



A CENTRE OF REGIONAL EXCELLENCE

AGENDA

ORDINARY MEETING OF COUNCIL

TO BE HELD AT

THE ADMINISTRATION CENTRE, LITHGOW

ON

30 JUNE 2014

AT 7.00pm

AGENDA

ACKNOWLEDGEMENT OF COUNTRY

APOLOGIES

PRESENT

CONFIRMATION OF THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 2 JUNE 2014

CONFIRMATION OF THE MINUTES OF THE EXTRAORDINARY MEETING OF COUNCIL HELD ON 24 JUNE 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

Howard & Sons Pyrotechnics Pty Ltd Community Liaison Committee Meeting Minutes - 14 May 2014
Lithgow Flash Gift Committee - 19 May 2014
Sports Advisory Committee Meeting Minutes - 27 May 2014
Youth Council Minutes - 27 May 2014
Environmental Advisory Committee Meeting Minutes - 28 May 2014
Community Development Committee Minutes Including Round 1 of 2014/15 Financial Assistance Recommendations - 3 June 2014
Blue Mountains Crossing Bicentenary Committee - 4 June 2014
Traffic Advisory Local Committee - 5 June 2014
Tourism Advisory Committee - 17 June 2014

DELEGATES REPORTS

Centroc Meeting - 29 May 2014

NOTICES OF MOTION

Council Resolution 12 - 486 - \$150,000 Nil Interest Loan to Portland Golf Club Ltd -
Councillor M Ticehurst

Lithgow Aquatic Centre Indoor Heated Swimming Pool Complex - Issues of Compliance -
Councillor M Ticehurst

Septic Systems and Building Permits on Properties Under 4000m² - Councillor F Inzitari

QUESTIONS WITH NOTICE - NIL

NOTICE OF RESCISSION

Rydal Public Toilets - Councillor M Ticehurst, C Hunter, J McGinnes

BUSINESS OF GREAT URGENCY

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

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TOILETS

BUSINESS OF GREAT URGENCY

79

GENERAL MANAGERS REPORTS

ITEM-1 GM - 30/06/14 - ELECTION FOR THE POSITION OF MAYOR 2014/15

REPORT BY: R BAILEY - GENERAL MANAGER

SUMMARY

Council is, each year in September, to elect a Mayor. This report is to identify the date for the election of the Mayor for the 2014/15 term.

COMMENTARY

Where the Mayor is elected by the councillors the Council is required each year to elect a Mayor to preside over the Council for the ensuing 12 month term.

As described by Section 230(1) a mayor elected by councillors holds office for one year, subject to the Act.

Section 290(1)(b) of the Act requires the election of the mayor to be conducted at a meeting held during the month of September.

290 When is an election of a mayor by the councillors to be held?

- (1) *The election of the mayor by the councillors is to be held:*
 - (a) *if it is the first election after an ordinary election of councillors-within 3 weeks after the ordinary election, or*
 - (b) if it is not that first election or an election to fill a casual vacancy-during the month of September, or**
 - (c) *if it is the first election after the constitution of an area-within 14 days after the appointment of a provisional council or the first election of the council if a provisional council is not appointed, or*
 - (d) *if the relevant council is a non-functioning council, or a council of which all civic offices have been declared vacant, and the election is the first to be held after the appointment or election of the councillors-within 14 days after the appointment or election of the councillors.*
- (2) *If the councillors fail to elect a mayor as required by this section, the Governor may appoint one of the councillors as the mayor.*
- (3) *For the purposes of this section, an election of councillors does not conclude until the declaration of election of all the councillors of the council concerned.*

During the month of September Council is scheduled to hold two Ordinary Council Meetings, Monday 8th September and Monday 29th September. Council could hold the election at either meeting however it has in the past held the election at the first meeting of the month, in this case on Monday 8th September 2014. Should there be unforeseen circumstances then the election could be deferred to the 29 September or another day within September and Council would still be compliant with the Act. Also the Local

Government NSW Annual Conference is to be held mid October 2014 and arrangements will need to be made for delegates to this conference.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

RECOMMENDATION

THAT Council hold the 2014/15 Mayoral Election at the Ordinary Meeting of Council to be held on Monday 8 September 2014.

ENVIRONMENT AND DEVELOPMENT REPORTS

ITEM-2 ENVIRO - 30/06/14 - LIQUID TRADE WASTE REQUEST FOR CHARGE ADJUSTMENT - FERRERO AUSTRALIA

REPORT BY: A MUIR – GROUP MANAGER ENVIRONMENT & DEVELOPMENT

SUMMARY

This report outlines a proposal for adjustment of the liquid trade waste charges, following a request for the waiving of charges made by Ferrero Australia Ply Ltd.

COMMENTARY

Council has received a request from Ferrero Australia Ply Ltd, for the waiving of liquid trade waste Excess Mass Charges (EMC) from January 2014 until the full operation of a new proposed biological treatment system. This request has been forwarded to the NSW Office of Water who have provided comment whether charges should be waived. EMC are applied for substances discharged in excess of the deemed concentrations in domestic sewage. An exponential type equation is used for the calculation of the charging rate to provide a strong incentive for dischargers to reduce the strength of waste.

Background Information

Ferrero has previously implemented measures to reduce the Biochemical Oxygen Demand (BOD) strength of their waste stream through an Effluent Improvement Plan (EIP) submitted to NSW Office of Water & Council. BOD is the measure of biodegradable organic content of the waste. This has reduced the BOD strength of the waste significantly. However, biological treatment is necessary to further reduce the BOD strength of waste in order to meet Council's acceptance limits as outlined in the Liquid Trade Waste Policy.

The EIP indicated that Ferrero planned to install a relatively new pre-treatment process called BioGill, which has not been tested on full-scale industrial applications in Australia. To the NSW Office of Water's knowledge, the only full-scale plant of BioGill in Australia for the treatment of industrial wastewater was commissioned in April 2013, and to date has failed to meet the quality of effluent guaranteed by BioGill.

For this reason, effluent from the BioGill plant will be accepted into Council's sewerage system on a batch basis only. This will require a Council Officer to attend the site on a daily basis to release the locked sewerage discharge point if the concentration of wastewater meets Council's acceptance limits as outlined in the Policy. It should be noted that Ferrero has been operating in Lithgow for many years. Whilst the current concentration of BOD must be improved, it is not known to have ever had a negative impact on the treatment processes of the Sewage Treatment Plant which must in itself must comply with EPA requirements for discharge into Farmers Creek.

Current Fees & Charges

To date, since January 2013, Council has charged \$82,913.00 for Excess Mass Charges with the charges calculated monthly.

NSW Office of Water Recommendation

The NSW Office of Water have indicated that due to the lack of certainty in producing the expected quality of effluent from the proposed BioGill plant that it does not support the waiving of Excess Mass Charges as requested by Ferrero. This lack of certainty is based on trial findings and the unsatisfactory experience to date with the existing BioGill plant installed in another NSW liquid trade waste discharger in 2013.

POLICY IMPLICATIONS

Policy 11.3 – Discharge of Trade Waste to the Sewerage System applies.

FINANCIAL IMPLICATIONS

Option 1 – Waive all Excess Mass Charges as requested by Ferrero from January 2014 to October 2014 (commissioning date of new plant). Excess Mass Charges already invoiced from January-April 2014, \$39,891.00.

Option 2 – Continue Excess Mass Charges and provide adjustment through a variation of charges by one of the following:

- a. From the commissioning date of the biological treatment system until the plant is in full operation (up to eight weeks); remove all excess mass charges. This could be greater than \$40k in fee adjustment.

Or

- b. From the commissioning date of the biological treatment system until the plant is in full operation (up to eight weeks); change the way excess mass charges are calculated from the current exponential curve type equation to a per kg rate. For example, this will reduce a monthly bill of \$20,547.37, which was the account for April 2014, to \$1,180.54. However, it should be noted that accounts are calculated based on both the amount discharged and the quality of the discharge. Therefore, the monthly bill can vary. For 2014 the bills have been as follows:

Month	Account
January	\$5,476.63
February	\$3,584.24
March	\$10,283.19
April	\$20,547.37

Or

- c. Provide a percentage reduction in the calculated fee. If the April account was used as an indicator with the fees, over the eight week commissioning period, calculated at \$40,000 and Council resolved to only charge 50% of the fee it would result in a fee adjustment of \$20,000. If council resolved to accept this option, the reduction could be capped at a maximum of \$20,000.

Option 3 – Do Nothing

Ferrero have worked very diligently to move toward an improved standard of trade waste discharge and will incur significant expenditure in hopefully obtaining an acceptable result. They are a valuable employer and corporate citizen and it would not be unreasonable to provide them with some financial offset that could assist funding a solution.

LEGAL IMPLICATIONS

NIL

RECOMMENDATION

THAT Council support an adjustment to excess mass charges as outlined in Option 2 c) of this report and provide a 50% reduction (capped at a maximum of \$20,000) in excess mass charges from the commissioning date of the biological treatment plant for up to eight weeks when the plant is fully operational.

**ITEM-3 ENVIRO - 30/06/14 - CALLING IN OF DEVELOPMENT APPLICATION
112-14 STORAGE SHED AND STORAGE UNITS BATHURST STREET
RYDAL**

REPORT BY: A MUIR – GROUP MANAGER ENVIRONMENT AND DEVELOPMENT

SUMMARY

To inform Council of the ‘call in’ of a development application pursuant to Council policy.

COMMENTARY

A Development Application has been received for the establishment of a storage shed and twenty six (26) storage containers at Bathurst Street Rydal. This application is currently under assessment and the applicant has been requested to supply additional information in relation to a number of aspects for the assessment by Council. The application has been called in for determination by Councillor Hunter.

The application has also been notified to surrounding landowners and placed on public exhibition.

POLICY IMPLICATIONS

This application has been called in pursuant to Policy 7.7 “Calling in of Applications by Councillors” Item 3 that states:

Should written notice, signed by a minimum of one (1) Councillor, be received by the General Manager prior to determination of a development application or development application/construction certificate, the application shall not be determined under delegated authority but shall be:

- *Reported to the next Ordinary Meeting for the information of Council that the development application or development application/construction certificate has been “called in”; and*
- *Reported to an Ordinary Meeting of Council for determination.*

This application is reported pursuant to the first dot point.

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

No specific implications at this point of the process.

RECOMMENDATION

THAT the calling in of Development Application No 112/14 be noted.

ITEM-4 ENVIRO - 30/06/14 - DA153/13 PROPOSED DEMOLITION OF THE EXISTING HOUSE AND THE CONSTRUCTION OF A 56 ROOM MOTEL WITH 30 SEAT RESTAURANT & SIGNAGE, 5 KIRKLEY STREET SOUTH BOWENFELS

REPORT BY: A MUIR- GROUP MANAGER ENVIRONMENT AND DEVELOPMENT

REFERENCE

Min No 13-293: Ordinary meeting of Council held on 19 August 2013

SUMMARY

To assess and recommend determination of DA 153/13 Recommendation will be for approval subject to conditions/refusal.

COMMENTARY

Council is in receipt of Development Application DA153/13 for the demolition of the existing house and the construction of a 56 room motel with a 30 seat restaurant & signage on Lot 220 DP 865101, 5 Kirkley Street, South Bowenfels.

The proposal involves:

- The demolition of an existing brick cottage and two metal garages,
- Construction of a new 56 room motel (north block and south block, both two storeys and would be self contained). The ground and first floor each consists of 14 rooms on each level with balconies on the first floor and verandahs at ground level. Internal staircases are proposed in the common passage to access the first floor in each block.
- A 30 seat restaurant with ancillary areas e.g. bar, dining area, kitchen, storage, loading and unloading area, separate and accessible toilets for customers. Deliveries are proposed every two days by a small delivery vehicle which would be either for the restaurant or for housekeeping.
- An administration building that has a reception and waiting area, caretaker's room (small laundry and linen facility) and back office. A small kiosk area is also proposed to be located in this building to contain internet/computer access facilities for customers.
- Car parking for 66 cars inclusive of six accessible spaces.

A separate driveway entry and exit would be provided from Kirkley Street.

The proposed motel would have one full time manager/caretaker in which a flat would be provided on the eastern side of the administration block, adjoining the reception area. The manager would therefore be available for 24 hour per day service to the motel residents. There would be additional staff throughout the day as required.

The restaurant would be predominantly for the motel patrons for breakfast and lunch while at dinner times it is proposed to be open to the general public.

The hours of operation for the restaurant include:

- Breakfast for motel patrons only between: 7.30am to 10.30am 7 days a week;
- Dinner to motel patrons and the public between 6.00pm to 9.00pm Monday to Thursdays and 6.00pm to 10.30pm Friday and Saturdays.

The site has a gradual fall to the north towards the street. All existing trees and vegetation would be removed for the new development.

The development being a motel and restaurant is permissible under Lithgow City Council's Local Environmental Plan 1994 (LEP), subject to development consent.

Under Council's draft LEP 2013, 'hotel or motel accommodation' is prohibited within the R2 Low Residential Zone. Clause 1.8A **Savings provision relating to development applications** states:

If a development application has been made before the commencement of this Plan in relation to land to which this Plan applies and the application has not been finally determined before that commencement, the application must be determined as if this Plan had not commenced.

Regardless of this the Environmental Planning and Assessment Act requires a consent authority to take into consideration the provisions of any proposed instrument that is or has been the subject of public consultation under the Act.

There are no controls or guidelines for 'motels' within the South Bowenfels DCP. Regardless, an assessment against the residential controls within the South Bowenfels DCP is considered appropriate to use as a guide.

The proposed motel height is a single and two storey development designed to be low sitting to compliment the surrounding neighbourhood character. The facade of the administrative block is designed to have a high awning roof over the entry porch and is to be single storey. The proposal is designed to be compatible with the height of the surrounding developments. The height of the administrative block and restaurant is single storey and below 7.5m. The 2 storey motel room buildings at the rear of the property have up to 6.5m ceiling height and overall height of less than 9m to the top of the roof ridge.

Public Consultation

Twenty Six submissions have been received from local residents within the vicinity and from other motel operators in Lithgow who have objected to the proposal with the following concerns:

- 1) Traffic impacts would be increased along with dangers to pedestrians as there are no footpaths in the locality;

- 2) Kirkley Street is not designed for a high level of traffic as the street is not wide enough to ensure free and unobstructed flow of traffic with existing traffic having difficulty negotiating parked cars;
- 3) Impacts to the neighbourhood in regard to lighting at all times of the day and night; this would create privacy impacts;
- 4) The definition of the development as a commercial usage is not suitable within the residential zone; therefore there is no compatibility between the development and the surrounding uses;
- 5) Interference with peace and quiet with resultant noise impacts such as from functions, cars, buses etc;
- 6) The intersection of the Great Western Highway, Kirkley Street and the entrance into Strathlone Estate is already extremely dangerous;
- 7) The control and regulation of stormwater run-off as the current facilities do not cope with the amount of rainfall received and there would be no natural absorption;
- 8) The current sewerage pumping system is not large enough to cope with extra developments in the area.
- 9) The visual aspect of a two storey motel would be out of place and unappealing;
- 10) The draft Local Environmental Plan prohibits the development in the draft zone which is proposed to be low density residential.
- 11) The extent of the hard surfaces proposed would have a large impact on the local drainage system and result in excessive runoff into the culverts which drain into the adjoining property.
- 12) The height of the 2 storey building and signage would overlook neighbouring properties which would create an impact on privacy and change the light and shade conditions.
- 13) Will the restaurant be licenced?
- 14) Unreasonable motel competition.

All these issues have been addressed within the 79C Report (Attached) and were found to be satisfactory for the development to proceed. It should be noted that competition is not a Planning matter that can be lawfully considered.

POLICY IMPLICATIONS

Council's *Policy 7.7 – Calling in of Development Applications by Councillors* states that Development Applications that are called in by a Councillor must be referred to the elected Council for consideration and determination and that no aspect of the development is dealt with under delegated authority. As reported to the Council on 19 August 2013, the application was called in.

13-293 RESOLVED THAT Council:

1. Note the calling in of development application No 153/13.
2. Note that a date for an on-site inspection will be set for Councillors to view the site.

FINANCIAL IMPLICATIONS

Contributions will be payable for Water and Sewerage. Normally under the provisions of Council's Section 94A Contributions Plan, a Voluntary Planning Agreement would be investigated with the applicant for proposals in excess of \$1 million. Whilst the feedback from the proponent's representative indicated that they would not be averse to this, they are currently overseas and it was not possible to arrange any discussions.

The proponent's representative also indicated that the proponent does not object to making the standard contribution under Council's Section 94A Contributions Plan. The application is otherwise ready for determination and under the circumstances it is considered appropriate that if the application is approved, a condition be applied requiring a 1% levy.

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%

Comment: The development is expected to cost \$4,450,488.00 therefore Council's Section 94A Contributions apply to this development. As such 1% of \$4,450,488.00 = \$44,504.88.

If the development is approved the following condition should be placed on the consent:

Prior to release of a Construction Certificate the applicant shall pay to Council a Section 94 contribution of \$44,504.88, in accordance with the Lithgow City Council Section 94A Development Contribution Plan 2012. It is advised that the level of contribution in this plan may be adjusted at the time of actual payment, in accordance with the provisions of the Lithgow City Council Section 94A Development Contribution Plan 2012.

LEGAL IMPLICATIONS

The application must be assessed in accordance with the heads of consideration of Section 79C of the Environmental Planning & Assessment Act 1979. A full assessment under Section 79C is attached.

ATTACHMENTS

1. Complete 79C Planning Report under separate cover.

RECOMMENDATION

THAT:

1. Development Application 153/13 be APPROVED, subject to the conditions outlined in the attached 79C report.
2. A **DIVISION** be called in accordance with the requirements of Section 375A(3) of the Local Government Act, 1993.

**ITEM-5 ENVIRO - 30/06/14 - DEVELOPMENT FEE AND CONTRIBUTION
COMPARISON**

REPORT BY: A MUIR- GROUP MANAGER ENVIRONMENT AND DEVELOPMENT

REFERENCE

Min No 14-159: Ordinary Meeting of Council held on 14 April 2014

SUMMARY

To provide Council with a comparison of Development approval costs as requested.

COMMENTARY

On the 14 April 2014 it was resolved from the Development and Construction Approvals report that:

‘A report be provided to Council outlining total DA costs including Section 94A and comparisons on costs with other Council areas.’

This report outlines the findings of the above request in relation to a number of local government areas.

DA Costs

Table 1 details the fees charged by each Council for the following types of developments:

- Subdivision into 3 lots within a residential area with no new road construction;
- Single dwelling of with estimated cost of \$300,000 (200m², slab with 2 toilets) in a residential area;
- Dwelling addition with estimated cost of \$100,000 (slab, no plumbing).

TABLE 1: DA COSTS QUOTED			
Council	Subdivision into 3 lots Development Application	Single Dwelling \$300,000 Development Application & Construction Certificate	Dwelling Addition \$100,000 Development Application & Construction Certificate
Bathurst	\$436.00	\$4,256.80	\$2,086.30
Oberon	\$436.00	\$4,117.00	\$1,788.00
Mid Western	\$436.00	\$3,920.00	\$1,424.00
Blue Mountains	\$452.35	\$4,518.35	\$2,250.35
Orange	\$436.00	\$4,281.90	\$1,634.00
Armidale	\$489.00	\$4,637.50	\$1,939.00

Dubbo	\$436.00	\$4,348.55	\$1,610.75
Goulburn	\$472.00	\$3,508.00	\$1,227.00
Griffith	\$456.00	\$5,267.00	\$1,704.00
Lithgow	\$493.00	\$4,029.01	\$1,551.00

Section 94 or 94A Contributions

Table 2 details the contributions detailed by a Section 94 or a Section 94A plan adopted by each Council for the following types of developments:

- Subdivision into 3 lots within a residential area with no new road construction;
- Single dwelling of with estimated cost of \$300,000 (200m², slab with 2 toilets) in a residential area;
- Dwelling addition with estimated cost of \$100,000 (slab, no plumbing).

TABLE 2: CONTRIBUTION FEES			
Council	Subdivision into 3 lots Development Application	Single Dwelling \$300,000 Development Application & Construction Certificate	Dwelling Addition \$100,000 Development Application & Construction Certificate
Bathurst	\$11,806.00	Nil	Nil
Oberon	\$11,272.00	Nil	Nil
Mid Western**	\$12,814.00	\$3,000*	Nil
Blue Mountains	Nil	\$3,000*	Nil
Orange**	\$38,463.88	\$19,231.94*	Nil
Armidale**	\$20,176.00	\$10,088.00*	Nil
Dubbo	\$22,174.04	Nil	Nil
Goulburn**	\$5,088	\$3,000*	Nil
Griffith	Nil	\$3,000*	Nil
Lithgow	Nil	\$3,000*	Nil

* This is not charged if previously levied at subdivision stage

** These Councils have a Section 94 contributions plan and a Section 94A contributions plan

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

RECOMMENDATION

THAT Council note the information on the fees and contribution comparisons with other Councils.

ITEM-6 ENVIRO - 30/06/14 - DRAFT OPEN-BURN POLICY

REPORT BY: A MUIR – GROUP MANAGER ENVIRONMENT & DEVELOPMENT

SUMMARY

To advise Council of the preparation of a draft policy in relation to open burning. Public Exhibition of the draft policy will be recommended.

COMMENTARY

The Protection of the Environment Operations (Clean Air) Regulation 2010 allows councils to approve open air burning of material in certain circumstances and within certain areas. The Regulation at Section 12 states:

- (2) a person must not burn any vegetation:
 - (a) in the open, or
 - (b) in a incinerator, in a Local Government area specified in Part 2 of Schedule 8 except in accordance with an approval.

- (3) a person must not burn anything (other than vegetation):
 - (a) in the open, or
 - (b) in an incinerator, In a Local Government area specified in Part 3 of Schedule 8 except in accordance with an approval.

Lithgow City Council is listed in Schedule 8 of the POEO Clean Air Regulation Part 2: areas in which vegetation is prohibited except with approval; and Part 3: areas in which all burning (other than vegetation) is prohibited except with approval or in relation to certain domestic waste.

There is currently no policy framework in which Council could consider and make a decision in relation to any application to Open-burn. Therefore to provide a consistent framework to allow the consideration for applications for open-burning, a draft policy has been prepared.

The policy aims to ensure the protection of public health and the environment and reduce any actions that may impact upon air quality or increase a risk of wildfire. The document outlines circumstances in which approval is not required to open-burn and also outlines a procedure, how and where a approval may be gained outside the declared bushfire danger period. The draft policy proposes to exempt the need for approval to open-burn in zones RU1, RU2, RU3, RU5 and R5 under Council's Local Environmental Plan 2014 (yet to be gazetted) providing certain preset criteria is adhered to and the property where the open-burn is proposed is over 4,000 square metres in area.

In other circumstances if the person proposes to open burn they must apply to Council for an approval. If approved a number of standard conditions will be imposed. In either event it will be necessary for the person proposing to conduct the open-burn to notify the Rural Fire Service at least 24 hours prior to burning taking place.

Prior to final consideration of the policy it is proposed that it be placed on public exhibition for a period of 28 days and submissions be invited.

POLICY IMPLICATIONS

The control of open-burning policy is proposed to be a new policy within Council's policy register.

FINANCIAL IMPLICATIONS

There are no significant financial implications in relation to the Draft Policy.

LEGAL IMPLICATIONS

The three pieces of legislation relevant to the draft policy are the Protection of the Environment Operations Act and accompanying Clean Air Regulations and the Rural Fires Act.

ATTACHMENTS

1. Draft Control of Open-Burn Policy – Version 1

RECOMMENDATION

THAT:

1. The draft Control of Open-burning policy be placed on public exhibition for a period of 28 days.
2. Any submissions made on the draft policy be reported back to Council prior to final adoption of the policy.

ITEM-7 ENVIRO - 30/06/14 - DRAFT POLICY 7.5 - NOTIFICATION OF DEVELOPMENT APPLICATIONS

REPORT BY: A MUIR – GROUP MANAGER ENVIRONMENT & DEVELOPMENT

SUMMARY

To advise Council of the preparation of a new draft policy in relation to the notification of development applications. It will be recommended that the draft policy be placed on exhibition for a period of 28 days.

COMMENTARY

Council's current practices in relation to the notification of development applications primarily relates to the existing provisions of Local Environmental Plan 1994 which provides notification requirements in residential 2a and Village 2(v) zones as well as for certain types of development such as boarding houses, hostels, abattoirs and offensive or hazardous industries. In addition to this all other notifications are undertaken at the discretion of an assessing officer often following a site inspection, consideration of the type of development proposed and at face value the potential impacts that may arise.

Whilst a comprehensive development control plan is to be prepared for all developments across the Local Government area which will include notification requirements, in the interim period it is proposed to put in place a policy that provides more certainty to the community, developers and assessing officers. To this end a draft notification policy has been prepared that includes the following:

- Inclusion of the current provisions of LEP 1994 which will be automatically repealed upon gazettal of the new LEP 2014.
- Exclusion of applications within the South Bowenfels release area. Notification requirements in this area are already covered by a Development Control Plan. Once again this Development Control Plan will be repealed and replaced by a comprehensive Development Control Plan.
- Exclusion of a number of types of development that will not require notification. These include:
 - Single storey dwellings (providing this does not involve demolition of an existing dwelling)
 - Additions to single storey dwellings that do not involve adding an additional storey to the dwelling
 - Internal alterations that do not alter the use of a building or its class under the Building Code of Australia
 - Carports, pergolas and verandahs in association with a dwelling
 - Detached garages or sheds associated with a dwelling and to be used in conjunction with a dwelling providing a floor area of 36 square metres is not exceeded or a roof ridge height of 4.5 metres is not exceeded.

- Dwellings (up to two storeys) and sheds on land zoned RU1 or RU2 under LEP 2014 that is greater than 2 hectares.
- Subdivisions creating less than 3 new lots on land zoned RU1 or RU2 under the new Local Environmental Plan.
- Boundary Alterations
- Strata Subdivisions
- With the exception of restricted premises and sex services premises, commercial or industrial development comprising non-structural alterations to an existing building.

The draft policy also retains provisions where notification may still occur following an initial site inspection and consideration of factors such as the character of existing development, slope of the site, local amenity, potential overshadowing and any other issues considered to be relevant.

The draft plan provides an outline of how development will be notified and to whom. This will primarily involve land owners adjoining the land on which the development is proposed. Furthermore, the proposed policy includes provisions for notifications over the Christmas and New Year periods to provide people who have been notified a fair period to make submissions.

By putting in place a policy at this time an opportunity will arise to gauge how successful it has been prior to the insertion of notification requirements in a new comprehensive Development Control Plan. The draft policy attempts to streamline certain development such as single storey dwellings. The policy makes an assumption that there are certain types of low impact development where a land owner should be able to seek consent and the proposal should not be held up by giving persons a right to make submissions. This, however, does not mean developments that may have potential impacts should not be notified and notifications of these types of developments will still occur.

POLICY IMPLICATIONS

It is proposed that a new policy will be created within Council's policy register framework.

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

The assessment of development primarily occurs under the provisions of the Environmental Planning & Assessment Act. Requirements within the current Local Environmental Plan have come into effect through the creation of the Local Environmental Plan under the Provisions of the Environmental Planning & Assessment Act.

ATTACHMENTS

1. Draft Policy 7.5 – Notification of Development Applications

RECOMMENDATION

THAT:

1. The draft notification of development applications policy be placed on public exhibition for a period of 28 days.
2. Any submissions made on the draft policy be reported back to Council prior to final adoption of the policy.

**ITEM-8 ENVIRO - 30/06/14 - REQUEST FOR OWNER'S CONSENT TO
LODGE MODIFICATION OF DEVELOPMENT CONSENT 90/95DA
LOT 68 DP 813538 - OAKY FOREST ROAD, MARRANGAROO**

REPORT BY: A MUIR – GROUP MANAGER ENVIRONMENT & DEVELOPMENT

SUMMARY

To advise Council of a request to provide its landowner's consent for the lodgement of a Section 96 Modification of Consent Application to 90/95DA for the Marrangaroo Quarry. The proposal would see a re-alignment of the extraction boundary currently on Metromix and Crown Land only. The owner's consent is required as Council owns land Lot 68 DP813538 which forms part of the original consent, however no changes are proposed to be made to this land in relation to the operation.

COMMENTARY

Council is in receipt of a request from R.W Corkery Co. on behalf of Metromix Pty Ltd requesting that Council provide its landowner's consent to allow lodgement of a Section 96 Modification of Consent application to 90/95DA Marrangaroo Quarry to allow an adjustment to the extraction boundary as shown below.

Council approved this application for a quartzite quarry with a production level of 220,000 tonnes per annum, which is transported by road. The product extracted at this quarry is predominately used for concreting, construction and building industries, while also creating decorative stone, road base, rail ballast and foundry sand. However, quarrying first commenced on the site in 1912 prior to Metromix purchasing the property in 1989 and subsequently applying for development consent to allow quartzite extraction given legislative changes during this time relating to the Environmental Planning and Assessment Act 1979. Currently on Council's land there are some settling dams and access roads.

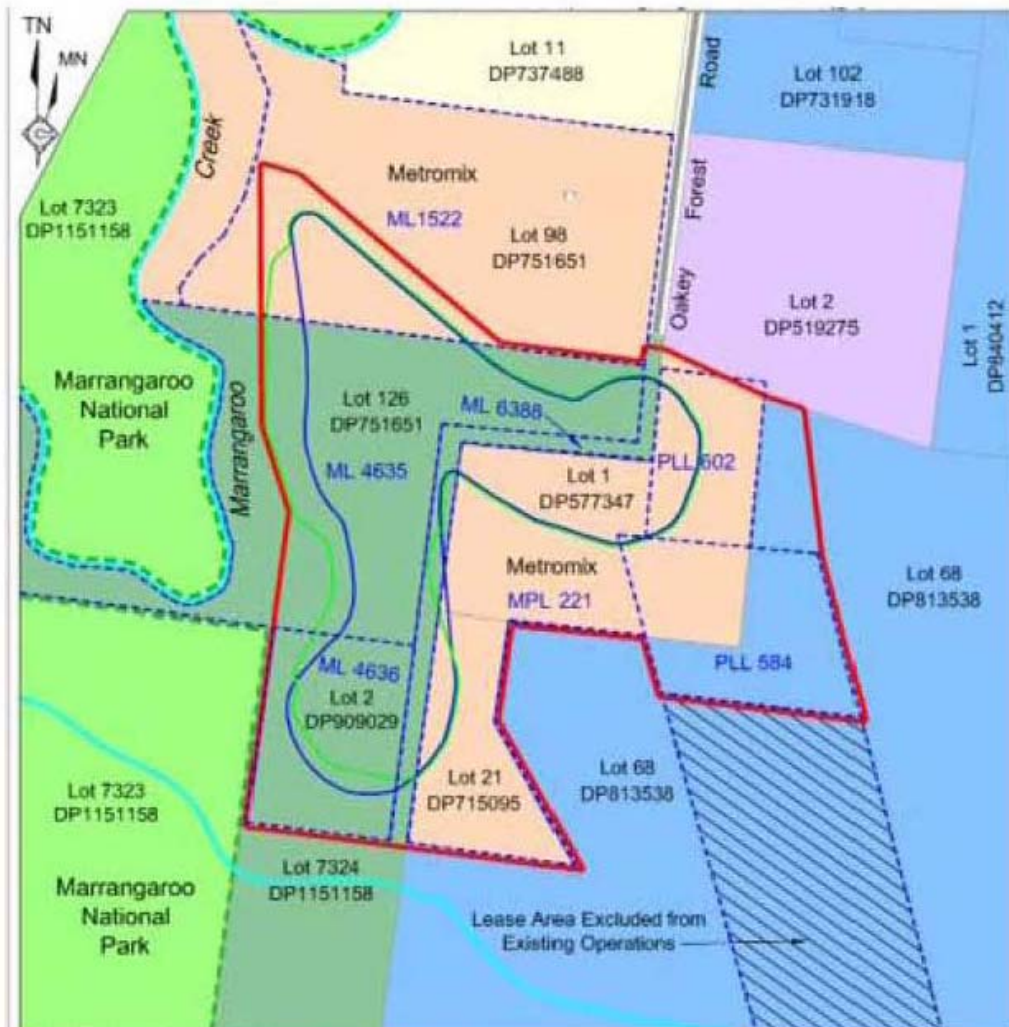
Land owned by Council is shown in blue, with part of Lot 68 DP813538 being within the Quarry site boundary (red line) and all land included in the original consent 90/95DA. Therefore, any amendment to the original approval requires the consent from all landowners, including Council. However, the proposed extraction boundary (the subject of the proposed modification), is only being amended within the land owned by Crown Lands (dark green shading) and Metromix Pty Ltd (light brown shading). The application that Metromix Pty Ltd seeks is to expand their extraction area to the west and is far away from the Council's land, and **no changes to impact on Council's land are proposed.**

The original approval required the development to provide Council with a Section 94 contribution as per the following condition of consent:

30. That payment of Section 94 Contributions of \$2,760 shall be paid at the completion of each financial year.

The map shows the existing extraction boundary (dark blue line) and the proposed extraction boundary (bright green). As discussed neither of the extraction boundaries are on Council land, but will require appropriate assessment of these changes through the Section 96 Modification of Consent Application.

Therefore, should Council choose to provide its consent as the owner of Lot 68 to allow lodgement of the modification, it would be on the basis that the modification of development application could be lodged for consideration. It would not impact on Council's role as a consent authority to consider the development application on its merits and to determine the application by way of consent with conditions or refusal. Nor would it impact on any commercial consideration to actually use the land.



REFERENCE	
-----	Mining Lease Boundary
-----	Quarry Site Boundary
-----	Approved Extraction Area
-----	Proposed Re-aligned Limit of Extraction (Offset for Clarity)
-----	Marrangaroo National Park Boundary
-----	Cadastral Boundary
-----	Sealed Road
+++++	Railway Line
-----	Creek
-----	Residence (Project Related)
-----	Crown Land
-----	Land Owned by Lithgow City Council
-----	Land Owned by Metromix Ply Ltd
-----	Marrangaroo National Park
-----	Go Kart Track
-----	Privately Owned Land

POLICY IMPLICATIONS

NIL at this stage.

FINANCIAL IMPLICATIONS

There are no financial implications in providing the landowners consent for a development application.

LEGAL IMPLICATIONS

The provisions of the Environmental Planning and Assessment Regulation 2000 require certain information to be provided with a development application, this includes the consent in writing of the owner of that land.

ATTACHMENTS

1. Letter from R.W Corkery & Co on behalf of Metromix Pty Ltd.

RECOMMENDATION

THAT Council provide its consent as landowner of Lot 68 DP 813538 to allow a Section 96 Modification of Consent Application of 90/95DA to be submitted for an amended extraction boundary for the Marrangaroo Quarry.

**ITEM-9 ENVIRO - 30/06/14 - REVIEW OF COUNCIL'S ON-SITE SEWAGE
MANAGEMENT STRATEGY**

REPORT BY: A MUIR – GROUP MANAGER ENVIRONMENT & DEVELOPMENT

REFERENCE

Min No 14-206: Ordinary Meeting of Council held on 12 May 2014

SUMMARY

To advise Council of the results of the public exhibition of an updated version of its On-site Sewage Management Strategy and fee structure for 2014/2015.

COMMENTARY

At its Ordinary meeting of 12 May 2014 the Council resolved as follows:

14-206 RESOLVED

THAT:

1. Council place on Public Exhibition, the revised version of its On-site Sewage Management strategy for a period of 30 days including that the following fee structure is proposed for 2014/15:

High Risk	Annual Fee for inspection and approval \$33.10
Medium Risk	Annual Fee for inspection and approval \$29.10
Low Risk	Annual Fee for inspection and approval \$24.10
2. Submissions be invited
3. All submissions be reported back to Council for final adoption of the revised strategy.

The revised version of the Strategy and proposed 2014/2015 fee structure were subsequently placed on public exhibition. No submissions were received in relation to the draft Strategy or proposed fee structure. Verbal representations were made to Council's Ordinary Meeting of 2 June 2014 by a concerned resident. In response to those representations it was indicated that comparative figures from other councils would also be obtained. In these investigations it was difficult to establish a consistent means by which different councils charge for inspections and approvals to operate and not all councils have established inspection programs. Some councils charge per inspection and approval whereas others charge annually for the service. Not all councils charge via annual rates notices. However, the following provides an overview of the information obtained.

Council	Charging Basis/Category	2013/2014 Fee for both inspection and approval
Blue Mountains	Aerated, Pumpout, grey water treatment devices, amended soil mounds, hybrid waste waste system, composting systems, and the like	\$37 per annum
	Ground absorption systems	\$62 per annum
	Properties with multiple systems	\$80 per annum
Mid-Western Regional	High	\$130 per annual inspection/approval
	Medium	\$130 per inspection/approval every 1 to 3 years
	Low	exempt
Bathurst	High	\$135 per inspection/approval every 2 years
	Medium	\$135 per inspection/approval every 4 years
	Low	\$135 per inspection/approval every 4 years
Wingecarribee	High	\$100 per inspection/approval every 2 years
	Medium	\$100 per inspection/approval every 3 years
	Low	\$100 per inspection/approval every 5 years
Palerang	High	\$37 per annum
	Medium	\$37 per annum
	Low	\$37 per annum

All charges are for 2013/2014 as not all 2014/2015 fees and charges have been set for each Council. A comparison of the low risk systems on an annualised basis for the above would be:

Council	Annual Charges
Lithgow (13/14)	\$13.10
Lithgow (Proposed 14/15)	\$24.10
Mid-Western (13/14)	NIL
Bathurst (13/14)	\$33.75
Wingecarribee (13/14)	\$20.00
Palerang (13/14)	\$37.00

Whilst each Local Government Area will have their own issues as to their fee structure, from this information the proposed charges for the Lithgow Local Government Area in 2014/2015 are not considered to be unreasonable.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

If the proposed fee structure is adopted it would be anticipated that approximately \$55,000 would be realised in revenue in 2014/2015. This revenue has been factored into the Operational Plan.

LEGAL IMPLICATIONS

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

- Environmental Planning & Assessment Act 1979
- Local Government Act 1993
- Local Government (General) Regulation 2005
- Protection of the Environment Operations Act 1997
- Public Health Act 2010
- Catchment Management Authorities Act 2003

ATTACHMENTS

1. On-site Sewage Management Strategy – Revised version

RECOMMENDATION

THAT:

1. The revised On-site Sewage Management Strategy be adopted.
2. The following fee structure be adopted for on-site sewage annual inspections and approvals in 2014/15:
 - High Risk Annual Fee for inspection and approval \$33.10
 - Medium Risk Annual Fee for inspection and approval \$29.10
 - Low Risk Annual Fee for inspection and approval \$24.10

ITEM-10 ENVIRO - 30/06/14 - REVIEW OF LITHGOW CITY COUNCIL POLICIES

REPORT BY: A MUIR - GROUP MANAGER ENVIRONMENT AND DEVELOPMENT

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 7.1 - 7.5 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 7.1 - 7.5 are presented to Council for consideration.

Existing Policy No.	Policy Name	Proposed Changes	New Policy No.
7.1	Filling and Levelling of Land	Minor clarifications and wording. Increasing the threshold for the requirement for consent from 500mm to 900mm.	7.1
7.2	Provision for Deferment of Payment of Developer Contributions Applicable Under the Water Management Act 2000	Rescinded	
7.3	Subdivision - Release of Subdivision Plans	Clarification of the term Substantially Complete to mean "all civil works have been completed including roads, water	7.2

		supply, sewerage and drainage. Minor outstanding works refers to installation of street signage, final rectification/seeding of excavations & batters and landscaping.”	
7.4	Planning - Exhibition Homes on Land Zoned Residential	Minor rewording	7.3
7.5	Rainwater Storage for Domestic Use - Non Urban Areas	No changes	7.4

The proposed changes to this Policy is not considered to be major and therefore does not require public exhibition as they will only refine Council’s policy position.

POLICY IMPLICATIONS

The proposed changes will refine Council’s policy position.

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

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

ATTACHMENTS

1. Policy 7.1 - Filling and Levelling of Land
2. Policy 7.3 - Subdivision - Release of Subdivision Plans
3. Policy 7.4 - Planning - Exhibition Homes on Land Zoned Residential
4. Policy 7.5 - Rainwater Storage for Domestic Use - Non Urban Areas

RECOMMENDATION

THAT Council:

1. **ADOPT** Policies
 - Filling and Levelling of Land
 - Subdivision - Release of Subdivision Plans
 - Planning - Exhibition Homes on Land Zoned Residential
 - Rainwater Storage for Domestic Use - Non Urban Areas
2. Renumber the policies according to the schedule.

OPERATION REPORTS

ITEM-11 OPER - 30/06/14 - WATER REPORT

REPORT BY: I STEWART – GROUP MANAGER OPERATIONS

REFERENCE

Min No 14-243: Ordinary Meeting of Council held on 2 June 2014

SUMMARY

This report provides an update on various water management issues as per Minute Number 14-243.

COMMENTARY

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

Current Dam Levels for both Farmers Creek and Oberon

Farmers Creek Dam # 2 capacity on Monday, 16th June 2014 was 98% full. Oberon Dam capacity on Monday, 16th June 2014 was 65.1% 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

May 2014	118	0	59
TOTAL	1116	0	720

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 24/5/2014 – 20/6/2014.

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 24/5/2014 – 20/6/2014.

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 1 application for water tank rebates for the period 24/5/2014 – 20/6/2014.

Dirty Water Complaints

5 complaints were received during the period 24/5/2014 – 20/6/2014 concerning water quality issues in the following areas;

- Lockyer Street, Lithgow (Burst Water Main)

- Thompson Street, Lithgow (Burst Water Main)
- Hayley Street, Lithgow (Dead end Main)
- Christina Street, Lithgow (Burst Water Main)
- Mutton Falls Road, Tarana (Untreated Water Supply)

FINANCIAL IMPLICATIONS

NIL

POLICY IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

RECOMMENDATION

THAT Council note the water report.

ITEM-12 OPER - 30/06/14 - DRAFT POLICY 10.17 PEST MANAGEMENT POLICY

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 Draft Policy 10.17 - Pest Management Policy for consideration with a recommendation that it be placed on public exhibition for 28 days.

COMMENTARY

The draft policy has been developed to provide guidelines for the maintenance and control of pests and weeds in buildings, structures and amenity areas under Council control. This includes road reserves, drainage easements, rights of way, public parks and gardens and other public open space areas.

The aim of the policy is to develop pesticide use procedures and controls, based on incorporating community views, underpin risks associated, contract management and monitoring of outcomes.

The policy is recommended to Council with a proposed exhibition period of 28 days.

POLICY IMPLICATIONS

Nil at this stage pending final adoption

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. 10.17 - Draft Pest Management Policy

RECOMMENDATION

THAT the Draft Pest Management Policy 10.17 be placed on exhibition for 28 days before being presented to Council to be finalised.

**ITEM-13 OPER - 30/06/14 - TENDER FOR LITHGOW RAIL INTERCHANGE
REFURBISHMENT**

REPORT BY: C SCHUMACHER – WORKS MANAGER

SUMMARY

To advise Council of Tenders received on behalf of Transport for NSW (TfNSW) for the refurbishment of several key areas of the Lithgow Rail and Bus Interchange located in Railway Parade, Lithgow, including the several key areas that have been identified in a report conducted by independent Consultants Northrop on 5th April 2012 on behalf of TfNSW.

COMMENTARY

TfNSW approached Lithgow City Council in December 2013 to determine Councils interest to be involved in undertaking design and construction refurbishment works for the Lithgow Rail and Bus Interchange. The works to be undertaken evolve from the Consultancy Study undertaken by Northrop, which accompanies this report.

Following a lengthy consultation phase with Transport for NSW, Tender specifications were prepared based on the listed recommendations in the Northrop report. Open Tenders were called in April 2014, pursuant to the provisions of Section 55, Local Government Act 1993 and the Local Government (General) Regulations 2005.

Tenders submissions for this project closed on Thursday, 15th May 2014, with two (2) complying Tender submissions received from the following companies:

J & E Excavation Pty Ltd / Brown Smart Consulting; and
CA&I Pty Ltd / COMPLETE Urban.

Tenderers were asked to consider the identified key criteria defined as problematic as detailed in Table 4 – Site observations of the Northrop report including:

- a) Railway Parade coach set down area
 - Awning shelter has no CCTV Surveillance;
 - Pavement in waiting area is in poor condition with alligator cracking; and
 - Pavement along road shoulder is in poor condition with alligator cracking.
- b) Railway Parade park and ride (west)
 - Vehicle barrier along footpath constricts pedestrian access; and
 - Vegetation overgrowth along the path of access.
- c) Railway Parade park and ride (east)
 - Vehicle barrier along footpath constricts pedestrian access;
 - Vegetation overgrowth along the path of access;
 - DDA car space has no pram ramp; and
 - DDA car space suffers from drainage issues with stormwater ponding due to no escape route.
- d) Lithgow Railway Station (Railway Parade)
 - No cycle racks present.

e) Main Street Entrance

- Station signage on Main Street is obstructed by local business signs; and
- Pedestrian passage way has no CCTV Surveillance.

Tender Evaluations

A Tender Evaluation Panel consisting of three (3) Council officers was established to review and assess the Tenders received.

Each Tender was assessed against the selection criteria outlined in the Tender documentation, including:

Selection Criteria

Each Tender was evaluated according to the following criteria, in order of priority and weighting:

Criteria		Weighting
1	Price	50%
2	Demonstrated Understanding of the Project	30%
3	Similar Previous Experience	10%
4	Staff Qualifications	10%

Evaluation

Each company was given a score ranging from 0 – 10 for each Selection Criteria item using the following scoring system:

Score	Definitive Answers	Value Judgement
0	Unsatisfactory	Fails to meet the requirement
		Unimaginative / No apparent economic benefit
2	Poor	Minimal Compliance
		Moderately creative / benefits, difficult to assess
4	Satisfactory	Moderately satisfies the requirement
		Worthwhile concept / may realise benefits
6	Good	Partially satisfies the requirement
		Creative / enduring benefits over time
8	Very Good	Satisfies the majority of the requirement
		Highly creative / enduring high benefits
10	Excellent	Fully satisfies the requirement
		Exceptional / immediate and enduring high benefits

Evaluation Summary – Qualitative Criteria

Each Tenderer was assessed based on Qualitative Criteria, being Price (50%), Demonstrated Understanding of the Project (30%), Similar Previous Experience (10%), and Staff Qualifications (10%), and scored to give a total Qualitative Score out of 100.

The scores by the Tender Evaluation Panel are provided below:

Criteria	CA&I Pty Ltd / COMPLETE Urban		J & E Excavations Pty Ltd / Brown Smart Consulting	
	Average Score	Weighted Score	Average Score	Weighted Score
Similar Experience	9	0.9	3	0.3
Staff Qualifications	9	0.9	4	0.4
Demonstrated Understanding of Project	8.3	2.49	2.3	0.69
TOTAL		4.29		1.39

Evaluation Summary – Price Component

Price was given a score based on the below formula:

$$\text{Price score} = \frac{\text{Lowest Tender Price}}{\text{Tendered Price}} \times 10$$

	CA&I Pty Ltd / COMPLETE Urban	J & E Excavations Pty Ltd / Brown Smart Consulting
Price	\$478,264.39 GST excl.	\$356,800.00 GST excl.
Price	\$526,090.82 GST Inc.	\$392,480.00 GST Inc.
Score/100	74.60	100.00
Weighted Score	37.30	50.00

Final Scores

The scores for qualitative and price criteria were added to give a final total score.

	CA&I Pty Ltd / COMPLETE Urban	J & E Excavations Pty Ltd / Brown Smart Consulting
Qualitative Score / 5	4.29	1.39
Price Score / 5	3.73	5.0
Total Score / 10	8.02	6.39

Should Council elect to proceed with the administration of this project a formal agreement with TfNSW for lump sum amount will be fully subsidised in the form of two (2) milestone payments:

- Upfront payment of 30% for the commencement of the work; and
- Final payment of 70% upon completion and hand over of the project works.

Should Council wish to proceed with the Tender Evaluation Panel's recommendation, full design will be required to be undertaken by CA&I Pty Ltd / COMPLETE Urban for approval by both TfNSW and Lithgow City Council prior to the commencement of the construction phase of the project. As a condition of this project being fully funded by TfNSW, all construction works are required to be finalised by 30th November 2014.

Comments by the Tender Evaluation Panel and TfNSW

TfNSW have reviewed the Tender submissions, and have commented that the Work Breakdown Schedule of six (6) weeks provided by J & E Excavations Pty Ltd / Brown Smart Consulting seems optimistic based on the work involved in this project.

Once Council has awarded a Tender, Council will need to notify TfNSW in writing of the successful Tender, as well as seek approval of the design prior to any construction works commencing.

A summary of the Tender Evaluation Panel comments in relation to the review and assessment of each Tender submission are detailed below:

Similar Experience

- CA&I Pty Ltd / COMPLETE Urban have had vast experience in completing similar metro rail transport systems projects varying between \$3M to \$5.9M i.e. Sutherland Transport Interchange and various other metropolitan projects. All in-house design / construct and project management.
- J & E Excavations Pty Ltd / Brown Smart Consulting have had similar experience in managing rail interchange upgrades, with previous project performed as Schedule of Rate roadwork projects. J & E Excavations Pty Ltd have road work experience only, no similar major projects. Brown Smart Consulting have not provided any list of past projects.

Staff Qualifications

- CA&I Pty Ltd / COMPLETE Urban have good technical engineering / design and managerial suite of staff with vast experience on similar projects of a larger scale, are very capable of delivering the key criteria for this project, including a variety of skill sets in engineering fields i.e. CAD, Urban Design, Streetscape and Civil works.
- J & E Excavations Pty Ltd / Brown Smart Consulting provided three (3) separate components making up the basis of their submission. There is concern regarding the independent pricing submission completed by the sub-contractor. The design to be undertaken by Brown Smart Consulting and Project Management by Calibre. The Senior Project Manager's resume for J & E Excavation Pty Ltd was the only information provided in the submission to demonstrate compliance this criteria, and Brown provided details of two qualified design staff members

Demonstrated Understanding of Project

- CA&I Pty Ltd / COMPLETE Urban have completed many TfNSW projects, have a good understanding of the requirement for this bus and rail interchange project. They have demonstrated their ability to undertake this work through the details provided in their Work Breakdown Structure including provision for design, procurement, and hand over as well as safe use by community during staged construction.
- J & E Excavations Pty Ltd / Brown Smart Consulting have a basic understanding of the tasks as per the Northrop Consultancy report commissioned by TfNSW, demonstrated through cost breakdowns. Concerns raised about the independent pricing structure, no control over the possibility of price variation by Contractors. The Work Breakdown Structure provided by J & E Excavations Pty Ltd / Brown Smart Consulting provided minimal information.

Recommendation of Tender Evaluation Panel

The Tender Evaluation Panel recommends that the Tender for the design and construction of the Lithgow Rail and Bus Interchange Refurbishment be awarded to CA&I Pty Ltd / COMPLETE Urban for the Tendered price of Five Hundred and twenty six thousand and ninety dollars and eighty two cents inc GST (\$526,090.82 inc GST), due to the submitted Tender achieving the highest overall score of 8.02 out of a possible 10.

Although this Tender was not the lowest in price, it is the opinion of the Tender Evaluation Panel that this Tender is the most advantageous to Council. It is evident that CA&I Pty Ltd / COMPLETE Urban have the skills and experience required to successfully complete this project. The Tender submission demonstrated thorough research and a comprehensive understanding of the project requirements, as well as their organisations capacity to complete this project within a suitable timeframe and to a high quality finish.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

Council will receive full project subsidy from Transport for NSW once a Tender has been awarded, with payments made to Council as detailed in Section 4 of this report.

In addition to the Tendered price, an allocation for Project Management and Tendering costs associated with this project, and will be fully funded by TfNSW.

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Northrop Consultancy Report commissioned by TfNSW.

RECOMMENDATION

THAT Council:

1. Subject to acceptance and funding by Transport NSW, **ACCEPT** the Tender for the design and construction of the Lithgow Rail and Bus Interchange Refurbishment from Community Assets & Infrastructure (CA&I) for the Tendered price of Five Hundred and twenty six thousand and ninety dollars and eighty two cents inc GST (\$526,090.82 GST inc)
2. Authorise the General Manager to negotiate an appropriate project management fee for the project
3. Authorise the affixing of the Council seal to any necessary documentation in relation to this project.

CORPORATE AND COMMUNITY REPORTS

ITEM-14 CORP - 30/06/14 - COUNCIL INVESTMENTS HELD TO 31 MAY 2014

REPORT FROM: J BROZEK - GROUP MANAGER CORPORATE AND COMMUNITY

REFERENCE

Min No 13-302:	Ordinary meeting of Council held on 19 August 2013
Min No 13-323:	Ordinary meeting of Council held on 9 September 2013
Min No 13-385:	Ordinary meeting of Council held on 28 October 2013
Min No 13-406:	Ordinary meeting of Council held on 25 November 2013
Min No 13-435:	Ordinary meeting of Council held on 16 December 2013
Min No 14-61:	Ordinary meeting of Council held on 10 February 2014
Min No 14-94:	Ordinary meeting of Council held on 3 March 2014
Min No 14-141:	Ordinary meeting of Council held on 24 March 2014
Min No 14-165:	Ordinary meeting of Council held on 14 April 2014
Min No 14-212:	Ordinary meeting of Council held on 12 May 2014

SUMMARY

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

COMMENTARY

Council's total investment portfolio, as at 31 May 2014 when compared to 30 April 2014, has reduced by \$13,074.00 from \$16,526,981.80 to \$16,513,907.80.

The CBA Call account holding was \$914,186.35 at month end compared to \$912,305.61 at the beginning of the month.

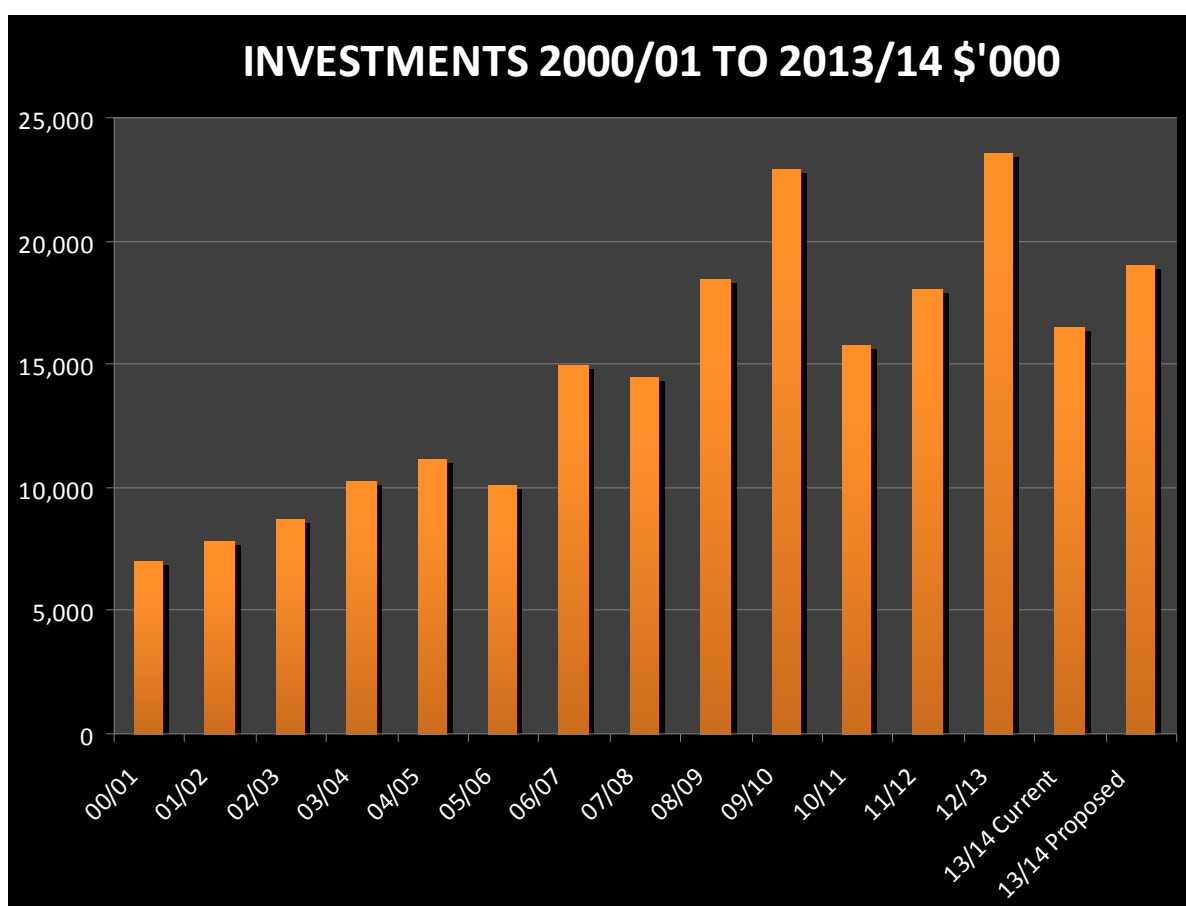
INVESTMENT REGISTER 2013/14								
INSTITUTION	INV TYPE	DATE LODGED	DATE DUE	DAYS	INT	VALUE 30.04.14	VALUE 31.05.14	% OF TOTAL
CBA	On Call				2.45	912,305.61	914,186.35	5.54%
	TD	24.02.14	26.05.14	91	3.31	1,033,249.83	0.00	0.00%
	TD	26.05.14	26.08.14	92	3.50	0.00	1,000,000.00	6.06%
IMBS	TD	07.04.14	07.07.14	91	3.50	1,569,673.67	1,569,673.67	9.50%
	TD	30.04.14	29.07.14	90	3.50	522,218.87	522,218.87	3.16%
	TD	19.05.14	18.08.14	91	3.50	1,000,000.00	1,000,000.00	6.06%
	TD	25.03.14	23.06.14	90	3.50	1,000,000.00	1,000,000.00	6.06%
NAB	TD	27.05.14	25.08.14	90	3.57	1,000,000.00	1,009,173.34	6.11%
	TD	22.04.14	21.07.14	90	3.65	1,109,393.22	1,109,393.22	6.72%
	TD	08.03.14	07.06.14	91	3.66	539,260.02	539,260.02	3.27%
	TD	13.03.14	11.07.14	120	3.68	1,500,000.00	1,500,000.00	9.08%
	TD	18.03.14	16.06.14	90	3.66	1,000,000.00	1,000,000.00	6.05%
WESTPAC	TD	02.04.14	02.07.14	91	3.41	1,274,701.97	1,274,701.97	7.72%
	TD	07.03.14	07.07.14	122	3.56	1,000,000.00	1,000,000.00	6.05%
	TD	10.04.14	10.07.14	90	3.46	533,746.44	533,746.44	3.23%
	TD	12.03.14	08.09.14	180	3.60	500,000.00	500,000.00	3.03%
ST GEORGE	TD	19.04.14	19.08.14	122	3.50	933,724.52	933,724.52	5.65%
	TD	12.05.14	11.08.14	91	3.30	550,613.40	555,198.43	3.36%

	TD	26.05.14	25.08.14	91	3.29	548,094.25	552,630.97	3.35%
INTERNAL LN (Commercial Loan Int Rate)	Gen to Sew	15.01.11	On Receipt of Ext Loan		7.41	2,750,000.00	2,750,000.00	
I, Juli-Ann Brozek, Lithgow City Council's Manager Corporate & Community certify as required under Local Government (General) Regulations 2005, that Council's investments have been made in accordance with the Local Government Act 1993, Regulations and Lithgow City Council's Investment Policy.								

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

Opening Balance as at 30 April 2014	\$16,526,981.80
Plus New Investments – May 2014	\$5,031,189.09
Less Investments redeemed – May 2014	\$5,044,263.09
Closing Balance as at 31 May 2014	\$16,513,907.80

On the graph below historical and current investments to 31 May 2014 are shown.



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

POLICY IMPLICATIONS

Investments are held in accordance with the Lithgow City Council's Investment Policy at the date of investing funds. On 13 February 2012 Council adopted a draft of the

Investment Policy as Policy 8.2 which includes the Minsters Investment Order of 12 January 2011.

FINANCIAL IMPLICATIONS

Interest received to 31 May 2014 is \$598,308.05 compared to full year's budget estimate of \$746,503.00 Interest is paid on the maturity date of the investment. The budget for interest income is determined by the average level of funds held and the rate of return. Adjustments to the budget estimate are processed through Council's Quarterly Budget Review process. Interest Returns are determined by average funds invested and the rate of interest return. Council held significant funds at the 30 June, 2013 in the form of carry over works in progress and unexpended grant funds, as these works have been progressed in 2013/14, the level of investments have reduced to fund this expenditure.

LEGAL IMPLICATIONS

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

- Local Government Act 1993 - Section 625
- Local Government Act 1993 - Order dated 12 January 2011
- Local Government (General) Regulation 2005
- Trustee Amendment (Discretionary Investments) Act 1997 Section 14A (2), 14c(1) & (2)

RECOMMENDATION

THAT Investments of \$16,513,907.80 for the period ending 31 May be noted.

ITEM-15 CORP - 30/06/14 - DRAFT DISABILITY ACCESS PLAN 2014-18

REPORT BY: V GULABOVSKI – 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
Min No 14-250: Ordinary Meeting of Council held on 2 June 2014

SUMMARY

The Disability Access Plan 2014-18 sets out Council’s commitment to making the Lithgow LGA a more welcoming and inclusive place for people with a disability. The plan aims to compliment the directions of New South Wales and Australian Government policy and to help Council move towards a best practice model for access and inclusion planning. The plan contains a set of objectives and actions in relation to improving the accessibility of Council employment, buildings, services, facilities and parks, in order to provide better outcomes for people with a disability and their families.

COMMENTARY

The development of a Disability Access Plan was initially included in Council’s Community Strategic Plan, and subsequently has been included in the 2013-14 Delivery Program and Operational Plan.

To assist with the development of the Disability Access Plan, Council formed the Disability Access Committee comprising community members, disability organisations and Council staff. It provides advice and makes recommendations to Council on local access issues, with the aim of improving access for people with disabilities to buildings, public places and services, and promoting awareness of disability issues. The Committee has met bi-monthly during development of the plan.

The Committee called for community submissions regarding access issues within the Lithgow LGA and the information received has been used to inform the objectives of the Disability Access Plan.

The Plan consists of four objectives, including;

1. Council and the broader community to be more aware and informed of issues relating to disability and access.
2. Council to ensure accessibility is provided to its buildings, services, facilities, parks and recreational areas to cater for people of all abilities.

3. To ensure that people with a disability have equal access to employment opportunities within Council and are afforded access to facilities, services and opportunities to meet their specific employment needs.
4. Work towards improving community transport options for people with disabilities within the Lithgow LGA.

Each objective includes a set of aims and actions to guide the work of Council over the next four years (2014-2018). Some actions are short-term and can be actioned relatively quickly, while others are long-term and will need to be considered in Council's annual budgets. The Disability Access Plan is an active document and will be reviewed and evaluated over time as the practical implications of the plan are addressed.

POLICY IMPLICATIONS

The Draft Disability Access Plan 2014-18 may have implications for Council's employment policies.

FINANCIAL IMPLICATIONS

Financial implications will be considered for incorporation into Council's future Operational Plans and budgets.

LEGAL IMPLICATIONS

Local Government Act 1993

The Disability Discrimination Act 1992 (DDA)

Building Code of Australia 2013

Australian Standards

ATTACHMENTS

1. Draft Disability Access Plan 2014-18

RECOMMENDATION

THAT Council:

1. Note the Draft Disability Access Plan 2014-18
2. Places the Draft Disability Access Plan 2014-18 on public exhibition for 28 days
3. Extends its thanks to those who participated on the Disability Advisory Committee and provided their time and expertise in the development of Disability Access Plan 2014-18.

ITEM-16 CORP- 30/06/14 - MAKING OF RATES AND CHARGES 2014-2015**REPORT BY: J BROZEK – GROUP MANAGER CORPORATE & COMMUNITY****SUMMARY**

The purpose of this report is to make the rates and annual charges for 2014-2015. The proposed rates and annual charges reflect the statement of revenue policy contained in the 2014-2015 Operational Plan.

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 closure of the exhibition period Council resolved at the Council meeting of 2 June 2014 to adopt the Delivery Program and Draft Operational Plan with amendments.

As per Section 535 of the Local Government Act 1993, Council should now resolve to make the rates and annual charges as adopted in the Operational Plan 2014-2015.

Ordinary - General Rate – Section 494 & 535

Category	Sub-Category	Base Amount	Ad Valorem Amount	% of Yield from
		(\$)	(c in the \$)	Base Amount
Residential	Lithgow (Including Strathlone, Littleton and Marrangaroo)	271	0.00594098	35.79%
Residential	Wallerawang	236	0.00447586	43.30%
Residential	Portland	230	0.00493444	49.53%
Residential	Lidsdale	271	0.00510429	39.87%
Residential	General	190	0.00336700	26.02%
Farmland	Intense Use	352	0.00273876	20.05%
Farmland	Farmland	352	0.00273876	26.76%
Business	Lithgow	380	0.02274718	7.82%
Business	Wallerawang	380	0.01365915	12.58%
Business	Portland	380	0.01090872	38.80%
Business	Lidsdale	258	0.02027337	14.10%
Business	General	258	0.00442363	19.74%
Mining		9290	0.09338708	6.11%

Waste Management Services – Section 496 & 501

Type	Charge (\$)
Residential	400.55
Business	400.55 (Ex GST)
Non Rateable	400.55 (Ex GST)
Unoccupied Urban	148.55 (Ex GST)
Rural	95.77 (Ex GST)

Stormwater Management Services – Section 496A

Type	Charge (\$)
Residential	25.00
Strata Unit (Residential)	12.50
Business	25.00 per 350sq metres (\$1,500 Cap)

Water Services– Section 501

Type	Charge (\$)
Residential Access	150
Business Access 200mm	970
Business Access 100mm	970
Business Access 50mm	854
Business Access 20mm	645

Sewer Services – Section 501

Type	Charge (\$)
Residential Standard	836
Business Access 200mm	1085
Business Access 100mm	1085
Business Access 50mm	954
Business Access 20mm	720

Special Rate – Parking – Section 495

Parking	Ad Valorem Amount (c in the \$)
Designated area of Lithgow	0.009193

The Special Parking Rate will be applied to properties wholly or partially categorised as business use for rating purposes within the designated Lithgow Central Business District.

The original designated area was constituted on 4 August 1975 by resolution of Council with the Special Parking Rate to be levied on the Unimproved Capital Value of all ratable land within the Lithgow Central Business District area broadly described as being all premises aligned to the North Western side of Main Street between the Western alignment of Bridge Street and the western boundary of the Commercial Hotel premises, all premises aligned to the South Eastern side of Main Street between the Western alignment of Bridge Street and the Western boundary of the then D&J Ford premises adjacent to Queen Elizabeth Park, and the premises on the North Western side of Railway Parade, between the Western alignment of the Tank Street/Inch Street intersections and the Eastern alignment of Roy Street.

The area was amended to include premises at 1-3 Padley Street Lithgow, by resolution of Council on 12 January 1981.

The area was then amended by resolution of Council on 15 June 2004 to incorporate the Woolworths development, the Old Technical College and rear of Australia Post, the Woolworths/Caltex service station and Police Centre and the area then known as Bracey's Garden Centre.

The area was further amended by resolution of Council on 13 February 2006 to incorporate the Central section of Railway Parade, Mort Street from Lithgow Street to Bridge Street, Cook Street from Main Street Lane to Mort Street, and Valley Plaza, Aldi and Pottery Estate developments.

Properties which will be levied for the Special Parking Rate for the 2014/2015 rating year include all those within the aforementioned area which are currently categorised wholly or partially as business use.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

Rates and annual charges income is necessary for Council to deliver the services outlined in the Integrated Plans, and detailed in the 2014-2015 Operational Plan.

LEGAL IMPLICATIONS

NIL

RECOMMENDATION

THAT Council make the rates and annual charges for the 2014-2015 rating year as adopted in the 2014-2015 Operational Plan.

COUNCIL COMMITTEE MINUTES

**ITEM-17 ENVIRO - 30/06/14 - HOWARD & SONS PYROTECHNICS PTY LTD
COMMUNITY LIAISON COMMITTEE MEETING MINUTES - 14 MAY
2014**

REPORT BY: A MUIR- GROUP MANAGER ENVIRONMENT AND DEVELOPMENT

REFERENCE

Min No 12-470: Ordinary meeting of Council held on 17 December 2012
Min No 13-17: Ordinary meeting of Council held on 4 February 2013
Min No 13-90: Ordinary meeting of Council held on 18 March 2013
Min No 13-216: Ordinary meeting of Council held on 17 June 2013
Min No 13-350: Ordinary meeting of Council held on 30 September 2013
Min No 14-64: Ordinary meeting of Council held on 10 February 2014

SUMMARY

This report details the latest Minutes of the Howard & Sons Pyrotechnics Pty Ltd Community Liaison Committee.

COMMENTARY

The meeting for the Howard & Sons Pyrotechnics Pty Ltd Community Liaison Committee was held on the 14 May 2014. The following matters of interest were discussed during this meeting:

- Container and bunker designs
- Transport routes for hazardous materials
- Incident on site 3 April 2014

No items arising from the meeting require a resolution by the Council and the minutes are provided for information.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Minutes from the Howard & Sons Pyrotechnics Pty Ltd Community Liaison Committee 14 May 2014.

RECOMMENDATION

THAT the minutes of the Howard & Sons Pyrotechnics Pty Ltd Community Liaison Committee Meeting held on 14 May 2014 be noted.

ITEM-18 CORP- 30/06/14 - LITHGOW FLASH GIFT COMMITTEE - 19 MAY 2014

REPORT BY - R PARK – EVENTS COORDINATOR

REFERENCE

Min No 13-329: Ordinary Meeting of Council held on 09 September 2013
Min No 13-438: Ordinary Meeting of Council held on 16 December 2013
Min No 14-170: Ordinary Meeting of Council held on 14 April 2014

SUMMARY

This report details the Minutes of the Lithgow Flash Gift Committee Meeting held on 19 May 2014.

COMMENTARY

At the Lithgow Flash Gift Committee held on 19 May 2014, there were numerous items discussed by the Committee including;

- Budget Report
- Report from NSW Athletics League
NSW Athletics League (NSWAL) invited Mr Andrew Muhlhan to the committee meeting to explain the present situation regarding the NSWAL and the proposed changes. NSWAL presented a brief explanation of the proposed changes to the operation of NSWAL. At the next committee meeting NSWAL will present a detailed operation and marketing plan of the NSWAL to the committee and how this will affect the Lithgow Flash Gift Carnival. The Committee has asked Mr Andrew Muhlhan to continue to attend the meetings until the proposed changes to NSWAL have been finalised.
- 2014 Sponsorship Package

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Minutes from the Lithgow Flash Gift Committee meeting of 19 May 2014
2. Amendment to the Lithgow Flash Gift Terms of Reference

RECOMMENDATION

THAT Council:

1. Note the minutes of the Lithgow Flash Gift Committee held on the 19 May 2014.
2. Adopts the amendment to the terms of reference for the Lithgow Flash Gift Committee to reflect 2 positions for NSW Athletics League and the inclusion of the General Manager or their nominee.

**ITEM-19 OPER - 30/06/14 - SPORTS ADVISORY COMMITTEE MEETING
MINUTES - 27 MAY 2014**

REPORT BY: I STEWART - GROUP MANAGER OPERATIONS

REFERENCE

Min No 14-219: Ordinary Meeting of Council held on 12 May 2014

SUMMARY

This report details the Minutes of the Sports Advisory Committee Meeting held on 27th May 2014.

COMMENTARY

At the Sports Advisory Committee held on 27th May 2014, there were numerous items discussed by the Committee including:

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

ATTACHMENTS

1. Minutes from the Sports Advisory Committee meeting of 27th May 2014

RECOMMENDATION

THAT Council note the minutes of the Sports Advisory Committee held on the 27th May 2014.

ITEM-20 CORP - 30/06/14 - YOUTH COUNCIL MINUTES - 27 MAY 2014

REPORT BY: M JOHNSON - MANAGER COMMUNITY AND CULTURE

REFERENCE

Min No 13-69:	Ordinary Meeting of Council held on 25 February 2013
Min No 13-104:	Ordinary Meeting of Council held on 18 March 2013
Min No 13-133:	Ordinary Meeting of Council held on 15 April 2013
Min No 13-187:	Ordinary Meeting of Council held on 27 May 2013
Min No 13-214:	Ordinary Meeting of Council held on 17 June 2013
Min No 13-249:	Ordinary Meeting of Council held on 8 July 2013
Min No 13-353:	Ordinary Meeting of Council held on 30 September 2013
Min No 13-411:	Ordinary Meeting of Council held on 25 November 2013
Min No 13-439:	Ordinary Meeting of Council held on 16 December 2013
Min No 14-99:	Ordinary Meeting of Council held on 3 March 2014
Min No 14-169:	Ordinary Meeting of Council held on 14 April 2014
Min No 14-215:	Ordinary Meeting of Council held on 12 May 2014

SUMMARY

This report details the minutes of the Youth Council meeting held on 27 May 2014.

COMMENTARY

At the Youth Council meeting held on 27 May 2014 various items were discussed by the committee including:

- Update on Youth Council PCYC Scholarship Program
- Update on discussion of a suitable Youth Venue
- Consideration of a nomination to join Youth Council by Leanne Walding, a Youth Work Professional.

Youth Council is comprised of two Councillors, the General Manager or his nominee, six young people and two Youth Work professionals. The two Youth Work professional positions are currently vacant. It is recommended that Leanne Walding be appointed to Youth Council.

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

Local Government Act NSW 1993

ATTACHMENTS

1. Minutes of the Youth Council meeting 27 May 2014.

RECOMMENDATION

THAT Council:

1. Note the minutes of the Youth Council meeting held 27 May 2014
2. Appoint Leanne Walding to Youth Council as a Youth Work Professional member

**ITEM-21 ENVIRO - 30/06/14 - ENVIRONMENTAL ADVISORY COMMITTEE
MEETING MINUTES - 28 MAY 2014**

REPORT BY: A MUIR – GROUP MANAGER ENVIRONMENT & DEVELOPMENT

SUMMARY

This report details the Minutes of the Environmental Advisory Committee Meeting held on 28 May 2014.

COMMENTARY

At the Environmental Advisory Committee meeting held on 28 May 2014 there were 11 items on the agenda. These included:

- Pedestrian/ Cycle way Blast Furnace Park to Lake Pillans
- Sustainability policy
- Save our Swamps Program in the LGA
- Farmers Creek (Vale of Clwydd) Willow Project – status update
- Farmers Creek – available funding – status update
- Lithgow Region Walking Track and Bike Trail – status update
- Hassans Walls Reserve – Plan of Management – status update
- Hassans Walls Reserve - Downhill Bike Track

None of the items discussed require a resolution from the Council

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Minutes from the Environmental Advisory Committee meeting of 28 May 2014.

RECOMMENDATION

THAT Council notes the minutes of the Environmental Advisory Committee held on 28 May 2014.

**ITEM-22 CORP - 30/06/14 - COMMUNITY DEVELOPMENT COMMITTEE
MINUTES INCLUDING ROUND 1 OF 2014/15 FINANCIAL
ASSISTANCE RECOMMENDATIONS - 3 JUNE 2014**

REPORT BY: M JOHNSON - MANAGER COMMUNITY AND CULTURE

REFERENCE

Min No 13-209:	Ordinary Meeting of Council held on 17 June 2013
Min No 13-388:	Ordinary Meeting of Council held on 28 October 2013
Min No 13-434:	Ordinary Meeting of Council held on 16 December 2013
Min No 13-437:	Ordinary Meeting of Council held on 16 December 2013
Min No 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
Min No 14-245:	Ordinary Meeting of Council held on 2 June 2014
Min No 14-247:	Ordinary Meeting of Council held on 2 June 2014

SUMMARY

This report details the minutes of the Community Development Committee meeting held on 3 June 2014 including Round 1 of 2014/15 Financial Assistance recommendations.

COMMENTARY

At the Community Development Committee meeting held 3 June 2014 various items were discussed by the committee including:

- A review of the Australia Day Citizenship Awards
- A review of Council's Sister City Relationships
- South Littleton Hall. Council advertised in early 2014 for Expressions of Interest from the Community to use or manage the South Littleton Hall following relocation of the Lithgow Mens Shed to the Lithgow Aquatic Centre amenities building. Only one EOI has been received, from the Lions Club of Lithgow who wish to use the hall exclusively as a club room for meetings and storage. This EOI was considered by the Community Development Committee which recommends that Council accept it.

Financial Assistance

The Community Development Committee considered applications received for Round 1 Non-Recurrent Financial Assistance and recommends that twenty nine (29) projects to the value of \$43,851 be approved by Council.

The Committee further recommends that Council provides a Tony Luchetti Showground/ Civic Ballroom fee waiver package to the value of \$2,500 for the Mountains Cruizers 2014 Car Show. This will be first forwarded to Council's Sports Advisory Committee for consideration.

Council has allocated a total of \$164,824 Financial Assistance in the 2014/15 Operational Plan for distribution to community organisations. Financial Assistance is provided on the relative merits of each application and the benefits to the community from the project.

Financial Assistance is provided under the following categories with the 2014/15 amounts shown:

Recurrent Financial Assistance	\$80,324
Non-Recurrent Financial Assistance	\$84,500
Non-Recurrent Financial Assistance is allocated as follows:	
Fee Waivers	\$1,000
Civic Ballroom and Tony Luchetti Showground Fee Waiver Packages	\$10,000
Sporting Related Financial Assistance	\$2,500
Round 1 and Round 2 allocations	\$71,000

1. Recurrent Financial Assistance

2014/15 Recurrent Financial Assistance is allocated as described in the 2014/15 Operational Plan.

2. Fee Waivers

\$1,000 to be allocated from the Non-Recurrent Financial Assistance allocation for the waiver by the General Manager of fees for the use of Council facilities throughout the year.

3. Civic Ballroom and Tony Luchetti Showground Fee Waiver Packages

Four (4) fee waiver packages to the total value of \$10,000 are allocated from the Non-Recurrent Financial Assistance budget. These are provided once only to each applicant; are not to be provided to organisations already receiving Financial Assistance for major events at these venues, and; applications are to be received at least 3 months prior to the event for consideration by a meeting of Council. No applications under this category were received for events in 2013/14.

4. Sporting Related Financial Assistance

\$2,500 is allocated from the Non-Recurrent Financial Assistance allocation for sporting related sponsorships/financial assistance including the waiving of sportsground hire fees and charges and financial assistance for junior representatives. These applications are considered by Council's Sports Advisory Committee and reported separately to Council for approval.

5. Non-Recurrent Financial Assistance Round 1 and 2 Allocations.

Council has allocated \$71,000 from the Non-Recurrent Financial Assistance allocation for distribution in two funding rounds, with applications called for in April and October 2014.

Council called for applications from the community for Round 1 of 2014/15 Non-Recurrent Financial Assistance from 1 – 30 April 2014.

A further report will be presented to Council in December 2014 detailing requests under Round 2 of 2014/15 Non-Recurrent Financial Assistance.

Round 1 2014/15 Financial Assistance Requests and Recommendations

Organisation Name Project Name and Outline	Amount requested	Amount Recommended	Comment
Lithgow Community Transport (Translinc) Purchase colour printer to produce a range of promotional publications including flyers, resources, newsletters, vouchers and client surveys.	\$3,000	\$1,000	
Lithgow Community Orchestra Young Player Development Program Musical Development Program for 3 musicians including an intensive one on one program.	\$550	\$550	
Mitchell Conservatorium Lithgow Division 2015 Student Scholarships	\$2,500	\$2,000	
Lithgow City Band New uniforms and Music New uniforms to cater for changing membership and new musical equipment. To promote the performance of music and a sense of community by performing at community functions and events.	\$2,000	\$1,500	
Girl Guides Lithgow Wet Room Refurbishment Install a shower and wash tubs to enable hall to be used for dance groups/yoga classes, overnight indoor camps and cleaning for cooking activities.	\$3,818	\$2,000	
Lithgow High School Garden Project Create an educational garden with an emphasis on sustainability, Aboriginal culture and whole school /community involvement.	\$2,950	\$2,000	
Lithgow Partnerships Against Domestic Violence and Family Abuse Lithgow Cares Campaign Create awareness of domestic and family violence and the availability of services and supports for victims in the Lithgow LGA.	\$3,000	\$1,500	

Organisation Name Project Name and Outline	Amount requested	Amount Recommended	Comment
Youthworx Girlzgroup A program to facilitate a group for primary school aged girls who are vulnerable addressing bullying, healthy relationships, resilience, cyber safety and conflict resolution.	\$510	\$510	
Lithgow Community Projects Youth Art Group and Women's Art & Craft Group Provision of art and craft materials and equipment for the youth art and women's art and craft groups to complete works for an exhibition at Eskbank House.	\$2,800	\$2,000	
Lithgow District Car Club Inc Yvonne Martyn Memorial Motorsport Park Rate Waiver Rate reimbursement for Lithgow District Car Club which provides a motorsport and driver training venue for motorsport enthusiasts and learner driver training.	\$1,100	\$1,100	
Lithgow Information and Neighbourhood Centre Multicultural Group Multicultural initiatives that raise awareness and bring communities together.	\$2,000	\$1,000	
Lithgow Information and Neighbourhood Centre - Communities and Kids Bowenfels Parents And Children's Groups	\$3,040	\$2,500	
Lithgow Child Protection Interagency Information Stalls, Community Fun Days And Professional Development	\$5,140	\$2,500	
NSW Rural Doctors Network The 2014 Bush Bursary/Country Women's Association Scholarship Scheme Scholarships to encourage medical students to spend 2 weeks of rural placement in the Lithgow LGA.	\$3,300	\$0	Limited demonstrated benefit to Lithgow given that Notre Dame Medical School operates in area.

Organisation Name Project Name and Outline	Amount requested	Amount Recommended	Comment
Sharon Cross Centenary of Lithgow Rugby League A book detailing the history of Lithgow Rugby League in conjunction with Lithgow's Centenary of Rugby League in 2014.	\$500	\$0	Committee recommends referral to Sports Advisory Committee for consideration
Mountain Cruisers Car Club Inc. Fee waiver for hire of the Showground for Mountain Cruisers 2014 Car Show	\$2,500	\$0	Committee Recommends allocating a showground fee waiver package instead
City of Lithgow Mining Museum Upgrade Of The Interpretive Displays Upgrade interpretive displays at the museum to provide a more interactive experience for visitors.	\$3,000	\$2,000	
Mingaan Wiradjuri Aboriginal Corporation NAIDOC Week Day and evening program for the community to celebrate NAIDOC week in September 2014.	\$3,000	\$3,000	
Lithgow Community Housing Crisis Accommodation Assistance Provide baskets of household items such as washing powder, cleaning projects, kitchen and bathroom products for clients in need of practical assistance to set up a new home.	\$2,500	\$1,000	
Portland Men's Shed Workshop Facilities Upgrade facilities, improve storage locations and WH&S to expand the range of activities to members and community groups in the local area.	\$4,040	\$2,000	
Blinky Bill Child Care Centre Portland Fire Shed Restoration Restore the old Fire Shed in the playground of the Child Care Centre as a secure storage facility.	\$9,484	\$2,000	

Organisation Name Project Name and Outline	Amount requested	Amount Recommended	Comment
Portland Art Purchase Society Portland Annual Art Exhibition Administration and event management of the Portland Annual Art Exhibition	\$2,000	\$0	Already receive Recurrent Funding
Combined Pensioners and Super Association Renew Sewerage System At Portland School Of Arts Replacement of 3 toilets in the Portland School of Art Building.	\$1,000	\$1,000	
Crystal theatre Community Centre Purchase Digital Projection Equipment Purchase digital projection equipment to replace 35mm film projector	\$3,000	\$0	Total project cost is \$50,000. The Committee recommends reconsideration in Round 2 once group is able to provide details on how remaining funds will be obtained.
Portland Central School & Portland Tidy Towns Portland St/ Paine St Crown Reserve Environmental Rehabilitation Clean up rubbish and remove non-native vegetation , establish walking and running tracks, construct tracks to meet National Parks guidelines and restore the existing playground on the reserve.	\$3,000	\$2,500	
Ginday Youth Centre Portland After school activities for young people in Portland.	\$2,000	\$2,000	
Wallerawang Kids Club Rent waiver for Wallerawang Memorial Hall	\$786	\$786	
Lake Wallace Sailability Running Costs Operation costs, insurance and repairs for sailing targeted towards people with a disability, young people and the general community.	\$1,200	\$1,200	

Organisation Name Project Name and Outline	Amount requested	Amount Recommended	Comment
Pied Piper Preschool Electrical upgrades to bring switchboard and air conditioning unit in line with current safety and compliance standards.	\$1,375	\$1,375	
Cullen Bullen Progress Association Reimbursement Of Council Rates And Charges	\$722	\$480	
Rydal A.H & P. Society Show Sponsorship 2015 Sponsorship of the prizemoney for the Heavy Horse Section and Yard Dog Section at the 2015 Rydal Show.	\$1,000	\$1,000	
Rydal Village Association Daffodils at Rydal Printing costs for promotional material and insurance costs.	\$2,000	\$1,500	
Tarana Tanker Trailers Tanker Trailer Registration Registration of 12 tanker trailers for use in fire fighting.	\$1,050	\$1,050	
National Trust Lithgow John Wellings Award Annual award to encourage local school children to appreciate local history.	\$800	\$800	
TOTAL	\$80,664	\$43,851	

Conclusion

Twenty nine (29) projects to the value of \$43,851 are recommended for Round 1 Non-Recurrent Financial Assistance. This will leave a further \$27,149 for allocation in Round 2 Non-Recurrent Financial Assistance later in 2014/15.

A further request of \$2,500 for a Civic ballroom/ Tony Luchetti Showground fee waiver package for the holding of the Mountain Cruizers 2014 Car Show is recommended for referral to Council's Sports Advisory Committee for consideration.

POLICY IMPLICATIONS

Financial Assistance is provided under Policy 4.4 Financial Assistance – Section 356 of the Local Government Act.

FINANCIAL IMPLICATIONS

The Council provides Financial Assistance to not-for-profit community groups and has allocated a total of \$164,824 in the 2014/15 Operational Plan as follows:

\$80,324 for Recurrent Financial Assistance.

\$71,000 in Rounds 1 and 2 Non-Recurrent Financial Assistance of which \$43,851 is recommended for allocation, leaving \$27,149 for allocation by Council in Round 2 Non-Recurrent Financial Assistance.

\$1,000 to be set aside from the Non-Recurrent Financial Assistance allocation for waivers by the General Manager of fees for the use of Council facilities throughout the year.

\$2,500 to be set aside from the Non-Recurrent Financial Assistance allocation for Sporting Related Financial Assistance including the waiving of sportsground hire fees and charges and Financial Assistance for junior representatives.

\$10,000 to be set aside from the Non-Recurrent Financial Assistance allocation for four (4) financial assistance packages of up to \$2,500 each to nonprofit community groups towards the cost of hiring the Civic Ballroom and/or Tony Luchetti Showground for major events that demonstrate an economic and social benefit to Lithgow.

LEGAL IMPLICATIONS

Local Government Act NSW 1993, Section 356

ATTACHMENTS

1. Minutes of the Community Development Committee meeting held 3 June 2014.

RECOMMENDATION

THAT Council:

1. Note the minutes of the Community Development Committee meeting held 3 June 2014
2. Provide Round 1 2014/15 Non-Recurrent Financial Assistance to the following organisations:

Organisation Name Project Name and Outline	Amount Recommended
Lithgow Community Transport (Translinc) Purchase colour printer to produce a range of promotional publications including flyers, resources, newsletters, vouchers and client surveys.	\$1,000
Lithgow Community Orchestra Young Player Development Program Musical Development Program for 3 musicians including an intensive one on one program.	\$550
Mitchell Conservatorium Lithgow Division 2015 Student Scholarships	\$2,000

Organisation Name Project Name and Outline	Amount Recommended
Lithgow City Band New uniforms and Music New uniforms to cater for changing membership and new musical equipment. To promote the performance of music and a sense of community by performing at community functions and events.	\$1,500
Girl Guides Lithgow Wet Room Refurbishment Install a shower and wash tubs to enable hall to be used for dance groups/yoga classes, overnight indoor camps and cleaning for cooking activities.	\$2,000
Lithgow High School Garden Project Create an educational garden with an emphasis on sustainability, Aboriginal culture and whole school /community involvement.	\$2,000
Lithgow Partnerships Against Domestic Violence and Family Abuse Lithgow Cares Campaign Create awareness of domestic and family violence and the availability of services and supports for victims in the Lithgow LGA.	\$1,500
Youthworx Girlzgroup A program to facilitate a group for primary school aged girls who are vulnerable addressing bullying, healthy relationships, resilience, cyber safety and conflict resolution.	\$510
Lithgow Community Projects Youth Art Group and Women's Art & Craft Group Provision of art and craft materials and equipment for the youth art and women's art and craft groups to complete works for an exhibition at Eskbank House.	\$2,000
Lithgow District Car Club Inc Yvonne Martyn Memorial Motorsport Park Rate Waiver Rate reimbursement for Lithgow District Car Club which provides a motorsport and driver training venue for motorsport enthusiasts and learner driver training.	\$1,100
Lithgow Information and Neighbourhood Centre Multicultural Group Multicultural initiatives that raise awareness and bring communities together.	\$1,000
Lithgow Information and Neighbourhood Centre - Communities and Kids Bowenfels Parents And Children's Groups	\$2,500
Lithgow Child Protection Interagency Information Stalls, Community Fun Days And Professional Development	\$2,500

Organisation Name Project Name and Outline	Amount Recommended
City of Lithgow Mining Museum Upgrade Of The Interpretive Displays Upgrade interpretive displays at the museum to provide a more interactive experience for visitors.	\$2,000
Mingaan Wiradjuri Aboriginal Corporation NAIDOC Week Day and evening program for the community to celebrate NAIDOC week in September 2014.	\$3,000
Lithgow Community Housing Crisis Accommodation Assistance Provide baskets of household items such as washing powder, cleaning projects, kitchen and bathroom products for clients in need of practical assistance to set up a new home.	\$1,000
Portland Men's Shed Workshop Facilities Upgrade facilities, improve storage locations and WH&S to expand the range of activities to members and community groups in the local area.	\$2,000
Blinky Bill Child Care Centre Portland Fire Shed Restoration Restore the old Fire Shed in the playground of the Child Care Centre as a secure storage facility.	\$2,000
Combined Pensioners and Super Association Renew Sewerage System At Portland School Of Arts Replacement of 3 toilets in the Portland School of Art Building.	\$1,000
Portland Central School & Portland Tidy Towns Portland St/ Paine St Crown Reserve Environmental Rehabilitation Clean up rubbish and remove non-native vegetation , establish walking and running tracks, construct tracks to meet National Parks guidelines and restore the existing playground on the reserve.	\$2,500
Ginday Youth Centre Portland After school activities for young people in Portland.	\$2,000
Wallerawang Kids Club Rent waiver for Wallerawang Memorial Hall	\$786
Lake Wallace Sailability Running Costs Operation costs, insurance and repairs for sailing targeted towards people with a disability, young people and the general community.	\$1,200
Pied Piper Preschool Electrical upgrades to bring switchboard and air conditioning unit in line with current safety and compliance standards.	\$1,375

Organisation Name Project Name and Outline	Amount Recommended
Cullen Bullen Progress Association Reimbursement Of Council Rates And Charges	\$480
Rydal A.H & P. Society Show Sponsorship 2015 Sponsorship of the prizemoney for the Heavy Horse Section and Yard Dog Section at the 2015 Rydal Show.	\$1,000
Rydal Village Association Daffodils at Rydal Printing costs for promotional material and insurance costs.	\$1,500
Tarana Tanker Trailers Tanker Trailer Registration Registration of 12 tanker trailers for use in fire fighting.	\$1,050
National Trust Lithgow John Wellings Award Annual award to encourage local school children to appreciate local history.	\$800

3. Allocate \$1,000 from the Non-recurrent Financial Assistance allocation for waivers by the General Manager of fees for the use of Council facilities throughout the year.
4. Allocate \$10,000 from the Non-recurrent Financial Assistance allocation for four (4) fee waiver packages of up to \$2,500 each to non-profit community groups towards the cost of hiring the Civic Ballroom and/or Tony Luchetti Showground.
5. Allocate \$2,500 from the Non-recurrent Financial Assistance allocation for Sporting Related Financial Assistance.
6. Note that the request by the Mountain Cruisers Car Club Inc for a fee waiver for hire of the Showground for the Mountain Cruizers 2014 Car Show has been referred to the Sports Advisory Committee for its determination.
7. Accept the Expression of Interest from the Lions Club of Lithgow for exclusive use the South Littleton Hall subject to negotiation of lease and payment details.
8. Authorise the affixing of the Council seal to lease documents for the South Littleton Hall.

ITEM-23 CORP - 30/06/14 - BLUE MOUNTAINS CROSSING BICENTENARY COMMITTEE - 4 JUNE 2014

REPORT BY - K BARROW – TOURISM MANAGER

REFERENCE

Min No 13-277: Ordinary Meeting of Council held on 29 July 2013
Min No 13-353: Ordinary Meeting of Council held on 30 September 2013
Min No 13-409: Ordinary Meeting of Council held on 25 November 2013
Min No 14-216: Ordinary Meeting of Council held on 12 May 2014

SUMMARY

This report details the Minutes of the Blue Mountains Crossing Bicentenary Committee Meeting held on 4 June 2014.

COMMENTARY

At the Blue Mountains Crossing Bicentenary Committee held on 4 June 2014, there were numerous items discussed by the Committee that requires action from Council including;

- Installation of Cox Road Signage
- Hartley Date Signing Project
- Events Calendar update

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Minutes from the Blue Mountains Crossing Bicentenary Committee meeting of 4 June 2014.

RECOMMENDATION

THAT Council note the minutes of the Blue Mountains Crossing Bicentenary Committee held on the 4 June 2014.

ITEM-24 OPER - 30/06/14 - TRAFFIC ADVISORY LOCAL COMMITTEE - 5 JUNE 2014

REPORT BY: I STEWART - GROUP MANAGER - OPERATIONS

SUMMARY

This report details the Minutes of the Traffic Advisory Local Committee Meeting held on 5 June 2014.

COMMENTARY

At the Traffic Advisory Local Committee meeting held on 5 June 2014, the following items discussed by the Committee including;

- Forestry Corporation-new contact details for TALC liaison officer
- Rushworth- Bender Cancer Council walk charity event debrief 2014 and discussion of 2015 event
- Intersection of Railway Parade and Hayley Street Lithgow-request from Lithgow Bus Lines
- Pedestrian issues Mort Street Lithgow
- Alpine Classic event 2014
- Recreational vehicle friendly parking request for Lithgow, Wallerawang and Portland
- Good Luck Hollow Lithgow-update on guard rail request for pedestrian safety
- Parking signage and zone update- Great Western Highway Lithgow
- Speed zone review Jenolan Caves Road-update

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Minutes from the Traffic Advisory Local Committee meeting of 5 June 2014.

RECOMMENDATION

THAT Council note the minutes of the Traffic Advisory Local Committee held on the 5 June 2014.

ITEM-25 CORP - 30/06/14 - TOURISM ADVISORY COMMITTEE - 17 JUNE 2014

REPORT BY - K BARROW – TOURISM MANAGER

REFERENCE

Min No 13-353: Ordinary Meeting of Council held on 30 September 2013
Min No 13-314: Ordinary Meeting of Council held on 25 November 2013
Min No 14-105: Ordinary Meeting of Council held on 03 March 2014
Min No 14-214: Ordinary Meeting of Council held on 12 May 2014

SUMMARY

This report details the Minutes of the Tourism Advisory Committee Meeting held on 17 June 2014.

COMMENTARY

At the Tourism Advisory Committee held on 17 June 2014, there were numerous items discussed by the Committee, they include;

- Concept designs for billboards
- Country NSW Expo
- Promotion of Portland and Lithgow Regional Markets
- Tourism Managers Report

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Minutes from the Tourism Advisory Committee meeting of 17 June 2014

RECOMMENDATION

THAT Council:

1. Note the minutes of the Tourism Advisory Committee held on the 17 June 2014

2. Participates in the Country NSW Expo in collaboration with Oberon Council. Council staff develops a strategy to assess the return on the investment from attending the County NSW Expo.

DELEGATES REPORTS

ITEM-26 DELEGATES REPORT - 30/06/14 - CENTROC MEETING - 29 MAY 2014

REPORT FROM: COUNCILLOR MAREE STATHAM, MAYOR

REFERENCE

Min No 12-334:	Ordinary Meeting of Council held on 3 September 2012
Min No 12-435:	Ordinary Meeting of Council held on 26 November 2012
Min No 13-354:	Ordinary Meeting of Council held on 30 September 2013
Min No 13-441:	Ordinary Meeting of Council held on 16 December 2013

SUMMARY

This report outlines the discussions from the Centroc meeting held at Parliament House, Sydney on Thursday 29 May 2014.

COMMENTARY

I attended the Centroc Board meeting at Parliament House Macquarie St Sydney and provide the following report for Council's information. Draft meeting minutes are attached. The meeting had two main components, a Round Table with ministers and the quarterly General Meeting of the Centroc Board. The agenda is available from the Centroc website where the following summarises key outcomes.

Round table with State Ministers

Andrew Gees (Member for Orange) office co-ordinated the meeting at Parliament house, giving Board members direct access to Ministers throughout the day. Those in attendance were, Andrew Gee MP, The Hon Andrew Stoner Deputy Premier, Troy Grant Minister for Hospitality, Gaming and Racing and Minister for Arts, The Hon Gladys Berejiklian, Minister for Transport, The Hon Duncan Gay Minister for Roads and Freight, Mr Richard Pearson, Deputy Secretary, Growth Planning and Delivery, Mr Marcus Ray, Executive Director, Planning Reform and General Counsel, The Hon Melinda Pavey, Parliamentary Secretary for Regional and Rural Health, The Hon Kevin Humphries Minister for Natural Resources, Lands and Water, The Hon Katrina Hodgkinson Minister for Primary Industries and the Hon Paul Toole Minister for Local Government.

The Hon Andrew Stoner officially opened the Board meeting, where he updated the board on RDA resourcing, Decentralisation Policy implementation, the Mobile Blackspot program and the Food and Fibre Plan for Central NSW.

The Hon Paul Toole, a recent delegate to the Centroc Board and now Minister for Local Government closed the meeting providing advice on Local Government reforms.

The various round tables with Ministers led to the following:

Issue	Action
Water for Regions	Centroc watch budget for possible funding
Funding for components of Bells line of Road	Centroc watch budget for possible funding
Mobile Blackspot program	Follow-up by Centroc to advocate for State leveraging of the program
Regional Industries Investment Fund	Available for industry support
Resources for Regions	Centroc watch budget for possible funding
Agricultural Industry Strategy	Report to be released – Centroc to monitor
Library's funding	Centroc watch budget for possible funding
\$43m for 7 overtaking Lanes on Bells Line	To be completed by Dec 2015
\$5m for corridor procurement	Meeting arranged with designers in Bathurst in the near future 2-4 years to develop with Ministry pushing for 2 years
Fixing Country Roads fund	Centroc watch budget for possible funding
Rural Health Plan	Submissions due by 9 June – Centroc to lodge submission
Increased Water storage in the region (eg Needles, Cranky ROC)	Centroc watch budget for possible funding “Spot On” for Centroc spot at the table in the process
Western Roads Plan	Centroc watch budget for possible funding
Centroc Food and Fibre Action Plan	Follow up on Support committed by Minister Hodgkinson
Impact of freezing FAG increases & pensioner rebate	Write to federal member – data will be required from Centroc Councils

Regional Tourism Organisations	Funding is assured
KSA	Regional slots are assured
Resources for mining related lgas	Widening of number of eligible Councils
Range Road at Meadow Flat	Minister committed to follow-up
Lachlan Valley Way	\$4m overtaking lanes budget issue - Minister committed to follow-up
Draft regional Growth Boundaries	Coming soon – seeking feedback
Dept of Planning	Minister has indicated a consultative approach
Health Planning in Western NSW	An opportunity for better integration
Beyond the Range	The Hon Melinda Pavey welcomes briefing
Minister for Water, Kevin Humphries	Welcomes a briefing from Centroc and supports ROC strategic approach

Centroc Board meeting – key decisions and reports ROC’s in NSW

The NSW Government is expected to publish its response to the reports from the Independent Panel and the Acts Taskforce having given consideration to the submissions from Local Government across NSW. It is anticipated that this response will include advice regarding piloting improved models for Councils to work together with state Government at the regional level. A detailed report included feedback from the joint ROC’s meeting was provided to the Board. The Board subsequently resolved to have an open and transparent process developing advice across the State regarding the progression of regional collaboration between Councils.

Water Security

The Board continues its advocacy to seek advice and funding on a review of the Centroc Water Security Study, with an inclusion of a proper assessment of the Needles Gap Dam in concert with the Lake Rowlands and Carcoar dam elements for urban water security in the Centroc Region. It is understood that State Water have sought monies from Treasury in this regard and Centroc is keen to have representation in this process to ensure the needs of urban water security.

Further funding is available under the *Restart NSW Water Security for Regions 2013-2014*, for urgent water security infrastructure with the current severe drought conditions. Centroc is providing support to eligible members.

Transport Infrastructure

The Executive of Centroc and OROC met with The Hon Duncan Gay, 28 May, advice from this meeting was provided to the Board including that a briefing updating the securing of the Corridor between Kurrajong and the M7 will be provided in the near future.

The Board also endorsed a Submission on the Regional Aviation Services and will lodge a submission on the Newell Highway.

Health

Advice was provided regarding the progression of meetings around the region with the development of content to be used for marketing and promotional purposes to attract health workforce as part of the Beyond the Range campaign. This process is almost complete and a Health event involving the Centroc Health Workforce Group will be organised for July.

The Board also adopted a MOU with Western Medicare Local.

Regional Development

Given the renewal of interest in agriculture at the Federal level, scoping of a strategic approach to supporting the food and fibre industries in this region was commended. In the first instance, discussion with other regional peak bodies such as Trade and Industry both at the State and Federal levels along with RDA will be undertaken.

This was supported by The Hon Katrina Hodgkinson, Minister for Primary Industry.

Member Council operational support

Noting the substantial amount of activity being undertaken collaboratively in support of member operations, this includes savings of \$2,914,431 through the Compliance and cost savings Program.

The Board approved the Final Report to the Department of Industry and congratulates the Centroc staff for the completion of the Community Energy Efficiency Program (CEEP). It was noted that Centroc was the only successful regional applicant to this program in the nation and the quality of the final report was important for information for both members and the Federal Government.

Centroc calendar

There are a number of significant events coming up on the Centroc calendar and Councillors are encouraged to keep an eye out for them:

- A health event Tuesday 22 July bringing together key stakeholders in the region where health workforce is the primary consideration;
- Road Assets meeting reviewing Special Schedule 7 and progressing the regional approach to asset management with dates being confirmed for mid July; and
- Centroc Board meeting Tuesday 26 August Parliament House Canberra. Being co-ordinated by the Hon John Cobb, it is anticipated that this meeting will be modelled on the State event and build on the work

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

RECOMMENDATION

THAT Council note the report from the Centroc Board Meeting held at Parliament House in Sydney on 29 May 2014.

NOTICES OF MOTION

ITEM-27 NOTICE OF MOTION - 30/06/14 - COUNCIL RESOLUTION 12 - 486 - \$150,000 NIL INTEREST LOAN TO PORTLAND GOLF CLUB LTD - COUNCILLOR M TICEHURST

REFERENCE

Resolution 12 – 486 of the Minutes of the Ordinary Meeting of the Lithgow City Council on 17 December 2012.

COMMENTARY

At the Ordinary Meeting of the Lithgow City Council on 17 December 2012, the Council resolved by resolution 12 -486:

THAT Council:

1. Formally provide a loan of up to \$150,000 at NIL interest to the Portland Golf Club to allow the Club to develop land in Bell Street Portland;
2. Enter into a mortgage and loan arrangement with the Portland Golf Club in relation to these monies with the Club being responsible for all legal and associated costs of the arrangement, with the repayment period not to exceed 5 years;
3. Authorise the General Manager to negotiate the draw down and repayment schedules of the loan; and
4. Authorise the Council seal to be affixed to any documentation requiring the seal.

MOVED: Councillor W McAndrew

SECONDED: Councillor R Thompson.

Q. Could the General Manager and/or Senior Council Officers provide a report to Councillors at the next Ordinary Meeting of the Lithgow City Council on the current status of the \$150,000 nil interest mortgage and loan arrangement with the Portland Golf Club in relation to the Clubs development of residential land in Bell Street Portland.

RECOMMENDATION

THAT the General Manager and/or Senior Council Officers provide a report to Councillors at the next Ordinary Meeting of the Lithgow City Council on the current status of the \$150,000 nil interest mortgage and loan arrangement with the Portland Golf Club in relation to the Clubs development of residential land in Bell Street Portland.

**ITEM-28 NOTICE OF MOTION - 30/06/14 - LITHGOW AQUATIC CENTRE
INDOOR HEATED SWIMMING POOL COMPLEX - ISSUES OF
COMPLIANCE - COUNCILLOR M TICEHURST**

REFERENCE

Minutes of the Aquatic Centre Committee of 22 August 2013.
Minutes of the Aquatic Centre Committee of 11 September 2013
NSW Ministry of Health Public Swimming Pool and Spa Pool Guidelines
Division of Local Government, Department of Premier and Cabinet Practice Note No. 15
– Water Safety (Updated July 2012)
NSW Work Health and Safety Act 2011

COMMENTARY

The confirmed Minutes of the Aquatic Centre Committee of 22 August 2013 indicate that:

- 1. Mrs Karen Luka enquired if a dehumidification system was included in the pricing for construction as part of Stage 3 works, as the facility Council is proposing to construct is exactly the same as the recently completed facility in Narrandera, and they were required to install a dehumidification system after the completion. Miss Leanne Kearney will confirm if the system is included and provide a report to the next Committee meeting.**

The confirmed Minutes of the Aquatic Centre Committee of 11 September 2013 indicate that:

- 4. Council consultant has advised that the ongoing operational costs of installing a dehumidification system are exorbitant, and the facility has been designed to allow natural ventilation and controlled air flows to moderate the air temperature of the Pool hall (noting that the concrete concourse is heated). The Consultant is currently investigating costs of installing a dehumidification system, and will provide a cost to Council when completed.**

With respect to 4. above, later Minutes of the Aquatic Centre Committee confirm that the Committee never received any investigation on the cost of installing a dehumidification system, nor was any similar Consultants Report on the cost of installing a dehumidification system provided to all Councillors at any later Ordinary Meeting of the Council.

Separately, the NSW Health Public Swimming Pool and Spa Pool Advisory Guidelines indicate under Paragraph 6.7.8 'Ventilation – Indoor that:

“Adequate exhaust ventilation and fresh air are essential for efficient removal of chloramines and other air impurities. Chloramines, particularly trichloramine, are volatile, that is, they readily move from the water to the air. However, when the air becomes saturated with chloramine they will no longer be given off and

can be re-dissolved into the same or other swimming pools in the same room. Pool covers, while preventing heat loss can also prevent chloramines from volatilising and being removed from the building.

There is a balance between losses of warm air, re-circulating warm air and off-gassing of chloramines. This balance needs to be determined without causing drafts and requires the expertise of suitably qualified ventilation professionals.

Recent articles suggest that there are associated health risks with poor indoor pool ventilation. In the absence of definitive studies this may be an emerging health issue.

Additionally, the Division of Local Government, Department of Premier and Cabinet Practice Note No. 15 – Water Safety (Updated July 2012) confirms that:

Any equipment or facilities should:

- **comply with the requirements of the NSW Work Health and Safety Act 2011; and**
- **comply with any relevant standards produced by Standards Australia.**

Q. Could the General Manager and/or Senior Council Officers provide a report to Councillors at this Ordinary Meeting of the Lithgow City Council, if the now under construction 25 metre Indoor Heated Swimming Pool at the Lithgow Aquatic Centre, will when opened be fully compliant with the NSW Ministry of Health Public Swimming Pool and Spa Pool Guidelines; the Division of Local Government, Department of Premier and Cabinet Practice Note No. 15 – Water Safety (Updated July 2012) and the NSW Work Health and Safety Act 2011.

ATTACHMENTS

1. NSW Ministry of Health Public Swimming Pool and Spa Pool Guidelines
2. Division of Local Government, Department of Premier and Cabinet Practice Note No. 15 – Water Safety (Updated July 2012)

RECOMMENDATION

THAT:

1. The General Manager and/or Senior Council Officers provide a report to Councillors at this Ordinary Meeting of the Lithgow City Council, if the now under construction 25 metre Indoor Heated Swimming Pool at the Lithgow Aquatic Centre will when opened, be fully compliant with the NSW Ministry of Health Public Swimming Pool and Spa Pool Guidelines; the Division of Local Government, Department of Premier and Cabinet Practice Note No. 15 – Water Safety (Updated July 2012) and the NSW Work Health and Safety Act 2011 and any relevant standards produced by Standards Australia.
2. The General Manager and/or Senior Council Officers provide a report to Councillors at this Ordinary Meeting of the Lithgow City Council, of what other Local Government Councils and Shires in NSW operate their 25 metre or 50 metre Public Indoor Heated Swimming Pool Facility by that as previously

advised by our Lithgow Aquatic Centre Project Consultant, “the (25 metre Indoor Heated Swimming Pool at the Lithgow Aquatic Centre) facility has been designed to allow natural ventilation and controlled air flows to moderate the air temperature of the Pool hall’.

ITEM-29 NOTICE OF MOTION - 30/06/14 - SEPTIC SYSTEMS AND BUILDING PERMITS ON PROPERTIES UNDER 4000M2 - COUNCILLOR F INZITARI

COMMENTARY

For the owners of particular blocks of land under 4000m2 in the rural villages of the Lithgow LGA, based on Council's current policy on septic systems and building permits on those particular parcels of land, that Council in both fairness and transparency, resolves that lots of under 4000m2 are assessed on merit when DA's are submitted with regards to septic systems.

RECOMMENDATION

THAT Council resolves that lots of under 4000m2 are assessed on merit when DA's are submitted with regards to septic systems.

NOTICES OF RESCISSION

ITEM-30 NOTICE OF RESCISSION MOTION - 30/06/14 - RYDAL PUBLIC TOILETS

We the undersigned propose to rescind the following motion:

14-238 THAT further investigations be carried out with regards to a boundary adjustment with the Rydal Rural Fire Shed and adjoining Crown Land site to accommodate the public toilets at this site.

This Notice of Rescission has been duly signed by 3 Lithgow City Councillors.

Councillor Martin Ticehurst
Councillor Col Hunter
Councillor Joe McGinnes

Should this rescission motion be successful, then it is proposed that the matter be referred to Closed Council for Council to consider the purchase of Lot 9, Section 18, Bathurst Street Rydal, for the purposes of locating a toilet block at Rydal on this site.

Additional funds have now been allocated in the 2014/15 Operational Plan to acquire the parcel.

It will then be proposed:

That delegated authority be given to the General Manager to:

1. Advise the owner of Lot 9, Section 18, Bathurst Street Rydal, that Council is only prepared to proceed to purchase the property upon the successful determination of a development application for a toilet block
2. Purchase the property Lot 9, Section 18, DP 758890 at Rydal subject to Recommendation 1, with Council setting an upper limit as indicated in the valuation report previously provided to Closed Council at the ordinary meeting of Council on the 12th May 2014.
3. Submit a development application for a toilet block and storage area on this allotment
4. Affix the Council Seal to any necessary documentation for the purchase of the property.

RECOMMENDATION

THAT the purchase of Lot 9, Section 18, Bathurst Street Rydal, be referred to Closed Council under 10A2(c); information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposed to conduct) business.

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.*