



A CENTRE OF REGIONAL EXCELLENCE

AGENDA

ORDINARY MEETING OF COUNCIL

TO BE HELD AT

THE ADMINISTRATION CENTRE, LITHGOW

ON

12 MAY 2014

AT 7.00pm

AGENDA

ACKNOWLEDGEMENT OF COUNTRY

APOLOGIES

PRESENT

CONFIRMATION OF THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 14 APRIL 2014

CONFIRMATION OF THE MINUTES OF THE EXTRA ORDINARY MEETING OF COUNCIL HELD ON 17 APRIL 2014

DECLARATION OF INTEREST

PUBLIC FORUM

PRESENTATIONS - NIL

MAYORAL MINUTES - NIL

STAFF REPORTS

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

COUNCIL COMMITTEE MINUTES

Tourism Advisory Committee - 29 April 2014
Youth Council Minutes - 29 April 2014
Blue Mountains Crossing Bicentenary Committee - 2 April 2014
Community Development Committee Minutes - 1 April 2014
Mayoral Bushfire Appeal Committee - 8 April 2014
Sports Advisory Committee Meeting Minutes - 29 April 2014
Traffic Advisory Local Committee - 3 April 2014
Operations Committee Meeting Minutes - 5 March 2014

DELEGATES REPORTS - NIL

NOTICES OF MOTION

Piping of the Bowen Vista Bio-Retention Basin 'V' Drain - Councillor F Inzitari
Proposed Closure of the Lithgow Aquatic Centre 50 Metre Public Swimming Pool - Councillor M Ticehurst

Regulated Retail Gas Price Increases of 17.5% from 1 July 2014 - Councillor M Ticehurst
Forty Bends Upgrade - Councillor C Hunter
Urgent Review General Managers Appraisal Process - Councillor J McGinnes
Calling Tenders for Public Toilets Lithgow CBD - Councillor J McGinnes
Poultry Farm Operation Concerns - Councillor F Inzitari
Public Toilet at Rydal - Councillor P Pilbeam

QUESTIONS WITH NOTICE - NIL

NOTICE OF RECISSIONS - NIL

BUSINESS OF GREAT URGENCY

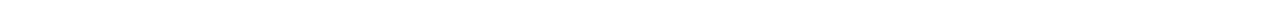
as identified by Clause 241 of the Local Government (General) Regulations 2005

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GENERAL MANAGERS REPORTS

ITEM-1 GM - 12/05/14 - REVIEW OF COUNCIL POLICIES 9.20 RISK MANAGEMENT AND 5.6 COMPANION ANIMALS POLICY

SUMMARY

This report is to present the Draft Policy 9.20 - Risk Management Policy and Policy 5.6 - Companion Animals Policy to Councillors for adoption.

COMMENTARY

Draft Policy 9.20 - Risk Management Policy and Policy 5.6 - Companion Animals Policy have been reviewed and was submitted to the Council on Monday 24th March 2014 as part of the current Policy review.

Subsequently the documents were advertised from Thursday 3rd April 2014 until Friday 2nd May 2014 for public comment. No comments were received.

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.

Existing Policy No.	Policy Name	Proposed Changes	New Policy No.
5.6	Companion Animals Policy	Provides a guide as to the number of companion animals per residential property. That is 3 on a residential property of 800 sqm.	5.5
9.20	Risk Management Policy	New policy	9.14

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. 5.6 - Companion Animals Policy
2. 9.20 - Risk Management Policy

RECOMMENDATION

THAT Council:

1. **ADOPT** Policies
 - Companion Animals Policy
 - Risk Management Policy
2. Renumber the policies according to the schedule.

ITEM-2 GM - 12/05/14 - REGIONAL ELECTRICITY CONTRACT

REPORT BY: R BAILEY - GENERAL MANAGER

REFERENCE

Min No 11-465: Ordinary Meeting of Council held on 21 November 2011

COMMENTARY

In late 2011, Centroc member councils participated in the Local Government Procurement (LGP) tender process for electricity for Buildings and Facilities (large sites consuming more than 160,000kWh pa) and Street Lighting. The contract for these sites is valid from 1 July 2012 - 30 June 2015.

LGP have recently advised that subsequent to information received from Trans Tasman Energy Group (TTEG) regarding market outlook, they will commence the next electricity tender process in the coming weeks. This is particularly relevant to Centroc member councils whose current contracts expire 30 June 2015.

At present ERM Power Retail are the providers for Buildings and Facilities consuming more than 160,000kWh pa. . AGL Energy Ltd are the providers for Street Lighting.

The Process

LGP outlines the following steps in the LGP tendering process:

1. All councils and other organisations wishing to participate, either in a renewal of a previous LGP process or as a new participant, will be asked to have their General Manger sign a participation form. Lodging this Participation Form is non binding on the Council.
2. LGP through consultants Trans Tasman Energy Group (TTEG) will then request councils to confirm sites details and seek specific usage data from the Council's current electricity retailer/s.
3. LGP will recommend a price band (benchmark) for Electricity that it would consider appropriate. The setting of a benchmark price prior to the release of the RFT is a legal requirement under LGP's prescription and for compliance to the Local Government Act 1993. This is the point in the process where Council, if it accepts the benchmark pricing, **commits** to participate in the tender. LGP will be presenting to the market the aggregated load of all the participants. If a council or councils pull out after this commitment was made, the retailers would withdraw their offers. If LGP's recommended tender outcome equals or betters the pre-agreed price band (benchmark price), then Council is **committed** to enter into a Retail Electricity Agreement (RESA) with the successful retailer/s. (If tenders are above that price, then they will be rejected.)

At this point in the process, if a Council does not accept the proposed price band (benchmark), it will no longer be considered a participant and will not be included within the list of participating councils.

4. Once the list of participants is finalised, LGP will await the most advantageous point in time to seek bids from the LGP Retailer Panel using a selective RFT.
5. Once the RFT is closed, the offers will be evaluated by a Tender Evaluation Team comprising LGP staff supported by TTEG staff. Clarification, if necessary, will be carried out and negotiations entered into if warranted. (TTEG is a recognised energy consultant and was involved in the previous successful LGP processes). LGP requires that retailer bids remain valid for up to 7 calendar days. (A significantly shorter period would enable the most competitive pricing, but the process could not conceivably be finalised in that time).
6. A Tender Evaluation Working Group (TEWG) comprising up to four (4) members of the participating councils will review the recommendations of the Tender Evaluation Team. Once the TEWG has validated the recommended outcome and pricing obtained, a report will be drafted by LGP and provided to the participating council for **acknowledgement of tender result only. At this point in time Councils have the opportunity to raise any issues or concerns.** A minimum of two (2) Days will be allowed. LGP will consider the feedback in this regard, but it needs to be understood that LGP will be acting in the interests of the group of participants as a whole. The process relies on group commitment to obtain competitive offers.
7. This step will require an Acknowledgement Form to be signed by the General Manager or his duly authorised delegate.

*Please note that this part of the process is **not** an approval of the tender outcome by Council but an acknowledgment of the tender outcome based on the approval already given for LGP to accept the tender on Council's behalf as outlined in Step 3 above, which was the point in the process where Council committed to accept the outcome "If LGP's recommended tender pricing outcome equals or betters the pre-agreed price band (benchmark price)".*

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL at this stage.

LEGAL IMPLICATIONS

RECOMMENDATION

THAT Council:

1. Participate in the Centroc Electricity Contract using the services of Local Government Procurement (LGP); and

2. General Manager be authorised on Councils behalf to sign relevant documentation accepting or rejecting Council to the best value contract once Tender Evaluation has been completed.

ENVIRONMENT AND DEVELOPMENT REPORTS

ITEM-3 ENVIRO - 12/05/14 - CROWN LANDS LEGISLATION - WHITE PAPER

REPORT BY: A MUIR – GROUP MANAGER ENVIRONMENT & DEVELOPMENT

SUMMARY

To advise Council of the release of the White Paper into the review of Crown Lands Legislation in NSW.

COMMENTARY

Council has been advised of the release of the White Paper in relation to Crown Lands Legislation in NSW. The Crown Lands Management review commenced in June 2012 seeking to improve the Management of Crown Land whilst increasing benefits that occurs to Communities. The review proposed one piece of Legislation to replace eight existing Acts. The NSW Government sees this as a mechanism to remove unnecessary duplication and red tape. The white paper proposes to combine the following Acts into one single piece of Legislation.

- Crown Lands Act 1989
- Crown Lands (continued Tenures) Act 1989
- Western Lands Act 1901
- Commons Management Act 1989
- Trustees of Schools of Arts enabling Act 1902
- Public Reserves Management Fund Act 1987
- Wentworth Irrigation Act 1890
- Hay Irrigation Act 1902

The White Paper seeks comment on a number of issues relating to:

- The proposed Legislation
- Improved Management arrangements for Crown reserves
- Other Streamlining measures
- Better provisions for Tenures and rents
- Greater flexibility for Western Lands leases
- Stronger Enforcement provisions
- Minor Legislation

NSW Trade and Investment is inviting comments on the proposals within the White Paper. It would be the intention for Council Officers to fully review the White Paper and provide a submission on Council's behalf. Naturally any councillors that wish to make a contribution to this submission would be most welcome. The closing date for submissions is 20 June 2014.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

The White Paper proposes a new and streamlined Legislative response whereby a number of existing acts would be repealed and combined into one Act.

ATTACHMENTS

1. Crown Lands Legislation White Paper.

RECOMMENDATION**THAT:**

1. The Mayor, Deputy Mayor and General Manager be delegated Authority to make a submission on the Crown Lands Legislation White Paper.
2. Council hold an Council Information Session to brief Councillors on the proposal.
3. Should any Councillors wish to have input into the White Paper then this be provided prior to Friday 30 May 2014.

**ITEM-4 ENVIRO - 12/05/14 - DA081/14 - PROPOSED EXTENSION TO
EXISTING GARAGE - LOT 56 DP 791926 - MAGPIE HOLLOW ROAD
SOUTH BOWENFELS**

REPORT BY: A MUIR – GROUP MANAGER ENVIRONMENT AND DEVELOPMENT

SUMMARY

To assess and recommend the determination of Development Application DA081/14 which is situated on land owned by Lithgow City Council. The application is recommended for approval subject to conditions listed in the attached 79C report.

COMMENTARY

A Development Application has been lodged to extend the existing garage at the Lake Lyell Recreation Park and on land known as Lot 56 DP791926, Magpie Hollow Road South Bowenfels.

The subject lot currently contains an existing caretaker's residence, garage, access road, car parking area and amenities. The construction site has been previously benched and cleared of vegetation. The application seeks approval for the construction of a 4 bay garage that is 14 metres long by 7.55 metres wide and 4.31 metres in height (105.7m²) to be attached to the existing garage.

The purpose of the garage addition is for the storage of private vehicles associated with the caretaker's residence. In addition, vehicles and equipment that will allow for the continued maintenance and enhancement of the Lake Lyell Recreation Park and foreshore will also be stored within the garages.

The proposal was notified to the adjoining landowner, Energy Australia for a period of 14 days. No submissions were received by Council.

The application has been assessed in accordance with relevant planning requirements that relate to the land. The proposal has an acceptable impact on the surrounding area and environment and can be approved subject to conditions.

OTHER ISSUES

No other specific issues arise as part of this application.

POLICY IMPLICATIONS

Policy 7.6 *Development Applications by Councillors and Staff and Relatives or on Council Owned Land*, is applicable for this Development Application. Lithgow Council is registered as the legal owner of Lot 56 DP791926. The policy states:

'where the development application is on Council owned land, that such an application be referred to Council for consideration and determination and that no aspect of the application be dealt with under delegated authority'

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

The application must be assessed in accordance with the heads of consideration of Section 79C of the Environmental Planning and Assessment Act 1979.

ATTACHMENTS

1. Section 79C Planning Report
2. Proposed Plans

RECOMMENDATION

THAT:

1. Development Application DA081/14 be **APPROVED** with conditions of consent as detailed in the attached 79C report.
2. A Division be called in accordance with the provisions of Section 375(3) of the Local Government Act 1993.

ITEM-5 ENVIRO - 12/05/14 - REVIEW OF COUNCIL'S ON-SITE SEWAGE MANAGEMENT STRATEGY

REPORT BY: A MUIR – GROUP MANAGER ENVIRONMENT & DEVELOPMENT

SUMMARY

To advise Council on an updated version of its On-site Sewage Management Strategy.

COMMENTARY

Background

In 1996 there was a food poisoning incident that originated on the Central Coast from Oyster Farms found in the Lakes system there. Hundreds of people were poisoned. This incident was traced back to the consumption of oysters from a farm in the Wallis Lakes area. Studies linked failing septic tanks to the contaminated oysters.

The State Government undertook a survey that showed up to 70% of sewage management systems were experiencing some type of failure. Surprisingly, many new systems were also not working efficiently through incorrect installation, maintenance and management.

This has led to the development of legislation which stipulated that every on-site sewage management facility in NSW will be inspected to ensure it is not having an adverse impact on the health of people or the surrounding environment.

In addition to this it was necessary for Council's to develop an on-site sewerage management strategy and develop a data base of all on-site sewerage systems in the Local Government area. To date Council Officers have compiled a database and believe that the following on-site effluent disposal systems exist in the Local Government area are:

Septic Systems	2,047
Aerated Systems	709
Ecomax Systems	23
Composting Systems	24
Pumpout Systems	19
Total	2,822

The most recent version of Council's On-site Sewage Management Strategy was adopted by Council on 22 November 2010. Since that time Council's On-site Sewage Inspection program has been proceeding well with a total of 1440 septic system inspections undertaken to date. Of the inspections thus far the following breakup of systems identified has been:

High Risk	173	12% of systems inspected
Medium Risk	607	42% of systems inspected
Low Risk	660	46% of systems inspected
Total	1,440	

The failure rate of systems inspected has been approximately 35% although failure rates are generally not major or a risk to public health and safety and are for the most part wholly contained within the property boundary. To date the compliance rate has been positive and thus far no legal action has been necessary against any parties.

It is in order to review the current strategy which has been undertaken by Council staff and carry out consultation in relation to the updated document.

The main changes to the revised strategy are not major with the most notable change being the reduction of the approval period for high risk properties from 6 years to 2 years. The main reasoning for this is that the current inspection frequency for high risk premises is 2 years and it makes sense for the approval period to aligned with the inspection frequency.

Whilst Council's fees and charges are set separately to the strategy, it is necessary for the current fee structure to be reviewed. The main reason for this is that funding has been provided by the Sydney Catchment Authority which is due to cease on 30 June 2014. This funding commenced in January 2012 and at the end of the program it will have realised \$146,000 in income to subsidise the program. A small amount of income will be received in the 2014/2015 financial year from the final grant claim. The fees have to be increased to cover this loss of income which would equate to \$58,400 per annum. When the current strategy and fees were reviewed in 2010 the Council requested that the fees for the inspection and approval be included with annual rates notices. At that time all systems had to be assumed as low risk as inspections had generally not been carried out. Consequently, properties are currently charged annually \$5.50 for approval and \$7.60 for inspection which equates to \$13.10 per applicable rate notice. Since the inspection program has progressed, more data has been gathered on whether properties are low, medium or high risk. Consequently, it is now possible to more accurately levy an annual fee for both inspections and approvals based on the risk category. With this in mind it is proposed to combine the inspection and approval fee and the following fee structure is proposed for 2014/2015:

High Risk	Annual fee for inspection and approval	\$33.10
Medium Risk	Annual fee for inspection and approval	\$29.10
Low Risk	Annual fee for inspection and approval	\$24.10

These charges are anticipated to provide the following revenue:

Risk Category	Number of Systems	Proposed Fee 2014/2015	Projected Revenue
High	173	\$33.10	\$5,726.30
Medium	607	\$29.10	\$17,663.70
Low	1333	\$24.10	\$32,125.30
Total	2113*		\$55,515.30

*Aerated systems are not currently charged. Therefore, 709 systems not charged.

It still may be necessary in future years to further adjust the fee structure to increase the fees further in proportion to the risk category given that Medium and High Risk systems receive more regular inspections and approvals. Furthermore, whilst the proposed fee increase in 2014/2015 will cover the loss of grant income it would still be the intention to move toward a situation where all costs associated with providing the service are covered by user fees. However, the fee structure proposed for 2014/2015 is considered to be a fair step that provides a reasonable revenue stream without an unreasonable impost on the owners of on-site wastewater systems.

Finally, whilst there has not been a significant change to the strategy it has been Council's experience that the issue does attract a great deal of community interest in rural areas. In 2009 and 2010, responding to community concerns, public meetings were held in Hartley and Hampton. The issue is a sensitive one, but the inspection program has now been progressing well with a good level of co-operation. It would be proposed to place the reviewed Strategy on public exhibition and invite submissions.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

In 2014/15 under the current charges, expected revenue would be \$27,680.30. If the proposed fee structure is adopted it would be anticipated that \$55,515.30 would be realised.

2014/15 at current \$13.10	2014/15 proposed fee structure
\$27,680.30	\$55,515.30

LEGAL IMPLICATIONS

The following Legislation has varying levels of applicability to the strategy.

Environmental Planning & Assessment Act 1979

Local Government Act 1993

Local Government (General) Regulation 2005

Protection of the Environment Operations Act 1997

Public Health Act 2010

Catchment Management Authorities Act 2003

ATTACHMENTS

1. On-site Sewage Management Strategy – Revised version

RECOMMENDATION

THAT:

1. Council place on Public Exhibition, the revised version of its On-site Sewage Management strategy for a period of 30 days and submissions be invited.
2. All submissions be reported back to Council for final adoption of the revised strategy.

**ITEM-6 ENVIRO - 12/05/14 - ANGUS PLACE MINE EXTENSION PROJECT
(SSD-5602)**

REPORT BY: A MUIR – GROUP MANAGER ENVIRONMENT AND DEVELOPMENT

REFERENCE

Min No 13-427: Ordinary Meeting of Council held on 16 December 2013.

SUMMARY

To advise Council on a Major Project that has been submitted to the Department of Planning and Infrastructure (the Department) for the Angus Place Mine Extension Project, Wolgan Road, Lidsdale.

COMMENTARY

Previous/Existing Approvals

Whilst Angus Place has been operating for some years the principal consent was approved on 13 September 2006 under PA 06_0021 which has been modified on three occasions as detailed below:

Modification 1	2 additional longwall panels	Approved: 1/8/2011
Modification 2	Ventilation Facility	Approved: 22/4/2013
Modification 3	Extension of longwall panels	Approved: 9/12/2013

The approval allows underground longwall mining using 225 full time employees for a production of 4Mtpa.

The approval is due to lapse on the 18 August 2024, and needs to be extended in relation to underground areas to mine as proposed below.

Proposal

The components of Angus Place Colliery's existing operations are an underground longwall mine, the pit top, and supporting surface infrastructure on Newnes Plateau within the Newnes State Forest.

The Project will not significantly alter the nature of the existing operations at Angus Place Colliery as the proposal involves:

- Continuation and extension of an existing underground longwall coal mine;
- Production for up to 4 million tonnes of coal per year for up to 25 years;
- Construction of ventilation shafts, install and operate seven additional dewatering borehole facilities and associated power and pipeline infrastructure on the Newnes Plateau;
- Use of private haul roads to transport coal to power stations and the Western Coal Services site;

- Develop underground access headings and roadways from the current mining area to allow access to the proposed mining area and
- Undertake life-of-mine rehabilitation at the Angus Place Pit Top and the Newnes Plateau infrastructure disturbance areas.

The mine currently has approval to extract up to 4 million tonnes of annum of run of mine (ROM) coal from the Lithgow Seam underlying the project area, which is not proposed to change as part of this application.

Potential impacts such as subsidence, land resources, biodiversity, heritage, visual, waste, air quality, noise, greenhouse gas, traffic, social and water management reports accompanied the application. Some impact are summarised from the Environmental Impact Statement below:

Air quality: Dust levels from the project are predicted to meet relevant air quality criteria.

Noise: It is predicted that there would be no increase in noise levels associated with this project. Noise from the operations at the pit top and at Newnes Plateau will be within the project specific noise criteria apart from a small area of Sunny Ridge Road (Newnes State Forest).

Greenhouse Gas: There will be negligible increase in the annual emissions.

Traffic: There will be no significant impact upon the capacity, efficiency and safety of the local, sub-regional and regional road network as a result of construction traffic to and from the surface infrastructure sites.

Social: The project will enable operations to continue over a period of approximately twenty-five years. This will secure ongoing employment opportunities over this time for the local community, employees and contractors.

Water: Mine water discharges will increase as a result of the Project and this water will be piped into the Cox's River for reuse by local power stations. The consequence of increased discharge to the Cocks River is not expected to be significant since there is excess demand for this water resource in this catchment.

A more detailed assessment of the impacts will be assessed prior to the end of the exhibition period.

Status

The Environmental Impact Statement was supplied to Council and is placed on exhibition for public and authority comment which finishes on the 26 May 2013. If approved, the development will increase the life of the mine. Consequently, a justification exists to seek a contribution for community facilities. Council has already delegated authority to the Mayor, Deputy Mayor and General Manager to negotiate a Voluntary Planning Agreement in relation to the project. An initial discussion with Centennial Coal has taken place. A further submission will be made on behalf of Council regarding the development. In the event that that a Voluntary Planning Agreement is not able to be negotiated the Department of Planning and Infrastructure will be requested to impose a condition requiring a contribution to be made having regard to Council's Section 94A Contributions Plan.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

It will be proposed that Council pursue a Voluntary Planning Agreement seeking a monetary contribution to be applied to community facilities. In the event that a Voluntary Planning Agreement cannot be negotiated it will be requested that a condition be imposed on the development requiring a contribution having regard to Council's Section 94A Contribution Plan 2012.

LEGAL IMPLICATIONS

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

RECOMMENDATION

THAT:

1. The information in the report on the Angus Place Mine Extension Project be noted.
2. In the event that the a Voluntary Planning Agreement is **NOT** able to be negotiated, Council request the Department of Planning and Infrastructure to impose a condition requiring a contribution having regard to Council's Section 94A Contribution Plan 2012.

**ITEM-7 ENVIRO - 12/05/14 - SPRINGVALE MINE EXTENSION PROJECT
(SSD-5594)**

REPORT BY: A MUIR – GROUP MANAGER ENVIRONMENT AND DEVELOPMENT

REFERENCE

Min No 13-422: Ordinary Meeting of Council held on 16 December 2013

SUMMARY

To advise Council on a Major Project that has been submitted to the Department of Planning and Infrastructure (the Department) for the Springvale Mine Extension Project, Castlereagh Highway, Lidsdale.

COMMENTARY

Previous/Existing Approvals

The original Development Application was approved on 27 July 1992 under DA11/92 which has been modified on four occasions as detailed below:

Modification 1	Pit top layout, conveyor, entry	Approved: 29/6/1993
Modification 2	Change schedule of lands	Approved: 11/4/1994
Modification 3	Bore Hole 8	Approved: 8/3/2013
Modification 4	Increase production	Approved: 5/12/2013

The approval allows underground longwall mining using 310 full time employees for a production of 4.5Mtpa.

The approval is due to lapse on the 30 September 2015, after which no further mining can be undertaken without an application as proposed below.

Proposal

The components of Springvale Mine's existing operations are an underground longwall mine, pit top, and supporting surface infrastructure on Newnes Plateau within the Newnes State Forest.

The Project will not significantly alter the nature of the existing operations at Springvale Mine as the proposal involves:

- Continuation and extension of an existing underground longwall coal mine;
- Production for up to 4.5 million tonnes of coal per year for up to 13 years with rehabilitation to be undertaken after this period;
- Construction of ventilation shafts, install and operate two additional dewatering borehole facilities (Bores 9 and 10), and associated power and pipeline infrastructure on the Newnes Plateau; and upgrade the existing and construct two new sections of access tracks to Bore 9 and 10;

- Use of conveyors to transport coal to power stations and the Western Coal Services site;
- Develop underground access headings and roadways from the current mining areas to the east to allow access to the proposed mining areas; and
- Undertake life-of-mine rehabilitation at the Springvale Pit Top and the Newnes Plateau infrastructure disturbance areas.

The mine currently has approval to extract up to 4.5 million tonnes of annum of run of mine (ROM) coal from the Lithgow Seam underlying the project area, which is not proposed to change as part of this application.

Potential impacts such as subsidence, land resources, biodiversity, heritage, visual, waste, air quality, noise, greenhouse gas, traffic, social and water management reports accompanied the application. Some impact are summarised from the Environmental Impact Statement below:

Air quality: Dust levels from the project are predicted to meet relevant air quality criteria.

Noise: It is predicted that there would be no increase in noise levels associated with this project. Noise from the operations at the pit top and at Newnes Plateau will be within the project specific noise limits following the staged implementation of a wide range of mitigation measures that will reduce existing noise levels.

Greenhouse Gas: There will be negligible increase in the annual emissions.

Traffic: There will be no significant impact upon the capacity, efficiency and safety of the local, sub-regional and regional road network as a result of construction traffic to and from the surface infrastructure sites.

Social: The project will enable operations to continue over a period of approximately thirteen years. This will secure ongoing employment opportunities and over this time for the local community and up to 310 full time employees.

Ecology: No significant impacts are predicted on threatened species, aquatic habitats and flora and fauna.

Water: Mine water discharges will increase as a result of the Project and this water will be piped into the Cox's River for reuse by local power stations. The consequence of increased discharge to the Cocks River is not expected to be significant since there is excess demand for this water resource in this catchment.

Visual: Minimal impacts on the visual character and amenity of the project are predicted. On cessation of all mining activities the disturbed areas would be fully rehabilitated to create stable and self-sustaining landform for the nominated end land use of woodland.

A more detailed assessment of the impacts will be assessed prior to the end of the exhibition period.

Status

The Environmental Impact Statement was supplied to Council and is placed on exhibition for public and authority comment which finishes on the 26 May 2013. If approved, the

development will increase the life of the mine. Consequently, a justification exists to seek a contribution for community facilities. Council has already delegated authority to the Mayor, Deputy Mayor and General Manager to negotiate a Voluntary Planning Agreement in relation to the project. An initial discussion with Centennial Coal has taken place. A further submission will be made on behalf of Council regarding the development. In the event that that a Voluntary Planning Agreement is not able to be negotiated the Department of Planning and Infrastructure will be requested to impose a condition requiring a contribution to be made having regard to Council's Section 94A Contributions Plan. .

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

It will be proposed that Council pursue a Voluntary Planning Agreement seeking a monetary contribution to be applied to community facilities. In the event that a Voluntary Planning Agreement cannot be negotiated it will be requested that a condition be imposed on the development requiring a contribution having regard to Council's Section 94A Contribution Plan 2012.

LEGAL IMPLICATIONS

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

RECOMMENDATION

THAT:

1. The information in the report on the Springvale Mine Extension Project be noted.
2. In the event that the a Voluntary Planning Agreement is not able to be negotiated, Council request the Department of Planning and Infrastructure to impose a condition requiring a contribution having regard to Council's Section 94A Contribution Plan 2012.

OPERATION REPORTS

ITEM-8 OPER - 12/05/14 - TENDERS FOR PLANT HIRE SODWALLS TARANA ROAD PROJECT

REPORT BY: C SCHUMACHER – WORKS MANAGER

SUMMARY

To advise Council of Tenders received for casual plant hire to be utilised on the Sodwalls/Tarana Road Upgrade Project prior to 30th June 2014.

COMMENTARY

Further to recent advertising for tenders for plant hire to be utilised on the Sodwalls/Tarana Road upgrade project, tenders were received from the following:

- Dukes Civil Pty Ltd
- Henry Plant & Equipment Hire Pty Ltd
- Peters Earthmoving Pty Ltd
- Gracey's Earthmoving & Excavations Pty Ltd
- E&B Tipper Hire Pty Ltd
- SRS Excavations & Earthworks
- EMS
- Asplundh Tree Expert (Aust) Pty Ltd

Late Tender submissions were also received from the following, however these tenders were not considered

- Yenroll Pty Ltd – Clarks Commercial, Civil & Mining
- Tree Craft NSW Pty Ltd

A large variety of plant and equipment including arborist expertise was included in the tender.

The tender has been called as part of the Road Safety Improvement work in conjunction with RMS Blackspot funding grant received. The section of upgrade work will be commencing from the second Railway bridge at Sodwalls 2km due west to the intersection of Jerry's Meadows Road. The work will include the minor widening of identified road shoulders, improvement to existing eroded roadside embankment batters, the widening and extension of 2 piped road culverts and the removal of a substantial number of tree's within the road reserve. This work is expected to improve the sight vision for safety on this section of road and also improve conditions of the road surface in areas from shading of large trees and frost like issue during the colder winter months. An allowance has also been made to bitumen re-sheet section of the road pavement and including the shoulders to be widened.

Details of tenders received for each class of plant are included in the attached spreadsheets which show comparative information. At its meeting held on Thursday 01st May 2014 the Operations Committee considered the tenders received.

The Operations Committee considered that having one contractor on site was preferable to having three or four separate contractors, and that the preferred contractor has the full range of plant and equipment required to undertake this work. The Committee considered that the tenders from Dukes Civil Pty Ltd should be accepted as the most advantageous to Council.

The tendered prices submitted are for casual hire and the plant will be engaged only when required. All rates tendered are inclusive of operator costs and include GST.

The total estimated cost of the tender from Dukes Civil Pty Ltd is up to \$200,000 for all associated tree removal and earthworks.

POLICY IMPLICATIONS

Policy 1.4 – Tendering and Policy 9.11 Tenders – Canvassing/Lobbying of Councillors and Staff is applicable.

FINANCIAL IMPLICATIONS

This project is fully funded by the RMS Blackspot Safety Improvement Programme, which requires completion of expenditure by 30th June 2014.

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Schedule of tenders received of plant required for project work.
2. Evaluation of Tenders

RECOMMENDATION

THAT Council accept the tender from Dukes Civil Pty Ltd at an estimated total cost of up to \$200,000 for the hire of the following items of plant and equipment:

- Komatsu Excavator 30tonne PC300 and associated attachments at the rate of \$115.00 per hour.
- Komatsu Excavator 30tonne PC300 and associated attachments at the rate of \$110.00 per hour
- Komatsu 120G Grader 555-5 at the rate of \$110.00 per hour
- Artic Dumper 40tonne Bell B40C at the rate of \$130 per hour
- Komatsu Loader 980 WA500 Hi Lift at the rate \$147 per hour
- Bomag Smooth Drum Roller 14 tonne at the rate \$85 per hour
- Kenworth/Western Star Bogie Tippers at the rate of \$90.00 per hour
- Acco Water Truck 13,000 litre Capacity at the rate of \$90.00 per hour
- Qualified Traffic Control Personal at the rate of \$69.00 per hour (per person)
- Arborist Qualified Personal at the rate of \$75.00 per hour (per person).

ITEM-9 OPER - 12/05/14 - WATER REPORT

REPORT BY: I STEWART – GROUP MANAGER OPERATIONS

REFERENCE

Min No 14-162: Ordinary Meeting of Council held on 14 April 2014

SUMMARY

This report provides an update on various water management issues as per Minute Number 14-162.

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, 7th April 2014 was 100% full. Oberon Dam capacity on Monday, 28th April 2014 was 66.9% full.

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

Month	Oakey Park WTP (ML)	Clarence Transfer (ML)	Fish River Supply (ML)
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
February 2014	93	0	73
March 2014	62	0	68
April 2014	51	0	61
TOTAL	944	0	661

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

Month	Oakey Park WTP (ML)	Clarence Transfer (ML)	Fish River Supply (ML)
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
TOTAL	1,481	159	813

Oakey Park Water Quality Summary

Oakey Park Water Treatment Plant is currently supplying water to Lithgow. No health-based ADWG values were exceeded for the period 15/3/2014 – 30/4/2014.

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 with Lithgow prioritising back flow to the villages during certain periods whilst repairs are carried out to the Fish River Supply. No health-based ADWG values were exceeded for the period 22/2/2014 – 30/4/2014.

Current Water Restrictions Update

Level 1 restrictions are effective from Monday, 17th March 2014.

Water Saving Schemes or Processes Update

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

Dirty Water Complaints

Seven complaints were received during April concerning water quality issues in the following areas;

- Bellevue Place, Portland - 2 Complaints
- Sandford Avenue, Lithgow
- Roxburgh Street, Portland

- Maple Crescent, Lithgow
- Coerwull Road, Lithgow
- Great Western Highway, Lithgow

FINANCIAL IMPLICATIONS

NIL

POLICY IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

RECOMMENDATION

THAT Council note the water report.

ITEM-10 OPER - 12/05/14 - REVIEW OF LITHGOW CITY COUNCIL POLICIES

REPORT FROM: I STEWART - GROUP MANAGER OPERATIONS

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 10.2 - 10.8 for consideration. Following the outcome of a recent review of Council policies it recommends amendments to the Policy Register.

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.

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.

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 10.2 - 10.8 are presented to Council for consideration.

Existing Policy No.	Policy Name	Proposed Changes	New Policy No.
10.2	Council - Closure of Council Facilities over the Christmas/New Year Period	Formatting	10.1
10.3	Smoke Free Environment	Formatting, Minor wording changes	10.2
10.4	Naming of Council Facilities	Re-wording; re-formatting; including consideration of names with Aboriginal and local cultural significance; removing irrelevant considerations; and providing a clearer process.	10.3
10.5	Bus Shelters/Street	Clarifying that other instruments or	10.4

	Seating - Advertising	legislation may also need to be considered.	
10.6	Footpath Reservations - Works Undertaken by Adjacent Landowners	Formatting	10.5
10.7	Kerb and Gutter Construction - Contributions	Formatting	10.6
10.8	Public Gates and Grids on Local Roads	Formatting	10.7

The proposed changes to this Policy is not considered to be major and therefore does not 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. 10.2 - Council - Closure of Council Facilities over the Christmas/New Year Period
2. 10.3 - Smoke Free Environment
3. 10.4 - Naming of Council Facilities
4. 10.5 - Bus Shelters/Street Seating - Advertising
5. 10.6 - Footpath Reservations - Works Undertaken by Adjacent Landowners
6. 10.7 - Kerb and Gutter Construction - Contributions
7. 10.8 - Public Gates and Grids on Local Roads

RECOMMENDATION

THAT Council:

1. **ADOPT** Policies
 - Council - Closure of Council Facilities over the Christmas/New Year Period
 - Smoke Free Environment
 - Naming of Council Facilities
 - Bus Shelters/Street Seating - Advertising
 - Footpath Reservations - Works Undertaken by Adjacent Landowners
 - Kerb and Gutter Construction - Contributions
 - Public Gates and Grids on Local Roads
2. Renumber the policies according to the schedule.

CORPORATE AND COMMUNITY REPORTS

ITEM-11 CORP - 12/05/14 - COUNCIL INVESTMENTS HELD TO 30 APRIL 2014

REPORT BY: 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
Min No 14-61:	Ordinary meeting of Council held on 10 February 2014
Min No 14-94:	Ordinary meeting of Council held on 3 March 2014
Min No 14-141:	Ordinary meeting of Council held on 24 March 2014
Min No 14-165:	Ordinary meeting of Council held on 14 April 2014

SUMMARY

To advise Council of investments held as at 30 April 2014 in the 2013/14 financial year.

COMMENTARY

Council's total investment portfolio, as at 30 April 2014 when compared to 31 March 2014, has reduced by \$3,666,776.73 from \$20,193,758.53 to \$16,526,981.80.

The CBA Call account holding was \$912,305.61 at month end compared to \$1,557,266.31 at the beginning of the month. This reflected the utilisation of these funds to pay Council creditors and take up further term deposit investments.

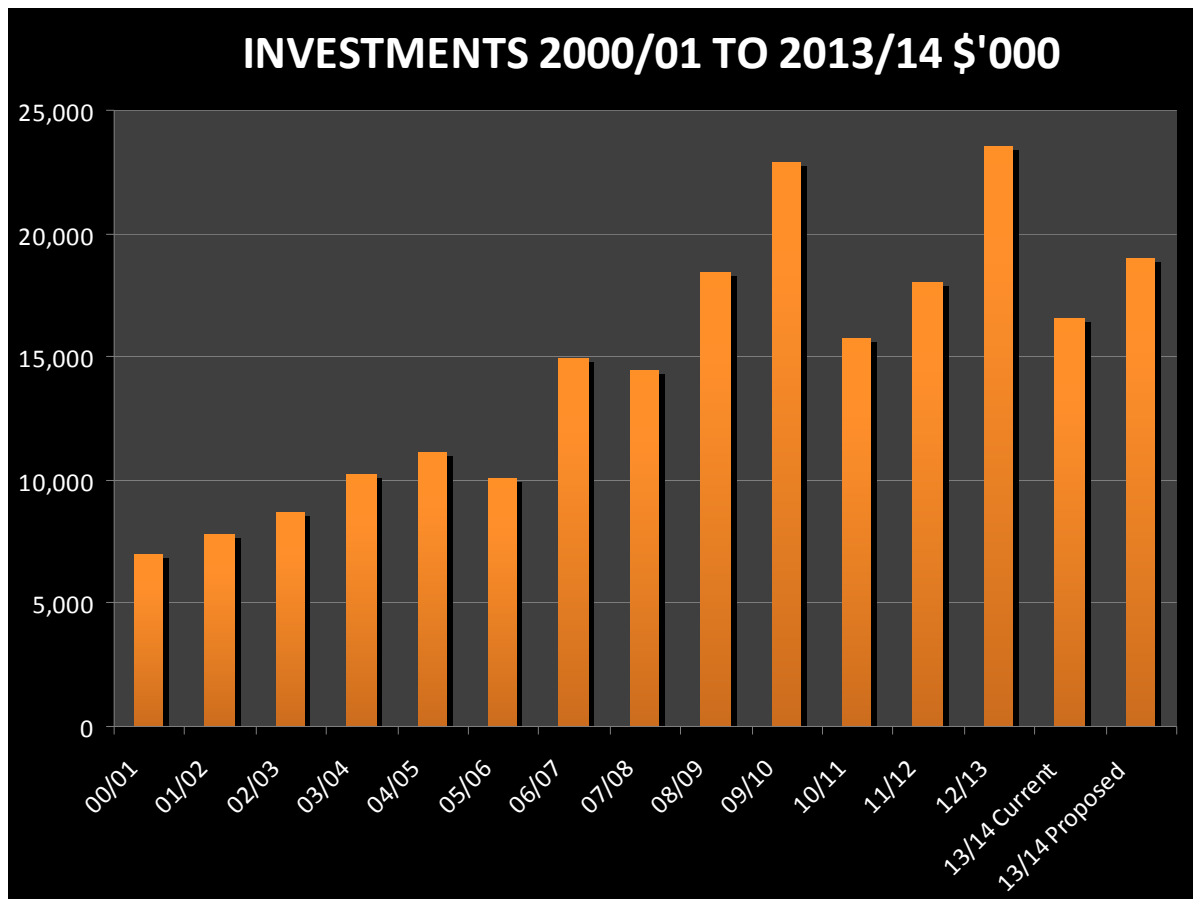
INVESTMENT REGISTER 2013/14								
INSTITUTION	INV TYPE	DATE LODGED	DATE DUE	DAYS	INT	VALUE 31.03.14	VALUE 30.04.14	% OF TOTAL
ANZ	TD	06.01.14	07.04.14	91	3.31	532,361.05	0.00	0.00%
CBA	On Call				2.45	1,557,266.31	912,305.61	5.52%
	TD	24.02.14	26.05.14	91	3.31	1,033,249.83	1,033,249.83	6.25%
IMBS	TD	07.04.14	07.07.14	91	3.50	1,556,095.14	1,569,673.67	9.50%
	TD	30.04.14	29.07.14	90	3.50	519,124.04	522,218.87	3.16%
	TD	18.03.14	19.05.14	62	3.40	1,000,000.00	1,000,000.00	6.05%
	TD	25.03.14	23.06.14	90	3.50	1,000,000.00	1,000,000.00	6.05%
NAB	TD	26.02.14	27.05.14	90	3.67	1,000,000.00	1,000,000.00	6.05%
	TD	22.04.14	21.07.14	90	3.65	1,088,763.39	1,109,393.22	6.71%
	TD	08.03.14	09.06.14	91	3.66	539,260.02	539,260.02	3.26%
	TD	01.03.14	30.04.14	60	3.33	1,500,000.00	0.00	0.00%
	TD	13.03.14	11.07.14	120	3.68	1,500,000.00	1,500,000.00	9.08%
	TD	18.03.14	16.06.14	90	3.66	1,000,000.00	1,000,000.00	6.05%
WESTPAC	TD	02.04.14	02.07.14	91	3.41	1,252,472.47	1,274,701.97	7.71%
	TD	07.03.14	07.07.14	122	3.56	1,000,000.00	1,000,000.00	6.05%
	TD	10.04.14	10.07.14	90	3.46	524,061.21	533,746.44	3.23%

	TD	12.03.14	08.09.14	180	3.60	500,000.00	500,000.00	3.03%
ST GEORGE	TD	19.04.14	19.08.14	122	3.50	918,158.59	933,724.52	5.65%
	TD	13.01.14	14.04.14	91	3.34	550,978.02	0.00	0.00%
	TD	10.02.14	12.05.14	91	3.34	550,613.40	550,613.40	3.33%
	TD	24.02.14	26.05.14	91	3.32	548,094.25	548,094.25	3.32%
	TD	08.01.14	08.04.14	90	3.27	523,260.81	0.00	0.00%
INTERNAL LN (Commercial Loan Int Rate)	Gen to Sew	15.01.11	On Receipt of Ext Loan		7.41	2,750,000.00	2,750,000.00	
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.								

The movement in Investments for the month of April 2014 were as follows:

Opening Balance as at 31 March 2014	\$20,193,758.53
Plus New Investments – April 2014	\$5,948,497.99
Less Investments redeemed – April 2014	\$9,615,274.72
Closing Balance as at 30 April 2014	\$16,526,981.80

On the graph below historical and current investments to 30 April 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 Minsters Investment Order of 12 January 2011.

FINANCIAL IMPLICATIONS

Interest received to 30 April 2014 is \$559,353.08 and is paid on the maturity date of the investment. The budget for 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 2011
- Local Government (General) Regulation 2005
- Trustee Amendment (Discretionary Investments) Act 1997 Section 14A (2), 14c(1) & (2)

RECOMMENDATION

THAT Investments of \$16,526,981.80 for the period ending 30 April be noted.

ITEM-12 CORP - 12/05/14 - LITHGOW CITY COUNCIL LEASE TO LITHGOW & DISTRICT BASKETBALL ASSN CORP

REPORT BY: J BROZEK – GROUP MANAGER CORPORATE & COMMUNITY

SUMMARY

In July 2003, Council granted a ten year lease between Council and Lithgow and District Basketball Association Incorporated. The current lease expired on 1 July 2013, however, this lease has an option clause to renew the lease for a further 10 years. The Lithgow and District Basketball Association is looking to exercise this option clause. Activating this clause, in the original lease would have the effect of extending the lease from 2 July 2013 to 1 July 2023.

COMMENTARY

While the terms and conditions of the lease are quite detailed in respects of the rights and obligations of both the lessor and the lessee, the most pertinent points are contained in the reference schedule to the lease. The details of which are summarised below.

- The date of commencement of the lease is 2 July 2013.
- The termination date for the lease is 1 July 2023.
- The lessor is Lithgow City Council ABN 59 986 092 492.
- The lessee is Lithgow & District Basketball Association Incorporated ABN 64 995 275 846.
- The demised premises are Lot 3 DP 29016.
- The rent will be \$1.00 per annum plus GST.
- The lessee shall hold public liability insurance coverage of \$20,000,000.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Lease - Lithgow and District Basketball Association Incorporated

RECOMMENDATION

THAT Council:

1. Approve the proposed lease for Lithgow and District Basketball Association Incorporated.

2. Authorise the affixing of the Council Seal to the relevant documentation for the lease of the Basketball Stadium between Council and Lithgow and District Basketball Association Incorporated.
3. Forward the signed leases to Le Fevre and Co. Solicitors for registration.

COUNCIL COMMITTEE MINUTES

ITEM-13 CORP - 12/05/14 - TOURISM ADVISORY COMMITTEE - 29 APRIL 2014

REPORT BY: K BARROW – TOURISM MANAGER

REFERENCE

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
Min No 14-105: Ordinary Meeting of Council held on 03 March 2014

SUMMARY

This report details the Minutes of the Tourism Advisory Committee Meeting held on 29 April 2014.

COMMENTARY

At the Tourism Advisory Committee held on 29 April 2014, there were numerous items discussed by the Committee;

1. Korean Bikes Hire – The Committee is recommending that bicycles which were donated to Council, be located at the Visitor Information Centre and rented to the public. After market research a daily individual and family rate has been recommended along with a suitable bond.
2. Expressions of Interest for the Tourism Advisory Committee

Expressions of Interest for the Tourism Advisory Committee were advertised in the Council Column and emails sent to the membership database. The position was advertised from December through to 8 March 2014. Four applications were received. A panel consisting of Cllr Maree Statham, Mrs Juli-Ann Brozek and Ms Kellie Barrow reviewed the applications. Cllr Ross Higlett was invited onto the panel but unfortunately was not available. The panel recommends Ms Cassandra Baker from the Zig Zag Motel be appointed to the vacant tourism operator position and Mr Steve Ring be appointed as the National Parks and Wildlife Service representative. Both positions are within the Committee Terms of Reference.

3. RV Friendly update.
4. Jennifer Channing offered a handmade quilt detailing Hassans Walls for purchase by Council.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Minutes from the Tourism Advisory Committee meeting of 29 April 2014

RECOMMENDATION

THAT Council:

1. Note the minutes of the Tourism Advisory Committee held on the 29 April 2014.
2. Trials for a 12 month period that six bicycles donated to Council be hired through the Visitor Information Centre at a daily rate of \$25 per day per bike and \$75 per family of four plus a bond of \$150 for one bicycle or \$300 for the family hire.
3. Appoint Ms Cassandra Baker to the vacant tourism operator position and Mr Steve Ring be appointed as the National Parks and Wildlife Service representative to the Tourism Advisory Committee in accordance with the Terms of Reference.
4. Purchase the Hassans Walls quilt for \$2,000 and display it within the Council building.

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
Min No 14-99:	Ordinary Meeting of Council held on 3 March 2014
Min No 14-169:	Ordinary Meeting of Council held on 14 April 2014

SUMMARY

This report details the minutes of the Youth Council meeting held on 29 April 2014.

COMMENTARY

At the Youth Council meeting held on 29 April 2014 various items were discussed by the committee. Matters of interest include:

- Youth Week event 2014 review.
- Possible venue for young people.
- Youth Council PCYC Scholarship Program update.
- Draft Operational Plan 2014-2015
- Youth Council Committee Work Plan
- Youth Council Facebook page
- Volunteering

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 April 2014.

RECOMMENDATION

THAT Council note the minutes of the Youth Council meeting held 29 April 2014.

ITEM-15 CORP - 12/05/14 - BLUE MOUNTAINS CROSSING BICENTENARY COMMITTEE - 2 APRIL 2014

REPORT BY: W HAWKES – CULTURAL DEVELOPMENT OFFICER

REFERENCE

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
Min No 13-409: Ordinary Meeting of Council held on 25 November 2013

SUMMARY

This report details the Minutes of the Blue Mountains Crossing Bicentenary Committee Meeting held on 2 April 2014.

COMMENTARY

At the Blue Mountains Crossing Bicentenary Committee held on 2 April 2014, several items of interest were discussed by the Committee including:

- Signage for Cox’s Road
- Hartley Date Signing Project
- Events Update

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Minutes from the Blue Mountains Crossing Bicentenary Committee meeting held 2 April 2014.

RECOMMENDATION

THAT Council note the minutes of the Blue Mountains Crossing Bicentenary Committee held 2 April 2014.

**ITEM-16 CORP - 12/05/14 - COMMUNITY DEVELOPMENT COMMITTEE
MINUTES - 1 APRIL 2014**

REPORT BY: M JOHNSON - MANAGER COMMUNITY AND CULTURE

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
Min No 13-98:	Ordinary Meeting of Council held on 03 March 2014
Min No 13-101:	Ordinary Meeting of Council held on 03 March 2014

SUMMARY

This report details the minutes of the Community Development Committee meeting held on 1 April 2014.

COMMENTARY

At the Community Development Committee meeting held 1 April 2014 various items were discussed by the committee. Matters of interest include:

- Citizenship Awards
- Seniors Week 2014
- Donation of bicycles to Council
- Financial Assistance Policy Review. The Committee has recommended to Council that the existing Policy 4.4 Financial Assistance – Section 356 of the Local Government Act be adopted without amendment. Due to the recent policy reviews undertaken the policy is recommended to be renumbered to 4.2.

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 1 April 2014.
2. Policy 4.4 Financial Assistance Section 356 of the Local Government Act.

RECOMMENDATION

THAT Council:

1. Note the minutes of the Community Development Committee meeting held 1 April 2014.
2. Adopts existing Policy 4.4 Financial Assistance – Section 356 of The Local Government Act with the amendment of renumbering to 4.2.

**ITEM-17 CORP - 12/05/14 - MAYORAL BUSHFIRE APPEAL COMMITTEE - 8
APRIL 2014**

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

REFERENCE

Min No 14-44: Ordinary Meeting of Council held on 10 February 2014

SUMMARY

This report details the Minutes of the Mayoral Bushfire Appeal Committee Meeting held on 8 April 2014.

COMMENTARY

At the Mayoral Bushfire Appeal Committee held on 8 April 2014, there were numerous items discussed by the Committee;

1. Update by the Mayor of the Current Bushfire Relief Fund Balance
2. Review of Applications

It was agreed by the Committee to extend the closing date for submissions from residents affected by the October 2014 Fires to allow more time for them to apply for funding assistance from the appeal.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Minutes from the Mayoral Bushfire Appeal Committee meeting of 8 April 2014.

RECOMMENDATION

THAT Council note the minutes of the Mayoral Bushfire Appeal Committee meeting of 8 April 2014.

**ITEM-18 OPER - 12/05/14 - SPORTS ADVISORY COMMITTEE MEETING
MINUTES - 29 APRIL 2014**

REPORT BY: I STEWART - GROUP MANAGER OPERATIONS

REFERENCE

Min No 14-167: Ordinary Meeting of Council held on 14 April 2014

SUMMARY

This report details the Minutes of the Sports Advisory Committee Meeting held on 29th April 2014.

COMMENTARY

At the Sports Advisory Committee held on 29th April 2014, there were numerous items discussed by the Committee including:

- 2014 LJ Hooker Reg Cowden Sports Star of the Year Awards
- Booking Requests

ATTACHMENTS

1. Minutes from the Sports Advisory Committee meeting of 29th April 2014.

RECOMMENDATION

THAT Council note the minutes of the Sports Advisory Committee held on the 29th April 2014.

**ITEM-19 OPER - 12/05/14 - TRAFFIC ADVISORY LOCAL COMMITTEE - 3
APRIL 2014**

REPORT BY: I STEWART - GROUP MANAGER - OPERATIONS

SUMMARY

This report details the Minutes of the Traffic Advisory Local Committee Meeting held on 3 April 2014.

COMMENTARY

At the Traffic Advisory Local Committee meeting held on 3 April 2014, there were numerous items discussed by the Committee including;

1. Rushworth- Bender Cancer Council walk charity event 2014
2. Great Western Highway Lithgow Pedestrian Access and Mobility Plan (PAMP)
3. Development application 153/13 Proposed motel development Kirkley Street Lithgow
4. Ironfest event 2014- correspondence received and traffic management quotes
5. Burns Lane and Main Street lane-vehicles driving the incorrect way in the one way lane
6. Request for feedback-proposed markets on the grounds of the Zig Zag motel- Chifley Road Lithgow
7. Range Road and the Great Western Highway-request for dedicated turning lane
8. Red light camera request update- Dunn's Corner Lithgow
9. Parking study-Central Business District Main Street Lithgow
10. Wolgan Road Lidsdale- requests from Angus Place Colliery
11. Request for stop sign/pedestrian warning signage-exit to University car park Mort Street Lithgow

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Minutes from the Traffic Advisory Local Committee meeting of 3 April 2014.

RECOMMENDATION

THAT Council note the minutes of the Traffic Advisory Local Committee held on the 3 April 2014.

**ITEM-20 OPER - 24/03/14 - OPERATIONS COMMITTEE MEETING MINUTES -
5 MARCH 2014**

REPORT BY: I STEWART – GROUP MANAGER OPERATIONS

SUMMARY

Details of the Minutes of the Operations Committee Meeting held on Thursday 10 April 2014 for Council adoption.

COMMENTARY

At the Operations Committee Meeting held on Thursday 10 April 2014 there were a number of items discussed by the Committee, with all items being actioned under the Committee's delegated authority.

Items discussed included:

- Wattlemount Road
- Main Street Lithgow Footpath Rehabilitation
- Review of major capital works
- Emergency works

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Minutes of the Operations Committee Meeting held on Wednesday, 10 April 2014

RECOMMENDATION

THAT Council note the minutes of the Operations Committee meeting held on Thursday 10 April 2014.

NOTICES OF MOTION

ITEM-21 NOTICE OF MOTION - 12/05/14 - PIPING OF THE BOWEN VISTA BIO-RETENTION BASIN "V" DRAIN - COUNCILLOR F INZITARI

COMMENTARY

With the proposal to require the land developer at Bowen Vista to install drainage pipes for a small section of the 'V' drain for the Bowen Vista bio-retention basin I believe that there would be added benefit for the everyone if the whole length of the V' drain to the bio-retention basin.

It would also make this area a more appropriate proposition for Council to install Children's Playground Equipment for the Bowen Vista Estate.

RECOMMENDATION

THAT Council be provided with a report to the next Council Meeting detailing the possibility and cost of Council installing drainage pipes for the remainder of the length of the 'V' drain to the bio-retention basin in the Bowen Vista Estate.

ITEM-22 NOTICE OF MOTION - 12/05/14 - PROPOSED CLOSURE OF THE LITHGOW AQUATIC CENTRE 50 METRE PUBLIC SWIMMING POOL - COUNCILLOR M TICEHURST

REFERENCE

Condition Report to Lithgow City Council by the Facility Design Group on the Lithgow Aquatic Centre 50 metre Public Swimming Pool – November 2013.

Report by the Group Manager Corporate & Culture (Agenda Item 10) at the Ordinary Meeting of the Lithgow City Council on Monday 3 March 2014 NSW Supreme Court – Miller Vs Lithgow City Council & Anor in the NSW Supreme Court.

COMMENTARY

The Council and Councillors would be aware of the tragic circumstances surrounding the personal injury matter currently before the NSW Supreme Court – Miller Vs Lithgow City Council & Anor in the NSW Supreme Court.

The Council and Councillors would also be personally aware of Section 731 of the Local Government Act 1993 titled, **Liability of councillors, employees and other persons**. This Section 731 states that, “A matter or thing done by the Minister, the Director-General, a council, a councillor, a member of a committee of the council or an employee of the council or any person acting under the direction of the Minister, the Director-General, the council or a committee of the council does not, if the matter or thing was done in good faith for the purpose of executing this or any other Act, and for and on behalf of the Minister, the Director-General, the council or a committee of the council, subject a councillor, a member, an employee or a person so acting personally to any action, liability, claim or demand.”

The Council and Councillors would further now be well aware that the Condition Report to Lithgow City Council by the Facility Design Group on the Lithgow Aquatic Centre 50 metre Public Swimming Pool – November 2013, clearly sets out that the Facility Design Group (FDG) was commissioned by Lithgow City Council to assist with providing a condition report and a record of professional opinion as to the likely remaining life, cost of replacement and best strategy of replacement for the 50 metre outdoor pool asset at the Lithgow Aquatic Centre site.

The Council and Councillors would also now be well aware that Condition Report publicly identified that 6 of the 7 Assets making up the Lithgow Aquatic Centre 50 metre Public Swimming Pool were NON-COMPLIANT.

With respect to the Condition Report to Lithgow City Council by the Facility Design Group on the Lithgow Aquatic Centre 50 metre Public Swimming Pool – November 2013, Stephen Johansson – Director of Facility Design Group - visited the site and met with Councils Pool Manager for a guided tour of the facility. During this guided tour – explanation of various repairs and replacements were made in order to provide a brief

general history of the site and the assets within. Photographs were taken to as a detailed record for reference and use in the report.

The strategy undertaken in the report was to provide the following:

1. Identify each of the individual assets that are associated with the 50 metre pool.
2. Photograph as a record and make a visual assessment on the overall and detailed condition of each asset.
3. Determine the risk to council of each asset both in financial terms and in compliance terms if left as is. This will assist council in decision making as to the priority of replacement and or upgrade.
4. Provide a Strategy for Upgrade based on the findings to assist Council with a way forward to maintain and develop this component of the aquatic precinct. This strategy will include options associated with each asset.
5. List the important individual components (with photographs where possible) of each asset that have finite life expectancy, damage or require replacement due to not meeting current NSW Health Department Guidelines, standards or legislation.
6. Provide an opinion of probable cost for each option of replacement and or repair/upgrade. This will assist council in allocation of prioritised budgets.
7. Provide a graduated easy to read chart that scores each asset on a 1 to 5 grading.

FDG believed that providing this relatively brief but very understandable report will give ready reference and back up to making informed decisions into the future.

The Assets associated with the 50 metre pool have been identified as follows:

- Asset No 1 - 50 metre 9 lane pool & Balance Tank
- Asset No 2 - Concrete concourse and stormwater drainage
- Asset No 3 - Tiered concrete seating and shade structure
- Asset No 4 - Gravity Sand Filters & Pool Plant
- Asset No 5 - Gas heating system
- Asset No 6 - Solar Heating
- Asset No 7 - Service delivery driveway

Asset No 1 - 50 metre 9 lane pool & Balance Tank:

NON-COMPLIANT

The 50 metre pool and associated balance tank are situated at the eastern end of the aquatic precinct and consist of the following components:

1. Fully tiled 9 lane pool and balance tank.
2. Continuous scum gutter.
3. Centre return channel.
4. Recessed wall lights.
5. New disabled ramp and handrails.
6. Pool expansion joints

ASSET No	ESTIMATED SERVICE LIFE OF CURRENT ASSET	COMPLIANT YES/NO	UPGRADE COST & DESCRIPTION	NEW COST FULL REPLACEMENT
1	2-8 years	YES - Recently added disabled access ramp for compliance with AS 1428, NO - pool water turnover not compliant with current Health Dept Guidelines.	\$ 0.8 m – new wet deck gutters, vinyl liner, end hobs, new reticulation, balance tank water proofed – fully compliant – 30 year service life, liner replacement every 15 - 20 years - \$120,000	\$ 1.5 m – full demolition and new replacement. Fully compliant – 30 year service life, tile maintenance required intermittently.
COMP No	DESCRIPTION & SOLUTION			
1	Some movement evident around pool, water loss through joints that require regular maintenance & replacement, concrete cancer appearing in floor and around wall lights. Pool tiling is in a bad state of disrepair requiring major yearly maintenance – it will soon reach a stage that no repairs will be able to continue. Solution is to fully retile or provide alternative liner over existing tiles.			
2	Tiling is degrading badly at exposed tile zones - sharp and dangerous for patrons grabbing side of pool. Scum gutter is not large enough to handle increased volume of water for compliance. Gutter concrete is showing signs of concrete cancer in various areas. Requires major repair or total reconfiguration. New compliant wet deck gutter configuration & water line tiles – proper modern aquatic tiles – less likely to crack during freeze.			
3	Degrading badly – tiles needing constant yearly repair when empty, has not got the capacity to deliver higher water volumes if pool filtration is improved. Solution to provide new centre return line with appropriate number of nozzles.			
4	Disconnected due to 240 volt danger and severe degradation and rusting. Removal & infill with concrete is recommended.			
5	Disabled ramp added several years ago – it is compliant however water circulation to ramp is minimal and not ideal – acceptable.			
6	Expansion joints will need periodical maintenance and replacement as a matter of course. Note if pool upgrade solution is for a heavy duty PVC liner – joint problem will not be an issue.			

Asset No 2 - Concrete concourse and stormwater drainage: NON-COMPLIANT

The existing 50 metre concourse provides an extensive surround to the 50 metre pool. As indicated on photo, it has a raised outer level at which point a perimeter spoon has been constructed to collect stormwater.

The concourse consists of the following components:

1. Step tread tile used as finger grip edge tile to pool.
2. 300mm wide concrete lid that covers the scum gutter.
3. 2.7 metre wide concourse surrounded by perimeter spoon drain.

4. Stepped up higher concrete concourse level surrounding.
5. Timber balance tank hatches.

ASSET No	ESTIMATED SERVICE LIFE OF CURRENT ASSET	COMPLIANT YES/NO	UPGRADE COST & DESCRIPTION	NEW COST FULL REPLACEMENT
2	3-8 years	NO – trip hazards at concrete joints	\$95,000 – repair trip hazards and broken concrete – resurface with cementitious non slip surface. 10 - 15 year service life + finger grip tile	\$ 155,000 – full removal of existing and new concourse and drainage – 30 year service life
COMP No	DESCRIPTION & SOLUTION			
1	If pool gutters are wet decked – concourse will finish at back of gutter and wet deck will incorporate a proper finger grip tile to the pool edge(30 – 40 year life). If concourse is only upgraded & repaired – existing edge tile should be replaced with finger grip tile (10 year life) .			
2	Replace with wet deck grate + finger grip tile and outer tile – if pool gutters are modernised (30 – 40 year life). Wet deck grate may need replacement after 15 – 20 years depending on type and UV resistance.			
3	Replace with broom finished concrete concourse and new stormwater drainage. The construction joints will be dowelled together to prevent dislocation and trip hazards occurring. The step up to outer concourse could also be eliminated. (30-40 year life)			
4	Potentially eliminate step – this is a trip hazard and can be designed out with new concourse (30-40 year life)			
5	Replace with non slip poly lids – lighter, more secure, not subject to rotting(20 year life)			

Asset No 3 - Tiered concrete seating and shade structure: NON-COMPLIANT

The concrete tiered seating comprises the following components :

1. Concrete tiered seating approximately 30m long.
2. Steel framed fabric shade structure.

ASSET No	ESTIMATED SERVICE LIFE OF CURRENT ASSET	COMPLIANT YES/NO	UPGRADE COST & DESCRIPTION	NEW COST FULL REPLACEMENT
3	3-4 years for shade structure 10 years for tiered concrete seating	NO – needs space allocation for wheelchairs – probably 2 spaces – however one could argue the pavement in front for disabled.	\$ 15,000 – new fabric installation to existing steel frame. \$ 12,000 – new cementitious decorative coating 10 year service life	\$ 45,000 – new solid roof with ability to take full solar heating system to top. 25 year service life
COMP No	DESCRIPTION & SOLUTION			

1	Tiered seating has a long life ahead – could be more presentable with cementitious decorative coating – 15 – 20 year service life
2	Replace with new steel frame and solid skillion roof & gutter – 30 year service life

Asset No 4 - Gravity Sand Filters & Pool Plant: NON-COMPLIANT

The gravity sand filters are housed in a face brick building along with the filtration plant and control systems and comprise the following components:

1. Concrete tanks x 2 – open to the air
2. Mushroom nozzles in base of filter bed
3. Sand medium bed
4. Pumps & strainers
5. Pipework & valves
6. Dosing & electronic equipment
7. Sodium hypochloride liquid storage tanks

ASSET No	ESTIMATED SERVICE LIFE OF CURRENT ASSET	COMPLIANT YES/NO	UPGRADE COST & DESCRIPTION	NEW COST FULL REPLACEMENT
4	1-3 years	No – water turnover in the order of 8 hour turnover - non compliant to NSW Health Department Guidelines. Needs to be in the order of 2 hour turnover.	\$300,000 – upgrade of gravity filters and all internal plant pipe work & equipment – to deliver fully compliant turnover – 25 - 35 year service life	\$750,000 Modern high rate filtration plant & plant room additions – 25- 35 year service life.
COMP No	DESCRIPTION & SOLUTION			
1	Concrete tanks in good order – easy to upgrade for a very cost effective solution – 20 – 30 years service life			
2	Nearing end of useful service life – new floor and laterals and plastic nozzles			
3	Recently replaced – 10 year life – but would be replaced if cells upgraded			
4	Pumps & strainers in various condition – but would be replaced if plant upgraded			
5	Pipework & valves in various condition - but would be replaced if plant upgraded			
6	Dosing & electronic equipment in various condition - but would be replaced if plant upgraded			
7	Sodium hypochloride liquid storage tanks – two x 3200 litre tanks – appears in reasonable order – estimated service life 10 years			

Asset No 5 - Gas heating system: COMPLIANT

The 50 metre pool gas heating system comprises the following components:

1. Raypac gas boiler

2. Colourbond metal shed enclosure.
3. Stainless steel flue
4. Copper water flow and return pipes (unlagged).

ASSET No	ESTIMATED SERVICE LIFE OF CURRENT ASSET	COMPLIANT YES/NO	UPGRADE COST & DESCRIPTION	NEW COST FULL REPLACEMENT
6	5-10 years	Yes	\$25,000 Replacement single boiler – 15 year service life	\$35,000 Multiple gas boiler unit replacement – 15-20 year service life and better efficiency
COMP No	DESCRIPTION & SOLUTION			
1	Gas boiler is approximately 15 years old – is serviced yearly and working to its specifications. Possible service life left of 5 - 10 years			
2	Shed in good order – 15 year service life.			
3	Flue in good order – long service life			
4	Pipework should be lagged to assist with heat loss from boiler			

Asset No 6 - Solar Heating: NON-COMPLIANT

In early 2013 – Heliocol Solar Heating was awarded the contract to install a large pool water solar collection system to the roofs of the main cluster of buildings at the eastern end of the aquatic precinct – including the plant room roof. Components are:

1. UV stabilized polypropylene pool collectors
2. Solar controllers and electronic sensors.
3. Existing PVC flow and return pipework.

ASSET No	ESTIMATED SERVICE LIFE OF CURRENT ASSET	COMPLIANT YES/NO	UPGRADE COST & DESCRIPTION	NEW COST FULL REPLACEMENT
7	25year warranty on panels 12 year cockatoo warranty	NO – has been incorrectly plumbed	\$ 20,000 to renew flow & return pipes & re plumb as isolated circuit	\$ 120K
COMP No	DESCRIPTION & SOLUTION			
1	UV stabilized polypropylene pool collectors have a good warranty period of 25 years and are renowned for giving good service for this type of collector.			
2	Solar controllers & sensors usually have a 2 year warranty – should last 10 years.			
3	Existing flow & return pipework in poor condition – pump not secured – system needs re plumbing to ensure ability to isolate solar circuit from pool filtration - \$ 20,000 estimate to make good.			

Asset No 7 - Service delivery driveway: NON-COMPLIANT

The sodium hypochloride liquid is delivered by tanker and is required to be positioned nearby the plant area where the liquid is stored in bunded plastic storage containers – it consists of:

1. Pavement surface for service delivery vehicles and trucks.
2. Chemical liquid external connection point for truck to attach and pump chemical into storage tanks.
3. Safety eyewash and dump shower facility external to the building
4. Safety and compliance signage.

ASSET No	ESTIMATED SERVICE LIFE OF CURRENT ASSET	COMPLIANT YES/NO	UPGRADE COST & DESCRIPTION	NEW COST FULL REPLACEMENT
2	Non compliant	No	\$ 30,000	NA
COMP No	DESCRIPTION & SOLUTION			
1	Service delivery area is not bunded to a capacity of 120% of truck capacity – therefore not compliant with EPA rules for chemical handling			
2	Appears to be in good order – may need relocation once bunded delivery area is constructed. 15 year service life			
3	Robust and long lasting – 15 year life remaining			
4	Appears well sign posted for chemical delivery area			

STRATEGY FOR UPGRADE – 50 METRE 9 LANE POOL:

The recommended strategy for upgrade to the 50 metre pool will be dependent on the funds available to council and informed decisions on the cost versus service life of the upgrade options. This report should better allow council to make those informed decisions.

OPTION 1

Total replacement and modernisation of existing pool and plant. This requires demolition of existing pool structure and plant room, and new build of equivalent pool (concrete fully tiled) and plant room – with a new fully compliant high rate filtration plant. Estimated cost:

1. Demolition -	\$ 180,000
2. New 50 m pool and ramp, balance & backwash tanks -	\$ 1,500,000
3. New plant room -	\$ 100,000
4. Pool water filtration equipment & reticulation -	\$ 750,000
5. Associated concrete concourse -	\$ 155,000
6. Service delivery driveway -	\$ 30,000
7. Consultancy (specialist design services) -	\$ 150,000
8. Contingency -	\$ 150,000
9. TOTAL -	\$ 3,015,000

OPTION 2

Upgrade of existing concrete shell (subject to core test results) and upgrade of existing gravity sand filter and plant equipment. The pool will have a new wet deck gutter, finger grip tiles and waterline tiles, new hobs at either end and new centre return line to meet compliance flow rates. The walls and floor will have a reinforced vinyl liner. The existing gravity sand filter plant will be upgraded with new laterals to base of filters, new media, new plant pipework, pumps and dosing equipment and electronic boards. This upgrade will increase turnover to full compliance with NSW Health Department Guidelines. While not as water efficient as a new high rate sand filter plant – it will certainly provide excellent water quality with the hydraulic simplicity of a gravity sand filter plant. Estimated cost:

1. Demolition -	\$ 80,000
2. Upgraded 50 m pool and ramp, balance & backwash tanks -	\$ 800,000
3. Upgraded gravity filters & plant room -	\$ 300,000
4. Reticulation -	\$ 150,000
5. Associated concrete concourse -	\$ 155,000
6. Service delivery driveway -	\$ 30,000
7. Consultancy (specialist design services) -	\$ 150,000
8. Contingency -	\$ 150,000
9. TOTAL -	\$ 1,815,000

ASSESSMENT OF ASSETS:

Condition based on a 1 to 5 scale based on the following (with) the following grading system has been applied to each asset relating to the 50 metre pool complex.

Condition Grading Description of Condition:

- 1 **Very Good:** only planned maintenance required
- 2 **Good:** minor maintenance required plus planned maintenance
- 3 **Fair:** significant maintenance required
- 4 **Poor:** significant renewal/rehabilitation required
- 5 **Very Poor:** physically unsound and/or beyond rehabilitation

GRADING CHART

Asset	Description	Comment	Grade
1	Concrete pool shell including gutter configuration, balance tank	Severe degradation of tiles and major signs of concrete cancer coming through near openings and joints	4 - 5
2	Concrete concourse & stormwater drainage	Concourse has dropped areas, causing trip hazards at construction joints	3 - 4
3	Tiered concrete seating & shade structure	Tiered concrete seating in reasonable order, shade structure looking dilapidated and tired.	3
4	Gravity sand filters	Shell appears robust and in a renovatable condition, filter nozzles in base are in dilapidated condition and need replacement	4

5	Pool plant	Some components are new, pvc pipe work is relatively modern, however a renovation would provide a much tidier layout for operational purposes.	3 - 4
6	Gas heating		2
7	Solar heating	Incorrectly plumbed utilising degraded existing supply & return pipes	1
8	Service delivery driveway	Non compliant with EPA regulations for chemical handling	4 - 5

RECOMMENDATION

THAT:

1. Council in recognising: -

- (a) the tragic circumstances surrounding the personal injury matter currently before the NSW Supreme Court – Miller Vs Lithgow City Council & Anor in the NSW Supreme Court.; and
- (b) Section 731 of the Local Government Act 1993 titled, Liability of councillors, employees and other persons; and
- (c) the Condition Report to Lithgow City Council by the Facility Design Group on the Lithgow Aquatic Centre 50 metre Public Swimming Pool – November 2013, which publicly identified that 6 of the 7 Assets were NON-COMPLIANT,

that the Council immediately close the 50 metre Public Swimming Pool at the Lithgow Aquatic Centre until all 7 Assets are fully compliant for future public use.

2. That a Division be called and recorded in the Meeting Minutes.

ITEM-23 NOTICE OF MOTION - 12/05/14 - REGULATED RETAIL GAS PRICE INCREASES OF 17.5% FROM 1 JULY 2014 - COUNCILLOR M TICEHURST

REFERENCE

IPART Fact Sheet on Regulated Retail Gas Prices from 1 July 2014 to 30 June 2016.

COMMENTARY

- Q. Could the Mayor and/or General Manager advise the ratepayers and residents as to what the major financial and budget impacts will now be in the current publicly exhibited Council Draft Operational Plan for 2014 – 2015, following the State Government’s IPART recently advising of a 17.5% increase in the price of Regulated Retail Gas from the 1 July 2014?

ATTACHMENTS

1. IPART Fact Sheet on Regulated Retail Gas Prices from 1 July 2014 to 30 June 2016.

RECOMMENDATION

THAT the Mayor and/or General Manager advise the ratepayers and residents as to what the major financial and budget impacts will now be in the current publicly exhibited Council Draft Operational Plan for 2014 – 2015, following the State Government’s IPART recently advising of a 17.5% increase in the price of Regulated Retail Gas from the 1 July 2014.

**ITEM-24 NOTICE OF MOTION - 12/05/14 - FORTY BENDS UPGRADE -
COUNCILLOR C HUNTER**

COMMENTARY

The planned RMS upgrade to Forty Bends could be seen as not being justified due to the low accident rate in recent years and already having safety factors in places such as, Median Barriers, Turning Lanes, and an 80 km speed limit. There are many other areas on the Great Western Highway that need these safety upgrades. Funds that have been allocated to the Forty Bends could be of greater benefit if spent in other areas.

RECOMMENDATION

THAT Council recommends to NSW Government and RMS that the Forty Bends upgrade be deferred and funds be allocated to other safety upgrades on the Great Western Highway.

ITEM-25 NOTICE OF MOTION - 12/05/14 - URGENT REVIEW GENERAL MANAGERS APPRAISAL PROCESS - COUNCILLOR J MCGINNES

RECOMMENDATION

THAT:

1. Council convene a special workshop meeting of Councillors to consider changes to the upcoming General Managers Appraisal Process.
2. A Division be called and recorded in the Meeting Minutes.

ITEM-26 NOTICE OF MOTION - 12/05/14 - CALLING TENDERS FOR PUBLIC TOILETS LITHGOW CBD - COUNCILLOR J MCGINNES

RECOMMENDATION

THAT:

1. Council proceed to immediately call tenders for the construction of two automatic self cleaning unisex public toilets in Lithgow's CBD . One to be located in Cook Street Plaza and the other in the Council carpark immediately behind the Taxi Rank and visible to Mort Street.
2. The Public Toilets located at the eastern end of Main Street be closed.
3. A Division be called and recorded in the Meeting Minutes.

ITEM-27 NOTICE OF MOTION - 12/05/14 - POULTRY FARM OPERATION CONCERNS - COUNCILLOR F INZITARI

COMMENTARY

For some time this facility has caused serious concerns relating to dust and putrid smell that is affecting the local residents who reside near this farm. Many efforts have been made by council in trying to resolve this issue with the owner, a meeting with the owner and council several months ago resulted in an agreement that a consultant be employed to give council a full report on the operations of this farm. To date, the owner has not shown any urgency in this regard and the problems still exists. Our own council staff are witness to this odour.

In the original DA of this farm, a condition was placed by council that no odour shall affect the local Residents who live around this establishment. I feel that this condition has been breached time and time again.

Council now must act and support these residents and ratepayers. Also of concern is that their properties will be devalued due to the ever increasing issues created by the poultry farm.

ATTACHMENTS

1. Petition signed by residents of Thompsons Creek Road

RECOMMENDATION

THAT Council enforce the condition that was agreed to by council and the owner of the chicken farm and set a date that would be no later than the 30th of May 2014 for an independent consultant of council's choice to report on the full operation of the chicken farm and that council act its their recommendations as quickly as possible.

**ITEM-28 NOTICE OF MOTION - 12/05/14 - PUBLIC TOILET AT RYDAL -
COUNCILLOR P PILBEAM**

RECOMMENDATION

THAT Council before giving any further consideration to the provision of a public toilet at Rydal, Council examine the feasibility of utilising land and septic tank facilities already existing at the Rydal Bushfire premises presently owned by 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-29 CLOSED COUNCIL - ENVIRO - 12/05/14 - PURCHASE OF LAND FOR TOILET BLOCK AT RYDAL

REPORT BY: A MUIR - GROUP MANAGER ENVIRONMENT AND DEVELOPMENT

Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(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

To advise Council of the status of the possible purchase of land at Rydal for the erection of a toilet block

RECOMMENDATION

THAT Council consider the Purchase of Land for Toilet Block at Rydal in Closed Council pursuant to Section 10A(2)(c) of the Local Government Act 1993.