launch of the 36-page Lithgow Investment Prospectus, could the General Manager provide a verbal report at this Council Meeting of when the Council, Councillors, ratepayers and residents may finally receive the overdue report so resolved by Council?

**ITEM-2 NOTICE OF MOTION - 18/03/13 - SEWERAGE OVERFLOWS IN THE
EXTENSION ESTATE LITHGOW - COUNCILLOR M TICEHURST**

REFERENCE

Lithgow Mercury online 2 March 2013: 'Flood watch continues'.
Lithgow Mercury online 5 March 2013: 'Pollution and potholes follow rain'.

COMMENTARY

Following the recent major storms over the past month, the Lithgow Mercury reported variously that, "RESIDENTS of low lying areas of the Extension Estate in Lithgow were facing major problems with raw sewerage discharges onto their properties resulting from flooded mains."

Further, "IT'S an old, old story but once again Lithgow residents are faced with the decidedly unpleasant task of cleaning up after sewer main surcharges after the latest rain. When the rain returned at the weekend for the second time in less than a week it was all too much for the sewer main system in some parts of the city. And it was a familiar story for those that over the years have been most regularly affected by the problem. Hardest hit were again properties in the Extension Estate area of Lithgow. It included both private properties and business premises. Discharges were visible from service manholes at various locations adjacent to Farmers Creek. The problem has existed for years, virtually every time water levels rise in Farmers Creek. It remains a distressing issue for those affected."

- Q.** Could the General Manager and Senior Council Officers provide the Council, Councillors, ratepayers and residents with an urgent report on the public concerns over sewerage overflows that continue to occur in Lithgow, in particular the Extension Estate area?

RECOMMENDATION

THAT the General Manager and Senior Council Officers provide the Council, Councillors, ratepayers and residents with an urgent report on the public concerns over sewerage overflows that continue to occur in Lithgow, in particular the Extension Estate area?

**ITEM-3 NOTICE OF MOTION - 18/03/13 - CULLEN BULLEN - REQUEST FOR
ON SITE COMMUNITY MEETING WITH RESIDENTS - COUNCILLOR
M TICEHURST**

REFERENCE

NIL

COMMENTARY

- Q.** Could Council arrange for an on-site Meeting to be held with the residents of Cullen Bullen Village over their past, current and future concerns over the management of sewerage?

RECOMMENDATION

THAT Council arrange for an on-site Meeting to be held with the residents of Cullen Bullen Village over their past, current and future concerns over the management of sewerage.

**ITEM-4 NOTICE OF MOTION - 18/03/13 - REQUEST FOR ON SITE
COMMUNITY MEETING WITH RESIDENTS OF THE VALE OF
CLWYDD - COUNCILLOR M TICEHURST**

REFERENCE

NIL

COMMENTARY

- Q.** Could the General Manager and Senior Council Officers provide the Council, Councillors, ratepayers and residents with an urgent report on the extreme flood damage that occurred over the past month in Vale of Clwydd?
- Q.** Could the Council arrange for an on-site Community Meeting to be held with the residents of the Vale of Clwydd over their concerns of the extreme flood damage that occurred over the past month in Vale of Clwydd?

RECOMMENDATION

THAT:

1. The General Manager and Senior Council Officers provide the Council, Councillors, ratepayers and residents with an urgent report on the extreme flood damage that occurred over the past month in Vale of Clwydd?
2. Council arrange for an on-site Community Meeting to be held with the residents of the Vale of Clwydd over their concerns of the extreme flood damage that occurred over the past month in Vale of Clwydd?

GENERAL MANAGERS REPORTS

ITEM-5 GM - 18/03/13 - RESOURCES FOR REGIONS

REPORT FROM: R BAILEY - GENERAL MANAGER

COMMENTARY

The New South Wales Government has announced the next round of the Resources for Regions program. This is a commitment to deliver up to \$160 million over four years from Restart NSW to the *Resources for Regions* program, for infrastructure programs for mining affected communities. The program is administered by Infrastructure NSW and the initiative is designed to reinvest in communities that may be affected by the generation of mining wealth.

Following an Economic Assessment of Mining Affected Communities 2012, a number of Local Government Areas (LGAs) have been included in the Resources for Regions Program in 2013/14.

Eligibility Requirements

The funding is to be allocated through a competitive grants process following consultation with relevant stakeholders, which may include local councils, Members of Parliament and Regional Development Australia committees. However to be eligible for funding under *Resources for Regions*, projects must be located in the following LGAs:

- Cobar
- Lithgow
- Mid-Western Regional
- Muswellbrook
- Narrabri
- Newcastle
- Singleton

Project nominations have been invited from local councils, community groups, local businesses and non-government organisations. Proposals must demonstrate that they:

- Fulfil the NSW Government's objectives for the Resources for Regions program, the strategic infrastructure objectives in *NSW 2021*, and align with other regional strategies and policies; and
- Have a positive net economic impact.

Also the NSW Government is looking to support projects that involve partnerships that can include NSW government entities. These partnerships may include financial or other forms of commitment to the project.

It is also indicated that projects that involve partnerships, align with NSW Government priorities and/or produce a net economic benefit will be viewed favourably. This includes business projects that seek to deliver infrastructure with common user benefits.

The NSW Government also recognises that rapid growth places pressures on social infrastructure such as schools, hospitals, recreational facilities and childcare services in mining affected communities. As such, in 2013-14 the *Resources for Regions* program will be open to projects that cater for economic and social infrastructure. However, social infrastructure project applications will also need to demonstrate how they support the economic development of an area.

Following an Expression of Interest period the NSW Government will make an initial assessment as to whether proposals are likely to qualify for more detailed consideration. The initial assessment process will be conducted by NSW Trade and Investment. Projects that meet the program criteria will be invited to submit a full application. The Eligibility Criteria includes:

- The degree to which public infrastructure in the community that is used by the mining industry is subject to particular stresses and is not keeping up with demand or is deteriorating
- Alignment with Government priorities, including the *NSW 2021 State Plan* and *Regional Strategies*
- Alignment with strategic objectives, with reference to asset management strategies/plans
- Net economic benefits of the project (i.e. benefit-cost ratio)
- Affordability of the project and life-cycle cost impacts
- Project risk and risk management approach
- Implementation approach, including potential for private-public partnerships
- Compliance with application requirements.

Infrastructure NSW (INSW) will then make final recommendations to the Government. Total funding for the *Resources for Region* program in 2013/14 and the successful projects will be announced as part of the Budget process.

The NSW Government intends that 30% of Restart NSW funds will be allocated to infrastructure projects in regional and rural areas. Under the *Resources for Regions Policy*, up to 3% will be allocated to mining-affected communities.

Projects Funded in 2012-13

The following infrastructure projects in mining affected communities in regional and rural NSW were approved in the 2012-13 NSW State Budget.

Muswellbrook Hospital Emergency Department Upgrade

Application by Hunter New England Local Health District
Restart NSW funding allocated in 2012-13: \$4 million

Herbert Street Bridge Replacement, Broke

Application by Singleton Council
Restart NSW funding allocated in 2012-13: \$1.9 million

Bridgeman Road - New England Highway Intersection Upgrade

Application by Singleton Council
Restart NSW funding allocated in 2012-13: \$2 million

Pioneer Road Extension, Huntview

Application by Singleton Council

Funding allocated in 2012-13: \$2 million

Possible Projects for the 2013-14 Funding

Some projects that may be considered for the funding may include:

1. Development of an Business/Industrial Park – est \$5-6M
2. Completion of the Lithgow Aquatic Centre – Stages 2 to 4 – est \$7M
3. Union Theatre upgrade – est \$2-\$3M
4. Adventure Playground – est \$1.5M
5. Endorsing/partnering with COC Ltd for train/wagon maintenance at the Eskbank Yards – est \$2M
6. Endorsing/partnering with the Lithgow Private Hospital
7. Civic Centre
8. Local road projects

A number of these projects are presently not 'shovel ready' whilst other do not have business plans completed for them and as such there is no provision for increased operating expenditure, eg the Aquatic Centre.

Conclusion

Lithgow has had a long and proud association with mining and as a result many hundreds of millions of dollars, if not billions, have been paid in royalties from the region since mining began here. The argument for Lithgow for this funding will not likely be on the stresses of rapid growth of the industry here, instead the argument is to be better made on dealing with deteriorating infrastructure, expanding services or diversifying the economy.

There appears to be no limit to the number of nominations that may be made.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Media Release from Deputy Premier, Andrew Stoner, Resources for Regions Broadens Scope
http://www.business.nsw.gov.au/_data/assets/pdf_file/0006/27159/rel_stoner_20130227_resources_for_regions.pdf
2. Resources for Regions 2013-14, Expressions of Interest - Information and Guidelines
http://www.business.nsw.gov.au/_data/assets/pdf_file/0020/27155/resources_for_regions_eoi_govtresp_20120228.pdf

3. Economic Assessment of Mining Affected Communities

[http://www.business.nsw.gov.au/_data/assets/pdf_file/0019/27154/economic assessment_mining_comms_20130227.pdf](http://www.business.nsw.gov.au/_data/assets/pdf_file/0019/27154/economic_assessment_mining_comms_20130227.pdf)

RECOMMENDATION

THAT Council:

1. Note the report on the Resources for Regions funding;
2. Submit nominations for the following projects:
 - Development of an Business/Industrial Park – est \$5-6M
 - Completion of the Lithgow Aquatic Centre – Stages 2 to 4 – est \$7M
 - Union Theatre upgrade – est \$2-\$3M
 - Endorsing/partnering with COC Ltd for train/wagon maintenance at the Eskbank Yards – est \$2M
 - Local road projects
3. Authorise the Council Operations (Works) Committee to nominate local road projects

**ITEM-6 GM - 18/03/13 - DRAFT COMBINED DELIVERY PROGRAM 2013/17
AND OPERATIONAL PLAN 2013/14**

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

REFERENCE

Min 12-97: Ordinary Meeting of Council 26 March 2012
Min 12-125: Ordinary Meeting of Council 23 April 2012
Min 12-182: Ordinary Meeting of Council 4 June 2012

SUMMARY

The Council's Combined Delivery Program 2013/14-2016/17 and Operational Plan 2013/14 and Draft Fees and Charges 2013/14 have been prepared and are provided for the consideration of Council to place on public exhibition.

COMMENTARY

Background

In October 2009, NSW Parliament passed the Local Government Amendment (Planning and Reporting) Bill 2009 requiring all NSW local Councils to develop a 4 year Delivery Program and Annual Operational Plan as part of an overall Integrated Planning and Reporting Framework. Council is required to comply with this legislative requirement by 30 June 2012.

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

The combined Draft Delivery Program 2013/2014 – 2016/17 and Draft Operational Plan 2013/14 has been prepared and it details Council's activities for the next 4 years and the Revenue Policy for 2013/14. It incorporates the strategies of the Draft Community Strategic Plan 2025 for the four year period identifying those activities which are operational (recurrent or annual) activities or capital works and new initiatives to be undertaken.

An overview of some of the key features contained in the Council's combined Draft Delivery Program 2013/14 to 2015/16 and Draft Operations Plan 2013/14 is provided below. The aim of the Plan is to provide a solid financial framework to ensure infrastructure and Council services can be provided to meet the requirements of residents and ratepayers as far as is practicably possible.

The 2013/14 Operations Plan has been prepared predicting an increase of 3% in wages and material costs. Energy retailers have recommended a minimum increase of 15% to electricity accounts.

General Rates

The Minister for Local Government, under the rate pegging legislation, has allowed the General Fund to increase by 3.4% for 2013/14. The rate pegging limit has been reflected in the Draft Delivery Program and will provide additional income of \$380,732.97 on the General Rate income received in 2013/14.

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

GST Changes 2013-2014

In 2012/13 it was reported that changes to the Commonwealth, Tax Law Amendment (2011 Measure No 2) Bill 2011, would have a major impact on Local Government specifically in relation to charging GST on Special Rates & Waste charges proposed from 1 July 2013

The LGSA, on behalf of all NSW Councils, applied to the ATO for a class ruling on the treatment of GST and in January 2013 the ATO handed down Class Ruling 2013/1 which advised that all Council rates & charges remain 'exempt' from GST.

Fees and Charges

The Council has reviewed its fees and charges to ensure that they contribute to ensuring a balanced budget. Some fees and charges are set by legislation and these remain unchanged. Other fees and charges are increased in line with CPI, and others, such as the cost to 'Commercial Vendor – Market Stall Holders' at Eskbank House Museum have been reduced down to bring them inline with those charged by other community event organisers. Water and sewerage charges are discussed further in the report.

Parking Rates

The parking rate has increased by rate pegging of 3.4% to 0.008987c in the dollar as an ad valorem rate applied to the valuation of the property. This will generate an income of \$229,643.91 (GST exclusive) on 153 properties identified in Railway Parade, Mort and Lithgow Streets.

Special Rate Variation – Infrastructure Levy

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

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

The works funded by the Special Rate Variation in the following table are included in the combined Draft Delivery Program 2013/14 – 2016/17 and Draft Operational Plan 2013/14:

PROPOSED INFRASTRUCTURE LEVY: SPECIAL RATE VARIATION SEC 508 (2) OF THE LG ACT 1993				
	2013/14	2014/15	2015/16	2016/17
Roads				
Cox's River Road	40,000		25,000	40,000
Magpie Hollow Road	158,000			145,000
Mid Hartley Road		80,000		
Glen Davis Road		132,000		
Sodwalls / Tarana Road			160,000	
Reseals - 10mm	118,000	115,000	130,000	145,000
Lithgow/ Portland Lanes	90,000	90,000	90,000	90,000
Total Road Improvements	406,000	420,000	435,000	450,000
Buildings				
Community Halls Upgrade				
Pool Buildings	50,000			
Golf Club		15,000		
Lake Wallace Toilets: Refit Interior & Security	25,000	37,000		
General Asset Building Maintenance	25,000	51,500	107,000	111,000
Total Building Improvements	100,000	103,500	107,000	111,000
TOTAL EXPENDITURE SPECIAL RATE	506,000	523,500	542,000	561,000

Section 94A Levy Contributions

Council has undertaken a review of its Development Contributions Framework and has proceeded with the introduction of a Section 94A Levy Plan that will apply across the LGA.

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

Proposed 4 Year Works Program – Section 94A Levy Contributions				
	2013/14	2014/15	2015/16	2016/17
Roads				
Rural Roads Rehabilitation	50,000	50,000	50,000	
Rural Roads Construction		150,000	60,000	110,000
Mobility and Pedestrian Upgrade	62,000			
Buildings				
Union Theatre Upgrade	100,000			

CCTV	10,000	10,000		
CBD Amenities	150,000			
TOTAL EXPENDITURE SECTION 94	372,000	210,000	110,000	110,000

Waste Charges

Due to the further development of the waste disposal facility at Blackman's Flat, upgrading of the Lithgow Solid Waste Facility and the closure and rehabilitation of rural landfills during 2013/14 it is recommended that the residential and business garbage charge be increased by \$25.00 per property from \$362.00 to \$387.00.

Type of Service	Charge (\$)	Estimated Yield (\$)
Residential	387.00	3,162,177
Second Bin	387.00	2,709
Medical Waste/Large Family		
Business	387.00	243,036
Non Rateable	387.00	86,688
Unoccupied Urban	143.50	87,679
Rural	92.50	219,132

Stormwater Charges

It is proposed that the following stormwater charges will be levied on all residential and business properties within identified urban areas, except those which are vacant land and remain unchanged from the 2012/13 stormwater charges. The levy is used to partly fund the maintenance and improvements to urban drainage as well as the flood mitigation works at Farmers Creek, Lithgow.

Stormwater Charges		
Type	Charge (\$)	Estimated Yield (\$)
Residential	25.00	151,125
Strata Unit (Residential)	12.50	1,237
Business	25.00 per 350sq metres (\$1,500 Cap)	88,475
Total Estimated Yield		241,438

Key Social, Economic and Environmental Strategies

In the Delivery Program Council is continuing to plan for a sustainable future by responding to the needs outlined in the Draft Community Strategic Plan 2025 for the development of robust planning instruments. .

All of Council's short, medium and long-term plans provide, and will provide, well-informed evidence and have had considerable community input. As such, they inform Council's decisions and the Draft Delivery Program and Operational Plan and are identified throughout the document.

During 2013/14 Council will be continuing to work with the community to plan for the future by:

- Continuing to develop Village Enhancement Strategies.
- Developing a Cultural Precinct Public Art Strategy.

- Developing Development Control Plans in line with the new Local Environmental Control Plan.
- Continuing to undertake investigation of the Marrangaroo Study areas including categorisation of streams, risk assessment of a gas pipeline; flooding extent of Marrangaroo Creek and Tributaries; Stormwater, water and sewerage infrastructure requirements.
- Developing a Masterplan for Council's major open space recreational precinct in and around Tony Luchetti Sportsground.
- Preparation of Plans of Management for "Community" classified lands, "Operational" classified lands, Crown Lands and other recreational facilities.
- Developing a Floodplain Risk Management Plan which will identify flood effected areas, evacuation routes and emergency provisions.

Council will continue to provide a range of economic and social services that underpin quality of life including:

- Continuing promotion of Lithgow as a place to invest, do business and visit through integrated marketing and promotional strategies utilising such means as the Lithgow Visitors Guide and Economic Prospectus and by working collaboratively with businesses and regional partners such as Blue Mountains, Lithgow and Oberon Tourism and Bathurst Tourism, as well as government agencies such as the Department of Industry and Investment.
- Operation of the Council's Libraries in Lithgow, Portland and Wallerawang and continuing a pilot program for the Housebound Library Service.
- Financial assistance to community groups.
- Continuing operations of Eskbank House Museum.
- Carrying out of health inspections for food premises, trade waste, septic tanks and water supplies.
- Provision of tourism information services through the Visitor Information Centre.
- Support for youth activities identified by the Youth Council and Youth Forums.

Major upgrades to roads and buildings planned

Significant works need to be undertaken on roads and public buildings to improve their condition. To this end Council is continuing to inject significant funds into infrastructure into the future. Major projects for 2013/14 will include:

Roads to Recovery Program

- Rehabilitation of 2km of the Glen Alice Road - \$160,000
- Rehabilitation of 5km of Rydal/Hampton Road - \$150,000
- Rehabilitation of Curly Dick Road - \$250,000

Timber Bridge Improvements

- Palmers Oakey Bridge and Glen Davis Road Bridges \$124,772

Road works fund from the Infrastructure Levy Program

- Shoulder work to Cox's River Road \$39,735
- Rehabilitation and reseals to Magpie Hollow Road \$157,566
- Urban reseals to various streets in Lithgow and Portland \$117,933
- Laneway improvements \$90,000

Rural Roads improvements

- Graveling and sealing Thompsons Creek Road - \$40,000
- Graveling Mt Horrible Road - \$30,000
- Graveling Palmers Oakey/Turon Gates Road - \$80,040
- Gravel and seal of Glen Davis area - \$150,000
- Rehabilitation of Sunny Corner Road - \$80,000
- Rehabilitation of Cox's River Road (incl. Section 94 Plan) - \$100,000

Road Ancillary Facilities

- Village Drainage Improvements at Capertee \$30,000
- Footpath construction Kirkley St Bowenfels to Great Western Highway (includes Section 94) - \$123,990.
- Kerb and Gutter Construction Roxburgh Street, Portland and Wallerawang/Portland Road. \$84,741
- Replacement of pavers and environmental enhancements to Lithgow CBD- \$500,000

Improvements to buildings

- New carpet in the Council Chambers - \$15,000
- Union Theatre (incl. Building Reserve & Section 94 Plan) - \$215,000
- Hartley Building Roof Replace - \$20,000
- CBD Amenities - \$300,000
- Dog Pound - \$10,000
- Centrelink Carpet / Improvements - \$60,000
- Administration Building Lighting - \$38,000
- Lithgow Visitors Centre - \$10,000
- Miscellaneous building maintenance - \$50,000

Improvements to buildings from the Special Rate Variation

- Lithgow - Old Swimming Pool amenities block - \$50,000
- Refit the interior and upgrade security of the Lake Wallace Toilets \$25,000
- General asset maintenance – Wallerawang Grandstand \$25,000

Recreation Assets Upgrade

- Works included in this program are: Top dressing playing fields, vegetation management of natural watercourses in Lithgow, streetscape improvements, passive parks improvements (including the installation of shade structures at Lake Wallace, the Lithgow Memorial Pool and the swings at Kremer Park, Portland) and cemetery improvements – \$342,812
- Replacement of retaining wall at Kremer Park - \$100,000

Flood Plain Management Program

Council will be undertaking a Floodplain Management works at Farmers Creek - \$225,000

Waste Improvements

Council is continuing to upgrade its waste facilities including:

- Planning for stage 1 rehabilitation of the Lithgow Solid Waste Facility - \$250,000
- Provision of recycling facilities at Angus Place, Hampton, Meadow Flat and Tarana Waste Transfer Stations \$30,000

- Undertake post closure monitoring of rural Landfills \$30,000.

Sewerage Treatment and Reticulation Improvements

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

- Renewal of sewer mains \$310,000
- Upgrade the Sewerage Reticulation Network in the South Bowenfels/South Littleton area \$2.5m.
- Construct upgrades to pumping stations \$100,000.
- Desludging at Portland and Wallerawang Sewerage Treatment Plants - \$100,000
- Smoke test Portland - \$75,000
- Sewer Vent Replacement - \$35,000

Water Storage and Reticulation Improvements

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

- A major program to renew old water mains is to be undertaken particularly in Wallerawang and Portland to improve security of supply and minimise failure - \$250,000.
- Upgrade Shaft Street reservoirs \$800,000.
- Upgrade of Scada System (Telemetry) at Water Treatment Plant \$450,000
- Dam Safety works to Farmers Creek No. 2 Dam - \$100,000
- Water Loss program - \$100,000
- Pump Station renewal - \$100,000

Grant Funding and Corporate Sponsorship

The Council is continuing to apply for funding from the State and Federal Government and other sources. In 2012/13 Council has secured \$4.2 million funding from the State Government and Emirates to for the upgrade and sealing of 14.2km of Wolgan Road commencing near the Emirates Resort & Spa and heading west back toward the Wolgan Gap Hill. \$200,000 has been received from the State Government for local road works, \$160,000 of which has been allocated to the upgrade of Pearson's Lookout at Capertee (\$60,000 for works to be undertaken by Council to upgrade the lookout and \$100,000 for works to be undertaken by the Roads & Maritime Services to improve access into and out of the lookout). The balance of the funding (\$40,000) has been allocated to the resealing of Lithgow Street, Lithgow.

Council has applied to have the area declared a natural disaster area due to flooding in February 2013 and has applied for \$800,000 in flood damage funding to undertake restoration of public infrastructure.

Council will be submitting an expression of interest for the 'Resources for Regions' program to undertake infrastructure projects following the recent announcement by The Deputy Premier, Andrew Stoner that, Lithgow as a mining affected community, now eligible to apply for funding under the program.

Best Practice Water and Sewer Pricing

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

The 2013/14 water pricing structure ensures the Lithgow local government area maintains water charges in compliance with the NSW Best Practice Guidelines of 75% of residential income from usage and 25% of revenue from access charges.

Sewerage Charges

Over recent years Council has spent approximately \$30 million in the upgrade of the Lithgow and Wallerawang Sewerage Treatment Plants. Plans are also being made to upgrade the Portland Sewerage Treatment Plant.

In 2013/14 the following residential or business sewerage access charges will be levied on all rateable and non rateable properties which are connected to or within 75 metres of Council's reticulated sewerage system:

Sewerage Access Charges		
Type	Charge (\$)	Estimated Yield (\$)
Residential	836	5,964,024
Less write-off pension rebate		-170,187
Business (main size):		
200mm	1,085	651
100mm	1,085	22,210
50mm	954	54,855
20mm	720	254,160
Total Estimated Yield		6,125,713

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

Sewerage Business Usage Charges	
Type	Charge (\$)
Business (95% of water usage)	1.55

Water Charges

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

Water Availability Charges		
Type	Charge (\$)	Estimated Yield (\$)
Residential	135	1,040,445
Less write-off pension rebate		-143,332
Business (main size):		
200mm	924	924
100mm	924	24,948
50mm	813	61,788
20mm	614	252,354
Total Estimated Yield		1,237,127

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

Water Usage Charges	
Kilolitres Used	Charge (\$)
0 – 250 Residential	2.84 / kl
250+ Residential	4.26 / kl
All business – Flat rate	2.84 / kl

Interest charges on outstanding property balances

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

Capital projects and discretionary expenditure

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

Capital Projects & Discretionary Expenditure: Summary of Major Projects			
	Expenditure	Income	2013/14
GENERAL FUND			
<u>EXECUTIVE</u>			
LG Election (Future years to Reserve)	35,000		35,000
<u>OPERATIONS</u>			
Bridge Improvements			
Timber Bridge Construction	124,772		
Kerb & Gutter Construction			
Urban Construction	84,741		84,741
Footpath Construction			
Urban construction	61,990		61,990
Rural Roads Improvements: Gravel Resheeting			
Gravel Resheeting	120,000		120,000
Roads to Recovery Program			
Glen Davis Road /Dark Corner Road /Mid Hartley Road /Springvale Lane	560,000	-560,000	0
Infrastructure Levy Program (2009/10 DLG Application 5% Special Rate Variation)			
Infrastructure Levy Program (5% Special Rate: Income in Operating)			
Cox's River Road	40,000		40,000

AGENDA – ORDINARY MEETING OF COUNCIL

Magpie Hollow Road	158,000	158,000
Reseals – 10mm	117,000	118,000
Lithgow/Portland Lanes	90,000	90,000
Pool amenities	50,000	50,000
Lake Wallace Toilets: Refit Interior & Security	24,000	24,000
General Asset Building Maintenance	25,000	25,000
	504,000	504,000

Sec 94 Plan

Rural Roads Rehab	50,000	50,000
Drainage Construction	62,000	62,000
Union Theatre Upgrade	100,000	100,000
CCTV Cameras	10,000	10,000
Lithgow CBD Amenities (Total Project \$300k)	150,000	150,000
	372,000	372,000

Urban / Rural Sealed Rehabilitation

Mort St Lithgow Eastern End	150,000	150,000
Magpie Hollow Road	150,000	50,000

OPERATIONS MISCELLANEOUS

CBD Enhancement	500,000	500,000
Guardrail Installations	35,000	35,000
Line marking	23,000	23,000
Tree Removal Contract	20,000	20,000
Village Drainage: Capertee	30,000	30,000
Bus Shelters	11,000	11,000

FLOODPLAIN MANAGEMENT

Flood mitigation Program	225,000	-150,000	75,000
--------------------------	---------	----------	--------

RECREATION

Streetscape Improvements	20,000	20,000
Shade Structures	35,000	35,000
Active Recreation	30,000	30,000

AGENDA – ORDINARY MEETING OF COUNCIL

Passive Parks Improvements	70,000		70,000
Watercourse Maintenance / Farmers Creek Vegetation	20,000		20,000
Golf Club Drainage Improvements	21,000		21,000
Passive P & G QE Park Improvements	60,000		60,000
Cemetery Improvements	29,000		29,000

PLANT

Light / Heavy Vehicles – Including to Reserve	1,475,000	-460,000	1,015,000
---	-----------	----------	-----------

BUILDINGS RESERVE

Administration Building Lighting	38,000		38,000
Dog Pound Improvements	10,000		10,000
Union Theatre (Project \$300k)	115,000		115,000
Council Chambers Carpet	15,000		15,000
CCTV Cameras	10,000		10,000
Hartley Building Roof Replacement	20,000		20,000
CBD Ammenities (Project \$300k)	150,000		150,000
Centrelink Carpet	60,000		60,000
Lithgow Visitors Centre Carpet	10,000		10,000
Miscellaneous Buildings	50,000		50,000

POLICY & PLANNING**PLANNING**

Hassans Walls Plan of Management	60,000		60,000
Planning studies	100,000		100,000

CORPORATE

Lithglo	25,000		25,000
Xmas: Main St Decorations Duplicated above	10,000		10,000
Main St Façade Program	20,000		20,000
Independent Retailer Development Program	30,000		30,000

IT CAPITAL**INFORMATION TECHNOLOGY**

IT Reserve as programmed	300,000	-145,000	155,000
--------------------------	---------	----------	---------

TOTAL INFORMATION TECHNOLOGY**COMMUNITY CAPITAL****LIBRARY**

Resources	99,740	-16,000	83,740
-----------	--------	---------	--------

COMMUNITY & CULTURAL

Youth Day Activities	3,000	-1,500	1,500
Eskbank House displays & Exhibitions	10,000		10,000
Youth Program	5,000		5,000

Borrowings

In 2013/14 Council intends to borrow up to \$3,750,000 for the Wastewater & Water Funds to carryout the following works:

Sew South Bowenfels Infrastructure:	\$ 2,500,000
Water WTP Scada	\$ 450,000
Water Shaft St Reservoir	\$ 800,000

Total 11/12 Loan Program \$ 3,750,000

Depreciation

As advised in previous years, Council's treatment of depreciation has altered from previous management plans. Council had previously 'cash funded' depreciation: this Draft Management Plan reflects Council's injection of the depreciable value, \$9,015,481 back into infrastructure improvements.

Community Engagement

The Combined Draft Delivery Program 2013-2017 and Operational Plan 2013-2014 is provided for Council's consideration to place on public exhibition for a minimum period of 28 days. Closing date for public submissions will be Friday 19 April 2013. This will allow the document to be put to the Council on 6 May for adoption.

Should the Council endorse the Combined Draft Delivery Program 2013-2017 and Operational Plan 2013-2014, community briefing sessions and open house sessions will be held on the following days and times:

- **Wednesday 27 March** 6.30 - 7.30pm - Rydal Mount Guest House - Briefing Session
- **Thursday 28 March** 6.30 - 7.30pm – Cullen Bullen Hall - Briefing Session
- **Wednesday 3 April** 10am - 1pm - Portland Library - Open House Session
- **Thursday 4 April** 10am - 1pm - Wallerawang Library - Open House Session
- **Friday 5 April** 10am-2pm - Lithgow Library - Open House Session

POLICY IMPLICATIONS

Nil arising from the report.

FINANCIAL IMPLICATIONS

The financial implications of the combined Draft Delivery Program 2013/14 – 2016/17 and Draft Operational Plan 2013/14 are detailed in the budgets provided.

LEGAL IMPLICATIONS

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

ATTACHMENTS

1. The combined Draft Delivery Program 2013/14 – 2016/17 and Draft Operational Plan 2013/14.
2. Draft Fees and Charges 2013/14.

RECOMMENDATION

THAT:

1. The combined Draft Delivery Program 2013-2017 and Draft Operational Plan 2013-2014 be placed on public exhibition for a minimum of 28 days. This will include the following documents:
 - a. The combined Draft Delivery Program 2013/14 – 2016/17 and Draft Operational Plan 2013/14.
 - b. Draft Fees and Charges 2013/14.
2. The closing date for submissions be Friday 19 April 2013.

ITEM-7 GM - 18/03/13 - LOCAL LAND SERVICES REVIEW

REPORT FROM: R BAILEY - GENERAL MANAGER

SUMMARY

The New South Wales State Government is looking at creating new organisations called Local Land Services (LLS). There is presently community consultation occurring in relation to this with a current proposal that the Lithgow Local Government Area be included in the Central Tablelands LLS. Direction is being sought from Council on the preferred LLS for the Lithgow LGA for the purposes of a Council submission.

COMMENTARY

The New South Wales State Government is proposing that Catchment Management Authorities (CMAs), Livestock Health and Pest Authorities (LHPAs) and parts of the Department of Primary Industries (DPI) will be amalgamated into new regional organisations, called *Local Land Services*.

From January 2014, *Local Land Services* will be regionally-based, semi-autonomous, statutory organisations, that are governed by locally elected and skills-based Board members, delivering services for farmers and landowners. The new *Local Land Services* will deliver:

- Agricultural advice.
- Plant and animal pest control and biosecurity.
- Natural resource management.

To guide these changes the NSW Government has formed a reference panel. The initial proposal has identified 11 LLS regions with the Lithgow Local Government Area to be entirely located within the Central Tablelands region. It further proposes that the number of CMAs be reduced from 13 to 11.

Within the farming sector there appears to be some cautious optimism that the new model will deliver the services that the farmers need and improve service delivery through:

- Integrating service delivery at the most appropriate landscape scale
- Supporting the most effective management of key resources such as water supply
- Supporting efficient management of critical natural assets (such as the World Heritage Area)
- Providing accessibility for landholders to services such as advice, funding and management support
- Minimising transaction costs by aligning boundaries of LLS with key service providers

There are concerns however about potential cuts to agricultural services or the Government cost shifting.

There are also concerns about the boundaries for the new LLS regions with many believing that the boundaries should be based on river catchments.

Lithgow Region

The Lithgow Local Government Area is presently situated predominantly in the Hawkesbury Nepean Catchment Management Authority with an area also in the Central West Catchment Management Authority

Please Note that this CMA is different to the Sydney Catchment Management Authority and no change is being proposed there.

In relation to the Livestock Health and Pest Authority districts the Lithgow LGA is predominantly located in the Tablelands Districts and also with a section of the northern part of the LGA, including Capertee and Glen Alice, in the Central North District.

Under the new proposal the Lithgow LGA could possibly be included in a Sydney/Hawkesbury based LLS; a Central Tablelands LLS; or based upon other discussions included in a Macquarie LLS.

Whilst the Lithgow LGA is predominantly in the Sydney catchment the farmers of the region would better assimilate with farmers of the Central West.

POLICY IMPLICATIONS

None anticipated at this stage

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Local Government and Shires Associations – Local Land Services, Update for Local Government, 21 January 2013
<http://www.lgnsw.org.au/files/imce-uploads/35/local-land-services.pdf>
2. Tablelands Livestock Health and Pest Authority District
Map of Proposed Land Services Regional Boundaries
http://engage.haveyoursay.nsw.gov.au/project/photos/57?photo_id=2137.jpg

RECOMMENDATION

THAT Council:

1. Note the report in relation to the new Local Land Services
2. Authorise the Mayor to make submission supporting the inclusion of the Lithgow Local Government Area to be a part of the Central Tablelands/Central West LLS.

**ITEM-8 GM -18/03/13 - MODEL CODE OF CONDUCT 2013 -
 COMMENCEMENT AND KEY RESOURCES**

REPORT FROM: R BAILEY - GENERAL MANAGER

SUMMARY

A report to notify Councillors of implementation date of the new Model Code of Conduct, promote the summary as a guide to the standards of behaviour required by council officials and to inform councils of the availability of the Division of Local Government's Model Code of Conduct webpage for key resources to support the implementation of the code.

COMMENTARY

The Division of Local Government has issued a circular to remind Councils of the new Model Code of Conduct frameworks commencing on 1 March 2013.

The purpose of the circular is also to:

- Promote the Model Code
- Inform Councils of the availability of the Divisions Webpage.

Councillors are encouraged to familiarise themselves with the new Model Code of Conduct.

POLICY IMPLICATIONS

Council's Code of Conduct

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Division of Local Government Circular 13-06 - Model Code Summary 2013 - Commencement and Key Resources

RECOMMENDATION

THAT Council note the report on the new Model Code of Conduct.

ENVIRONMENT AND DEVELOPMENT REPORTS

ITEM-9 ENVIRO - 18/03/13 - PUBLIC TOILET PROGRAM

REPORT BY: A MUIR – GROUP MANGER ENVIRONMENT AND DEVELOPMENT

SUMMARY

To advise Council of the planned toilet public toilet construction and upgrade program occurring in upcoming years and particularly advising of a proposed process for the construction of a new toilet block in the Lithgow Central Business District area.

COMMENTARY

As Councillors would be aware from recent budget meetings a program is proposed for either the construction or refurbishment of numerous public toilet facilities in the Local Government Area in upcoming years. These will be funded through either by funds collected through the Section 94A Contributions Plan plus the proposed building reserve or solely through the building reserve program.

The following projects are currently proposed in upcoming years:

Year	Project	Total Project Budget	Funding Source
2013/14	CBD Amenities Block (New facility)	\$300,000	\$150,000 Section 94A Contributions \$150,000 Building Reserve
2013/14	Endeavour Park Toilets (Replacement facility)	\$250,000	Building Reserve
2015/16	Queen Elizabeth Park Toilets – Southern End (New facility)	\$200,000	Building Reserve
2016/17	Daintree Lane Toilets, Wallerawang (Replacement – Small Unisex Facility)	\$125,000	Building Reserve
2016/17	Lake Lyell Amenities (Refurbish/refit existing facilities)	\$30,000	Building Reserve
2018/19	Capertee Park Toilets (Upgrade facilities and effluent disposal capacity)	\$100,000	Building Reserve
2019/20	Lake Wallace Amenities (Rebuild)	\$200,000	Building Reserve
2020/21	Kremer Park Toilet Upgrade (Refurbish/refit)	\$100,000	Building Reserve
2021/22	Wallerawang Oval Toilets	\$150,000	Building Reserve

	(Refurbish/refit)		
--	-------------------	--	--

In 2013/2014 the major project is for new amenities in the Lithgow Central Business District area. Whilst the preliminary budget has been set aside for the project of \$300,000, it is acknowledged that avenues may exist which could result in cost savings. However, it is prudent, given previous experience, to set an upper limit for budget purposes. The following process will be required in relation to this project:

- Site selection – this will require community consultation. At this point in time a favoured location from an Officer's perspective is in the vicinity of the taxi rank within the existing car parking area. It is acknowledged that Councillors and perhaps the community may not agree with this option, particularly as it could impact on several car parking spaces. However, it does have the advantage of being central, well lit and overseen by taxi drivers. Another option may be Cook Plaza. The advantage is the centrality of the location. A disadvantage may be the possible impact on an attractive open space which would require good design and careful siting.
- Consideration of building options – the Council will need to consider if it wants to utilise a modern prefabricated structure, e.g. Exeloo or similar, or engage an architect to prepare plans for a purpose built structure.
- Preparation of plans for submission of Development Application and Construction Certificate
- Consideration by Council as to whether it has the capacity to undertake the works in-house or by some combination of in-house project management and engagement of building trades. Alternatively a tender process will be required to engage a builder who will then subsequently engage subcontractors. In any event, should any individual component require entering into a contract in excess of \$150,000 it will be necessary for Council to go to tender for that component.
- Approval of Development Application
- Commencement of works whether by Council/sub trades or by contracted builder

Irrespective of final site location, it would be proposed that the existing toilet facilities located in the old Eskbank Railway Building would be ceased. These have not been in operation for some time due to significant vandalism issues. Council currently pays an annual lease of \$7,440. It should be noted that a community group is interested in obtaining this space. Furthermore, it would be anticipated that in conjunction with this project that the toilet facilities in Pioneer Park would be closed. It would be proposed they be demolished and works be undertaken on the park to improve its attractiveness as an open space area.

POLICY IMPLICATIONS

At various stages of the project it would be anticipated that Policy 7.6 - Development Applications by Councillors and Staff and Relatives or on Council Owned Land and also Policy 1.4 – Tendering would be applicable.

FINANCIAL IMPLICATIONS

At this stage a budget of \$300,000 is to be allocated to CBD project and planning for future projects will be through the building reserve program.

LEGAL IMPLICATIONS

The main legal implications that are expected to arise would be the need for a Development Application under the provisions of the Environmental Planning and Assessment Act and the need for tendering under the provisions of the Local Government Act should any component of the project require entering into a contract in excess of \$150,000.

ATTACHMENTS

1. Plan showing car park adjacent to taxi rank and possible location of toilet facilities
2. Plan showing Cook Plaza and possible location of toilet facilities

RECOMMENDATION

THAT:

1. The report on Public Toilet Program and the proposed project of a Central Business District toilet facility in Lithgow be noted;
2. In relation to the CBD project, consultation on possible sites and type of facilities be undertaken through a survey conducted with business proprietors in the Lithgow CBD area and on Council's website; and
3. Results of the survey be reported to Council prior to proceeding with the next phase of the project.

**ITEM-10 ENVIRO - 18/03/13 - DEVELOPMENT APPLICATION REPORT -
DA12812 - PROPOSED SUBDIVISION- OAKEY FOREST ROAD
MARRANGAROO NSW 2790**

REPORT BY: A MUIR – GROUP MANAGER ENVIRONMENT AND DEVELOPMENT

SUMMARY

To recommend determination of Development Application 128/12 for the subdivision of one lot into three lots at Lot 1 in DP 523434, Oakey Forest Road, Marrangaroo NSW 2790.

COMMENTARY

Council is in receipt of a Development Application 128/12 for a three lot subdivision of two allotments of 7000m² and one allotment at 7848m². The property is currently vacant with scattered vegetation, abutting Oakey Forest Road and the Lithgow Golf Course.

The proposal is for three allotments within the 2(a) Residential zoning under the Lithgow Local Environmental Plan 1994 (LEP) with connections to septic systems for onsite effluent management. Whilst not a requirement in Council's Local Environmental Plan a subdivision in the 2(a) residential zone would generally be required to be connected to all services, including sewer. The applicant has requested that this requirement be waived in this instance due to the high cost of providing sewer to such a small subdivision that creates only two additional allotments which are significantly larger than required for standard residential allotments.

Due to the location of the proposal and as the surrounding development being connected to septic systems, the requirement for sewer may be deferred until sewer is available to the area. A covenant could be placed on each allotment requiring that they be connected to sewer once it becomes available, or should any further subdivision of the land occur. All other services will be connected to the site. To ensure compliance with the covenant, Council should be named on the covenant as the party empowered to vary the provision.

The proposal has been forwarded to Council's Engineer, Council's Sewer & Water Officer, Sydney Catchment Authority, Department of Trade & Investment and the Rural Fire Service for assessment which is outlined in the attached 79C assessment report.

Additionally, the proposal was notified to adjoining and adjacent land owners for comments and two submissions were made. The concerns raised by these submissions are summarised below with the Applicant and Council Officers comments:

- 1) *That there is insufficient detail regarding noise abatement in regards to the existing go-kart track;*

Applicant Comment:

New dwellings on the proposed lots will have a positive covenant restriction to assist noise abatement from the go-kart activities. The covenant will be in the form of building

measures such as double glazed windows, noise restriction fencing and house building materials. The proposal does not include construction of noise bunds and any such construction would be outside this development application.

Council Officer's Comment:

It has been indicated by the applicant that noise abatement will be in the form of positive covenants as part of the subdivision under 88B of the Conveyancing Act. Therefore, any dwelling to be placed on the land would be required to have building materials such as double glazed windows, noise restricting fencing and special noise suppression building materials. Should consent be granted, the proposal will be conditioned by Council to ensure that this is undertaken for the development to Council satisfaction. Once again Council should be named on the covenant to ensure the common issue of enforceability of private covenants is addressed.

- 2) *That insufficient details have been provided for assessment regarding a Compatibility Statement under Clause 13 of the State Environmental Planning Policy (Mining, Petroleum Production and Extractive industries) 2007. For example there is no evidence given to explain the statement that 'there is probably not much chance of the quarry extending northwards'.*

Applicant Comment:

The map supplied by Metromix shows the extent of the resource boundary and the Quartzite Resource Boundary that extends north. However it is shown by this map that the quarry would not extend further than the resource available in the area.

Council Officer's Comment:

For Council's information a compatibility statement is an assessment of a proposal and its impacts on existing approved uses and if the proposed development is compatible with the surrounding land uses. The applicant is aware of the extent to which the quarry could ever expand. An amended subdivision plan including building envelopes was provided. Therefore, the applicant has sufficiently dealt with Clause 13. The area that the subdivision is taking place on currently has a number of dwellings directly across the road and one on the corner of the Oakey Forest Road to the West (closer to the quarry). Therefore, it would not significantly impact on the operation of the quarry. However, the applicant has provided a revised subdivision plan showing building envelopes outside a 400m buffer zone from the maximum area of extraction for the quarry. Therefore, the applicant adequately shows that the development is expected to have minimal impacts on the quarry compared to existing and is minimised by the buffer area and covenants for noise mitigation. Under Clause 13 an increase of 2 allotments should not impede on the operation of the quarry now or into the future.

- 3) *The current quarry operation has been operating for 100 years with still substantial quantities of quartzite occurring outside the currently approved quarry area (see attached map). It is likely that further approvals could be sought to continue quarrying this extractive resource which would be impacted by these additional residents.*

Applicant Comment:

The supplied map shows the extent in which the quarry would extend to extract the resource (to the north). Therefore, from this boundary it is proposed to place a 400 metre buffer area as shown in the building envelopes for the development. This will allow a

sufficient buffer area from the extent of extraction for the quarry lifetime and minimising impact to the quarry.

Council Officer's Comment:

As previously stated the applicant has provided an amended subdivision plan indicating building envelopes outside a 400m area from the maximum extraction area that could potentially be undertaken by the quarry. Council Officers consider that a maximum of three residences on these new allotments would not significantly impact the quarry operations currently or into the future.

- 4) *That it was never intended that the standard of sealed road provided on Oakey Forest Road would allow for further subdivision along this road and potentially placing further restrictions upon the operation of the quarry.*

Applicant Comment:

The three lot subdivision would generate a minor increase in traffic with the impact on existing road surface being minimal. Truck usage from the quarry would still be the major contributor to the degradation of Oakey Forest Road.

Council Officer's Comment:

Given that the subdivision is only for an additional two allotments, the increased traffic on this sealed road would have minimal impacts to traffic generation or degrading of the road.

- 5) *The existing quarry has planned quarrying operations based on compliance for noise and blasting activities at a distance of 420m from the closest residence. The subdivision (assuming dual occupancy as the worst case scenario) is to be constructed at distances closed to either approved or proposed limit of extraction than other dwellings. The outcome would be quite restricting to the quarry and may lead to the quarry having to purchase the subject land and residences which impacts the economic viability of any extension. It is noted that no building envelopes have been nominated on the subdivision plan to clarify where future dwellings would be located.*

Applicant Comment:

As previously stated, implementation of the minimum 400m buffer area from the quarry's maximum extraction area (Resource Boundary) still allows a large area for a building envelope on each block. It is considered that the buildings can occur with minimal restrictions on the operation of the quarry.

Council Officer's Comment:

As part of this development, restrictions to only one house per allotment will be imposed to the development to minimise the impact and additionally due to no reticulated sewer services being supplied to the allotments. As a result, the maximum number of houses for the development would be three with each being 400m outside the area of extraction by the quarry. The noise issues further outside this area would already be required to be dealt with, due to other existing dwellings being well within this area. The quarry would be required to comply with noise and blasting restrictions regardless of this development proposal for any future extraction approvals further north of existing extraction. This is due to the existing ten residences on Oakey Forest Road, with any compulsory acquisition being a last resort for impact mitigation measures in any extractive industry.

- 6) *The statement lodged with the application refers to the buffer zone of 400m as a 'tool', but is important to ensure that extractive industries do not adversely impact on residential properties. It is noted that the existing buffer zone to the Marrangaroo Fields is at the very minimum distance of 350m with the activities closest to this being stockpiles etc. This does not generate the same noise or vibration levels as extractive operations that could potential move further north due to the resource availability (see attached map). The subdivision proposed would intrude into the 400m buffer zone and significantly impact on the current and future operations of the quarry.*

Applicant Comment:

The building envelope plan shows that buildings would be outside an area of 400m buffer area from the resource boundary area and therefore, should not restrict the operation of the quarry.

Council Officer's Comment:

As previously noted the development has been revised to include building envelopes outside the 400m buffer proposal area which will minimise any impact on current and future extraction of the quarry. It is considered that this proposal will significantly minimise any potential impact on future residents and on the potential operations of the quarry.

- 7) *The noise mitigation measure of a bund is appropriate; however, the applicant should provide technical data identifying the location, height etc, of the bund to ensure that noise levels from both noise sources will still satisfy criteria nominated in the Industrial Noise Policy.*

Applicant Comment:

The covenants proposed for noise abatement on each of the allotments should allow for issues of noise to be minimised. It is not proposed to construct the noise mounds as part of this proposal and may form a separate application at a later date. Additionally, noise from quarry development may not eventuate, as an approval for the northward extraction is no guarantee and potentially may never be approved and therefore meaning no noise impacts on the allotments from the quarry.

Council Officer's Comment:

The bund should not be required as part of this development and covenants would be more appropriate on the construction of the dwellings on these allotments. If the bund was to be undertaken in the future, it would be completed under a separate application.

CONCLUSION

Whilst this application is unusual in relation to the proposal for unsewered lots on residentially zoned land, there is no provision in Council's LEP to preclude this. Furthermore, given the submissions made by applicant and the proposed conditions of consent will minimise concerns raised by the submissions. The proposed Development Application has been assessed under Section 79C of the *Environmental Planning and Assessment Act 1979*. It is recommended that the Development Application be approved.

POLICY IMPLICATIONS

NIL

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*. A full assessment of these matters is provided as an attachment to this report.

FINANCIAL IMPLICATIONS

NIL

ATTACHMENTS

1. A Section 79C report pursuant to the Environmental Planning and Assessment Act 1979.
2. Subdivision Plan indicating building envelopes
3. Metromix Quartzite Resource Boundary Map

RECOMMENDATION

THAT:

1. That Development Application 128/12DA be approved subject to conditions specified in the attached Section 79C assessment.
2. A **DIVISION** be called in accordance with the requirements of Section 375A(3) of the Local Government Act, 1993.

**ITEM-11 ENVIRO - 18/03/13 - ONGOING MAINTENANCE CONTRIBUTION -
 WOLGAN ROAD**

REPORT BY: A MUIR – GROUP MANAGER ENVIRONMENT AND DEVELOPMENT

SUMMARY

To advise Council of a request from the Wolgan Valley Resort and Spa in relation to waiving previously agreed road maintenance contributions.

COMMENTARY

In 2007 the Emirates Wolgan Valley Resort and Spa agreed to make a contribution of \$25,000 per year to be amortised over a period of 8 years, being a total contribution of \$200,000 (excluding GST) with the first contribution commencing in 2009. This contribution was in recognition of the additional maintenance required on the unsealed rural road having regard to the additional traffic attributed to the Emirates Wolgan Valley Resort and Spa. To date regular payments have been made in 2008/2009, 2009/2010, 2010/2011 and 2011/2012. Given that Emirates have committed to contribute up to \$2.1 million towards the upgrade of the Wolgan Road, which will be a bitumen sealed road, they have requested that the final four (4) instalments of \$25,000 each be waived.

It is correct that the provision of a sealed road will cease any requirement for the ongoing grading of the road and in this regard, the level of maintenance contribution certainly requires review. There would be an additional level of maintenance required for a sealed road in relation to traffic attributed to the development, however Council may wish to take into consideration the fact that Emirates is making a significant capital contribution towards the upgrade of the road and determine whether it is still reasonable to seek some level of maintenance toward the sealed road.

FINANCIAL IMPLICATIONS

Should Council resolve to waive the remaining instalments for the maintenance of Wolgan Road it would forego a total amount of \$100,000.

LEGAL IMPLICATIONS

The current arrangement to pay \$25,000 per annum emanates from the original project approval. Should Council decide not to charge the maintenance it will be necessary to advise the Department of Planning & Infrastructure accordingly.

RECOMMENDATION

THAT Council agree to waive the remaining four (4) instalments of \$25,000 each for the ongoing maintenance of Wolgan Road and advise Emirates Wolgan Valley Resort and Spa and the Department of Planning & Infrastructure accordingly.

**ITEM-12 ENVIRO - 18/03/13 - ROAD RENAMING - 061_07DA - NEW ROAD
OFF OLD BATHRUST ROAD - SOUTH BOWENFELS**

REPORT BY: A MUIR - GROUP MANAGER ENVIRONMENT & DEVELOPMENT

SUMMARY

To advise Council of road naming proposal for new road off Old Bathurst Road as part of 061/07DA, 7 lot subdivision.

COMMENTARY

Council has received a submission on the naming of an internal road within a proposed subdivision (Attachment 1). The applicant of this subdivision has requested that Council name this road as below:

'Serenity Drive' due to the area being calm, clear, placid, tranquil and peaceful.

It is recommended that the suggested name be advertised for community input.

POLICY IMPLICATIONS

The road will be named in accordance with Council's Road Naming Policy.

FINANCIAL IMPLICATIONS

Council will incur some minor advertising costs in accordance with its Road Naming Policy, although the costs of the signs will be borne by the applicant.

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Plan showing the subdivision.

RECOMMENDATION

THAT in accordance with Council's Policy for the naming of roads, Council advertise the road name Serenity Drive as indicated on the attached plan for 061/07DA in the Lithgow Mercury calling for submissions to be made for the statutory period of twenty-eight (28) days.

ITEM-13 ENVIRO - 18/03/13 - COUNCIL MANAGEMENT OF CAMPING IN PUBLIC PLACES

REPORT BY: A MUIR – GROUP MANAGER ENVIRONMENT AND DEVELOPMENT

REFERENCE

Division of Local Government Circular 13-05 of 19/02/13.

SUMMARY

To advise Council of the legislative obligations and options available to manage illegal camping in public places.

COMMENTARY

Correspondence has been received from the Chief Executive, NSW Division of Local Government, (A Division of the Department of Premier and Cabinet) regarding council management of illegal camping in public places.

The advice states that illegal camping can cause health and safety issues, disturbance to adjoining land users, environmental damage and unfair competition to commercial businesses. There are a large range of options available to councils to manage this issue. These include:

- Ensuring camping on council-managed land meets approval requirements.
 - Approval may only be granted when relevant health, safety and amenity requirements are met under the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005
 - Communicating that camping in roadside rest areas is not permitted. This may be reinforced by signs erected by Roads and Maritime Services.
 - Consulting the relevant legislation and/or administering agency to ensure compliance with legislative obligations particularly where approval exemptions may apply such as under Local Approvals Policies, the Regulation for very low levels of very infrequent camping and other legislation for camping on Crown reserves, in State forests or in National Parks
- Preventing unfair competition between illegal camping operations and legitimate, approved caravan and camping businesses.
- Utilising management and enforcement options including:
 - Erecting signs prohibiting camping in unsafe locations, such as local roadsides
 - Issuing Penalty Infringement Notices for unauthorised operation or use of a camping ground under the 2005 Regulation, acting contrary to a sign under the *Local Government Act 1993*, or acting contrary to other laws such as the *Protection of the Environment Operations Act 1997*

- Prosecuting for operating ground without required prior approval under the *Local Government Act 1993*
- Issuing an Order to cease use of a camping ground for which development consent has not been sought under the *Environmental Planning and Assessment Act 1979*.

Councils are encouraged to monitor illegal camping in their areas and to use the range of options available to ensure that health, safety; environmental and other associated risks are well managed.

FINANCIAL IMPLICATIONS

There will be a cost involved in enforcement which will be covered through existing budget provisions.

LEGAL IMPLICATIONS

Enforcement will be carried out using existing legislative provisions as outlined in the report.

ATTACHMENTS

1. Circular No.13-05 Division of Local Government.

RECOMMENDATION

THAT the advice on Council Management of Camping in Public Places be noted.

**ITEM-14 ENVIRO - 18/03/13 - HOWARD AND SONS PYROTECHNICS
COMMUNITY LIAISON COMMITTEE****REPORT BY: A MUIR – GROUP MANAGER ENVIRONMENT AND DEVELOPMENT**

REFERENCE

Min No 12-470: Ordinary meeting of 17 December 2012
Min No 13-17: Ordinary meeting of 4 February 2013

SUMMARY

To recommend changes necessary to the Howard & Sons Pyrotechnics Community Liaison Committee Terms of Reference Document and also recommend community and company representation on the committee.

COMMENTARY

Council at its meeting of 4 February 2012 resolved that:

1. Council adopt the Terms of Reference for the Howard & Sons Pyrotechnics Community Liaison Committee.
2. The Mayor be appointed as Chairperson and Council's representative on the Committee.
3. The Deputy Mayor be appointed as the alternate Council representative on the Committee.
4. Nominations for community representatives on the Committee be submitted to Council for consideration after the closing date.

In relation to Item 1, Howard and Sons Pyrotechnics have advised that they fully support the establishment of the Community Liaison Committee as an opportunity for them to engage with the local community. They have requested that the Terms of Reference document for the committee be amended to reflect that Development Consent No.190/09 has not yet been activated by rewording reference to consent Condition No.83. It is also requested that the meetings be held on site.

These requests are considered reasonable. The consent has not yet been activated and therefore Condition No.83 is not legally enforceable. Meeting on site will allow the committee to view the facility if necessary. An amended Draft Terms of Reference document is attached for Council consideration.

The following nominations have been received for the three (3) community positions on the Community Liaison Committee and are submitted to Council for consideration pursuant to Item 4:

- Barry Dowsett, Willow Vale Road, Wallerawang
- Di Van Der Velden Wallerawang/Rydal Road, Wallerawang

- David Turnbull Willow Vale Road, Wallerawang
- Owen Mayne Willow Vale Road, Wallerawang
- Anthony Craig Malvern Street, Lithgow.

Each submission has been provided to Councillors for information.

Howard & Sons Pyrotechnics have nominated Christian Howard and Rachel Nicoll as their representatives on the committee. They have respectfully suggested that Council give preference to the community representatives being selected from residents living within the vicinity of the facility. They point out that these residents and occupiers are the most affected by the operations of the premises. This is consistent with the adopted terms of reference.

Given the provisions of the adopted terms of reference it is suggested that the following persons be selected to the Howards & Sons Pyrotechnics Community Liaison Committee:

Community Representatives

1. Barry Dowsett Willow Vale Road, Wallerawang
2. David Turnbull Willow Vale Road, Wallerawang
3. Owen Mayne Willow Vale Road, Wallerawang

Howard & Sons Pyrotechnics Representatives

1. Christian Howard
2. Rachel Nicoll

FINANCIAL IMPLICATIONS

Council will be providing administrative support to the committee.

ATTACHMENTS

1. The amended Draft Howard & Sons Pyrotechnics Community Liaison Committee Terms of Reference document.

RECOMMENDATION

THAT:

1. Council adopt the amended Terms of Reference for the Howard & Sons Pyrotechnics Community Liaison Committee.
2. Council accept the following nominations to the Howard & Sons Community Liaison Committee:

Community Representatives

- Barry Dowsett Willow Vale Road, Wallerawang
- David Turnbull Willow Vale Road, Wallerawang
- Owen Mayne Willow Vale Road, Wallerawang

Howard & Sons Pyrotechnics Representatives

- Christian Howard
- Rachel Nicoll

**ITEM-15 ENVIRO - 18/03/13 - NSW GOVERNMENT WASTE LESS RECYCLE
 MORE INITIATIVE**

REPORT BY: A MUIR – GROUP MANAGER ENVIRONMENT AND DEVELOPMENT

REFERENCE

NIL

SUMMARY

To advise Council of the release of the \$465.7 million *Waste Less, Recycle More* initiative that sets out the NSW Government's waste and recycling agenda over the next five years.

COMMENTARY

Correspondence was received from Robyn Parker MP, Minister for the Environment, NSW Government, dated 25 February 2013 announcing the initiative which has been developed in response to the recommendations of the independent KPMG review of the NSW Waste and Environment Levy. This levy requires many licensed waste facilities in NSW (currently not Lithgow) to pay a levy to the government for each tonne of waste received at a waste disposal facility. This currently varies from \$42.40 per tonne for Council's in what is known as the Regional Regulated Area (e.g. Blue Mountains) to \$95.20 for the Sydney Metropolitan Area.

A key theme identified by KPMG from the consultation process was the need to reform the funding programs to stimulate investment in infrastructure, education and the development of waste initiatives. The *Waste Less, Recycle More* package provides funding of \$465.7 million to be spent over five years on waste and recycling in NSW.

The package is the largest waste and resource recovery funding package in Australia that will help achieve the State's recycling targets, stimulate investment in infrastructure and combat illegal dumping and littering. Key funding programs include:

- \$250 million Waste and Recycling Infrastructure Package, that includes:
 - \$70 million to facilitate the establishment of community drop-off centres for problematic wastes
 - \$70 million to target the collection and re-processing of food waste from businesses and householders
 - \$60 million to stimulate investment in waste and recycling infrastructure to support levy paying communities
 - \$35 million to support businesses across NSW increase waste avoidance and resource recovery
 - \$15 million to support recyclers reduce residuals, increase their efficiencies and develop innovative recycling solutions and new markets

- \$137.7 million for local councils to develop fit-for-purpose local solutions for their communities, including \$20 million to support regional and rural councils with regional coordination, infrastructure planning and grants for landfill consolidation, closure and transfer stations
- \$58 million to combat illegal dumping through partnerships between the Environment Protection Authority, councils, the community and land owners
- \$20 million in funding for litter programs to ensure NSW has the lowest litter per capita

Other key outcomes of the KPMG review that have been adopted as part of the *Waste Less, Recycle More* initiative include:

- The release of a draft state-wide illegal dumping strategy for public consultation
- The release of a draft energy from waste policy for public consultation
- Establishment of an expert reference panel to advise on infrastructure
- A pilot program providing a levy rebate for the disposal of asbestos for home renovators
- Structural adjustment program to assist NSW metal shredders
- Reinstating an exemption of the levy payable on virgin excavated natural material disposed of at a landfill

In their report to the Government, KPMG made a recommendation to extend the waste levy across the State, exempting landfills that receive less than 5,000 tonnes per year. At this stage the Government has not adopted this recommendation and consultations will take place with councils likely to be affected by adopting this recommendation as part of a comprehensive review of the Protection of the Environment Operations (Waste) Regulation 2005 in 2013. The EPA will consult with councils affected by implementing this recommendation provide the Government with a report outlining stakeholder feedback.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL at this stage, however should it eventually be proposed to apply the levy to Lithgow's licensed landfills, Lithgow and Portland, the cost implications would be significant. These costs would have to be recovered from users of these facilities.

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Correspondence from Minister for the Environment dated 25 February 2013.

RECOMMENDATION

THAT:

1. The report on NSW Government Waste Less, Recycle More Initiative be noted.
2. Council strongly object to any proposal to impose the waste levy on the Lithgow Local Government Area and this position be conveyed to the Minister for the Environment.

OPERATION REPORTS

ITEM-16 OPER - 18/03/13 - WATER REPORT - FEBRUARY 2013

REPORT BY: I STEWART - GROUP MANAGER OPERATIONS

REFERENCE

Min No 13-56: Ordinary Meeting 25/02/13.

SUMMARY

This report provides an update on various water management issues as per Minute Number 13-56.

COMMENTARY

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

CURRENT DAM LEVELS FOR BOTH FARMERS CREEK AND OBERON

Farmers Creek Dam #2 capacity on Monday 4 March was 100%. Oberon Dam capacity on Monday 4 March was 89.5%

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
February	92	92	981

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
March	3,652	0	
February	3,283	0	567

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 February.

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. Four 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.

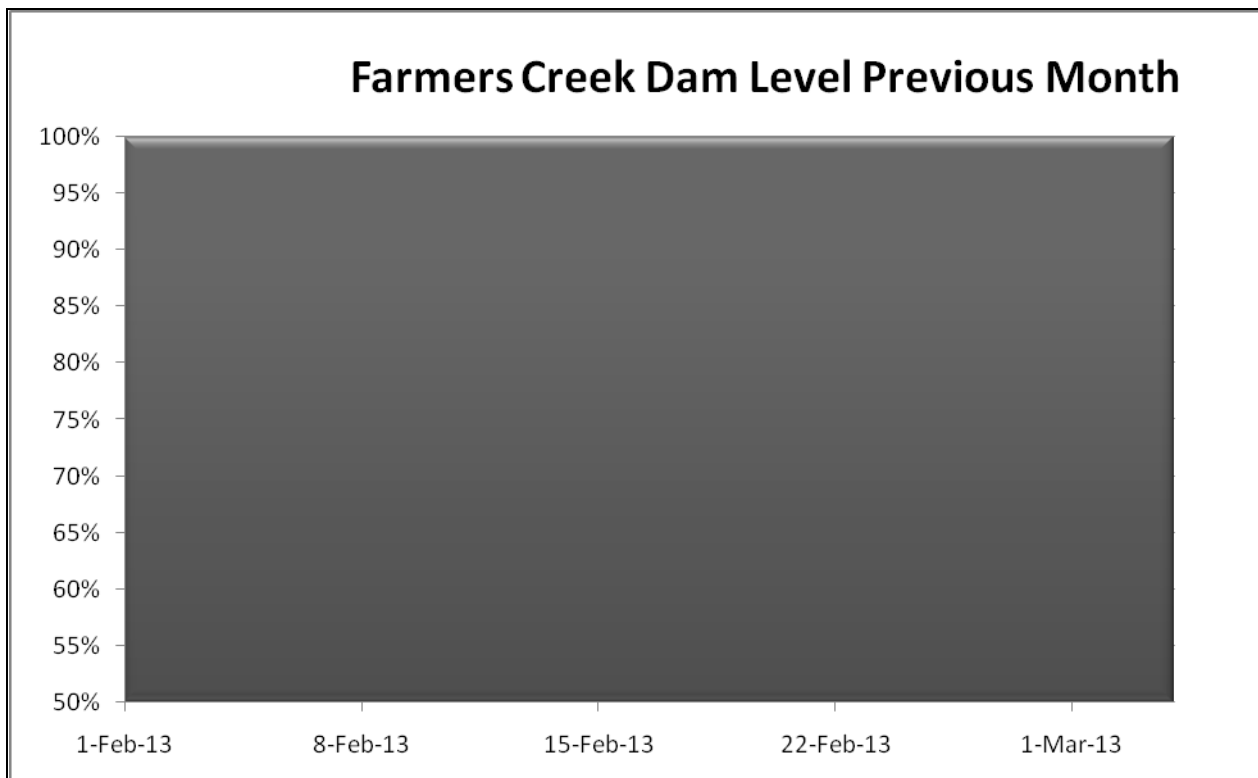
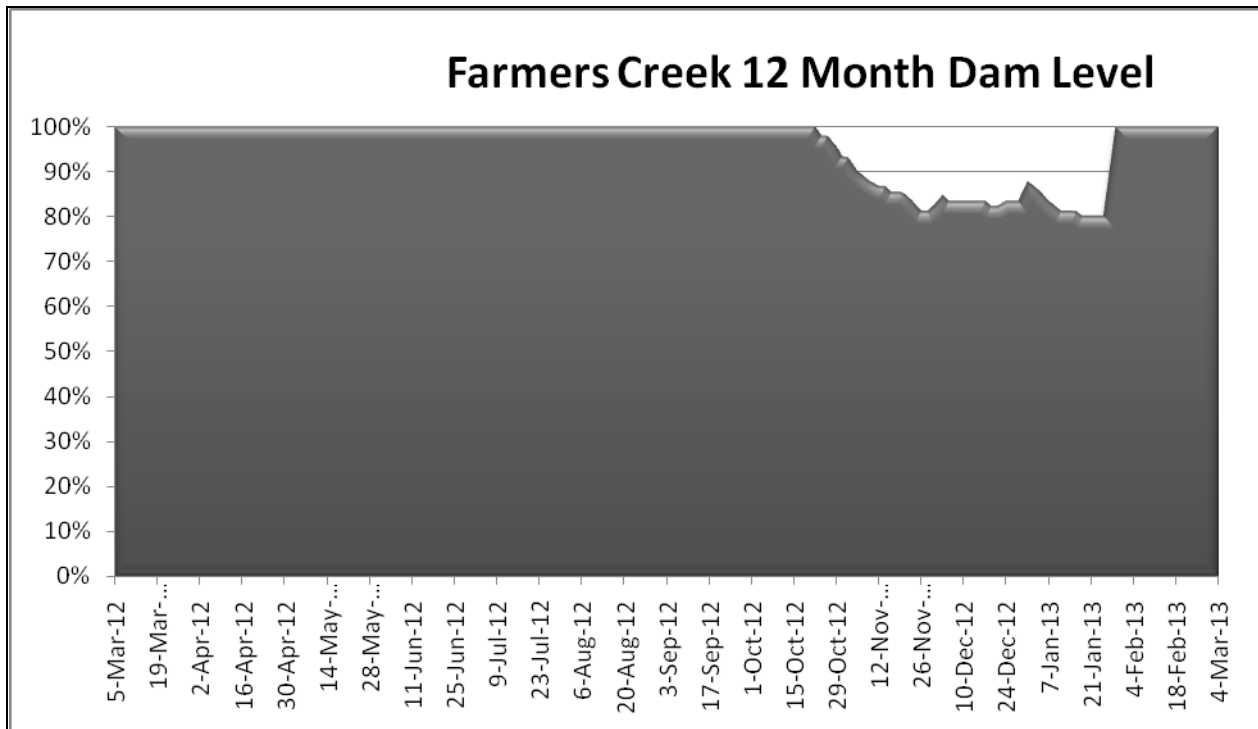
WATER SAVING SCHEMES OR PROCESSES UPDATE

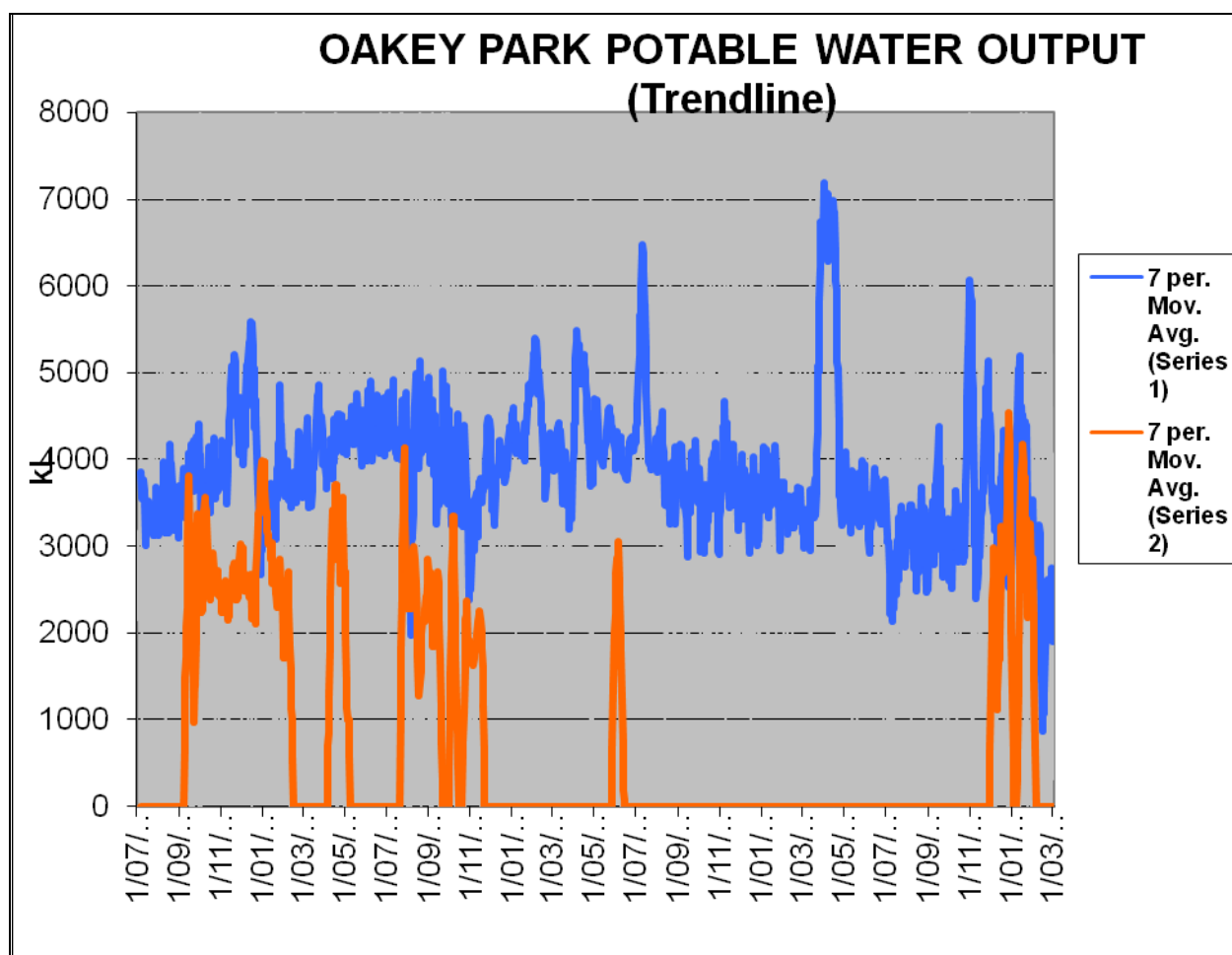
Council's Rainwater Tank and Domestic Appliance Rebate Program continued in February with Council approving one application for a household appliance rebate and no applications for a water tank rebate.

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





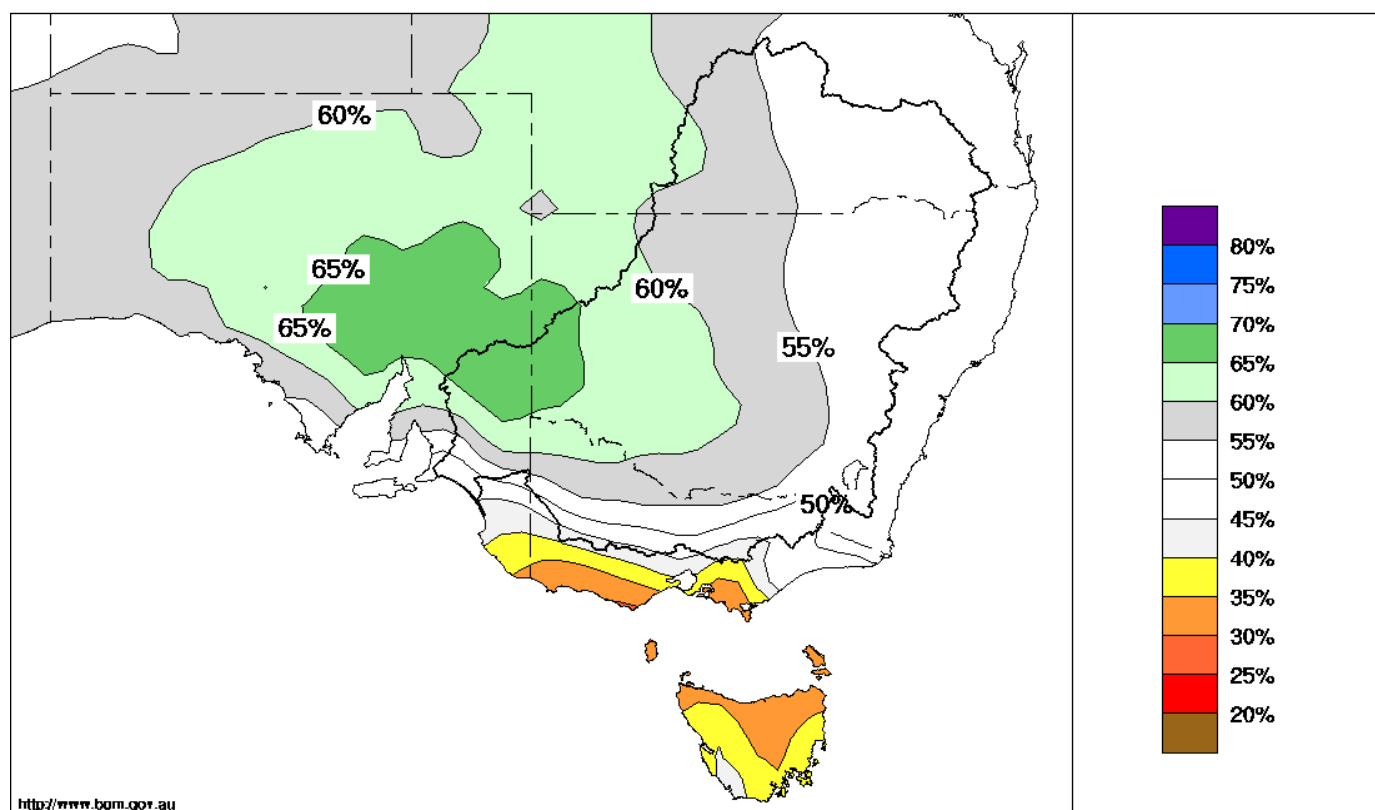
The southeast Australian outlook for March to May 2013 indicates that:

- a wetter than normal season is likely for much of SA and western NSW
- a drier than normal season is likely for Tasmania and southern Victoria.

Outlook skill is low at this time of year over much of southeast Australia; users should exercise caution when using this outlook in areas of low skill. This outlook is predominately a result of warmer than normal waters in the Indian Ocean; near normal temperatures in the tropical Pacific Ocean had less of an impact on this forecast.

Chance of exceeding the median Rainfall March to May 2013

Product of the National Climate Centre

**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-17 OPER - 18/03/13 - WESTERN NEW SOUTH WALES REGIONAL AND LOCAL ROAD PLAN

REPORT FROM: I STEWART - GROUP MANAGER OPERATIONS

SUMMARY

This report advises Council on the development of a Western New South Wales Regional and Local Road Plan and initiatives to develop a similar road plan and for Council areas outside of Western New South Wales.

COMMENTARY

Correspondence has been received from the Honourable Kevin Humphries MP Minister of the Western New South Wales, advising of the creation of a Western New South Wales regional and local road plan. A number of Councils of Western New South Wales contributed to the plan and over 100 road projects were submitted by these Councils for review by an established project group. Out of 100 road projects submitted, 40 routes were considered to have regional and national significance by creating strategic links and supporting productivity. These routes were subsequently prioritised and due to the success of the development of the regional and local road plan, the Minister is suggesting that for those Councils outside Western New South Wales, a similar approach be adopted. He is requesting that the Council indicate it's willingness to become involved in the development of a similar plan being Phase two of the New South Wales Regional Plan Network.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. The correspondence and a copy of the regional and local road plan.

RECOMMENDATION

THAT Council indicate its willingness to the Honourable Kevin Humphries MP Minister of Western New South Wales to become involved in a development of Phase two of a Regional and Local plan for those Councils not incorporated in the Western New South Wales Plan.

**ITEM-18 OPER - 18/03/13 - TRANSFER OF CROWN PUBLIC ROAD TO
LITHGOW CITY COUNCIL - RYDAL**

REPORT FROM: I STEWART - GROUP MANAGER OPERATIONS

SUMMARY

This report seeks approval from Council for the transfer of an unformed Crown Public Road at Rydal to Lithgow City Council.

COMMENTARY

Historically, any developments that require the upgrade of an existing Crown Road in order to provide vehicular property access to a property or lot, have resulted in Council becoming responsible for the access in the form of a public road.

In order to provide vehicular access to approved Lot 10 DP 1001275, as created under DA010/08, the applicant is required to construct the unformed section of Meadow Street Rydal being approximately 250 meters in length to Council design and construction specifications. This will require the dedication of the unformed section of Meadow Street as a public road under Council's care and control, and the transfer of ownership of the road from The Crown to Council.

The applicant has provided Council with written advice from the NSW Department of Trade and Investment that states that "the Crown will be willing to accept transfer of the road back to the Crown, after the expiration of your term of development consent, providing that no works have been commenced". Therefore, if the road ownership is transferred to Council, and the applicant does not construct the road, as per conditions of Development Consent, the Crown will then accept road ownership.

The NSW Department of Trade and Investment have advised that the transfer fee of \$220 normally applicable to such applications shall be waived.

ATTACHMENTS

1. Map detailing location of the Crown Road
2. Written advice from NSW Department of Trade and Investment

RECOMMENDATION

THAT:

1. Council agree to the transfer of ownership of the unformed section of Meadow Street Rydal from the Crown to Council
2. Council approve of the Mayor and the General Manager to affix the Council Common Seal of Approval and undertake signing of legal documents for the land transfer.

ITEM-19 OPER - 18/03/13 - NATURAL DISASTER DECLARATION**REPORT FROM: I STEWART - GROUP MANAGER OPERATIONS**

REFERENCE

NIL

SUMMARY

To advise Council of two natural disaster declarations for the Lithgow LGA. These are a result of the recent bushfire event in the Doctors Gap area and flooding from the recent storm events. Advice has been received from the Federal Minister for Emergency Management Mark Dreyfus and the New South Wales Minister for Emergency Services Michael Gallagher have announced that Lithgow is included in a number of areas which are eligible for disaster assistance following the bush fires across New South Wales and the recent storm events along the eastern seaboard of New South Wales.

COMMENTARY

The declaration of the Lithgow LGA as a Natural Disaster Area triggers a number of disaster assistance schemes to assist with the costs of disaster relief and recovery. These disaster assistance schemes have been made available by the New South Wales Government through the New South Wales Disaster Assistance Arrangements and are supported by the Commonwealth Government through the Natural Disaster Relief and Recovery arrangements. The natural disaster declaration recently made in relation to bushfires brings the total to 71 local government areas.

Advice has also been received in regards to an application made by Council for a natural disaster declaration following the recent storm events. The Federal Emergency Minister has announced that Lithgow will be included in the Natural Disaster Declaration. This again will trigger substantial funds to be made available to Council to restore damaged infrastructure.

At this stage an estimate of \$800,000 has been submitted to the Minister of Emergency Services and Police Services for flood damage restoration and is anticipated this amount may increase as additional flood/storm damage is assessed.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

Grants are available to meet 100 per cent of eligible emergency works and 75% of eligible restoration works up to \$116,000 with 100% cost recovery beyond this level. Council will be required to fund \$29,000 of the approved restoration programme.

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. NSW Natural Disaster Assistance Schemes Details
2. Media release from the Minister for Police and Emergency Services

RECOMMENDATION

THAT:

1. Council's financial contribution of \$29,000 to the cost of flood damage restoration be provided in the next financial review;
2. The declaration of the Lithgow LGA as a natural disaster area for the recent bushfire event and storm event be noted.

COMMUNITY AND STRATEGY REPORTS

ITEM-20 **COMM - 18/03/13 - DRAFT TOURISM STRATEGY-DESTINATION MANAGEMENT PLAN**

REPORT FROM: K BARROW - TOURISM MANAGER

REFERENCE

Min No 11-217: Ordinary Meeting of Council 10 May 2011
Min No 11-413: Ordinary Meeting of Council 10 October 2011
Min No 11-509: Ordinary Meeting of Council 22 November 2011

SUMMARY

This report tables the draft Tourism Strategy/Destination Management Plan and recommends that it be placed on exhibition for public comment

COMMENTARY

In 2007 the Council adopted its Strategic Plan 2007. This followed extensive consultation with the community and it identified the need to undertake further strategic planning initiatives that would better inform future planning for the Lithgow Local Government Area. These initiatives included preparing such plans as a Social Plan, Cultural Plan, Economic Development Strategy, Land Use Strategy, new Local Environmental Plan, Water and Sewerage Business Plans and a Tourism Strategy.

As of 2009, all Councils in NSW were required to adopt an integrated approach to planning with this articulated through a Community Strategic Plan. The Community Strategic Plan integrates social, environmental and economic issues within an improved governance and performance management framework. The Tourism Strategy/Destination Management Plan will inform the Community Strategic Plan and subsequent delivery programs.

In late 2012, the Visitor Economy Industry Action Plan was released by the NSW Government Trade and Investments. The action plan highlights as a Year 1 deliverable, a Destination Management Planning System for NSW, requiring plans to be developed for tourism precincts involving government, the industry and the community. These plans will be a requirement to secure future funding from the State Government. The purpose of the Tourism Strategy/Destination Management Plan is to provide Lithgow City Council, government agencies, tourism organisations, the tourism industry and associated businesses, with a comprehensive framework to guide the development of tourism within the Lithgow LGA. In particular, the Plan focuses on:

- Product and market development opportunities and how they can be realized.

- Determining the tourism infrastructure, facilities and services needed to meet the existing and likely future needs and expectations of visitors to the LGA.
- Gaps in supply of products and infrastructure.
- The implications for land use planning.

This document was prepared by Lithgow City Council as a Tourism Strategy/ Destination Management Plan for the Lithgow Local Government Area with the assistance of Jenny Rand and Associates.

The strategy was developed with the input from a range of stakeholders including the Council's Tourism Advisory Committee, Economic Development Committee, business groups and associations, event organisers, local Aboriginal Community, Destination NSW, Blue Mountains, Lithgow and Oberon Regional Tourism, National Parks and Wildlife Services, Forest NSW, Trade and Investment, Tourism Managers from surrounding LGA's , Touring Routes Committees, community representatives, Council staff and individual businesses

A series of five workshops for key stakeholders were held throughout the LGA including Lithgow, Hartley, Rydal, Portland and Capertee Valley. Participants included tourism operators, local businesses, event co-ordinators, National Parks representatives and community representatives.

The Tourism Strategy is divided into four parts:

Part 1 - Overview: Provides an introduction to Lithgow City Local Government Area, an overview of the tourist attractions, facilities and services available within the LGA, identifies key stakeholders responsible for the provision of tourism products and infrastructure and summarises the planning framework at National, State, Regional and Local level that has implications for tourism planning.

Part 2 - Visitation & Visitor Markets: Provides an overview of the economic significance of the tourism sector Australia-wide, the level and characteristics of visitation to the Blue Mountains, Lithgow and Oberon Tourism Region and to Lithgow City and surrounding LGAs, a breakdown of the mix of visitors to the different localities within the Lithgow LGA, information on changes in the marketplace as a result of attitudinal and generational change, and the impacts of changes in technology on the way travellers source information and book travel.

Part 3 - Tourism Sector Analysis: This section of the Tourism Strategy audits and assesses the presentation and product and infrastructure base of the localities (towns, villages, rural areas and highway corridors) within the LGA, the attractions and activities available and potentially available for visitors, the performance and potential of the events sector to grow visitation, the accommodation available, and the suitability of the services and infrastructure available to support tourism. Issues and constraints impacting on tourism and opportunities for product diversification, improvement and growth are identified and discussed. The information provided in Part 3, is presented by both locality and sector. The locality information (Chapter 8) provides an assessment of the tourism development potential of the key localities within the LGA and provides Council and the individual communities with a blue-print for moving forward.

Part 4 - Tourism Development Strategy (Destination Management Plan): Part 4 provides the Strategic Planning Framework, including the vision and directions for coordinating tourism development in the City, and the strategies and actions to develop and manage the destination and facilitate growth.

The Draft Tourism Strategy/Destination Management Plan was presented to the Tourism Advisory Committee at the meeting held on 5 March 2013. The committee supported the presentation of the draft to Council for resolution to be placed on public exhibition.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Draft Tourism Strategy/ Destination Management Plan

RECOMMENDATION

THAT Council:

1. Approve the Draft Tourism Strategy/Destination Management Plan for public exhibition for a period of 28 days and seek public comment.
2. Note that the outcomes of the public exhibition period including comments from the public will be the subject of a further report to Council.

FINANCE REPORTS

**ITEM-21 FINAN - 18/03/13 - COUNCIL INVESTMENTS HELD TO 28
 FEBRUARY 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
- Min 13-66: Investments as at 31 Jan 2013

SUMMARY

To advise Council of investments held as at 28 February 2013 in the 2012/13 financial year.

COMMENTARY

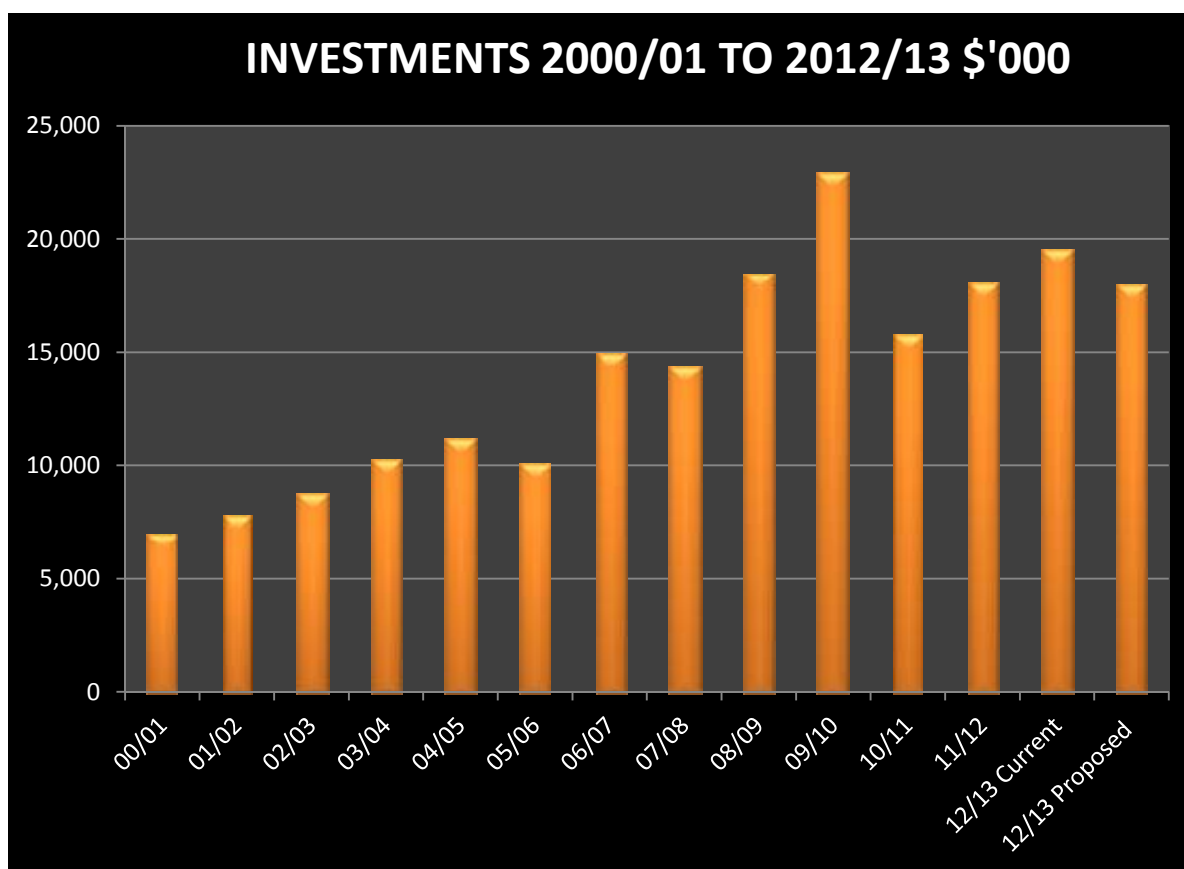
Council's total investment portfolio, as at 28 February 2013 when compared to 31 January 2013, has increased by \$1,036,813.77 from \$18,505,902.26 to \$19,542,716.03

INVESTMENT REGISTER 2012/13								
INSTITUTION	INV TYPE	DATE LOGGED	DATE DUE	DAYS	INT	VALUE 31.01.13	VALUE 31.01.13	% OF TOTAL
ANZ	TD	10.12.12	11.03.13	91	4.60	858,516.48	858,516.48	4.39%
	TD	10.12.12	11.03.13	91	4.06	511,469.14	511,469.14	2.62%
	TD	26.02.13	27.05.13	90	3.78	511,156.92	516,589.19	2.64%
	TD	04.12.12	04.03.13	90	4.07	1,011,712.33	1,011,712.33	5.18%
CBA	On Call				2.95	1,544,262.67	1,547,757.36	7.92%
	TD	01.02.13	05.03.13	32	4.01	1,000,000.00	1,000,000.00	5.12%
	TD	11.02.13	13.03.13	32	4.03	0.00	1,000,000.00	5.12%
IMBS	TD	25.01.13	26.04.13	91	4.50	1,000,000.00	1,000,000.00	5.12%
	TD	25.01.13	26.04.13	91	4.50	500,000.00	500,000.00	2.56%
NAB	TD	03.12.12	.03.03.13	90	4.51	1,147,050.01	1,147,050.01	5.87%
	TD	25.01.13	25.04.13	90	4.33	1,055,780.59	1,055,780.59	5.40%
	TD	10.12.12	10.03.13	90	4.65	512,404.76	512,404.76	2.62%
WESTPAC	TD	07.01.13	09.04.13	91	4.13	600,696.51	600,696.51	3.07%
	TD	30.11.12	29.05.13	179	4.51	1,209,871.74	1,209,871.74	6.19%
	TD	09.01.13	09.04.13	90	4.14	263,666.68	263,666.68	1.35%
	TD	12.12.12	14.03.13	91	4.41	1,024,954.80	1,024,954.80	5.24%
	TD	05.09.12	05.03.13	180	4.90	500,000.00	500,000.00	2.56%
ST GEORGE	On Call				3.50	21,510.27	21,510.27	0.11%
	TD	04.02.13	06.05.13	92	3.84	549,662.47	551,324.41	2.82%
	TD	19.10.12	19.04.13	180	4.00	882,288.54	882,288.54	4.51%
	TD	12.10.12	12.04.13	182	4.47	524,496.33	524,496.33	2.68%

	TD	11.02.13	13.05.13	91	3.84	518,803.81	531,520.33	2.72%
	TD	19.11.12	24.05.13	186	4.42	522,553.92	522,553.92	2.67%
	TD	25.01.13	25.03.13	60	3.68	505,482.19	505,482.19	2.59%
SUNCORP	TD	07.02.13	07.06.13	120	4.30	1,204,335.49	1,217,843.84	6.23%
	TD	21.01.13	22.04.13	91	4.40	525,226.61	525,226.61	2.84%
			TOTAL			18,505,902.26	19,542,716.03	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 28 February 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 28 February 2013 is \$432,683.52 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 \$19,542,716.03 for the period ending 28 February 2013 be noted.

ITEM-22 FINAN - 18/03/13 - REQUEST FROM LITHGOW GREYHOUND RACING CLUB FOR RELIEF WITH WATER AND SEWERAGE USAGE ACCOUNTS

REPORT FROM: C FARNSWORTH - FINANCE MANAGER

REFERENCE

NIL

SUMMARY

The purpose of this report is to advise Council of correspondence received from the Lithgow Greyhound Racing Club with regard to a request for relief from water and sewerage usage accounts. A recommendation is included that Council offer assistance to the Club to implement alternative methods to conserve water.

COMMENTARY

Council is in receipt of correspondence from the Lithgow Greyhound Racing Club as follows:

“The Committee of the Lithgow Greyhound Racing Club would like to ask Lithgow City Council if it is at all possible to receive some relief from our water and sewerage rates.

We are a non profit sporting organisation and have conducted greyhound racing in Lithgow since the early 1930’s. Up until the early 70’s it was a grass track. Then our head body decided that it would be easier for the greyhound to race on loam, which requires a lot more water to keep a solid surface for racing. At that time the Club had a bore installed, but it has since run dry.

We are one of a handful of tracks in NSW that own their own grounds. The others are owned by Councils and Show Societies. Since it’s inception it has been owned by the members, all of who are locals. Lithgow Workman’s Club Soccer Club used the centre for their home games and the ground is also used by the local schools for some soccer matches. The Workman’s Club have used the centre for their New Years fireworks display and also some children’s parties at Christmas.

We race 38 Saturdays during the year, of which GRNSW provide the prize money, which is all it can be used for, not to help the Club defray other costs. The Club has to generate the funding for the race day staff, upkeep of the track and outgoings including water, gas and electricity. This is done by our gate receipts, bar, trials using mostly voluntary labour, however it is becoming harder to maintain, this is why we are asking if it is at all possible for Council to assist the Club.

The following table shows water consumption and accounts charged to the Lithgow Greyhound Racing Club for the past six water / sewerage usage readings:

LITHGOW GREYHOUND RACING CLUB LTD			
Date	Consumption Kls	Water Usage	Sewerage Usage
01.10.11	267	\$736.92	\$311.99
10.02.12	146	\$402.96	\$170.60
07.05.12	507	\$1,399.32	\$592.43
09.08.12	205	\$565.80	\$239.54
21.11.12	457	\$1,261.32	\$603.47
14.02.12	606	\$ 1,672.56	\$800.23
Average A/c	365	1,006.48	453.04

The average consumption is 365 Kls per quarter, water \$1,006.48 and \$453.04 sewerage usage (sewerage usage is charged at 95% of water consumed).

Council will be is sympathetic to the plight of the Lithgow Greyhound Racing Club but at the same time it must consider water and sewerage usage charged to the community at large.

As Council is aware we are currently in the process of determining the 2013/14 Operational Plan and Delivery Program, and as part of the process Council determines appropriate charges for water and sewerage usage, whilst still allowing for ongoing recurrent maintenance, and providing sufficient capital expenditure to renew an aging infrastructure.

By providing relief to one organisation a precedent may be created for numerous organisations, such as child care centres, aged care facilities, schools and other sporting bodies to all to make representation for relief of water and sewerage charges.

At the meeting of 26 November 2012 Council considered a request from the residents of Treeview Estate to restructure the 2012/13 water pricing structure of 42 units existing units, and 140 proposed units, so that all water consumed on the site would be charged a flat rate of \$2.70. It was noted that only one access fee of \$125 is charged for the entire property.

Under Council's current water pricing structure, adopted in the 2012-13 Operational Plan and Delivery Program signal title properties, which includes Treeview, are charged a single water access fee of \$125.00, water consumed is billed at \$2.70 per KI for the first 250kl and \$4.20 per KI for water consumed above 250kl.

As previously indicated Council is sympathetic to the Lithgow Greyhound Racing Club's dilemma but to set a precedent on this occasion would open the avenue for many local organisations to request a reduction of water and sewerage usage charges and both Council's recurrent and capital programs will decline.

On this occasion it is suggested that Council provide assistance to the Club as follows:

- Provide expert advice with regard to conserving water consumption through education (it is noted that season water consumption varies from 146 Kls to 606Kls, an average of 365Kls per account)
- Provide assistance to the Club to complete and lodge grant applications, seeking funds for the purchase and installation of rain water tanks.
- (Rain water harvesting will allow water to be reused on the track, field and surrounding grass areas).
- Make enquiries of the Greyhound Racing Club if appropriate user pay charges are in place for users of the inner field area
- Allow the Club to enter into an arrangement to make payments evenly across the financial year
- Investigate the installation of a 'magna meter' which will accurately register the outflow of water into Council's sewerage infrastructure and therefore sewerage usage will be accurately charged.

(Explanation: Sewerage usage, outflow, is charged on all business properties, as per Office of Water Guidelines, at 95% of water usage. Should exact sewerage output be determined, by the installation of a 'magna meter', Council's Water Meter Reader will read the meter each quarter and the exact discharge will be billed. It should be noted the cost to install a magna meter is not known.)

POLICY IMPLICATIONS

2012 – 2013 Operational Plan & Delivery Program: Water Pricing / Water Financial Plan
2013 – 2014 Draft Operational Plan & Delivery Program: Water Pricing / Water Financial Plan

FINANCIAL IMPLICATIONS

2012 – 2013 Operational Plan & Delivery Program: Water Pricing / Water Financial Plan
2013 – 2014 Draft Operational Plan & Delivery Program: Water Pricing / Water Financial Plan

LEGAL IMPLICATIONS

Compliance with the Local Government Act 1993
Compliance with Department of Water & Energy's 'Best Practice Management of Water Supply and Sewerage'

RECOMMENDATION

THAT:

1. The Lithgow Greyhound Racing Club Ltd be advised that due to policy Council cannot alter current or future water & sewerage usage accounts
2. Council suggest water saving strategies which may allow the Club to reduce water consumption & access State and / or Federal grant funds

COMMITTEE MEETINGS

ITEM-23 OPER - 180313 - SPORTS ADVISORY COMMITTEE MEETING MINUTES - 26 FEBRUARY 2013.doc

REPORT FROM: I STEWART - GROUP MANAGER OF OPERATIONS

SUMMARY

This report details the Minutes of the Sports Advisory Committee Meeting held on Tuesday, 26 February 2013 for Council adoption.

COMMENTARY

At the Sports Advisory Committee Meeting held on Tuesday, 26 February 2013 there were a number of items discussed by the Committee, with all items being actioned under the Committee's delegated authority, and requiring Council to note the items.

Items discussed included:

- Business Arising from the minutes:
 - Tony Luchetti Sportsground Scoreboard to be funded
 - Media releases and informative flyers for Reg Cowden Awards
- Financial Assistance Requests
- 2012 LJ Hooker Reg Cowden Memorial Sports Star of the Year Awards
- Booking requests include:
 - Lithgow High School Sports
 - St Patricks School (Athletics carnival, development days and trial days)
 - Lithgow Swimming Club (club championships)
 - Lithgow District Cricket Association (Brian Sharp Knock out)
 - Easter Festival Committee
 - NRL Game Development (Peachy Competition)
 - Ant Fitness (Fun Run/ Walk)
 - Wallerawang Public School (Athletics Carnival)
 - M.E.T Mount Victoria Campus (Athletics Carnival)
 - Lithgow District Football Association (2013 season)
- Queanbeyan Sporting Challenge invitation
- Members of the Sports Advisory Committee
- Reg Cowden Awards selection criteria and community feedback
- Inspection checklists
- Sport and recreation assistance programs

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS
NIL

ATTACHMENTS

1. Minutes of the Sports Advisory Committee Meeting held on Tuesday, 26 February 2013.

RECOMMENDATION

THAT Council notes the minutes of the Sports Advisory Committee Meeting held on Tuesday 26 February 2013.

ITEM-24 OPER - 18/03/13 - TRAFFIC AUTHORITY LOCAL COMMITTEE MEETING MINUTES - 31 JANUARY 2013

REPORT FROM: I STEWART - GROUP MANAGER OF OPERATIONS

SUMMARY

This report details the Minutes of the Traffic Authority Local Committee Meeting held on 31 January 2013.

COMMENTARY

At the Traffic Authority Local Committee held on 31 January 2013, there were several items discussed by the Committee.

1. Business arising from the previous minutes.
 - B-double route assessments increased tonnage- various routes Lithgow LGA
2. Ongoing business from previous meeting held on 15 November 2012.
 - Request for extended access-higher mass limit on Oakey Forest Road Marrangaroo
 - Main Street laneway- traffic issues/ review of the lane from the rear of the Grand Central Hotel through to the rear of the Courthouse Hotel
 - Review of parking zones- Main Street Lithgow
 - Request for temporary taxi zone adjacent to the Courthouse Hotel Main Street Lithgow
3. New Business
 - Crossing of the Blue Mountains Bicentennial Blue Wave route and schedule
 - Camp Quality Tractor Trek
 - Mount York Heritage Conservation Reserve proposed signage plan for Lithgow Council
 - Traffic control measures- safety concerns Black Bridge Wallerawang
 - Bells Road Lithgow- request for speed humps
 - Lithgow Triathlon
4. General Business
 - Ironfest Traffic Management
 - The Big Ride for Parkinson's

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Minutes from the Traffic Authority Local Committee meeting of 31 January 2013

RECOMMENDATION

THAT Council notes the minutes of the Traffic Authority Committee held on 31 January 2013.

**ITEM-25 OPER - 18/03/13 - AQUATIC CENTRE COMMITTEE MEETING
MINUTES - 21 FEBRUARY 2013**

REPORT BY: I STEWART - GROUP MANAGER OPERATIONS

SUMMARY

This report details the minutes of the Aquatic Centre Committee Meeting held on Thursday 21 February 2013.

COMMENTARY

At the Aquatic Centre Committee meeting held on 21 February 2013, with a number of items discussed by the committee, including:

1. Proposed softfall installation
2. CEEP solar heating project (50m Pool)
3. Solar heating for splashpark
4. RDA and LIRS funding applications
5. Outstanding contractual issues
6. Road and parking works
7. Delta Electricity letter regarding future sponsorship
8. Community requests
9. Opinion of cost and preparation of detailed plans for stages 2&3
10. Splashpark slip hazard
11. NSW Health letter of support

All above items were actioned under the delegation of the committee.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

Council is required to match dollar for dollar the CEEP grant thus requiring a contribution of \$55231 .including GST

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Minutes from the Aquatic Centre Committee meeting of 21 February 2013

RECOMMENDATION

THAT:

1. Council note the Minutes of the Aquatic Centre Working Party Meeting held on 21 February 2013;
2. Council engage Heliocol Solar Pty Ltd to install solar heating for the 50 meter pool at the quoted price of \$110462 inc GST; and
3. Council approve a vote of \$55,231 as its contribution to the solar heating of the 50 metre pool, to be funded from budget variations in the March financial review.

**ITEM-26 COMM - 18/03/13 - TOURISM ADVISORY COMMITTEE MEETING
MINUTES - 5 MARCH 2013**

REPORT BY - K BARROW – TOURISM MANAGER

REFERENCE

Min No 11-217: Ordinary Meeting of Council 10 May 2011
Min No 11-413: Ordinary Meeting of Council 10 October 2011
Min No 11-509: Ordinary Meeting of Council 22 November 2011

SUMMARY

This report details the Minutes of the Tourism Advisory Committee Meeting held on 05 March 2013

COMMENTARY

At the Tourism Advisory Committee held on 05 March 2013, there were a number of items discussed by the Committee.

- Election of Chairperson
- Election of Deputy Chairperson
- Election of Committee Member to the BMLot Board
- Committee Terms of Reference
- Code of Conduct
- Draft Tourism Strategy/ Destination Management Plan
- TASAC – Tourist Drives 1&2
- Upcoming Projects
- Tourism Manager's Report.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Minutes from the Tourism Advisory Committee meeting of 05 March 2013
2. Draft Tourism Strategy/Destination Management Plan

RECOMMENDATION

THAT Council:

1. Notes the minutes of the Tourism Advisory Committee held on the 05 March 2013.
2. Nominates Ms Kellie Barrow as Lithgow Tourism Advisory Committee representative on the BMLot Board.

ITEM-27 COMM - 18/03/13 - YOUTH COUNCIL MINUTES - 26 FEBRUARY 2013

REPORT BY: M JONES - COMMUNITY DEVELOPMENT OFFICER

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
Min – 13-69:	Ordinary Meeting of Council 25 February 2013

SUMMARY

This report reports on the minutes of the Youth Council meeting held on 26 February 2013.

COMMENTARY

At the Youth Council meeting held on 26 February 2013 various items were discussed by the committee. Matters of interest include:

- Development of sporting scholarships for disadvantaged young people.
- Youthweek 2013 events.

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 26 February 2013.

RECOMMENDATION

THAT Council notes the minutes of the Youth Council meeting held 26 February 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.*