



A CENTRE OF REGIONAL EXCELLENCE

AGENDA

ORDINARY MEETING OF COUNCIL

TO BE HELD AT

THE ADMINISTRATION CENTRE, LITHGOW

ON

02 JUNE 2014

AT 7.00pm

AGENDA

ACKNOWLEDGEMENT OF COUNTRY

APOLOGIES

PRESENT

CONFIRMATION OF THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 12 MAY 2014

CONFIRMATION OF THE MINUTES OF THE EXTRAORDINARY MEETING OF COUNCIL HELD ON 21 MAY 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

Traffic Advisory Local Committee - 1 May 2014
Operations Committee Meeting Minutes - 1 May 2014
Disability Access Committee Minutes - 6 May 2014
Meadow Flat Hall Management Committee Minutes - 8 May 2014
Union Theatre Management Committee Minutes - 9 May 2014
Mayoral Bushfire Appeal Committee - 19 May 2014

DELEGATES REPORTS - NIL

NOTICES OF MOTION - NIL

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 - 02/06/14 - COUNCIL'S WEEKLY ADVERTISING

REPORT BY: R BAILEY - GENERAL MANAGER

REFERENCE

Min No 14-171: Ordinary Meeting of Council held on 14 April 2014.

SUMMARY

It was resolved that a report be provided to Council providing information on Council's weekly advertising.

COMMENTARY

At the 14 April 2014 Council meeting it was resolved:

2. A report be provided to Council on providing Council's budget of \$40,000 for the insertion of the Council Column in the Lithgow Mercury to be equally divided between the Lithgow Mercury and the Village Voice.

Presently Council takes a weekly advertisement with the Lithgow Mercury called the Council Column. This Column is published every Thursday as a half-page advertisement and then on the Thursday following a Council meeting a full page advertisement is published. The full page advert includes the current Development and Construction Approvals. The cost of a half-page advert is \$777 while the full page advert is at a cost of \$1125.

Council utilises a number of other advertising outlets for various Council business including tenders, positions vacant, events, rate instalments, community announcements. There are occasions when Council is required to advertise outside of the Lithgow LGA and utilises other newspapers to reach a wider audience.

POLICY IMPLICATIONS

Council has no policy in relation to the use of weekly advertising.

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Submission from the Lithgow Mercury.

RECOMMENDATION

THAT the information on Council's weekly advertising column be noted.

ITEM-2 GM - 02/06/14 - LOCAL GOVERNMENT REMUNERATION TRIBUNAL DETERMINATION

REPORT BY: R BAILEY - GENERAL MANAGER

SUMMARY

The Local Government Remuneration Tribunal handed down its report for 2014-15 period. This report deals with the fees to be applied to councillors and the Mayor

COMMENTARY

The Local Government Remuneration Tribunal (the Tribunal) sets the range of fees for all councillors and mayors in NSW each year.

The Tribunal is responsible for categorising each council, county council and mayoral office for the purpose of determining the minimum and maximum fees payable to councillors, members of county councils and mayors in each category.

This year the Tribunal has awarded an annual fee increase of 2.5 per cent, with effect from Tuesday 1 July 2014. Section 241 of the *Local Government Act 1993* (the Act) requires the Tribunal to determine each year the maximum and minimum amounts of annual fees payable during the following year to mayors and councillors. Sections 248 and 249 of the Act requires councils to fix and pay an annual fee based on the Tribunal's determination.

Councils are to fix councillor and mayoral fees for the 2014/15 financial year based on the Tribunal's Determination. The level of fees paid will depend on what category the council is in. In Lithgow's situation this is as Category 4 – 'Rural' which includes 77 general purpose councils.

A council cannot fix a fee higher than the maximum amount determined by the Tribunal. If a council does not fix a fee, the council must pay the minimum fee determined by the Tribunal.

The determinations by the Tribunal for 2014-2015 are:

	Councillor/Member Annual Fee		Mayor/Chairperson Additional Fee		Total Mayor/Chairperson Fee	
	Min \$	Max \$	Min \$	Max \$	Min \$	Max \$
Category S1 – Principal City	24,430	35,820	149,460	196,660	173,890	232,480
Category S2 – Major City	16,280	26,880	34,600	78,300	50,880	105,180
Category 1A – Metropolitan Major	16,280	26,880	34,600	78,300	50,880	105,180

Category 1 – Metropolitan Centre	8,130	22,800	25,950	60,580	34,080	83,380
Category 2 – Metropolitan	8,130	17,930	17,310	39,110	24,440	57,040
Category 3 – Regional Rural	8,130	17,930	17,310	39,110	24,440	57,040
Category 4 – Rural	7,930	10,740	8,640	23,440	16,570	34,180
Category S4 – County Council Water	1,620	8,960	3,460	14,710	5,080	23,670
Category S3 – County Council	1,620	5,360	3,460	9,780	5,080	15,140

Note: the Mayor is paid both the Councillor Remuneration and the additional fee for the Mayor.

The NSW Local Government Act 1993 requires:

248 Fixing and payment of annual fees for councillors

- (1) *A council must pay each councillor an annual fee.*
- (2) *A council may fix the annual fee and, if it does so, it must fix the annual fee in accordance with the appropriate determination of the Remuneration Tribunal.*
- (3) *The annual fee so fixed must be the same for each councillor.*
- (4) *A council that does not fix the annual fee must pay the appropriate minimum fee determined by the Remuneration Tribunal*

The fees paid by Lithgow City Council in the 2013-14 period were:

- Councillors at \$9,825
- Mayor at \$20,810 (plus the Councillor fee of \$9,825).
- Car lease payable for the Mayor NIL

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

The increase is within the estimates set by Council earlier this year.

LEGAL IMPLICATIONS

Council is required to pay the remuneration in accordance with the limits set by the Tribunal.

ATTACHMENTS

1. Report and Determination of the Local Government Remuneration Tribunal under Sections 239 and 241 Local Government Act 1993, 24 April 2014. - http://www.dpc.nsw.gov.au/_data/assets/pdf_file/0017/163133/2014_Report_and_Determination_for_website.pdf

2. NSW Government - Circular 14/12 - 19 May 2014 - 2014/15 Determination of the Local Government Remuneration Tribunal

RECOMMENDATION

THAT Council:

1. Set the remuneration in 2014/15 for Councillors at \$10,070
2. Set the remuneration in 2014/15 for the Mayor at \$21,330
3. Set the 2014/15 car lease payable by the Mayor at NIL.

ENVIRONMENT AND DEVELOPMENT REPORTS

ITEM-3 ENVIRO - 02/06/14 - POSSIBLE EXPANSION OF THE WASTE LEVY ACROSS NSW

REPORT BY: A MUIR – GROUP MANAGER ENVIRONMENT & DEVELOPMENT

REFERENCE

Min No 13-91: Ordinary Meeting of Council held on 18 March 2013

SUMMARY

To advise Council of the release of an options paper by the NSW Environment Protection Authority relating to the potential extension of the Waste Levy across NSW.

COMMENTARY

The Protection of the Environment Operations Act 1997 requires licensed waste facilities in certain areas of NSW to pay a contribution for each tonne of waste received for disposal at the facility. The levy aims to reduce the amount of waste being disposed of and promote recycling and resource recovery. The levy currently applies to certain areas of NSW being the area known as the regulated area comprising the Sydney Metropolitan area; the extended regulated area which comprises the Illawarra and Hunter regions; and the regional regulated area which includes Coastal Local Government areas from Port Stephens to the Queensland border as well as the Blue Mountains and Wollondilly Local Government areas. The levy applies to waste deposited at each licensed facility that goes to landfill. The current rates for the levy in 2013/14 are as follows:

- Sydney Metropolitan area - \$107.80 per tonne
- Extended regulated area - \$107.80 per tonne
- Regional regulated area - \$53.70 per tonne

In 2012 the Minister for the Environment commissioned the consultancy firm KPMG to undertake an independent review of the waste levy. As part of the review, KPMG recommended extending the waste levy across the whole of NSW, exempting small regional landfills receiving less than 5000 tonnes per annum from the requirement to pay the levy. The NSW Government did not support this recommendation of the KPMG review. The Government requested that the EPA consult with potentially effected Council's and as part of this consultation process the Minister has requested that the EPA develop an Options Paper to seek feedback from local Council's on their views in relation to the extension of the waste levy.

It should be noted that at its Ordinary Meeting of 18 March 2013 the Council resolved to strongly object to any proposal to impose the waste levy on the Lithgow Local

Government area and this position be conveyed to the Minister for the Environment. This objection was subsequently conveyed to the Minister.

The options put forward in the EPA options paper are as follows:

- Option 1 – Not expanding the levy area
- Option 2 – Extending the levy across NSW
- Option 3 – Extending the levy across the State, whilst exempting regional landfills that receive less than 5000 tonnes per annum.
- Option 4 – Implementing an Opt in Levy system where Councils currently located outside the levy area will choose to implement a waste levy at set or chosen rates.

Should the waste levy be extended to the rest of NSW, it is anticipated that it would be set at a rate of \$10 per tonne of waste received at a waste facility.

The EPA in their Options paper have indicated that a number of benefits have arisen from the current waste levy such as the collection of significant revenue. This has resulted in the creation of the '*waste less, recycle more*' initiative which has now allocated some \$465 million in funding for waste and resource recovery grants and programs.

The EPA also points out that should the levy be extended across the State then all Council's would have access to all of this funding which is currently partly quarantined for the regulated areas. For example, the \$70 million organic infrastructure fund and the \$70 million drop off centre fund can only be accessed by Council's in the current levy areas.

However it should be noted that revenue currently generated from the levy is not fully allocated to recycling and waste recovery initiatives. Currently the total revenue collected from the waste levy goes to consolidated revenue and around one third is redirected by NSW treasury to waste and environmental programs. The EPA has indicated that if a levy system was in place across the remainder of the state then a greater proportion of the revenue could be redirected back to Council's for investment in waste and resource recovery programs.

Summary of Options

The following provides a summary of options as outlined in the options paper.

Option 1 – No expansion of the levy

The EPA have argued that maintaining the current levy arrangements would mean that there would be no price signal discouraging landfill disposal and driving resource recovery to areas not currently covered by the levy. Furthermore the options paper argues that there would be no strong driver or consolidation of smaller landfills that can have detrimental environmental impacts.

Option 2 – Extend the levy across the state

The options paper indicates that if this was adopted then there would be a delayed commencement date of 12 months to allow Councils to factor this into their budgeting. The EPA have estimated that the revenue generated under this option based on a \$10

per tonne levy would equate to approximately \$11.7 million in the first year or nearly \$60 million over five years.

Option 3 – KPMG recommendation for extending the levy

This option would see the levy extended to all landfills across the state other than those receiving less than 5000 tonnes of waste per annum. The EPA indicates that this option would not strongly support the closure of small poorly performing landfills. Also, it is concerned that Council's may change their practices to ensure that certain landfills remain under the 5000 tonne threshold. The EPA indicates that estimated revenue generated under this option based on a \$10 per tonne levy would equate to approximately \$9.9 million in the first year and \$49.5 million over 5 years.

Option 4 – Opt-in levy system

Under this option Council's could be added to a new levy area by advising the EPA that they want to opt-in to the levy system. The EPA have advised that an opt-in system would give flexibility to regional Council's that want a waste levy in place. The EPA have estimated that if 75% of Council's opted in under this arrangement the estimated revenue generated based on \$10 per tonne levy would equate to approximately \$8.8 million in the first year and \$44 million over five years.

An information session was attended recently whereby the officers of the EPA encouraged Council's to do more than simply object to being included in a levy area and provide genuine comment on the options. Whilst this would not preclude Council from altering its position and objecting to the levy, further comment could be provided in a submission as to what option or other options this Council may see as palatable in the event that the Government decides to go ahead with expanding the levy across the state. In this regard it is suggested that the focus of Council's submission should be objecting to the levy being put in place, but if it is to be put in place, that all monies collected from a levy remain in the Local Government area in which it is collected and applied to recycling, resource recovery and environmental projects across that specific Local Government area. Submissions will be received up until Friday 20 June 2014 and should Councillors wish to provide any additional input, then this would be welcome.

POLICY IMPLICATIONS

If a levy was imposed then Council would need to recover this from users of the Lithgow Solid Waste facility. For domestic customers it would need to decide whether to recover this at the weighbridge on a per customer basis or impose it on top of the current waste charge. This may see a change to current Council Policy of not charging residents to dispose of any waste at Lithgow tip.

FINANCIAL IMPLICATIONS

Discussed in this report.

LEGAL IMPLICATIONS

The current waste levy is imposed under Section 88 of the protection of the Environment Operations Act 1977 and the amount, manner, location and timing of the payment are set out in the Protection of the Environment Operations (Waste) Regulation 2005.

ATTACHMENTS

1. The Extension of the Waste Levy Options paper – NSW EPA

RECOMMENDATION

THAT:

1. Council reiterate that it strongly objects to any proposal to impose the waste levy on the Lithgow Local Government area.
2. Notwithstanding recommendation No.1, a submission be provided to the Environment Protection Authority. The focus of the submission shall be on any funds collected from a levy in the Local Government area in which it is collected to be used on recycling, resource recovery and environmental initiatives.

**ITEM-4 ENVIRO - 02/06/14 - SUBURB LOCALITY NAMING ADJUSTMENT
MEGALONG VALLEY & KANIMBLA**

REPORT BY: A MUIR GROUP MANAGER ENVIRONMENT & DEVELOPMENT

REFERENCE

Min No 14-133: Ordinary Meeting of Council held on 24 March 2014

SUMMARY

To advise Council of the results of submissions that were sought in relation to the proposal to alter the locality boundaries between the Megalong and Kanimbla Valleys.

COMMENTARY

On 24 March 2014 Council resolved the following:

THAT:

1. *The locality name changes of 'Megalong Valley' & 'Kanimbla' as per the attached locality map, be advertised and notified to authorities and affected landowners for a twenty eight (28) day period. If no objections are received, Council proceed with the Gazette and notification of the change.*
2. *Council organise with the residents to ensure they have a rural address.*

This was undertaken to rectify continuous addressing issues between the 'Megalong Valley' and 'Kanimbla' localities within the Lithgow Local Government area. This was raised as an issue by residents and Land & Property Information (LPI).

Following a number of inquiries and concerns from local residents and Land & Property Information (LPI), a proposal was formulated for the 'Megalong Valley' locality boundary to include properties currently known to be in the suburb of 'Kanimbla'. The majority of these properties are within Council's records system and have been known as Megalong Valley for some time, however it was never reflected in the Geographical Names Board mapping for suburbs. From the attached mapping Council started the process of the locality name amendment by a notification for expression of interests to all property owners and authorities and requested that any submission be forwarded to Council within a twenty eight (28) day period.

During this period a total of seven (7) submissions were received from 32 properties notified. Five were against the proposal and two supported the proposal. Three of the submissions against the proposal were for one property from three separate owners (property is owned by five persons). This land has a number of allotments, with the majority accessing from Kanimbla. The submissions are summarised below:

Against:

- Seems to be a simple method to resolve an issue from an administrative point of view but geologically the natural separation between Megalong Valley and Kanimbla is the ridgeline which Peach Tree Road runs. The Lithgow Local Government Area basically follows this separating ridgeline, and hence conflicts the change.
- The longer term possible impact upon the LGA boundary is not wanted
- Future confusions for newer property owners will arise
- The possibility for impacts upon the electoral boundary
- Costs of insurance for house, contents and vehicles will be increased due to the locality change. In some cases over \$1,000 more, just because of the locality difference.
- This change would lead to changes in LGA boundaries, in which many residents do not want to be within the Blue Mountains LGA
- Property has been known as Kanimbla for many years and all owners part of the Kanimbla bushfire brigade.
- Adjoining property is remaining within Kanimbla.
- Access to the property is through Kanimbla and not the existing Megalong Valley;
- History of the property is associated to Kanimbla

Supporting:

- Having major problems with receiving mail due to this issue and use of the National Street Database (NSD), losing mail and some mail taking months to be received.
- Properties physical location is Megalong Valley
- It is a logical change, as long as properties do not change to the Blue Mountains Local Government Area.

Conclusion:

Given one property had three objections and the area is currently in Council records as Kanimbla, this property will be removed from the proposal and the locality area amended appropriately. This means that one property will be removed from the proposed locality change and remain as Kanimbla. It is suggested that Council proceed with the name change as per the amended mapping in Attachment 2.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

Council is to pay all costs associated with the acquisition and erection of signage and the notification of authorities.

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Plan showing the locality of Megalong Valley & Kanimbla existing

2. Plan showing the locality of Megalong Valley & Kanimbla amended proposal

RECOMMENDATION

THAT:

1. The amended localities of 'Megalong Valley' and 'Kanimbla' as per attached map 2, be adopted within the Lithgow Local Government Area and Council advise the Geographical Names Board of this naming.
2. Once accepted by the Geographical Names Board Council proceed with notifying the authorities and affected residents of the amended localities.

ITEM-5 ENVIRO - 02/06/14 - ANGUS PLACE MODIFICATION OF PROJECT APPROVAL (PA06_002 - MOD 4 INITIAL DEVELOPMENT OF TWO LONGWALLS)

REPORT BY: A MUIR – GROUP MANAGER ENVIRONMENT AND DEVELOPMENT

SUMMARY

To advise Council on a Modification Application of a Project Approval that has been submitted to the Department of Planning and Environment for the Angus Place Coal Mine, Wolgan Road, Lidsdale.

COMMENTARY

Proposal

The modification involves sustained underground development that would be achieved through the continued use of existing infrastructure. The modification also does not require any changes to existing operations to achieve this increase in production.

The Modification is for the development of headings and first workings for two longwall panels (LW 1001 and 1003). These longwalls are proposed as part of the State Significant Development Application Project which is currently on exhibition. Angus Place is seeking approval for this modification so it can continue its development activities while the assessment of the State Significant Development Application Project is taking place.

Potential impacts such as subsidence, surface and groundwater, flora and fauna and cultural heritage impact assessments accompanied the application. Some impact are summarised from the Environmental Impact Statement below:

Subsidence: The longwalls have been designed to be stable and self supporting for a long period of time. It is not expected that they would result in any measurable subsidence at the surface on natural and built features as they have been positioned so that majority of cliffs and pagoda complexes are located outside the 26.5 degree angle of draw line.

No significant impacts to dry woodland and forest habitats are predicted as a result of subsidence. Subsequently impacts to potential habitats to threatened species would be minimal.

Water: The maximum predicted inflows would be managed by a combination of discharge to Kangaroo Creek and input into the Springvale Water Transfer Scheme. The additional water utilised for the installation of the first workings would be accommodated by the existing infrastructure at the colliery. It is expected that there would be negligible impacts to shallow aquifer systems, groundwater dependent ecosystems or swamp baseflows.

The Wolgan River is located approximately 560 metres from the longwalls and is predicted to experience less than 20mm subsidence.

Ecology: The mine plan has been designed to result in minimal ecological impacts.

Cultural Heritage: No Aboriginal sites/objects or historical sites were identified in the project area. Sites beyond the project area are not considered to be at risk from the development. Consultation with the relevant Aboriginal stakeholders has indicated that they were satisfied with the expected results.

Status

The Environmental Impact Statement was supplied to Council and is placed on exhibition for public and authority comments which finishes on the 10 June 2014. A submission will be made on behalf of Council regarding the development. Given the nature of the development it may be difficult to agree on terms of a Voluntary Planning Agreement. It will be suggested that the Department of Planning be asked to apply a condition for a contribution under Council's Section 94A Contributions Plan. The assessment of the proposal will be undertaken and completed by the Department of Planning and Infrastructure.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

It will be proposed that Council requests that the department impose a condition that the development is to comply with Council 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.

ATTACHMENTS

1. Plan of longwall development

RECOMMENDATION

THAT:

1. The information in the report on the Angus Place Mine Modification of Project Approval be noted.
2. Council requests that the Department of Planning and Environment impose a condition that the development is to comply with Council's Section 94A Contribution Plan 2012.

ITEM-6 ENVIRO - 02/06/14 - DA090/14 - PROPOSED DWELLING - LOT 19 DP 1029863 - 16 WINDARRA PLACE MARRANGAROO NSW 2790

REPORT BY: A MUIR – GROUP MANAGER ENVIRONMENT AND DEVELOPMENT

SUMMARY

To advise of the lodgement of Development Application No.DA090/14 and to recommend approval subject to the conditions listed in the 79C report.

COMMENTARY

A Development Application has been lodged by Rawson Homes on behalf of Mr and Mrs Wayne McAndrew for the erection of a dwelling on Lot 19, DP 1029863, No. 16 Windarra Place Marrangaroo.

The residential lot is approximately 2983m² in size and was created by previously approved subdivision DA91/98. The residential lot currently contains a colourbond shed approved under DA239/13 located at the northern end of the property. The shed was constructed before the dwelling with the intention of storage and occupying a caravan in the shed during the dwelling construction period. The proposal consists of a single storey 4 bedroom brick veneer dwelling with colourbond roof. The floor area of the proposed dwelling is approximately 361.67m².

The proposal was notified to surrounding adjoining landowners 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 neighbourhood and environment and can be approved subject to conditions

POLICY IMPLICATIONS

Council's Policy 7.6 '*Development Applications by Councillors and Staff and Relatives or on Council Owned Land*' requires that any development application lodged by a councillor must be referred to Council for consideration and determination. It further provides that no aspect of the application be dealt with under delegated authority.

FINANCIAL IMPLICATIONS

Lithgow Section 94A Contributions Plan June 2012 is applicable for the proposed dwelling development.

Estimated Cost of Development	Percentage (%) Contribution/Levy
All development types valued at \$100,000 or less	Nil
All development types valued at \$100,001 and up to \$200,000	0.5%
All development types valued in excess of \$200,000	1%

The total construction cost was estimated at approximately \$415,774.00 Therefore Council's Section 94A Contributions are applicable to the development.

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. Complete 79C Planning Report under separate cover.
2. Proposed plans.

RECOMMENDATION

THAT:

1. Development Application DA090/14 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-7 ENVIRO - 02/06/14 - ROAD RE-NAMING - SUBMISSIONS RECEIVED
FOR PROPOSED CHANGES & OUTCOMES**

REPORT BY: A MUIR – GROUP MANAGER ENVIRONMENT AND DEVELOPMENT

REFERENCE

Min No 10-526: Ordinary Meeting of Council held on 13 December 2010
Min No 11-372: Ordinary Meeting of Council held on 12 September 2011
Min No 12-19: Ordinary Meeting of Council held on 23 January 2012
Min No 12-360: Ordinary Meeting of Council held on 15 October 2012
Min No 12-400: Ordinary Meeting of Council held on 5 November 2012
Min No 12-401: Ordinary Meeting of Council held on 5 November 2012
Min No 12-491: Ordinary Meeting of Council held on 17 December 2012

SUMMARY

To advise Council of the proposed renaming of several roads, including a summary of submissions from advertising, notification to property owners and authorities.

COMMENTARY

Background

At Council's Ordinary Meeting of **13 December 2010** information on duplicate named roads, similar road names and problem road names was reported and the following was resolved:

1. *That possible names for Edye Street, Hassan Street and Reservoir Street be sought by advertising and notification to owners and authorities;*
3. *Comments from residents of Park Avenue & Park View Avenue be sought; and*
4. *Known problem roads be referred to emergency services and Australia Post for comment.*

At Council's Ordinary Meeting **12 September 2011** a report was provided to update on Council's Recognition Committee consideration of the above resolutions. The following was resolved:

1. *That comment seeking alternative names for Edye Street, Hassans Street, Reservoir Street, Park Avenue & Park View Avenue*
3. *Council advertise intension to name Road 5 at Meadow Flat to Mac Scott Road*

At Council's Ordinary Meeting **23 January 2012** information on submissions for Reservoir Street and Park Avenue were put forward with the following resolutions:

2. *Council seek further justification of names for Park Avenue and Hassans Street of 'Pinch Avenue' and 'Sutton Close' then advertise and notify calling for submissions.*

3. Council seek submissions for renaming Reservoir Road instead of Reservoir Street

At Council's Ordinary Meeting **15 October 2012** information from submissions for Guy Street (West) put forward a proposed name of Elizabeth Mort Place. This was not accepted and the following amendment was resolved:

That the proposed renaming of western section of Guy Street, Lithgow be deferred to allow further community consultation.

At Council's Ordinary Meeting of **5 November 2012** information from submissions were advised for Park Avenue, Reservoir Road and the Morell Street, Lyons Street and Mead Street renaming, with the following resolved:

1. *That in accordance with Council Policy for the naming of roads, Council advertise the road names 'Charlie Pinch Avenue' and Vincent McManus Road' in the Lithgow Mercury, notify affected residents and authorities calling for submissions to be made.*
2. *If the road names suggested and listed above receive no submissions, Council is to proceed with the Government Gazette and advise Emergency Services and land owners of these road names.*
3. *If submissions for any of these suggested road names are received, a report advising Council of the preferred action is to be submitted for the decision of these road names.*

Resolved separately:

2. *In accordance with Council's policy Council advertise the names Mac Scott road and Mead Street in Lithgow Mercury, notify affected residents and authorities calling for submissions to be made.*

At Council's Ordinary Meeting **17 December 2012** information was provided from further submissions and a proposed name of Crowle Street for Guy Street (West) was put forward for advertisement and notification. This was accepted and the following was resolved:

1. *That Council support the name 'Crowle Street' for the western section of the current Guy Street and undertake an Expression of Interest notification with residents and emergency services of the proposed naming. If no objection is raised then Council shall proceed to notification of the proposed road name and advise the Emergency Services and Government Gazette of this road name.*
2. *Naming after William Harvey Blanchard Senior be utilised at some future point in time.*

Therefore, advertisement and notification to owners and authorities was undertaken in respect to resolutions made on 5 November 2012 and the 17 December 2012, with the results outlined below:

Proposed Actions:

Park Avenue (Attachment 1)

Current Name	Proposed	Reasons
Park Avenue	Charlie Pinch Avenue	Name after Charlie Pinch recognising his commitments to Portland

Thirty (30) owners and previous objectors were notified with fourteen (14) submissions received against the proposal (all submissions are from current residents), with one submission received from the Geographical Names Board. These submissions are summarised below:

Residents:

- The name 'Charlie Pinch' would be better utilised on a park in Portland;
- It is an old street and there should be no confusion for emergency services.
- A change would cause more confusion with emergency services
- Costs and inconvenience associated with changing details
- There is currently no confusion between Park Street and Park Avenue
- Charlie Pinch could be used to change Park View Avenue as it is near where he had lived.

Geographical Names Board:

- The use of the first names in conjunction with a surname is not normally acceptable. A submission to the board with justification to use this name would be required prior to it being accepted.

Conclusion:

Currently only thirteen (13) of the current landowners have their default postal address to Park Avenue, suggesting there is only thirteen (13) landowners living on Park Avenue Portland.

All of these thirteen (13) landowners have provided a submission against the road re-naming. The road name has been previously resolved to be changed in relation to duplicate names with Park View Avenue and Park Street within the Portland area. This does not currently comply with the Geographical Names Board Policy. However, the street has been named Park Street for many years and the proposal has little support among residents. Under the circumstances it is suggested no further action be taken.

Morell Street, Lyons Street and Mead Street (Attachment 2)

Current Name	Proposed	Reasons
Morell Street, Lyons Street and Mead Street	Mac Scott Road & Mead Street	Name after Charles Edwin McIlraith Scott being Blaxland Shire President 1970-1975 and lived in the area.

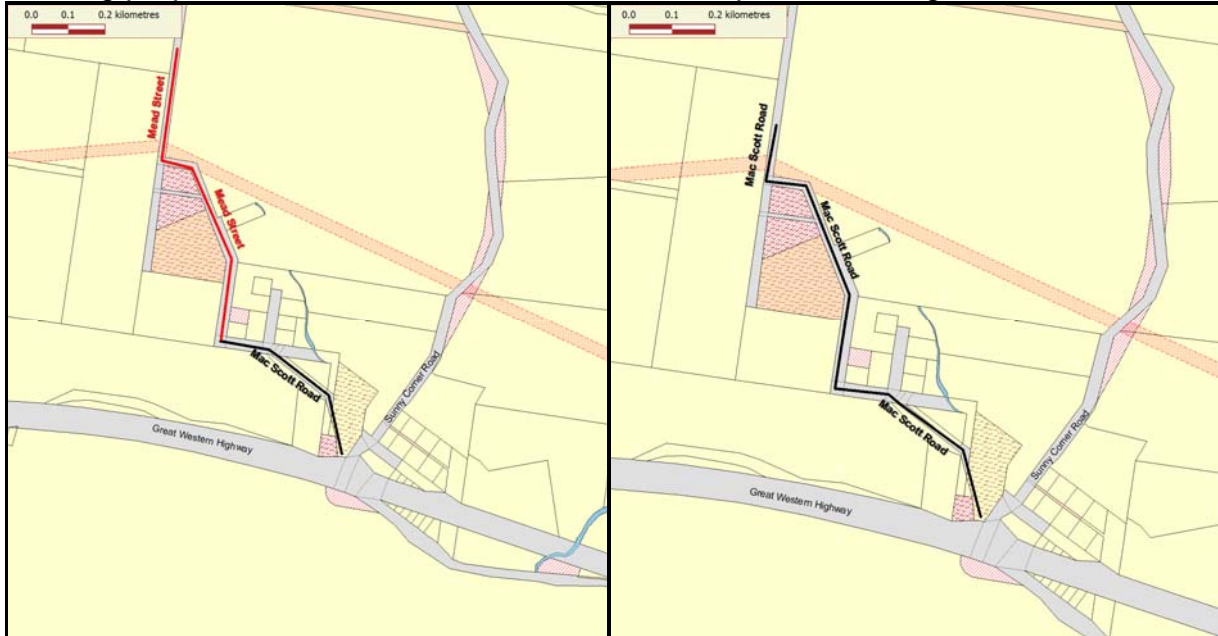
Fourteen (14) owners and previous objectors were notified with two (2) submissions received; one submission for the proposal if it is the entire road and the other received from the Geographical Names Board. These submissions are summarised below:

For:

- It encompasses the entirety of the road
- Greater clarity with a single road name for this particular area if it encapsulates Mead Street into the naming. See below:

Existing proposal as exhibited:

Proposed Naming from submission:



Against:

- Geographical Names Board advised that the use of the first names in conjunction with a surname is not normally acceptable. A submission to the board with justification to use this name would be required prior to it being accepted.

Conclusion:

Given the above submissions it is considered that Council put forward justification to the Geographical Names Board to accept the Road name 'Mac Scott Road'. The justification will include the significance and achievements of the individual who Council seeks to recognise. The proposed road name will be for the entire length of road.

Reservoir Road (Attachment 3)

Current Name	Proposed	Reasons
Reservoir Road	Vincent McManus Road	Vincent McManus was one of the first pioneers to take up land in Reservoir Road area in the early 1900. His family are still in the area today

Twenty four (24) owners and previous objectors were notified with one (1) submission received from the Geographical Names Board summarised below:

Against:

- Geographical Names Board advised that the use of the first names in conjunction with a surname is not normally acceptable. A submission to the board with justification to use this name would be required prior to it being accepted.

Conclusion:

Given the above submissions it is considered that Council put forward justification to the Geographical Names Board to accept the Road name 'Vincent McManus Road' The justification being the local significance of the person that council seeks to recognise.

Guy Street West (Attachment 4)

Current Name	Proposed	Reasons
Guy Street (West)	Crowle Street	After Samuel and Mary Crowle who lived on triangle of land fronted by Guy Street and Macauley Streets. This house has since been demolished and is now vacant. Mary Crowle was a member of the pioneering Doggett and Featherstone family from Rydal area.

Twenty two (22) owners and previous objectors were notified with four (4) submissions received. Three (3) are against the proposal with one submitting an alternative name and the other submission only proposing a new name as summarised below:

Against:

- Guy Street was named after Thomas Sutcliffe Morts youngest son, Guy and therefore has historical significance in keeping with other streets in Morts Estate also names after Mort's family.
- This name has been used for over 112 years
- Never had issue with emergency services finding the area, experience found fire brigade, police, SES and ambulance having no issue in the past.
- The changing of this road name originated from a current landowner selling their property
- Suggest street signs with the street numbers on them underneath to alleviate any emergency services problems there may be.
- Unnecessary expense and inconvenience/stress particular for old age pensioners
- Allows others to apply to have a street named after ancestors, regardless of historical significance.
- With new suburbs and street being established there are plenty of opportunities for people to have streets names after their ancestors without changing existing streets.

Proposed Names:

- **William Harvey Blanchard** - previous Lithgow Council Deputy Mayor for 8 years, active member of Lithgow Show Society and Lithgow business owner.
- **Simon Place** - Land in area was built and occupied by Ned & Emma Simon. Simon was a well-known name in the area particularly; Alma Simon who lived there for 90 years and cleaned the Lithgow Primary School, Jack Simon who lived in Morts Estate whilst he was headmaster of Zig Zag School and Morgan Simon Snr former smelter at Great Cobar Copper works and died in Mort Street.

Conclusion:

As the 2 sections of road are physically separated, they should have separate names. Submissions for alternative names are from non-residents, and therefore Council should proceed with the exhibited name of Crowle Street. This name is significant to the area and was proposed as part of other exhibition periods. This naming is required as the

current road name does not meet the Geographical Names Board Policy given it is a broken road and does not connect to the remainder of Guy Street. Therefore, Council should re-name the western end of Guy Street, Lithgow 'Crowle Street'.

Other naming issues:

Falnash Street (Attachment 5)

It was raised to Council's attention that the road naming for Falnash Street Portland is confusing given the road is not joined and currently disjointed by Ridge Street Portland.

Council undertook a preliminary investigation for the road renaming and renumbering with those landowners directly affected. No submissions were received during this period. It is considered that no further action be undertaken at this time.

POLICY IMPLICATIONS

These roads will be named in accordance with Council's Road Naming Policy.

FINANCIAL IMPLICATIONS

Council will incur some minor advertising costs in accordance with its Road Naming Policy as well as costs of the signs for the new naming.

ATTACHMENTS

1. Location of Park Avenue
2. Location of Morell Street, Lyons Street and Mead Street
3. Location of Reservoir Road
4. Location of Guy Street (West)
5. Location of Falnash Street

RECOMMENDATION

THAT:

1. Council provide justification for the names 'Mac Scott Road' and Vincent McManus Road' to the Geographical Names Board, then:
 - a) If accepted Council rename Reservoir Road Portland to 'Vincent McManus Road', and Morell Street, Lyons Street and Mead Street, Meadow Flat to 'Mac Scott Road' by proceeding with the Government Gazettal of these roads and advise Emergency Services and land owners of these road names.
 - b) If the names are not accepted, Council proceed with advertising and notification of an alternative name and report to Council.
2. Council re-name the western end of Guy Street, Lithgow to 'Crowle Street' by Government Gazettal of this road and advise Emergency Services and land owners of this road name.
3. No further action be taken in regard to Park Avenue, Portland.
4. No further action be taken regarding Falnash Street.

ITEM-8 ENVIRO - 02/06/14 - RYDAL PUBLIC TOILETS

REPORT BY: A MUIR – GROUP MANAGER ENVIRONMENT AND DEVELOPMENT

REFERENCE

Min No 14-200: Ordinary Meeting of Council held on 12 May 2014.

SUMMARY

To advise Council on site investigation of the Rural Fire Service site for the provision of a toilet block at Rydal.

COMMENTARY

An inspection was carried out of the RFS site to determine if it is suitable for the location of a toilet block on that site. The site is described as Lot 138 DP 751651 Sydney Road Rydal and has an area of 1012m². This is about 100m² smaller in area than the previously identified site on the corner of Bathurst and New Streets.

The following shows the location of the RFS building with the subject land denoted by a red boundary.



The site investigation revealed that:

- The site is approximately 130 metres from the site on the corner of Bathurst and New Streets which has been the subject of consideration to date. Village events are more likely to occur further toward the northern end of the village. Whilst the New Street site is undoubtedly more convenient from this perspective, an additional 130 metres to access a public toilet is not considered in itself to be a significant issue.
- The only suitable location for a toilet block is on the western side of the fire shed as the eastern boundary which adjoins Crown Land is very close and there is no room at the rear of the allotment. The western side is also constrained by the location of power lines and the Fish River Water Main so would need to be located close to the side of the RFS shed.
- The existing septic tank for the RFS shed is located on the western side of the shed which is against grade and would either require pumping or a new septic installation.
- The existing septic tank discharges to an 18 metre absorption trench that is adequate for its current limited use but not sufficient for a public toilet block that would get high peak loads.
- There is insufficient land area available for any further onsite waste disposal. The land to the west of the site is Crown land.

Taking into account the information provided it is considered that the RFS site is unsuitable for the construction of a public toilet block unless further land can be made available through the acquisition of adjoining Crown land.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

RECOMMENDATION

THAT:

1. No further action be taken in relation to the Rydal Rural Fire Service site.
2. Further investigations be carried out into the site on the corner of Bathurst and New Streets for a proposed public toilet block.

OPERATION REPORTS

ITEM-9 OPER - 02/06/14 - FERRERO ACCESS AGREEMENT AND EASEMENT

REPORT BY: I STEWART – GROUP MANAGER OPERATIONS

SUMMARY

To advise Council of the need to acquire an easement for the construction of a major sewer reticulation main on property owned by Ferrero Pty Ltd in conjunction with the upgrade to the South Bowenfels Wastewater Infrastructure Upgrade Program.

COMMENTARY

Council is in the process of constructing major pipework being a sewer reticulation main on property owned by Ferrero Pty Ltd in conjunction with the upgrade to the South Bowenfels Wastewater Infrastructure Upgrade Programme. It is necessary for Council to acquire an easement over this pipeline and resolve compensation issues with Ferrero in regards to the granting of the easement. Prior to formalising the creation of an easement to contain the infrastructure, access to the site was granted by the owners to Council to enable construction to proceed. It was agreed at the time that the installation of the pipeline would be formalised through the creation of a legal access and that an independent valuation would be obtained in regard to dealing with any compensation issues.

COMMENTARY

Opteon Australia Property Advisors were commissioned to provide a valuation report and an estimate of compensation payable to Ferrero for the proposed acquisition of the easement. This report identified compensation payable in an amount of \$23,500 not allowing for injurious affection of \$5,000.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

Funds are available in the South Bowenfels Wastewater Upgrade Programme.

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Valuation Report

RECOMMENDATION

THAT Council offer compensation to the value of \$23,500 to Ferrero Pty Ltd for the granting of an easement for a new wastewater trunk delivery main on Lot 2 DP 229883.

**ITEM-10 OPER - 02/06/14 - TENDERS FOR THE CONSTRUCTION OF
REPLACEMENT RAIL OVERBRIDGE WALLERAWANG**

REPORT BY: I STEWART - GROUP MANAGER - OPERATIONS

REFERENCE

Min No 13-369: Ordinary meeting of Council held on 28 October 2013

SUMMARY

This report seeks approval 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 construction of the replacement Black Bridge at Wallerawang.

COMMENTARY

Expressions of Interest for the construction of a replacement rail overbridge at Wallerawang (Black Bridge) were called for on 22 April 2014, inviting companies to lodge their details with Council via Tenderlink. Council received submissions from four (4) companies:

1. Abergeldie Complex Infrastructure
2. Civil Team Engineering Pty Ltd
3. CivilBuild Pty Ltd
4. Delaney Civil Pty Ltd

The construction of the new bridge requires approval from John Holland Country Rail Network (JHCRN), acting on behalf of Transport for New South Wales (TfNSW). Due to the complex nature of working within and near rail corridors, Council is working closely with JHCRN to ensure that all requirements are facilitated early in the process, to avoid any potential costly delays to the project.

Prior to calling for expressions of interest, JHCRN were asked to specify minimum requirements for contractors proposing to carry out the construction work. JHCRN advised that Council should only be engaging companies with a minimum B3 rating in the Roads and Maritime Service (RMS) Prequalification System. Many smaller bridge construction companies have not achieved this rating, hence disqualifying them from submitting an Expression of Interest (EOI). It would appear that the relatively small scale of the project may have discouraged larger construction firms to submit an EOI. Therefore it is considered that proceeding with an open tender process would not result in any considerable benefit in terms of increased competition, and the preferred method of procurement is the selective tendering method pursuant to s168 of the Local Government Act.

The four companies were assessed based on their demonstrated experience in similar work undertaken for local government, capability of company as determined from RMS prequalification level, quality management systems, WH&S compliance and financial capacity.

The following three (3) companies met the minimum selection criteria of a B3 rating in the RMS prequalification system and displayed impressive experience in the complex bridge construction. It is therefore intended to invite these companies to submit tenders:

1. Abergeldie Complex Infrastructure
2. CivilBuild Pty Ltd
3. Delaney Civil Pty Ltd

The fourth company Civil Team Engineering P/L did not meet the minimum requirements for a B3 RMS prequalification as the company only holds B2 qualifications. The EOI documentation also indicated a lack of experience working in a rail corridor as required by this project.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

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

LEGAL IMPLICATIONS

ATTACHMENTS

NIL

RECOMMENDATION

THAT:

1. Council use the selective tendering method, pursuant to s168 of the Local Government (General) Regulation 2005, for the construction of the replacement rail overbridge (Black Bridge) on MR531 at Wallerawang.
2. Council invite tender submissions for the construction of the replacement rail overbridge on MR531 at Wallerawang from the following three (3) companies:
 - Abergeldie Complex Infrastructure
 - CivilBuild Pty Ltd
 - Delaney Civil Pty Ltd

ITEM-11 OPER - 02/06/14 - TRANSFER OF CROWN PUBLIC ROAD TO LITHGOW CITY COUNCIL

REPORT BY: I STEWART – GROUP MANAGER OPERATIONS

SUMMARY

This report seeks approval from Council for the transfer of a number of Crown Public Roads to Lithgow City Council in Wallerawang.

COMMENTARY

Advice has been received from NSW Trade & Investment Crown Lands Division regarding the Crown Road status of portions of Wallerawang Rydal Road, Barton Avenue, Tweedie Street and Main Street Wallerawang.

In order to carryout construction works on Crown Roads as necessitated by the construction of the replacement of the existing black bridge it is a requirement of the Crown Lands Division that such Crown Roads be transferred to Council as public roads under Council's care and control. In order to permit the construction of the replacement Black Bridge, Council is required to apply to transfer ownership of the adjacent portions of Barton Avenue, Tweedie Street, and Main Street. Council is also required to apply for the transfer of ownership of a portion of Wallerawang Rydal Road which is classified Crown Road, in order to allow access to an adjacent property. (As these roads are currently used and maintained as public roads by Council there is no significant precedent being set by transferring these roads to Council).

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

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Map detailing locations of Crown Roads to be transferred to Council at Wallerawang
2. Written advice from NSW Department of Trade and Investment regarding the status of Main Street, Tweedie Street, and Barton Avenue.
3. Written advice from NSW Department of Trade and Investment regarding the status of Wallerawang Rydal Road.

RECOMMENDATION

THAT Council:

1. Request the transfer of ownership of Wallerawang Rydal Road, Main Street, Tweedie Street and Barton Avenue, Wallerawang from the Crown Lands Division to Council.
2. Authorise the affixing of the Council Common Seal to documents in relation to this transfer.

**ITEM-12 OPER - 02/06/14 - BIO-RETENTION BASIN ASSOCIATED WITH
SUBDIVISION OF LOT 62 DP1103064 FAIRVIEW ESTATE**

REPORT BY: I STEWART – GROUP MANAGER OPERATIONS

REFERENCE

Min No 14-195: Ordinary meeting of Council held on 12 May 2014

SUMMARY

To provide Council with a report detailing the possibility and cost of Council installing drainage pipes for the remainder of the 'V' drain to the bioretention basin in the Bowen Vista estate

COMMENTARY

In response to Council resolution 14-195 Council is advised that stormwater drainage from the residential subdivision discharges into the bio retention basin via an open 'V' drain which extends 95 meters from the point of discharge to the entry to the bio-retention basin. The grade on the invert of the drain is such that maintenance following heavy rain will be difficult to perform and scouring of the drain could be a perennial problem. The developer has agreed to extend the piping of the open drain by approximately 20 meters leaving 75 meters of open drain.

In regard to the possibility of Council piping the remainder of the open drain at its cost the obvious advantages include minimal future maintenance costs and issues, and an improved landscape for the open space at the rear of the residential properties abutting the drain.

The size of pipe required to pipe the open 'V' drain is 525mm and the estimated cost of piping 75 meters and restoring the area is \$16,000. Funds could be utilised from developer contributions to fund this work

The piping of the drain will also provide a more usable area of open space for recreational purposes.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL - The project would be funded from developer contributions

LEGAL IMPLICATIONS

NIL - the 'V' drain is located on Council land and will become Council's responsibility to maintain following the completion of the subdivision and final approval of the bio retention basin

ATTACHMENTS

1. Drawing of open drain and retention basin

RECOMMENDATION

THAT Council construct improvements to the open 'V drain' including piping to the Bio-retention basin at an estimated cost of \$16,000, to be funded from developer contributions.

ITEM-13 OPER - 02/06/14 - WATER REPORT

REPORT BY: I STEWART – GROUP MANAGER OPERATIONS

REFERENCE

Min No 14-210: Ordinary Meeting of Council held on 12 May 2014

SUMMARY

This report provides an update on various water management issues as per Minute Number 14-210.

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 Friday, 23rd May 2014 was 97.9% full. Oberon Dam capacity on Monday, 23rd May 2014 was 65.0% 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	105	0	61
TOTAL	998	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 3/5/2014 – 23/5/2014.

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 3/5/2014 – 23/5/2014.

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 5 applications for household appliance rebates and no applications for water tank rebates.

Dirty Water Complaints

No complaints were received during the period 3/5/2014 – 23/5/2014 concerning water quality issues in the reticulation system.

FINANCIAL IMPLICATIONS

NIL

POLICY IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

RECOMMENDATION

THAT Council note the water report.

ITEM-14 OPER - 02/06/14 - 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 10.8 - 10.19 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 10.8 - 10.19 are presented to Council for consideration.

Existing Policy No.	Policy Name	Proposed Changes	New Policy No.
10.9	Rural Addressing	No Changes	10.8
10.10	Street Lighting	Rescinded	
10.11	Street Naming	Changed to "Road Naming". Other changes reflect new State Government policy. See commentary below.	10.9
10.12	Street Numbering	Name change and minor change to properly reflect the policy as only applying to street numbering when numerical sequence is not achievable.	10.10
10.13	Crown Roads - Maintenance Responsibility	Formatting	10.11

10.14	Vandalism	Reward amount changed from \$2,000 to \$5,000	10.12
10.15	Removal of Tress from Public Land	Formatting	10.13
10.16	Property Leases	Formatting	10.14
10.17	Footpath Maintenance and Repairs	This policy has been replaced with an internal Standard Working Procedure	
10.18	Nature Strip and Media Strip Maintenance	Formatting	10.15
10.19	Roadworks – Provision Of Unusable Materials To Property Owners	Formatting	10.16

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.

In relation to Policy 10.11 Street Naming, a new State wide Policy has been adopted by the Geographical Names Board which can now be integrated into Council's Policy. The State policy covers all roads regardless of their authority or custodianship (i.e. public or private), which means Council will now have the authority to name private roads, Right of Carriageways and Crown Roads along with the existing local/regional roads in Council ownership.

The new State Policy adopts 11 Principles to follow for all road naming in NSW. These principles and potential implications are summarised below:

Principle 1 - Ensuring Public Safety and Service Delivery

Road names shall not risk public and operational safety for emergency response, or cause confusion for transport, communication and mail services. This is an existing guide which ensures that the most appropriate road naming and addressing is being used across NSW.

Principle 2 - Language

This principle details the language to be used for road names, i.e. easy to pronounce, no abbreviation, generally no punctuation, no initials, etc. This was previously required as part of road naming.

Principle 3 - Roads to be Named

All formed roads, including private roads (roads for which the care and maintenance is not the responsibility of a naming authority) that are generally open to the public or to services shall be named in accordance with these principles.

In order to minimise confusion, to standardise address assignment and support emergency services, all road naming principles, policies and processes shall be applied to private roads in NSW. The use of an unofficial road name (a name that has not been endorsed by a naming authority) for addressing purposes is not acceptable.

Such a road shall be assigned an official name (a name that has been endorsed by a naming authority and approved and gazetted by the Board), and each road shall have only one official name for addressing purposes. Therefore, Council will be required to start naming all private roads, right of carriageways and crown roads over a period of time and if requested by the public or emergency authorities.

Principle 4 - Uniqueness, Duplication

Uniqueness is the most essential quality to be sought in proposing a new road name. A road name will be regarded as a duplicate if it is the same or similar in spelling or sound to an existing name, regardless of the road type. Road names shall not be duplicated:

- Within the same address locality.
- Within an adjoining address locality.
- Within a local government area, and

This principle applies to any new road name and any proposed name can be checked through an online system for its uniqueness. This system checks the whole local government area for duplication or similarities and will be beneficial for any new road name processes.

Principle 5 - Acceptable Road Names

Names of early settlers, war servicemen and women and other persons who have contributed to the heritage of an area, local history themes, flora, fauna, ships etc. are usually most suitable for applying to road. Commercial and Business names shall not be used, and the use of given or first names in conjunction with a surname is not normally acceptable, but may be considered if required to provide uniqueness for a significant name. This is existing and will be continued.

Principle 6 - Commemorative Road Names

Naming often commemorates an event, person or place. The names of people who are still alive shall not be used. Naming authorities should make every effort to gain consent from family members of the person who is being commemorated. Only change in this instance is that documentation on contacting family members is to be provided to the Geographical Names Board when submitting the naming.

Principle 7 - Road Extents

The extent of a named road shall be defined by the formed road, and shall include only one section navigable by vehicles or foot. Unconnected navigable sections, such as where separated by an unbridged stream or a physical barrier, shall be assigned separate names. An example in the Lithgow Local Government Area is Guy Street, which is currently being assessed for change.

Principle 8 - Suffixes, Prefixes and Directional Indicators

A road name shall not include qualifying terminology, a cardinal indicator or a similar prefix (e.g. *Upper, Lower, Old, New, East, West*) unless the road name is derived from a name which includes it. Origin to destination names, such as *Bathurst-Oberon Road* shall not be used. This is an existing requirement, which Council officers attempted to change to minimise ongoing confusions. There are still some roads in the Lithgow LGA that use these suffixes, prefixes and directional indicators which may need to be addressed in the future.

Principle 9 - Amending Road Names

Road names are intended to be enduring, and the renaming of roads is discouraged unless there are compelling reasons for a change. Issues that can prompt renaming include the redesign of a road, changed traffic flow, mail or service delivery problems, duplication issues and addressing problems. Where there are significant reasons for a change the GNB encourages authorities to undertake renaming action in conformity with these principles. This has been previously undertaken and reported to Council on numerous occasions.

Principle 10 - Road Types

All road names shall include a road type selected from the list of acceptable road types and is to be associated with that particular road type. This is an existing requirement.

Principle 11 – Cross-Jurisdictional Naming or Renaming

Where naming or amendments to an existing road are required, and the extent crosses local government boundaries the Council with the most residents affected by any naming or proposed change shall take the lead in these negotiations.

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. 10.9 - Rural Addressing
2. 10.10 - Street Lighting
3. 10.11 - Street Naming
4. 10.12 - Street Numbering
5. 10.13 - Crown Roads - Maintenance Responsibility
6. 10.14 - Vandalism
7. 10.15 - Removal of Trees from Public Land
8. 10.16 - Property Leases
9. 10.17 - Footpath Maintenance and Repairs
10. 10.18 - Nature Strip and Median Strip Maintenance
11. 10.19 - Roadworks – Provision Of Unusable Materials To Property Owners

RECOMMENDATION

THAT Council:

1. **ADOPT** Policies
 - Rural Addressing
 - Street Lighting

- Street Naming
 - Street Numbering
 - Crown Roads - Maintenance Responsibility
 - Vandalism
 - Removal of Trees from Public Land
 - Property Leases
 - Footpath Maintenance and Repairs
 - Nature Strip and Median Strip Maintenance
 - Specifications for the Construction of Driveways, Footpath/gutter Crossings and Footpaving Policy
2. Renumber the policies according to the schedule.

CORPORATE AND COMMUNITY REPORTS

ITEM-15 CORP - 02/06/14 - COMBINED DELIVERY PROGRAM 2013-2017 & DRAFT OPERATIONAL PLAN 2014-2015 AND LONG TERM FINANCIAL PLAN 2015-2024

REPORT BY: J BROZEK – GROUP MANAGER CORPORATE & COMMUNITY

REFERENCE

Min No 14-166:	Ordinary Meeting of Council held on 14 April 2014
Min No 14-177:	Extra Ordinary Meeting of Council held on 17 April 2014
Min No 14-178:	Extra Ordinary Meeting of Council held on 17 April 2014
Min No 14-179:	Extra Ordinary Meeting of Council held on 17 April 2014
Min No 14-180:	Extra Ordinary Meeting of Council held on 17 April 2014
Min No 14-182:	Extra Ordinary Meeting of Council held on 17 April 2014
Min No 14-206:	Ordinary Meeting of Council held on 12 May 2014
Min No 14-214:	Ordinary Meeting of Council held on 12 May 2014

SUMMARY

This report recommends the adoption of the Delivery Program 2013-2017 and Draft Operational Plan 2014-2015 with identified amendments and consideration of submissions received prior to the advertised closing time of 4.30pm on Friday 23 May 2014.

The Long Term Financial Plan 2015-2024 is also included in this report for Council's consideration. It is a requirement of the Integrated Planning and Reporting Framework that the plan is reviewed and updated on a regular basis addressing Council's ability to meet future demands, community needs and economic growth.

COMMENTARY

Council, at the Extra Ordinary Meeting of 17 April 2014, resolved to place the combined Delivery Program 2013-2017 and Draft Operational Plan 2014-2015 on public exhibition for a period of 36 days from 18 April to 23 May 2014. Following the resolution extensive advertising was conducted through the local media, on Council's Facebook page, email and mail outs to community groups, schools and businesses in the villages. Copies of the plan were made available at the following locations:

- Councils website: www.lithgow.nsw.gov.au
- Council Administration Centre
- Lithgow Library Learning Centre
- Wallerawang Library
- Portland Library
- Rydal Library

Four community information sessions were held throughout the Local Government area during the exhibition period:

- Wednesday 30 April at 6.30pm – Rydal Mount Conference Centre, Rydal
- Thursday 1 May at 6.30pm – Old Hartley School, Hartley
- Tuesday 6 May at 6.00pm – Lithgow Business Association, Zig Zag Motel, Lithgow
- Wednesday 7 May at 6.30pm – Capertee Memorial Hall, Capertee

Three Open House Sessions with a staff member in attendance to answer questions on the Plan were held during the exhibition period:

- Thursday 8 May 2pm – 6pm – Portland Library
- Wednesday 14 May 2-6pm – Wallerawang Library
- Thursday 15 May 2-6pm – Lithgow Library Learning Centre

Public Submissions

Council received 9 written submissions to the plan prior to the advertised closing date of 4.30pm, Friday 23 May 2014, and are listed in the table below. No community members were in attendance at the following sessions:

- Wednesday 7 May at 6.30pm – Capertee Memorial Hall, Capertee
- Thursday 8 May 2 – 6pm – Portland Library

A copy of each submission is provided as Attachment 1.

The following table provides a summary of the submissions received which are relevant to the Draft Operational Plan 2014/15 and require the consideration of Council. Matters raised in the submissions which can be dealt with through the Customer Request System are not identified in the table below.

Summary of Written Submissions Received		
SUBMISSION	REQUEST	OFFICERS RECOMMENDATIONS
Community Submission 1	Road Upgrade – Hampton Road <i>“The stretch of road from just past our front gate to the spot where there was a major upgrade (Roads to Recovery) is full of pot holes and has very little paving left...The recent launch of a new tourist brochure promotes among other things the beautiful scenic drives in the district. Many visitors would be quite intimidated by this stretch.</i>	The upgrade to Hampton Road in the Operational Plan 2014-15 is for 3km from Cuthill Road to All Flats Road.
	Waste Disposal at Hampton <ul style="list-style-type: none"> • <i>The Lock no longer works efficiently.</i> • <i>The large recycling bins for</i> 	The gate lock has been replaced. The use of the 240lt recycle bins is being monitored by

	<p><i>paper and bottles are no longer available. The small bins are far from adequate as much of the rubbish is recyclable.</i></p>	<p>Council staff and contractors, the same system has been installed at other transfer stations and with time and education is being used correctly. Monitoring will continue to assess the situation.</p>
	<p>Public Toilets – Rydal Supports the purchase of land for the construction of public toilets in Rydal.</p>	<p>A further \$40,000 has been allocated in the Operational Plan 2014-15 for the purchase of land at Rydal for a toilet block.</p>
Community Submission 2	<p>Community Event <i>I formally request that Council supports financially the establishment of a proposed 2nd Ironfest event to be held 25-26 April 2015...titled 'Gypsy Dreadnought'...to commemorate the 100 year anniversary of both the Great War and Anzac Day.</i></p>	<p>Council proposes \$11,845 for the Ironfest event in the 2014/15 Recurrent Financial Assistance Program.</p>
Community Submission 3	<p>Community Event <i>I formally request that Council supports the revival of the 'Festival of the Valley Lithgow Main St Parade' proposed to be held 2-3pm on Nov 29 in and around Main Street.</i></p> <ul style="list-style-type: none"> • <i>Financial support – community grant</i> • <i>Logistical & transport support – assuming responsibility for traffic management and contributing vehicles & personnel to take part in the parade.</i> 	<p>Council proposes \$12,200 for the Lithgow Business Association in the Recurrent Financial Assistance Program to conduct Business Awards/Celebrate Lithgow or a range of programs as listed detailed in the response to Submission 7.</p>
Community Submissions 4 & 5	<p>Park Furnishings – Mountain View Estate Park Two submissions have been received requesting park furnishings for the park on the corner of Henrietta St & Rydal Rd in Mountain View Estate.</p> <ul style="list-style-type: none"> • Park Bench • Picnic Table • Shade Sail <p>It is further requested that consideration be given to the placement of "Shade sails and at</p>	<p>Allocation of funds to the upgrading of the Henrietta Street Park will be considered as part of the identification of the priority listing for 2014/15.</p>

	<i>least a bench seat for parents and small children to rest on” for all community parks in the LGA.</i>	
Community Submission 6	<p>Road Sealing – Martins Road, Rydal <i>Martins Road from top to bottom is some 2.3kms of unsealed surface. At best a full seals would be welcomed and considered warranted given its use. Next best options would be to seal top of Marts Road to our bottom boundary- approx 450m. Lastly, the sealing of approx 200m which would cover our top to bottom boundary thus eliminating the dust issue we are having.</i></p>	To be referred to the Operations Committee for consideration in the prioritisation of unallocated works.
Community Submission 7 Lithgow Business Association	<p><i>The Lithgow Business Association fully endorses the proposed program of Economic Development initiatives set out in the Lithgow City Council’s draft 2014/15 budget.</i></p> <p>Business Development Training Program <i>Funds to facilitate an integrated program of business development training developed in consultation with the LBA membership and delivered in partnership with Lithgow City Council covering topics such as:</i></p> <ul style="list-style-type: none"> • <i>Customer service</i> • <i>Visual merchandising</i> • <i>Marketing</i> • <i>Staff management and training</i> • <i>Accounting for businesses</i> <p><u>Budget request \$10,000</u></p> <p>Business Mentoring Program <i>Funds to assist in the development, promotion and delivery of a mentoring program within the LBA.</i> <u>Budget request \$1,000</u></p>	The Information be noted.
Community Submission 7 Lithgow Business Association (continued)	<p>LBA website upgrade incorporating local Business Directory <i>Our vision is to create a website</i></p>	As outlined above for Submission 7

	<p><i>with full functionality for members :</i></p> <ul style="list-style-type: none"> • <i>To sign up, renew and update membership,</i> • <i>A virtual calendar of events.</i> • <i>Monthly ‘business highlights’</i> • <i>Virtual monthly newsletter.</i> • <i>A full Lithgow Business Directory – not just for LBA members but all local businesses.</i> <p><i>We feel that this would link well to the Council’s website.</i></p> <p><u>Budget request \$8,000</u></p>	
	<p>Business participation in Shop Local initiatives</p> <p><i>The LBA and its members are fully supportive of Lithgow City Council events such as Halloween and Lithglo, and would like to sponsor these in conjunction with council, with the possibility of tying in Celebrate Lithgow.</i></p> <p><i>The LBA wishes to be able to support businesses in getting involved, by way of providing decorations, props and consumables. While many businesses would like to be involved in such events, the cost can limit their involvement.</i></p> <p><u>Budget request \$5,000</u></p>	
	<p>LBA Business Excellence Awards</p> <p><i>The LBA Committee feels it is important to give something back to our local businesses. The aim of these awards would be ensuring ‘recognition’ of businesses in a range of areas.</i></p> <p>Funding is requested to assist with:</p> <ul style="list-style-type: none"> • venue hire, • awards, • catering, • decoration, • advertising, • staff and master of ceremonies • key note speaker. 	

	<p><i>It is our intention to seek sponsorship for the event and to derive significant income through ticket sales. As the Business Awards have not been run in the LGA for a number of years, we need to make this a really worthwhile event to be able to keep it running in future years.</i></p> <p><u>Budget request \$5,000</u></p>	
<p>Community Submission 8 (National Trust of Australia (NSW) Lithgow Regional Branch)</p>	<p>Request for recurrent funding of the prize money for the John Welling Award. <i>“The Award encourages the local students to take pride in Lithgow, its history, monuments and people and commemorates the work of John Welling”.</i></p> <p><u>Budget request \$800 (recurrent funding)</u></p>	<p>To be referred to the Community Development Committee for consideration as part of the Financial Assistance Program applications.</p>
<p>Community Submission 9</p>	<p>Request Council support for <i>“The Summer of Celebrate Lithgow Festival</i> to be held in and around Main Street (Various Oct-Dec & beyond) specifically by providing financial, & logistical support; specifically by contributing to the ‘Lights Down Main St Exhibition ‘to be launched on Halloween.”</p>	<p>Council will provide \$12,200 to the Lithgow Business Association in the Recurrent Financial Assistance Program to conduct Business Awards/Celebrate Lithgow or a range of programs as listed in Submission 7.</p>

Fees and Charges

1. A request was received from a member of the community that the fees for the Centennial Coal Cup use of Kremer Park, Portland – Ground Rental/Training be reduced in line with the fees for Wallerawang Oval, Wallerawang from \$1092.65 to \$1071.25.
2. The NSW Office of Water recommends a fee structure for Trade Waste fees and usage charges. As per their recommendation all Excess Mass Charges (Classification C) have increased and the following Category 1 Usage Charges have been included in the fee schedule.
 - Category 1 Discharger with appropriate equipment Nil.
 - Category 1 Discharger **without** appropriate per-treatment (per kl) \$1.60.
3. The proposed annual inspection fees for inspection and approval of On-Site Sewage Systems be updated in the fees and charges following completion of the public exhibition period and adoption of the revised On-Site Sewage Management Strategy by Council.
4. The fees for the hire of bicycles from the Visitor Information Centre as adopted by Council at its meeting held on 12 May are included in the Fees & Charges

2014-2015.

- Per bicycle: \$25 per day
 - Per family (2 Adults & 2 Children): \$75 per day
 - Refundable deposit per bicycle: \$150
 - Refundable deposit per family hire: \$300
5. Construction Certificates on page 46 has been amended to Construction Certificate/Section 68 – Manufactured Homes.
 6. The fee for the Refundable Deposit for the hire of the Grand Piano at the Union Theatre be updated to include a new fee for community use as follows:
 - Grand Piano – Refundable deposit for commercial use - \$670.
 - Grand Piano – Refundable deposit for community use - \$100 (new fee).
 7. The following minor changes be made to the fees and charges:
 - Page 50 – Advertising/Notification Fee – After “After development requiring notice” insert in Brackets “(EPI or DCP)”
 - Page 59 – Purchase of Documents – “Certified Zoning Extract Map – s150 EP&A Act & cl262 EP&A Reg” – The fee is now \$53 and No GST applies.
 - Page 60 – “Maps – Copies of DP’s” – To be deleted as Council has been advised we are not allowed to copy them.

Long Term Financial Plan

The Long-Term Financial Plan presents the strategic aims, financial objective, financial indicators and strategies Council will use to continue its progress to meet financial sustainability challenges from 2014/15 – 2023/24.

The financial modelling supporting the Long Term Financial Plan is used to forecast Councils financial future for the next ten years. The Strategy provides for decision making and problem solving to enable decisions to be made on how to best achieve the Councils corporate objectives while addressing its long term financial challenges. The Long Term Financial Plan is not intended as a document to indicate what services or proposals should be allocated funds, but rather it addresses areas that impact on Council’s ability to fund its services and capital works whilst living within its means.

In order to continue to be financially sustainable, Council must meet its funding requirements relative to the provision of required services including maintenance, renewal and replacement of assets without imposing excessive debt on current or future generations and also without unplanned rate revenue increases.

The Long Term Financial Plan provides an opportunity to identify financial issues at an early stage and gauge the effect of these issues in the longer term predicting Councils performance and position to improve not only infrastructure levels but also standards without the need for unplanned increases in rates or reductions to services.

In order to achieve financial sustainability the Long Term Financial Plan aims to:

- Deliver the required services in response to community proprieties previously identified in Our Place...Our Future Community Strategic Plan 2026.
- Generate funding needed to address community service priorities and maintain assets in a serviceable condition by 2023/24.

In deriving the Long Term Financial Plan, a series of key assumptions were developed. Unless stated otherwise, these assumptions have been applied to each year following the 2014/15 budget to develop the outer years.

The following key assumptions have been made in developing the Long Term Financial Plan 2015-2024:

- Rates to increase by 2.8% in line with future rate pegging expectations
- Waste charges to increase by 3.5%
- Other Annual Charges to increase by 3% in line with upper band of RBA's inflation target
- User fees and charges increase by 3.5% in line with expected Local Government Cost Index plus a 0.5% increase to fund asset renewals
- Operating Grants held at current levels as indicated by the latest Federal Government budget.
- Employee costs increase by 3% as per the employee award agreements
- Materials and contracts increase by 3% in line with expected Local Government Cost Index
- Depreciation increases by 1.25% to account for acquisition of new assets and to account for old assets being fully depreciated
- Other Expenses increase by 3.5%. These costs generally tend to increase at a faster rate than the local government cost index
- Fully expending all Capital Works Programs in each financial year.

Borrowings

In 2014/15 Council intends to borrow up to \$5,600,000 for the General Fund to carry out the following works:

Aquatic Centre Stages 2 and 3	\$3,600,000
Flood Mitigation (up to)	\$2,000,000

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

When adopted the combined Delivery Program 2013-2017 and Operation Plan 2014-2015 includes the Council's Revenue Policy for the next three financial years.

LEGAL IMPLICATIONS

Council is required to prepare a Delivery Program in its first year of office for a period of four years and an Operational Plan for each year.

ATTACHMENTS

1. Public Submissions submitted to the Lithgow City Council combined Delivery Program 2013-2017 and Draft Operational Plan 2014-2015 by the closing date 4.30pm, Friday 23 May 2014.
2. Long Term Financial Plan 2015-2024.

RECOMMENDATION

THAT Council:

1. Notes the receipt of 9 written submissions for the combined Delivery Program 2013-2017 and Operational Plan 2014-2015.
2. Adopt the Lithgow City Council Operation Plan 2014-2015 with the following amendment;
 - a. Reallocate the \$12,200 in the Recurrent Financial Assistance Program from Celebrate Lithgow/Business Awards to the Lithgow Business Association for events, training and development subject to a detailed proposal being submitted and approved by the Economic Advisory Committee.
3. Adopt the Fees & Charges 2014-2015 (including minor changes) with the following amendments:
 - a. The fees for the Centennial Coal Cup use of Kremer Park, Portland – Ground Rental/Training be reduced in line with the fees for Wallerawang Oval, Wallerawang from \$1092.65 to \$1071.25.
 - b. The recommended fees and usage charges, as advised by the NSW Office of Water, be updated for excess mass charges Classification C and for Category 1 Usage Charges as follows:
 1. Category 1 Discharger with appropriate equipment Nil.
 2. Category 1 Discharger **without** appropriate per-treatment (per kl) \$1.60.
 - c. The annual inspection fees for inspection and approval of On-Site Sewage Systems be updated in the fees and charges following completion of the public exhibition period and adoption of the revised On-Site Sewage Management Strategy by Council.
 - d. Hire of bicycles from the Visitor Information Centre be set at:
 1. Per bicycle: \$25 per day
 2. Per family (2 Adults & 2 Children): \$75 per day
 3. Refundable deposit per bicycle: \$150
 4. Refundable deposit per family hire: \$300
 - e. The fee for the Refundable Deposit for the hire of the Grand Piano at the Union Theatre be updated to include a new fee for community use as follows:
 1. Grand Piano – Refundable deposit for commercial use - \$670.
 2. Grand Piano – Refundable deposit for community use - \$100 (new fee).
4. Council adopt the Long-Term Financial Plan 2015-2024.
5. Council approves the borrowings up to \$5,600,000 for the General Fund to carry out the following works:
 - a. Aquatic Centre Stage 4 (up to) \$3,600,000
 - b. Flood Mitigation (up to) \$2,000,000
6. Council authorise the General Manager to negotiate with appropriate lending institutions to borrow the loan funds up to \$5,600,000.
7. Council authorise the fixing of the common seal to all documents pertaining to the loan(s).
8. Council authorise the General Manager to enter into negotiations with appropriate lending institutions as to extend the fixed interest rate period as and when these terms fall due.

ITEM-16 CORP - 02/06/14 - QUARTERLY PERFORMANCE REPORT ON 2013-2014 OPERATIONAL PLAN FOR THE PERIOD 1 JANUARY TO 31 MARCH 2014

REPORT BY: J BROZEK – GROUP MANAGER CORPORATE AND COMMUNITY

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
Min No 14-96: Ordinary Meeting of Council held on 3 March 2014

SUMMARY

This report provides the Quarterly Performance Report on the 2013-2014 Operational Plan for the period of 1 January to 31 March 2014 with a recommendation that variations to income and expenditure estimates are voted and the revised budget deficit of \$39,937 which is deterioration on the original balanced budget be noted.

COMMENTARY

The January to March 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.

Note: A negative balance is identified in brackets.

2013/14 Quarterly Budget Comparison			
Budget (Inc Internal)	Income \$'000	Expenditure \$'000	Total \$'000
Original	73,770	73,759	11
September Quarter	84,526	84,515	11
December Quarter	83,030	83,070	(40)
March Quarter	87,527	87,567	(40)

2013/14 Quarterly Budget Comparison Fund			
Budget(Inc Internal)	Income \$'000	Expenditure \$'000	Total \$'000
General	61,232	61,272	(40)
Water	12,870	12,870	0
Wastewater	13,425	13,425	0

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

Note: An adjustment which is negatively effecting the financial position is identified in brackets. E.g. an increase in expenditure or decrease in revenue.

2013/14 Quarterly Budget Variations				
	Division	Program	Variation (\$)	Reason
1)	Executive	Increased Revenue Organisation Development	5,766	OH&S
2)	Executive	Increased Revenue Tourism	48,386	Roaring 20's Mayoral Ball and Wonder Pass income previously unbudgeted.
3)	Executive	Increased Expenditure Executive Office	(4,000)	Executive Promotion Strategy to be funded from reserve.
4)	Executive	Increased Expenditure Organisation Development	(21,316)	OH&S, Recruitment and Selection budget higher than originally anticipated.
5)	Executive	Increased Expenditure Tourism	(44,685)	Roaring 20's Mayoral Ball, Wonder Pass and Photographic Library previously unbudgeted but offset by income and transfer from reserve.
6)	Executive	Decreased Expenditure Organisation Development	7,581	Savings found in materials expenditure to partially offset OHS increases (4).
7)	Executive	Transfer from Reserves	10,500	To fund expenses for photographic library and Executive promotion strategy
8)	Operations	Increased Revenue Traffic Facilities	37,378	Special Events and RMS Traffic Facilities
9)	Operations	Increased Expenditure Operations Office	(24,279)	Additional Employee Costs.
10)	Operations	Increased Expenditure Urban Roads Maintenance	(130,146)	Sealed and Unsealed Roads and associated drainage works.

2013/14 Quarterly Budget Variations

	Division	Program	Variation (\$)	Reason
11	Operations	Increased Expenditure Rural Roads Maintenance	(91,343)	Sealed and Unsealed Roads Maintenance and associated drainage works. Roadside Hazard reduction (RFS).
12	Operations	Increased Expenditure Cemeteries	(3,507)	Cemetery Building Maintenance.
13	Operations	Increased Expenditure Traffic Facilities	(36,119)	RMS Traffic Facilities – responding to TALC initiatives.
14	Operations	Increased Expenditure Street Cleaning	(42,117)	CBD Footpath Cleaning
15	Operations	Increased Expenditure Ancillary Maintenance	(5,869)	Lithgow Footpath Maintenance – a high level of urgent maintenance required in response to footpath inspections.
16	Operations	Decreased Expenditure Bridge Maintenance	25,459	Rural Bridge Maintenance savings found to fund additional funding required for variations 10 and 11.
17	Operations	Decreased Expenditure Cemeteries	72,925	Grave Digging Columbarium and Surface Maintenance savings found to fund additional funding required for variations 10 and 11.
18	Operations	Decreased Expenditure Traffic Facilities	7,200	Reduced level of expenditure on traffic control for special events.
19	Operations	Decreased Expenditure Street Cleaning	40,981	Street and Gutter Cleaning and Litter Bins savings found to fund additional funding required for variations 10 and 11.
20	Operations	Decreased Expenditure Ancillary Maintenance	7,962	Kerb and Gutter Maintenance
21	Recreation	Increased Revenue Swimming Pool	13,007	Increased revenue from entry fees due to hotter weather conditions.
22	Recreation	Increased Expenditure Sports fields and Playgrounds	(71,948)	Water and Land Charges budget increased at Tony Luchetti Sportsground Wallerawang Oval.

2013/14 Quarterly Budget Variations

	Division	Program	Variation (\$)	Reason
23	Recreation	Increased Expenditure Swimming Pools	(7,131)	Additional Employee Costs and Chemicals, offset by savings found elsewhere within the Swimming Pools budget.
24	Recreation	Increased Expenditure Parks and Gardens	(16,359)	Lake Lyell, Lake Wallace and Lake Pillans
25	Recreation	Decreased Expenditure Sports fields and Playgrounds	26,762	Special Events Sports fields and Lithgow Golf Course Maintenance.
26	Recreation	Decreased Expenditure Parks and Gardens	10,963	Endeavour Park.
27	Council Property	Increased Revenue Buildings Community	3,271	Public Halls
28	Council Property	Decreased Revenue Buildings Recreation	(5,000)	Indoor Sports Centre Wallerawang offset by a reduced expenditure budget.
29	Council Property	Decreased Expenditure Buildings Public Toilets	17,000	Savings found in Maintenance budget to offset other increases.
30	Council Property	Decreased Expenditure Buildings Transport	5,000	Bus Sheds Cleaning and Maintenance.
31	Council Property	Decreased Expenditure Buildings Recreation	5,000	Indoor Sports Centre Wallerawang offset by decrease in revenue.
32	Council Property	Increased Expenditure Buildings Community	(3,271)	Public Halls Maintenance.
33	Water	Increased Revenues	559,695	Additional income received in the financial year.
34	Water	Increased Expenditure Direct Operating Costs	(133,390)	Increase in Salaries and Associated Oncosts offset by savings found in employee costs to partially offset other

2013/14 Quarterly Budget Variations

	Division	Program	Variation (\$)	Reason
				expenditure increases.
35	Water	Increased Expenditure Mains and Services	(159,704)	Repairs and Maintenance
36	Waste Water	Increased Revenue Operating Revenue	27,000	Increase in revenue for Trade Waste offset by reduction in Septic Tank Approval Fees and Septic Tank Inspection Fees.
37	Waste Water	Increased Expenditure Direct Operating Expenses	(90,660)	Additional Maintenance and Employee costs required.
38	Waste Water	Increased Expenditure Treatment Works	(150,000)	Chemicals
39	Waste Water	Increased Expenditure Mains	(80,000)	Mains Maintenance and Clearing Blockages
40	Waste Water	Decreased Expenditure Waste Water Office	77,207	Decrease in Employee costs found to offset increases in other operating expenses.
41	Waste Water	Decreased Expenditure Treatment Works	84,211	EPA Load Base Licence
42	Human Health Compliance and Environment	Increased Revenue Environment	36,062	On Site Sewerage SCA
43	Records Management	Increased Expenditure Internal Service Records	(11,000)	Archival of Records project funded from reserve.
44	Records Management	Increased Transfer from Reserves	11,000	Archival of Records funding.
45	Plant and Depot	Decreased Expenditure Workshop/Depot	24,000	Depot Expenses and Land Charges

2013/14 Quarterly Budget Variations

	Division	Program	Variation (\$)	Reason
46	Insurances	Increased Revenue Insurance Management	4,308	Additional Insurance Rebate received and to be transferred to reserve.
47	Insurances	Increased Transfers from Reserves	(4,308)	Additional income to be transferred to reserve.
48	Operations Capital	Increased Revenue Operations Miscellaneous	3,500,000	Resources for Regions Grant- Black Bridge.
49	Operations Capital	Increased Revenue Buildings Capital	20,000	Capertee Toilet Grant.
50	Operations Capital	Increased Expenditure Operations Miscellaneous	(3,500,000)	Resources for Regions Black Bridge Expenditure.
51	Operations Capital	Increased Expenditure Buildings Capital	(412,266)	Union Theatre, Meadow Flat Hall Improvements, Admin Centre Improvements and Hartley Building Roof
52	Operations Capital	Increased Capital Expenditure Water Infrastructure	(204,837)	Clarence Transfer System
53	Operations Capital	Increased Capital Expenditure Waste Water Infrastructure	(311,497)	South Bowenfels Infrastructure Study
54	Operations Capital	Increased Capital Expenditure Operations Capital	(65,228)	Urgent repairs to Timber Bridges and replacement of Burnt Bridge, Wolgan Valley.
55	Operations Capital	Increased Capital Expenditure Buildings	(38,000)	Lake Wallace Toilets
56	Operations Capital	Decreased Capital Expenditure Buildings	48,832	Centrelink Building and Meadow Flat Hall
57	Operations Capital	Decreased Expenditure Operations Capital	272,936	Guard rails Dargan Bus Shelter, Gravel Re Sheeting, Rural Construction, Footpath Construction, Kerb and

2013/14 Quarterly Budget Variations

	Division	Program	Variation (\$)	Reason
				Guttering Construction, Urban Drainage Construction and Rydal Village Drainage
58	Operations Capital	Decreased Expenditure Recreation Capital	143,909	Lake Pillians Facilities, Endeavour Park, Kremer Park Drainage Wall, Hassans Wall, Eskbank Street Carpark and Cemetery Improvements.
59	Operations Capital	Decreased Expenditure Buildings Capital	635,609	Hartley Building Painting, Centrelink Carpet, Union Theatre S94A Tourism Centre Badge and Lighting, Lake Wallace Toilet and Administration Building Improvements
60	Operations Capital	Increase in Transfer to Reserves	(71,497)	South Bowenfels Infrastructure Study, Other Water projects
61	Development and Planning Capital	Increased Revenue Human Health	12,000	Wood Smoke Reduction
62	Development and Planning Capital	Increased Expenditure Strategic Planning Capital	(60,000)	Hassans Walls Plans of Management
63	Development and Planning Capital	Increased Expenditure Human Health	(12,000)	Wood Smoke Reduction offset my additional income item 64.
64	Development and Planning Capital	Decreased Expenditure Strategic Planning Capital	10,000	Onsite sewerage inspections Cullen Bullen
65	Information Technology Capital	Increased Expenditure Information Technology/GIS	(23,000)	Development Applications Tracking Project funded from reserve funds.
66	Information Technology Capital	Increased Transfer from Reserve	23,000	To fund DA Tracking Project.
		Total Variations	433	

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

The financial implications as reported in the January to March 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 January – 31 March 2014.

RECOMMENDATION

THAT:

1. The deficit of \$39,937 for the 2013-2014 Operational Plan as detailed in the Quarterly Performance Report for the period 1 January to 31 March 2014 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 2013-2014 Operational Plan has been reviewed and the financial position of Council is satisfactory.

**ITEM-17 CORP - 02/06/14 - COMMUNITY DEVELOPMENT COMMITTEE
MEMBERSHIP**

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 14-98: Ordinary Meeting of Council held on 03 March 2014
Min No 14-101: Ordinary Meeting of Council held on 03 March 2014
Min No 14-217: Ordinary Meeting of Council held on 12 May 2014

SUMMARY

This report advises Council of nominations received to fill vacant positions on the Community Development Committee.

COMMENTARY

The Community Development Committee advises Council on various matters including:

- Relevant community service matters.
- Planning for community celebration events during Seniors Week, NAIDOC Week and Children's Week.
- Recognition of significant people in the Lithgow Local Government area.
- Naming of places, roads and associated infrastructure in the Lithgow Local Government area.
- Management of Sister City relationships
- The allocation of Financial Assistance

Committee membership includes:

- Two Councillors – The Mayor and Councillor McGinnes
- General Manager or his nominee
- One representative of the retail or business sector – Renee Difranco
- 4 Community Representatives – Philippa Childs and Helen Riley with two vacancies

Four nominations have been received by Council for the two vacancies:

- Robyn Da Costa, who has been employed in the aged care industry.
- Rachael Young, an active member of the Rydal community including Rydal A, H & P Society and Rydal Showground Trust.

- Linda Hine, a former business operator and President of the Lithgow Show Society.
- Cassandra Baker, local business operator who has recently joined Council's Tourism Advisory Committee.

It is open to Council to revise the Committee Terms of Reference to allow for six (6) community representatives and to accept the four (4) nominations that have been received.

The current Committee quorum is five (5) members representing 50% plus one of the eight (8) positions on the Committee. Expanding the number of community representatives to six (6) and total Committee membership to ten (10), would increase the quorum to six (6).

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. Terms of Reference – Community Development Committee

RECOMMENDATION

THAT Council:

1. Adopt the revised Terms of Reference for the Community Development Committee.
2. Appoint Robyn Da Costa, Rachael Young, Linda Hine and Cassandra Baker to the Committee.

COUNCIL COMMITTEE MINUTES

ITEM-18 OPER - 02/06/14 - TRAFFIC ADVISORY LOCAL COMMITTEE - 1 MAY 2014

REPORT BY: I STEWART - GROUP MANAGER - OPERATIONS

SUMMARY

This report details the Minutes of the Traffic Advisory Local Committee Meeting held on 1 May 2014.

COMMENTARY

At the Traffic Advisory Local Committee meeting held on 1 May 2014, the following items discussed by the Committee including;

- Rushworth - Bender Cancer Council walk charity event 2014
- Ironfest 2014 debrief - traffic management
- Range Road/Great Western Highway intersection
- Pedestrian crashes Main Street Lithgow
- Forestry Corporation - new contact details for TALC liaison officer
- Petition for top end of Main Street Lithgow - parking
- Heavy vehicle issues McKanes Falls Road
- Parking issues Mort Street Lithgow
- Parking signage update - Great Western Highway Lithgow
- University of Western Sydney - Mort Street Lithgow-signage at exit
- Angus Place/Wolgan Road signage
- Intersection of Railway Parade and Hayley Street Lithgow - request from Lithgow BusLines
- Great Western Highway at Marrangaroo - completed road works
- McKanes Falls Road grading request

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

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

RECOMMENDATION

THAT Council note the minutes of the Traffic Advisory Local Committee held on the 1 May 2014.

**ITEM-19 OPER - 02/06/14 - OPERATIONS COMMITTEE MEETING MINUTES -
1 MAY 2014**

REPORT BY: I STEWART – GROUP MANAGER OPERATIONS

SUMMARY

Details of the Minutes of the Operations Committee Meeting held on Thursday, 1st May 2014 for Council adoption.

COMMENTARY

At the Operations Committee Meeting held on Thursday, 1st May 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:

- Flood Mitigation Program – Farmers Creek, Lithgow
- Review of Major Capital Works
- 2014 Delivery Program – Major Roadworks

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Minutes of the Operations Committee Meeting held on Thursday, 1st May 2014.

RECOMMENDATION

THAT Council note the minutes of the Operations Committee meeting held on Thursday, 1 May 2014.

**ITEM-20 CORP - 02/06/14 - DISABILITY ACCESS COMMITTEE MINUTES - 6
MAY 2014**

REPORT BY: M JONES - COMMUNITY DEVELOPMENT OFFICER

REFERENCE

Min No 13-275: Ordinary Meeting of Council held on 29 July 2013
Min No 13-325: Ordinary Meeting of Council held on 9 September 2013
Min No 13-389: Ordinary Meeting of Council held on 28 October 2013
Min No 13-410: Ordinary Meeting of Council held on 25 November 2013
Min No 14-66: Ordinary Meeting of Council held on 10 February 2014

SUMMARY

This report details the minutes of the Disability Access Committee meeting held 6 May 2014.

COMMENTARY

At the Disability Access Committee meeting held on 6 May 2014 various items were discussed by the committee including:

- Access issues at the Lithgow Valley Plaza.
- The Disability Access Plan
- Reviewing pedestrian laybacks in Lithgow, Wallerawang and Portland CBD's
- Public toilets/seating at Hassan's Walls Lookout
- Lithgow City Council Tourism App
- Nominations to join the Disability Access Committee by Louise Bullock (Community Representative) and Kathy Dickson (Organisation Representative)

There are currently 2 vacant positions on the Disability Access Committee - 1 organisation representative and 1 community representative. Nominations have been received from Louise Bullock (community representative) and Kathy Dickson (organisation representative).

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

Local Government Act NSW 1993

ATTACHMENTS

1. Minutes of the Disability Access Committee meeting 6 May 2014.

RECOMMENDATION

THAT:

1. Council note the minutes of the Disability Access Committee meeting held 6 May 2014.
2. Louise Bullock and Kathy Dickson be appointed to the Disability Access Committee.

**ITEM-21 ENVIRO - 02/06/14 - MEADOW FLAT HALL MANAGEMENT
COMMITTEE MINUTES - 8 May 2014**

REPORT BY: A MUIR - GROUP MANAGER ENVIRONMENT AND DEVELOPMENT

SUMMARY

This report presents the minutes of the Meadow Flat Hall Management Committee Meeting held on 8 May 2014.

COMMENTARY

At the Meadow Flat Hall Management Committee Meeting held on 8 May 2014, there were a number of items discussed which are outlined in the attached minutes.

These Items included:

- Heating Options
- Official Opening

There were no issues requiring Council approval at this meeting.

ATTACHMENTS

1. Minutes of the Meadow Flat Hall Management Committee Meeting held on 8 May 2014.

RECOMMENDATION

THAT Council note the minutes of the Meadow Flat Hall Management Committee Meeting held on 8 May 2014.

**ITEM-22 ENVIRO - 02/06/14 - UNION THEATRE MANAGEMENT COMMITTEE
MINUTES - 9 May 2014**

REPORT BY: A MUIR - GROUP MANAGER ENVIRONMENT AND DEVELOPMENT

SUMMARY

This report presents the minutes of the Union Theatre Management Committee Meeting held on 9 May 2014.

COMMENTARY

At the Union Theatre Management Committee Meeting held on 9 May 2014, there were a number of items discussed which are outlined in the attached minutes.

These Items included:

- Dressing Room Extension
- New Proscenium stage surround
- Two new solid doors for auditorium
- Name signage on front façade
- Door from auditorium to the toilets
- Theatre usage by non-profit community groups

None of the items require a resolution of Council

ATTACHMENTS

1. Minutes of the Union Theatre Management Committee Meeting held on 9 May 2014.

RECOMMENDATION

THAT Council note the minutes of the Union Theatre Management Committee Meeting held on 9 May 2014.

**ITEM-23 CORP - 02/06/14 - MAYORAL BUSHFIRE APPEAL COMMITTEE - 19
MAY 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 19 May 2014.

COMMENTARY

At the Mayoral Bushfire Appeal Committee held on 19 May 2014, there were numerous items discussed by the Committee:

- Update of Appeal Funds
- Review of Applications

In accordance with Council's Resolution of 10 February 2014, as outlined below, the Committee also reviewed all applications received and allocations were made for the distribution of funds.

14-44 RESOLVED

THAT:

1. Council establish the Mayoral Bushfire Appeal Committee
2. Council appoint the Mayoral Bushfire Appeal Committee with members to be:
 - Councillor M Statham
 - Councillor C Hunter
 - Jill Marjoram
 - Wayne Clarke
 - Greg Wardle
3. Council authorise the Committee to disburse funds in accordance with the Mayoral Bushfire Appeal Committee Public Funds Rules.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

Distribution of funds currently held in Trust will be distributed in accordance with the registered Australian Taxation Office Fund Rules as adopted by Council for the Mayoral Bushfire Relief Fund.

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Minutes from the Mayoral Bushfire Appeal Committee meeting of 19 May 2014.

RECOMMENDATION

THAT:

1. Council note the minutes of the Mayoral Bushfire Appeal Committee meeting of 19 May 2014
2. There being no further business, the Committee is dissolved.

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.*