



A CENTRE OF REGIONAL EXCELLENCE

AGENDA

ORDINARY MEETING OF COUNCIL

TO BE HELD AT

THE ADMINISTRATION CENTRE, LITHGOW

ON

21 MARCH 2016

AT 7.00pm

AGENDA

ACKNOWLEDGEMENT OF COUNTRY

APOLOGIES

PRESENT

CONFIRMATION OF THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 29 FEBRUARY 2016

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

Crime Prevention Committee Minutes - 14 December 2015
Special Meeting - Sports Advisory – 19 January 2016
Tourism Advisory Committee Meeting – 2 February 2016
Disability Access Committee Minutes - 22 February 2016
Sports Advisory Committee Meeting Minutes - 23 February 2016

DELEGATES REPORTS – NIL

NOTICES OF MOTION – NIL

QUESTIONS WITH NOTICE – NIL

NOTICE OF RECISSIONS – NIL

BUSINESS OF GREAT URGENCY

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

CLOSED COUNCIL

Centroc - Electricity Procurement

TABLE OF CONTENTS

<u>ITEM</u>	<u>TITLE</u>	<u>PAGE</u>
	<u>GENERAL MANAGERS REPORTS</u>	<u>1</u>
<u>ITEM-1</u>	<u>GM – 21/03/16 - FOOTPATH PAVERS MAIN ST</u>	<u>1</u>
	<u>ENVIRONMENT AND DEVELOPMENT REPORTS</u>	<u>3</u>
<u>ITEM-2</u>	<u>ENVIRO – 21/03/16 - DA228/15 - PROPOSED LITHGOW AGED CARE DEVELOPMENT - SHORT STREET LITHGOW</u>	<u>3</u>
<u>ITEM-3</u>	<u>ENVIRO – 21/03/16 - DA029/16 - PROPOSED DEMOLITION AND CONSTRUCTION OF SERVICE STATION AND CAFE, GREAT WESTERN HIGHWAY LITHGOW NSW 2790</u>	<u>9</u>
<u>ITEM-4</u>	<u>ENVIRO – 21/03/16 - STATE SIGNIFICANT DEVELOPMENT - 6084 - HY-TEC INDUSTRIES PTY LIMITED, AUSTEN QUARRY VOLUNTARY PLANNING AGREEMENT</u>	<u>11</u>
<u>ITEM-5</u>	<u>ENVIRO – 21/03/16 - DA041/16 - ALTERATIONS & ADDITIONS TO EXISTING ANIMAL SHELTER - GEORDIE STREET LITHGOW</u>	<u>17</u>
<u>ITEM-6</u>	<u>ENVIRO – 21/03/16 - DA124/15 PROPOSED 3 LOT SUBDIVISION 41 MAGPIE HOLLOW ROAD SOUTH BOWENFELS</u>	<u>19</u>
<u>ITEM-7</u>	<u>ENVIRO – 21/03/16 - DA238/14 - PROPOSED 12 LOT SUBDIVISION, GLEN ALICE-OLD ROAD GLEN DAVIS</u>	<u>21</u>
<u>ITEM-8</u>	<u>ENVIRO – 21/03/16 - DEVELOPMENT AND CONSTRUCTION APPROVALS - 2011-2015 COMPARATIVE FIGURES</u>	<u>25</u>
<u>ITEM-9</u>	<u>ENVIRO – 21/03/16 - MEADOW FLAT HALL - PROPOSED FUNCTION - 2 APRIL 2016</u>	<u>28</u>
<u>ITEM-10</u>	<u>ENVIRO - 21/03/16 - PROPOSED RIGHT OF CARRIAGEWAY ACROSS LAND OCCUPIED BY CLARENCE DARGAN BUSHFIRE BRIGADE</u>	<u>30</u>
	<u>OPERATION REPORTS</u>	<u>32</u>
<u>ITEM-11</u>	<u>OPER – 21/03/16 - GREAT WESTERN HIGHWAY, LITHGOW INTERSECTIONS - CRASH HISTORY</u>	<u>32</u>
<u>ITEM-12</u>	<u>OPER – 21/03/16 - WATER REPORT</u>	<u>34</u>
	<u>CORPORATE AND COMMUNITY REPORTS</u>	<u>39</u>
<u>ITEM-13</u>	<u>CORP – 21/03/16 - RENAMING PROPOSALS</u>	<u>39</u>
<u>ITEM-14</u>	<u>CORP – 21/03/16 - COUNCIL INVESTMENTS HELD TO 29 FEBRUARY 2016</u>	<u>42</u>

<u>COUNCIL COMMITTEE MINUTES</u>	<u>46</u>	
<u>ITEM-15</u>	<u>CORP – 21/03/16 - CRIME PREVENTION COMMITTEE MINUTES - 14 DECEMBER 2015</u>	<u>46</u>
<u>ITEM-16</u>	<u>OPER – 21/03/16 - SPECIAL MEETING - SPORTS ADVISORY COMMITTEE MINUTES - 19 JANUARY 2016</u>	<u>47</u>
<u>ITEM-17</u>	<u>CORP – 21/03/16 - TOURISM ADVISORY COMMITTEE MEETING – 2 FEBRUARY 2016</u>	<u>48</u>
<u>ITEM-18</u>	<u>CORP – 21/03/16 - DISABILITY ACCESS COMMITTEE MINUTES - 22 FEBRUARY 2016</u>	<u>50</u>
<u>ITEM-19</u>	<u>OPER – 21/03/16 - SPORTS ADVISORY COMMITTEE MEETING MINUTES - 23 FEBRUARY 2016</u>	<u>51</u>
<u>BUSINESS OF GREAT URGENCY</u>		<u>53</u>
<u>CLOSED COUNCIL</u>		<u>54</u>
<u>ITEM-20</u>	<u>CONFIDENTIAL - CLOSED COUNCIL - 21/03/16 - CENTROC - ELECTRICITY PROCUREMENT</u>	<u>54</u>

GENERAL MANAGERS REPORTS

ITEM-1 GM – 21/03/16 - FOOTPATH PAVERS MAIN ST

REPORT BY: R BAILEY – GENERAL MANAGER

SUMMARY

This report provides a summary of complaints in relation to the Lithgow CBD footpaths.

COMMENTARY

At the Council meeting held on 8 September 2014 a Notice of Motion was submitted by Councillor Ticehurst in relation to slips and falls on footpath pavers in Main St, Lithgow. As a result of this the following resolution was made by Council:

14-377 RESOLVED

THAT the General Manager and/or Senior Council Officers provide a report to Councillors at the 27 October Council Meeting on it's awareness, reports and claims made following Slips and Falls on Footpath Pavers in Main Street, Lithgow in the 2013/14 Financial Year.

During the Council meeting Councillor Ticehurst said that there had 'been a fair bit of chatter about this topic and committed to providing all of the emails and information that he had received on the issue.

As a result Councillor Ticehurst provided one email relating to an incident. Councillor Ticehurst was reminded that he undertook to provide all emails and information that he had received on this issue. Numerous emails were sent to Councillor Ticehurst seeking the additional information but despite the number of requests no further information has been forthcoming.

The attached list of concerns raised with Council includes Cook Street Plaza along with side streets off Main Street for the calendar years 2013, 2014 and 2015.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. List of complaints in relation to slips and falls in Main St Lithgow.

RECOMMENDATION

THAT Council note the report in relation to slips and falls in Main St, Lithgow for the years 2013, 2014 and 2015.

ENVIRONMENT AND DEVELOPMENT REPORTS

ITEM-2 ENVIRO – 21/03/16 - DA228/15 - PROPOSED LITHGOW AGED CARE DEVELOPMENT - SHORT STREET LITHGOW

REPORT BY: J NICHOLS – DEVELOPMENT MANAGER

REFERENCE

Min No 16-07: Ordinary Meeting of Council held on 8 February 2016
Min No 16-31: Ordinary Meeting of Council held on 29 February 2016

SUMMARY

To provide information to Council on the assessment of DA228/15 lodged by Lithgow Aged Care Limited which is to be determined by the Western Joint Regional Planning Panel.

COMMENTARY

DA228/15 has been submitted by Lithgow Aged Care Limited. Whilst this application is being determined by the Western Joint Regional Planning Panel the proposal is being reported to ensure that Council is aware of the progress of such an important development in the Lithgow area.

The development is to take place on land known as Lots 1 & 2 DP 775471, Lots 2 & 3 DP319366, Lot 1 DP311786 and Lot B DP397063, Short Street (Maple Crescent) Lithgow NSW 2790 for the following:

1. Part demolition of the existing Coinda Aged Care Facility, specifically: Coates House; the function room and maintenance workshop; and a storage/garage building.
2. Provision of 144 beds increasing the total to a 168 bed facility (an additional 73 beds). This would be achieved by constructing 4 new buildings, each with two levels containing 18 single rooms per level.
3. Ancillary cut and fill (earthworks) and retaining walls.
4. Connections to essential services.
5. Landscaping, driveways and vehicle parking/manoeuvring areas.

The applicant has stated that the proposed operations of the new facility will not significantly vary the key parameters from the existing facility, but will substantially create significant efficiencies with improved design, integration of Tanderra and Coinda and better services and amenity for residents, staff and visitors. It will continue to run as a 24 hour, 7 days a week facility with night time staffing. Night time staff operations will generally be limited to carers, security and base level services and most of the kitchen, laundry, administration, café, shop, hair salon with health consulting rooms operating during extended business hours (up to 7am to 7pm). Car parking onsite will be increased by 22 car spaces.

ASSESSMENT:

Lithgow Local Environmental Plan 2014

The development being for 'seniors housing' (group term) and further defined as a 'residential care facility' is permissible as under Lithgow Local Environmental Plan 2014, subject to development consent. The proposed development meets the requirements of the R1 General Residential zoning as it is providing housing needs to the community that meet the day to day needs of residents of the area. The proposal has also been assessed by Water NSW in relation to impact to water catchments, stormwater and groundwater and found that the development is appropriate subject to conditions of consent being imposed.

The proposed earthworks associated with the development will not have a detrimental effect on drainage patterns or stability in the locality as the proposal has been assessed in relation to these matters both by Water NSW and the Mine Subsidence Board. The proposal has been designed to complement the existing land and with appropriate conditions of consent will meet requirements of the LEP relating to earthworks.

The development will have access to all essential services that will be upgraded to meet the intensified use. Therefore, the development meets the requirements of the LEP.

State Environmental Planning Policy No 64—Advertising and signage

There is minimal advertising proposed as part of this development and 'one as of right sign' is proposed to be placed on proposed structures of the development. Given the minor nature of the signage (see below) being for the business only it is considered that the proposal meets the requirements of the SEPP.

Off Street Carparking Development Control Plan

The development is for an aged care facility with a total of 214 beds. Under the DCP requirements reference is made to the repealed 'SEPP5 Housing for Aged and Disabled Persons' which could be applied to the hostel section of this application. The requirements for a hostel are similar to the standards set by *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* as below have been applied:

Part 7 Development standards that cannot be used as grounds to refuse consent

Division 2 Residential care facilities

48 Standards that cannot be used to refuse development consent for residential care facilities

A consent authority must not refuse consent to a development application made pursuant to this Chapter for the carrying out of development for the purpose of a residential care facility on any of the following grounds:

- (d) ***parking for residents and visitors:*** *if at least the following is provided:*

- (i) *1 parking space for each 10 beds in the residential care facility (or 1 parking space for each 15 beds if the facility provides care only for persons with dementia), and*
- (ii) *1 parking space for each 2 persons to be employed in connection with the development and on duty at any one time, and*
- (iii) *1 parking space suitable for an ambulance.*

The facility is for a total of 168 beds and a total of 40 employees onsite at one time. The development will allow for 20 spaces for employees and 16.8 for the beds being 36.8 carspaces required under 48(d) above. Therefore, given there will be 42 spaces provided the development will have adequate parking. Additionally, one dedicated space has been provided for an ambulance parking on the site as per 48(d)(iii). It is considered that the development will meet the requirements set by the SEPP and the DCP for the proposed increased development on the land.

Adjoining Landuse:

The surrounding area is generally for residential pursuits with the proposal intensifying an existing use. The development has been designed to complement the existing area including building design, landscaping, access and placement of buildings. It is considered that the proposal will have minimal impact on the surrounding land uses subject to conditions of consent if approved.

Services:

The development will have connections to Council's reticulated water and reticulated sewer services subject to appropriate conditions in relation to the further loadings proposed. Additionally, there is access to electricity and telecommunication services nearby. It is considered that the proposal will be adequately serviced.

Context and Setting:

The building design has been completed by undertaking an investigation of the surrounding areas architectural designs and incorporating parts of these designs within the proposed buildings. This will allow the development to be sympathetic to the residential building in the area. The building has been broken into sections utilising different architectural aspects, features and roofing design to break the building up and minimise the impact. Therefore, the development will have minimal impact on the context and setting of the surrounding environment.

The design of windows, balconies and landscaping will provide visual and acoustic privacy to the surrounding residential areas with minimal overshadowing and views being affected as a result.

Access/ traffic:

The proposal will gain access from Church Street and Short Street and has been assessed by Council's engineers as being suitable. Pedestrian access has been provided appropriately from the street and throughout the development. The proposal will not cause excessive traffic impacts.

Social and Economic Impact:

The development will have a positive impact on social and economic factors within the community. The Lithgow LGA requires more aged care to meet the needs of the ageing population within the area which is being provided as part of this development. Additionally, the proposal will provide additional employment opportunities of approximately 65. It will intensify the development to 168 beds and provide ancillary facilities on the site including, hairdressers, cleaners, nurses, gardening, specialists, retail and café workers. The proposal will have a positive impact in relation to social and economic factors given the increased provision of an aged care facility to service an identified need.

Water:

The proposed development has been assessed by Water NSW as required by the *State Environmental Planning Policy (Sydney Catchment Drinking Water) 2011* with the development found to have a neutral or beneficial effect on water quality. Therefore, with appropriate conditions of consent it is considered that the development will have minimal impact on water quality.

Noise and Vibration:

There are no nearby sources of noise or vibration that would impact detrimentally the proposal. The development noise sources would include residential noise, vehicles, laundry services and ventilation and air conditioning systems. The locations of plant and hydrant room and laundry services have been situated in a way that will have minimal effect on nearby residents.

The laundry services have been placed in the centre rear of the property to ensure that this does not impact on the surrounding area. The closest residents to the laundry services and plant room are approximately 70m upslope of the development. However these areas are on the lower level shielded by landscaping and retaining walls. It is considered that the development will have minimal increased noise impact on the surrounding residents given the design and internal operations of the proposal.

Construction noise will be restricted to general hours as per conditions of consent to minimise potential impacts on the surrounding residents.

Conclusion:

The proposal was sent to Water NSW, Endeavour Energy, Mine Subsidence Board, Council's Building Officer, Water & Wastewater Officer, Environmental Officer and Engineers for comment. All provided recommendations for approval subject to conditions of consent. The proposal was also sent to surrounding landowners and placed on public display in Council's Administration Building for a period of 21 days with no submissions received.

The proposal complies with the relevant provisions of the applicable Environmental Planning Instruments and subject to conditions of consent is not considered likely to have any significant negative impacts upon the environment or upon the amenity of the locality. As such the proposal is supported by a recommendation to Western Joint Regional Planning Panel that the development application be approved subject to conditions.

OTHER MATTERS

The *Environmental Planning and Assessment Act 1979* (EP&A Act) states the following:

Schedule 4A development for which regional panels may be authorised to exercise consent authority functions of councils

3 General development over \$20 million

Development that has a capital investment value of more than \$20 million

The application has an estimated cost of \$30,290,150 and therefore the following clause of the EP&A Act applies:

Division 3 Joint regional planning panels

23G Joint regional planning panels

(2) *A regional panel has the following functions:*

- (a) *any of a council's functions as a consent authority that are conferred on it under an environmental planning instrument,*
- (b) *any functions that are conferred on it under Division 1AA (Planning administrators and panels) of Part 6,*
- (c) *to advise the Minister or the Secretary as to planning or development matters or environmental planning instruments relating to the part of the State for which it is appointed, or any related matters, if requested to do so by the Minister or the Secretary (as the case may be).*

(2A) *An environmental planning instrument may only confer a council's functions as consent authority on a regional panel if the development is of a class or description set out in Schedule 4A. The functions of a consent authority may only be conferred on a regional panel in accordance with subsection (2) (a) and this subsection.*

The development is required to be determined by the Western Regional Planning Panel and will be sent for their determination.

POLICY IMPLICATIONS

Policy 7.5 Notification Of Development Applications

This policy applies to all applications as below:

5. Who will be notified under this Policy and how long is the notification period?

5.1 *Except for specified types of development outlined in 6.3 below, written notice of a development application will be given to landowners adjoining the Lithgow City Council Policy 7.5 – Notification of Development Applications land on which the development is proposed for a period of 14*

calendar days. For the purposes of this policy adjoining land is land that directly abuts the subject site; shares a common boundary; or is situated directly opposite to the site where separated by a road, pathway or driveway.

The proposal was notified to surrounding landowners and placed on display for a period of 21 days given it is for a senior housing- residential care facility. During this period no submissions were received.

FINANCIAL IMPLICATIONS

Under previous resolutions of Council, the Section 94A Contributions (\$302,901.50) and Section 64 Sewer and Water contributions (\$237,250.00) have been waived for this proposal. Therefore, Council has agreed not to receive the contributions totalling \$540,157.50 as the development is a not for profit organisation, for privately funded essential community infrastructure.

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 will be provided to the Western Regional Planning Panel.

ATTACHMENTS

1. Proposed Conditions of Consent for DA228/15.
2. Site Plans and Elevations

RECOMMENDATION

THAT the information on DA228/15 for Lithgow Aged Care Facility be noted.

ITEM-3 ENVIRO – 21/03/16 - DA029/16 - PROPOSED DEMOLITION AND CONSTRUCTION OF SERVICE STATION AND CAFE, GREAT WESTERN HIGHWAY LITHGOW NSW 2790

REPORT BY: A MUIR – GROUP MANAGER ENVIRONMENT & DEVELOPMENT

SUMMARY

To assess and recommend a variation to the Outdoor Advertising Development Control Plan for DA029/16 for two pylon signs.

COMMENTARY

Council is in receipt of DA029/16 from Isaac Property Developments & KDC Pty Ltd for demolition and construction of a service station, café and carpark on land known as Lot 1 Sec 3 DP11241, Lot 1 DP514466, and Lot 1 DP808332, Great Western Highway Lithgow. The proposal includes:

1. Demolition of existing buildings and structures, with the exception of the heritage building on site.
2. Construction of a new service station having convenience store building (GFA 216m²); fuel canopy; 8 fuel bowsers; associated underground fuel storage tanks and infrastructure for 24 hour operation.
3. Modifications and use of the existing heritage building (GFA 93m²) for the purpose of a café with outdoor seating.
4. Associated parking, landscaping, signage, access and ancillary works.

Unless it is to be “called in”, this application will be assessed and determined under delegation. However, a reasonable significant variation to the Outdoor Advertising Development Control Plan (DCP) is proposed which requires a resolution from Council for it to be accepted. The proposed variation to the DCP is discussed as below.

Proposed variation to Outdoor Advertising Development Control Plan (DCP):

The development application includes 2 x freestanding business identification signs (10m height x 2m wide) or illuminated pylon signs. The DCP sets design criteria of a maximum height of 6 metres for pylon signage in the Lithgow Local Government Area.

The applicant has requested that a variation to the limit of a 6m height pylon sign be granted for the two 10m high illuminated signs given the below justification:

- The site is unique in that it has frontage to a major classified road and the size of the signage is therefore commensurate with the scale of the development and signage in this setting.

- The 10 metre height of the proposed signage is compatible with the height of the buildings on the site and neighbouring McDonalds building.
- The exceedance in signage height applies to just two proposed signs and this will not have an obtrusive visual impact on the content of the whole site.
- The signage is not distracting to motorists or visually dominant, they convey simple business identification logos and petrol pricing information consistent with legislative requirements for service stations.

Attachment 1 shows the detail of the signs that require variations to the DCP.

Given the location and type of signage, the variation to the DCP would not have any further impact to the surrounding area by way of amenity, excessive signage of the area or raise safety concerns. The signage meets the requirements of State Environmental Planning Policy No. 64 Advertising and Signage and therefore the variation can be supported for this development.

OTHER MATTERS

The application is to be assessed by Roads and Maritimes Services, Water NSW, John Holland Rail, Endeavour Energy and Council officers prior to being in a position to determine the full application.

An assessment under 79C of the Environmental Planning and Assessment Act 1979 will be undertaken prior to determination by delegation.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

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

ATTACHMENTS

1. Location and detail of signage

RECOMMENDATION

THAT Council support a variation to the Lithgow Outdoor Advertising Development Control Plan to allow two 10 metre high illuminated pylon signs proposed in DA029/15 for a service station and café.

**ITEM-4 ENVIRO – 21/03/16 - STATE SIGNIFICANT DEVELOPMENT -
6084 - HY-TEC INDUSTRIES PTY LIMITED, AUSTEN QUARRY
VOLUNTARY PLANNING AGREEMENT**

REPORT BY: A MUIR - GROUP MANAGER ENVIRONMENT & DEVELOPMENT

REFERENCE

Min No 14-480: Ordinary Meeting of Council held on 15 December 2014
Min No 15-325: Ordinary Meeting of Council held on 14 December 2015

SUMMARY

To advise and seek endorsement of a Draft Voluntary Planning Agreement (VPA) for Hy-Tec Industries PTY Limited.

COMMENTARY

On 15 July 2015, the Department for Planning and Environment granted Development Consent for an extension to the Austen Quarry (State Significant Development-6084) on land known as Lots 1 and 2 DP 1005511, Lot 31 DP 1009967 and Lot 4 DP 876394,391 Jenolan Caves Road Hartley. The application proposes to continue to supply up to 1.1 million (M) tpa of quarry products to the Applicant's concrete batching plants and to external markets.

The following condition was imposed on the development consent:

COMMUNITY ENHANCEMENT

20. Within 6 months of the date of this consent [15/07/15], unless otherwise agreed by the Secretary, the Applicant shall enter into a planning agreement with the Council in accordance with [division] sic
- Division 6 of Part 4 of the EP&A Act; and
 - The terms specified in Appendix 7.

If there is any dispute between the Applicant and Council on the planning agreement, then either party may refer the matter to the Secretary for resolution.

The terms specified in Appendix 7 of the consent states:

APPENDIX 7: PLANNING AGREEMENT

The Applicant shall pay Council \$0.025 per tonne of quarry product extracted and transported from the Stage 2 Extraction Area on a quarterly basis. Each payment shall be:

- (a) based on weighbridge records of the quantity of extraction material transported from the site in the relevant quarter;

- (b) paid within 21 days of the end of the relevant quarter;
- (c) adjusted in line with the Consumer Price Index calculated from the date of approval and applied annually from the first day of operation.

The agreement was endorsed to be notified by Council as per Council's Policy 7.10 – Planning Agreements on 14 December 2015 and advertisement was undertaken from 24 December 2015 to 29 January 2016. During this period four submissions on the plan were received.

The submissions received involve:

The Lithgow Tidy Towns Committee Inc. proposes to seek a portion of the development contribution for an amount of \$13,000 for the erection of panels on the Lithgow Library external wall in Burns Lane. The project is for a book spine design to be attached to 35 metres of the wall with vitro bond and coloured vinyl print. The Lithgow Tidy Towns Committee Inc. has received a grant from the NSW Government Community Partnership and has sponsorship for partial fund of the project. It is expected that \$13,000 would finalise the funding for the project.

David Robinson (Hartley Resident) proposes to seek a contribution for an amount of \$60,000 to \$80,000 for the restoration of local television to the Hartley area. Local television was removed from Hartley as part of the District switchover and since that date Hartley residents have had to endure television broadcasts from the Northern Territory and Alice Springs. Mr Robinson advised Council that he has made enquiries and the option of restoring local television is available to Hartley subject to the funds being received.

Karen Edwards (Hartley Resident) proposes to seek a contribution for a walking path from the Hartley Historical Village, connect to Carroll Drive and cross the Highway to the Hartley School on Mid Hartley Road. The footpath would provide a link between the historical items within the Hartley precinct as well as encouraging healthy walking practices. It is believed that the footpath would create a social activity between residents and visitors. It is proposed that the path could be designated as a 'bushwalk type path'. The path could be extended to the Hyde Park Reserve. Crossing the Highway maybe difficult to achieve but as the road works are currently being undertaken, a pedestrian divider in the middle of the road could be inserted as well as providing as safety barrier.

The Hartley District Progress Association Incorporated indicated that they would like some of the funds to go towards local nominated projects and community enhancements. Within their submission they made the following proposals:

- To maintain the heritage listed historic Hartley School and Annex Hall as they are vital elements to the Hartley Community for the use of meetings and social events. The Hartley District Progress Association aim is to raise funds for the care, maintenance and enhancement to the buildings on an annual basis. Currently there is a need to repair and paint the interior of the school at a cost of \$10,000 (\$4,000 to restore a c1920 original wall map of the school

and an unknown amount at this stage to conserve the First World War Honour Roll). The long term aim is to upgrade the kitchen and amenities. It is proposed to seek a portion (approximately 25%) of the VPA contribution for the kitchen and amenities.

- Other projects that a portion (approximately 25%) of the VPA contribution could benefit include; volunteer projects involving environmental remediation or improvement, heritage asset protection or promotion, funding to the three Rural Fire Service volunteer groups, a valley tree planting program, the development of a bike track through the valley and an early education project that overtime may lift the average education level within the community.
- A heritage date signing project is currently being undertaken in partnership with Council and the National Trust. Funds have already been allocated for 12 signs in the first stage of the project. The Hartley District Progress Association proposes to seek approximately \$8,000 per stage for the outstanding three stages
- The Hartley District Progress Association proposes to relocate the 'A Moment in Time' exhibition to a long term site. The exhibition was mounted last year in the School Hall with an entity created to encourage the reflection of the consequences of the crossing of the Blue Mountains by Europeans in 1919. The work was curated by Joan Kent with the Hartley Progress Association receiving a Heritage Volunteers Award from the Heritage Council in 2015. The exhibition is currently being stored within a shipping container.

The Hartley District Progress Association subsequently made a supplementary submission seeking to further clarify their requests. This was as follows:

Specifically the royalty should be allocated as follows;

25% to be paid directly to the HDPa to provide a fund for the maintenance and enhancement of the Hartley Historic School (1881) and Hall facility that is a vital community meeting place. Painting the school interior and the restoration of the world war 1 Honour roll are immediate tasks that will cost some \$10,000 with a hall extension project also being planned that will require significant additional funding.

25% to be paid to council for allocation annually to Hartley community organisations for use in remedial and enhancement works in the Hartley Valley, such grants to be applied for by the HDPa or any other broadly representative incorporated local community organisation. For instance the extension of the Date Signing project already undertaken and piloted in Hartley Vale in a partnership between the HDPa, the National Trust and Council, or the development of a bike trail across the valley or tree line establishment would be the type of project we would envisage. The HDPa would willingly accept these funds for such uses in full but we recognise that over the thirty

year life of the VPA other credible community organisations could emerge that might warrant funding.

25% to be paid to Council and used to fund an early learning initiative across the whole LGA aimed at improving the school readiness of the children of the most disadvantaged / dysfunctional parents in our community.

25% to be paid to council and used by council to defray the cost of administering the VPA and Hy-Tecs DA compliance.

Whilst one of our needs is to find a long term display site for the Moment in Time Exhibition (which is currently stored in a shipping container) we don't envisage that the revenue flows from the VPA would be adequate to assist us in a solution to this problem unless we were able to accumulate funds received over many years.

It is recommended that as the Austen Quarry is located within the vicinity of Hartley, that a proportion of the VPA for the Quarry is funded towards the Hartley District Progress Association for projects within the Hartley community.

It is recommended that \$10,000 of the first annual payment is to go towards the Hartley District Progress Association for the care, maintenance and enhancement to the Hartley School and Annex Hall. Following the first annual payment, 25% of the VPA for the following years is to go towards the Hartley District Association for community projects or the School/Hall Annex at their discretion. 25% should be made available for annual projects in the Hartley area. The remaining VPA funding is recommended to go towards Public Facilities, Services or Projects within the Lithgow Local Government area.

Each financial year the Hartley District Progress Association is to nominate specific projects, prior to receiving the fund. Council will review the project (including scope of the work and timeframe) and the nominated estimated quote. If the Hartley District Progress Association does not nominate a specific project prior to each financial year, the whole of the VPA fund is go to Council for Public Facilities and Infrastructure within the Lithgow Local Government area.

From the above recommendation, the VPA can be endorsed by Council, finalised by each party and subsequently notified to the Department of Planning & Environment and the Hartley District Progress Association.

POLICY IMPLICATIONS

Policy 7.10 – Planning Agreements applies. The Policy provides that a draft VPA is to be reported to Council for final endorsement following its exhibition.

FINANCIAL IMPLICATIONS

The financial implications for Council are the receipt by Council of a development contribution being a monetary contribution to go towards public facilities and infrastructure within the Lithgow Local Government area.

Operating at capacity of 1.1 million tonnes per annum of quarried product transported from the site, this equates to \$27,500 per annum being received by Council under this agreement. Hy-Tec has indicated that they typically transport between 800,000 to 1.1m tpa and anticipate this to continue and to pick up to 1m tpa in the short term.

LEGAL IMPLICATIONS

The legislative basis for the Planning Agreement is incorporated in the *Environmental Planning and Assessment Act 1979* (EP&A Act) (Sections 93F – 93L) and the *Environmental Planning and Assessment Regulations 2000* (Clauses 25B – 25H). Section 935 of EP&A Act provides that public notice must be given of a proposed Planning Agreement for at least 28 days before it can be entered into. This has been completed and the Planning Agreement can be endorsed and finalised.

ATTACHMENTS

1. Voluntary Planning Agreement – amended as per the above recommendations
2. Submission from the Lithgow Tidy Towns Committee Inc.
3. Submission from David Robinson (Hartley Resident)
4. Submission from The Hartley District Progress Association Incorporated
5. Submission from Karen Edwards (Hartley Resident)

RECOMMENDATION

THAT:

1. Council endorse the Draft Voluntary Planning Agreement proposed by Hy-Tec Industries Pty Limited for a contribution of \$0.025 per tonne of quarry product extracted and transported from the Stage 2 Extraction Area on a quarterly basis. This contribution is to be allocated as follows:
 - a. \$10,000 in the first year be allocated to the Hartley District Progress Association for expenditure on the Hartley School and Hartley Annex Hall.
 - b. 25% of the contribution in subsequent years be allocated to the Hartley District Progress Association to go towards projects in the Hartley area which may at its discretion be spent on maintenance, upkeep or improvements to the Hartley School, Hartley Annex Hall or surrounds.
 - c. 25% of the contribution in all years be allocated to general community projects in the Hartley area to be determined by an annual expression of interest process. The Expression of Interest process to be carried out by Austen Quarry with the results to be provided to Council for approval.
 - d. The balance to be allocated to annual projects throughout the Lithgow Local Government Area to be determined by an annual expression of interest process. The Expression of

Interest process to be carried out by Austen Quarry with the results to be provided to Council for approval.

2. Funds generated by the VPA are to be paid to Council for distribution on an annual basis.
3. The Voluntary Planning Agreement be notified to the Department of Planning and Environment and the Hartley District Progress Association once both parties have endorsed the plan.

**ITEM-5 ENVIRO – 21/03/16 - DA041/16 - ALTERATIONS & ADDITIONS
TO EXISTING ANIMAL SHELTER - GEORDIE STREET LITHGOW**

REPORT BY: A MUIR – GROUP MANAGER ENVIRONMENT & DEVELOPMENT

SUMMARY

To advise Council of the submission of Development Application (DA041/16) and Construction Certificate (CC034/16) by Lithgow City Council for minor alterations and additions to the existing animal shelter (Lithgow Dog Pound Facility) at Lot 1 DP125085 Geordie Street Lithgow.

COMMENTARY

The allotment contains a number of existing infrastructure/ commercial/ industrial uses being the:

- Lithgow Sewerage Treatment Plant (STP);
- Lithgow Recycling Centre; and
- Subject Lithgow Dog Pound Facility.

The proposal provides for:

- a) the upgrading of existing dog kennel accommodation adjacent to the southern external wall to convert six (6) undersized kennels to three (3) larger kennels (K11-K13);
- b) additional surface drainage measures to improve wastewater disposal;
- c) construction of five (5) new kennels within the central common area;
- d) the replacement of existing sub-standard roof structure over northern side kennels;
- e) the erection of a new saw-tooth roof incorporating window openings and translucent sheeting over centrally located kennels and existing cattery to improve solar access during winter months and ventilation during summer months;
- f) erection of two (2) new access gates within the front elevation;
- g) decorative treatment to the front facade to improve presentation.

POLICY IMPLICATIONS

Council's *Policy 7.6 – Development Applications on Council owned land* requires Development Applications on Council land to be referred to the elected Council for consideration and determination and that no aspect of the development is dealt with under delegated authority. Given Council's ownership of this land the proposal is reported to Council for determination.

FINANCIAL IMPLICATIONS

All costs associated with the proposal will be met by Council. No development contributions are payable. This is not specifically relevant to the assessment of the Development Application.

LEGAL IMPLICATIONS

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

ATTACHMENTS

1. Complete 79C Planning Report under separate cover.
2. Site Plan and Elevations

RECOMMENDATION

THAT:

1. Council **APPROVE** DA041/16 in accordance with the conditions outlined in the attached Section 79C report.
2. A **DIVISION** be called in accordance with the provisions of Section 375(3) of the Local Government Act 1993.

**ITEM-6 ENVIRO – 21/03/16 - DA124/15 PROPOSED 3 LOT SUBDIVISION
41 MAGPIE HOLLOW ROAD SOUTH BOWENFELS**

REPORT BY: A MUIR - GROUP MANAGER ENVIRONMENT & DEVELOPMENT

SUMMARY

To advise of the lodgement of Development Application No. DA124/15 and to recommend approval subject to the conditions listed in the 79C report. As the application has been lodged by Councillor Inzitari it is reported for determination in accordance with Council Policy.

COMMENTARY

Council is in receipt of a Development Application DA124/15 for a subdivision of 1 Lot into 3 on land known as Lot 1 DP 700204, 41 Magpie Hollow Road, South Bowenfels NSW 2790.

The property currently contains an area of 48.88ha and contains a double storey brick dwelling. The land has a relatively flat topography with a slight slope to the south west. The area surrounding the dwelling is utilised for grazing purposes.

The proposal is for a 3 lot subdivision with proposed Lot 1 to have an area of 5,918m² and retain the existing dwelling. Lot 2 is proposed to have an area of 33ha and contains a farm shed. Lot 3 is proposed to have an area of 15.3ha and is currently vacant of building structures. Lots 2 and 3 may be considered to be 'englobed' lots that will be the subject of future applications for further subdivision.

NEIGHBOUR NOTIFICATION AND SUBMISSION

The proposal was notified to surrounding adjoining landowners in accordance with Council's Policy 7.5: *Notification of Development Applications* for a period of 14 days. During this time period one submission was received. The submission raised the following concerns:

The site plan of the subdivision does not take into consideration the Roads and Maritime Services proposed changes along the Great Western Highway as shown in their final concept plan. This includes:

- *significantly changed access onto the GHW at South Bowenfels near the church and the fire station;*
- *installation of a turning circle for access to the north of the fire station, access which resumes some of the land in question and which would be the only access onto the highway in the area of the fire station and church;*
- *resumption of land for two large water quality basins; and*
- *resumption of land along the full length of the GWH from the fire station to Magpie Hollow Road for highway development.*

The development is for a 3 lot subdivision with access from Magpie Hollow Road. Lot 3 is proposed to have an area of 15.3ha and adjoins the Great Western Highway. As the access to Lot 3 is not proposed to be near the church or fire station, the development is not expected to have an impact on the RMS upgrade plans for the turning circle. Future applications may need to consider this further. Lot 3 is considered to have a significant site area for future dwellings. Due to the topography of the land and Council's setback requirements from major road networks, the development is not expected to impact the water quality basins. Future Development Applications for subdivisions and developments would be assessed when applications are submitted.

CONCLUSION

The proposal complies with the relevant provisions of the applicable Environmental Planning Instruments. The proposal is not considered likely to have any significant negative impacts upon the environment or upon the amenity of the locality subject to conditions of consent being imposed. As such it is recommended that development consent be granted subject to the conditions as detailed within the 79C assessment (Attachment 1).

POLICY IMPLICATIONS

Council's Policy 7.6 – *Development Applications by Councillors and staff and relatives* requires Development Applications to be referred to the elected Council for consideration and determination and that no aspect of the development is dealt with under delegated authority. Given that the property is owned by a relative of Councillor Frank Inzitari, the proposal is reported to Council for determination.

FINANCIAL IMPLICATIONS

NIL

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.
2. Subdivision layout plan.

RECOMMENDATION

THAT:

1. Development Application 124/15 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-7 ENVIRO – 21/03/16 - DA238/14 - PROPOSED 12 LOT
SUBDIVISION, GLEN ALICE - OLD ROAD GLEN DAVIS**

REPORT BY: A MUIR - GROUP MANAGER ENVIRONMENT & DEVELOPMENT

REFERENCE

Min No 15-100: Ordinary Meeting of Council held on 11 May 2015

SUMMARY

To assess and recommend determination of DA238/14. Recommendation will be for approval subject to conditions.

COMMENTARY

Council is in receipt of a Development Application DA238/14 for a subdivision of 3 lots into 12 on land known as Lot 1 DP 651340, Lot 1 and Lot 21 DP 753780 “Glen Alice” Glen Alice – Old Road Glen Davis NSW 2846.

The proposal is for a 12 lot subdivision being:

- Lot 1 is proposed to contain 44ha with access from Nile Road;
- Lot 2 is proposed to contain 41ha with access from Nile Road;
- Lot 3 is proposed to contain 42ha with access from Nile Road;
- Lot 4 is proposed to contain 255ha. This lot is not proposed to contain building structures as it is proposed to be transferred to the Wollemi National Park.
- Lot 5 is proposed to contain 42ha with access from Nile Road;
- Lot 6 is proposed to contain 42.5ha with access from Nile Road;
- Lot 7 is proposed to contain 57ha with access from Upper Nile Road;
- Lot 8 is proposed to contain 40ha with access from Upper Nile Road;
- Lot 9 is proposed to contain 40ha with access from Upper Nile Road;
- Lot 10 is proposed to contain 55ha with access from Nile Road;
- Lot 11 is proposed to contain 40ha with access via a partially formed Crown Road from Glen Alice Road and
- Lot 12 is proposed to contain 40ha with access via a partially formed Crown Road from Glen Alice Road.

The property has a total area of 779.73 hectares and contains an existing building and associated outbuildings on proposed Lot 2 and proposed Lot 10. There are other farm building structures scattered across the property. The property is generally flat along Upper Nile Creek, undulating to hilly and mountainous.

The Statement of Environmental Effects states that the mountainous portion of the property is covered with timber and it adjoins the Wollemi National Park. A large

portion of the property is relatively cleared with scattered eucalypts and timber on the western boundary.

PERMISSIBILITY UNDER RYLSTONE LOCAL ENVIRONMENTAL PLAN 1996

The application was lodged on 15 October 2014 prior to the gazettal of Lithgow Local Environmental Plan 2014. Therefore, the application is to be assessed under Rylstone Local Environmental Plan 1996 (LEP1996) whilst having regard to Lithgow Draft Local Environmental Plan 2013 DLEP2013 in accordance with the *Environmental Planning & Assessment Act 1979*.

The development is considered to comply with the objectives of the 1(a) General Rural zone.

At the Ordinary Meeting of Council held on 11 May 2015 a report was presented regarding the Agricultural Classification of the property. Council resolved that Lot 1 DP 651340, Lot 1 and Lot 21 DP 753780 for DA 238/14 are not prime crop or pasture land for the purposes of the Rylstone Local Environmental Plan 1996.

The development satisfactory complies with the Rylstone LEP 1996.

PERMISSIBILITY UNDER LITHGOW DRAFT LOCAL ENVIRONMENTAL PLAN 2013

The matter requires consideration under Draft LEP2013 which was subsequently gazetted as Lithgow Local Environmental Plan 2014. The proposed subdivision will generally meet the objectives of the RU1 Primary Production Zone. However, the subdivision does not meet the requirements of Clause 4.1 'Minimum subdivision lot size' as the property is located within "Area 1".

The development generally complies with the provisions of the DLEP2013 with the exception of the minimum subdivision lot size. However, given the application was lodged under the Rylstone LEP 1996, the development may be given determinative weight in this instance under Rylstone LEP 1996.

The property is identified as containing Biodiversity. The proposed subdivision is not expected to have any adverse impact on ecological value or significant flora and fauna on the property as no building structures are proposed at this stage.

No clearing of the property is proposed as part of this application and the land form would not be impacted upon.

EXHIBITION & COMMUNITY CONCERNS

The proposal was notified to adjoining landowners and placed on public display in Council's Administration Building for a period of 14 days. During the exhibition period one submission was received and is summarised below.

1. Loss of privacy in relation to the location of the building envelopes for proposed lots 11 and 12.

2. If the Crown Road gets upgraded it is requested that the existing fence remains in order to provide a separation between the properties.

Applicant's Response: *The building envelope for Lot 11 is located in the middle of that lot and is considerable distance (about 800m) from the nearest existing dwelling. Trees obscure the view of this building envelope from the existing adjacent dwelling.*

The building envelope for Lot 12 is below the existing dwelling on the adjacent property. This building envelope can be moved further down the hill (north) and further away from the adjacent dwelling.

It is proposed that the existing fence will remain in place.

Council Comment: Council Officers are satisfied with the applicant's response as the building envelopes are considered to be in a suitable location as to have minimal impact on privacy. The Crown Road is not proposed to be upgraded and the fence remaining.

CONCLUSION

The proposal is not considered likely to have any significant negative impacts upon the environment or upon the amenity of the locality subject to conditions of consent being imposed. As such it is recommended that development consent be granted subject to the conditions as detailed within the 79C assessment.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

A Voluntary Planning Agreement (VPA) has been negotiated with the developer in relation to the subdivision proposal. The developer has agreed to make a contribution of \$40,000 for the proposed 12 lots to go towards the upgrade of Glen Alice Road. This will be separately reported to Council in due course as part of The Voluntary Planning Agreement process. However, it is important that the Council is aware of this in relation to the determination of this application.

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 238/14 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-8 ENVIRO – 21/03/16 - DEVELOPMENT AND CONSTRUCTION APPROVALS - 2011-2015 COMPARATIVE FIGURES

REPORT BY: A MUIR - GROUP MANAGER ENVIRONMENT & DEVELOPMENT

SUMMARY

In addition to the detailed report provided to Councillors every 3 weeks on development approvals and applications received, this twelve monthly report with comparisons back to 2011 is submitted to provide an overview of development and construction approvals.

COMMENTARY

The table below provides a summary of all approvals for each 12 month period from 2011 to 2015. This includes Development Applications, Combined Development Application/Construction Certificates, Construction Certificates and Complying Development Certificates. There was a drop in DA's and CC's from 13/14 to 14/15, however a higher number of applications was received in 13/14 to preceding years. Also there was a drop in the total cost of developments, but it must be remembered that the total cost of development does not necessarily transfer to that actually built. Also instances can occur where there is a higher total cost of development with a lower number of applications. This can be seen when comparing 2012/2013 to 2013/2014.

DEVELOPMENT APPROVALS – FINANCIAL YEAR 2011 to 2015.

	1/07/11 – 30/06/12	1/07/12 – 30/06/13	1/07/13 - 30/06/14	1/07/14 - 30/06/15
DA's	120	264	276	250
DACC's	134	5	2	-
CC's	77	218	236	221
CDC's	21	9	8	8
Number of Consents Issued	352	496	522	479
Average Approval Days (All Applications)	23	27	27	28
Median	20	22	22	25
Total Cost of Developments	\$60,837,327	\$84,298,278	\$45,315,289	\$36,454,443

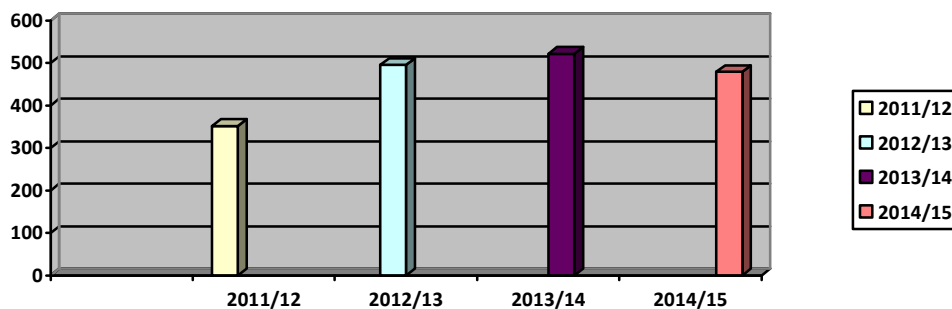
*Due to a system upgrade in 2012, DA/CC's (Combined applications) no longer exist in the system. Applications are now separated in the system with the DA being the 'parent' record and CC's the 'child'. (However, there are still a few approved DACC's in our system). Whilst this properly reflects their legal status customers can still apply for development and construction approvals together.

Some further research was also carried out in an effort to understand why there was a slight increase in approval days when comparing 2014/2015 to 2014/2013. Also the increase in approval days from the early years was investigated to ascertain if there were any factors that have contributed to the number approval days in 2014/2015 that may have occurred or whether there were any matters of process that could be improved upon. Some interesting facts were gleaned, primarily in relation to the greater need for referrals to other agencies when compared to other local government authorities. For example, in 2012/2013 28% of all applications required referral to an external authority; 35% in 2013/2014 and 30% in 2014/2015. Councillors may recall from previous investigations into this issue is that in 2012/2013 the 28% of applications referred by Lithgow City Council compared with Bathurst – 7%; orange – 3%; and Forbes – 0% appeared to be a major factor in relation to approval days.

Another factor for the higher number of days in 2014/2015 relates to applications requiring referral to the Department of Panning for concurrence under State Environment Planning Policy No 1. For example one application for Oakey Forest Road took 134 days to process and another for a subdivision at Hillcrest took 140 days to process. There was also a large residential subdivision in 2014/2015 at Marrangaroo which took 118 days to process. Another application for an item of State Heritage Hartley Vale which required referral to New South Wales state heritage took 74 days to process.

TOTAL APPLICATION APPROVALS FOR 2011 – 2015

The graph above indicates the number of approvals on an annual basis between 2011 and 2015.



POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

RECOMMENDATION

THAT the report on development application and construction certificate approvals be received.

**ITEM-9 ENVIRO – 21/03/16 - MEADOW FLAT HALL - PROPOSED
FUNCTION - 2 APRIL 2016**

REPORT BY: A MUIR – GROUP MANAGER ENVIRONMENT & DEVELOPMENT

SUMMARY

To seek Council endorsement for a function to be held at the Meadow flat for on 2 April 2016.

COMMENTARY

At Councils Ordinary Meeting of 29 February 2016 the Minutes of the Meadow Flat Hall Committee of 10 February 2016 were reported to Council with the following recommendations:

THAT:

1. Council note the minutes of the Meadow Flat Hall Management Committee Meeting held on 10 February 2016.
2. Donna Wright and Glenda Weekes be appointed to the Meadow Flat Hall Advisory Committee.
3. Geoffrey Welsman be appointed to the Meadow Flat Hall Advisory Committee.
4. Despite the terms of reference, the Meadow Flat Hall Advisory Committee be authorised to organise two functions in 2016.
5. The current Terms of Reference for the Meadow Flat Hall Advisory Committee be amended as follows:
 - The number of community members be increased from 7 to 8
 - Community members must either be residents of the Lithgow Local Government area or reside within 20km's of the hall.

The Council subsequently resolved as follows:

THAT:

1. Council note the minutes of the Meadow Flat Hall Management Committee Meeting held on 10 February 2016.
2. Advertise the vacant positions on the Meadow Flat Hall Management Committee
3. The current Terms of Reference for the Meadow Flat Hall Advisory Committee be amended as follows:
 - The number of community members be increased from 7 to 8
 - Community members must either be residents of the Lithgow Local Government area or reside within 20km's of the hall.

Subsequent to this an advertisement was placed in Council's column on 3 March 2016 indicating nominations on the committee would be accepted until 16 March 2016, however this was passed the cut off for reports for the Council business paper and will be separately reported to an upcoming meeting.

There had been some discussion in committee meetings about holding a function at the hall on 2 April 2016 and to this end some arrangements had commenced, for example the booking of a band. As the organisation of events is technically outside the terms of reference of the committee a Council resolution was sought at the Ordinary meeting of 29 February 2016. However, this was not implicit in the final motion or subsequent resolution. There is disagreement within the committee with some members believing holding functions is not the role of the committee whilst others see it as important to sustain the use of the facility. As to whether the function should be held, at this stage there will be implications if cancellation took place, eg the booking of the band. Under the circumstances a determination is sought from Council so a decision can be made whether the event will proceed. As the band has already been engaged, a recommendation will be made that the committee be authorised to organise the event on 2 April 2016.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

The function will incur costs through, for example the hire of a band, however this is anticipated to be offset by ticket sales.

LEGAL IMPLICATIONS

NIL

RECOMMENDATION

THAT the Meadow Flat Hall Committee be authorised to hold an event at the Meadow flat for on second on 2 April 2016.

**ITEM-10 ENVIRO – 21/03/16 - PROPOSED RIGHT OF CARRIAGEWAY
ACROSS LAND OCCUPIED BY CLARENCE DARGAN BUSHFIRE
BRIGADE**

REPORT BY: A MUIR – GROUP MANAGER ENVIRONMENT & DEVELOPMENT

REFERENCE

Min No 11-309: Ordinary Meeting of Council held on 1 August 2011
Min No 11-336: Ordinary Meeting of Council held on 12 September 2011
Min No 14-50: Ordinary Meeting of Council held on 10 February 2014

SUMMARY

To advise Council of request from the owner of Lot 150 DP 751650, Lot 1 DP 1140300, Lot 222 DP 751650, Lot 218 DP 751650 at Clarence seeking to gain Right of Carriageway across land occupied by the Clarence Dargan Bushfire Brigade.

COMMENTARY

Council has received a request from the owner of the above lands at Clarence (see attached plan) who wishes to gain access across Lot 74 DP 237413 which is occupied by an existing Bushfire Shed utilised by the Clarence Dargan Bushfire Brigade. The owner seeks permission to utilise the existing right of carriageway that Council may recall was previously granted to the owners of Lot 16 DP 751650 which adjoins the land associated with the current request. At the time Council resolved that the owner of Lot 150 DP 751650, Lot 1 DP 1140300, Lot 222 DP 751650, Lot 218 DP 751650 be approached and given a further opportunity to participate in the creation of the Right of Carriageway and be given 3 months to respond to Council's offer. At that time the owner of Lot 150 DP 751650, Lot 1 DP 1140300, Lot 222 DP 751650, Lot 218 DP 751650 chose not to take up the offer. However, he has now approached Council seeking to gain right of way across the same land in exactly the same location.

Council's Solicitor has been consulted to ascertain if it is possible for another party to be granted a right of carriageway over the existing right of carriageway and it appears possible. It also appears possible that this may be created without the need to refer to the holder of the existing right of carriageway. However, for practical reasons such as ongoing maintenance it would be recommended that this occur.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

All costs would need to be borne by the property owner who would benefit from the right of carriageway.

LEGAL IMPLICATIONS

Council's Solicitor has advised that it is feasible for an additional property owner to become a party to the right of carriageway.

ATTACHMENTS

1. Map showing the location of the existing right of carriageway.
2. Map showing land owned by the party seeking access to the right of carriageway.

RECOMMENDATION

THAT:

1. Council agree in principle to grant a right of carriageway to the owner of Lot 150 DP 751650, Lot 1 DP 1140300, Lot 222 DP 751650, Lot 218 DP 751650 for access over Lot 74 DP 237413 at Clarence, occupied by an existing right of carriageway, subject to the owner providing evidence that he has consulted with the holder of the existing right of carriageway.
2. Once evidence of consultation has been provided to council as outlined in number 1, council grant a right of carriageway to the owner of Lot 150 DP 751650, Lot 1 DP 1140300, Lot 222 DP 751650 and Lot 218 DP 751650.
3. All costs associated with the provision of the right of carriageway be borne by the owner of Lot 150 DP 751650, Lot 1 DP 1140300, Lot 222 DP 751650 and Lot 218 DP 751650.

OPERATION REPORTS

ITEM-11 OPER – 21/03/16 - GREAT WESTERN HIGHWAY, LITHGOW INTERSECTIONS - CRASH HISTORY

REPORT BY: I STEWART – GROUP MANAGER OPERATIONS

SUMMARY

The purpose of this report is to detail the incidents that have occurred at the main intersections on the Great Western Highway between Magpie Hollow Road and Marrangaroo Fields in the last five years.

COMMENTARY

Council, at its Ordinary Meeting of 1st June 2015, resolved to provide a report detailing the incidents that have occurred at the main intersections on the Great Western Highway between Magpie Hollow Road and Marrangaroo Fields in the last ten years.

The research was requested from Roads & Maritime Services at the Traffic Advisory Local Committee Meeting of 18th June 2015.

Research was undertaken by Roads & Maritime Services and the following history provided. It should be noted that RMS have stated only five years data can be provided as older data is considered unreliable.

- 14 intersections
- No fatal crashes
- 33 crashes in total
- 19 injury crashes resulting in 29 injuries
- 14 non injury crashes

Detailed crash reports are attached for a more in-depth understanding of the crashes.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Detailed crash reports

RECOMMENDATION

THAT the information on Great Western Highway, Lithgow Intersections crash history be noted.

ITEM-12 OPER – 21/03/16 - WATER REPORT

REPORT BY: I STEWART – GROUP MANAGER OPERATIONS

REFERENCE

Min No 16-37: Ordinary Meeting of Council held on 29th February 2016

SUMMARY

This report provides an update on various water management issues as per Minute Number 16-37.

COMMENTARY

Current Dam Levels for both Farmers Creek and Oberon

Farmers Creek Dam # 2 capacity on Wednesday, 9th March 2016 was 85%. Oberon Dam capacity on Monday, 9th March 2016 was 57%.

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 2015/2016. 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 2013/2014 & 2014/2015.

Table 1 - Oakey Park Monthly Output and Clarence Transfer 2015/2016

Month	Oakey Park WTP (ML)	Clarence Transfer (ML)	Fish River Supply (ML)
July	113	0	50
August	112	0	66
September	117	0	57
October	123	0	63
November	117	0	75
December	162	63	55
January	120	0	74

February	111	0	77
TOTAL	975	63	517

Table 2 - Oakey Park Monthly Output and Clarence Transfer 2013/2014 & 2014/2015

Month	2013/14			2014/15		
	Oakey Park WTP (ML)	Clarence Transfer (ML)	Fish River Supply (ML)	Oakey Park WTP (ML)	Clarence Transfer (ML)	Fish River Supply (ML)
July	93	0	44	80	0	63
August	96	0	67	145	0	45
September	102	0	73	105	0	66
October	130	0	58	112	0	61
November	106	0	61	120	0	65
December	100	0	47	84	0	36
January	111	0	109	89	0	100
February	93	0	73	95	0	66
March	62	0	68	143	0	67
April	105	0	61	99	0	71
May	118	0	59	105	0	55
June	101	0	67	131	0	74
TOTAL	1,217	0	787	1,308	0	769

Clarence Transfer System

Water was transferred from the Clarence Colliery Dam to Farmers Creek No. 2 Dam during the month of December 2015. During this period 63ML were transferred to assist in restoring the volume stored.

Oakey Park Water Quality Summary

Oakey Park Water Treatment Plant is currently supplying water to Lithgow, Marrangaroo, Wallerawang, Lidsdale, Portland, Cullen Bullen, Glen Davis and Rydal. No health-based ADWG values were exceeded for the period 20/2/2016 to 11/3/2016.

Wastewater Treatment Plants Monitoring Results

Samples are taken on a monthly basis at various locations within the STPs and WTP. Nine samples were taken on 24th February 2016 and forwarded to Sydney Water for testing. Results will be reported to a future meeting. All test results are 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

Fish River Water Supply supplied water to Marrangaroo, Wallerawang, Lidsdale, Portland, Cullen Bullen, Glen Davis and Rydal from 20/2/2016 to 7/3/2016. No health-based ADWG values were exceeded for the period 20/2/2016 to 11/3/2016.

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 two (2) applications for household appliance rebates and no applications for water tank rebates for the period 20/2/2016 to 11/3/2016.

Council, at its Ordinary Meeting of 29th February 2016, resolved to investigate and report back to Council the take up of water saving schemes in neighbouring Councils.

All of the Centroc member councils have been contacted, with the following Councils not currently offering any water saving schemes:

- Bathurst
- Cowra
- Lachlan
- Mid Western
- Oberon
- Parkes
- Upper Lachlan
- Young
- Central Tablelands Water (Blayney/Cabonne/Weddin)

Forbes and Orange currently offer a showerhead exchange program where residential customers can exchange their existing showerhead for a water efficient showerhead.

Water Reticulation Complaints

Eight (8) complaints were received during the period 20/2/2016 to 11/3/2016 concerning water quality issues in the following areas. Testing of the water was undertaken at each location.

Locality	Concern	Notes
Henderson Place, Lithgow	Caller stated that the water has tasted disgusting of late.	Flushed and tested. Nil exceeding ADWG values.
Page Street, Lithgow	Caller wanting someone to go out a few times and test the water in his unit. He said the water smells foul and thinks it has something to do with Red Rooster up the road.	No problem found.
Crane Road, Lithgow	Caller advised that he is experiencing really dirty water. Very brown in colour.	Flushed and tested. Nil exceeding ADWG values.
Lithgow Street, Lithgow	Caller advised that she has really brown water.	Flushed and tested. Nil exceeding ADWG values.
Lett Street, Lithgow	Dirty water coming out of the tap.	Flushed and tested. Nil exceeding ADWG values.
Landa Street, Lithgow	Reported dirty water.	Flushed and tested. Nil exceeding ADWG values.
Kilpalie Place, Lithgow	Reported dirty water.	Flushed and tested. Nil exceeding ADWG values.
Landa Street, Lithgow	Caller stated dirty water.	Flushed and tested. Nil exceeding ADWG values.

Details of water complaints made in the last six (6) months are displayed in the attachment.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Water Quality Complaint Trend

RECOMMENDATION

THAT Council note the water report.

CORPORATE AND COMMUNITY REPORTS

ITEM-13 CORP – 21/03/16 - RENAMING PROPOSALS

REPORT BY: M JOHNSON – MANAGER COMMUNITY AND CULTURE

REFERENCE

Min No 15-330: Ordinary Meeting of Council held on 14 December 2015
Min No 16-19: Ordinary Meeting of Council held on 8 February 2016
Min No 16-22: Ordinary Meeting of Council held on 8 February 2016

SUMMARY

This report details the community comments received following a public exhibition period in relation to renaming proposals for the Meadow Flat Hall, Lithgow Aquatic Centre and Maple Crescent Park Lithgow.

COMMENTARY

Meadow Flat Hall Renaming

At the Ordinary Meeting of Council held 14 December 2015, Council resolved (Min 15-330) to advertise for community comment for a minimum of 14 days a proposal to rename the Meadow Flat Hall to the Mac Scott Memorial Hall in recognition of Mr Mac Scott.

Mac Scott, was a Meadow Flat grazier, president of the old Blaxland Shire Council and became an alderman on Lithgow Council for a time after the two councils were merged in April 1977.

Six objections, including one objection from a number of different people, and one letter of support have been received on this proposal. The objections are that the establishment of the hall was the work of many local people therefore it would not be fair to name it after one person.

Lithgow Aquatic Centre Renaming

At the Ordinary Meeting of Council held 8 February 2016, Council resolved (Min 16-19) to advertise for a period of 14 days its intention to rename the Lithgow Aquatic Centre to the JM Robson Aquatic Centre in honour of Jim Malone Robson.

Jim Robson served as an alderman on Lithgow City Council for twenty one years and as Mayor for ten of those years. He led initiatives to modernise Lithgow and diversify its economy and was instrumental in the establishment of the new hospital in Lithgow. He was also involved in having the Lithgow Pool built. In 2011 he was awarded the Medal of the Order of Australia for his service to the community of Lithgow.

One comment has been received on this proposal via Council's Facebook site suggesting that the original Lithgow War Memorial Pool naming be retained and that the new indoor pool be named instead after Jim Robson.

Maple Crescent Church Street Park Renaming

Council further resolved at the Ordinary Meeting of Council held 8 February 2016 (Min 16-22) to advertise for a period of 14 days its intention to rename the park in Maple Crescent/Church Street where the old Helipad is located to Kiddle Park.

Max and Molly Kiddle were instrumental in raising funds for Careflight for many years in the local area, and were extremely well known to many residents.

No community comments have been received on this proposal.

The community was subsequently invited to make comment on the above renaming proposals with public comments sought by Friday 11 March 2016.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

Local Government Act NSW 1993, Section 356

ATTACHMENTS

Meadow Flat Hall Naming Proposal 1

1. Meadow Flat Hall Renaming Objection 1
2. Meadow Flat Hall Renaming Objection 2
3. Meadow Flat Hall Renaming Objection 3
4. Meadow Flat Hall Renaming Objection 4
5. Meadow Flat Hall Renaming Objection 5
6. Meadow Flat Hall Renaming Objection 6
7. Meadow Flat Hall Renaming Support 1

Aquatic Centre Naming Proposal 2

8. Aquatic Centre Renaming Objection

RECOMMENDATION

THAT:

1. Due to the number of objections to the renaming of the Meadow Flat Hall, Council undertake further consultation with the Meadow Flat Hall Committee to find a suitable means of recognising Mr Mac Scott.
2. Council rename the Lithgow Aquatic Centre to the JM Robson Aquatic Centre in honour of Jim Malone Robson.
3. Council rename the park in Maple Crescent/Church Street to Kiddle Park in recognition of Max and Molly Kiddle.

ITEM-14 CORP - 210316 - COUNCIL INVESTMENTS HELD TO 29 FEBRUARY 2016

REPORT BY: J BROZEK – GROUP MANAGER CORPORATE AND COMMUNITY

REFERENCE

Min No 15-176: Ordinary meeting of Council held on 27 July 2015
 Min No 15-197: Ordinary meeting of Council held on 17 August 2015
 Min No 15-253: Ordinary meeting of Council held on 28 September 2015
 Min No 15-277: Ordinary meeting of Council held on 26 October 2015
 Min No 15-305: Ordinary meeting of Council held on 16 November 2015
 Min No 15-328: Ordinary Meeting of Council held on 14 December 2015
 Min No 16-15: Ordinary Meeting of Council held on 8 February 2016

SUMMARY

To advise Council of investments held as at 29 February 2016 in the 2015/16 financial year.

COMMENTARY

Council's total investment portfolio, as at 29 February 2016 when compared to 31 January 2016 has decreased by \$986,032.37 from \$23,602,078.90 to 22,616,046.53. While cash in Council's bank account increased by \$2,267,361.97 from \$572,803.44. to \$2,840,165.41.

There is an overall increase in cash and investments of \$1,281,329.60 since 31 January 2016. This is primarily due to the recent rates instalment being due at the end of February.

INVESTMENT REGISTER 2015/16								
INSTITUTION	INV TYPE	DATE LODGED	DATE DUE	DAYS	INT	VALUE 31.01.16	VALUE 29.02.16	% OF TOTAL
AMP	On Call	26.08.14			2.55	1,027,442.53	1,027,442.53	4.54%
CBA	On Call				1.95	1,000,000.00	1,000,000.00	4.42%
AMP	TD	29.10.15	17.02.16	0	0	1,000,000.00	0.00	0.00%
IMBS	TD	17.02.16	18.05.16	91	2.8	1,000,000.00	1,000,000.00	4.42%
	TD	13.01.16	04.05.16	112	2.8	500,000.00	500,000.00	2.21%
NAB	TD	02.12.15	16.03.16	105	2.85	1,000,000.00	1,000,000.00	4.42%
	TD	24.12.15	20.04.16	118	2.98	1,000,000.00	1,000,000.00	4.42%
	TD	14.12.15	16.03.16	91	2.9	1,000,000.00	1,000,000.00	4.42%
	TD	20.01.16	07.05.16	106	3.03	1,000,000.00	1,000,000.00	4.42%

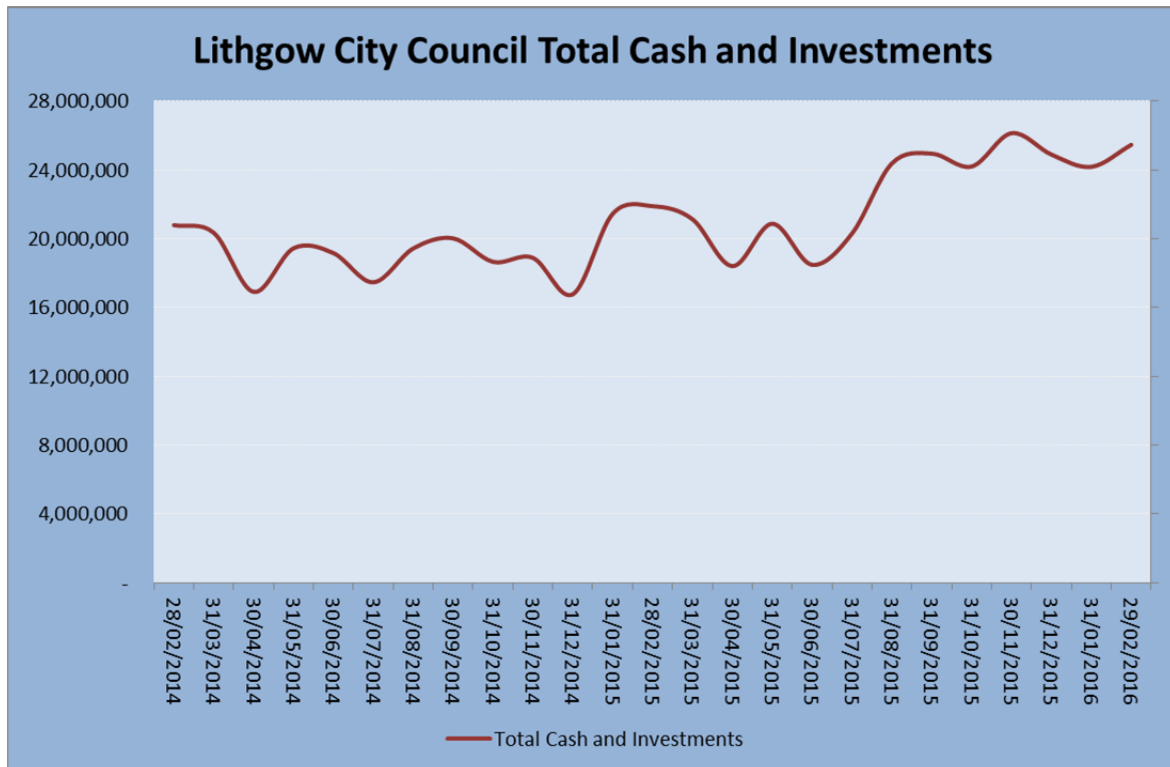
	TD	06.01.16	27.04.16	112	2.95	1,000,000.00	1,000,000.00	4.42%
WEST PAC	TD	09.01.16	09.04.16	91	2	1,020,453.49	1,020,453.49	4.51%
ST GEORGE	TD	19.01.16	19.05.16	121	2.4	986,203.58	986,203.58	4.36%
	TD	26.02.16	01.06.16	96	2.75	1,008,690.41	1,016,278.65	4.49%
ME BANK	TD	24.02.16	25.05.16	91	2.85	1,000,000.00	1,000,000.00	4.42%
	TD	23.12.15	06.04.16	105	2.95	1,000,000.00	1,000,000.00	4.42%
	TD	30.10.15	03.02.16			1,000,000.00	0.00	0.00%
		30.11.15	02.03.16	93	2.9	1,000,000.00	1,000,000.00	4.42%
PEOPLE'S CHOICE CREDIT UNION	TD	14.12.15	30.03.16	107	2.9	1,000,000.00	1,000,000.00	4.42%
	TD	14.12.16	23.03.16	100	2.9	1,000,000.00	1,000,000.00	4.42%
NEWCASTLE PERMANENT	On Call	25.05.15			2	1,024,410.78	1,024,410.78	4.53%
FAMILY FIRST CREDIT UNION	TD	01.02.16	01.05.16	90	2.5	1,034,878.11	1,041,257.50	4.60%
BANK OF QLD	TD	10.02.16	11.05.16	91	2.85	1,000,000.00	1,000,000.00	4.42%
	TD	25.02.16	22.06.16	118	2.95	0.00	1,000,000.00	4.42%
MY STATE BANK	TD	25.11.15	02.03.16	98	2.9	1,000,000.00	1,000,000.00	4.42%
	TD	30.11.15	09.03.16	100	2.9	1,000,000.00	1,000,000.00	4.42%
TOTAL						23,602,078.90	22,616,046.53	100%

I, Juli-Ann Brozek, Lithgow City Council's Group Manager Corporate & Community certify as required under Local Government (General) Regulations 2005, that Council's investments have been made in accordance with the Local Government Act 1993, Regulations and Lithgow City Council's Investment Policy.

Opening Balance of cash and investments as at 31 January 2016	\$24,174,882.34
Plus New Investments – February 2016	\$3,281,329.60
Less Investments redeemed – February 2015	\$2,000,000.00
Closing Balance of cash and investments as at 29 February 2016	\$25,456,211.94

If the movement in the bank account is negative, this is shown as a net redemption. If the movement in the bank account is positive this is shown as a net new investment.

On the graph below historical and current investments to 29 February 2016 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 27 October 2014 Council adopted a draft of the Investment Policy as Policy 8.7 which includes the Minster’s Investment Order of 12 January 2011.

FINANCIAL IMPLICATIONS

Interest earned to 29 February 2016 is \$218,225.20. Interest is paid on the maturity date of the investment, however an entry is performed at month end to account for interest earned but not yet received. 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.

LEGAL IMPLICATIONS

Investments are held in accordance with the Lithgow City Council's Investment Policy at the date of investing the funds. On 27 October 2014 Council adopted a draft of the Investment Policy as Policy 8.7 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 \$22,616,046.53 and cash of \$2,840,165.41 for the period ending 29 February 2016 be noted.

COUNCIL COMMITTEE MINUTES

**ITEM-15 CORP – 21/03/16 - CRIME PREVENTION COMMITTEE MINUTES -
14 DECEMBER 2015**

REPORT BY: M JOHNSON – MANAGER COMMUNITY AND CULTURE

REFERENCE

Min No 14-498: Ordinary Meeting of Council held on 15 December 2014
Min No 15-283: Ordinary Meeting of Council held on 26 October 2015

SUMMARY

This report details the Minutes of the Crime Prevention Committee meeting held on 14 December 2015.

COMMENTARY

At the Crime Prevention Committee meeting held on 14 December 2015, a number of items were discussed by the Committee including;

1. Police Report.
2. Quarterly Crime Statistics from the NSW Bureau of Crime Statistics and Research (BOCSAR).

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Minutes from the Crime Prevention Committee meeting of 14 December 2015

RECOMMENDATION

THAT Council note the minutes of the Crime Prevention Committee held on the 14 December 2015.

**ITEM-16 OPER – 21/03/16 - SPECIAL MEETING - SPORTS ADVISORY
 COMMITTEE MINUTES - 19 JANUARY 2016**

REPORT BY: I STEWART - GROUP MANAGER OPERATIONS

REFERENCE

Min No 16-20: Ordinary Meeting of Council held on 8th February 2016

SUMMARY

This report details the Minutes of the Sports Advisory Committee Special Meeting held on 19th January 2016.

COMMENTARY

At the Sports Advisory Committee Special Meeting held on 19th January 2016, the annual winners of the 2015 LJ Hooker Reg Cowden Memorial Sports Star of the Year Awards were determined.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Minutes from the Sports Advisory Committee Special Meeting of 19th January 2016.

RECOMMENDATION

THAT Council note the minutes of the Sports Advisory Committee Special Meeting held on 19th January 2016.

**ITEM-17 CORP – 21/03/16 - TOURISM ADVISORY COMMITTEE MEETING
 – 2 FEBRUARY 2016**

REPORT BY: K BARROW – TOURISM MANAGER

REFERENCE

Min No 15-21: Ordinary Meeting of Council held on 9 February 2015
Min No 15-65: Ordinary Meeting of Council held on 23 March 2015
Min No 15-226: Ordinary Meeting of Council held on 7 September 2015
Min No 15-329: Ordinary Meeting of Council held on 14 December 2015

SUMMARY

This report details the Minutes of the Tourism Advisory Committee Meeting held on 2 February 2016

COMMENTARY

At the Tourism Advisory Committee held on 2 February 2016, there were numerous items discussed by the Committee that requires action from Council including:

- Lithgow Halloween 16
- Regional Tourism Organisation Update
- VIC Membership Fees
- Regional Marketing
- Update on Current projects
- Tourism Managers Report

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Minutes from the Tourism Advisory Committee meeting of 2 February 2016.

RECOMMENDATION

THAT Council:

1. Note the minutes of the Tourism Advisory Committee held on the 2 February 2016.
2. Commits \$90,000 in the 2016/2017 budget to allow Council staff to source potential sponsors and start event planning.
3. Includes a tourism membership fee for not for profit groups, being \$0, as part of the Fees and Charges for 2016/2017.

**ITEM-18 CORP – 21/03/16 - DISABILITY ACCESS COMMITTEE MINUTES -
22 FEBRUARY 2016**

REPORT BY: V GULABOVSKI - COMMUNITY DEVELOPMENT OFFICER

REFERENCE

Min No 15-64: Ordinary Meeting of Council held on 23 March 2015
Min No 16-16: Ordinary Meeting of Council held on 8 February 2016

SUMMARY

This report details the minutes of the Disability Access Committee meeting held 22 February 2016.

COMMENTARY

At the Disability Access Committee meeting held on 22 February 2016 various items were discussed by the committee including:

- Disability Inclusion Action Plan
- Ambulance Parking Space in front of Ochre Medical Centre
- Vehicles accessing the lane ways between Main and Mort Street
- Accessible layback into the Valley Plaza
- National Recharge Scheme

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

Local Government Act NSW 1993

ATTACHMENTS

1. Minutes of the Disability Access Committee meeting 22 February 2016.

RECOMMENDATION

THAT Council note the minutes of the Disability Access Committee meeting held on 22 February 2016.

**ITEM-19 OPER – 21/03/16 - SPORTS ADVISORY COMMITTEE MEETING
MINUTES - 23 FEBRUARY 2016**

REPORT BY: I STEWART – GROUP MANAGER OPERATIONS

REFERENCE

Min No 16-20: Ordinary Meeting of Council held on 8th February 2016

SUMMARY

This report details the Minutes of the Sports Advisory Committee Meeting held on 23rd February 2016.

COMMENTARY

At the Sports Advisory Committee held on 23rd February 2016, there were numerous items discussed by the Committee, including:

- Lithgow Aquatic Centre Supervision Policy
- Financial Assistance Requests
- 2016 LJ Hooker Reg Cowden Memorial Sports Star Of The Year Awards

The following items were outside the Committee's delegations and require Council to formally consider the recommendations:

- Booking Requests

THAT Council allocate a Saville Park fee waiver package to the value of \$229.25 to Portland Easter Family Festival Fusion for the waiver of Saville Park hire fees for Portland Easter Family Festival on 26th March 2016.

- Complaint - Request Full Reimbursement Of Rent - Booking - Manure On Tony Luchetti Sportsground - Machine Day 2015 - Lithgow Show Society Inc

THAT Council refund fees to the value of \$238.33 to Lithgow Show Society, being 50% of the all fees payable to Council for the hire of Tony Luchetti Sportsground, Lithgow for the Lithgow Show Society Inc Antique Machinery, Trucks, Car & Bike Show.

- Lithgow & District Netball Association Inc – New Member

THAT Council accept Olivia Kay as the Sports Advisory Committee representative from the Lithgow & District Netball Association Inc.

ATTACHMENTS

1. Minutes of the Sports Advisory Committee meeting held on 23rd February 2016.

RECOMMENDATION

THAT Council:

1. Note the minutes of the Sports Advisory Committee held on 23rd February 2016;
2. Allocate a Saville Park fee waiver package to the value of \$229.25 to Portland Easter Family Festival Fusion for the waiver of Saville Park hire fees for Portland Easter Family Festival on 26th March 2016;
3. Refund fees to the value of \$238.33 to Lithgow Show Society, being 50% of the all fees payable to Council for the hire of Tony Luchetti Sportsground, Lithgow for the Lithgow Show Society Inc Antique Machinery, Trucks, Car & Bike Show; and
4. Accept Olivia Kay as the Sports Advisory Committee representative from the Lithgow & District Netball Association Inc.

BUSINESS OF GREAT URGENCY

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

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

CLOSED COUNCIL

ITEM-20 **CONFIDENTIAL - CLOSED COUNCIL - 21/03/16 - CENTROC - ELECTRICITY PROCUREMENT**

REPORT BY: R BAILEY – GENERAL MANAGER

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c), (d) and (e) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business, and
- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it
- (e) information that would, if disclosed, prejudice the maintenance of law,

SUMMARY

Council currently procures electricity through Local Government Procurement (LGP). At its October 2015 meeting, the Centroc General Manager's Advisory Council resolved to nominate a small group of General Managers for a working party to investigate options for procuring electricity.

RECOMMENDATION

THAT Council consider the report in relation to the procurement of electricity by Centroc in accordance with Section 10A(2)(c), (d) and (e) of the Local Government Act 1993.