



A CENTRE OF REGIONAL EXCELLENCE

AGENDA

ORDINARY MEETING OF COUNCIL

TO BE HELD AT

THE ADMINISTRATION CENTRE, LITHGOW

ON

03 MARCH 2014

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 10 FEBRUARY 2014**

**DECLARATION OF INTEREST**

**PUBLIC FORUM**

**PRESENTATIONS - NIL**

**MAYORAL MINUTES - NIL**

**STAFF REPORTS**

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

**COUNCIL COMMITTEE MEETINGS**

Community Development Committee Minutes - 3 December 2013  
Youth Council Minutes - 28 January 2014  
Community Development Committee Minutes - 4 February 2014  
Meadow Flat Hall Management Committee Minutes - 13 February 2014  
Traffic Advisory Local Committee - 6 February 2014  
Tourism Advisory Committee - 18 February 2014

**DELEGATES REPORTS - NIL**

**NOTICES OF MOTION**

Water Rates Review Report - Councillor W McAndrew  
Request for Update on Council's Legal and Planning Action involving pensioner from Cullen Bullen - Sewerage and Easement Issues - Councillor J McGinnes  
Lithgow Petroleum Exploration Licence Application 158 - Ceemac Pty Ltd - Councillor J McGinnes  
Transfer System - Councillor W McAndrew  
Bowen Vista Bio-retention Basin And Applicable DA- Councillor W McAndrew

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Request Update on Funding available under Mayors Bushfire Appeal And Committee -  
Councillor J McGinnes

**QUESTIONS WITH NOTICE - NIL**

**NOTICE OF RESCISSIONS - NIL**

**BUSINESS OF GREAT URGENCY**

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

**CLOSED COUNCIL**

Lithgow Minerals and Industry Park

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## GENERAL MANAGERS REPORTS

### ITEM-1 GM - 030314 - PARTICIPATION IN REGIONAL TENDER FOR ELECTION SERVICES RUN BY CENTROC AND REGIONAL PROCUREMENT INITIATIVE

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

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## SUMMARY

This report provides advice on participation in a regional tender for election services run by Centroc and Regional Procurement Initiative (RPI), a division of Hunter Councils.

## COMMENTARY

Many Councils have used the Australian Electoral Commission (AEC) exclusively for election services. Section 296 of the Local Government Act has recently been amended to include:

*An election arrangement for the Electoral Commissioner to administer all elections of a council can be entered into if:*

- (a) the council resolves at least 18 months before the next ordinary election of councillors that such an arrangement is to be entered into, and*
- (b) the arrangement is entered into no later than 15 months before the next ordinary election of councillors.*

Council should note that March 2015 is 18 months before the next local government elections occurring in September 2016 and thus if a Council wishes to test the market to determine the qualified providers of election services to administer the 2016 elections, the tender process needs to begin this year. RPI is going to tender late 2014 for a provider of election services to interested Councils and have invited Centroc members to participate.

At the conclusion of the tender process, Council will receive a report on the outcome of the tender process and be able to decide whether they would like to engage the recommended provider from the tender process or if they wish to engage the AEC or other provider. This will be done within the required timeframe under the revision to the Act.

Central NSW Councils (Centroc) has run many successful regional contracts which save members both time and money. Additionally, Regional Procurement Initiative, a division of Hunter Councils, has previously run a regional tender for 7 councils for election services which resulted in a combined savings of \$405,000.

Council is commended to agree to participate in a regional tender for election services run by Centroc and Regional Procurement Initiative (Hunter Councils). The tender will be evaluated by a Tender Evaluation Panel made up of staff from Centroc, RPI, and Hunter Council and Centroc members.

**POLICY IMPLICATIONS**

NIL

**FINANCIAL IMPLICATIONS**

The cost of Council for election services at the 2012 election was \$100,663.

Centroc and Regional Procurement Initiative will manage the process including all costs of advertising and tender assessment and both parties will receive a management fee from the successful provider to cover these costs.

**LEGAL IMPLICATIONS**

Section 296 of the Local Government Act 1993.

**ATTACHMENTS**

1. Letter of Participation
2. REGPRO011112 Client Survey Results

**RECOMMENDATION****THAT** Council:

1. Participate in a regional tender for election services run by Centroc and Regional Procurement Initiative (Hunter Councils)
2. Authorise the General Manager to sign the letter of participation.
3. Note the balance of the report.

**ITEM-2 GM - 030314 - CODE OF CONDUCT**

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

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**SUMMARY**

The implementation of the new Model Code of Conduct commenced from 1 March 2013. The Division of Local Government has now advised that the Internal Audit Bureau is an alternative provider of conduct reviewers.

**COMMENTARY**

The new Model Code of Conduct frameworks commenced on 1 March 2013. Since that time Centroc called for Expression of Interest (EOI) for a Regional Code of Conduct Panel. Members from GMAC oversaw the EOI process.

The panel of assessors was made up of General Managers (or their delegates) from Bathurst Regional, Cowra Shire and Orange Councils, assisted in the evaluation of responses and gave consideration to responses from 39 respondents.

Since the Centroc selection of Conduct Reviewers, the Division of Local Government has also provided further advice on the appointment of reviewers. The Model Code Procedures allows complaints coordinators to refer code of conduct complaints to a conduct reviewer selected from a panel of conduct reviewers established by an organisation approved by the Chief Executive as an alternative to referral to the panel established by the council. The Chief Executive's decision to give approval to the IAB under clause 6.2(b) provides all councils with access to an alternative pool of conduct reviewers.

**POLICY IMPLICATIONS**

Council's Code of Conduct

**FINANCIAL IMPLICATIONS**

NIL

**LEGAL IMPLICATIONS**

NIL

**ATTACHMENTS**

1. Model Code of Conduct;  
<http://archive.lithgow.nsw.gov.au/documents/The%20Model%20Code%20of%20Conduct%20for%20Local%20Councils%20in%20NSW%20-%20March%202013.pdf>
2. Division of Local Government Circular 14-02, Approval of the Internal Audit Bureau as an Alternative Provider of Conduct Reviewers;  
<http://www.dlg.nsw.gov.au/dlg/dlghome/documents/Circulars/14-02.pdf>



3. Division of Local Government, Practice Direction 1;  
<http://www.dlg.nsw.gov.au/dlg/dlghome/documents/Information/Practice%20Direction%201.pdf>
4. Division of Local Government Standards of Conduct for Council Officials;  
<http://www.dlg.nsw.gov.au/dlg/dlghome/documents/Information/Model%20Code%20of%20Conduct%20Summary.pdf>
5. Centroc Code of Conduct Register

## RECOMMENDATION

### **THAT** Council:

1. Notes the report on the new Model Code of Conduct.
2. Adopts the Model Code of Conduct as Council's Code of Conduct.
3. Authorises the appointment of Conduct Reviewers/Panels from amongst those outlined from the Centroc Code of Conduct Register along with appropriate persons from the Internal Audit Bureau.

## ENVIRONMENT AND DEVELOPMENT REPORTS

### ITEM-3 ENVIRO - 03314 - REVIEW OF COUNCIL POLICIES

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

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## REFERENCE

Min No 09-189: Ordinary Meeting of Council held on 9 May 2009.  
Min No 13-398: Ordinary Meeting of Council held on 25 November 2013.

## SUMMARY

This report provides Council with Policies 11.1, 11.2 and 11.4 for consideration.

## COMMENTARY

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

At the Ordinary Meeting of Council held on Monday 25 November 2013 it was resolved to review the recommended amendments to Council policies in sections, hence Policies 11.1, 11.2 and 11.4 inclusive are presented to Council for consideration. Policy 11.3 has been previously rescinded.

Existing Policy No.	Policy Name	Proposed Changes	New Policy No.
11.1	Exemption to Wheelie Bin Service	Nil	11.1
11.2	Waste Disposal – Waste Depots – Exemption from Charges	Formalises the long established position of not charging disposal fees to residential users except when supervision is required (eg asbestos)	11.2
11.4	Discharge of Trade Waste to the Sewerage System	Seeks to reflect current requirements. It is based on a template provided by the NSW Office of Water and does not seek to alter the regime to any extent.	11.3

The proposed changes to these Policies are not considered to be major and therefore do not require public exhibition. The new version of the Trade Waste policy is primarily an update utilising the most recent Office of Water template.

### **POLICY IMPLICATIONS**

The proposed changes will refine and/or update Council's policy position.

### **FINANCIAL IMPLICATIONS**

NIL except Council may wish to note that in 2012/2013 Council received \$115,812 income from trade waste fees and charges.

### **LEGAL IMPLICATIONS**

The policies have been reviewed in terms of legislative requirements. Specifically for the Trade Waste Policy, section 68 of the Local Government Act 1993 requires approval to be sought from a Local Government Authority for the discharge of liquid waste to the sewer.

### **ATTACHMENTS**

1. Policy 11.1 - Exemption to Wheelie Bin Service
2. Policy 11.2 - Waste Disposal – Waste Depots – Exemption from Charges
3. Policy 11.4 - Discharge of Trade Waste to the Sewerage System

### **RECOMMENDATION**

**THAT** Council:

1. **ADOPT** Policies:
  - Exemption to Wheelie Bin Service
  - Waste Disposal – Waste Depots – Exemption from Charges
  - Discharge of Trade Waste to the Sewerage System
2. Renumber the policies according to the schedule

**ITEM-4            ENVIRO - 03314 - CULLEN BULLEN SITE WASTE WATER SYSTEMS  
AND FUTURE SEWERAGE OPTIONS**

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

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**SUMMARY**

To provide Council with an outline of a report undertaken for the village of Cullen Bullen in relation to on-site waste water treatment issues, future sewerage disposal options and recent on-site sewerage management inspections undertaken by Council.

**COMMENTARY**

In 2011 Council engaged a specialist company, Sustainable Solutions International (SSI) to report on issues in relation to on-site waste water disposal at Cullen Bullen and provide recommendations for future waste water disposal. The report sought to assess the factors affecting the performance of existing on-site waste water systems within the village of Cullen Bullen and provide Council with recommendations, including indicative costings, for a future waste water strategy that will ensure the long term protection of public health and the environment.

The reasoning for the investigation related to concerns that sewage from septic systems may be running onto neighbouring properties; that sewage on flat sites may be ponding; overflow from septic tank absorption trenches may be discharging into stormwater drainage systems; and concern that discharge of grey water into stormwater drainage systems may be occurring.

The investigation was conducted with the following methodology:

- A site visit to inspect and assess a sample of approximately 20% of the total on-site waste water systems.
- A preliminary audit of the Portland waste water treatment plant.
- An “Open House” session and limited community survey.
- Soil investigations at several different sites.
- Examination of long and short-term options.
- Preparation of an assessment matrix for the options assessment
- Interim solutions for failing systems; and
- Preparation of a budget cost for the implementation of potential solutions.

The initial report received from the Consultant contained a number of shortcomings. However, despite this, the initial report did indicate issues which required an immediate response. The immediate response included the following:

- Copies of the draft report were provided to both NSW Health and the Environment Protection Authority.
- A meeting/teleconference was held with both NSW Health and the Environment Protection Authority.

- Council's on-site Sewage Management Inspection Program was ramped up and the program was concentrated on Cullen Bullen until all systems had been inspected.
- The Risk Assessment/Response Matrix in the original report was re-drafted together with more interim options.

The finalisation of the inspection program was given priority over the final report which was then reviewed with the consultant and the final version provides a basis for moving forward with short and long term options.

Council's subsequent inspection program revealed a situation, at that point in time, which was not as serious as originally thought through the initial report. The inspection program was carried out as follows:

- 90 systems inspected
- 65 systems passed on the first inspection with 25 non compliances
- Types of failures discovered included – Tanks needed pumping out/ or desludging, cracked tank lids, new absorption trenches required.
- Most of these issues were found to relate to either ongoing operation or maintenance.
- Out of the original 25 failures, 17 have now been fully rectified and Council Officers are still working with the owners of 8 systems of which 5 only relate to minor issues.

It should be noted that the inspection program can only look at the situation "above the ground" and issues such as illegal connections to stormwater systems are not factored in unless they are obviously identifiable or other investigations such as smoke testing, has been carried out.

Whilst the inspection results have been reassuring, particularly from a public health perspective, the issues raised in the report, including soil type; climate and lot size, lead to a conclusion that the situation at Cullen Bullen may not be sustainable in the long term.

The SSI report looks at interim solutions that mitigate impacts of failing systems in the short term and solutions that completely eliminate all environmental and health risks. *(It should be noted, however, that the subsequent inspection program uncovered very few systems which were experiencing major failures.)* The mitigating options include the potential use of aerobic sand filters; textile filters, UV or chlorine disinfection. The options to completely eliminate risk in the report, eg fully alarmed pump out system, are potentially problematic for individual residents as a situation could develop whereby a system was required to be upgraded at significant cost to the resident and this expenditure may not be justified should Council wish to proceed with sewerage reticulation. In this regard the consultant was required to undertake a review of options for sewerage reticulation and arrived at the following options.

Option 1: Septic Tank Effluent Pumped (STEP) & Septic Tank Effluent Gravity (STEG) system for sewer collection and a centralised secondary and tertiary wastewater treatment plant at Cullen Bullen = approx \$2.7 mill capital cost (+ land)

Option 2: Gravity smart sewer system at Cullen Bullen and a centralised wastewater treatment plant (WWTP) at Cullen Bullen = approx \$2.4 mill capital cost (+land)

Option 3: Gravity smart sewer system at Cullen Bullen with centralised primary treatment at Cullen Bullen and the transfer of primary treated wastewater to Portland Wastewater Treatment Plant (WWTP) for secondary and tertiary treatment = approx \$2.9 mill capital cost (+land)

Option 4: Gravity smart sewer system at Cullen Bullen with transfer to Portland WWTP for total treatment of wastewater from Cullen Bullen = approx \$3.1 mill capital cost

The assessment of the options for reticulation sewer was undertaken having regard to:

- Capital and Operating costs to households and Council
- Social considerations – perceptions, ease of upgrade, visual impact
- Environmental considerations

The assessment selected Option 4 – Gravity smart sewer system at Cullen Bullen with transfer to Portland WWTP as the most desirable option. This was followed by Option 2 – Gravity smart sewer system at Cullen Bullen and a centralised water treatment plant at Cullen Bullen. It should be noted that Option 2 does not factor in the purchase of suitable land to construct a centralised WWTP.

### **Conclusions**

Firstly, in regard to on-site waste water systems at Cullen Bullen, whilst inspections of all systems revealed the situation was not as serious as first envisaged, the issues of soil type; climate and lot size are valid and the situation may not be sustainable in the long term. Another round of inspections will be undertaken over the winter months.

Council has allocated an amount of \$40,000 in its current budget to further investigate issues and solutions at Cullen Bullen. The following are proposed for expenditure of these funds:

- Carry out an additional on site inspection program.
- Investigation of the stormwater system at Cullen Bullen to ascertain the extent of any unlawful discharges into the stormwater system.
- The engagement of industry expert to undertake a site assessment in situations requiring expert input.

In relation to new systems, eg new dwellings or the subdivision of land to create new allotments, it is suggested that any geotechnical investigation be required to specifically take into consideration the SSI report. Should there be any disagreement with the findings of the geotechnical report then it is suggested that a peer review could be undertaken by a recognised industry expert and funded by the applicant.

In relation to reticulated sewerage to Cullen Bullen it is clear that more detailed investigation is required to finalise the most appropriate means of providing reticulated

sewerage and put in train the planning and funding strategy so reticulated sewerage be provided to the village within a reasonable time. There may still potential cost issues for residents which will require consideration, such as the potential capital contribution for the scheme and the cost of plumbing works within properties. These issues are likely to be a concern for residents and Council may have to consider what level of support, perhaps in the form of low interest loans, it is willing to consider. This will be the subject of future consideration.

### **POLICY IMPLICATIONS**

NIL

### **FINANCIAL IMPLICATIONS**

Council has an amount of \$40,000 in its 2013/14 budget in relation to On Site Sewage Management issues for Cullen Bullen. In relation to reticulated sewerage, funds have been allocated in Council's long term financial plan.

### **LEGAL IMPLICATIONS**

NIL

### **ATTACHMENTS**

1. The following tables from the Sustainable Solutions International report:
  - Table 4-6: Potential mitigation solutions to overcome on-site wastewater management challenges at Cullen Bullen;
  - Table 4-7 Advantages and disadvantages of each interim solution; and
  - Table 4-8: Priority action plan for short term mitigation contained within the Sustainable Solutions International report.
2. A hard copy of the Cullen Bullen village on-site waste water systems assessment and recommendations for future options is provided to Councillors with their business paper packages.

### **RECOMMENDATION**

#### **THAT:**

1. The information in the report on wastewater issues and future options for Cullen Bullen be noted.
2. Council continue to plan for a project to construct a reticulated sewage system at Cullen Bullen in line with its long term financial plan and also have regard to:
  - Cost to the community (eg capital contributions)
  - Cost of the overall project (including reticulation and treatment)
  - Cost of connection to residents (eg internal plumbing)
3. The actions indicated in this report be brought to the attention of the Cullen Bullen Community through an "Open House" session on a date to be determined and copies of the Sustainable Solutions International report be made available to community members at that session.

**OPERATION REPORTS**

**ITEM-5            OPER - 030314 - WATER REPORT - FEBRUARY 2014**

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

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**REFERENCE**

Min No 14-58:                    Ordinary Meeting of Council held on 10 February 2014

**SUMMARY**

This report provides an update on various water management issues as per Minute Number 14-58.

**COMMENTARY**

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

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

Farmers Creek Dam #2 capacity on Monday, 31<sup>st</sup> February was 83%. Oberon Dam capacity on Monday, 31<sup>st</sup> February was 69%.

**Current Water Usage from Each Supply**

Table 1 below indicates total output from the Oakey Park Water Treatment Plant (consumption), the volume transferred from the Clarence Water Transfer System (CWTS) and the volume of water purchased from Fish River for 2013/2014 and Table 2 below indicates total output from the Oakey Park Water Treatment Plant (consumption), the volume transferred from the Clarence Water Transfer System (CWTS) and the volume of water purchased from Fish River for 2012/2013.

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

<b>Month</b>	<b>Oakey Park WTP (ML)</b>	<b>Clarence Transfer (ML)</b>	<b>Fish River Supply (ML)</b>
July 2013	93	0	44
August 2013	96	0	67
September 2013	102	0	73
October 2013	130	0	58
November 2013	106	0	61
December 2013	100	0	47
January 2014	111	0	109
<b>TOTAL</b>	<b>738</b>	<b>0</b>	<b>459</b>



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

<b>Month</b>	<b>Oakey Park WTP (ML)</b>	<b>Clarence Transfer (ML)</b>	<b>Fish River Supply (ML)</b>
July 2012	107	0	53
August 2012	106	0	49
September 2012	115	0	55
October 2012	140	0	65
November 2012	140	5	62
December 2012	135	81	76
January 2013	146	73	68
February 2013	92	0	66
March 2013	114	0	81
April 2013	109	0	106
May 2013	123	0	62
June 2013	154	0	70
<b>TOTAL</b>	<b>1,481</b>	<b>159</b>	<b>813</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 November.

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. Water is also being fed into Shaft Street reservoir from the Fish River source.

**Current Water Restrictions Update**

On 13 February 2014 Level 4a water restrictions were relaxed with the introduction of level 3 restrictions. These are in place for all residents throughout Lithgow and villages receiving water from both the Lithgow and the Fish River water supplies. This followed continuing dry conditions with falling dam levels along with remedial work to burst feeder mains from the Fish River Supply which prompted an emergency situation.

**Water Saving Schemes or Processes Update**

Council's Rainwater Tank and Domestic Appliance Rebate Program continued in February with Council approving 3 applications for household appliance rebates and 1 application for a water tank rebate.

**FINANCIAL IMPLICATIONS**

NIL

**POLICY IMPLICATIONS**

NIL

**LEGAL IMPLICATIONS**

NIL

**RECOMMENDATION**

**THAT** Council note the water report.

**ITEM-6            OPER - 030314 - TENDERS FOR THE CONSTRUCTION OF  
LITHGOW AQUATIC CENTRE - STAGE 4**

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

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**SUMMARY**

This report seeks a determination from Council to use the selective tendering process, pursuant to s166(b) of the Local Government (General) Regulation 2005, for the procurement of suitable contractors for the upgrade of the existing 50 metre pool at the Lithgow Aquatic Centre.

**COMMENTARY**

Whenever a Council is required by s55 of the Local Government Act to invite tenders, Council must decide which of the following methods is to be used.

- (a) the open tendering method.(s167)
- (b) the selective tendering method by which invitations to tender for a particular proposed contract are made following a public advertisement seeking expressions of interest. (s168)
- (c) the selective tendering method by which recognised contractors selected from a list adopted by Council are invited to tender for proposed contracts.(s169)

The preferred method of procurement, due to the nature of the specific works to be undertaken is the selective tendering method pursuant to s168.

Following an Expressions of Interest period, Council received submissions from the following companies:

- 1. Hines Constructions
- 2. Rapid Construction
- 3. ICON Building
- 4. Beau Corp Aquatics.

Companies were assessed based on their demonstrated experience in similar projects, quality management systems, WH&S compliance and financial capacity.

All companies met the minimum selection criteria as outlined above and displayed impressive experience in similar projects, and it is intended to invite all four companies to submit tenders.

**POLICY IMPLICATIONS**

NIL

**FINANCIAL IMPLICATIONS**

Funding for this expenditure is available from the LIRS source of interest subsidy previously reported to Council.

**LEGAL IMPLICATIONS**  
NIL

**RECOMMENDATION**

**THAT:**

1. Council use the selective tendering method, pursuant to s168 of the Local Government (General) Regulation 2005, for the construction of Stage 4 of the Lithgow Aquatic Centre.
2. Council invite tenders submissions from the following four companies:
  - Hines Constructions
  - Rapid Construction
  - ICON Building
  - Beau Corp Aquatics.

**ITEM-7            OPER - 030314 - TOILET FACILITIES - LAKE LYELL**

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

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**REFERENCE**

Min No 14-75:            Ordinary Meeting of Council held on 10<sup>th</sup> February 2014

**SUMMARY**

Report on an issue raised in urgent business at the Ordinary Meeting of 10<sup>th</sup> February 2014 concerning problems at Lake Lyell due to the lack of toilet facilities.

**COMMENTARY**

Following discussions with the caretaker/contractor at Lake Lyell, the current septic toilet facilities, i.e. the amenities block located adjacent to the recreation area and boat ramp, has been operating satisfactorily. Whilst this amenities block is in need of upgrade, the ability of the toilet block to cope with the weekly or weekend demands has been adequate. It would appear that the major problem is the lack of toilet facilities located in the more remote parts of Lake Lyell where camping occurs. There has been evidence that some toilet activities have taken place in these areas which do not comply with reasonable camping standards and due to a shortage of staff, on one particular weekend, it was not possible for the caretaker/contractor to clean this specific area up. This work has since been undertaken.

Improvements in this area could be achieved by the inclusion of a composting type toilet. Provision of such a facility is included in the draft budget for 2104/15. This facility would not be an amenities block type facility, but will simply be an area to ensure that waste materials are adequately controlled and disposed of. The complaints concerning the lack of facilities in the camping areas relate specifically to the distance from the camping areas to the current amenities block. During heavy use of the camping area it is obvious that the disposal of waste material could be a problem and the responsibility lies with the caretaker/contractor to determine whether the area is appropriate to use or should be closed pending a cleanup of the area. On some occasions therefore temporary closure of camping access to the remote areas has been implemented.

**POLICY IMPLICATIONS**

NIL

**FINANCIAL IMPLICATIONS**

Possible allocation of funds to construct appropriate toilet facilities.

**LEGAL IMPLICATIONS**

NIL

## RECOMMENDATION

**THAT:**

1. The information be noted.
2. Council give consideration in the draft 2014/15 budget to the construction of appropriate composting toilets in the remote camping areas at Lake Lyell.

## CORPORATE AND COMMUNITY REPORTS

### ITEM-8 CORP - 030314 - HASSANS WALLS LOOKOUT

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

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#### REFERENCE

Min No 10-179:	Ordinary Meeting of Council held on 3 May 2010
Min No 12-244:	Ordinary Meeting of Council held on 23 July 2012
Min No 12-369:	Ordinary Meeting of Council held on 15 October 2012
Min No 13-61:	Ordinary Meeting of Council held on 25 February 2013
Min No 13-175:	Ordinary Meeting of Council held on 27 May 2013
Min No 13-223:	Ordinary Meeting of Council held on 8 July 2013
Min No 13-297:	Ordinary Meeting of Council held on 19 August 2013
Min No 13-380:	Ordinary Meeting of Council held on 28 October 2013
Min No 14-73:	Ordinary Meeting of Council held on 10 February 2014

#### SUMMARY

This report advises Council of advice from the Geographic Names Board concerning the naming of Hassans Walls Lookout and Boardwalk.

#### COMMENTARY

Following consideration of renaming proposals for the Lookout and Boardwalk at Hassans Walls, Council resolved at the Ordinary Meeting of Council held 10 February 2014 (Min 14-73), **THAT:** *representations be made to the Geographical naming board to clarify that the board walk only be renamed to Sir Joseph Cook Board Walk and that Hassans Walls Lookout remains as is.*

The Geographic Names Board (GNB) has subsequently advised that it requires a letter from Council cancelling the proposal to rename Hassans Walls Lookout. The GNB have also advised that the existing Hassans Walls Lookout naming doesn't appear in the Geographical Names Register and requires a naming proposal for Hassans Walls Lookout. It is recommended therefore that Council writes to the Geographic Names Board cancelling the proposal to rename Hassans Walls Lookout together with a proposal to formalise the name of Hassans Walls Lookout. Given that the Geographical Names Board will exhibit this proposal, it is recommended that Council do not undertake its own exhibition of formalising the naming of the lookout "Hassans Walls Lookout".

The Geographic Names Board has further advised that its approval is not required in respect of any naming proposals for the boardwalk. It is recommended therefore that Council name the new Boardwalk as Sir Joseph Cook Boardwalk.

#### POLICY IMPLICATIONS

NIL

**FINANCIAL IMPLICATIONS**  
NIL

**LEGAL IMPLICATIONS**  
Local Government Act NSW 1993

**RECOMMENDATION**

**THAT** Council:

1. Writes to the Geographic Names Board cancelling the proposal to rename Hassans Walls Lookout.
2. Submits a proposal to the Geographical Names Board to formalise the name of Hassans Walls Lookout.
3. Name the new boardwalk at Hassans Walls Lookout as Sir Joseph Cook Boardwalk.



**ITEM-9            CORP - 030314 - COUNCIL INVESTMENTS HELD TO 31 JANUARY 2014**

**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  
 Min No 13-406:            Ordinary meeting of Council held on 25 November 2013  
 Min No 13-435:            Ordinary meeting of Council held on 16 December 2013

**SUMMARY**

To advise Council of investments held as at 31 January 2014 in the 2013/14 financial year.

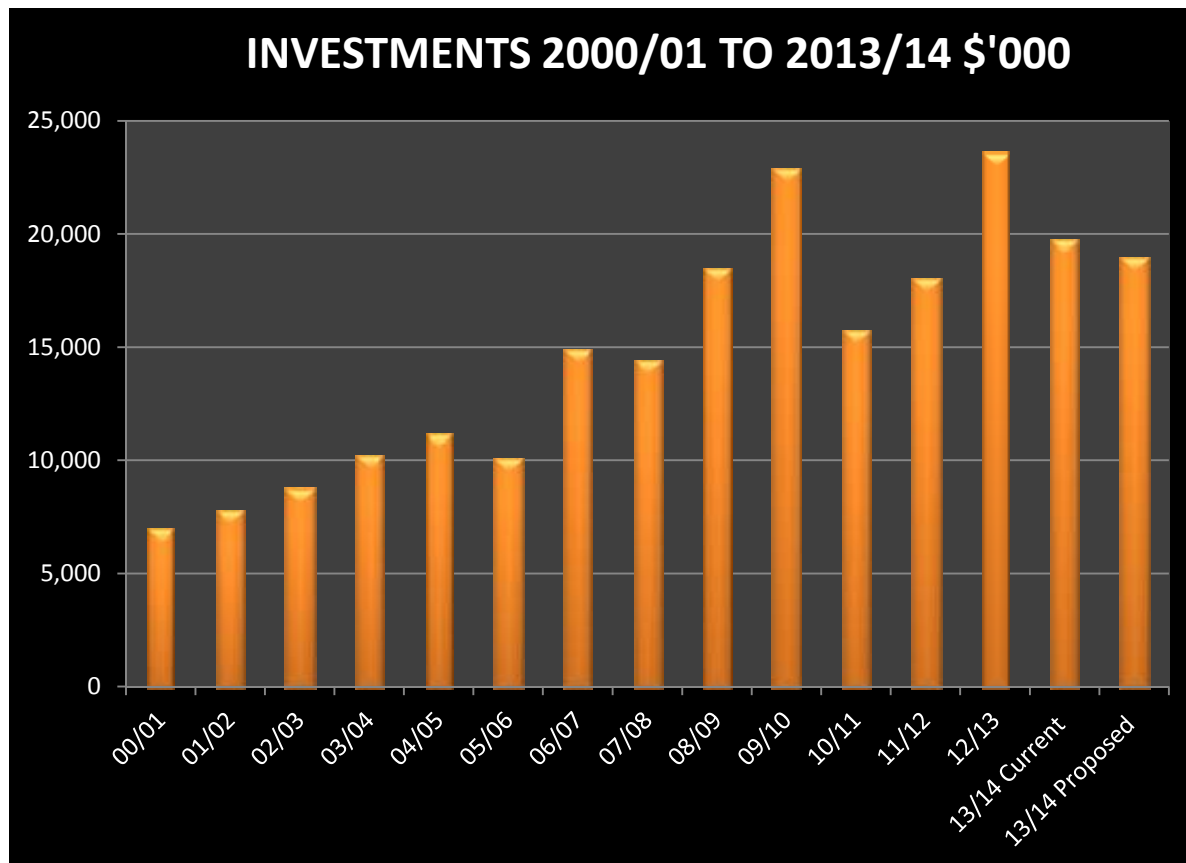
**COMMENTARY**

Council's total investment portfolio, as at 31 January 2014 when compared to 31 December 2013, has decreased by \$973,749.68 from \$20,663,462.36 to \$19,689,712.68.

<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 31.12.13</b>	<b>VALUE 31.01.14</b>	<b>% OF TOTAL</b>
ANZ	TD	09.12.13	10.03.14	91	3.31	890,488.81	890,488.81	4.52%
	TD	09.12.13	10.03.14	91	3.31	530,516.95	530,516.95	2.70%
	TD	06.01.14	07.04.14	91	3.31	527,419.78	532,361.05	2.70%
	TD	03.01.14	03.02.14	31	2.96	1,043,099.46	1,051,775.76	5.34%
CBA	On Call				2.45	1,527,763.89	515,794.46	2.62%
	TD	25.11.13	24.02.14	91	3.29	1,024,843.59	1,024,843.59	5.21%
IMBS	TD	06.01.14	07.04.14	91	3.50	1,540,789.70	1,556,095.14	7.90%
	TD	27.11.13	25.02.14	90	3.50	514,682.26	514,682.26	2.61%
NAB	TD	28.11.13	26.02.14	90	3.70	1,194,666.82	1,194,666.82	6.07%
	TD	22.10.13	22.04.14	182	3.80	1,088,763.39	1,088,763.39	5.53%
	TD	08.12.13	08.03.14	90	3.70	534,384.67	534,384.67	2.71%
	TD	01.12.13	01.03.14	90	3.70	1,514,054.80	1,514,054.80	7.69%
WESTPAC	TD	01.10.13	02.04.14	183	3.54	1,252,472.47	1,252,472.47	6.36%
	TD	17.09.13	18.02.14	153	3.58	1,057,666.68	1,057,666.68	5.37%
	TD	04.10.13	10.04.14	188	3.57	524,061.21	524,061.21	2.66%
ST GEORGE	TD	19.10.13	19.04.14	182	3.40	918,158.59	918,158.59	4.66%
	TD	13.01.14	14.04.14	91	3.34	546,557.64	550,978.02	2.80%
	TD	12.11.13	10.02.14	90	3.27	546,209.31	546,209.31	2.78%
	TD	26.11.13	24.02.14	90	3.27	543,710.31	543,710.31	2.76%
	TD	08.01.14	08.04.14	90	3.27	518,384.45	523,260.81	2.66%
	TD	12.12.13	12.03.14	90	3.28	508,802.25	508,802.25	2.59%
	TD	09.12.13	11.03.14	92	3.27	514,091.55	514,091.55	2.61%
SUNCORP	TD	04.12.13	04.03.14	90	3.62	1,258,774.51	1,258,774.51	6.39%
	TD	25.11.13	24.02.14	91	3.55	543,099.27	543,099.27	2.76%
			<b>TOTAL</b>			<b>20,663,462.36</b>	<b>19,689,712.68</b>	<b>100.00%</b>
INTERNAL LN	Gen to	15.01.11	On		7.41	2,750,000.00	2,750,000.00	

(Commercial Loan Int Rate)	Sew		Receipt of Ext Loan					
I, Juli-Ann Brozek, Lithgow City Council's 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 January 2014 are shown.



A large proportion of Council's investments are held as restricted assets for specific purposes. Restricted assets may consist of externally restricted assets which must be spent for the purpose for which they have been received e.g. Water, Wastewater, Stormwater, Domestic Waste, Parking, or internally restricted assets which have been set aside by Council resolution. Some internal restrictions are held to fund specific liabilities such as employee leave entitlements and bonds and deposits.

### **POLICY IMPLICATIONS**

Investments are held in accordance with the Lithgow City Council's Investment Policy at the date of investing funds. On 13 February 2012 Council adopted a draft of the Investment Policy as Policy 8.2 which includes the Ministers Investment Order of 12 January 2011.

### **FINANCIAL IMPLICATIONS**

Interest received to 31 January 2014 is \$331,298.21 and is paid on the maturity date of the investment. Interest income is determined by the average level of funds held and the rate of return. Adjustments to the budget estimate are processed through Council's Quarterly Budget Review process. Interest Returns are determined by average funds invested and the rate of interest return. Council held significant funds at the 30 June, 2013 in the form of carry over works in progress and unexpended grant funds, as these

works have been progressed in 2013/14, the level of investments have reduced to fund this expenditure.

### **LEGAL IMPLICATIONS**

Investments are held in accordance with the Lithgow City Council's Investment Policy at the date of investing the funds. On 13 February 2012 Council adopted a draft of the Investment Policy as Policy 8.2 and investments will comply with this Policy which includes the following:

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

### **RECOMMENDATION**

**THAT** Investments of \$19,689,712.68 for the period ending 31 January be noted.

**ITEM-10            CORP - 030314 - 2012 - 2013 ANNUAL REPORT**

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

**REFERENCE**

Min No 13-404:            Ordinary Meeting of Council held on 25 November 2013  
 Min No 12-458:            Ordinary Meeting of Council held on 26 November 2012  
 Min No 11-469:            Ordinary Meeting of Council held on 21 November 2011

**SUMMARY**

To inform Council of information regarding details of Legal proceedings that Council has been a party to which was not reported in the Annual Reports for 2010/11, 2011/12 and 2012/13 as required under Section 406 and 428 of the Local Government Act 1993 and Regulation 217(1)(a3) of the Local Government (General) Regulation 2005.

**COMMENTARY**

Advice has been received from the Division of Local Government regarding Council not providing information in relation to all Court proceedings that Council was a party to in the Annual Reports for 2010/11, 2011/12 and 2012/13. The Division of Local Government has requested that *“a report be provided to the next meeting of Council containing the details required by regulation 217(1)(a3).”*

The following table provides a summary of legal proceedings in which Council was a party to in 2010/11, 2011/12 and 2012/13 that were not previously included in the Annual Reports;

Matter	Amount	Progress or Outcome	Year
Lorraine Britton v Lithgow City Council – Slip & Fall Cook Street Plaza		Re-listed for hearing 16 July 2012.	2011/12
		Matter settled by way of consent judgement (terms not to be disclosed).	2012/13
Kosmala v Lithgow City Council - Prosecution for illegal by-passing of water metre – Section 636(1)(c) Local Government Act 1993.		Matter commenced and court date set for August 2013.	2012/13
Lithgow City Council v Jackson – Fall into drain – Endeavour Park		Appeal remitted for further hearing in the High Court	2009/10
Lithgow City Council v Jackson – Fall into drain – Endeavour Park		<ol style="list-style-type: none"> <li>1. Appeal allowed.</li> <li>2. Set aside the order of the Court of Appeal of the Supreme Court of NSW dated 11 June 2010 and in its place order that:               <ol style="list-style-type: none"> <li>a. The appeal to that Court be dismissed with costs, including costs of and incidental to the first appeal to that Court and</li> <li>b. The respondent, Craig William Jackson, pay the costs of the appellant, Lithgow City Council, of the special leave application to the High Court of Australia.</li> </ol> </li> <li>3. The respondent pays the appellant’s costs in this court.</li> </ol>	2011/12

		Note: Council did not seek recovery – claimant had no assets.	
Miller V Lithgow City Council & Anor		Supreme Court Action	2010/11
		Directions hearing (20 April 2012)	2012/13

The following have previously been reported;

Matter	Amount	Progress or Outcome	Previously Reported (year)
Development Application 033/09 Amusement Centre – Land and Environment Court Appeal of Council's refusal	\$385	The appeal was upheld and the development application was approved subject to conditions.	2010/11
Department of environment, Climate Change and Water – Land and Environment Court Prosecution for offences under the National Parks and Wildlife Act relating to road maintenance activities in the Capertee Valley	\$142,356	Council was convicted of the offences and ordered to undertake the following: <ul style="list-style-type: none"> <li>Pay \$105,000 in fines, however, this amount to be paid to the Industry &amp; Investment NSW to be used by the Derelict Mines Programme to assist in the rehabilitation at the Glen Davis Oil Shale Quarry.</li> <li>Pay the prosecutors' costs of \$25,000</li> <li>Place an advertisement in the Lithgow Mercury of the Court's judgement outlining the offences.</li> </ul>	2010/11
Development Application 103/94 – Land and Environment Court Appeal of Council's refusal of the Modification of Consent	\$13,796	Following a Section 34 conciliation conference, an offer for settlement was received on 29 June 2011 which had to be reported to Council for consideration. As such the matter was not completed as at 30 June 2011.	2010/11
Hytech v Lithgow City Council		Council accepted outcome following Section 34 Conference.	2011/12

## POLICY IMPLICATIONS

NIL

## FINANCIAL IMPLICATIONS

NIL

## LEGAL IMPLICATIONS

The Local Government Act 1993 and Regulation 217(1)(a3) of the Local Government (General) Regulation 2005 sets out requirements for the annual reporting of the legal proceedings in which Council was a party to. This report achieves these requirements.

## RECOMMENDATION

### THAT:

- Council notes the amended summary of legal proceedings in which Council was a party to in 2010/11, 2011/12 and 2012/13.
- The Division of Local Government be advised accordingly.

**ITEM-11            CORP - 030314 - QUARTERLY PERFORMANCE REPORT ON 2013-2014 OPERATIONAL PLAN FOR THE PERIOD 1 OCTOBER TO 31 DECEMBER 2013**

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

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**REFERENCE**

Min No 13-156:            Ordinary Meeting of Council held on 6 May 2013  
 Min No 13-405:            Ordinary Meeting of Council held on 25 November 2013

**SUMMARY**

This report provides the Quarterly Performance Report on the 2013-2014 Operational Plan for the period of 1 October to 31 December 2013 with a recommendation that variations to income and expenditure estimates be voted and the revised budget deficit of \$40,370 be noted.

**COMMENTARY**

The October to December 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</b>	<b>Total \$'000</b>
Original	73,770	73,759	11
September Quarter	84,526	84,515	11
December Quarter	83,030	83,070	(40)

<b>2013/14 QUARTERLY BUDGET COMPARISON FUND</b>			
<b>Budget (Inc Internal)</b>	<b>Income \$'000</b>	<b>Expenditure</b>	<b>Total \$'000</b>
General	57,773	57,813	(40)
Water	12,260	12,260	0
Wastewater	12,997	12,997	0

The revised December quarter of the 2013-2014 Operational Plan has been adjusted as detailed in the following table.

2013/14 Quarterly Budget Variations				
	Division	Program	Variation (\$'000)	Reason
1	Executive	General Pension Rebate Expense	(80,885)	Revised based on Actual Claims
2	Executive	General Pension Subsidy (55%) - Income	53,825	Revised based on Actual Claims
3	Executive	Federal Assistance Grants Scheme - General & Roads Income	246,525	Revised based on Actual Entitlement
4	Executive	Investment Interest - Income	50,000	Revised estimate based on anticipated interest rates and cash levels
5	Operations	Private Works Income	(108,599)	Revised based on Income to date and in progress
6	Operations	Private Works Expenditure	85,577	Revised expenditure based on Actuals projection
7	Operations	Contribution to RFS	95,255	Revised based on advice of new estimates
8	Operations	Contribution to SES	(115,359)	Revised based on advice of new estimates
9	Operations	SES Lithgow	13,403	Revised based on latest estimates provided by SES
10	Operations	SES Portland	13,403	Revised based on latest estimates provided by SES
11	Operations	Lithgow Pool - Income	(14,990)	Revised entry fees and Increase income from Kiosk based on Actuals to Date.
12	Operations	Lithgow Pool - Expenditure	54,431	Kiosk expenses and additional electricity charges.
13	Operations	Cemetery - Vegetation Control	2,297	Budget for high priority new works
14	Operations	Cemetery - Ground Maintenance	(10,000)	Estimated saving based on actual to date.
15	Operations	Water Pension Rebate	(5,987)	Revised based on expected claims for Usage
16	Operations	Water Pension Subsidy (55%) Inc	18,775	Revised based on historic actual subsidy
17	Operations	Water - Payroll Tax	8,471	Revised based on historic actual s levels
18	Operations	Water Purchases - Fish River Supply	266,770	Revised based on expected volumes and charges
19	Operations	Water Treatment Testing	8,465	Based on known scope and costs
20	Operations	Water Clarence System Operations	(145,472)	Revised operating costs based on new Commissioning date
21	Operations	Water Private Works Income	(10,000)	Revised based on Income to date and in progress
22	Operations	Water Private Works Expenditure	7,527	Revised based on Income projection
23	Operations	Sewer Pension Rebate	(10,187)	Revised based on actual entitlement
24	Operations	Sewer Pension Subsidy (55%)	10,160	Revised based on actual Entitlement
25	Operations	Sewer Trade Waste	(14,000)	Additional Waste Discharge into System
26	Operations	Sewer Payroll Tax	10,613	Revised based on known historic actuals
27	Operations	Sewer UV Disinfection	(43,755)	Grant Funds Received
28	Operations	Sewer Treatment Analysis	(7,402)	Savings based on Actual to date
29	Operations	Sewer Clearing Chokes	8,573	Revised based upon Actual Cost to Date
30	Operations	Sewer Chemicals	102,018	Additional Estimate based on actuals to date
31	Operations	Sewer - UV Disinfection	(45,841)	Revised estimate based on Actual Costs to Date
32	Operations	Sewer New Junctions - Income	(44,147)	Contribution Received

33	Operations	Sewer Main Maintenance	103,822	Revised based on actual to date
34	Operations	Sewer Clear Blockages	(101,500)	Revised based on actual to date
35	Operations	Sewer New Junction Maintenance	27,045	Revised based on actual to date
36	Operations	Sewer - Pumping Stations Maintenance	(59,405)	Revised based on actual interventions to date
37	Development	Non Residential Waste Collection Charge - Income	70,128	Incorrect income estimate
38	Development	Residential Waste Collection Charges - Income	(313,606)	Adjust original income estimate
39	Development	Recycling Depot Rent	(9,072)	Revised based upon expected actual
40	Community & Corporate	Insurance	(15,393)	Property Insurance Rebate received
41	Operations Capital	Wolgan Road Revenue	(1,260,000)	Capital Contributions for Road Construction
42	Operations Capital	Wolgan Road Expenditure	2,310,000	Expenditure in 13/14 revised to Match funding
43	Operations Capital	Wolgan Road Reserve Transfer	(1,050,000)	Transfer from unexpended Contribution held at 30/06/2013
44	Operations Capital	Browns Gap Stabilisation	(154,848)	Works not proceeding in 2013/14
45	Operations Capital	Browns Gap - Reserve Transfer	154,848	Funding not required in 2013/14
46	Operations Capital	RMS Blackspot Program 13/14 - Income	(83,540)	Additional Funding Received
47	Operations Capital	RMS Blackspot Program 13/15	83,540	Blackspot Works Program
48	Operations Capital	Flood Study Grant	(7,352)	Grant Funding Received
49	Operations Capital	Eskbank House Fencing	9,000	Budget for high priority works
50	Operations Capital	Eskbank House Fencing - reserve transfer	(9,000)	Fencing Funded from Reserve
51	Operations Capital	Pool – Jumping Pillow	9,000)	Grant Funds Received
52	Operations Capital	Pool – Jumping Pillow	(9,000)	Expenditure of Grant Funds
53	Operations Capital	Aquatic Centre	(159,459)	LIRS Loan now to be drawn in 2014/15 not 2013/14
54	Operations Capital	Aquatic Centre	72,588)	LIRS Loan now to be drawn in 2014/15 not 2013/14
55	Operations Capital	Aquatic Centre	(135,256)	LIRS Loan now to be drawn in 2014/15 not 2013/14
56	Operations Capital	Aquatic Centre	245,000)	Funding of Initial Design Work from Infrastructure Reserve
57	Operations Capital	Aquatic Centre	(245,000)	Transfer from Infrastructure Reserve. To be repaid when loan drawn down in 2014/15
58	Operations Capital	Streetscape and Shades	(30,000)	Transfer to Lake Lyell Works
59	Operations Capital	Lake Lyell Works	30,000	Reallocated from Shades Budget
60	Operations Capital	Depot Works including Bowsers	(9,941)	Additional Funds required to complete works
61	Development Capital	Lake Wallace Toilet	38,000	Budget for new works
62	Development Capital	Centrelink Carpet	60,000	Budget for new works



63	Development Capital	Building Program	(98,000)	Transfer from Building Reserve.
64	Operations Capital	Water – Clarence Transfer System	(3,000,000)	Loan not required. Project funded from Grant Funds.
65	Operations Capital	Water – Clarence Transfer System	3,000,000	Loan not required
66	Operations Capital	Water – Clarence Transfer System	(561,034)	Loan not required
67	Operations Capital	Water – Clarence Transfer System	(191,048)	Correct transfer from unexpended grant reserve based upon actual funding.
68	Operations Capital	Water – Reserve Transfer	604,311	Amend net transfer to Capital Works Reserve based on actual
69	Operations Capital	Waste Water – Capital	1,958	Complete Work on Desludge Lagoons.
70	Operations Capital	Waste Water – Capital	62,049	Transfer to Waste Water Capital Reserve
71	Development Capital	Waste – Capital Reserve	252,549	Transfer additional annual charge income to fund future capital works
72	Community & Corporate Capital	Library – Capital	(16,000)	Special Purpose Capital Grant Received
73	Community & Corporate Capital	Library – Capital	16,000	Grant funds spent on additional library resources.
74	Minor variations		289	

### **POLICY IMPLICATIONS**

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

### **FINANCIAL IMPLICATIONS**

The financial implications as reported in the October to December 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.

### **ATTACHMENTS**

1. Quarterly Progress Report 1 October – 31 December 2013.

## RECOMMENDATION

### THAT:

1. The deficit of \$40,370 for the 2013-2014 Operational Plan as detailed in the Quarterly Performance Report for the period 1 October to 31 December 2013 be adopted.
2. Council adopt 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 2012-2013 Operational Plan has been reviewed and the financial position of Council is satisfactory.

## COMMITTEE MEETINGS

**ITEM-12 EXEC - 030314 - 13 NOV 2013 - LITHGOW CBD REVITALISATION ACTION PLAN COMMITTEE MEETING MINUTES**

**REPORT BY - M BREWSTER – ECONOMIC DEVELOPMENT OFFICER**

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## REFERENCE

Min No 13-231: Ordinary Meeting of Council held on 8 July 2013

## SUMMARY

This report details the Minutes of the Lithgow CBD Revitalisation Action Plan Committee Meeting held on 13 November 2013

## COMMENTARY

At the Lithgow CBD Revitalisation Action Plan Committee meeting held on 13 November 2013, there were various items discussed by the Committee including:

1. Resources for Regions Application
2. Draft Consultant Brief
3. Infrastructure Quick Wins

## POLICY IMPLICATIONS

NIL

## FINANCIAL IMPLICATIONS

NIL

## LEGAL IMPLICATIONS

Local Government Act 1993, s355

## ATTACHMENTS

1. Minutes from the Lithgow CBD Revitalisation Action Plan Committee Meeting of 13 November 2013

## RECOMMENDATION

**THAT** Council notes the minutes of the Lithgow CBD Revitalisation Action Plan Committee held on the 13 November 2013.

**ITEM-13            CORP - 030314 - 3 DECEMBER 2013 - COMMUNITY DEVELOPMENT  
COMMITTEE MINUTES**

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

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**REFERENCE**

Min No 13-209:        Ordinary Meeting of Council held on 17 June 2013  
Min No 13-388:        Ordinary Meeting of Council held on 28 October 2013  
Min No 13-434:        Ordinary Meeting of Council held on 16 December 2013  
Min No 13-437:        Ordinary Meeting of Council held on 16 December 2013

**SUMMARY**

This report details the minutes of the Community Development Committee meeting held on 3 December 2013.

**COMMENTARY**

At the Community Development Committee meeting held 3 December 2013 various items were discussed by the committee. Matters of interest include:

- Planning for Australia Day 2014
- Recognition of Sir Joseph Cook
- Signage at Marjorie Jackson Plaza
- Eskbank House Fence and Lighting
- War Memorial Queen Elizabeth Park
- Financial Assistance. The Committee recommendations on Round 2 of 2013/14 Financial Assistance were reported to Council on 16 December 2013.

**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 Community Development Committee meeting held 3 December 2013.

## RECOMMENDATION

**THAT** Council notes the minutes of the Community Development Committee meeting held 3 December 2013.

**ITEM-14          CORP - 030314 - YOUTH COUNCIL MINUTES - 28 JANUARY 2014**

**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
Min No 13-411:	Ordinary Meeting of Council held on 25 November 2013
Min No 13-439:	Ordinary Meeting of Council held on 16 December 2013

**SUMMARY**

This report details the minutes of the Youth Council meeting held on 28 January 2014.

**COMMENTARY**

At the Youth Council meeting held on 28 January 2014 various items were discussed by the committee. Matters of interest include:

- Youth Week events 2014.
- Possible venue for young people.
- Youth Council PCYC Scholarship Program update.

**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 28 January 2014.

**RECOMMENDATION**

**THAT** Council notes the minutes of the Youth Council meeting held 28 January 2014.

**ITEM-15 EXEC - 030314 - ECONOMIC DEVELOPMENT ADVISORY COMMITTEE MEETING - 5 FEBRUARY 2014**

**REPORT BY: M BREWSTER - ECONOMIC DEVELOPMENT OFFICER**

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## **REFERENCE**

Min No 12-409: Ordinary Meeting of Council held on 5 November 2012

## **SUMMARY**

This report details the Minutes of the Economic Development Advisory Committee Meeting held on 5 February 2014

## **COMMENTARY**

At the Economic Development Advisory Committee held on 5 February 2014, there were various items discussed by the Committee including;

1. Vacant Committee Member Positions
2. Council Economic Development Projects Update
3. Round Table Economic Sector Updates
4. EDAC Workshop Session Aspirations and Priority Setting

It is recommended that Ms Renee Difranco be appointed to the Economic Development Advisory Committee in the vacant committee position of Retail and Business Services Sector representative.

## **POLICY IMPLICATIONS**

NIL

## **FINANCIAL IMPLICATIONS**

NIL

## **LEGAL IMPLICATIONS**

Local Government Act 1993, s355.

## **ATTACHMENTS**

1. Minutes from the Economic Development Advisory Committee meeting of 5 February 2014

## **RECOMMENDATION**

**THAT** Council:

1. Notes the minutes of the Economic Development Advisory Committee held on the 5 February 2014.

2. Appoints Ms Renee Difranco to the vacant position of Retail and Business Services Sector representative of the Economic Development Advisory Committee.



**ITEM-16            CORP - 030314 - 4 FEBRUARY 2014 - COMMUNITY DEVELOPMENT  
                          COMMITTEE MINUTES**

**REPORT BY: J BROZEK - GROUP MANAGER CORPORATE & COMMUNITY**

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## **REFERENCE**

Min No 13-209:        Ordinary Meeting of Council held on 17 June 2013  
Min No 13-388:        Ordinary Meeting of Council held on 28 October 2013  
Min No 13-434:        Ordinary Meeting of Council held on 16 December 2013  
Min No 13-437:        Ordinary Meeting of Council held on 16 December 2013

## **SUMMARY**

This report details the minutes of the Community Development Committee meeting held on 4 February 2014.

## **COMMENTARY**

At the Community Development Committee meeting held 4 February 2014 various items were discussed by the committee. Matters of interest include:

- Australia Day Review
- Rydal Village Improvement Plan
- Seniors Week 2014
- War Memorial Queen Elizabeth Park
- Financial Assistance Policy Review

## **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 Community Development Committee meeting held and 4 February 2014.

## **RECOMMENDATION**

**THAT** Council note the minutes of the Community Development Committee meeting held 4 February 2014.

**ITEM-17            OPER - 030314 - TRAFFIC ADVISORY LOCAL COMMITTEE- 6  
                         FEBRUARY 2014**

**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 6 February 2014.

**COMMENTARY**

At the Traffic Advisory Local Committee meeting held on 6 February 2014, there were numerous items discussed by the Committee that requires action from Council including;

1. Great Western Highway Lithgow Pedestrian Access and Mobility Plan (draft)
2. One way lane proposal- St Joseph's School Portland
3. Development application 153/13 Proposed motel development Kirkley Street Lithgow
4. Request for speed humps- Bells Road Lithgow
5. Request for resident only parking- Padley Street Lithgow
6. Proposed driveway Methven Street Lithgow-amended plan
7. One way lane change issues- Ivatt Street and Sandford Avenue lane Lithgow
8. Green arrow request at traffic lights at the intersection of Mort and Lithgow Street Lithgow
9. Bonaventure Road Mount Lambie-request for dedicated turning lane
10. Request for existing parking changes –Salud Bridge Street Lithgow
11. Request for existing disabled car parking space to be relocated in Main Street Lithgow
12. Request for two hour parking signage and zones in the vicinity of 1127 Great Western Highway Lithgow
13. Request for disabled parking space- Musket Parade Lithgow
14. Request for timed parking in the vicinity of the Main Street Post Office Wallerawang
15. Request for changes to the existing children's crossing and installation of a 5 tonne load limit Bent Street Lithgow
16. Extension of existing taxi rank- Main Street Lithgow
17. Request for emergency vehicle parking- Volunteer Rescue Association Mort Street Lithgow
18. NSW Big Ride for Parkinson's event 2014
19. Proposal for traffic management for events- Lithgow Showground
20. Request for roundabout Lithgow Valley Plaza Lithgow Street Lithgow
21. Parking concerns at the intersection of Lee Street and Great Western Highway
22. Grey Street Lithgow parking issues
23. RSL Scenic Hill lookout proposal
24. Angus Place Colliery- request for speed zone review/pedestrian crossing and signage
25. Development application request for comments- Jenolan Caves Road

26. Request for red light camera- Dunn's Corner Lithgow
27. TALC meeting dates 2014
28. Ironfest event traffic management notification 2014
29. Wallerawang Lidsdale Progress Association request to relocate existing disabled parking zone
30. Donald Street Lithgow-issues with heavy vehicles and increased traffic

**POLICY IMPLICATIONS**

NIL

**FINANCIAL IMPLICATIONS**

NIL

**LEGAL IMPLICATIONS**

NIL

**ATTACHMENTS**

1. Minutes from the Traffic Advisory Local Committee meeting of 6 February 2014.

**RECOMMENDATION****THAT** Council:

1. Notes the minutes of the Traffic Advisory Local Committee held on the 6 February 2014.
2. Changes the existing two way traffic direction to one way traffic only in the lane way located adjacent to the Old Convent building in the vicinity of St Joseph's school at Portland.
3. Erect two hour parking signage along the Great Western Highway commencing adjacent to the Lithgow Visitor Information Centre through to 1127 Great Western Highway Lithgow.
4. Install a disabled car parking space at 50 Musket Parade Lithgow
5. Not support the extension of the existing taxi rank in Main Street Lithgow
6. Alter the existing parking in the vicinity of the Volunteer Rescue Association head quarters in Mort Street Lithgow to "No Stopping Emergency –emergency vehicles accepted parking permit must be displayed" to allow for emergency vehicles to park unobstructed
7. Provides funding in the amount of approximately \$500 for the development of a traffic management plan to be used as a basic template to cater for large events at the Tony Luchetti Sports precinct.
8. Endorse the RMS recommendations in regard to development application DP 530 166 on Jenolan Caves Road at Jenolan Caves

**ITEM-18            ENVIRO - 03314 - MEADOW FLAT HALL MANAGEMENT  
COMMITTEE MINUTES - 13 FEBRUARY 2014**

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

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**SUMMARY**

This report presents the minutes of the Meadow Flat Hall Management Committee Meeting held on 13 February 2014.

**COMMENTARY**

At the Meadow Flat Hall Management Committee Meeting held on 13 February 2014, there were a number of items discussed which are outlined in the attached minutes.

These Items included:

1. Building Occupation

There were no issues requiring Council approval at this meeting.

**ATTACHMENTS**

1. Minutes of the Meadow Flat Hall Management Committee Meeting held on 13 February 2014.

**RECOMMENDATION**

**THAT** Council note the minutes of the Meadow Flat Hall Management Committee Meeting held on 13 February 2014.

**ITEM-19            OPER - 030314 - AQUATIC CENTRE COMMITTEE MEETING  
MINUTES - 18 FEBRUARY 2014**

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

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**SUMMARY**

This report details the Minutes of the Aquatic Centre Committee Meeting held on 18 February 2014.

**COMMENTARY**

At the Aquatic Centre Committee meeting held on 18 February 2014, there were a number of items discussed by the Committee including:

1. Local Infrastructure Renewal Scheme (LIRS)
2. Aquatic Centre Stages 2/3
3. Aquatic Centre Stage 4
4. Pool water treatment options for stages 2, 3 and 4.

**POLICY IMPLICATIONS**

NIL

**FINANCIAL IMPLICATIONS**

NIL

**LEGAL IMPLICATIONS**

NIL

**ATTACHMENTS**

1. Minutes from the Aquatic Centre Committee meeting of 18 February 2014.

**RECOMMENDATION**

**THAT** Council notes the minutes of the Aquatic Centre Committee held on 18 February 2014.

**ITEM-20            CORP - 030314 - TOURISM ADVISORY COMMITTEE - 18 FEBRUARY 2014**

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

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**REFERENCE**

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  
Min No 13-314:        Ordinary Meeting of Council held on 25 November 2013

**SUMMARY**

This report details the Minutes of the Tourism Advisory Committee Meeting held on 18 February 2014.

**COMMENTARY**

At the Tourism Advisory Committee held on 18 February 2014, there were numerous items discussed by the Committee;

1. Lithgow Visitors Guide and App
2. Parking at the Visitor Information Centre
3. Update on Committee Actions

**POLICY IMPLICATIONS**

NIL

**FINANCIAL IMPLICATIONS**

NIL

**LEGAL IMPLICATIONS**

NIL

**ATTACHMENTS**

1. Minutes from the Tourism Advisory Committee meeting of 18 February 2014

**RECOMMENDATION**

**THAT** Council notes the minutes of the Tourism Advisory Committee held on the 18 February 2014.

## NOTICES OF MOTION

### ITEM-21 NOTICE OF MOTION - 030314 - WATER RATES REVIEW REPORT - COUNCILLOR W MCANDREW

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## COMMENTARY

It is some months now, in fact, early September last year, that Council resolved to have provided to it, a report on the structure, tier system and costs associated with water rates in our LGA. That report was to also look at comparable LGA's and look at all tier and rate levels in residential, rural, industrial and commercial water rate costs.

## RECOMMENDATION

**THAT** the water rate review report that was resolved to be provided to Council in early September last year, be provided at the next Council meeting set down for the 24<sup>th</sup> March 2014.

**ITEM-22 NOTICE OF MOTION - 030314 - REQUEST FOR UPDATE ON COUNCIL'S LEGAL AND PLANNING ACTION INVOLVING PENSIONER FROM CULLEN BULLEN - SEWERAGE AND EASEMENT ISSUES - COUNCILLOR J MCGINNES**

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**COMMENTARY**

- Q.** Could the Council advise and update Councillors on Council's legal and planning action involving pensioner from Cullen Bullen – sewerage and easement issues?

**RECOMMENDATION**

**THAT** the General Manager and Council Officers Council update Councillors on Council's legal and planning action involving pensioner from Cullen Bullen – sewerage and easement issues.



**ITEM-23 NOTICE OF MOTION - 030314 - LITHGOW PETROLEUM  
EXPLORATION LICENCE APPLICATION 158 - CEEMAC PTY LTD -  
COUNCILLOR J MCGINNES**

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**REFERENCE**

NSW Lithgow Petroleum Exploration Licence Application 158 – Ceemac Pty Ltd with the NSW Department of Trade & Investment – Resources & Energy Division.  
Min No 12-481: Ordinary Meeting of 17 December 2012.  
Min No 13-27 Ordinary Meeting of 4 February 2013.

**COMMENTARY**

**Q. Could the General Manager and Council Officers urgently advise and update Councillors and ratepayers on the recent lodgement of the attached Lithgow Petroleum Exploration Licence Application 158 – Ceemac Pty Ltd with the NSW Department of Trade & Investment – Resources & Energy Division?**

The NSW Department of Trade & Investment – Resources & Energy Division website indicates that the Public Exhibition period has been extended to now close on 13 March 2014.

**ATTACHMENTS**

1. NSW Department of Trade & Investment – Resources & Energy Division Pela 158 Full Details Report and Pela 158 Diagram.

**RECOMMENDATION**

**THAT** the General Manager and Council Officers urgently advise and update Councillors and ratepayers on the recent lodgement of the attached Lithgow Petroleum Exploration Licence Application 158 – Ceemac Pty Ltd with the NSW Department of Trade & Investment – Resources & Energy Division.

**ITEM-24            NOTICE OF MOTION - 030314 - CLARENCE TRANSFER SYSTEM -  
                          COUNCILLOR W MCANDREW**

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**RECOMMENDATION**

**THAT** the General Manager and/or appropriate Staff, provide at this meeting, an update on the progress and/or status of the Clarence Transfer System.

**ITEM-25            NOTICE OF MOTION - 030314 - BOWEN VISTA BIORETENTION  
BASIN AND APPLICABLE DA - COUNCILLOR W MCANDREW**

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**RECOMMENDATION**

**THAT** the General Manager and/or appropriate Staff, provide at this meeting, a report on the progress and/or status of the bio retention basin and applicable DA situated in the Bowen Vista Subdivision.

**ITEM-26 NOTICE OF MOTION - 030314 - REQUEST UPDATE ON FUNDING AVAILABLE UNDER MAYORS BUSHFIRE APPEAL AND COMMITTEE - COUNCILLOR J MCGINNES**

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**REFERENCE**

Lithgow City Council resolution 14-44 at the Ordinary Meeting of 10 February 2014.

**COMMENTARY**

- Q.** Could the Mayor and General Manager update Councillors on the amount of funding available for distribution under the Mayors Bushfire Appeal and Committee, including what was amount of the kind financial donation received from representatives of the Parramatta City Council?

**RECOMMENDATION**

**THAT** the Mayor and General Manager update Councillors on the amount of funding available for distribution under the Mayors Bushfire Appeal and Committee, including what was the amount of the kind financial donation received from representatives of the Parramatta City Council.

## **BUSINESS OF GREAT URGENCY**

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

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

## CLOSED COUNCIL

### ITEM-27      **CONFIDENTIAL REPORT - GM - 030314 - LITHGOW MINERALS AND INDUSTRY PARK**

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

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#### **Reason for Confidentiality**

This report is **CONFIDENTIAL** in accordance with Section 10A2(c) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

#### **SUMMARY**

Lithgow City Council has received a request and expressed an interest in a land exchange.

#### **RECOMMENDATION**

**THAT** Council consider the Lithgow Minerals and Industry Park Report in Closed Council pursuant to Section 10A2(c) of the Local Government Act 1993.