



A CENTRE OF REGIONAL EXCELLENCE

AGENDA

ORDINARY MEETING OF COUNCIL

TO BE HELD AT

THE ADMINISTRATION CENTRE, LITHGOW

ON

30 SEPTEMBER 2013

AT 7.00pm

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# AGENDA

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## **ACKNOWLEDGEMENT OF COUNTRY**

## **APOLOGIES**

## **PRESENT**

## **CONFIRMATION OF THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 9 SEPTEMBER 2013**

## **DECLARATION OF INTEREST**

## **PUBLIC FORUM**

## **PRESENTATIONS - NIL**

## **MAYORAL MINUTES - NIL**

## **NOTICES OF MOTION**

Waiving the Water Charges for Lithgow Greyhound Racing Track until 30 June 2014 -  
Councillor Inzitari

Eskbank House Boundary Fence - Councillor C Hunter

## **NOTICE OF RECISSIONS - NIL**

## **CORRESPONDENCE AND REPORTS**

General Managers Reports

Environment and Development Reports

Operation Reports

Community and Strategy Reports

Finance Reports

## **COMMITTEE MEETINGS**

Howard & Sons Pyrotechnics Pty Ltd Community Liaison Committee - 28 August 2013

Meadow Flat Hall Management Committee - 29 August 2013

Youth Council Committee- 30 July and 27 August 2013

Blue Mountains Crossing Bicentenary Committee - 4 September 2013

Traffic Advisory Local Committee - 5 September 2013

Aquatic Centre Committee Meeting - 11 September 2013

Tourism Advisory Committee - 17 September 2013

Crystal Theatre Management Committee - 18 September 2013

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## **REPORTS FROM DELEGATES**

Centroc Meeting - 22 August 2013

## **BUSINESS OF GREAT URGENCY**

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

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# TABLE OF CONTENTS

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<u>ITEM</u>	<u>TITLE</u>	<u>PAGE</u>
	<u>NOTICE OF MOTIONS</u>	<u>1</u>
<u>ITEM-1</u>	<u>NOTICE OF MOTION - 30/09/13 - WAIVING THE WATER CHARGES FOR LITHGOW GREYHOUND RACING TRACK UNTIL 30 JUNE 2014 - COUNCILLOR F INZITARI</u>	<u>1</u>
<u>ITEM-2</u>	<u>NOTICE OF MOTION - 30/09/13 - ESKBANK HOUSE BOUNDARY FENCE - COUNCILLOR C HUNTER</u>	<u>3</u>
	<u>GENERAL MANAGERS REPORTS</u>	<u>4</u>
<u>ITEM-3</u>	<u>GM - 30/09/13 - CODE OF MEETING PRACTICE</u>	<u>4</u>
<u>ITEM-4</u>	<u>GM - 30/09/13 - COUNCIL MEETING SCHEDULE FOR 2014</u>	<u>9</u>
<u>ITEM-5</u>	<u>GM - 30/09/13 - LITHGOW INDUSTRIAL HERITAGE PARK PRECINCT WORKING PARTY</u>	<u>12</u>
<u>ITEM-6</u>	<u>GM - 30/09/13 - REVIEW OF POLICY 9.9 PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO COUNCILLORS</u>	<u>14</u>
	<u>ENVIRONMENT AND DEVELOPMENT REPORTS</u>	<u>17</u>
<u>ITEM-7</u>	<u>ENVIRO - 30/09/13 - SWIMMING POOL BARRIER INSPECTION PROGRAM</u>	<u>17</u>
<u>ITEM-8</u>	<u>ENVIRO - 30/09/13 - CENTENNIAL COAL'S WESTERN COAL SERVICES PROJECT, BLACKMANS FLAT</u>	<u>20</u>
<u>ITEM-9</u>	<u>ENVIRO - 30/09/13 - DA171/13 - PROPOSED LED SIGN ON EXTERNAL WALL, GREAT WESTERN HIGHWAY LITHGOW NSW 2790.doc</u>	<u>22</u>
	<u>OPERATION REPORTS</u>	<u>24</u>
<u>ITEM-10</u>	<u>OPER - 30/09/13 - WATER REPORT - AUGUST AND SEPTEMBER 2013</u>	<u>24</u>
<u>ITEM-11</u>	<u>OPER - 30/09/13 - LITHGOW CITY COUNCIL AND DELTA ELECTRICITY - LAND EXCHANGE</u>	<u>27</u>
	<u>COMMUNITY AND STRATEGY REPORTS</u>	<u>29</u>
<u>ITEM-12</u>	<u>COMM - 30/09/13 - LITHGOW WAR MEMORIAL</u>	<u>29</u>
<u>ITEM-13</u>	<u>COMM - 30/09/13 - PRIVATISATION OF THE VISITOR CENTRE</u>	<u>31</u>
	<u>FINANCE REPORTS</u>	<u>37</u>
<u>ITEM-14</u>	<u>FINAN - 30/09/13 - DRAFT 2012/13 GENERAL PURPOSE FINANCIAL REPORTS</u>	<u>37</u>

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<u>ITEM-15</u>	<u>FINAN - 30/09/13 - SUCCESSFUL PROSECUTION FOR AN ILLEGAL WATER CONNECTION HILLCREST ESTATE</u>	<u>45</u>
<u>COMMITTEE MEETINGS</u>		<u>47</u>
<u>ITEM-16</u>	<u>ENVIRO - 30/09/13 - HOWARD &amp; SONS PYROTECHNICS PTY LTD COMMUNITY LIAISON COMMITTEE MEETING MINUTES - 28 AUGUST 2013</u>	<u>47</u>
<u>ITEM-17</u>	<u>ENVIRO - 30/09/13 - CRYSTAL THEATRE MANAGEMENT COMMITTEE MINUTES - 18 SEPTEMBER 2013</u>	<u>49</u>
<u>ITEM-18</u>	<u>ENVIRO - 30/09/13 - MEADOW FLAT HALL MANAGEMENT COMMITTEE MINUTES - 29 AUGUST 2013</u>	<u>50</u>
<u>ITEM-19</u>	<u>OPER - 30/09/13 - TRAFFIC ADVISORY LOCAL COMMITTEE - 5 SEPTEMBER 2013</u>	<u>51</u>
<u>ITEM-20</u>	<u>OPER - 30/09/13 - AQUATIC CENTRE COMMITTEE MEETING MINUTES - 11 SEPTEMBER 2013</u>	<u>53</u>
<u>ITEM-21</u>	<u>COMM - 30/09/13 - BLUE MOUNTAINS CROSSING BICENTENARY COMMITTEE - 4 SEPTEMBER 2013</u>	<u>54</u>
<u>ITEM-22</u>	<u>COMM - 30/09/13 - YOUTH COUNCIL MINUTES - 30 JULY AND 27 AUGUST 2013</u>	<u>56</u>
<u>ITEM-23</u>	<u>COMM - 30/09/13 - TOURISM ADVISORY COMMITTEE - 17 SEPTEMBER 2013</u>	<u>58</u>
<u>DELEGATES REPORTS</u>		<u>59</u>
<u>ITEM-24</u>	<u>DELEGATES REPORT - 30/09/13 - CENTROC MEETING - 22 AUGUST 2013</u>	<u>59</u>
<u>BUSINESS OF GREAT URGENCY</u>		<u>63</u>

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## NOTICE OF MOTIONS

**ITEM-1            NOTICE OF MOTION - 30/09/13 - WAIVING THE WATER CHARGES  
FOR LITHGOW GREYHOUND RACING TRACK UNTIL 30 JUNE 2014  
- COUNCILLOR F INZITARI**

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### COMMENTARY

Lithgow has one of the States oldest and still operational Greyhound Tracks. It has a very proud history and has proven to be one of the most popular regional tracks in NSW. The local economic contribution this track makes to the town is most certainly underestimated, and the volunteers who operate this facility do so with pride and with no recognition.

There are many local greyhound trainers who rely on this facility for the training of their dogs. Many are retired people who have been training for many years and the greyhounds keep them socially and physically active. Without them, their lives would be turned upside down. Lithgow has recently produced a National Champion, which is a remarkable achievement in itself. This by a local trainer who utilised the Lithgow track on many occasions when educating the particular greyhound. Lithgow has produced many great Greyhounds, and all were using the local track at many stages of their racing careers.

In light of the financial difficulties that the Lithgow Greyhound track is now experiencing, plus the fact that the NSW Greyhound Racing Authority has cut meetings to the track from the 1st July this year, it is becoming a real prospect that Lithgow may loose its dog track.

Since Lithgow Council currently subsidises water to the golf club, soccer fields, hockey fields, football fields, and cricket ovals, then I think it be appropriate that Council also subsidise the Greyhound Track with its water charges until a review on the Lithgow Greyhound Track is conducted at the end of June 2014. This will enable to help the track get back to a stronger financial position, and be more sustainable into the future.

There have been many closures of businesses and facilities over the years which Lithgow Council has had no control over, but this is one where the future of this track is in the hands of the Lithgow Council.

### RECOMMENDATION

**THAT** Lithgow Council waive all water charges to the Lithgow Greyhound Racing Track until 30th June 2014 when a review is conducted.

General Manager's Comments:

At its 18th March 2013 Council meeting, Min No 13-98 Council resolved the following

**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
3. Council investigate the installation of a magna-meter to measure sewerage usage
4. Council recommend to the Lithgow Greyhound Racing Club Ltd that they consider applying for assistance under Council Section 356 Financial Assistance Program Donations.

The Lithgow Greyhound Racing Club have not submitted any applications for the Section 356 Financial Assistance Program.

The following water charges have been incurred by the Lithgow Greyhound Racing Club;

2013 - \$4,480.39 (to date)

2012 - \$5,235.44

2011 - \$3,763.09

**ITEM-2 NOTICE OF MOTION - 30/09/13 - ESKBANK HOUSE BOUNDARY FENCE - COUNCILLOR C HUNTER**

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**COMMENTARY**

When will a fence be erected on the boundary of Eskbank House? And what type of will it be?

**RECOMMENDATION**

**THAT** Council advise when a fence will be erected on the boundary of Eskbank house and what type of fence it will be.

General Manager's Comments:

Council's Community Development Committee attempted to meet over this issue some months back and unfortunately there was not a quorum. Those members of the Committee present requested improved lighting rather than install the fence and this has been done.

Funding for a post and rail fence remains in the budget should Council wish to proceed. The post and rail fence was recommended through a Conservation Management Plan (CMP) prepared and adopted for the facility.



## GENERAL MANAGERS REPORTS

### ITEM-3 GM - 30/09/13 - CODE OF MEETING PRACTICE

REPORT BY: R BAILEY - GENERAL MANAGER

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## REFERENCE

Min No 13-260: Ordinary Meeting of Council held on 29 July 2013  
Min No 11-327: Ordinary Meeting of Council held on 22 August 2011  
Min No 11-183: Ordinary Meeting of Council held on 9 May 2011

## SUMMARY

The Council Code of Meeting Practice may be amended from time to time. The Code has been reviewed and placed on public display for community comment with Council now having the opportunity to adopt the Draft Code with all, some or none of the proposed amendments.

## COMMENTARY

Council resolved

### 13-260 RESOLVED

**THAT** Council:

1. Adopt the Draft Code of Meeting Practice Version 10 for public comment including the following amendments:
  - i) Removal of Principal Committees
  - ii) Inclusion into the Code that a suspended councillor cannot participate in the Public Forum
  - iii) Addition of the order of business at a Council meeting into Clause 17 and removal as a Schedule
  - iv) Rearrangement of the order of business
  - v) Inclusion of Clause 17.1 Public Address at Council Meetings (transfer of Public Forum from Clause 65)
  - vi) Requiring that participants for Public Forum register by midday of the day of the meeting and that questions will be answered in writing in the days following the meeting once adequate information is available.
  - vii) Inclusion of Lithgow Mercury into Clause 72, Photographic and Audio Visual Recording of Council and Committee Meetings
  - viii) Inclusion of Guidelines – Request to Address Council
2. Place the Draft Code of Meeting Practice on public display for a minimum period of 28 days with a report back to Council no earlier than 42 days after the commencement of the advertising.
3. Also advertise its intention to change the Council meeting time to 6.30pm.
4. Advertise separately points 1(vi) and 3.

The above was advertised during the period 8 August 2013 to 9 September 2013 and was advertised 5 times with all information being publicly available on the Council website during this period.

### **Code of Meeting Practice**

Meeting procedures contribute to good public decision-making and increase a council's transparency and accountability to its community. The conduct of effective meetings is an indicator of good governance. Well run meetings reflect an effective partnership and relationship between the governing body of council and council administration.

Guidelines and suggestions on holding council meetings are contained in the *Local Government Act 1993* (the Act); the *Local Government (General) Regulation 2005* (the Regulation); the (former) Department of Local Government's 2008 "Model Code of Conduct for Local Councils in NSW" (the Model Code) and the "Guidelines for the Model Code of Conduct for Local Councils in NSW" (the Model Code Guidelines); and the relevant council's adopted Code of Meeting Practice (Meeting Code).

The Meeting Code is made by the council after public consultation. The Meeting Code cannot be inconsistent with the Act, the Regulation or the Model Code, but it can 'fill in the gaps'.

Under the provisions of the Local Government Act 1993 a council may adopt a code of meeting practice that incorporates the regulations made for the purposes of this section and supplements those regulations with provisions that are not inconsistent with them. (S360). Like most councils, if not all, Lithgow City Council has adopted such a Code and this was last revised and adopted on 22 August 2011.

The Act also allows for the amendment of the Code (S363) provided that the procedures set out in the Act (S361 and S362), including

#### **361 Preparation, public notice and exhibition of draft code**

- (1) *Before adopting a code of meeting practice, a council must prepare a draft code.*
- (2) *The council must give public notice of the draft code after it is prepared.*
- (3) *The period of public exhibition must not be less than 28 days.*
- (4) *The public notice must also specify a period of not less than 42 days after the date on which the draft code is placed on public exhibition during which submissions may be made to the council.*
- (5) *The council must publicly exhibit the draft code in accordance with its notice.*

#### **362 Adoption of draft code**

- (1) *After considering all submissions received by it concerning the draft code, the council may decide:*
  - (a) *to amend those provisions of its draft code that supplement the regulations made for the purposes of section 360, or*
  - (b) *to adopt the draft code as its code of meeting practice.*
- (2) *If the council decides to amend its draft code, it may publicly exhibit the amended draft in accordance with this Division or, if the council is of the*

*opinion that the amendments are not substantial, it may adopt the amended draft code without public exhibition as its code of meeting practice.*

## **Submissions**

Two submissions were received in relation to the Draft Code. These submissions dealt with the following issues:

- Public Forum – against pre-registering and making the list of registrations available to councillors
- Public Forum – against recording only the topic raised by individuals
- Order of Business – an alternative provided
- Suspended Councillor – seeking to permit such people to utilise the Public Forum
- Public Forum – Against limiting the number of issues to be spoken about in the Public Forum
- Requesting that Council meetings be sound recorded
- Public Forum – Against limiting the number of uses of Public Forum
- Public Forum – investigate suspending members of the Public Forum
- Public Forum – objecting to staff not being obligated to provide answers at the meeting

One of the two submissions also indicated that they disagreed with the change in Council meeting time.

With the issues raised through the public submissions the following explanations are provided:

- i. Councillors will not be required to research in preparation for the public to address Council. A listing will be provided to councillors to indicate all of the requests by the members of the public to address Council at that meeting. Pre-registering with nominated issues will also allow the Chairperson to nominate those that are complying with the existing Council policy that preference will be given to those wishing to speak in relation to items before Council at that meeting. Further it will give the opportunity to the Chairperson to keep the members of the public on track with their issues. The list will provide transparency to the councillors as to who is wishing to speak at the meeting
- ii. Some persons using the Public Forum to date have incorrectly expected that their address is recorded verbatim in the Council minutes. As a comparison Council does not record the debate nor the comments by councillors at any other point during the meeting. It is proposed that those using the public Forum will be recorded in the minutes as “Mr A Person spoke in relation to item 10 of the agenda on DA453/13 Subdivision of Lot X DP 3333333. Should users of the Public Forum wish to have their comments accurately documented they may provide a copy of a prepared statement. This, with the permission of the Chairperson, can be distributed to all councillors and recorded in the Council correspondence system.
- iii. In relation to the alternative Order of Business there are already ample opportunities for ‘housekeeping’ to be dealt with both before and after the

- Council meeting. The alternative proposal would result in longer meetings with the additional time having no real purpose whatsoever.
- iv. Council has received advice from the Division of Local Government confirming the view that suspended councillors should not be permitted to utilise an alternative avenue to progress their cause as a councillor. Should a councillor not conduct themselves in a manner that results in their suspension then they would still have all opportunities available to them to fully participate in the Council meeting
  - v. Presently some members of the public utilise the Public Forum to have multiple opportunities at presenting their case. Again they have many other opportunities to put their concerns to Council
  - vi. The provision in the exiting Code provides that Council may sound record meetings. Such recordings, if taken, are used for minute taking purposes only
  - vii. Under normal rules of debate speakers are taken to speak for and then against thus creating a balanced argument for the decision making process. By asking for speakers to indicate this, the Chairperson may then follow such rules of debate. Further it also allows the opportunity to speak with those people before hand to indicate that there are multiple people wishing to speak on the same issue and reduce the repetitiveness of their comments
  - viii. Under Clause 249 of the Local Govern (General) Regulation 2005 councillors and staff are entitled to make reference to other materials to allow them to respond. It is most important that an accurate response is provided and not one that is at risk of being mistakenly made.
  - ix. Suspending speakers who have abused the privilege of utilising the Public Forum may be a valid point and Council, if it wishes, may consider this inclusion.

Having a public forum at Council is not a requirement of the NSW Local Government Act and is a privilege that is extended by Council, in fact there are quite a number of councils that do not have a Public Forum at all. As such Council is well within its rights as to change how it conducts its Public Forum. The public also have multiple other means of communicating with Council including via telephone, mail, email, face to face and with councillors directly already.

Some minor amendments have been made to the draft.

### **POLICY IMPLICATIONS**

This affects Council's Policy – Code of Meeting Practice Version 9 and becomes Version 10 of the Code.

### **FINANCIAL IMPLICATIONS**

NIL

### **LEGAL IMPLICATIONS**

Amendments to the Code of Meeting Practice are to be carried out in accordance with the Code and the NSW Local Government Act. Advertising of changes has taken place and submissions made.

### **ATTACHMENTS**

1. Draft Code of Meeting Practice - Version 10

2. Submissions made by members of the public
3. Letter from the DLG in relation to suspended councillors not being able to utilise the Public Forum

## **RECOMMENDATION**

### **THAT** Council:

1. Adopt the Draft Code of Meeting Practice Version 10 with the amendments contained therein; and
2. Change the Council meeting time henceforth to 6.30pm.

**ITEM-4 GM - 30/09/13 - COUNCIL MEETING SCHEDULE FOR 2014**

**REPORT BY - R BAILEY - GENERAL MANAGER**

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**SUMMARY**

This report outlines the proposed dates for the Ordinary Council Meetings for 2014.

**COMMENTARY**

Council has a program of holding Council meetings on a general **three** weekly basis and usually on a Monday. The use of a three weekly meeting rotation involves a greater level of planning on the Council's behalf and a schedule of meetings needs to be made. Items that need to be considered when planning the council meetings include:

- Conferences
- Public holidays
- Possibly school holidays

The Local Government NSW Annual Conference is likely to be held in early October 2014.

Public Holidays in 2014 will include:

	<b>2014</b>
New Year's Day	Wednesday, 1 January
**Australia Day	Monday, 27 January
Good Friday	Friday, 18 April
Easter Saturday	Saturday, 19 April
Easter Sunday	Sunday, 20 April
Easter Monday	Monday, 21 April
Anzac Day	Friday, 25 April
Queen's Birthday	Monday, 9 June
Labour Day	Monday, 6 October
Christmas Day public holiday	Thursday, 25 December
Boxing Day	Friday, 26 December

*\*\* From 31/12/11 when Australia Day (26 January) falls on a Saturday or Sunday, there will be no public holiday on that day as the following Monday will be declared a public holiday*

With NSW School holidays to be held on:

<b>NSW Government School Holidays 2014</b>		
<b>Summer Holidays</b>	Friday 20 December 2013	Tuesday 28 January 2014
<b>Autumn Holidays</b>	Friday 11 April 2014	Friday 28 April 2014
<b>Winter Holidays</b>	Friday 27 July 2014	Friday 14 July 2014
<b>Spring Holidays</b>	Friday 19 September 2014	Tuesday 7 October 2014
<b>Summer Holidays</b>	Friday 19 December 2014	Tuesday 27 January 2014

The proposed dates for the Ordinary Meetings of Council for 2014 are as follows:

### **Ordinary Council Meetings for 2014**

- 10 February
- 3 March
- 24 March
- 14 April
- 12 May\*\*
- 2 June
- 30 June\*\*
- 28 July\*\*
- 18 August
- 8 September
- 29 September
- 27 October\*\*
- 17 November
- 15 December\*\*

\*\* Represents 4 weeks between meetings

### **POLICY IMPLICATIONS**

Policy 9.6 provides that Council will not have a meeting during the month of January.

### **FINANCIAL IMPLICATIONS**

NIL

### **LEGAL IMPLICATIONS**

NIL

### **RECOMMENDATION**

**THAT** Council hold the Ordinary Council meetings during 2014 generally on a three weekly basis on the following Monday dates:

- 10 February
- 3 March
- 24 March
- 14 April
- 12 May

- 2 June
- 30 June
- 28 July
- 18 August
- 8 September
- 29 September
- 27 October
- 17 November
- 15 December



**ITEM-5                    GM - 30/09/13 - LITHGOW INDUSTRIAL HERITAGE PARK PRECINCT  
WORKING PARTY**

**REPORT FROM:            R BAILEY - GENERAL MANAGER**

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**REFERENCE**

Min No 10-178:            Ordinary Meeting of Council held on 3 May 2010  
Min No 13-258:            Ordinary Meeting of Council held on 29 July 2013

**SUMMARY**

This report is to advise Council of the formation of a Community Working party devoted to bringing together the heritage elements located in the eastern end of Lithgow that collectively make up the Lithgow Industrial Heritage Park precinct and to appoint a Councillor as a delegate to this working party.

**COMMENTARY**

Council recently received correspondence from the Eskbank Rail Heritage Centre advising of their plans to form a working party to link a number of key heritage sites in the eastern end of the town known as the Lithgow Industrial Heritage Park precinct. Eskbank Station, Eskbank House, Blast Furnace Park, Lake Pillans and the Lithgow State mine Museum would be linked via a 3 kilometre tourist railway.

The proposal is that a limited rail service could commence operations on the State Mine branch early in the New Year however there would be a need to establish a coordinated approach for the ongoing development of the sites, provide amenities and manage tourist as well as coordinating some of the day to day operations.

There are currently four key stakeholders to the project which would have representations on the working party. As Council has control over three of the main proposed sites it would be beneficial for Council to appoint a Councillor to the working party.

Given the recent developments with the Heritage Walk established along Inch Street and preliminary work being undertaken to create a walk way over the Inch Street Bridge it is timely that the Working Party be established to build a sustainable tourist base for the future.

**POLICY IMPLICATIONS**

NIL

**FINANCIAL IMPLICATIONS**

NIL

**LEGAL IMPLICATIONS**

NIL

## **RECOMMENDATION**

**THAT** Council nominate a Councillor as a delegate on the community based Heritage Working Party.

**ITEM-6 GM - 30/09/13 - REVIEW OF POLICY 9.9 PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO COUNCILLORS**

**REPORT BY: R BAILEY - GENERAL MANAGER**

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## **SUMMARY**

This report is to advise Council the Draft Policy 9.9 for the 'Payment of Expenses and Provision of Facilities to Councillors' has been reviewed as Version 6 and includes a recommendation that it be publically advertised for a period of 28 days prior to final consideration by Council.

## **COMMENTARY**

Draft Policy 9.9 for the 'Payment of expenses and Provision of Facilities to Councillors' has been reviewed and is submitted to the business paper as Version 6.

Through their role councillors are entitled to be provided with the necessary resources and facilities including the reimbursement of expenses in order to enable them to fully perform the role of a Councillor.

Council's services, as detailed in this Policy, are available to councillors while carrying out the functions of civic office. These services, unless specified, are not available for use by a spouse, partner or members of a councillor's family.

Where possible councillors are encouraged to pool or share facilities where possible in order to make the best use of Council's resources. Councillors are also encouraged to limit their use of the expenses and resources provided for in this Policy to the minimum required whilst still allowing them to effectively and efficiently discharge the functions of their civic office.

Expense limits apply to several categories of expenditure. If an expense limit applies it will be shown against that item. Councillors who exceed an annual limit will be required to reimburse Council. Please note that all expense limits are exclusive of GST.

Facilities supplied to Councillors are not to be converted or modified in any way and may only be used for carrying out the functions of civic office.

This Policy is to be read in conjunction with the Council's Code of Conduct.

The Policy deals with:

### **PART 1 – PAYMENT OF EXPENSES**

- Responsibility and Accountability
- Travel (Inside and outside of the Lithgow City Council LGA and overseas travel)
- Official Engagements and Functions
- Annual Councillor Professional Development Discretionary Vote

- Expenses Associated with Councillors Attending, at their Discretion, Conferences, (including the Annual Local Government Association or Shires Conferences) Seminars, Councillor Professional Development and Training Programs, Elected Member Courses and Local Government and Shires Associations Industry Working Groups.
- Legal and insurance expenses and obligations

## PART 2 FACILITIES

- Stationery
- Postage
- Communications
- Secretarial Services
- Training
- Resource Centre and Office Accommodation
- Additional Expenses and Facilities for the Mayor
- Expenses and Facilities for Councillors with Disabilities
- Carer Expenses

The only change from Version 5 is the inclusion of a Statutory Declaration for Carer expenses.

### **POLICY IMPLICATIONS**

Policy 9.9 for the 'Payment of Expenses and Provision of Facilities to Councillors' Version 6.

### **FINANCIAL IMPLICATIONS**

NIL

### **LEGAL IMPLICATIONS**

Council is required to comply with the provisions of Section 253 of the NSW Local Government Act 1993 in relation to this matter which requires:

#### ***253 Requirements before policy concerning expenses and facilities can be adopted or amended***

- (1) A council must give public notice of its intention to adopt or amend a policy for the payment of expenses or provision of facilities allowing at least 28 days for the making of public submissions.
- (2) Before adopting or amending the policy, the council must consider any submissions made within the time allowed for submissions and make any appropriate changes to the draft policy or amendment.
- (3) Despite subsections (1) and (2), a council need not give public notice of a proposed amendment to its policy for the payment of expenses or provision of facilities if the council is of the opinion that the proposed amendment is not substantial.
- (4) Within 28 days after adopting a policy or making an amendment to a policy for which public notice is required to be given under this section, a council is to forward to the Director-General:
  - (a) a copy of the policy or amendment together with details of all submissions received in accordance with subsection (1), and

- (b) a statement setting out, for each submission, the council's response to the submission and the reasons for the council's response, and
  - (c) a copy of the notice given under subsection (1).
- (5) A council must comply with this section when proposing to adopt a policy each year in accordance with section 252 (1) even if the council proposes to adopt a policy that is the same as its existing policy.

## **ATTACHMENTS**

1. Draft Policy 9.9, Version 6, for the 'Payment of Expenses and Provision of Facilities to Councillors'.

## **RECOMMENDATION**

**THAT** Council advertise the revised Draft Policy 9.9 for the 'Payment of Expenses and Provision of Facilities to Councillors,' Version 6, for a period of 28 days.

## ENVIRONMENT AND DEVELOPMENT REPORTS

### ITEM-7            ENVIRO - 30/09/13 - SWIMMING POOL BARRIER INSPECTION PROGRAM

#### REPORT BY: A MUIR – GROUP MANAGER ENVIRONMENT AND DEVELOPMENT

### SUMMARY

To submit for adoption the Swimming Pool Barrier Inspection Program.

### COMMENTARY

In 2012 the State government undertook a review of the Swimming Pools Act 1992. This review identified a number of amendments designed to enhance the safety of children under the age of five years around private (“backyard”) swimming pools in NSW.

The Swimming Pools Amendment Act 2012 makes a number of amendments to the Swimming Pools Act 1992 that impact on pool owners and Council.

**Swimming pool owners** are required to register their swimming pools in an online register provided by the NSW State Government by 29 October 2013. They are also required to provide a valid swimming pool compliance certificate before being able to sell or lease a property with a pool. Council officers have received a number of requests for assistance from pool owners to assist in this process.

**Council** is required to:

- Develop and implement a swimming pool barrier inspection program in conjunction with the community
- Report annually on the number of pool inspections undertaken and the level of compliance
- Inspect pools associated with tourist and visitor accommodation and multi-occupancy developments at three year intervals
- At the request of the pool owner, inspect pools prior to sale or lease
- Issue compliance certificates after an inspection which finds a pool barrier compliant with the requirements of the legislation. Compliance certificates are valid for three years.

Council may charge a fee for each inspection undertaken (up to \$150 for the first inspection and \$100 for one re-inspection resulting from the first inspection).

The first step for Council was to commence the community consultation process that is the prerequisite to the adoption of Council’s Swimming Pool Barrier Inspection Program.

The community consultation involved letters and the attached survey (which is identical to that used by a number of councils throughout NSW) being sent to the owners of all swimming pools registered with Council (274). The survey was also placed on Councils website to allow interested persons to provide their opinion. Advice from the Department of Local Government was that a survey was an acceptable method of community consultation.

### Survey Results

The table shows the survey responses for the three questions that need to be considered in Councils Swimming Pool Barrier Inspection Program. A total of 36 responses were received to the survey.

How often do you think swimming pools should be inspected?	Never	1
	Annually	1
	Every 3 years	15
	Every 5 years or more	8
	When property sold or leased (legal requirement from 29/4//14)	11
Should the owner be responsible for the cost of any inspections?	Yes	4
	No	32
A Swimming Pool Compliance Certificate will generally cost between \$150 and \$250. Do you think this is	Too low	0
	About right	5
	Too high	31

The survey results from the 36 completed surveys (13% of those surveyed) indicate that:

- Inspections should be carried every 3 years or only at time of sale or lease
- Owners should not be charged for these inspections
- \$150-\$250 is considered too much for Swimming Pool Compliance Certificates.

It is necessary to consider if the low sample number is sufficient to make final determinations for the Swimming Pool Inspection Program. It could be assumed that the low number of returned survey forms indicate that pool owners do not consider the issue to be important or they do not care what action Council takes on this issue. The survey results are consistent with results received by other Councils.

The following comments are provided to assist Council in determining an appropriate Swimming Pool Barrier Inspection Program:

- Inspection at 3 yearly intervals would be difficult to achieve based on existing staff workload and it is considered that inspection when a property is sold or leased could be trialled for 12 months and adjusted subject to further report if necessary.
- It is not feasible to carry out pool inspections at no cost to the pool owner. Council has set fees in its 2013/14 Fees and Charges for Swimming Pool Compliance Certificates (\$150) and swimming pool inspections (\$150 for the first inspection and \$100 for a reinspection). There is a cost involved in providing the service. It is not unreasonable for Council to recover this cost and to charge a fee. Due to the timing of the Amendment Act and the need to adopt fees as part of the Annual Fees and Charges regime, the maximum fee under the regulation was adopted in the 2013/2014 fees and charges. This could be reviewed in future years. Furthermore, it will be suggested that Council only undertake inspections on private pools on sale or lease only so their will be no regular fee charged.

#### **POLICY IMPLICATIONS**

NIL

#### **FINANCIAL IMPLICATIONS**

Council will adopt fees and charges annually through its Fees and Charges.

#### **LEGAL IMPLICATIONS**

Council is required to comply with the relevant legislation.

#### **ATTACHMENTS**

1. Swimming Pool Inspection Program Survey.

#### **RECOMMENDATION**

**THAT** Council Adopt the Swimming Pool Barrier Inspection Program as follows:

- Inspections of swimming pools associated with tourist and visitor accommodation and multi-occupancy developments at three year intervals as required by legislation
- Inspections of private pools will be undertaken prior to sale or lease at the request of the owner
- Issue compliance certificates after an inspection which finds a pool barrier compliant with the requirements of the legislation. Compliance certificates are valid for three years.
- Council will inspect any swimming pool that is the subject of a complaint to the council
- The Swimming Pool Barrier Inspection Program may be modified from time to time following review by Council.



**ITEM-8            ENVIRO - 30/09/13 - CENTENNIAL COAL'S WESTERN COAL SERVICES PROJECT, BLACKMANS FLAT**

**REPORT BY: A MUIR – GROUP MANAGER ENVIRONMENT AND DEVELOPMENT**

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**REFERENCE**

Min No 12-130:            Ordinary Meeting of Council held on 23 April 2012  
Min No 13-239:            Ordinary Meeting of Council held on 8 July 2013

**SUMMARY**

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

**COMMENTARY**

**Proposal**

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

- Upgrading the existing washery at the Centennial Coal Services Site by constructing additional processing infrastructure adjacent to the existing facility which is capable of processing a combined total of 7.0 Million tonnes per annum;
- Construction of additional conveyors and transfer points and other coal handling requirements to cater for the upgraded washery facility within existing footprint;
- Extension of existing Reject Emplacement Area (REA) for sufficient reject disposal capacity for a 25 year life;
- Construction of a private haul road approximately 1.3km in length linking the Centennial Coal Services site with the existing private haul road from Angus Place Colliery to Mount Piper Power Station. This private road will cross a section of the existing Pine Dale Mine operation and over the Castlereagh Highway via the construction of a road Bridge and through Lithgow City Council land to the Coal Services Site;
- Improve water management systems;
- Include, the remaining rehabilitation, monitoring and reporting requirements associated with the Lamberts Gully Mine which occupies the Centennial Coal Services Site;
- Integrate the existing approved transport and processing of coal at Springvale Mine and Angus Place Colliery into this consent;
- Increasing the rate and utilisation of the return side of the existing overland conveyor system to enable up to 6.3 Mtpa to be delivered to Lidsdale Siding;

- Continued use of all existing approved infrastructure, facilities and activities associated with the transport and processing of coal from each mine gate and the point of delivery to either power station and the Lidsdale Siding including existing conveyors, private haul roads, services, access roads, car parking and buildings.

### **Status**

Additional consultation has been held between Council and Centennial Coal to ensure the project does not impact upon the viability of Council's approved waste depot. This consultation will continue throughout the project.

The Environmental Impact Statement was supplied to Council and was placed on exhibition for public and authority comments which finished on the 29 September 2013. A submission was made on behalf of Council regarding the development including a request that a Voluntary Planning Agreement be entered into between Lithgow City Council and Centennial Coal. The assessment of the proposal will now be undertaken and completed by the Department of Planning and Infrastructure.

### **FINANCIAL IMPLICATIONS**

It will be proposed that Council pursue a Voluntary Planning Agreement seeking a monetary contribution to be applied to community facilities.

### **LEGAL IMPLICATIONS**

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

### **ATTACHMENTS**

1. Site Plans.

### **RECOMMENDATION**

#### **THAT:**

1. The information in the report on the Centennial Coal's Western Coal Services Project be noted.
2. The Mayor, Deputy Mayor and General Manager be authorised to negotiate and finalise a Voluntary Planning Agreement in relation to the project.

**ITEM-9            ENVIRO - 30/09/13 - DA171/13 - PROPOSED LED SIGN ON  
EXTERNAL WALL, GREAT WESTERN HIGHWAY LITHGOW NSW  
2790.doc**

**REPORT BY: A MUIR – GROUP MANAGER ENVIRONMENT & DEVELOPMENT**

## **SUMMARY**

To determine development application DA 171/13 for a LED sign on an external wall of the Lithgow Visitor Information Centre.

## **COMMENTARY**

Council is in receipt of a Development Application DA171/13 for a LED sign to be located on land known as Lot C DP 36295, Great Western Highway, Lithgow NSW 2790.

The development involves a full matrix single sided LED graphics message display to the exterior of Lithgow's Visitor Information Centre.

The sign would be attached to the exterior brick wall facing the Great Western Highway.

The proposal was sent to Roads and Maritime Services for comment. The proposal was also sent to adjoining neighbours and placed on public display in Council's Administration Building for a period of 14 days.

### **ROADS AND MARITIME SERVICES (RMS)**

*RMS will not object to the proposed development and provides the following recommended conditions of consent for Council's consideration:*

- 1. The content of the sign is to be consistent with the Department of Planning's Transport Corridor Outdoor Advertising and Signage Guidelines 2007, Table 5 "RTA Road Safety Advisory Guidelines for Sign Content".  
Note: Clause 9 of Table 5 states that the information supplied on the sign should be restricted to 6 units;*
- 2. Signage is not to flash, move or be objectionably glaring or luminous (maximum allowable luminance of: 800 cd/m<sup>2</sup> during daylight hours and 200 cd/m<sup>2</sup> of a night-time);*
- 3. Advertising signage is to be contained wholly within the subject land;*
- 4. The proposed signage is not to impede sight lines of traffic and/or pedestrians at the intersection of Geordie Street and the Great Western Highway.*

*Please be advised that RMS may review the crash history at this location after three year period to determine whether the sign is having an adverse effect on road safety. Should this review determine that the proposed sign is having an adverse effect on road safety;*

*RMS under Section 104 of the Roads Act 1993 may direct Council to screen, modify or remove the sign.*

### **POLICY IMPLICATIONS**

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

### **FINANCIAL IMPLICATIONS**

NIL

### **LEGAL IMPLICATIONS**

In determining a development application, a consent authority is also required to take into consideration the matters of relevance under Section 79C of the Environmental Planning and Assessment Act 1979.

### **ATTACHMENTS**

1. Section 79C report.
2. Photo indicating location of proposed sign

### **RECOMMENDATION**

#### **THAT:**

1. Council approve DA 171/13 in accordance with the conditions outlined in the attached Section 79C report.
2. A Division be called in accordance with the provisions of Section 375(3) of the Local Government Act 1993.

## OPERATION REPORTS

**ITEM-10            OPER - 30/09/13 - WATER REPORT - AUGUST AND SEPTEMBER 2013**

**REPORT BY: I STEWART – GROUP MANAGER OPERATIONS**

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### REFERENCE

Min No 13-268:            Ordinary Meeting of Council held on 29 July 2013

### SUMMARY

This report provides an update on various water management issues as per Minute Number 13-268.

### COMMENTARY

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

#### Current Dam Levels for both Farmers Creek and Fish River

- Farmers Creek Dam #2 capacity on Monday 16 September was 100%
- Oberon Dam capacity on Monday 16 September was 85.4%

#### 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 2013/2014.

**Table 1 - Oakey Park Monthly Output and Clarence Transfer 2013/2014**

Month Total	Oakey Park WTP (ML)	Clarence Transfer (ML)	Farmers Ck Dam Accumulative Yield (ML)
July 2013	102.9	0	102
August 2013	102	0	204.9

**Table 2 - Oakey Park Monthly Output and Clarence Transfer 2012/2013**

Month Total	Oakey Park WTP (ML)	Clarence Transfer (ML)	Farmers Ck Dam Accumulative Yield (ML)
July 2012	107	0	107
August 2012	106	0	213
September 2012	115	0	328
October 2012	140	0	468
November 2012	140	5	608
December 2012	135	81	743
January 2013	146	73	889
February 2013	92	0	981
March 2013	114	0	1,095
April 2013	109	0	1,204
May 2013	123	0	1,327
June 2013	154.5	0	1481.5

The monthly average for 2012/2013 was 123.4 ML.

### **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 June.

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.

### **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 August with Council approving ten (10) applications for a household appliance rebate and no applications for a water tank rebate.

## **Alternate Water Sources Update**

The Lithgow villages and Marrangaroo Zone are currently being supplied from Fish River Water Scheme (FRWS). The Clarence Water Transfer Scheme construction is continuing.

### **POLICY IMPLICATIONS**

NIL

### **FINANCIAL IMPLICATIONS**

NIL

### **LEGAL IMPLICATIONS**

NIL

## **RECOMMENDATION**

**THAT** Council note the water report.

**ITEM-11            OPER - 30/09/13 - LITHGOW CITY COUNCIL AND DELTA  
ELECTRICITY - LAND EXCHANGE**

**REPORT BY: I STEWART – GROUP MANAGER OPERATIONS**

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**REFERENCE**

Min No 13-296:                    Ordinary Meeting of Council held on 19 August 2013

**SUMMARY**

To inform Councillors that the Notice of Dedication of Public Road has been published in NSW Government Gazette No. 37 of 13 September 2013 Folio 4033, in respect of each of Lot 3 DP 717025 and Lot 3 DP 261232.

**COMMENTARY**

Councillors will recall that it was resolved at Council’s Ordinary Meeting of 19 August 2013:

**THAT** Council dedicate as public roads the lands comprising of Lot 3 DP 717025 Barton Avenue, Wallerawang and Lot 3 DP 261232 Magpie Hollow Road, South Bowenfels being lands acquired by Council from Delta Electricity pursuant to Deed of Agreement for Land Exchange dated 9 May 2013.

It is now necessary to have the Certificates of Title endorsed with a notification of the dedication of the subject lands as public road with the Common Seal of Council to be affixed to each of the forms of request.

Certificates of Title are not normally issued in respect of roads however in this instance because the land was transferred to Council as freehold title, it is necessary for the title deeds to be suitably endorsed.

**POLICY IMPLICATIONS**

NIL

**FINANCIAL IMPLICATIONS**

NIL

**LEGAL IMPLICATIONS**

NIL

**ATTACHMENTS**

1. Correspondence from Le Fevre & Co dated 13 September 2013



## **RECOMMENDATION**

**THAT** Council authorise the affixing of the Common Seal to two forms of request in respect of each of Lot 3 DP 717025 and Lot 3 DP 261232 being land exchange between Lithgow City Council and Delta Electricity.

## **COMMUNITY AND STRATEGY REPORTS**

**ITEM-12            COMM - 30/09/13 - LITHGOW WAR MEMORIAL**

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

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### **SUMMARY**

This report discusses a proposal to add the names of people from Lithgow who were casualties of World War Two to the existing War Memorial in Queen Elizabeth Park and recommends that the proposal be placed on public exhibition.

### **COMMENTARY**

Council has been approached by Mrs Janice Marshall and Mrs Lorraine Ryan who have been researching information for some time on people from Lithgow who were casualties of World War Two with a proposal to add these names to the existing War Memorial in Queen Elizabeth Park.

The Queen Elizabeth Park War Memorial was established after World War One with funds raised locally to recognise all those who were killed in action during the war. The memorial also includes plaques recognising (without names) those who have served in subsequent conflicts and a list of names of those who died during the Korean conflict.

This matter dates back several years when correspondence was received from the Office of Australian War Graves advising that the addition of names to the memorial is a matter for the local authority (in this case, Lithgow City Council).

Through extensive research, Mrs Marshall and Mrs Ryan have compiled a list of 54 Lithgow personnel who died on active duty in the Australian Imperial forces during World War Two. It is difficult to compile a definitive list of war casualties from Lithgow as official Office of War Graves' records do not necessarily link casualty names with Lithgow, for example where the person may have been born, educated or worked in Lithgow, and therefore have a strong connection with the area, but their last known address, or of their surviving family, was not in Lithgow.

Discussions have recently been held between Mrs Marshall, Mrs Ryan and Mr John Barlow of the Lithgow RSL Sub-Branch to discuss this proposal with a view to adding the names to the one blank face of the War Memorial.

Accordingly it is recommended that the proposal be placed on public exhibition for 28 days during which time Council also formally seeks the views of the RSL Sub-Branch on the proposal and writes to the Office of War Graves seeking advice on the list of names.

### **POLICY IMPLICATIONS**

NIL

## **FINANCIAL IMPLICATIONS**

NIL

## **LEGAL IMPLICATIONS**

NIL

## **ATTACHMENTS**

1. Correspondence from Mrs Janice Marshall
2. Correspondence from the Office of Australian War Graves

## **RECOMMENDATION**

### **THAT** Council:

1. Place on public exhibition for 28 days a proposal to add the names of casualties of World War Two to the existing War Memorial in Queen Elizabeth Park.
2. Writes to the Office of War Graves seeking advice on the list of names.
3. Seeks the views of the RSL Sub-Branch on the proposal.
4. Thank Mrs Marshall and Mrs Ryan for their efforts to date.

**ITEM-13            COMM - 30/09/13 - PRIVATISATION OF THE VISITOR CENTRE**

**REPORT BY:A SHELTON - ACTING GROUP MANAGER - COMMUNITY & STRATEGY**

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**REFERENCE**

Min No 13-110:    Ordinary Meeting of Council held on 15 April 2013  
Min No 09-338:    Ordinary Meeting of Council held on 3 August 2009  
Min No 09-88:     Ordinary Meeting of Council held on 9 March 2009

**SUMMARY**

This report provides information to the Council regarding the potential of privatisation of the Visitor Centre.

**COMMENTARY**

At the Ordinary Meeting of Council 15 April 2013, Council resolved the following:

**13-110 RESOLVED**

**THAT:**

1. In light of the current public exhibition of our Councils combined Draft Delivery and Operations Plan for 2013 – 2017 and the current and ongoing huge financial costs of running the Lithgow Visitors Information Centre (Miners Lamp), now totalling over \$835,000 in both direct and indirect costs to the Council and ratepayers, could General Manager and/or Senior Council Officers please provide an urgent report to the Council, Councillors, ratepayers and residents on the real possibility of contracting out the services of the Lithgow Visitors Information Centre (Miners Lamp)?
2. This report come back through the Tourism Committee.

Council had previously investigated this proposal and reported via the Tourism Committee in 2009, with a Council resolution to not privatise the Visitor Information Centre made on 3 August 2009.

At the meeting of 15 April 2013, it was requested that the operators be surveyed for their opinions on service and the concept of privatisation, with those results forming Attachment 1 to this report. Additionally Council staff surveyed all Council's within NSW for information relating to the operations of Visitor Centres in the area and that information is found in Attachment 2. The visitation statistics for 2012/13 year are provided as Attachment 3.

**Operation of the Lithgow Visitor Information Centre**

The VIC has operated under the auspices of Lithgow City Council since 1998. The following staff are employed primarily to undertake the day to day operations of the centre:

- 1 x Full time Tourism Officer
- 2 x Part time Tourism Officer
- 1 x Trainee

Additionally, the Tourism Budget employs a Tourism Manager and an Events Co-ordinator, however these positions are not focused on VIC operations.

The Visitor Centre is a Level 1 accredited centre with operational hours of 9am to 5 pm 7 days per week excluding Christmas Day.

Visitation statistics for 2012/13 showed that 41,903 people visited the centre. Additionally, the staff fielded 36,606 phone calls and 12,543 email enquiries. This averages to approximately 250 enquires per day.

### Budget

The original budget estimates for the Tourism Program 2012/13 are shown below in Table 1.

*Table 1 Original Budget Estimates 2012/13*

	Expenditure	Income	Nett
<b>DIRECT COSTS:</b>			
Salaries & ELE	296,135	0	296,135
W/Comp & Superannuation	42,895	0	42,895
VIC Cleaning	13,126	0	13,126
Consignment / Commissions	0	-26,600	-26,600
Promotional Material (Part From Res)	15,367	-6,867	8,500
Trade Show Promotional Expenses	9,538	-2,128	7,410
Blue Mts Tourism: Membership	34,000	0	34,000
Promotional Signage Plan	36,659	0	36,659
Collaborative Partnership Strategy	5,671	-2,202	3,469
Blue Mts Regional Strategy Implementation	6,500	0	6,500
Lithgow Flash Gift	45,133	-25,875	19,258
Memberships	0	-5,382	-5,382
Marketing with Oberon & Bathurst	10,000	0	10,000
Stock Purchases	33,120	-41,400	-8,280
Television Advertising	10,000	0	10,000
Photographic Library	10,000	0	10,000
Tableland Way Signage	10,000	0	10,000
Tourism Promotion Strategy	20,000	0	20,000
Forto Funding: NSW Tourism	50,000	-25,000	25,000
<b>Total Direct Costs:</b>	<b>648,144</b>	<b>-135,454</b>	<b>512,690</b>

<b>*** INTERNAL INDIRECT COSTS: Contributions To Other Programs</b>			
Contribution: Other Programs Internal	124,661	-39,555	85,106
Contribution: Organisational On Costs	191,080	0	191,080
<b>Total Distribution of Internal Costs:</b>	<b>315,741</b>	<b>-39,555</b>	<b>276,186</b>

Dept of Local Government Code of Accounting Practice and Associated Notes, AAS 27, and the National Competition Policy Guidelines requires Council to distribute a fair share of indirect costs that are incurred in providing a service. For this reason all costs required to run Council such as Governance, Administration, Finance, Payroll, Organisational Development, Customer Services / Information Technology, Records etc must be distributed across the operational activities for example Transport, Tourism, Recreation, Building & Development, Planning, Water, Waste and Wastewater etc. This is in addition to distributing organisation costs such as printing, stationery, FBT, vehicle running costs, Manager costs, subscriptions, advertising etc.

It should also be noted that any unspent funds from previous years are rolled over into the new budget, further reducing the actual annual spend.

Privatisation of the centre would result in a loss of any potential income to offset costs. Based on the budget figures above this would mean a loss of approximately \$73,000 in sales, commissions and memberships.

The actual operational costs for the Visitor Centre are only a portion of the total Tourism budget allocated by Council. To provide an indication of actual costs associated with the operation of the Visitor Centre, Table 2 below shows budget figures with internal costs removed, and broken down into direct costs associated with the Visitor Centre Operations, as compared to other areas of the entire Tourism program.

*Table 2. Breakdown of Direct Costs of the Tourism Budget*

	<b>Tourism Budget with Council Operated VIC</b>	<b>Tourism Budget with Privatised VIC</b>	<b>Costs associated directly with VIC operations</b>
Salaries & ELE	296,135	148,068	148,067
W/Comp & Superannuation	42,895	21,448	21,447
Cleaning	13,126		13,126
Promotional Material (Part From Res)	15,367	15,367	
Trade Show Promotional Expenses	9,538	9,538	
Blue Mts Tourism: Membership	34,000	34,000	
Promotional Signage Plan	36,659	36,659	
Collaborative Partnership Strategy	5,671	5,671	
Blue Mts Regional Strategy Implementation	6,500	6,500	
Lithgow Flash Gift	45,133	45,133	
Marketing with Oberon & Bathurst	10,000	10,000	
Stock Purchases	33,120		33,120
Television Advertising	10,000	10,000	

Photographic Library	10,000	10,000	
Tableland Way Signage	10,000	10,000	
Tourism Promotion Strategy	20,000	20,000	
Forto Funding: NSW Tourism	50,000	50,000	
<b>Totals</b>	<b>648,144</b>	<b>432,384</b>	<b>215,760</b>

### **Survey of members of Lithgow Tourism**

Approximately 80 operators were asked to indicate their level of support for the statement "*The Lithgow Visitor Information Centre should be operated by a private business instead of Council*". They were also invited to provide comment. 22 responses were received, and they are supplied in Attachment 1 to this report.

There was strong opposition to the idea of privatisation with only 5% indicating they agreed with the statement. There were no responses who strongly agreed with the statement.

The comments indicate there is a common belief that a private operator would result in higher fees to members to promote their products and that the focus would be one of making money rather than providing information.

A number of suggestions were received to look at ways to boost the sales/commissions and it is a recommendation of this report that these options be developed and supported by Council via the Tourism advisory committee.

### **Operations of VICs in Other Areas**

Council received 41 responses to a request to Councils within NSW for information on how Visitor Centres in their areas are operated.

Two centres, being Sapphire Coast and Byron Bay reported being self funded, both with a high reliance on volunteers to operate the centres.

Locally, both Mudgee and Cowra VICs are operated under contract. Mid Western Council (Mudgee) contributes \$349,000 and provides and maintains the premises. Cowra council provides \$220,000 for the operation of the centre.

Tamworth Council reported that they had previously moved towards privatisation of their VICs, but after a number of years of poor results and no ability to take action, have moved back to being controlled by Council. A similar experience was reported by Albury Council.

Only a small number of centres indicated any ancillary operations to support costs. These included Bathurst and Broken Hill that both have coffee shops in adjoining premises that operate independently. No centre indicated they sold anything more than souvenirs and general marketing material for additional income.

A number of Council's indicated recent changes to the hours of operation with a trend to reducing weekend hours, opting to open later at 10 am and close at 4pm. It should be noted that the hours of operation are a criteria for the level of accreditation a Visitor Centre receives from the New South Wales Accredited Visitor Information Centre (AVIC)

Network. Aurora Practical Solutions Pty Ltd who manage the AVIC Network have confirmed that the only difference between Level 1 and Level 2 accreditation are the hours of operation:

Level 1 Open 363 days per year and for a minimum of 56 hours per week

Level 2 Open 363 days per year for a minimum of 43 hours per week

There is no impact on signage or promotion. Lithgow Visitor Information Centre is currently a Level 1 accredited centre.

The results of the survey are shown in Attachment 2 to this report.

### **Consultation with Tourism Advisory Committee**

The material comprised in this report was presented to the Tourism Advisory Committee (TAC) at the meeting held on 13<sup>th</sup> August 2013. The committee were requested to review the information and this was followed up at the meeting held on 17 September during business arising. The Tourism Manager was excused from the meeting for the discussion of this item.

The committee strongly supported Council's continued operation of the Visitor Centre. The committee identified ways in which to improve sales and commissions, with a focus on local produce and goods as a means to reduce the overall costs to Council.

The minutes of the Tourism Advisory Committee and their recommendation are provided in a later committee report to this meeting.

### **FINANCIAL IMPLICATIONS**

Should Council support the recommendation of this report, there will be no changes to the budget identified for Tourism in the Delivery Program 2013 – 2017 and Operations Plan 2013-2014 as previously endorsed by Council at the meeting of 6 May 2013 Resolution 13-156.

### **LEGAL IMPLICATIONS**

NIL

### **POLICY IMPLICATIONS**

NIL

### **ATTACHMENTS**

1. Lithgow Tourism Member survey results
2. Survey of VIC operations by Council's in NSW

### **RECOMMENDATION**

#### **THAT:**

1. Council not support the proposed privatisation of the Lithgow Visitor Information Centre and continue to fund operations as per the Delivery Program 2013-2017.



2. A review of operations at the Visitor Centre be conducted, including, but not limited to hours of operation, merchandise and commissions.

## FINANCE REPORTS

### ITEM-14      **FINAN - 30/09/13 - DRAFT 2012/13 GENERAL PURPOSE FINANCIAL REPORTS**

**REPORT BY: C FARNSWORTH - FINANCE MANAGER**

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#### **SUMMARY**

To advise Council of the Draft 2012/13 General Purpose Financial Reports and seek authorisation as required by Chapter 13, Part 3, Division 2 of the Local Government Act 1993 to submit the reports for final audit.

This report also recommends that Council invite our Auditors, The Morse Group, to present a formal report to the Ordinary Meeting of Council on 25 November 2013.

#### **COMMENTARY**

The Draft 2012/13 General Purpose Financial Reports are submitted for acceptance as required by Chapter 13, Part 3 and Division 2 of the Local Government Act 1993.

#### **OVERVIEW: DRAFT 2012/13 GENERAL PURPOSE FINANCIAL REPORTS**

##### **Net Operating Result**

The draft result for the 2012/13 financial year, including capital income and contributions, is a surplus of \$12,513,000 (11/12 \$4,892,000 surplus; 10/11 \$4,494,000 surplus; 09/10 \$7,200,000 surplus; 08/09 \$2,965,000 surplus).

Total Assets: \$397,699,000  
(11/12 369,201,000; 10/11 \$355,648,000; 09/10 \$341,005,000; 08/09 \$249,018,000)

Total Liabilities: \$32,275,000  
(11/12 \$33,324,000; 10/11 \$32,146,000; 09/10 \$26,856,723; 08/09 \$18,866,000)

It should be noted a non cash capital contribution was made by the University of Western Sydney of \$2,939,000 to the Hoskins Building.

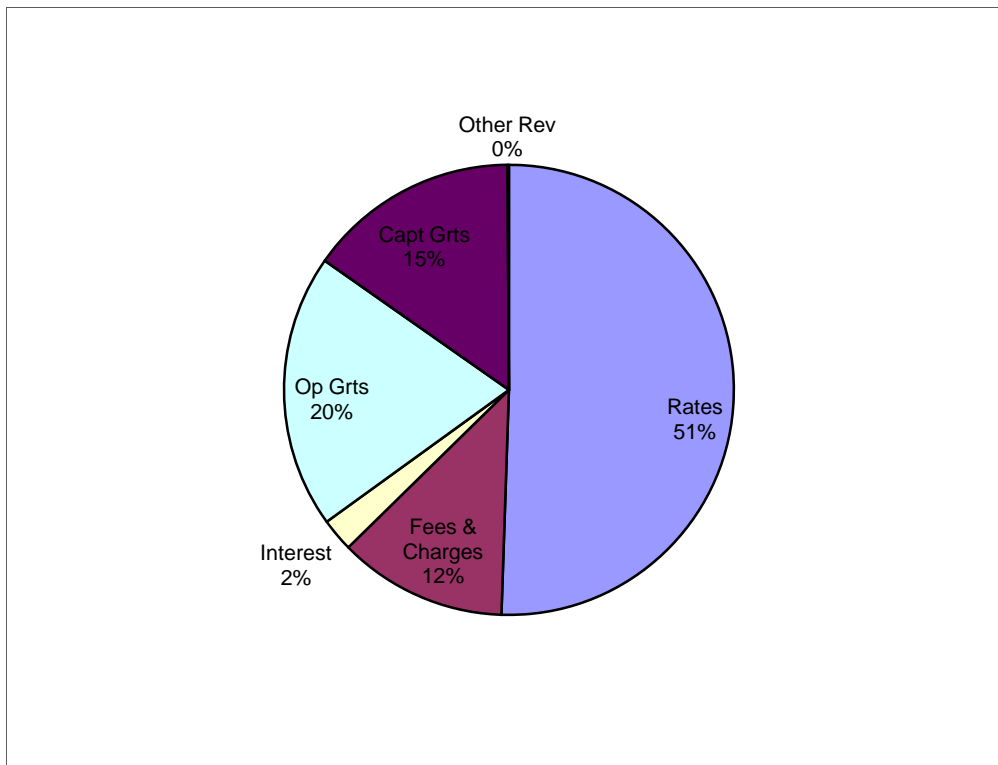
##### **Net Operating Result before Capital Grants & Contributions**

The 2012/13 Operating Result, before abnormal and capital items, is a deficit of \$1,332,000 mainly attributed to the increased depreciation on assets following revaluations in prior years (11/12 \$578,000 deficit; 10/11 \$3,080,000 deficit; 09/10 \$651,000 surplus; 08/09 \$3,566,000 deficit).

##### **Operating Revenue:**

Operating Revenue is \$49,163,000 compared to 11/12 \$40,310,000; 10/11 \$39,730,000 and 09/10 \$37,469,000 which includes capital grants and contributions of \$13,845,000.

**2012/13 REVENUE SOURCES \$'000**



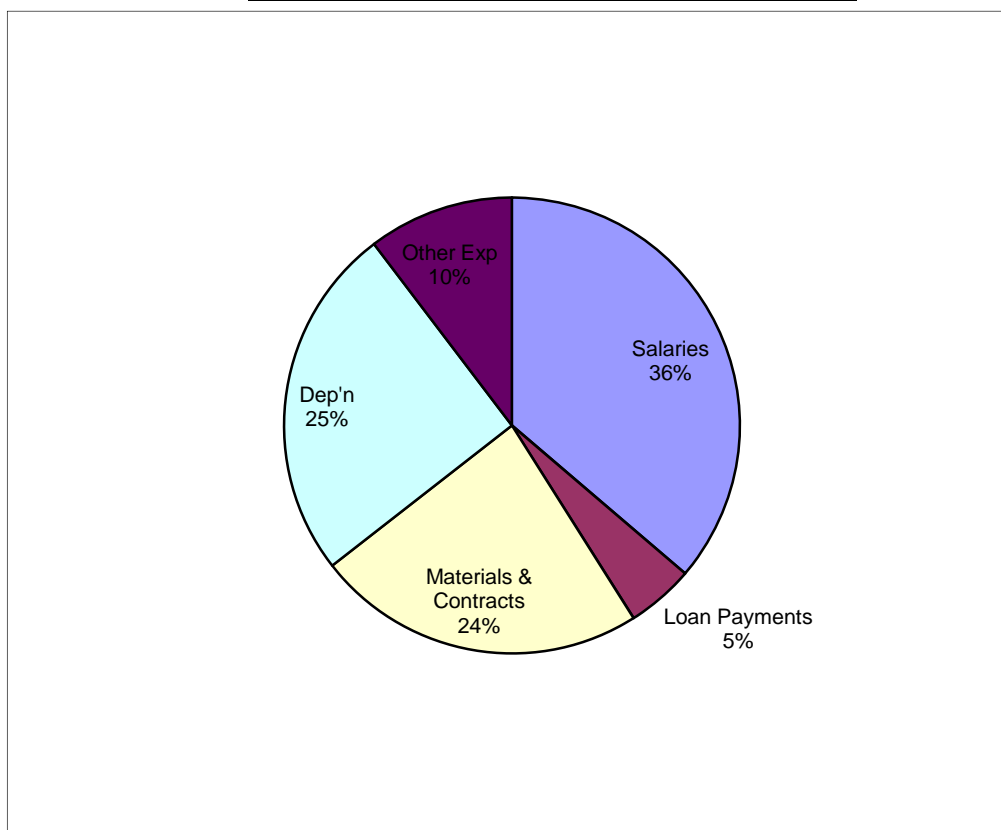
Revenue comparatives previous years:

<b>FINANCIAL YEAR</b>	<b>VALUE</b>
2012/13	\$49,163,000
2011/12	\$40,309,000
2010/11	\$39,730,000
2009/10	\$37,469,000
2008/09	\$33,710,000
2007/08	\$30,269,000
2006/07	\$27,613,000
2005/06	\$24,871,000
2004/05	\$21,518,000
2003/04	\$23,580,000

**Operating Expenditure:**

2012/13 Operating Expenditure \$36,650,000

## 2012/13 EXPENDITURE SOURCES \$'000



Expenditure comparatives:

FINANCIAL YEAR	VALUE
2012/13	\$36,650,000
2011/12	\$36,109,000
2010/11	\$35,236,000
2009/10	\$30,269,000
2008/09	\$30,745,000
2007/08	\$25,690,000
2006/07	\$24,266,000
2005/06	\$23,912,000
2004/05 (Adjusted AIFRS*)	\$24,767,000
2003/04	\$23,668,000

\* Australian International Financial Reporting Standards

### **Capital grants and contributions:**

Capital grants and contributions of \$13,845,000 contributed to the net operating result and major items are summarised as follows:

Wallerawang STP Upgrade	\$722,777
Lithgow STP Upgrade	\$1,027,342

Flood Damage March 12	\$625,920
Wolgan Rd	\$2,940,000
Clarence Transfer	\$3,000,000

**Acquisitions and Improvements to Infrastructure, Property Plant & Equipment:**

Asset improvements and additions of \$14,632,000 may be summarised as:

Road & Ancillary	\$4,793,698
Plant: Purchases	\$1,232,000
Drainage	\$106,633
Sewerage Infrastructure	\$1,082,486
Water Infrastructure	\$1,675,653
Buildings	265,519
Other Structures	\$119,117

**Depreciation:**

Assets have depreciated by \$8,226,000 for the 2012/13 financial year (11/12 \$8,247,000; 10/11 \$8,275,000; 09/10 \$5,844,000).

The major contributing factor which has seen an increase in depreciation over recent accounting periods is the progressive revaluation of each asset class to fair value. During 2012/13 Operation Land & Buildings have been re-valued, for the second time, and the effect on depreciation is noted in the financial reports.

**Investments:**

During 2012/13 Council's cash and investment portfolio increased from \$18,845,000 to \$23,645,000.

Interest on investments of \$857,000 has been recognised and can be attributed to the recovery of the financial market over a period of time.

Cash and Investment comparatives:

FINANCIAL YEAR	VALUE
2012/13	\$23,645,000
2011/12	\$18,845,000
2010/11	\$15,767,000
2009/10	\$22,903,000
2008/09	\$18,452,000
2007/08	\$14,432,000
2006/07	\$14,905,000
2005/06	\$10,091,000
2004/05	\$11,154,000
2003/04	\$10,222,000
2002/03	\$8,714,000

**Loans:**

At 30 June 2013 \$17,961,000 is outstanding as principal due on loans (11/12 \$18,956,783; 10/11 \$16,861,390; 09/10 \$14,299,701).

An internal loan between General and Wastewater funds of \$2,750,000 remains but as required by the reporting standards is not shown in the consolidated General Purpose Financial Reports due to the fact that internal transactions are eliminated.

During the 2009/10 financial year Council was required to bring to account \$1,553,885 as the discounted interest component of the interest free loan which was received from NSW Planning during that year (Wallerawang STP interest free loan of \$4,897,000). This amount was disclosed on the annual Income Statement and in the subsequent years commencing 2010/11. An expense is shown to 'wind down' the discounted interest in 2012/13 \$191,619 is shown as an interest expense in the General Purpose Financial Reports.

**Cash and Reserves**

Note 6 'Cash Assets and Investment Securities' discloses cash and investments of \$23,645,000 (11/12 \$18,845,469; 10/11 \$15,767,037; 09/10 \$22,903,000) which is held as restricted and unrestricted assets, both for internal and external purposes.

Department of Local Government Circular 06-75 required Council to report on the revaluation of the following classifications of non current assets to 'fair value':

- 2006/07: Water and Wastewater: Completed
- 2007/08: Plant & Equipment: Completed
- 2007/08: Buildings & Operational Land: Completed
- 2008/09: Roads, Bridges, Footpaths, K & G & Drainage: (Deferred by the DLG)
- 2009/10: Roads, Bridges, Footpaths, K & G and Drainage: Completed
- 2010/11: Other Structures & Library Assets to historical cost: Completed
- 2010/11: Community Land to VG valuation: Completed
- 2011/12: Water & Wastewater: Completed
- 2012/13: Operational Land & Buildings: Completed
- 2013/14: Roads, Bridges and Ancillary Infrastructure

The revaluation of an asset to fair value applies to the entire class of the asset whether plant and equipment, buildings and operational land, roads and bridges etc. The fair value comprises the net cost less accumulated depreciation and accumulated impairment costs.

Fair Value is the best estimate of the price reasonably obtainable in the market at the date of valuation and is defined as "amount for which an asset could be exchanged between willing parties in an arms length transaction" in Accounting Standard, AASB 116. It is the most reasonable price obtainable by the seller as well as being the most satisfactory price to the purchaser. The estimate specifically excludes a price inflated or deflated by special terms or circumstances such as financing, sale and leaseback arrangements, or any concession which may be granted by the seller.

In 2012/13 Council revalued Operational Land & Buildings using external valuers. Water & Wastewater Assets have also been re indexed as follows:

**Operational Land:**

Fair Value as at 30 June 2012:	\$5,677,000
Fair Value after Revaluation June 13:	\$7,563,501
Increase in value:	\$1,866,501

**Buildings:**

Fair Value as at 30 June 2012:	\$35,912,466
Fair Value after Revaluation June 13:	\$49,652,241
Increase in value:	\$13,739,775

**Water:**

Increase 12/13 due to Indexation:	\$1,980,732
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**Water:**

Increase 12/13 due to Indexation:	\$2,322,218
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**DLG Compliance: General Purpose Financial Reports**

The following information should be noted with regard to Council's compliance with the Local Government Act 1993:

- Council's financial reports are prepared and will be audited within 4 months after the end of the reporting year.
- As per Sec 428 (2) (a) the audited financial reports will be included in Council's Annual Report
- As per Sec 418 as soon as practicable after receipt of the auditors' report, no later than 7 November 2013, public notice will be given of presentation of the final report to Council at a public meeting with the auditor present.
- Council will invite the auditor to attend the Ordinary meeting of the 25 November 2013.
- Copies of Council's audited financial reports together with the auditors report will be made available for inspection.

**POLICY IMPLICATIONS**

NIL

**FINANCIAL IMPLICATIONS**

Council's Draft 2012/13 General Purpose Financial Reports which disclose a surplus of \$12,513,000, including Capital Grants and Contributions.

**LEGAL IMPLICATIONS**

NIL

**ATTACHMENTS**

Principal Notes:

1. Income Statement
2. Balance Sheet

## RECOMMENDATION

### THAT:

1. The draft accounts be referred to auditors, Intentus (formerly the Morse Group)
2. Council advertise the accounts following receipt of the 2012/13 Audit Certificate
3. Council state the following on the General Purpose Financial Reports for the year ended 30 June 2013:

*The Council's Annual General Purpose Financial Reports have been drawn up in accordance with:-*

- a) *The Local Government Act 1993 (as amended) and the Regulations made there under;*
- b) *The Australian Accounting Standards and professional pronouncements;*
- c) *The Local Government Code of Accounting Practice and Financial Reporting;*
- d) *The Local Government Asset Accounting Manual.*
- e) *To the best of our knowledge and belief, these reports*
- f) *Present fairly the Council's financial position and operating result for the year and*
- g) *Accord with Council accounting and other records.*

*The Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer be authorised attesting to the above and that they are not aware of any matter that would render the reports false or misleading in any way.*

4. Council state the following on the Special Purpose Financial Statements for the year ended 30 June 2013:-

*The attached Special Purpose Financial Statements have been drawn up in accordance with the Local Government Code of Accounting Practice and Financial Reporting and the:*

- a) *NSW Government Policy Statement "Application of National Competition Policy to Local Government"*
- b) *Department of Local Government guidelines "Pricing & Costing for Council Businesses: A Guide to Competitive Neutrality".*
- c) *The Department of Energy, Utilities and Sustainability "Best Practice Management of Water Supply and Sewerage" guidelines.*

*To the best of our knowledge and belief, these reports:*

- a) *Present fairly the financial position and operating result for each of Council's declared Business Units for the year, and*
- b) *Accord with Council's accounting and other records*



*The Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer be authorised attesting to the above and that they are not aware of any matter that would render the reports false or misleading in any way.*

5. Council invite the auditor, Intentus (formerly the Morse Group), to present a formal report of the results to the Ordinary meeting of the Council on the 25 November 2013.

**ITEM-15            FINAN - 30/09/13 - SUCCESSFUL PROSECUTION FOR AN ILLEGAL WATER CONNECTION HILLCREST ESTATE**

**REPORT BY: C FARNSWORTH - FINANCE MANAGER**

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**REFERENCE**

Min No 13-252:            Ordinary Meeting of Council held on 8 July 2013

**SUMMARY**

The purpose of this report is to update Council of the successful prosecution following the removal of Council water Meter No 05W799963 at Hillcrest Estate and ongoing access of the town water supply.

**COMMENTARY**

As reported to the meeting of 8 July 2013 during February 2013 Council Officers, whilst conducting the cyclical water reading program, located Meter No 05W799963 at Hillcrest Estate disconnected from the property and replaced with poly pipe. The meter was left beside the illegal connection and returned by the Council Officers to the Administration Centre. Contact was made with the property owner and he advised that he had disconnected the meter. Council was unable to substantiate the length of time the meter had been disconnected or the quantity of water used.

The matter came before the Local Court, at Lithgow, on 29<sup>th</sup> August 2013 where a plea of Guilty was entered on behalf of the property owner. The Court recorded a conviction against him, fined him \$1,000 and ordered him to pay \$850.00 on account of Council's legal costs as well as \$177.98 reimbursement of service frees and \$85.00 reimbursement of Court costs.

The Court made it clear that it wished to send a strong message to the community that bypassing Council's water meters was not acceptable and would result in serious adverse consequences.

**POLICY IMPLICATIONS**

NIL

**FINANCIAL IMPLICATIONS**

NIL

**LEGAL IMPLICATIONS**

Court determination of the matter

## RECOMMENDATION

**THAT** Council note the successful prosecution for the disconnection of a Council water metre and illegal access of the town water supply.

## COMMITTEE MEETINGS

**ITEM-16            ENVIRO - 30/09/13 - HOWARD & SONS PYROTECHNICS PTY LTD  
COMMUNITY LIAISON COMMITTEE MEETING MINUTES - 28  
AUGUST 2013**

**REPORT BY: A MUIR – GROUP MANAGER ENVIRONMENT AND DEVELOPMENT**

## REFERENCE

Min No 12-470:        Ordinary meeting of Council held on 17 December 2012  
Min No 13-17:        Ordinary meeting of Council held on 4 February 2013  
Min No 13-90:        Ordinary meeting of Council held on 18 March 2013  
Min No 13-216:       Ordinary meeting of Council held on 17 June 2013

## SUMMARY

This report details the Minutes of the Howard & Sons Pyrotechnics Pty Ltd Community Liaison Committee for the meeting of 28 August 2013.

## COMMENTARY

The second meeting of the Howard & Sons Pyrotechnics Pty Ltd Community Liaison Committee was held on 28 August 2013. The minutes of the meeting are attached. Two items arising from the meeting require a resolution by the Council.

### **Item 1**

The current Terms of Reference are proposed to be amended to remove the requirement for *'The meetings are to be held on even months such as February then April etc'*, as this contradicts the meetings to be held quarterly and does not allow for variation when required. Additionally, it is proposed to remove the statement *'meetings will commence at 3.00 pm and finish no later than 5.00 pm'* as it does not allow for variation if needed by the committee.

Therefore, the following is recommended to be adopted for the amended Terms of Reference:

### ***Frequency and Location of meetings***

*Meetings shall be held quarterly on the second Wednesday of the month at the Howard & Sons Pyrotechnics facility. An extraordinary meeting may be called in circumstances where the Chairperson believes this to be necessary.*

### **Item 2**

The Terms of Reference state that the Committee's responsibility is to review compliance with 190/09DACC which has not been activated. This means the Committee does not have power to discuss the current operations. For this reason the

Terms of Reference should be amended to include the current approval 449/00DA under which Howard & Sons currently operates. This will alleviate confusion.

Therefore, the following is recommended be adopted for the Terms of Reference:

**Committee's responsibilities**

*The sole responsibility of the Committee is to provide advice to Council by monitoring strict adherence to the terms of the current approval. The current approval remains as 449/00DA until Development Consent 190/09DA has been activated.*

**POLICY IMPLICATIONS**

NIL

**FINANCIAL IMPLICATIONS**

NIL

**LEGAL IMPLICATIONS**

NIL

**ATTACHMENTS**

1. Minutes from the Howard & Sons Pyrotechnics Pty Ltd Community Liaison Committee.
2. Amended Terms of Reference.

**RECOMMENDATION**

**THAT:**

1. Council note the minutes of the Howard & Sons Pyrotechnics Pty Ltd Community Liaison Committee held on 15 May 2013.
2. The proposed changes to the Howard & Sons Pyrotechnics Community Liaison Committee's Terms of Reference regarding frequency of meetings be accepted and implemented as follows:

*"Meetings shall be held quarterly on the second Wednesday of the month at the Howard & Sons Pyrotechnics facility. An extraordinary meeting may be called in circumstances where the Chairperson believes this to be necessary."*

3. The proposed changes to the Howard & Sons Pyrotechnics Community Liaison Committee's Terms of Reference regarding the Committee's responsibilities be accepted and implemented as follows:

*"The sole responsibility of the Committee is to provide advice to Council by monitoring strict adherence to the terms of the current approval. The current approval remains as 449/00DA until Development Consent 190/09DA has been activated."*

**ITEM-17            ENVIRO - 30/09/13 - CRYSTAL THEATRE MANAGEMENT  
COMMITTEE MINUTES - 18 SEPTEMBER 2013**

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

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## **SUMMARY**

This report presents the minutes of the Crystal Theatre Management Committee Meeting held on 18 September 2013.

## **COMMENTARY**

At the Crystal Theatre Management Committee Meeting held on 18 September 2013, there were a number of items discussed which are outlined in the attached minutes.

Two issues arose requiring Council approval. Firstly the 'Wallnuts' sign writers will be doing further period signage between 25 and 27 October. They will be using the Crystal Theatre as a base and have requested no fees be applied.

Secondly, a request to change Committee meeting days will require an alteration to the Committee Terms of Reference.

## **ATTACHMENTS**

1. Minutes of the Crystal Theatre Management Committee Meeting held on 18 September 2013.

## **RECOMMENDATION**

### **THAT:**

1. Council note the minutes of the Crystal Theatre Management Committee held on 18 September 2013.
2. The Terms of Reference of the Crystal Theatre Management Committee be amended to move meeting days to Tuesdays at 4.00pm.
3. Council waive the fees and security deposit for the use of the Crystal Theatre between 25 and 27 October 2013 by the Portland "Wallnuts" group.

**ITEM-18            ENVIRO - 30/09/13 - MEADOW FLAT HALL MANAGEMENT  
COMMITTEE MINUTES - 29 AUGUST 2013**

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

**SUMMARY**

This report presents the minutes of the Meadow Flat Hall Management Committee Meeting held on 29 August 2013.

**COMMENTARY**

At the Meadow Flat Hall Management Committee Meeting held on 29 August 2013, there were a number of items discussed which are outlined in the attached minutes.

The only matter requiring Council approval is proposed new members Greg Scott and Helen Fritsch. It is understood that Mrs Fritsch resides outside the Lithgow Local Government area, albeit in the vicinity of Meadow Flat Hall. Whilst under the Committee's Terms of Reference members should reside in the Local Government area, no objections were raised by current committee members. It is suggested that Council waive its membership requirements in this instance.

**ATTACHMENTS**

1. Minutes of the Meadow Flat Hall Management Committee Meeting held on 29 August 2013.

**RECOMMENDATION**

**THAT:**

1. Council note the minutes of the Meadow Flat Hall Management Committee Meeting held on 29 August 2013.
2. The nomination from Greg Scott and Helen Fritsch for membership of the Meadow Flat Hall Committee be accepted.

**ITEM-19            OPER - 30/09/13 - TRAFFIC ADVISORY LOCAL COMMITTEE - 5  
SEPTEMBER 2013**

**REPORT BY -    I STEWART – GROUP MANAGER OPERATIONS**

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## **SUMMARY**

This report details the Minutes of the Traffic Advisory Local Committee Meeting held on 5 September 2013.

## **COMMENTARY**

At the Traffic Advisory Local Committee meeting held on 5 September 2013, there were numerous items discussed by the Committee that requires action from Council including;

1. Request to reverse the direction of traffic on Naomi Street Lithgow
2. Pedestrian safety issues along the Great Western Highway Lithgow
3. Request for public comment on the one-way lane proposal for St Joseph's School Portland
4. Investigation into the roundabout at the intersection of Rabaul Street, Martini Parade and Bayonet Street Lithgow
5. Requested changes to bus zone and existing signage Lithgow High School
6. Requested speed zone review and signage installation Reserve Road Marrangaroo
7. Development Application- 56 room motel/ 70 car parking spaces Kirkley Street SouthBowenfels
8. Request for review of current parking in Cook Street Lithgow
9. Request for red arrow installation at the traffic lights at Lithgow and Mort Streets Lithgow
10. Request for dedicated turning lane- Bonaventure Road Mount Lambie
11. La Salle Academy Rabaul Street Lithgow- meeting with RMS, Council and the school to discuss road safety issues
12. Vintage Dirt Bike Weekend event
13. Issues raised by the Wallerawang Lidsdale Progress Association and appreciation for work completed by Council
14. NSW/ ACT Downhill State Championships
15. Tour de Range event information 2013
16. Request for loading zone and changes to timed parking- Bridge Street Lithgow
17. Request for pedestrian crossing in the vicinity of Bunning's Hardware Main Street Lithgow
18. Request for speed zone review and signage installation- Castlereagh Highway Lidsdale
19. Good Luck Hollow- Great Western Highway- pedestrian safety issues
20. Complaint- cycleway upgrade Great Western Highway Marrangaroo
21. Request for 2 hour timed parking in the vicinity of 1127 Great Western Highway Lithgow
22. Request for upgrade to access on property and MacDonald's Hole Road Castlereagh Highway.



The following item was outside the Committee's delegations and requires Council to formally approve the recommendation:

- Item 3– Recommendation that Council changes the current two way traffic flow and installs appropriate signage in the lane way located between Ivatt Street and Sandford Avenue Lithgow to one way traffic only, with vehicles entering via Ivatt Street and exiting via Sandford Avenue.

#### **POLICY IMPLICATIONS**

NIL

#### **FINANCIAL IMPLICATIONS**

NIL

#### **LEGAL IMPLICATIONS**

NIL

#### **ATTACHMENTS**

1. Minutes from the Traffic Advisory Local Committee meeting of 5 September 2013

#### **RECOMMENDATION**

**THAT** Council:

1. Notes the minutes of the Traffic Advisory Local Committee held on the 5 September 2013
2. Approve the installation of one way traffic flows in the lane way located between Ivatt Street and Sandford Avenue Lithgow with vehicles entering via Ivatt Street and exiting via Sandford Avenue.

**ITEM-20            OPER - 30/09/13 - AQUATIC CENTRE COMMITTEE MEETING  
MINUTES - 11 SEPTEMBER 2013**

**REPORT BY -    L KEARNEY – ASSETS AND PROJECT ENGINEER**

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**REFERENCE**

Min No 13-324:            Ordinary Meeting of Council held on 9 September 2013

**SUMMARY**

This report details the Minutes of the Aquatic Centre Committee Meeting held on 11 September 2013.

**COMMENTARY**

At the Aquatic Centre Committee meeting held on 11 September 2013, there were a number of items discussed by the Committee including:

1. Pool Operations and Maintenance Manual
2. Expressions of Interest for Provision of Administrative and Kiosk Services
3. Shade Sail Approval
4. Dehumidification System

**POLICY IMPLICATIONS**

NIL

**FINANCIAL IMPLICATIONS**

NIL

**LEGAL IMPLICATIONS**

NIL

**ATTACHMENTS**

1. Minutes from the Aquatic Centre Committee meeting of 11 September 2013.

**RECOMMENDATION**

**THAT** Council notes the minutes of the Aquatic Centre Committee held on the 11 September 2013.

**ITEM-21            COMM - 30/09/13 - BLUE MOUNTAINS CROSSING BICENTENARY  
COMMITTEE - 4 SEPTEMBER 2013**

**REPORT BY -    W HAWKES – CULTURAL DEVELOPMENT OFFICER**

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**REFERENCE**

Min No 12-331:            Ordinary Meeting of Council held on 3 September 2012  
Min No 12-463:            Ordinary Meeting of Council held on 26 November 2012  
Min No 12-508:            Ordinary Meeting of Council held on 17 December 2012  
Min No 13-68:             Ordinary Meeting of Council held on 25 February 2013  
Min No 13-137:            Ordinary Meeting of Council held on 15 April 2013  
Min No 13-184:            Ordinary Meeting of Council held on 27 May 2013  
Min No 13-277:            Ordinary Meeting of Council held on 29 July 2013

**SUMMARY**

This report details the Minutes of the Blue Mountains Bicentenary Crossing Committee Meeting held on 04 September 2013.

**COMMENTARY**

At the Blue Mountains Bicentenary Crossing Committee held on 04 September 2013, a number of items were discussed by the Committee including the following;

- 3. Signage for Cox's Road
- 4. 2015 Working Party
- 5. New Committee Members

Council's attention is drawn to item 5 with the nomination of representatives from National Parks and Wildlife Services and Rydal Village Association to the Committee.

**POLICY IMPLICATIONS**

NIL

**FINANCIAL IMPLICATIONS**

NIL

**LEGAL IMPLICATIONS**

NIL

**ATTACHMENTS**

- 1. Minutes from the Blue Mountains Crossing Bicentenary Committee meeting of 04 September 2013.

## RECOMMENDATION

**THAT** Council endorses the appointment of Steve Ring (National Parks and Wildlife Services) and Lindsay Green and Helen Black (Rydal Village Association) to the Blue Mountains Crossing Bicentenary committee.

**ITEM-22            COMM - 30/09/13 - YOUTH COUNCIL MINUTES - 30 JULY AND 27  
AUGUST 2013**

**REPORT BY: M JONES - COMMUNITY DEVELOPMENT OFFICER**

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**REFERENCE**

Min No 13-69:            Ordinary Meeting of Council held on 25 February 2013  
Min No 13-104:        Ordinary Meeting of Council held on 18 March 2013  
Min No 13-133:        Ordinary Meeting of Council held on 15 April 2013  
Min No 13-187:        Ordinary Meeting of Council held on 27 May 2013  
Min No 13-214:        Ordinary Meeting of Council held on 17 June 2013  
Min No13-249:        Ordinary Meeting of Council held on 8 July 2013

**SUMMARY**

This report details the minutes of the Youth Council meeting held on 30 July and 27 August 2013.

**COMMENTARY**

At the Youth Council meetings held on 30 July and 27 August 2013 various items were discussed by the committee including:

- PCYC Scholarships implementation and promotion.
- Ideas for future youth focused events in Lithgow.
- Ideas for updating the Youth Council page on the Council website.

**POLICY IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

NIL

**LEGAL IMPLICATIONS**

Local Government Act NSW 1993

**ATTACHMENTS**

1. Minutes of the Youth Council meeting - 30 July 2013
2. Minutes of the Youth Council Meeting - 27 August 2013.

## **RECOMMENDATION**

**THAT** Council notes the minutes of the Youth Council meetings held 30 July and 27 August 2013.

**ITEM-23            COMM - 30/09/13 - TOURISM ADVISORY COMMITTEE - 17  
SEPTEMBER 2013**

**REPORT BY -    K BARROW – TOURISM MANAGER**

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**REFERENCE**

Min No 13-186:            Ordinary Meeting of Council held on 27 May 2013  
Min No 13-215:            Ordinary Meeting of Council held on 17 June 2013  
Min No 13-277:            Ordinary Meeting of Council held on 02 July 2013  
Min No 13-330:            Ordinary Meeting of Council held on 09 September 2013

**SUMMARY**

This report details the Minutes of the Tourism Advisory Committee Meeting held on 17 September 2013

**COMMENTARY**

At the Tourism Advisory Committee held on 17 September 2013, there were numerous items discussed by the Committee;

1. Town Entrance Signage
2. Halloween and Lithglo Updates
3. Upcoming Events
4. Billboard at Capertee
5. Roaring 20's festival

The privatisation issue is being dealt with through a separate staff report.

**POLICY IMPLICATIONS**

NIL

**FINANCIAL IMPLICATIONS**

NIL

**LEGAL IMPLICATIONS**

NIL

**ATTACHMENTS**

1. Minutes from the Tourism Advisory Committee meeting of 17 September 2013

**RECOMMENDATION**

**THAT** Council notes the minutes of the Tourism Advisory Committee held on the 17 September 2013.

## DELEGATES REPORTS

### ITEM-24 DELEGATES REPORT - 30/09/13 - CENTROC MEETING - 22 AUGUST 2013

#### REPORT FROM: THE MAYOR, COUNCILLOR MAREE STATHAM

## REFERENCE

Min No 12-334: Ordinary Meeting of Council held on 3 September 2012  
Min No 12-435: Ordinary Meeting of Council held on 26 November 2012

## SUMMARY

This report outlines the discussions from the Centroc meeting held in Dubbo on Thursday 22nd August 2013.

## COMMENTARY

The most recent meeting of the Centroc board was on the 22nd August 2013 in Dubbo. Speakers in attendance at the meeting were Ms Joy Adams, Western Area Health District who spoke about the plan for the region and Mr John Attenborough from Statewide who addressed insurance for Councils.

Two items of significant discussion were the Local Government Reform process and support for more water storages in Central NSW.

### **The Local Government Reform process**

The Centroc Board endorsed submissions to the Local Government Reform process. These are in relation to the 20 Essential Steps Report and the MDL report on Community Board. The submissions available on the Centroc website at:

<http://centroc.com.au/publications/submissions>

The submissions support the Centroc position:

- 1) noting that there a divergence of opinions within the group and that members will be providing other advice;
- 2) noting in particular there is a diversity of advice regarding County Councils where clarity regarding the Independent Panel recommendations is sought with another round of consultation before advice is provided to Minister for Local Government;
- 3) noting that the region is against Local Boards in principle where again clarity is sought in a further round of consultation;
- 4) including advice regarding models for collaboration where regional solutions without losing local autonomy are to be included :



- a) noting that Centroc is undertaking work on scenario development for regional programming and the preferred structural arrangements for their delivery;
- b) noting that the preference from this region is for legislation for regional collaboration be purpose built or if existing County Council provisions are to be amended, these be amended to include heads of consideration as follows:
  - i) Enabling regional procurement and other collaborative programming where regional procurement has been an area of particular deficiency;
  - ii) Self-determining constitutions including provisions for Board membership based on principles of representation and offering both operational and advocacy advice and skills to the entity;
  - iii) Optional binding/mandatory arrangements with guidelines for when these are to be used;
  - iv) Answerability to constituent councils and
  - v) Employment of staff under similar arrangement as General Purpose Councils.

### **More water storages in Central NSW**

There was robust and collaborative discussion regarding the proposed “Needles” dam led to the Board resolving to:

- 1) write to the candidates in the forthcoming Federal election seeking support for their ongoing commitment to improving regional water security in Central NSW;
- 2) this support include advice acknowledging the success to date of Centroc Regional Water Security Study and Centroc Water Utilities Alliance; and
- 3) this support also build on Centroc’s success to investigate further projects through a review of the Centroc Water Security Study, which could include a regional grid, localised solutions around demand management and leak prevention and further investigations into new storages in line with NSW Government priorities, which may include the Needles.

### **The balance of discussion at the Board meeting**

The Board meeting considered reports against its Management Plan including the following:

**Transport Infrastructure** - members resolved to approach the NSW Government with a view to having Central NSW infrastructure priorities included in the NSW Government submission to the National Building Program;

**Water Infrastructure** - the substantial activity of the Centroc Water Utilities’ Alliance was noted and included its signing of the contract with the Australian Government as part of the Community Energy Efficiency Program for up to \$2.2M for the Nexus between Water and Energy Program.

**Health** - the success of the 24hr helicopter campaign was celebrated as a great win for the region and the Board subsequently resolved to send letters of thanks to all members, the Minister for Health, the Parliamentary Secretary for Rural and Regional Health and Local members for their support.

**Telecommunications** - members were supportive of the broadband survey campaign currently being undertaken by Centroc.

**Regional Development** - the Destination Management Plan by Central NSW Tourism (CNSWT) was discussed with members being asked to request a presentation on it by the CNSW CEO who was also asked to present at the next Centroc Board meeting.

**Member Council operational support** - noting the substantial amount of activity being undertaken collaboratively in support of member operations. This includes:

- The roll out of the successful online training trial showing excellent savings to members;
- Development of a regional Pre-employment Screening Tender;
- A regionally developed water sampling training and accreditation program;
- Development of a regional approach to road asset revaluation;
- Progress of the next round of regional electricity procurement;
- Grant opportunities; and
- Regional contracts.

Net savings to members under these programs since December 14, 2009 are \$2.25m.

The Board also adopted a Social Media Plan. Interested Councillors might like to follow Centroc on Twitter or Facebook.

There was also a report provided on having Centroc Board meetings at both Parliament House in Sydney and Parliament House in Canberra with a view to progressing the region's priorities with the State and Federal Governments.

Unaudited financial advice showed a small surplus for the year of \$32,832 against a budget of \$630.

Centroc has lodged a number of submissions on behalf of the region in the past quarter. These include:

- Centroc Submission to the MDL Paper on Community Governance August 2013;
- Centroc Submission Sydney Airport Masterplan August 2013;
- Centroc Submission Future Directions for NSW Local Government Twenty Essential Steps June 2013;
- Centroc Submission Discussion Paper A new Local Government Act for NSW June 2013;
- Centroc Submission Inquiry into Tourism in Local Communities June 2013;
- Centroc Submission White Paper A new Planning System for NSW June 2013; and
- Centroc Submission Inquiry into downstream gas supply and availability in NSW June 2013.

These and the Centroc business papers are available on the Centroc website at [centroc.com.au](http://centroc.com.au) or via Centroc staff through the General Manager.

I think you can see from the above that there is a lot of valuable collaborative activity going on in this region, and I commend this report to you for noting.

## **RECOMMENDATION**

**THAT** Council note the report on the Centroc Board Meeting held on 22 August 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.*