



A CENTRE OF REGIONAL EXCELLENCE

AGENDA

ORDINARY MEETING OF COUNCIL

TO BE HELD AT

THE ADMINISTRATION CENTRE, LITHGOW

ON

25 NOVEMBER 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 28 OCTOBER 2013**

**DECLARATION OF INTEREST**

**PUBLIC FORUM**

**PRESENTATIONS** - Audit Presentation of the 2012/13 General Purpose and Special Purpose Financial Reports - Item 8

**MAYORAL MINUTES** - NIL

**STAFF REPORTS**

General Managers Reports  
Environment and Development Reports  
Operation Reports  
Corporate and Community Reports

**COUNCIL COMMITTEE MINUTES**

Blue Mountains Crossing Bicentenary Committee - 6 November 2013  
Disability Access Committee Minutes - 12 November 2013  
Youth Council Minutes - 29 October 2013  
Tourism Advisory Committee Minutes - 12 November 2013  
Tourism Advisory Committee Minutes - 15 October 2013  
Operations (Works) Committee Meeting Minutes - 25 September 2013  
Sports Advisory Committee Meeting Minutes - 29 October 2013  
Union Theatre Management Committee Minutes - 8 October 2013

**DELEGATES REPORTS** - NIL

**NOTICES OF MOTION**

COC Limited Seeking Support from Council - Councillor F Inzitari  
Future of Wallerawang Power Stations - Councillor W McAndrew

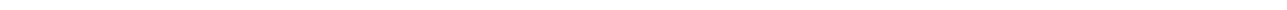
**QUESTIONS WITH NOTICE** - NIL

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**NOTICE OF RECISSIONS - NIL**

**BUSINESS OF GREAT URGENCY**

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



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## GENERAL MANAGERS REPORTS

ITEM-1 GM - 25/11/13 - RETURNS UNDER SEC 449 LG ACT 1993  
DISCLOSING INTERESTS OF COUNCILLORS & DESIGNATED  
PERSONS - SUSPENDED COUNCILLOR M TICEHURST

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

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## REFERENCE

Min No 13-382: Ordinary Meeting of Council held on 28 October 2013

## SUMMARY

To advise Council of the return lodged with the General Manager under Section 449 of the Local Government Act 1993 by suspended Councillor Ticehurst for period 1 July 2012 to 30 June 2013.

## COMMENTARY

Section 449 of the Local Government Act requires Councillors and designated persons to lodge returns under Section 449 for the period 1 July 2012 to 30 June 2013.

Council was informed at the Council meeting on 28 October 2013 that Councillor Ticehurst had not completed his return. Council requested that a phone call be made to Councillor Ticehurst as a further reminder. This was undertaken on Thursday 28 October 2013 and the phone call was suddenly terminated by Councillor Ticehurst. A further call was made and message left however no response was made by Councillor Ticehurst. This was also followed up by emails to Councillor Ticehurst however no response was made until the receipt of the return.

These returns were to be completed and returned no later than 30 September 2013. The return for suspended Councillor M Ticehurst was received by Council on 8 November 2013 however was signed and dated 12 October 2013.

Section 449 states:

*Division 2 Disclosure of interests in written returns  
Table of Provisions*

*449 Returns disclosing interests of councillors and designated persons*

- 1. A councillor or designated person must complete and lodge with the general manager, within 3 months after becoming a councillor or designated person, a return in the form in Part 1 of Schedule 3.*
- 2. A person need not lodge a return within the 3-month period after becoming a councillor or designated person if the person lodged a return in the previous*

*year or if the person ceases to be a councillor or designated person within the 3-month period.*

3. *A councillor or designated person holding that position at 30 June in any year must complete and lodge with the general manager within 3 months after that date a return in the form in Part 1 of Schedule 3.*
4. *A person need not lodge a return within the 3-month period after 30 June in a year if the person lodged a return under subsection (1) within 3 months of 30 June in that year.*
5. *Nothing in this section prevents a councillor or designated person from lodging more than one return in any year.*
6. *Nothing in this section or Schedule 3 requires a person to disclose in a return lodged under this section an interest of the person's spouse or de facto partner or a relative of the person.*

Section 450A requires the returns lodged under section 449 to be tabled at a meeting of Council and as such suspended Councillor Ticehurst's return is available at this meeting.

#### **POLICY IMPLICATIONS**

NIL

#### **FINANCIAL IMPLICATIONS**

NIL

#### **LEGAL IMPLICATIONS**

NIL

#### **ATTACHMENTS**

1. Register of Disclosures by Councillors and Designated Persons Section 449 Local Government Act 1993 as at 30 June 2013. (To be tabled at the meeting)

#### **RECOMMENDATION**

**THAT** Council acknowledge the disclosure received on 8 November 2013 under Section 449 of the Local Government Act 1993 for the period 1 July 2012 to 30 June 2013 from suspended Councillor M Ticehurst.

**ITEM-2 GM - 25/11/13 - REVIEW OF COUNCIL POLICIES**

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

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**REFERENCE**

Min No 09-189: Ordinary Meeting of Council held on 9 May 2009.

**SUMMARY**

This report provides Council with the outcome of a recent review of Council policies. It recommends amendments to the Policy Register.

**COMMENTARY**

A review of Council policies has recently been completed by the Executive Management Team and there are a number of suggested changes to the Policy Register for Council's consideration.

It has been determined that a number of policies are no longer relevant or outdated due to the implementation of new processes or changes in legislation and as such are being recommended for deletion. In order to provide a clearer Policy Register it is proposed that all the policies be re-numbered.

To allow councillors sufficient time to review the policies the changes are being provided to Councillors for review and it is proposed that the policy register be reviewed at the 16 December 2013 Council meeting.

Given the introduction of the new Council Logo a number of the policy changes are simply formatting and updating to the new Council logo.

<b>Existing Policy No.</b>	<b>Policy Name</b>	<b>Proposed Changes</b>	<b>New Policy No.</b>
1.1	Land (Council) - Leases - Legal Costs	Updated Management Plan to Operational Plan and Delivery Program	1.1
1.2	Asset Acquisition	Additional information included	1.2
1.3	Asset Disposal	Reference to Internal Services updated to Finance Department	1.3
1.4	Tendering	Rewording of Policy objective, changes to advertising requirements, clarification on open tenders	1.4
1.5	Asset Management	Formatting	1.5



2.1	Cemetery Operations	Policy 2.2 Deleted and information included in the new policy. Policy 2.3 renamed to 2.1	2.1
3.1	Contracts – Disclosure On Request Of Information Contained In Council Contracts	Rescinded	
4.1	Community Representatives - Appointment to Committees or Working Groups	Formatting and changes to order of information.	3.1
4.2	Voluntary Work – Community Volunteers	Rescinded - covered by the Standard Working Procedure and the soon to be produced Volunteer Manual. Most volunteers are 'workers' under the WHS Act.	
4.3	Donations – GST Treatment for Grants and Contributions	Rescinded - Policy not required because Council is obliged under legislation.	
4.4	Financial Assistance - Section 356 of the Local Government Act	Formatting	3.2
4.5	Financial Assistance to Community Groups and Organisations - Interest Free Loan	Formatting, Updated Management Plan to Operational Plan and Delivery Program	3.3
4.6	Request for Donation by Waving of Fees for Council Facilities	Additional information	3.4
4.7	Halls - Senior Citizens Week	Rescinded -	
4.8	Union Theatre/Civic Ballroom – Functions By Charitable Organisations	Rescinded - Replaced by changes to Fees and Charges in relation to Charitable organisations	
4.9	Council Artwork Collection	Policy 4.9 & 4.10 amalgamated, change of policy name	3.5
4.10	Loans From Council's Art Collection	Rescinded and included in Policy 4.9	
4.11	Complaints – Disclosure Of Identity – Freedom Of Information Act 1989	Rescinded - The Freedom of Information Act 1989 is no longer applicable.	

4.12	Complaints and Procedures	Rescinded - contents of Policy amalgamated with Customer Service Policy	
4.13	Customer Service Policy	Additional Information, updated references to legislation	3.6
4.14	Lithgow Library Learning Centre Child Protection Policy	Amendments to wording	3.7
4.15	Consultation with Indigenous People	Change of Policy Name, reference to Indigenous people as opposed to Aboriginal	3.8
5.2	Building Over easements	Formatting, Additional Information	4.1
5.3	Encroachments onto Public Roads	Amendments to wording	4.2
5.4	Footpath - Use of Public Footpaths for Restaurant Seating and Display of Goods	Formatting	4.3
5.5	Enforcement Policy	Formatting , amendments to wording	4.4
5.6	Companion Animals Policy	Formatting and amendments to wording	4.5
6.1	Copyright of Plans	Rescinded - Policy not required because Council is obliged under copyright legislation.	
6.2	Corporate Sponsorship	Formatting	5.1
7.1	Filling and Levelling of Land	Formatting , amendments to wording	6.1
7.3	Subdivision - Release of Subdivision Plans	Formatting , amendments to wording	6.2
7.4	Planning - Exhibition Homes on Land Zoned Residential	Formatting, minor changes to policy aim and removal of point	6.3
7.5	Rainwater Storage for Domestic Use - Non Urban Areas	Formatting	6.4
7.6	Development Applications by Councillors and Staff and Relatives or on Council Owned Land	Formatting , amendments to wording	6.5
7.7	Calling in of Development Applications by Councillors	Formatting , amendments to wording	6.6
7.8	Restricted and Sex Services Premises Requirements	Formatting and amendments to wording	6.7
7.9	Now Policy 10.19		

7.10	Requirements for Restricted Premises	Formatting , amendments to wording	6.8
7.12	Planning Agreements	Formatting , amendments to wording	6.9
8.1	Debt Recovery	Reference to Community and Strategy updated to Corporate and Community, formatting	7.1
8.2	Investment Policy	Amendments to wording and reference to Internal Services updated, formatting	7.2
8.3	Hardship Policy	Formatting, amendments to wording	7.3
8.4	Bonds Held for Works	Formatting	7.4
8.5	Pension Rebates	Related Policy/SWP/Legislation/Standard Implications added, formatting	7.5
8.6	Excessive Water Usage Allowance for Breakages	Formatting	7.6
8.7	Change in Category for Rating Purposes	Formatting	7.7
8.8	Main Street Façade Restoration Program	Formatting	7.8
9.1	Apologies - By Council	Formatting	8.1
9.2	Appointment of Mayor to Committees	Rescinded - The Mayor is automatically a member of each Council Committee and is able to attend meetings. Policy is not required.	
9.3	Business Ethics	Formatting	8.2
9.4	Competitive Neutrality	Formatting	8.3
9.5	Council Meetings - Appointment of Chairpersons of Council Committees/Working Groups	Rescinded	
9.6	Council Meetings - January Each Year and Rescheduling of Other Council Meetings	Rescinded - Due to the Christmas/New Year Break it has been a common practice that no Council meetings are held in January. Policy is not required.	
9.7	Gifts and Benefits - Councillors and Staff	Formatting	8.4
9.8	Motions for Annual Conference of Local Government Association	Rescinded - A report is presented to Council prior to each Annual Conference for determination of Motions. Policy is not required.	
9.9	Payment of Expenses and Provision of Facilities to Councillors	Policy has been on Public Exhibition for the past 28 days and is being presented to Council for consideration at this Council meeting.	8.5

9.10	Provision of Information to and Interaction between Councillors and Staff	Reference to Management Plan updated to Operational Plan and Delivery Program, updated to reflect current legislation	8.6
9.11	Tenders - Canvassing/Lobbying of Councillors and Staff	Formatting	8.7
9.12	Records Management	Formatting - Version 4 was adopted by Council in April 2013 and no changes have been made since.	8.8
9.13	Protected Disclosures Policy	Amendments to wording	8.9
9.14	Occupational Health and Safety Policy	Rescinded - Policy has been superseded by Policy 9.19 - Work Health Safety Policy	
9.16	Council Workshops and Briefing sessions	Removal of Agenda requirements, formatting	8.10
9.17	Access to information held	Formatting	8.11
9.18	Media and Social Media	Formatting	8.12
9.19	Work Health Safety Policy	New policy	8.13
9.20	Risk Management Policy	New policy	8.14
9.21	Privacy Management Plan	New policy	8.15
10.2	Council - Closure of Council Facilities over the Christmas/New Year Period	Formatting	9.1
10.3	Smoke Free Environment	Formatting, amendments to wording	9.2
10.4	Naming of Council Facilities	Amendments to wording and additional information, formatting	9.3
10.5	Bus Shelters/Street Seating - Advertising	Amendments to wording and additional information, formatting	9.4
10.6	Footpath Reservations - Works undertaken by Adjacent Landowners	Formatting	9.5
10.7	Kerb and Gutter Construction - Contributions	Formatting	9.6
10.8	Public Gates and Grids on Local Roads	Formatting	9.7
10.9	Rural Addressing	Formatting	9.8
10.10	Street Lighting	Rescinded	
10.11	Street Naming	Formatting	9.9
10.12	Street Numbering	Change to Policy Name, amendment to policy aim, formatting	9.10

10.13	Crown Roads - Maintenance Responsibility	Formatting	9.11
10.14	Vandalism	Reward increased to \$5,000, formatting	9.12
10.15	Removal of Trees from Public Land	Formatting	9.13
10.16	Property Leases	Formatting	9.14
10.17	Footpath Maintenance and repairs	Formatting	9.15
10.18	Nature Strip and Median Strip Maintenance	Formatting	9.16
10.19	Roadworks - Provision of Unusable Materials to Property Owners	Formatting	9.17
11.1	Exemption to Wheelie Bin Service	Formatting	10.1
11.2	Waste Disposal - Waste Depots - Exemption from Charges	Formatting	10.2
11.3	Discharge of Liquid Trade Waste to the Sewerage	Still under review and will be presented at future meeting of Council.	10.3
12.1	Meter Installation	Formatting	11.1
12.2	Restrictions	Formatting	11.2

With the exception of Policies 9.19, 9.20 and 9.21 which are new policies before Council, the proposed changes to the Policy Register are not considered to be major to require public exhibition as they will only refine Council's policy position.

#### **POLICY IMPLICATIONS**

The proposed changes will refine Council's policy position.

#### **FINANCIAL IMPLICATIONS**

NIL

#### **LEGAL IMPLICATIONS**

The policies have been reviewed in terms of legislative requirements and subsequently amendments have been made.

#### **ATTACHMENTS**

1. Copies of the policies incorporating the proposed changes.

#### **RECOMMENDATION**

**THAT** the proposed changes to the Council Policies be noted by Council and considered at the 16 December 2013 Council meeting.

**ITEM-3                    GM - 25/11/13 - REVIEW OF POLICY 9.9 PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO COUNCILLORS**

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**REFERENCE**

Min No 12-447:            Ordinary Meeting of Council held on 26 November 2012  
Min No 13-340:            Ordinary Meeting of Council held on 30 September 2013

**SUMMARY**

This report is to present the Draft Policy 9.9 for the 'Payment of Expenses and Provision of Facilities to Councillors Version 6, for adoption.

**COMMENTARY**

Draft Policy 9.9 for the 'Payment of expenses and Provision of Facilities to Councillors' was reviewed and submitted to the Council on Monday 30 September 2013. Subsequently the document was advertised from Thursday 10 October 2013 until 8th November 2013 for public comment. No comments were received.

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

## **POLICY IMPLICATIONS**

Replacement of Policy 9.9 for the 'Payment of Expenses and Provision of Facilities to Councillors' Version 5.

## **FINANCIAL IMPLICATIONS**

NIL

## **LEGAL IMPLICATIONS**

NIL

## **ATTACHMENTS**

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

## **RECOMMENDATION**

**THAT** Council:

1. Adopt Draft Policy 9.9 for the 'Payment of Expenses and Provision of Facilities to Councillors,' Version 6;
2. Advise the Division of Local Government that the Policy has been publically advertised and adopted.

## ENVIRONMENT AND DEVELOPMENT REPORTS

### ITEM-4            ENVIRO - 25/11/13 - COALPAC CONSOLIDATION PROJECT                          CULLEN BULLEN

#### REPORT FROM: A MUIR – GROUP MANAGER ENVIRONMENT & DEVELOPMENT

### REFERENCE

Min No 11-329:	Ordinary Meeting of Council held on 22 August 2011
Min No 11-488:	Ordinary Meeting of Council held on 12 December 2011
Min No 12-131:	Ordinary Meeting of Council held on 23 April 2012
Min No 12-151:	Ordinary Meeting of Council held on 14 May 2012
Min No 12-291:	Ordinary Meeting of Council held on 13 August 2012
Min No 12-323:	Ordinary Meeting of Council held on 3 September 2012

### SUMMARY

To provide Council with an update on the current position of the Coalpac Consolidation Project.

### COMMENTARY

On Thursday 17 October 2013, Coalpac Pty Ltd withdrew its project application for the Consolidation Project (10\_0178). Consequently, the application will not be determined by the Planning Assessment Commission or any other approval authority.

The Director General's report was finalised on the 26 September 2013 which recommended refusal of the project.

The reasons for recommending refusal of the project application are outlined below:

- a) the project would result in unacceptable and irreversible impacts on biodiversity;
- b) the project would result in unacceptable and irreversible impacts on natural features of *special significance*;
- c) the site is not suitable for the project; and
- d) the project is not in the public interest.

### POLICY IMPLICATIONS

NIL

### FINANCIAL IMPLICATIONS

NIL

### LEGAL IMPLICATIONS

The proposal will not be proceeding under the provisions of Part 3A of the Environmental Planning and Assessment Act being a project which had been formulated prior to the repeal of Part 3A.



## **ATTACHMENTS**

1. Coalpac Project Assessment Report Facts Sheet

## **RECOMMENDATION**

**THAT** Council note the withdrawal of the project application for the Coalpac Consolidation Project.

## ITEM-5            ENVIRO - 25/11/2013 - PLANNING BILLS

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

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### **SUMMARY**

To advise of the introduction of new Planning Bills into the New South Wales Parliament.

### **COMMENTARY**

The NSW Government's Planning reform agenda has reached the next phase with the introduction of the *Planning Bill 2013* and *Planning Administration Bill 2013*.

The aim of the Planning Bill is to introduce a new planning system for New South Wales as outlined in the Government's White Paper released in April 2013. A total of 4,926 submissions were received during the exhibition of the White Paper and Exposure Bills from Tuesday 16 April to Friday 28 June 2013. Following public consultation a number of changes have been made to the reforms outlined in the White Paper, in particular to increase community participation and local community powers in relation to planning matters and to provide greater scrutiny of planning decisions. The objects of the Planning Bill are:

- a) to promote the growth of the State's economy and increased productivity,
- b) to promote sustainable development,
- c) to provide opportunities for early and on-going community participation in strategic planning and to promote transparent decision-making,
- d) to facilitate and manage growth by the co-ordination, planning, delivery and integration of infrastructure and services in strategic planning,
- e) to promote the timely delivery of business, employment and housing opportunities (including for housing choice and affordable housing),
- f) to promote the protection of the environment and heritage, including by:
  - i. the conservation of biodiversity, and
  - ii. the conservation and sustainable management of built and cultural heritage (including Aboriginal cultural heritage),
- g) to enable the effective management of natural hazards and natural resources, including agricultural land, water and minerals,
- h) to promote health and safety in the design, construction and performance of buildings,

- i) to promote health, amenity and quality in the design and planning of the built environment,
- j) to promote efficient and timely development assessment that is proportionate to the likely impacts of proposed development,
- k) to share responsibility between all levels of government for planning and the management of growth.

The proposed new legislation represents the most significant change to the NSW Planning system since the introduction of the Environmental Planning and Assessment Act in 1979.

#### **POLICY IMPLICATIONS**

NIL

#### **FINANCIAL IMPLICATIONS**

NIL

#### **LEGAL IMPLICATIONS**

The new Planning legislation is intended to replace the Environmental Planning and Assessment Act 1979.

#### **RECOMMENDATION**

**THAT** the information on the introduction of the *Planning Bill 2013* and *Planning Administration Bill 2013* be noted.

**ITEM-6            ENVIRO - 25/11/13 - DEVELOPMENT APPLICATION DA239-13 -  
PROPOSED GARAGE - 16 WINDARRA PLACE MARRANGAROO -  
COUNCILLOR W MCANDREW**

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

## **SUMMARY**

To advise of the lodgement of Development Application No DA239/13 by Councillor W McAndrew and to recommend conditional approval.

## **COMMENTARY**

A development application has been lodged by Councillor W McAndrew for the erection of a freestanding steel framed and clad garage on vacant land being Lot 19, DP 1029863, No 16 Windarra Place Marrangaroo.

## **POLICY IMPLICATIONS**

Council's Policy 'Development Applications by Councillors and Staff and Relatives or on Council Owned Land' requires that any development application lodged by a councillor must be referred to Council or its appropriate committee for consideration and determination.

## **FINANCIAL IMPLICATIONS**

NIL. The proposal falls below the threshold that would trigger a contribution under Council's Section 94A Contributions Plan.

## **LEGAL IMPLICATIONS**

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

## **ATTACHMENTS**

1. A Section 79C report pursuant to the Environmental Planning and Assessment Act 1979
2. Site plan and elevations of the proposed garage.

## **RECOMMENDATION**

### **THAT:**

1. Council approve Development Application No DA239/13 in accordance with the conditions outlined in the attached Section 79C report.
2. A **DIVISION** be called in accordance with the requirements of Section 375A(3) of the Local Government Act, 1993.

## OPERATION REPORTS

ITEM-7            OPER - 25/11/13 - WATER REPORT - NOVEMBER 2013

REPORT BY: C SCHUMACHER – ACTING GROUP MANAGER OPERATIONS

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### REFERENCE

Min No 13-379:            Ordinary Meeting of Council held on 28 October 2013

### SUMMARY

This report provides an update on various water management issues as per Minute Number 13-379.

### COMMENTARY

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

#### Current Dam Levels for both Farmers Creek and Oberon

Farmers Creek Dam #2 capacity on Wednesday 13 November was 82.3%. Oberon Dam capacity on Wednesday 13<sup>th</sup> November was 79.9%.

#### Current Water Usage from Each Supply

Table 1 below indicates total output from the Oakey Park Water Treatment Plant (consumption) and the volume transferred from the Clarence Transfer System (CWTS) for 2013/14.

**Table 1 - Oakey Park Monthly Output and Clarence Transfer**

Month Total	Oakey Park WTP (ML)	Clarence Transfer (ML)	Farmers Ck Dam Accumulative Yield (ML)
July	93.5	0	93.5
August	96.3	0	96.3
September	102	0	102
October	133	0	133
<b>Rolling 12 Month Total</b>	<b>424.8</b>	<b>0</b>	<b>424.8</b>

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

Oakey Park WTP	Avg Daily Use kL	Avg Daily CWTS Transfer kL
October	<b>4,290</b>	<b>0</b>

### **Oakey Park Water Quality Summary**

Oakey Park Water Treatment Plant is currently supplying water to Lithgow. No health-based ADWG guideline values were exceeded in October.

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

### **Fish River Water Scheme Water Quality Summary**

The FRWS is currently supplying water to Marrangaroo, Wallerawang, Lidsdale, Portland, Cullen Bullen, Glen Davis and Rydal. No health-based ADWG guideline values were exceeded.

### **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 October with Council approving four applications for a household appliance rebate and no applications for a water tank rebates.

### **Alternate Water Sources Update**

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

### **Financial Results for Councils Water Supply Business**

The table below outlines Councils financial position relative to water supply operations to November 2012-13 and also provides a projected forecast for water supply operations into 2013-14.

	<b>Actual 2012-13</b>	<b>Estimated 2013-14</b>
<b>WATER SUPPLY OPERATING STATEMENT</b>	<b>\$'000</b>	<b>\$'000</b>
<b>Income</b>		
Water Access	1,122	1,237
Usage Charges	4,265	3,982
Grants and contributions for non capital	98	96
Other	158	104
<b>Total Income</b>	<b>5,643</b>	<b>5,419</b>
<b>Expenses</b>		
Employees Benefits & On Costs	1,306	982
Purchase of Water	1,336	1,233
Materials and Contracts	2,506	2,422
Depreciation	1,058	1,242
Borrowing Costs	121	109

<b>Total Expenses</b>	<b>6,327</b>	<b>5,988</b>
<b>NET OPERATING POSITION</b>	<b>(684)</b>	<b>(569)</b>

**FINANCIAL IMPLICATIONS**

NIL

**POLICY IMPLICATIONS**

NIL

**LEGAL IMPLICATIONS**

NIL

**RECOMMENDATION**

**THAT** Council note the water report.

## **CORPORATE AND COMMUNITY REPORTS**

### **ITEM-8            CORP - 25/11/13 - AUDIT PRESENTATION OF THE 2012/13 GENERAL PURPOSE AND SPECIAL PURPOSE FINANCIAL REPORTS**

#### **REPORT FROM – J BROZEK - GROUP MANAGER- CORPORATE AND COMMUNITY**

### **SUMMARY**

To advise Council that Auditors, Intentus (previously The Morse Group), will be at the meeting of 25 November 2013 to make a presentation of the 2012/13 General Purpose Financial Reports, Special Purpose Financial Reports and Special Schedules.

### **COMMENTARY**

In compliance with Section 418 (3) of the Local Government Act due notice has been provided in the local media, at the Administration Centre, Libraries and on Council's website that the Auditors, will present the 2012/13 audited reports to this meeting. All interested members of the public have been invited to attend and in accordance with Section 420 of the Local Government Act 1993, Council will accept submissions, in writing, for a period of seven days following the audit address. As per the Act submissions received will be forwarded directly to the Auditors for their response.

### **POLICY IMPLICATIONS**

NIL

### **FINANCIAL IMPLICATIONS**

The 2012/13 General Purpose Financial Reports, Special Purpose Financial Reports and Special Schedules represent Council's position as at 30 June 2013.

### **LEGAL IMPLICATIONS**

NIL

### **RECOMMENDATION**

#### **THAT:**

1. Council thank Ms Leanne Smith of Intentus (previously the Morse Group) for her presentation.
2. Council accept submissions, in writing, for a period of seven days following the audit address until 4.30pm on the 2 December 2013 which will be forwarded to Councils Auditors.



## ITEM-9            CORP - 25/11/13 - 2012/13 ANNUAL REPORT

### REPORT FROM: D MCGRATH – CORPORATE STRATEGY AND COMMUNICATIONS OFFICER

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#### REFERENCE

Min No 11-469:            Ordinary Meeting of Council held on 21 November 2011  
Min No 12-458:            Ordinary Meeting of Council held on 26 November 2012

#### SUMMARY

This report provides a copy of the Annual Report 2012–2013 to Council for its information.

#### COMMENTARY

The Local Government Act 1993 states:

*Within 5 months after the end of each year, a council must prepare a report (its “**annual report**”) for that year reporting as to its achievements in implementing its delivery program and the effectiveness of the principal activities undertaken in achieving the objectives at which those principal activities are directed.*

The Annual Report for the year 2012-2013 has been prepared and will be forwarded to the Division of Local Government. A copy of the Report has been provided to Councillors within their Business Paper Packages.

Copies of the Annual Report and Audited Statements (when available) will be placed on Council’s website and a hard copy will be available for viewing at the Council’s Administration Centre, the Lithgow Library Learning Centre and Portland, Wallerawang and Rydal Libraries.

#### POLICY IMPLICATIONS

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

#### FINANCIAL IMPLICATIONS

The Annual Report was produced internally and funded from the Policy and Planning recurrent budget.

#### LEGAL IMPLICATIONS

The Annual Report was prepared in accordance with the requirements of the Local Government Act 1993 and Local Government (General) Amendment (Planning and Reporting) Regulation 2009.

## **ATTACHMENTS**

1. Annual Report 2012-2013.
2. Audited Financial Statements 2012-2013

## **RECOMMENDATION**

**THAT** Council adopt the Lithgow City Council Annual Report 2012-2013.

**ITEM-10            CORP - 25/11/13 - QUARTERLY PERFORMANCE REPORT ON 2013-2014 OPERATIONAL PLAN FOR THE PERIOD 1 JULY TO 30 SEPTEMBER 2013**

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

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**REFERENCE**

Min No 13-156:            Ordinary Meeting of Council held on 6 May 2013

**SUMMARY**

This report provides the Quarterly Performance Report on the 2013-2014 Operational Plan for the period of 1 July to 30 September 2013 with a recommendation to note that the surplus position remains unchanged at \$10,655.

**COMMENTARY**

The July to September Quarterly Performance Report on the 2013-2014 Operational Plan has been prepared and details are provided with the attachment to the Business Paper.

This report provides a detailed summary of achievements against the Delivery Program 2013-2017.

<b>2013/14 QUARTERLY BUDGET COMPARISON</b>			
<b>Budget (Inc Internal)</b>	<b>Income \$'000</b>	<b>Expenditure \$'000</b>	<b>Total \$'000</b>
Original	73,770	73,759	11
September Quarter	84,526	84,515	11

<b>2013/14 QUARTERLY BUDGET COMPARISON FUND</b>			
<b>Budget (Inc Internal)</b>	<b>Income \$'000</b>	<b>Expenditure \$'000</b>	<b>Total \$'000</b>
General	54,939	54,928	11
Water	15,424	15,424	0
Wastewater	14,163	14,163	0

The revised September quarter of the 2013-2014 Operations Plan has been adjusted as detailed in the following table with the adjustments being works in progress brought forward from 2012/13 to 2013/14. Funds were placed in reserve at the end of 2012/13 to be brought forward to match expenditure in 2013/14.

<b>2013/14 QUARTERLY BUDGET VARIATIONS</b>		
COMMUNITY	RMS Pedestrian Access Mobility Plan	3,985
COMMUNITY	Eskbank Archival Records	3,527
COMMUNITY	Xstrata Social Involvement Program	40,162
COMMUNITY	Crime Prevention	2,046
COMMUNITY	LIB FROLLIC Friend Learning Centre	584
COMMUNITY	LIB Telstra Tech Savvy Seniors	1,636
COMMUNITY	LIB ATO Remote Communities	1,572
COMMUNITY	Office Environment: Eskbank House Conservation Management Plan	3,833
COMMUNITY	LGSA outdoor Gym	21,500
COMMUNITY	Coxs River Signage	18,000
COMMUNITY	Powerhouse Museum Regional Migration & Settlement	7,000
COMMUNITY	Gun Emplacement Site	21,000
COMMUNITY	Xstrata Social Involvement Program	30,000
COMMUNITY	Museum Advisor	23,701
COMMUNITY	Heritage Art & Trail	5,314
DEVELOPMENT	Arts Advisory Interpretive Signage	7,070
DEVELOPMENT	Union Theatre Mineworkers	90,000
DEVELOPMENT	Communities NSW Union Theatre	47,820
DEVELOPMENT	Communities NSW Meadow Flat	10,000
DEVELOPMENT	Main St Cameras	18,475
ECONOMIC	Economic Promotions Strategy	86,049
ENVIRONMENT	Wood smoke Reduction Environmental Protection Authority	6,000
ENVIRONMENT	Hawkesbury Nepean Vale of Clywdd Willow Removal	58,131
EXECUTIVE	Financial Assistance Advance (income)	(1,756,654)
EXECUTIVE	Financial Assistance Roads Advance (income)	(581,742)
OCCUPATIONAL DEVELOPMENT	Corporate Training	81,439
OCCUPATIONAL DEVELOPMENT	Work Health& Safety System	3,135
OCCUPATIONAL DEVELOPMENT	Work Health& Safety Organisational Development	7,900
OPERATIONS	Country Passenger Infrastructure Program	21,388
OPERATIONS	Flood Mitigation	120,758
OPERATIONS	War Memorial Veteran Affairs	11,354
OPERATIONS	Queen Elizabeth Park War Memorial	5,896
OPERATIONS	Roads & Maritime Services: Wolgan Road	123,494
OPERATIONS	Roads & Maritime Services: Road Toll Response	14,921
OPERATIONS	Rural Reseals: Glen Alice Rd & Portland Streets	272,961
OPERATIONS	Roads & Maritime Services: Additional Funding: Coxs River Road	135,902
OPERATIONS	Roads & Maritime Services: Additional Funding: Berrigan Lockout	30,000

OPERATIONS	Internal Road Pearson's Lookout	15,000
OPERATIONS	Hassan's Walls Improvements	233,217
OPERATIONS	Browns Gap Remediation	154,848
PLANNING	NSW Industry & Development Creative Industry	4,406
PLANNING	NSW Industry & Development Business Network	2,007
PLANNING	Investment Prospectus & Economic Profile	8,477
PLANNING	Innovation Regions	15,262
PLANNING	Community Plans of Management	42,277
PLANNING	Open Space & Recreation	61,164
PLANNING	Risk Floodplain Management Plan	25,000
PLANNING	Development Control Plans	14,397
PLANNING	Heritage Management Plan	55,743
SEWERAGE	Desludge Lagoons Portland	61,773
SEWERAGE	Sewerage Land Acquisitions	150,000
SEWERAGE	Sewerage Pumping Stations Upgrade Access	200,000
SEWERAGE	Sewerage Pumping Stations Upgrades	200,000
SEWERAGE	Sewerage Pumping Stations Safety Port / Wang	10,000
SEWERAGE	Sewerage Buildings Portland Sewerage Treatment Plant	20,000
SEWERAGE	Lithgow Shared Mains Renewal	125,355
SEWERAGE	Telemetry	93,000
SEWERAGE	Pumping Stations	202,733
SEWERAGE	Doctors Gap	500,000
SEWERAGE	Pumping Station Portland Upgrade	100,000
SEWERAGE	Lithgow Established Mains Extension	300,000
SEWERAGE	South Bowenfels Infrastructure	620,120
SEWERAGE	Other Wastewater	53,000
SEWERAGE	Pumping Station New Treeview	311,497
TOURISM	Tourism Toyota Advertiser	4,545
TOURISM	Flash Gift Sponsors	27,629
TOURISM	Flash Gift DELTA	2,750
TOURISM	Signage Plan	102,140
TOURISM	Tourism Promotional Material	14,415
TOURISM	Tourism Blue Mountains Region Strategy Implement	1,664
TOURISM	Tourism Online Resources	8,000
TOURISM	Tourism Combined Marketing Oberon & Bathurst	9,684
TOURISM	Wonder Pass / Lithgow Access Book	42,445
TOURISM	Tourism Promotion Strategy	52,757
TOURISM	Signage: Tablelands Way	14,715
WASTE	Lithgow Tip Weighbridge	80,000
WASTE	Cameras Tip	26,391
WASTE	Waste & Recycle Strategy	31,991

WASTE	Recycle Contract	5,000
WASTE	Angus Place	466,678
WASTE	Tarana Transfer	80,000
WASTE	Rydal Tip	20,000
WASTE	Lithgow Resource Recovery	175,753
WASTE	Waste Education & Promotion	18,540
WASTE	Cullen Bullen	200,000
WASTE	Lithgow Rehabilitation Planning	10,000
WASTE	Wallerawang Depot	650,000
WATER	Clarence Transfer	1,685,120
WATER	Reservoirs	106,100
WATER	Backwash Return System	200,000
WATER	Lithgow Shared Mains	83,000
WATER	Pumping Station Vickers St	80,000
WATER	Treatment Plants	815,402
WATER	Trunk Pipelines South Bowenfels Reservoir	6,221
WATER	Doctors Gap	225,000
WATER	Dam Safety	92,058
WATER	Lithgow Shared Mains Renewal	359,844
WATER	Reservoirs	145,848
WATER	Oakey Park Water Treatment Plant	150,000
<b>Total Quarterly Budget Variations</b>		<b>\$8,571,123</b>

## **POLICY IMPLICATIONS**

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

## **FINANCIAL IMPLICATIONS**

The financial implications as reported in the July to September Quarterly Performance Report, 2013-2014 Operational Plan.

The Group Manager of Corporate and Community, as the Responsible Accounting Officer has reviewed the statements and certifies as required by the Local Government (General) Amendment (Planning and Reporting) Regulation 2009, that Council's 2013-2014 Operational Plan has been reviewed and the financial position of Council is satisfactory.

## **LEGAL IMPLICATIONS**

The Local Government Act 1993 and Local Government (General) Amendment (Planning and Reporting) Regulation 2009 sets out requirements for the quarterly reporting of the achievement of performance targets and the submission of a budget review statement after the end of each quarter. This report and attachment achieves these requirements.

## **ATTACHMENTS**

1. Quarterly Progress Report 1 July – 30 September 2013
2. Net Program Report

## **RECOMMENDATION**

### **THAT:**

1. The surplus of \$10,655 for the 2013-2014 Operational Plan as detailed in the Quarterly Performance Report for the period 1 July to 30 September 2013 be adopted.
2. Council authorise the variations to the Council budget as outlined in the report.
3. The Council notes that the Group Manager of Corporate and Community, as the Responsible Accounting Officer has reviewed the statements and certifies as required by the Local Government (General) Amendment (Planning and Reporting) Regulation 2009, (s203) that Council's 2013-2014 Operational Plan has been reviewed and the financial position of Council is satisfactory.

**ITEM-11            CORP - 25/11/13 - COUNCIL INVESTMENTS HELD TO 31 OCTOBER 2013**

**REPORT FROM: J BROZEK - GROUP MANAGER CORPORATE AND COMMUNITY**

**REFERENCE**

Min No 13-302:            Ordinary meeting of Council held on 19 August 2013  
 Min No 13-323:            Ordinary meeting of Council held on 9 September 2013  
 Min No 13-385:            Ordinary meeting of Council held on 28 October 2013

**SUMMARY**

To advise Council of investments held as at 31 October 2013 in the 2013/14 financial year.

**COMMENTARY**

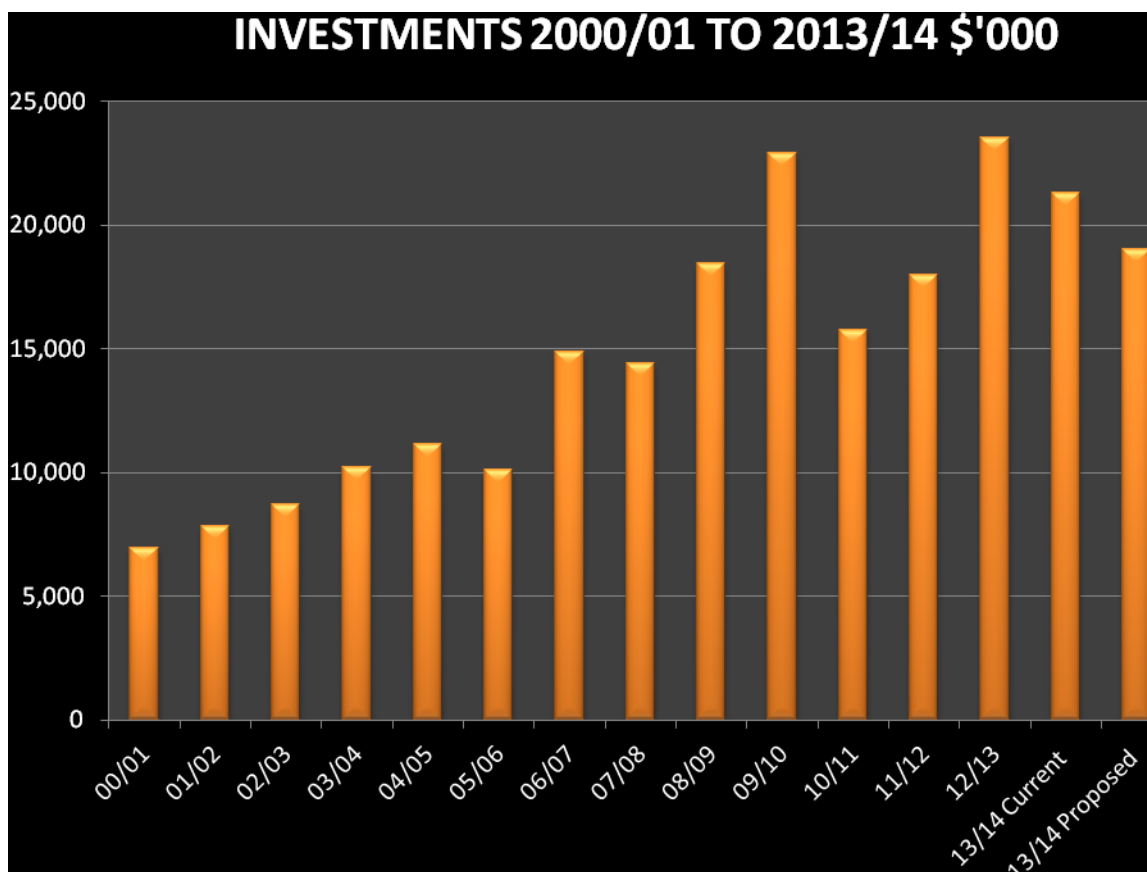
Council's total investment portfolio, as at 31 October 2013 when compared to 30 September 2013, has decreased by \$2,202,630.24 from \$23,505,469.57 to \$21,302,839.33.

<b>INVESTMENT REGISTER 2013/14</b>								
<b>INSTITUTION</b>	<b>INV TYPE</b>	<b>DATE LODGED</b>	<b>DATE DUE</b>	<b>DAYS</b>	<b>INT</b>	<b>VALUE 30.09.13</b>	<b>VALUE 31.10.13</b>	<b>% OF TOTAL</b>
ANZ	TD	09.09.13	09.12.13	91	3.31	883,200.35	883,200.35	3.84%
	TD	09.09.13	09.12.13	91	3.31	526,174.78	526,174.78	2.29%
	TD	25.09.13	06.01.14	102	3.32	522,766.87	527,419.78	2.27%
	TD	03.10.13	03.01.14	92	3.30	1,034,081.14	1,043,099.46	4.49%
CBA	On Call				2.45	2,144,296.02	1,248,613.99	9.32%
	TD	09.09.13	09.12.13	90	3.32	509,699.95	509,699.95	2.22%
	TD	06.09.13	05.11.13	60	3.29	500,000.00	500,000.00	2.17%
	TD	06.09.13	08.10.13	30	3.27	500,000.00	0.00	0.00%
	TD	24.09.13	25.11.13	60	3.30	1,019,130.87	1,019,130.87	4.43%
IMBS	TD	25.09.13	03.01.14	100	3.55	1,027,193.13	1,027,193.13	4.46%
	TD	25.09.13	03.01.14	100	3.55	513,596.57	513,596.57	2.23%
	TD	29.08.13	27.11.13	90	3.60	510,153.77	510,153.77	2.22%
NAB	TD	30.08.13	28.11.13	90	3.80	1,183,576.86	1,183,576.86	5.14%
	TD	22.10.13	22.04.14	182	3.80	1,078,077.13	1,088,763.39	4.69%
	TD	08.06.13	08.12.13	180	4.06	523,823.94	523,823.94	2.28%
	TD	02.09.13	01.12.13	90	3.80	1,500,000.00	1,500,000.00	6.52%
WESTPAC	TD	09.04.13	09.10.13	182	4.26	606,949.68	0.00	2.64%
	TD	01.10.13	02.04.14	183	3.54	1,240,206.32	1,252,472.47	5.39%
	TD	09.04.13	09.10.13	182	4.26	266,358.25	0.00	1.16%
	TD	17.09.13	18.02.14	153	3.58	1,057,666.68	1,057,666.68	4.60%
	TD	04.10.13	10.04.14	188	3.57	517,431.70	524,061.21	2.25%
ST GEORGE	TD	19.10.13	19.04.13	182	3.40	899,885.97	918,158.59	3.91%
	TD	15.10.13	13.01.14	90	3.28	541,723.95	546,557.64	2.35%
	TD	13.08.13	12.11.13	90	3.39	541,681.45	541,681.45	2.35%
	TD	26.08.13	26.11.13	92	3.21	539,346.48	539,346.48	2.34%
	TD	25.09.13	08.01.14	105	3.27	518,384.45	518,384.45	2.25%
	TD	12.09.13	12.12.13	91	3.31	504,637.81	504,637.81	2.19%
	TD	09.09.13	09.12.13	91	3.30	509,896.17	509,896.43	2.22%
SUNCORP	TD	05.09.13	04.12.13	90	3.70	1,247,394.12	1,247,394.12	5.42%



	TD	26.08.13	25.11.13	91	3.70	538,135.16	538,135.16	2.34%
			<b>TOTAL</b>			<b>23,505,469.57</b>	<b>21,302,839.33</b>	<b>100.00%</b>
INTERNAL LN (Commercial Loan Int Rate)	Gen to Sew	15.01.11	On Receipt of Ext Loan		7.31	2,750,000.00	2,750,000.00	
I, Juli-Ann Brozek, Lithgow City Council's Group Manager Corporate & Community certify as required under Local Government (General) Regulations 2005, that Council's investments have been made in accordance with the Local Government Act 1993, Regulations and Lithgow City Council's Investment Policy.								

On the graph below historical and current investments to 31 October 2013 are shown.



### POLICY IMPLICATIONS

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

### FINANCIAL IMPLICATIONS

Interest received to 31 October 2013 is \$182,829.65 and is paid on the maturity date of the investment.

### LEGAL IMPLICATIONS

Investments are held in accordance with the Lithgow City Council's Investment Policy at the date of investing the funds. On 21 November 2011 Council adopted a draft of the Investment Policy as Policy 8.2 and investments will comply with this Policy which includes the following:

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

## **RECOMMENDATION**

**THAT** Investments of \$21,302,839.33 for the period ending 31 October 2013 be noted.

**ITEM-12            CORP - 25/11/13 - 2011/12 DLG COMPARATIVE INFORMATION ON  
NSW LOCAL GOVERNMENT**

**REPORT FROM: J BROZEK – GROUP MANAGER CORPORATE AND COMMUNITY**

**SUMMARY**

This report is to advise Council of the release of the 2011/12 Comparative Information on NSW Local Government by the Division of Local Government with a recommendation that the report be noted.

**COMMENTARY**

The Division of Local Government (DLG) has recently released the 2011/12 Comparative Information on NSW Councils. This is a “new look” Comparative Report which is seen as a step towards incorporating the principles of the development of a set of measures that show how well local councils are performing across a range of activities and the delivery of services. The DLG acknowledges there will be further work to develop a new local government performance measurement framework and indicators which mean that the data reported will also change in future editions.

The publication provides comparative information on the performance of all local councils in NSW and is designed to help both the community and Council assess a broad range of activities across a diverse range of local government areas. Additionally, this report incorporates the results of the NSW Treasury Corporation (TCorp) *Report on the Financial Sustainability of the NSW Local Government Sector, and Local Government Infrastructure Audit* conducted by the Division of Local Government. The report also now includes a broad range of demographic and socioeconomic indicators for each council.

The Australian Classification of Local Government (ACLG) classifies each council into one of twenty two categories according to their socioeconomic characteristics and their capacity to deliver a range of services to the community. Councils are firstly classified as either urban or rural. Urban councils are divided into four categories, capital city, metropolitan developed, regional town/city or fringe and rural councils. The rural councils are classified in to three sub categories, significant growth, agricultural or remote. The final classification for both urban and rural councils is based upon population. In this publication, we have put NSW councils into eleven groups instead of twenty two. (These are referred to as the “DLG Groupings”). This is because several of the ACLG categories contain either no NSW councils or only one or two councils. It should be noted, that the groupings are based on broad demographic variables. As a result, there are often large differences between councils in the same group. This information should not be relied upon by councils to argue for individual policy changes.

Lithgow City Council is classified in Group 4, defined as a medium, urban, regional town or city with a population density of less than thirty persons per square kilometre, or a total population of up to 30,000.

Lithgow is described as having a population of 20,790 and cover 4,513.8 square kilometres. The population density per square kilometre is 4.61. The five year population growth is shown as 0.7% compared to the previous year of 0.57%.

There are 30 Council in Group 4 and include areas such as Orange, Bathurst Regional, Mid Western Regional, Dubbo, Ballina, Eurobodalla, Kempsey, Goulbourn Mulwaree, Lismore, Tamworth Regional and Singleton.

The following summary compares Lithgow City Council to the neighbouring Council's of Bathurst, Orange and Mid Western Regional as well as the average for Group 4 Councils and the average for all NSW Councils.

Category/Indicator	Lithgow	Bathurst	Orange	MWRC	Group 4 Average	NSW Average
<b>Your Council</b>						
Full Time Equivalent (FTE)	182	350	341	282	310	293
Average Expenses per capita \$	1,704	1,863.81	1,781.76	2,241.04	1,955.96	2,427.79
Average Revenue per capita \$	1,939	2,135.72	2,577.84	2,604.52	2,071.01	2,587.58
<b>Rating</b>						
Average Residential Rate \$	590.24	810.07	1,072.86	737.19	836.70	682.38
Average Farmland Rate \$	1,060.68	1,298.87	1,574.07	2,229.93	1,733.41	2,132.61
Average Business Assessment \$	3,045.56	3,840.80	4,970.28	1,857.38	2,982.91	2,529.29
<b>Financial</b>						
% Own Source Revenue	61.57	58.97	51.29	54.03	62.91	56.27
% Grants Revenue	34.36	24.02	34.99	39.87	29.92	35.40
Operating Performance Ratio %	(1.66)	7.22	12.97	0.09	(6.59)	(4.77)
Unrestricted Current Ratio	4.83	2.61	3.62	3.19	2.71	3.79
Building & Infrastructure Renewal Ratio %	147.44	30.67	17.22	96.12	60.26	65.98
Infrastructure Backlog Ratio %	22.22	9.62	0.57	24.31	14.89	12.44
<b>Expenditure Categories</b>						
Governance & Administration Expenditure per capita (\$)	303.13	374.25	141.11	356.13	264.53	378.37
Environmental Expenditure per capita (\$)	160.22	202.20	192.55	269.04	228.71	216.66
Total Water & Sewer Expenditure per capita (\$)	561.95	312.27	485.54	337.26	393.72	281.51
Community Services & Amenities, Education & Housing Expenditure per capita per capita (\$)	117.27	136.32	238.63	188.13	179.16	208.83
Recreational & Cultural Expenditure per capita (\$)	195.82	342.60	286.20	239.48	247.47	242.21
Public Order, Safety & Health Expenditure per capita (\$)	63.97	31.60	64.39	54.87	66.97	103.57
Other Services Expenditure per capita (\$)	168.21	147.84	161.40	227.74	219.56	334.15
Roads, Bridges & Footpaths Expenditure per capita (\$)	133.09	316.73	211.96	568.39	365.18	666.31
Library Services Expenditure per Capita (\$)	52.09	31.48	40.12	39.17	44.52	44.67

**POLICY IMPLICATIONS**

NIL

**FINANCIAL IMPLICATIONS**

NIL

**LEGAL IMPLICATIONS**

NIL

**ATTACHMENTS**

1. Division of Local Government Comparative Information for Lithgow City Council.

**RECOMMENDATION**

**THAT** Council notes the 2011/12 Comparative Information on NSW Councils recently released by the Division of Local Government.

## ITEM-13          CORP - 25/11/13 - LITHGOW HERITAGE PRECINCT

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

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### REFERENCE

Min No 13-258:          Ordinary Meeting of Council held on 29 July 2013  
Min No 13-339:          Ordinary Meeting of Council held on 30 September 2013

### SUMMARY

This report reports on the installation of the Lithgow History Avenue sculpture works along Inch Street Lithgow and a proposal to upgrade the disused Inch Street Railway bridge to create a pedestrian and cycle heritage link between the Lithgow History Avenue sculpture works, Eskbank Station, Eskbank House, Blast Furnace Park and Lake Pillans wetlands. This report also discusses proposed works to enhance visitor safety at Blast Furnace Park.

### COMMENTARY

#### Introduction

Council resolved at the Ordinary Meeting of Council held 29 July 2013 (Min 13-258)

THAT:

- 1. Given the push for developing the western end of the town as a tourist precinct as laid out in Council's Lithgow Cultural Precinct Study 2010 can a report be brought back to Council to incorporate the structure into a functional plan to create a pedestrian walk way to link Blast Furnace Park with Eskbank House.*
- 2. A report be provided to a future meeting of Council in relation to the future of the rail bridge.*

It was further reported to Council on 30 September 2013 that Eskbank Rail Heritage Centre has advised Council of plans to link a number of key heritage sites in this precinct via a 3 kilometre tourist railway, with a limited rail service to commence operations in early 2014. Council resolved (Min 13-339) to nominate Councillor F Inzitari as the delegate on the community based Heritage Working Party.

It is timely therefore to consider how Council initiatives in relation to the heritage precinct might be progressed in coordination with the activities of the Eskbank Rail Heritage Centre.

#### Lithgow History Avenue Project

The Lithgow History Avenue Project, which extends from the Union Theatre past the Eskbank Station and Eskbank House to Blast Furnace Park and Lake Pillans, was largely completed in early September 2013.

Funded by Glencore, formerly Xstrata Coal, and Council, the History Avenue project has been designed and fabricated by local metal artist Phil Spark who works from a workshop in the State Mine complex. In this project he has used materials and methods that evoke memories of the days of riveted steel in the style of the Sydney Harbour Bridge.

The first stage involves the installation of a series of historical guideposts, each with a sculpture mounted on top, some depicting an event or feature of Lithgow's past. The mounted sculptures were produced by Phil Spark together with fourteen other blacksmiths and metal workers. Each guidepost includes information on a key historic event in Lithgow which will be enhanced through the creation of a website ([www.community.lithgow.com/historyavenue](http://www.community.lithgow.com/historyavenue)) that provides more detailed historical information for school students and anyone wanting to find out more about Lithgow's history.

A larger riveted steel sculpture is also located outside the Workmens Club and a bench outside Eskbank House in a similar style to the Sydney Harbour Bridge.

In the next stage of the project, a third structure will be located just inside Blast Furnace Park in what will become a Sculpture Park for temporary and visiting exhibitions.

A future proposed component of the project is the upgrade of the Inch Street railway bridge as a cycle and walkway.

### **Inch Street Railway Bridge**

As reported to Council on 29 July 2013 (Min 13-258), Council's Solicitors were requested in 2012 to provide advice on ownership of the bridge which was built in the early 20<sup>th</sup> century by Hoskins Ltd to service a private rail line. While Blast Furnace Park and Lake Pillans had been deeded to Council in 1995 by RailCorp, the bridge was not shown on the attached plans. RailCorp have provided advice that in their opinion, Council owns the bridge.

Legal advice was received from Council's solicitor on 22 July 2013 stating that "as the bridge is situated over the road, it is Council which owns everything above and below the road surface". "Accordingly, Council is responsible for the maintenance of the bridge near the Blast Furnace Historic Site entry".

### **Inch Street Railway Easement**

An easement for railway purposes exists from the western end of the bridge to near the Eskbank House boundary over privately owned land which has in the past been used as a milk distribution depot. Access to this easement would be necessary to create a walkway/cycleway connecting the bridge, Eskbank House and the other elements of the heritage trail. Advice from Council's solicitor on 26 August 2013 is that the existing right of way can't be used for pedestrian use. The reason being that it doesn't abut the Eskbank house boundary and therefore doesn't provide continuous access from the bridge to Eskbank House.

Inquiries are to be made by Council of the land owner as to the possibility of allowing the easement and adjoining land for pedestrian/cycle use.

### **Inch Street Railway Bridge Condition**

Council subsequently commissioned a Structural Condition Assessment of the bridge from URS Consulting Engineers to determine its condition and suitability for pedestrian/cycle use.

URS finds that the bridge is structurally sound but requires general painting and cleaning, removal of the steel plate walkway and railings.

URS further recommends immediate actions for public safety reasons including removing broken and loose bottom flange bracing; removing timber transoms, and; removing soil around girder bracings. Council will schedule these works as soon as possible.

URS estimates costs of approximately \$98,000 for a 2 metre wide precast concrete slab walkway with a protection screen.

Painting and cleaning costs would be additional.

Together with additional works to the railway embankment on the eastern side of Inch Street to create the walkway, the likely cost of this project could be in the order of \$150,000-\$200,000. Council will be seeking heritage funding to meet these costs.

### **Blast Furnace Park**

Blast Furnace Park and the adjacent Lake Pillans wetlands form the eastern end of the heritage precinct. Blast Furnace Park, the first blast furnace in Australia, is a nationally significant heritage item and is listed on the State Heritage Register. The site has great heritage, recreation and visitation potential for both locals and tourists however it poses some public safety risks which need to be addressed. A preliminary risk assessment has been undertaken which identifies potential risks of slips trips and falls, possible issues with the structural integrity of some structures, and possible site contamination.

As part of the Lithgow History Avenue project, Council has commenced work on a public access and interpretation strategy with further work to commence shortly on development of a fencing plan to define safe pathways through Blast Furnace Park that will include restricting public access to high risk areas. A structural assessment of some structures will also be required as will a general cleanup of rubbish and vegetation.

Any works will require the consent of the Office of Heritage. It is likely that the cost of these works will be significant therefore Council will be seeking funding opportunities to meet these costs.

### **POLICY IMPLICATIONS**

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

### **FINANCIAL IMPLICATIONS**

The likely cost of upgrading the Inch Street railway bridge as a cycle/pedestrian way could be in the order of \$150,000-\$200,000.

The costs of installing fencing and viewing areas at Blast Furnace Park have not yet been determined. Council will be seeking heritage funding from the NSW government to assist with these costs. Applications close on 3 December 2013 and Council would be required to match the funding dollar for dollar.



## **LEGAL IMPLICATIONS**

Local Government Act NSW 1993

## **RECOMMENDATION**

**THAT** Council:

1. Note the report on the Lithgow Heritage Precinct.
2. Note the work to be undertaken in relation to the Inch Street Railway Bridge, Blast Furnace Park and the Heritage Working Party.
3. Consider in the 2013/14 budget deliberations, the allocation of funds for these projects.

## **COMMITTEE MEETINGS**

**ITEM-14            CORP - 25/11/13 - BLUE MOUNTAINS CROSSING BICENTENARY COMMITTEE - 6 NOVEMBER 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  
Min No 13-353:        Ordinary Meeting of Council held on 30 September 2013

## **SUMMARY**

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

## **COMMENTARY**

At the Blue Mountains Bicentenary Crossing Committee held on 6 November 2013, a number of items were discussed by the Committee including signage for Cox's Road and proposed projects and events during 2014.

## **POLICY IMPLICATIONS**

NIL

## **FINANCIAL IMPLICATIONS**

NIL

## **LEGAL IMPLICATIONS**

NIL

## **ATTACHMENTS**

1. Minutes from the Blue Mountains Crossing Bicentenary Committee meeting of 6 November 2013.
2. Blue Mountains Crossing 2014 Events Calendar.

## RECOMMENDATION

**THAT** Council notes the minutes from the Blue Mountains Crossing Bicentenary Committee meeting of 06 November 2013.

**ITEM-15            CORP - 25/11/13 - DISABILITY ACCESS COMMITTEE MINUTES - 12  
NOVEMBER 2013**

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

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**REFERENCE**

Min No 3-275:            Ordinary Meeting of Council held on 29 July 2013  
Min No 13-325:         Ordinary Meeting of Council held on 9 September 2013  
Min No 13-389:         Ordinary Meeting of Council held on 28 October 2013

**SUMMARY**

This report details the minutes of the Disability Access Committee meeting held on 12 November 2013.

**COMMENTARY**

At the Disability Access Committee meeting held on 12 November 2013 various items were discussed by the committee. Matters of interest include:

- Access issues at the Lithgow Valley Plaza.
- Disability Access at the entrance of the Civic Ballroom.
- Access issues outside the Portland Chemist.
- Disability car parking in Main Street Lithgow.

**POLICY IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

NIL

**LEGAL IMPLICATIONS**

Local Government Act NSW 1993

**ATTACHMENTS**

1. Minutes of the Disability Access Committee meeting 12 November 2013.

**RECOMMENDATION**

**THAT** Council notes the minutes of the Disability Access Committee meeting held 12 November 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 No 13-249:	Ordinary Meeting of Council held on 8 July 2013
Min No 13-353:	Ordinary Meeting of Council held on 30 September 2013

## **SUMMARY**

This report details the minutes of the Youth Council meeting held on 29 October 2013.

## **COMMENTARY**

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

- Youth Council PCYC Scholarship Program implementation and promotion.
- Youth Week events 2014.
- 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 29 October 2013.

## **RECOMMENDATION**

**THAT** Council notes the minutes of the Youth Council meeting held 29 October 2013.

**ITEM-17            CORP - 25/11/13 - 12 NOVEMBER 2013 - TOURISM ADVISORY  
COMMITTEE**

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

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**REFERENCE**

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  
Min No 13-353:        Ordinary Meeting of Council held on 30 September 2013

**SUMMARY**

This report details the Minutes of the Tourism Advisory Committee Meeting held on 12 November 2013

**COMMENTARY**

At the Tourism Advisory Committee held on 12 November 2013, there were numerous items discussed by the Committee;

1. Guest Speaker – Ms Sharon Riley
2. Membership fees for 2014/2015
3. RV Friendly update

**POLICY IMPLICATIONS**

NIL

**FINANCIAL IMPLICATIONS**

NIL

**LEGAL IMPLICATIONS**

NIL

**ATTACHMENTS**

1. Minutes from the Tourism Advisory Committee meeting of 12 November 2013

**RECOMMENDATION**

**THAT** Council notes the minutes of the Tourism Advisory Committee held on the 12 November 2013.

**ITEM-18          CORP - 25/11/13 - 15 OCTOBER 2013 - TOURISM ADVISORY COMMITTEE**

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

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**REFERENCE**

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  
Min No 13-353:        Ordinary Meeting of Council held on 30 September 2013

**SUMMARY**

This report details the Minutes of the Tourism Advisory Committee Meeting held on 15 October 2013.

**COMMENTARY**

At the Tourism Advisory Committee held on 15 October 2013, there were numerous items discussed by the Committee;

1. RV Friendly
2. Update on tourism businesses
3. Mayoral Ball – Roaring 20's event
4. BMLOT update
5. Membership fee structure

**POLICY IMPLICATIONS**

NIL

**FINANCIAL IMPLICATIONS**

NIL

**LEGAL IMPLICATIONS**

NIL

**ATTACHMENTS**

1. Minutes from the Tourism Advisory Committee meeting of 15 October 2013.

**RECOMMENDATION**

**THAT** Council notes the minutes of the Tourism Advisory Committee held on the 15 October 2013.

**ITEM-19            OPER - 25/11/13 - OPERATIONS COMMITTEE MEETING MINUTES -  
25 SEPTEMBER 2013**

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

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## **SUMMARY**

Details of the Minutes of the Operations Committee Meeting held on Wednesday, 25 September 2013 for Council adoption.

## **COMMENTARY**

At the Operations Committee Meeting held on Wednesday, 25 September 2013 there were a number of items discussed by the Committee, with all items being actioned under the Committee's delegated authority.

Items discussed included:

- Wolgan Valley Road Project Update
- South Littleton/South Bowenfels Wastewater Infrastructure Update
- Wattlemount Road
- Resources for Regions
- Gasworks Lane Complaint

## **ATTACHMENTS**

1. Minutes of the Operations Committee Meeting held on Wednesday, 25 September 2013.

## **RECOMMENDATION**

**THAT** Council note the minutes of the Operations Committee meeting held on Wednesday, 25 September 2013.



**ITEM-20            OPER - 25/11/13 - SPORTS ADVISORY COMMITTEE MEETING  
MINUTES - 29 OCTOBER 2013**

**REPORT BY - S CHAMPION – OPERATIONS EXECUTIVE ASSISTANT**

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**REFERENCE**

Min No 13-387:            Ordinary Meeting of Council held on 28 October 2013.

**SUMMARY**

This report details the Minutes of the Sports Advisory Committee Meeting held on 29 October 2013.

**COMMENTARY**

At the Sports Advisory Committee held on 29 October 2013, there were numerous items discussed by the Committee including:

1. 2013 LJ Hooker Reg Cowden Memorial Sports Star of the Year Awards
2. Booking Requests

**ATTACHMENTS**

1. Minutes from the Sports Advisory Committee meeting of 29 October 2013.

**RECOMMENDATION**

**THAT** Council note the minutes of the Sports Advisory Committee held on the 29 October 2013.

**ITEM-21            ENVIRO - 25/11/13 - UNION THEATRE MANAGEMENT COMMITTEE  
MINUTES - 8 OCTOBER 2013**

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

**SUMMARY**

This report presents the minutes of the Union Theatre Management Committee Meeting held on 8 October 2013.

**COMMENTARY**

At the Union Theatre Management Committee Meeting held on 8 October 2013, there were a number of items discussed which are outlined in the attached minutes.

These Items included:

1. Business arising from previous minutes.
2. New Dressing Rooms

No issues require Council approval.

**ATTACHMENTS**

1. Minutes of the Union Theatre Management Committee Meeting held on 8 October 2013.

**RECOMMENDATION**

**THAT** Council note the minutes of the Union Theatre Management Committee held on 8 October 2013.

## **NOTICE OF MOTIONS**

### **ITEM-22 NOTICE OF MOTION - 25/11/13 - COC LIMITED SEEKING SUPPORT FROM COUNCIL - COUNCILLOR F INZITARI**

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#### **COMMENTARY**

As you would be aware COC Limited have been development plans for the revitalisation of the Eskbank Yard (Eskbank Rail Heritage Centre) into a living Museum which will house both a living railway museum and an active rail wagon maintenance facility. Also included in the proposal are plans to undertake the long awaited restoration of Eskbank Station and forecourt as well as creating a link between Blast Furnace Park and Eskbank House via a walkway utilising the Inch Street Bridge.

For the last 12 months they have been working closely with State and Regional Development and NSW Trains, the new Rail Heritage body responsible for railway preservation since the demise of the Office of Rail Heritage. COC Limited has developed a number of plans and relevant documentation which will enable it to lodge a Development Application with Council in coming weeks. With the documents in place COC Limited is now well placed to take advantage of any funding opportunity that may arise.

More recently COC Limited has been urged to submit the Eskbank Rail Heritage Centre proposal under Round 2 of the Resources for Regions program which closes on 2nd December 2013. This project ticks a number of boxes including employment, economic development, tourism and of course heritage preservation. As the area has been hard hit in recent week with job losses in the mining industry and a substantial mining development refused we need to be supportive of all opportunities that come our way.

The submission however may be left down marginally by a lack of Risk Management systems regarding management of funding. In order to address this, COC Limited is enquiring whether Lithgow City Council would offer its expertise to manage the funding or oversee its administration on behalf of COC Limited. COC Limited would pay a fee to Council for providing its management expertise to cover resourcing costs for this assistance.

Even if COC Ltd could simply indicate in its EOI that Council may be in agreement to partner with them to administer the funds (subject to further negotiations) if their application was successful it may be enough to strengthen the case for funding and help us reach the next stage of the application process.

COC Limited is confident that it is able to fully project manage and administer the funding for this major development. However they are keen to provide the Department of Infrastructure with additional assurances that the financial risk for this funding has been considered and that we, in partnership with Lithgow City Council, are willing to provide an alternative administrative arrangement if required.

## RECOMMENDATION

**THAT** Council provide support to COC Limited in its endeavours to attract funding for the Eskbank Rail Heritage Centre development. Subject to further negotiations that Council offer to manage and administer funding for the development should the application be successful and Council provide a letter to that effect for inclusion in the application to be submitted.

### **General Manager's Comment:**

This proposal is for the payment of funds only and would require COC Limited to continue to apply for the funding, manage the project itself including selection and management of contractors and also the acquittal of the funds.

It is understood that the funding program for Resources for Regions do not pay the funds in advance. These funds are either paid on achievement of milestones or through regular (monthly) claims. Under either scenario the monies are paid in arrears hence Council would be carrying a debt until the reimbursement is made. Council also potentially carries a risk if the grant is not complied with and monies are not paid.

Enquiries have been made with the Division of Local Government in relation to this proposal and it was indicated that it is acceptable for Council to do this provided that Section 356 of the Act is complied with. Section 356 provides:

### **356 Can a council financially assist others?**

- (1) A council may, in accordance with a resolution of the council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.
- (2) A proposed recipient who acts for private gain is not ineligible to be granted financial assistance but must not receive any benefit under this section until at least 28 days' public notice of the council's proposal to pass the necessary resolution has been given.
- (3) However, public notice is not required if:
  - (a) the financial assistance is part of a specific program, and
  - (b) the program's details have been included in the council's draft operational plan for the year in which the financial assistance is proposed to be given, and
  - (c) the program's proposed budget for that year does not exceed 5 per cent of the council's proposed income from the ordinary rates levied for that year, and
  - (d) the program applies uniformly to all persons within the council's area or to a significant group of persons within the area.
- (4) Public notice is also not required if the financial assistance is part of a program of graffiti removal work.

**Note:** Part 4 of the [Graffiti Control Act 2008](#) deals with graffiti removal work.

There is no indication at this time of preparing the business paper of the value of works proposed.

**ITEM-23 NOTICE OF MOTION - 25/11/13 - FUTURE OF WALLERAWANG  
POWER STATIONS - COUNCILLOR W MCANDREW**

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**COMMENTARY**

That following media and local community speculation regarding the real possibility of the closure of the Wallerawang Power Station, I propose the following recommendation to Council.

**RECOMMENDATION**

**THAT** Council instigate an immediate meeting with Energy Australia regarding the rumoured closure of Wallerawang Power Station, the number of effected employees and further, that Council seek meetings with Centennial Coal Company regarding possible effects on their mines which currently provide coal supplies to the Station.

**General Manager's Comment:**

Contact has been made with Energy Australia in relation to this matter. Energy Australia is conducting a business planning process. Should there be in impact on either of the power stations in the Lithgow Local Government Area then Council will be informed if such a decision is made.

## **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.*