



A CENTRE OF REGIONAL EXCELLENCE

AGENDA

ORDINARY MEETING OF COUNCIL

TO BE HELD AT

THE ADMINISTRATION CENTRE, LITHGOW

ON

18 APRIL 2016

AT 7.00pm

AGENDA

ACKNOWLEDGEMENT OF COUNTRY

APOLOGIES

PRESENT

CONFIRMATION OF THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 21 MARCH 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

Community Development Committee Minutes - 1 March 2016
Economic Development Advisory Committee - 9 March 2016
Crime Prevention Committee Minutes - 14 March 2016
Youth Council Minutes - 15 March 2016
Traffic Advisory Local Committee - 17 March 2016
Meadow Flat Hall Management Committee Minutes - 23 March 2016
Sports Advisory Committee Meeting Minutes - 29 March 2016

DELEGATES REPORTS – NIL

NOTICES OF MOTION

Mr Olaf Leckbandt - Councillor M Ticehurst & J McGinnes
Update on Blast Furnace Park - Councillor J McGinnes & M Ticehurst
Flood Damage 2 Bells Road Lithgow - Councillors J McGinnes & M Ticehurst
Council to Notify Individually the Landholders of 4000sqm & under blocks affected by the 2013 LEP - Councillor F Inzitari

Mobile Phone Blackspot - Lowther, Ganbenang & Kanimbla - Councillor F Inzitari

QUESTIONS WITH NOTICE – NIL

NOTICE OF RECISSIONS – NIL

BUSINESS OF GREAT URGENCY

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

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GENERAL MANAGERS REPORTS

ITEM-1 GM - 18/04/16 - SEPTEMBER 2016 LOCAL GOVERNMENT ELECTIONS

SUMMARY

This report is to update Council with details regarding the upcoming 2016 Local Government Election.

COMMENTARY

Local Government Minister Paul Toole has advised that the scheduled 2016 local government elections will be split between September 2016 and March 2017. The splitting of the elections is to accommodate the Government's merger program. As Lithgow City Council is not subject to amalgamations the Local Government Elections will be held on 10 September 2016.

All candidates and groups standing in these elections are subject to the requirements for registration and election campaign finances. These requirements are regulated and enforced by the NSWEC. All the relevant registration information and forms needed by candidates and groups can be found at www.votensw.info. On the website there will be a series of presentations candidates can view and listen to which outline all of the relevant information, requirements and key dates. The NSWEC is not undertaking face-to-face candidate seminars as online presentations replace the face-to-face seminars.

Council has received advice from the NSW Electoral Commissioner in relation to proposed election venues within the Council area.

Most, if not all, of the venues listed have been used across multiple elections. The final decision on the number and location of these venues rests with the NSW Electoral Commissioner.

The proposed polling venues for the September 2016 Election are as follows;

Venue Name	Ordinary Votes taken in 2012	Projected Ordinary Votes
Bowenfels Presbyterian Church Hall	253	300
Capertee & District Memorial Hall	132	115
Cooerwull Public School	1598	1850
Cullen Bullen Progress Hall	167	165
Fatima Hall	743	700
Glen Alice Public School	118	120
Hampton Public School	140	120
Hartley Old Public School	455	480
Hermitage Progress Association Hall	502	500
Lithgow Public School	1220	1440
Meadow Flat Public School	122	120

Portland Central School	1150	1000
Wallerawang Public School	1185	1100
Zig Zag Public School	274	300

In addition to the above proposed polling venues the following Institutions have been proposed as declared polling places;

Cooinda Aged Peoples Home
Lithgow Hospital
Portland District Hospital
Portland Tabulam Health Centre
Tanderra Nursing Home
Three Tree Lodge

The following two venues are proposed to be abolished for the upcoming election due to declining votes and their close proximity to neighbouring venues. The NSW Electoral Commission has already removed these from the State Government Election and has not received complaints from electors in relation to them being removed;

- La Salle Academy
- Vale of Clwydd Hall

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Proposed Polling Venues - September 2016 Election

RECOMMENDATION

THAT Council note the report on the 2016 Local Government Elections.

ITEM-2 GM - 18/04/16 - RESOURCES FOR REGION FUNDING

REPORT BY: R BAILEY – GENERAL MANAGER

REFERENCE

Min No 16-34: Ordinary Meeting of Council held on 29 February 2016

SUMMARY

To provide details of the Expressions of Interest submitted for the 2015/16 Resources for Regions program.

COMMENTARY

The NSW Government recently invited Expressions of Interest (Eol) for funding under the Resources for Regions program. Up to \$32 million is available in the 2015/16 program. Eol's closed on 7 April 2016 and Lithgow City Council submitted four expressions as previously resolved.

At the Ordinary meeting of Council held on 29 February 2016 Council resolved to submit Expressions of Interest under the Resources for Regions Program in the following priority order:

- i) Adventure Playground
- ii) Rural Fire Service Remote Fires Fighting Training Centre
- iii) Blast Furnace Park
- iv) Union Theatre

A summary of the Eol's includes:

i) Adventure Playground

The Adventure Playground project involves the construction of an all abilities adventure playground at Endeavour Park that will provide fun, safe, interesting and unstructured play areas for all local children and visitors. It will incorporate a mining theme to celebrate Lithgow's past and will be equipped with various apparatus and activities that develop creating, social and cognitive skills in children.

The principle outcomes of the project will be a diverse economic base, improved health status, greater social cohesion and improved productivity for Central West NSW. It will support the growing tourism sector encouraging people to stay longer and address the issue of obesity in children.

The estimated total cost of the project is \$1.2 million.

Under the Resources for Regions program Council has requested \$650,000 in funding.

Other funding Contributions:

\$550,000 from Council and partners. This includes \$300,000 over 2 years from Centennial Coal VPA, community contributions and \$250,000 over 2 years from Section 94A contributions.

ii) Rural Fire Service Remote Fires Fighting Training Centre

This project involved the construction of a NSW RFS Remote Area Training Centre for the Central West which is to be located in Marrangaroo.

The training centre will include a static helicopter winch simulator and vertical access and roping platform and forms part of the NSW State Government's election commitment to build four remote area training centres in NSW. The Lithgow LGA has been identified as the most suitable Central West location.

In addition to the simulator and platforms the site will be further utilized to store equipment, trailer and trail bikes attached to the local Remote Area Operations Unit. The training centre will have a training room attached to allow training to be conducted for Remote Area Volunteers in the Central West NSW. The facility will also be available for the RFS Rapid Aerial Response Program to use as a stand-by location.

The estimated total cost of this project is \$2,090,000.

2016 - \$900,000
2017 - \$1,190,000

Under the Resources for Regions program Council has requested \$1,095,000 in funding.

Other funding Contributions:

\$995,000 from NSW RFS. This is a prospective contribution allocated once the land has been purchased which is dependent upon the success of the funding application.

iii) Blast Furnace Park

The Blast Furnace Park project will help support the continued diversification of Lithgow and the Central West as a whole. The park provides the region with a number of economic opportunity and already developing a reputation as a preferred venue for the Australian and International film industry. The project involves preparing the site to be both film ready and better prepared for events and tourism all of which are currently occurring but are restricted, presenting significant opportunities for growth. This project will increase tourism and events which result in economic benefits for the area.

The estimated total cost of this project is \$1,100,000.

Under the Resources for Regions program Council has requested \$550,000 in funding.

Other funding Contributions:

Council has committed \$550,000 towards this project.

iv) Union Theatre

Lithgow City Council is planning to carry out significant upgrade works to the heritage listed Union Theatre through the provision of dressing rooms and associated facility. Council believes that the upgrade project will significantly increase patronage of the facility not only for productions but also making it more attractive for social functions, weddings and the like. Through the increase in patronage and also measured increases in its fees and charges Council believes it can increase its annual revenues.

The Council has committed \$400,000 in its current budget for the works but requires additional funding to complete the project.

The estimated total cost of this project is \$1 million.

Under the Resources for Regions program Council has requested \$600,000 in funding.

Other funding Contributions:

\$400,000 confirmed contribution from Council.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

As set out above.

LEGAL IMPLICATIONS

NIL

RECOMMENDATION

THAT Council note the Expression of Interest applications under the 2015/16 Resources for Region program.

ENVIRONMENT AND DEVELOPMENT REPORTS

ITEM-3 ENVIRO - 18/04/16 - PROPOSED SOLID FUEL HEATERS
S68103/15 & S68001/16 - JAMES O'DONNELL DRIVE LITHGOW

REPORT BY: A MUIR – GROUP MANAGER ENVIRONMENT & DEVELOPMENT

REFERENCE

Min No. 16-11: Ordinary Council Meeting 8 February 2016

SUMMARY

To advise of the lodgement of two Section 68 Applications under Local Government Act 1993 for solid fuel heaters and to recommend refusal subject to public health and amenity reasons.

COMMENTARY

At Council Ordinary Meeting of 8 February 2016 the Council considered a report in relation to an application under Section 68 of the Local Government Act 1993 to install a solid fuel heater in James O'Donnell Drive Lithgow.

The Council resolved as follows:

THAT Council defer Item 8 until consultation with all residents of Hillcrest Estate occurs.

Subsequently, correspondence was sent to all property owners of Hillcrest Estate seeking their views in relation to current applications before Council at 29 James O'Donnell Drive and 7 James O'Donnell Drive Lithgow (a subsequent application has now been received for 7 James O'Donnell Drive).

Comment was also sought from residents as to their views regarding the installation or otherwise of wood fire/solid fuel appliances in Hillcrest Estate. Sixteen replies have been provided to Council which are summarised in Attachment 1.

OPPOSITION

The main reasons for opposition to the installations were as follows:

Health Concerns

Residents raised concerns regarding the impact of smoke from appliances on health and on asthmatic family members. They highlighted that currently they did not have to worry about asthma attacks in Hillcrest due to the absence of solid fuel heaters. Health problems and implications from smoke from solid fuel appliances have been reported by the Environment Protection Authority and NSW Health. They advise that exposure to fine particles in wood smoke and other toxins is a significant health concern as they can pass through the throat and nose and enter deep into the lungs causing irritations and respiratory and circulation problems, particularly in elderly

people, children and those with existing health conditions such as asthma. In addition long term exposure can lead to damage to the nervous, reproductive, developmental and immune systems. NSW Health also advises that 'Australian studies have demonstrated that particulate levels in homes with wood heating are much higher than in homes without wood heating and that the use of wood fire home heaters in many regional towns is associated with elevated indoor levels of particulate matter, even in homes that do not use wood heaters.' Likewise the Australian Lung Foundation has suggested that there is no safe level of exposure to particle pollution and recommends the use of alternative measures to wood heaters for domestic climate control.

The NSW Government (and other state governments in Australia) is currently amending the Protection of the Environment Operations (Clean Air) Regulation 2010 because of health concerns (and air pollution) from solid fuel heaters. Concerns have been raised by the government regarding the increasing population and numbers of solid fuel heaters being installed within the state, increasing density in urban areas and the additional health costs (now and in the future) attributable to the impact of wood smoke. They have determined that the most cost effective way of dealing with this issue is to restrict/prohibit the installation of Solid fuel heaters (and open fireplaces) in certain areas such as urban areas and improve the efficiency of wood heaters to produce better air quality targets and reduce particulate emissions. Studies have shown that reducing the pollution from wood heaters results in tangible health benefits as well as reducing air pollution and nuisance.

Air pollution

Air quality was a major issue raised in submissions. The Environmental Protection Authority outlines Smoke from wood heaters contain a mix of noxious gases consisting of carbon monoxide, oxides of nitrogen and a range of organic compounds as well as fine particles. Smoke emissions from domestic solid fuel heaters are a major cause of air pollution in New South Wales especially in densely populated areas that experience colder winters. The impacts of wood smoke on local air quality depend on topography, weather conditions, housing density and the number of wood heaters in use and how they are operated.

Submissions also praised Council's efforts in improving air quality over the last 30 years and raised concerns that they did not wish to see our region slip back into that period where the air quality was very poor. Additionally they did not want smoke spoiling views, impacting on open space and natural beauty.

Topography and smoke nuisance

Due to the steep topography of the estate some submissions outlined concerns 'that their property and neighbouring properties will be subjected to smoke and ash hazards whether they like it or not. Residents will find ash settling on their roofs and yards, and their tank water will start to smell of smoke, even though filters maybe in place. People will also have to change their routines and be careful not to hang their washing out when there is smoke around as it soils the washing and can leave unwanted stains'. Concerns were also raised regarding the odour from the smoke and not being able to open windows for ventilation.

Council in its assessment of S68 applications for solid fuel heaters refers to the *NSW Environment Protection Authority Environmental Guidelines for Selecting, installing*

and operating domestic solid fuel heaters for requirements to reduce air pollution. The guidelines outline that the topography of the site, environmental or structural factors in the immediate vicinity, weather patterns and configuration of nearby dwellings have the potential to cause smoke nuisance, therefore supporting concerns raised.

The proposed solid fuel heaters will be located within the middle tier of the Hillcrest estate with dwellings located both above and below. The guidelines outline that cold air flowing from high ground into valleys may carry smoke from houses positioned uphill to those downhill. Also the pooling of cold air in valleys can cause smoke to be trapped near the ground (this is often experienced in Lithgow during the winter months). This scenario is likely to occur at Hillcrest. It should also be noted that the prevailing westerly winds could also blow smoke from the appliances to properties located across the road and higher up on Hillcrest Avenue.

Bushfire

A portion of the Hillcrest Estate is mapped as bushfire prone and concerns were raised regarding the impact of wood piles and solid fuel heater installations. It should be noted that under *Planning for Bushfire Protection 2006* and *Australian Standard 3959: Construction of buildings in bushfire-prone areas*, solid fuel heaters are not restricted in bushfire prone areas subject to the protection of the flue to prevent ember entry and the location of woodpiles well away from the dwelling and outside the asset protection zone. Submissions highlighted that 'having stockpiles of wood lining walls of buildings or fences only invites termites, vermin and fire into the home.

South Bowenfels Development Control Plan

The majority of submissions received opposed to installation listed the fact that the *South Bowenfels Development Control Plan – Residential Development* did not permit solid fuel heaters within the estate. Accordingly, air quality and health was an important factor in their choice of a location for a new home within the estate. It should be noted that some Council's (eg. Camden) within NSW prohibit the installation of solid fuel heaters within new estates. As discussed above the NSW Government (and other state governments in Australia) is currently amending the Protection of the Environment Operations (Clean Air) Regulation 2010. The amendment allows for Council's to nominate to be included on a schedule that controls wood heater installations in their local government area. This can include prohibiting solid fuel heater installation in new estates and other urban areas and also requiring solid fuel heaters to comply with more stringent emission and efficiency limits to reduce air pollution.

SUPPORT

The main reasons for support of the installation of solid fuel heaters were:

Climate, Cost, ambience and precedent

The majority of submissions received supporting the installation listed our cold climate, the ambience and cheaper running costs of the appliance in comparison to electricity and gas as major reason for approval. Research shows that generally 3 tonnes of firewood is used over the course of the winter (more in Lithgow because it is colder) and gas is cheaper than the cost of wood unless you have access to cheap firewood.

All homes within the Hillcrest Estate have connection to electricity and natural gas and have been constructed to BASIX requirements for energy efficiency that incorporates insulation, energy efficient glazing and design to reduce heating and cooling costs. Submissions also outlined that should the two proposed solid fuel heaters be approved as they will be applying to install one as well.

Efficiency and sustainability

Submissions also outlined 'compared with fossil fuels and other energy sources, the benefits of wood far surpass its competition. New burning stoves and fireplace inserts are engineered with fuel economy in mind and health and environmental concerns kept as the highest priority.

CONCLUSION

Council in Determination of the applications is required under Section 89, Local Government Act 1993 to take into consideration issues such as the protection of the environment, sustainability, public health and amenity. Submissions received by Council highlight and the subsequent discussions highlight that approval of the proposed solid fuel heaters is not within the public interest and to protect the environment, public health and amenity as outlined in Section 89 2(b) & (3) (a) & (b).

Finally it is conceded that this is a difficult issue. On one hand there are very good arguments put forward as to why wood burning appliances should not be allowed in the Hillcrest Estate given expectations of home builders, environmental amenity and health concerns. On the other hand it is pointed out that modern efficient wood burners are also a vast improvement on previous models and a legitimate method of heating. However, on balance it will be recommended that the two applications be refused for the reasons stated in the recommendation.

Further consideration needs to be given to a strategic approach to wood fire appliances in the Hillcrest Estate subdivision and perhaps the wider South Bowenfels area. There are potential options in relation the implementation of a Local Approvals Policy and/or inclusion in a particular schedule under the Protection of Environment Operations (Clean Air) Regulation 2010 restricting the installation of Solid Fuel Heaters in that particular locality. It will propose that this be the subject of a future report to Council.

POLICY IMPLICATIONS

The South Bowenfels Development Control Plan prohibits solid fuel burning appliances under Part 5.3.3 subclause (h) *"no wood or coal burning appliances are to be installed in any development"* and 6.14.3 (a) (iv) *"No wood or coal burning appliances or coal burning appliances are to be installed in any development"* and 6.14.3 (h) *"No wood or coal burning appliances or coal burning appliances are to be installed in any development"*. Council has recently received legal advice regarding the relevance of the South Bowenfels Development Control Plan. The legal advice determined that the Development Control Plan has no relevance to applications lodged under the Local Government Act 1993. Therefore variation of the DCP is not required.

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

The applications must be assessed pursuant to Section 68 of The Local Government Act, 1993 and section 89 of the Local Government Act 1993 which states that the following matters need to be taken into consideration when determining applications under part 3:

89 Matters for consideration

- (1) In determining an application, the council:
 - (a) must not approve the application if the activity or the carrying out of the activity for which approval is sought would not comply with the requirements of any relevant regulation (Local Government Act), and
 - (b) must take into consideration any criteria in a local policy adopted under Part 3 (Local Government Act) by the council which are relevant to the subject-matter of the application, and
 - (c) must take into consideration the principles of ecologically sustainable development.
- (2) If no requirements are prescribed for the purposes of subsection (1) (a), and no criteria are adopted for the purposes of subsection (1) (b), the council in determining an application:
 - (a) is to take into consideration, in addition to the principles of ecologically sustainable development, all matters relevant to the application, and
 - (b) is to seek to give effect to the applicant's objectives to the extent to which they are compatible with the public interest.
- (3) Without limiting subsection (2), in considering the public interest the matters the council is to consider include:
 - (a) protection of the environment, and
 - (b) protection of public health, safety and convenience, and
 - (c) any items of cultural and heritage significance which might be affected.

Council must consider Clauses 67-69, Local Government (General) Regulation 2005 which states that all matters relating to the installation of the solid fuel heating appliance are governed by the applicable provisions of the Building Code of Australia and compliance with the Clean Air (Domestic Solid Fuel Heaters) Regulation. Council also refers to the NSW Environment Protection Authority *Environmental Guidelines for Selecting, Installing and Operating Domestic Solid Fuel Heaters* for requirements to reduce air pollution and nuisance, protect the environment and public health when assessing solid fuel heaters.

ATTACHMENTS

1. Summary of Submissions for Proposed Solid Fuel Heaters at Hillcrest Estate
2. Table 1 – Summary of compliance and non-compliance with Legislation and Guidelines for S68103/15
3. S68103/15 - Site map and photos
4. Table 2 – Summary of compliance and non-compliance with Legislation and Guidelines for S68001/16
5. S68001/15 – site map and photos

RECOMMENDATION

THAT S68103/15 and S68001/16 be refused for the following reasons:

1. That the Hillcrest subdivision is a relatively isolated housing estate. Currently there are no solid fuel heaters within the estate. Therefore it is considered that the approval of any solid fuel heater within this estate will be visible and has a high potential to impact on public health and amenity.
2. The appliances have the potential to cause a smoke nuisance due to the topography of the site, likely weather patterns and configuration of nearby dwellings.

Therefore, advertisement and notification to owners and authorities was undertaken in respect to resolution 1(b) made on 2 June 2014 for the new proposed names of ‘Scott Road’ and ‘McManus Road’. This was undertaken from 18 March 2015 to 30 April 2015 with the results outlined below:

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

Current Name	Proposed	Reasons
Morell Street, Lyons Street and Mead Street at Meadow Flat	Scott Road	Name after Charles Edwine McIlraith Scott being Blaxland Shire President 1970-1975 and lived in the area.

Fourteen (14) owners and previous objectors were notified with two (2) submissions received; one submission in support of the proposal and one submission against the proposal as summarised below. Please note that both submissions have been received by family members of Mac Scott.

For: Although the name of ‘Mac Scott Road’ would be better to honour Mac Scott, the use of Scott Road would still be acceptable and fix the ongoing issues with the use of three separate road names for the one road.

Against: Renaming these streets Scott Road does not mean anything to Mac Scott and would cause more issues by changing the road names that exist now.

Conclusion: That no further road naming progress for Scott Road continue at this time. The Meadow Flat Hall has now been named after Mac Scott which is suitable tribute. Notification to landowners and previous submitters will be undertaken and the road naming may be revisited if requested in the future; however, at this stage no further action is proposed.

Reservoir Road (Attachment 3)

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

Twenty four (24) owners and previous objectors were notified with no submission received.

Conclusion: That the road name be gazetted and landowners be notified of the road name change.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

LEGAL IMPLICATION

NIL

ATTACHMENTS

1. Location of Morell Street, Lyons Street and Mead Street
2. Location of Reservoir Road

RECOMMENDATION

THAT:

1. No further action for the re-naming of Morell Street/ Lyons Street /Mead Street at Meadow Flat be undertaken.
2. The re-naming of Reservoir Road to McManus Road, Portland is accepted and notification in the Government Gazette be undertaken. Once the road name is gazetted Council is to arrange the notification of property address changes to existing landowners and emergency authorities and implement appropriate road signage.

ITEM-5 ENVIRO - 18/04/16 - AWNING IMPROVEMENT PROGRAM

REPORT BY: A MUIR – GROUP MANAGER ENVIRONMENT & DEVELOPMENT

REFERENCE

NSW Planning and Infrastructure Circular BS 13-001.
Min No.13-118: Ordinary Meeting of Council held on 15 April 2013.
Min No.15-243: Ordinary Meeting of Council held on 28 September 2015.

SUMMARY

To update Council of progress on the Awning Improvement Program for street awnings constructed over Council footpaths.

COMMENTARY

Council at its meeting of 28 September 2015 considered a report detailing progress on the Awning Improvement Program and resolved in the following terms:

15-243 RESOLVED

THAT:

- *The action taken in relation to the safety of awnings over public land be noted.*
- *Council monitor the works that need to be done in a timely manner.*
- *Council pursue those owners who have ignored all correspondence to date through the Orders process provided under the Environmental Planning and Assessment Act.*
- *Council be provided with a further report after 6 months.*

In response to Minute 15-243 Notice of Orders were sent to the 17 owners that had not responded to all previous Council correspondence. Positive responses were received from all but one of these owners advising that arrangements had been made for structural engineering assessment of their awnings. Progress will be monitored and Orders served should they fail to meet commitments made to Council. An Order is to be prepared on the one owner that that did not provide an acceptable response to the Notice of Order on that property.

In relation to the remaining non-compliant awnings as determined by structural assessment arranged through Council, Development/Construction Certificate Applications have been approved or are under assessment for structural work for a number of these awnings. Since 1 July 2013, 9 awnings have been approved by Council. Letters will be sent to those owners that have not yet had documentation submitted to Council for work on their awnings.

A number of owners have identified in discussions that the cost of improvements to awnings is an important issue. The installation of posts is estimated at between \$10,000 to \$30,000 depending on the extent of work and the length of the awning.

The advice provided to date to these owners is that they need to be making provision to repair their awnings but the process is being conducted by Council through consultation and enforcement provisions are not being initiated on those owners who have made an effort to respond to Council concerns about public safety.

Discussions are continuing with all owners involved in the program, and progress, while slow, is still positive with most owners understanding the need for compliance. There are currently 84 awnings being reviewed to ensure compliance. These owners have mainly been co-operative but there are practical realities of engineering, design, plan preparation, submission of applications, assessment, engaging builders and cost which mean results will still take some time to flow through.

CONCLUSION

It is proposed to continue to work with those owners of non-compliant awnings who have responded to Council with the aim of achieving compliance within an agreed timeframe. Compliance with Orders will be pursued for those owners that fail to take action to address this public safety issue.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

Provisions exist under the Environmental Planning & Assessment Act, the Local Government Act and the Roads Act to enforce action to ensure the public safety of street awnings.

RECOMMENDATION

THAT Council note the action taken on the safety of awnings over public land.

ITEM-6 ENVIRO - 18/04/16 - BRIDGE STREET NON-CONFORMANT ADDRESSING

REPORT BY: A MUIR - GROUP MANAGER ENVIRONMENT & DEVELOPMENT

SUMMARY

To advise Council of addressing issues at Bridge Street/Eskbank Street Lithgow.

COMMENTARY

In 2015, Council received a submission from NSW Land & Property Information (LPI) which included any existing Property Addresses within the Lithgow Local Government Area that did not comply with *New South Wales Address Policy No. 2, 2015*, by NSW Geographical Names Board (GNB).

The following address located at the intersection of Bridge Street and Eskbank Street Lithgow NSW 2790, was identified as non-conformant as it did not retain a house number and was incorrectly assigned to Eskbank Street Lithgow (refer to Attachment 1). In response to this submission and in cooperation with LPI's Address Upgrade Program, the following changes in accordance with NSW Addressing Policy were initially proposed:

Proposal 1:

Lot & DP	Previous Non-conformant Property Address	Proposed Property Address
Lot 1 DP 875910	"Hillcrest" Off Eskbank Street Lithgow NSW 2790	9 Bridge Street Lithgow NSW 2790

Objections were received from the property owner to the proposed address with the following issues raised:

1. The property had always been recognised as "Off Eskbank Street".
2. The remaining properties addressed to Bridge Street are located toward the Northern end of the street (refer to Attachment 1), leaving the property "abandoned" and therefore potentially at risk of being unrecognised by emergency services.
3. Property addresses have not been reserved for a Medium Density Development (27 Units) approved on 8 June 2011 (DA 067/09) off Bridge Street (refer to Attachment 1).
4. The adjacent properties are currently addressed to Eskbank Street (refer to Attachment 1), however are located within the same portion of road.
5. The remaining portion of road which follows the intersection of Eskbank Street and Bridge Street (refer to Attachment 1) should be renamed to Eskbank Street to suit all parties involved.

In response to above, Council sought advice from GNB. It was advised that the proposed name change for the southernmost portion of Bridge Street to Eskbank Street was unlikely to be supported by GNB and it was recommended that the addressing of the adjacent properties (currently Eskbank Street) be changed to Bridge Street in accordance with NSW Addressing User Manual (AUM).

Accordingly, Council proposed the below property address changes (refer to Attachment 2) and allowed land owners an opportunity to provide comment.

Proposal 2:

Lot & DP	<u>Current</u> Property Address	<u>Proposed</u> Property Address Changes
Lot 1 DP 875910	"Hillcrest" Off Eskbank Street Lithgow NSW 2790	3 Bridge Street Lithgow NSW 2790
Lot B DP 347020	2 Eskbank Street Lithgow NSW 2790	2A Bridge Street Lithgow NSW 2790
Lot A DP 347020	4 Eskbank Street Lithgow NSW 2790	2B Bridge Street Lithgow NSW 2790
Lot 13 DP 1130887	Cura Close Lithgow NSW 2790	5, 7 & 9 Bridge Street Lithgow NSW 2790 <i>Addresses to be reserved for 3 Units which are to access off Bridge Street, as approved under 067/09DA – Medium Density Development, 22 Units.</i>

Two submissions were received during this time, with the following objections raised:

1. The existing address of 2 Bridge Street is located approximately 300 metres from Lot A DP 347020 (proposed 2B Bridge Street) and this distance would create confusion for emergency services when locating properties. Emergency services rely heavily on accurate property addressing information to allow efficient and timely response to emergency calls.
2. Changing property address details with other correspondents (excluding those notified by Council) is inconvenient.

Council subsequently referred the abovementioned concerns to GNB for comment and recommendation, however no response was received.

In response to the above concerns the appropriate response to comply with Government Policy would be that existing "2 Bridge Street" be amended to "4A" and "4 Bridge Street" be amended to "4B" to remain consistent with adjoining addressing and eliminate any adverse addressing "distance" between the Northern and Southern portions of Bridge Street (refer to Attachment 3), as below:

Proposal 3:

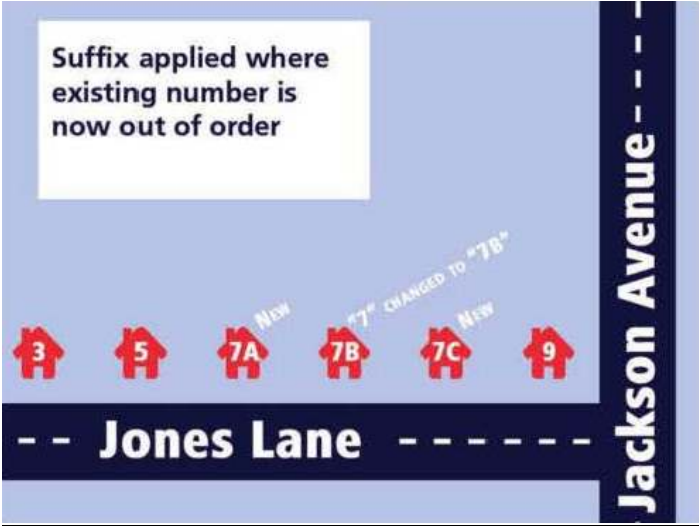
Lot & DP	<u>Current</u> Property Address	<u>Proposed</u> Property Address Changes
Lot 1 DP 875910	“Hillcrest” Off Eskbank Street Lithgow NSW 2790	3 Bridge Street Lithgow NSW 2790
Lot B DP 347020	2 Eskbank Street Lithgow NSW 2790	2A Bridge Street Lithgow NSW 2790
Lot A DP 347020	4 Eskbank Street Lithgow NSW 2790	2B Bridge Street Lithgow NSW 2790
Lots 7, 8, 9 & 10 Sec 28 DP 2858	2 Bridge Street Lithgow NSW 2790	4A Bridge Street Lithgow NSW 2790
Lots 4, 5 & 6 Sec 28 DP 2858	4 Bridge Street Lithgow NSW 2790	4B Bridge Street Lithgow NSW 2790
Lot 13 DP 1130887	Cura Close Lithgow NSW 2790	5, 7 & 9 Bridge Street Lithgow NSW 2790 <i>Addresses to be reserved for 3 Units which are to access off Bridge Street, as approved under 067/09DA – Medium Density Development, 22 Units.</i>

Council Staff discussed these addressing recommendations with landowners at a meeting on 15 March 2016. Representatives of two of the five properties invited were present at the meeting and 3 other written submissions were received. The following concerns were raised:

1. Problems with postal service are already occurring following the originally proposed property address change of “Hillcrest” Off Eskbank Street Lithgow NSW 2790 to 9 Bridge Street Lithgow NSW 2790 (refer to Attachment 1).
2. Changing property addresses with other authorities and companies is an inconvenience.
3. Residents have never experienced any past issues with emergency services locating their properties.
4. A name change of the lower portion of Bridge Street to Eskbank Street would be more appropriate.
5. Historically, the lower properties following the intersection of Bridge Street and Eskbank Street have always been identified as Eskbank Street. Changing the property addresses to Bridge Street would impact the heritage conservation of the area.

Conclusion

Accurate addressing information in NSW is required for adequate navigation, emergency response, service delivery and statistical analysis. To ensure property addressing is comprehensible, socially accepted and readily communicated, address information under the NSW Addressing User Manual must at minimum comprise of:

Component	Description
Address Number	<p>Delineates the address from those on the same road, must be sequential and singular (i.e. non-duplicate). The Lot number associated with the land is not a valid property address number.</p> <p>Alpha suffixes shall be assigned for existing and/or new address sites where no new address numbers are available due to existing numbering on the road. Under AS/NZS4819 an address site that is already using the primary number on its own may retain the number provided it remains in sequence, however the preferred method under AUM is to assign a suffix to all addresses which utilise the same numeral, as demonstrated in Figure 1 below.</p>
	<div style="text-align: center;">  </div> <p style="text-align: center;">Figure 1 – Figure 6.13 of NSW Addressing User Manual – <u>Correct use of Suffixes</u></p>
Road Name	Allocated in accordance with the main access (where access is most likely to occur for a visitor entering an address site from a road).
Locality Name	The Suburb in which the address site is located.
State Name	The State in which the address site is located.

Some of the issues raised by residents are not unreasonable. However proposal 3 is the technically correct way forward to finalise this matter and comply with NSW Addressing User Manual which is designed to cater for issues such as location by emergency services.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

To ensure that the proposed address changes comply with *New South Wales Addressing Policy No.2, 2015*.

ATTACHMENTS

1. Map 1 – Existing Property Addressing & Proposed Road Name Change Site.
2. Map 2 – Property Address Changes – Proposal 2
3. Map 3 – Property Address Changes – Proposal 3

RECOMMENDATION

THAT the proposed addressing changes for Bridge Street Lithgow be adopted in accordance with the requirements of *New South Wales Addressing Policy No. 2, 2015*.

ITEM-7 ENVIRO - 18/04/16 - CALLING IN OF DEVELOPMENT APPLICATION DA029/16 PROPOSED DEMOLITION CONSTRUCTION OF SERVICE STATION AND CAFE - GREAT WESTERN HIGHWAY

REPORT BY: A MUIR – GROUP MANAGER ENVIRONMENT & DEVELOPMENT

SUMMARY

To inform Council of the ‘calling in’ of a Development Application pursuant to Council Policy 7.7.

COMMENTARY

A Development Application has been received for demolition and construction of service station and café on land known as Lot 1 Sec 3 DP11241, Lot 1 DP514466 and Lot 1 DP808332, Great Western Highway Lithgow. The application is currently under assessment and awaiting recommendations from a number of authorities. The application has been called in for determination by Councillor Ticehurst.

The site has most recently been occupied by motor vehicle repair and sales businesses and adjoins the Lithgow McDonald’s Restaurant. The proposal includes the following:

- Demolition of all existing buildings, hardstand and structures with the exception of the heritage building
- Construction of new service station including; a convenience store building (GFA 216m²), fuel canopy, 8 fuel bowsers, associated underground fuel tanks and infrastructure
- Modifications and use of the existing heritage building (GFA 93m²) for the purpose of a café with outdoor seating
- 52 car parking spaces (including 2 accessible spaces)
- 1 air and water parking space
- Construction of separate entry and exit points and deceleration lane to the site via Great Western Highway
- Construction of vehicle access links with the site to the adjoining McDonalds
- Landscaping works
- Business identification signage
- Minor grading of the site to accommodate the appropriate levels
- Consolidate two northern allotments Lots 1 & 2 DP514466
- Place reciprocal rights of carriageway being registered over Lot 1 Sec 3 DP11241 for between the service station/café and McDonalds

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 029/16 be noted.

**ITEM-8 ENVIRO - 18/04/16 - DA053/16 - PROPOSED GARAGE AT 890
 GREAT WESTERN HIGHWAY BOWENFELS**

REPORT BY: A MUIR – GROUP MANAGER ENVIRONMENT & DEVELOPMENT

SUMMARY

To advise of the lodgement of Development Application No. DA053/16 by applicant a relative of Councillor Frank Inzitari and to recommend approval subject to the conditions listed in the 79C report.

COMMENTARY

A Development Application has been lodged by Rosa Inzitari for the erection of a shed/garage on Lot 2, DP 862773, No. 890 Great Western Highway South Bowenfels.

The vacant residential lot is approximately 3074m² in size and was created by a previous subdivision approved by the Shire of Blaxland. The proposal consists of a colourbond garage with a floor area of 44.1m², wall height of 2.7m and maximum ridge height of 3.2m.

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

NEIGHBOUR NOTIFICATION

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. No submissions were received by Council.

POLICY IMPLICATIONS

Council's Policy 7.6 '*Development Applications by Councillors and Staff and Relatives or on Council Owned Land*' requires that any development application lodged by a councillor must be referred to Council for consideration and determination. It further provides that no aspect of the application be dealt with under delegated authority. In this case the applicant is Mrs Rosa Inzitari, however it is appropriate that the matter be referred 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 and Assessment Act 1979.

ATTACHMENTS

1. Complete 79C Planning Report under separate cover.

2. Proposed plans.
3. Site photos

RECOMMENDATION

THAT:

1. Development Application DA053/16 be **APPROVED** with conditions of consent as detailed in the 79C report.
2. A **DIVISION** be called in accordance with the provisions of Section 375(3) of the Local Government Act 1993.

ITEM-9 ENVIRO - 18/04/16 - MEADOW FLAT HALL

REPORT BY: A MUIR – GROUP MANAGER ENVIRONMENT & DEVELOPMENT

SUMMARY

To advise of the results of advertising for vacant positions on the Meadow Flat Hall Management Committee.

COMMENTARY

At Councils Ordinary Meeting of 29 February 2016 Council 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. All submissions that had been received prior to this process were also taken into consideration. The following submissions have been received. Mr Geoffrey Welsman; Donna Wright; Glenda Weekes; and Michael Fritsch.

Following the expressions of interest process, resignations to the Committee have been submitted by three other parties being Annie Scott, Liz Reen and Sarah Martin. This now provides a vacancy of six community members on the committee. Consequently, if Council accepted the current four expressions of interest onto the committee there would still be two vacancies.

It will be recommended that Council accepts the current nominations but not actively seek any further nominations during the remaining term of the current Council.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Expression of Interests submitted by Donna Wright, Glenda Weekes, Geoffrey Welsman and Michael Fritsch.

RECOMMENDATION

THAT Council:

1. Accepts the nominations of Geoffrey Welsman, Donna Wright, Glenda Weekes and Michael Fritsch onto the Meadow Flat Hall Committee.
2. Not fill any further vacancies and allow the positions to be vacant until the 2016 Council elections.

**ITEM-10 ENVIRO - 18/04/16 - PAINE STREET PORTLAND CROWN
RESERVE - LOT 7003 DP1027290**

REPORT BY: A MUIR – GROUP MANAGER ENVIRONMENT & DEVELOPMENT

SUMMARY

This report is to advise Council of a request to assume trusteeship of Crown Reserve R.755769 being Lot 7003 DP1027290. Paine Street, Portland.

COMMENTARY

Council is in receipt of a request from the Portland Sport & Recreation Club to take over Trusteeship of the abovementioned Crown Reserve at Portland. Councillors may be aware of this issue whereby the Club has been engaged in a program with local school students to construct a BMX track on the said land. A development application had been lodged however the Crown refused to sign the application to give it Land Owners consent. Consequently the application had to be withdrawn.

The Crown in its refusal to sign the development application cited reasons such as lack of detail design specifications of the proposed development and the absence of long term plans for management for the affected Crown land, such as financial management, managing risk, identification of other recreation user types and environmentally appropriateness of proposed development use.

The land comprises part of R.755769 situated on Lot 7003 DP1027290. The reserve is set aside for future public requirements and additional purposes of environmental protection and sustainable grazing. The reserve consists of 83 Lots and there is currently no appointed Trust to manage the reserve.

The Department of Primary Industries-Lands has advised that if Council is willing to become Trust Manager of the reserve that it will reconsider it's position in relation to giving its land owners consent to allow a development application to be considered. Recent discussions with the South West Area Manager of the Department of Primary Industries-Lands has indicated that they are also willing to reconsider their position in respect of providing land owners consent for the lodgement of a development application if the applicant can provide better plans and information to be able to more accurately determine the scale of the development and the Clubs proposals for the long term management of the land which would be the subject of the development application.

In discussions with the Department of Primary Industries there may also be an issue that needs to be determined in relation to whether Native Title has been extinguished on the land. This could be an important issue as to whether the trust management can be granted.

The Portland Sport and Recreation Club have been fortunate in obtaining funding under the Community Partnerships Program and are being pursued by the relevant authority in relation to that funding as to the progress of their proposal.

Should the Department of Primary Industries be in a position to review their position and sign off on a development application this may provide enough comfort to the funding authority to ensure the funds allocated to the Portland Sport and Recreation Club remain in place.

Whilst the club have requested that Council consider taking over the trust management of the reserve, it is difficult to recommend that this occur until such time as a development application is properly considered in relation to the BMX track proposal. It would not be in Council's interest to take over trust management of the reserve to allow the proposed development to occur and then the matter be rejected through the planning process. In this regard Council should be aware that a Community survey has been undertaken of Landholders in the surrounding area with 22 responses received. 12 of those indicated they were in favour of the proposal and 10 indicated that they were not in favour of the proposal. There appears to be an issue with the use of this Crown Land over the years with unauthorised activities taking place such as motorbike riding which has caused some concern in the surrounding community. Whilst it has been emphasised that the BMX track proposal would be for push bikes and not motorbikes there still remains concerns that unauthorised activities would be further promoted on the land. This should be properly assessed as part of the development application process.

Consequently, it would be recommended that Council further consider whether it is willing to take on the Trust management of the reserve following the lodgement of a development application and proper consultation, assessment and consideration by Council. The determination of the application cannot be pre-empted, however it is suggested that any decision to take on trust management of the reserve should not occur until the Development application is determined.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

The requirements for the formulation and operation of reserve trusts is provided in Part 5 of the Crown Lands Act 1989.

ATTACHMENTS

1. Plan showing extent of R.755796 being Lot 7003 DP1027290.

RECOMMENDATION

THAT Council consider whether it is willing to become Trust manager of R.755769 being Lot 7003 DP1027290 following the submission and determination of a development application for a BMX riding track and associated facilities to be lodged by Portland Sport and Recreation Club for the subject land.

OPERATION REPORTS

ITEM-11 OPER - 18/04/16 - WATER REPORT

REPORT BY: I STEWART – GROUP MANAGER OPERATIONS

REFERENCE

Min No 16-58: Ordinary Meeting of Council held on 21st March 2016

SUMMARY

This report provides an update on various water management issues.

COMMENTARY

Current Dam Levels for both Farmers Creek and Oberon

Farmers Creek Dam # 2 capacity on Tuesday, 5th April 2016 was 72%. Oberon Dam capacity on Tuesday, 5th April 2016 was 55%.

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 & 2015/16.

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

March	132	0	88
TOTAL	1,107	63	605

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 supplied water to Lithgow, Marrangaroo, Wallerawang, Lidsdale, Portland, Cullen Bullen, Glen Davis and Rydal from 8/3/2016 to 12/3/2016. Oakey Park Water Treatment Plant is currently supplying water to Lithgow. No health-based ADWG values were exceeded for the period 12/3/2016 to 8/4/2016.

Treatment Plants Monitoring Results

Samples are taken on a monthly basis at various locations within the STPs and WTP. Nine samples were taken on 23rd February 2016 and forwarded to Sydney Water for testing. There was one (1) non compliance at Lithgow STP, as detailed below in Table 3. All test results are published on the Lithgow City Council website as required by the *Protection of the Environment Operations Act 1997*.

Table 3 – Treatment Plants Monitoring Results

Non Compliance	Licence Limit	Date Sampled	Cause of Non Compliance	Action Taken To Mitigate Adverse Effects Of The Non Compliance	Action Taken To Prevent Future Reoccurrence Of Non Compliance
Total Nitrogen 12.6mg/L	10mg/L	23/2/2016	During the week prior to the non compliance there was a scada malfunction causing a failure with the head works operations. This in turn then created a build up of solids within the primary sed tanks not allowing solids to be fed in to the IDEA plant.	Contact was made to MRG – Council’s electrical contract company to investigate the cause of the scada malfunction. They found that the mainframe had blown and it took an additional day to source the component. The mainframe was renewed ASAP and the plant was back running as normal.	A spare mainframe for the board was bought so there is a spare to replace immediately if again needed.

Fish River Water Scheme Water Quality Summary

Fish River Water Supply is currently supplying water to Marrangaroo, Wallerawang, Lidsdale, Portland, Cullen Bullen, Glen Davis and Rydal. No health-based ADWG values were exceeded for the period 12/3/2016 to 8/4/2016.

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 four (4) applications for household appliance rebates and one (1) application for water tank rebates for the period 12/3/2016 to 8/4/2016.

Water Reticulation Complaints

Ten (10) complaints were received during the period 12/3/2016 to 8/4/2016 concerning water quality issues in the following areas. Testing of the water was undertaken at each location.

Locality	Concern	Notes
Reservoir Road, Portland	Caller advised that he has creamy water.	Milky coloured water is commonly caused by air in the water.
Vale Street, Portland	Dirty water.	Sample taken & tested and main flushed. Burst main in the area. High Turbidity
King Street, Lithgow	Wanting to know what is happening with the water quality in King Street.	Sample taken & tested. Quality affected by interruption to network Due to Council relocation of water main for drainage works. High True Colour High Turbidity
Wolgan Road, Lidsdale	Caller advised that the water has a terrible taste to it, and also is a milky white colour.	Sample taken & tested. No ADWG limits exceeded. As per above note, milky coloured water is a common result of air in the water main.
Hutchinson Street, Lithgow	Dirty water. Has been dirty for the last week but is really bad tonight.	Sample taken & tested, dead end main. High True Colour High Turbidity High Iron
Tamarind Place, Lithgow	Very bad tasting water, water is clear, bad smell.	Sample taken & tested. Issues with inlet valve at Vickers Street Pump Station. High Turbidity
Ivatt Street, Lithgow	Caller advised that she has dirty water. Has run two bath full of water and still very dirty.	Sample taken & tested. Burst main in area. High Turbidity High Iron
Bathurst Street, Wallerawang	Reported high level of bleach smell from water and he believes this is causing him to have a rash.	Sample taken & tested. Main flushed. Chlorine levels within acceptable range.
Redgate Street, Lithgow	Caller advised that water is really smelly, it's hard to explain and it's a weird smell and quite dirty brown colour.	Due to Council relocation of water main for drainage works.
Musket Parade, Lithgow	Caller advised that his water is a rusty colour.	Sample taken & tested. Burst main in area. High Turbidity High Iron

#Note: Turbidity, True Colour and Iron are aesthetic measures only.

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.

ITEM-12 OPER - 18/04/16 - DRAFT POLICY 3.3 - DRINKING WATER QUALITY

REPORT BY: I STEWART – GROUP MANAGER OPERATIONS

SUMMARY

This report provides Council with Draft Policy 3.3 – Drinking Water Quality for consideration with a recommendation that it be placed on public exhibition for 28 days.

COMMENTARY

The NSW Public Health Act 2010 and Public Regulations 2012 require drinking water suppliers to develop and adhere to a quality assurance program, i.e. a Drinking Water Management system.

The NSW Government has endorsed the Australian Drinking Water Guidelines (ADWG) which provide a basis for assessing water quality by specifying health based and aesthetic criteria. Council's proposed drinking water draft policy has been developed to identify the measures that Council will undertake to maintain drinking water quality to ensure consistent compliance with the Australian Drinking Water Guidelines (ADWG). The ADWG are the primary reference on drinking water quality in Australia and they are designed to provide an authoritative reference on what defines safe, good quality water, how it can be achieved and how it can be assured.

NSW Department of Health has for years provided a drinking water testing service to water supply authorities using the ADWG guidelines and it recommends that water suppliers similarly monitor in line with the ADWG.

NSW Health provides free of charge testing for water supply system monitoring for indicator bacteria and health related inorganic chemicals and monitors Council's water supply independently of Councils' monitoring.

Council's water supply is monitored for such issues as turbidity, ph, iron, manganese, true colour and lead, those criteria being listed in the ADWG.

POLICY IMPLICATIONS

NIL at this stage pending final adoption

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Draft Policy 3.3 – Drinking Water Quality

RECOMMENDATION

THAT the Draft Drinking Water Quality Policy 3.3 be placed on exhibition for 28 days before being presented to Council for finalisation.

CORPORATE AND COMMUNITY REPORTS

ITEM-13 CORP - 18/04/16 - COMBINED DELIVERY PROGRAM 2013-2017 & DRAFT OPERATIONAL PLAN 2016-2017

REPORT BY: J BROZEK – GROUP MANAGER CORPORATE AND COMMUNITY

REFERENCE

Min 15-28: Ordinary Meeting of Council held on 9 February 2015
Min 15-121: Ordinary Meeting of Council held on 1 June 2015

SUMMARY

The Council's Combined Delivery Program 2013/14-2016/17 and Draft Operational Plan 2016/17 and Draft Fees and Charges 2016/17 have been prepared and are provided for the consideration of Council to place on public exhibition.

The Delivery Program 2013/14 – 2016/17 was adopted at the Ordinary Meeting of Council held on 6 May 2013 by Council for its four year term of office.

The Draft Operational Plan 2016/17 details the operational (recurrent or annual) activities, capital works and new initiatives to be undertaken in the 2016/17 financial year. The Operational Plan implements the Delivery Program 2013-2017 and is provided to Council for adoption.

COMMENTARY

Background

In October 2009, NSW Parliament passed the Local Government Amendment (Planning and Reporting) Bill 2009 requiring all NSW local Councils to develop a 4 year Delivery Program and Annual Operational Plan as part of an overall Integrated Planning and Reporting Framework.

Lithgow City Council plays an important role in the community by undertaking a wide range of activities and works on behalf of residents and visitors. To inform the community of these planned activities and works, the Council prepares a combined four year Delivery Program and annual Operational Plan. The Plan provides details of how Council will fund proposed activities and how Council will measure its performance.

Following a series of internal workshops with Councillors, the draft Operational Plan 2016/17 has been prepared and details Council's activities and Revenue Policy for 2016/17. It incorporates the strategies of the Community Strategic Plan 2026 for the four year period including those activities which are operational (recurrent or annual) activities or capital works and new initiatives to be undertaken.

An overview of some of the key features contained in the Council's combined Delivery Program 2013/14-2016/17 and Draft Operational Plan 2016/17 is provided below. The aim of the Plan is to provide a solid financial framework to ensure

infrastructure and Council services can be provided to meet the requirements of residents and ratepayers as far as is practicably possible.

General Rates

In 2010, changes were made to the Local Government Act 1993 to delegate the task of setting the annual rate peg away from the Minister of Local Government and passed it on to the Independent Pricing and Regulatory Authority (IPART).

In December 2014, IPART announced that the 2016/17 Rate Peg Determination would be 1.8%. The rate pegging limit has been reflected in the Draft Operational Plan 2016/17.

Following a general revaluation of the Lithgow Local Government Area by the Valuer General of New South Wales, the valuations as at 1 July 2013 will be applied again for the pending 2016/17 annual rate levy.

Power Station General Rates

At the Ordinary Meeting of Council held on 9 February 2015 it was resolved that:

“Council investigate the rating for both Mt Piper and Wallerawang Power Stations in its current state, and present this report back to Council before 31 May 2015.”

During Councillor Budget Information Sessions, Councillors were presented with multiple rating options for the Mount Piper and Wallerawang Power Stations. Councillors have considered these options and have requested that further discussion on this matter be deferred for consideration when the Infrastructure Levy Program (2009/10 DLG Application 5% Special Rate Variation) is reviewed. This will allow for open and transparent discussion with the community as part of the consultation process.

Fees and Charges

The Council has reviewed its fees and charges to ensure that they contribute to a balanced budget. Some fees and charges are set by legislation which may result in some increases not being in line with the general Council index. Council controlled fees and charges were generally increased by 3.5%.

Interest Income

The interest income earned on Council’s investments is impacted by the average level of funds invested and the interest rates available. Whilst it is extremely difficult to forecast future interest rates, the budget includes investment rates achieving a 2.85% return.

Parking Rates

The Special Parking Rate will be levied on 153 CBD business properties within the designated area of Lithgow. This rate is to fund the maintenance of parking facilities within the designated area. Council will apply the ad valorem rate for 2016/17, 0.9574 which will be applied to the valuations of applicable properties. This will generate income of \$246,640 (GST exclusive).

Special Rate Variation – Infrastructure Levy

Council resolved in 2009 to apply to the Minister for Local Government for a special rate variation for infrastructure improvements in the local government area. The variation was approved for a 10 year period. Funds raised by this special rate are being used to improve many of the local roads and community buildings.

Council continues to apply for grants to both the State and Federal Governments and for corporate sponsorship in addition to the special rate to progress improvements as quickly as possible.

The works funded by the Special Rate Variation in the following table are included in the combined Delivery Program 2013/14 – 2016/17 and Draft Operational Plan 2016/17:

Proposed Infrastructure Levy: Special Rate Variation s508 (2) of the Local Government Act 1993	
	2016/17 \$
Roads	
Bells Road	100,000
Vale Street	186,365
Lithgow/Portland Lanes	90,000
Total Road Improvements	376,365
Buildings	
General Asset Building Maintenance	25,000
Endeavour Park Toilets	50,000
Total Building Improvements	75,000
TOTAL EXPENDITURE SPECIAL RATE	451,365

Section 94A Levy Contributions

Council has undertaken a review of its Development Contributions Framework and has proceeded with the introduction of a Section 94A Levy Plan that will apply across the LGA.

Note: The table below identifies the Section 94A Levy Contribution portion only for each project.

Proposed 3 Year Works Program – Section 94A Levy Contributions	
	2016/17
Roads	
Rural Roads Rehabilitation	150,000
Buildings	
Aquatic Centre Stage 4	100,000

CCTV	10,000
Village Improvement Program	30,000
CBD Revitalisation	100,000
Total Expenditure Section 94A	390,000

Waste Charges

Due to further planning for development of the waste disposal facility at Blackman's Flat, works at the Lithgow Solid Waste Facility and the closure and rehabilitation of rural landfills during 2016/17 it is recommended that the residential and business garbage charge be increased by 1.8% per property from \$414.60 to \$422.10.

Waste Charges		
Type of Service	Charge (\$) (GST ex)	Estimated Yield (\$) (GST ex)
Residential	422.10	3,532,555
Business	422.10	261,702
Non Rateable	422.10	51,918
Unoccupied Urban	156.50	80,598
Rural	100.90	236,409
Total Estimated Yield		4,163,182

Stormwater Charges

It is proposed that the following stormwater charges will be levied on all residential and business properties within identified urban areas (except those which are vacant land) and remain unchanged from the 2015/16 stormwater charges. The levy is used to partly fund the maintenance and improvements to urban drainage as well as the flood mitigation works at Farmers Creek, Lithgow.

Stormwater Charges		
Type	Charge (\$)	Estimated Yield (\$)
Residential	25.00	152,900
Strata Unit (Residential)	12.50	1,263
Business	25.00 per 350sq metres (\$1,500 Cap)	88,050
Total Estimated Yield		242,213

Grant Funding and Corporate Sponsorship

The Council is continuing to apply for funding from the State and Federal Government and other sources.

In 2014/15 Council secured \$300,000 in grant funding from the NSW Trade and Investment ClubGRANTS 3 program and a further \$150,000 from the NSW Heritage Council matched by \$250,000 in Council funds (total \$700,000) for safety improvement works to be undertaken at the Blast Furnace Heritage Park with a spend of \$600,000 over a two year period. A further application has been submitted

under the Commonwealth Government's National Stronger Regions Fund program for \$550,000 which will be matched \$ for \$ by Council to undertake Stage 1 Masterplan works, from the 2015/16 budget and \$225,000 per year for two years in the 2016/17 and 2017/18 budgets).

An application is also about to be lodged with the NSW Government's Resources for Regions program for Stage 1 Masterplan works, again for \$550,000 to be matched \$ for \$ by Council.

Should these grants not be successful, the project will not proceed in 2016/17.

Council has submitted an application under the State Governments, Sporting Fields Improvements Grants for \$65,000 to undertake lighting improvements to Marjorie Jackson Oval which will be matched \$ for \$ by Council. Should this grant not be successful then lighting improvements will not be undertaken during 2016/17.

Best Practice Water and Sewer Pricing

In 2010/11 Council was required as part of the funding conditions from the NSW State Government for the upgrade of the Lithgow Sewerage Treatment Plant to introduce major changes to its Water and Sewer Pricing which would see best practice in line with industry standards.

The 2016/17 water pricing structure ensures the Lithgow local government area maintains water charges in compliance with the NSW Best Practice Guidelines a minimum of 75% of residential income from usage and 25% of revenue from access charges.

Sewerage Charges

Over recent years Council has spent approximately \$30 million in the upgrade of the Lithgow and Wallerawang Sewerage Treatment Plants. Work has commenced on the upgrade of the Portland Sewerage Treatment Plant which Council has allocated \$15 million to the project.

In 2016/17 the following residential or business sewage access charges will be levied on all rateable and non rateable properties which are connected to or within 75 metres of Council's reticulated sewerage system.

Council has reviewed sewerage access and usage charges and proposes to increase residential and business charges by 2.5% from the 2015/16 rates.

The following sewerage usage charges will be levied to all properties using Council's reticulated sewerage system:

Sewerage Charges		
Sewerage Access Charge		
Type	Charge (\$)	Estimated Yield (\$)
Residential	900.00	6,418,780.83
Less write-off pension rebate		(170,187.50)
Business (main size):		
200mm	1168.00	700.64
100mm	1168.00	23,903.46
50mm	1027.00	61,963.91
20mm	775.00	274,818.29
Total Estimated Yield		6,609,979.62
Sewerage Business Usage Charges		
Type	Charge (\$)	
Business (most commonly 95% of water usage)	1.67	

Water Charges

The residential or business water availability charge will be levied on all rateable properties which are connected to or within 225 metres of Council's reticulated water supply system. Non rateable properties will be levied if they are connected. Water usage charges will be levied to all properties using Council's reticulated water supply system.

The average residential water consumption for 2014/15 was 182kl with 82% of residential properties consuming less than 250kl in the year. In 2016/17 water access charges have been increased by 5%, whilst there has been a 0% increase on consumption charges.

Water Charges		
Water Availability Charges		
Type	Charge (\$)	Estimated Yield (\$)
Residential	168.00	1,294,776.00
Less write-off pension rebate		(172,987.50)
Business (main size):		
200mm	1070.00	1,070.00
100mm	1070.00	28,880.00
50mm	941.00	71,527.00
20mm	711.00	295,687.00
Total Estimated Yield		1,518,952.50
Water Charges		
Water Usage Charges		
Kilolitres Used	Charge (\$)	
0 – 250 Residential	3.11 / kl	

250+ Residential	4.67 / kl
All business – Flat rate	3.11 / kl

Interest charges on outstanding property balances

Interest to be charged on rate and charges arrears has been determined by the Division of Local Government which is to be 8.5% in 2015/16. This rate is an indicative as the determination of the 2016/17 interest rate was not available at the time of writing this report.

Capital projects and discretionary expenditure

To highlight major capital projects and discretionary expenditure in the combined Delivery Program and Draft Operations Plan they may be summarised as:

Capital Projects & Discretionary Expenditure: Summary of Major Projects			
	Expenditure	Income	2016/17
General Fund			
Executive			
LG Election (from Reserve)	201,803		201,803
Operations			
Bridge Improvements	100,000		100,000
Urban Resealing	200,000		200,000
Footpath Construction	103,784		103,784
Rural Roads Improvements	150,000		150,000
Urban Drainage Improvements	50,000		50,000
Roads to Recovery	1,843,585	1,843,585	0
Infrastructure Levy Program (2009/10 DLG Application 5% Special Rate Variation)			
Infrastructure Levy Program (5% Special Rate: Income in Operating)			
Bells Road	100,000		100,000
Vale Street, Portland	186,365		186,365
Lithgow/ Portland Lanes	90,000		90,000
Endeavour Park Toilets	50,000		50,000
General Building Maintenance	25,000		25,000
Sec 94/94A Plan			
Rural Roads Rehabilitation	150,000		150,000
Aquatic Centre Stage 4	100,000		100,000
CCTV	10,000		10,000
Village Improvement Program	30,000		30,000
CBD Revitalisation	100,000		100,000
Operations Miscellaneous			
CBD Revitalisation	300,000		300,000
Guardrail Installation	33,000		33,000
Line Marking	40,000		40,000
Tree Removal Contract	20,000		20,000
Recreation			
Streetscape Improvements	20,000		20,000
Tony Luchetti Improvements	17,000		17,000
Sporting Fields and Ovals	174,000		174,000
Passive Parks and Gardens	116,000		116,000

Capital Projects & Discretionary Expenditure: Summary of Major Projects			
	Expenditure	Income	2016/17
Portland Pool Financial Assistance	30,000		30,000
Cemetery Improvements	56,500		56,500
Farmers Creek Precinct Master Plan Implementation	10,455		10,455
Blast Furnace Park Cultural Heritage Precinct Development	450,000	225,000	225,000
Plant			
Light/Heavy Vehicles	1,531,000	431,000	1,100,000
Buildings			
Endeavour Park Toilets	150,000		150,000
Centrelink Building	150,000		150,000
Hartley Building Improvements	260,000		260,000
Depot Improvements	50,000		50,000
Lithgow Pound Improvements - Roof	30,000		30,000
Emergency Services Building Upgrade	3,800		3,800
Building Maintenance	10,000		10,000
Eskbank House Improvement	29,919		29,919
Waste Management			
Cullen Bullen Tip Improvements	250,000		250,000
Wallerawang Tip Improvements	10,000		10,000
Site Wide Water Management Project	20,000		20,000
Waste Trenches	10,000		10,000
Planning			
Bicycle Plan Review	10,000	10,000	0
Environment			
Solid Fuel Rebates	10,455		10,455
Corporate			
Community Satisfaction Survey	20,500		20,500
Internal Audit	50,000		50,000
Workforce Planning	5,000		5,000
Economic Development			
Economic Promotions	57,551		57,551
Main Street Façades Program	20,000		20,000
Regional Marketing	40,000		40,000
Business Support Program	13,888		13,888
Annual Investment Prospectus	3,000		3,000
Information Technology			
IT Reserve as Programmed	295,000	140,000	155,000
Library			
Library Programs	5,000		5,000
Library Furniture and Fittings	13,300		13,300

Capital Projects & Discretionary Expenditure: Summary of Major Projects			
	Expenditure	Income	2016/17
State Library Infrastructure Grant	118,027	118,027	0
Homework Zone	15,750		15,750
Community & Culture			
Youth Council Projects	8,250	1,500	8,250
Non-Recurrent Financial Assistance	87,000		87,000
Recurrent Financial Assistance	70,295		70,295
Seniors Week	5,000	1,500	3,500
Lithgow Laneway Project	10,000	5,000	5,000
Australia Day	11,000	5,000	6,000
Tourism			
Lithglo	32,000		32,000
Halloween	90,000		90,000
Town Entry Signage	30,000		30,000
Events Attraction Package	10,000		10,000
Implementation of the Destination Management Plan	40,000		40,000

Borrowings

No borrowings are planned for new projects in 2016/17. However, Council may draw down loans for the Portland Sewerage Treatment Plant approved by Council for the 2015/16 budget.

Fees and Charges

Council's Fees and Charges have been reviewed and are presented to Council for adoption.

Community Engagement

The Draft Delivery Program 2013-2017 and Draft Operational Plan 2016-2017 is provided for Council's consideration to place on public exhibition for a minimum period of 28 days. Closing date for public submissions will be Friday 20 May 2016. This will allow the document to be put to the Council on 6 June for adoption.

Should the Council endorse the Combined Delivery Program 2013/14 – 2016/17 and Draft Operational Plan 2016/17, community briefing sessions will be held on the following days and times:

- Thursday 21 April, 6.00 - 7.00pm – Old Hartley School
- Wednesday 27 April, 6.00 – 7.00pm – Hampton Public School
- Thursday 28 April, 6.00 – 7.00pm – Glen Davis Hall
- Tuesday 3 May, 6.00 – 7.00pm – Crystal Theatre, Portland

Council's Corporate Strategy and Communications Officer will be available at the Lithgow Library Learning Centre on Friday 22 April 2016 for interested members of the community wishing to discuss the Draft Operational Plan 2016/17.

POLICY IMPLICATIONS

NIL arising from the report.

FINANCIAL IMPLICATIONS

The financial implications of the combined Delivery Program 2013/14 – 2016/17 and Draft Operational Plan 2016/17 are detailed in the financial plans provided.

LEGAL IMPLICATIONS

The Local Government Act 1993 and Local Government (General) Regulation 2005 outlines requirements for the preparation, exhibition and adoption of the management plans. The Draft Operational Plan must be exhibited for a minimum period of 28 days.

ATTACHMENTS

1. The combined Delivery Program 2013/14 – 2016/17 and Draft Operational Plan 2016/17.
2. Draft Fees and Charges 2016/17.
3. Proposed changes to Draft 2016/17 Fees and Charges.

RECOMMENDATION

THAT:

1. The combined Delivery Program 2013-2017 and Draft Operational Plan 2016-2017 be placed on public exhibition for a minimum of 28 days. This will include the following documents:
 - a. The combined Delivery Program 2013/14 – 2016/17 and Draft Operational Plan 2016/17.
 - b. Draft Fees and Charges 2016/17.
2. The closing date for submissions be Friday 20 May 2016.
3. Council note that as part of the 2016/17 Budget process Council has considered rating options for Mt Piper and Wallerawang Power Stations.

COUNCIL COMMITTEE MINUTES

ITEM-14 CORP - 18/04/16 - COMMUNITY DEVELOPMENT COMMITTEE MINUTES - 1 MARCH 2016

REPORT BY: M JOHNSON – MANAGER COMMUNITY AND CULTURE

REFERENCE

Min No 15-258: Ordinary Meeting of Council held on 28 September 2015
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

SUMMARY

This report details the minutes of the Community Development Committee meeting held on 1 March 2016.

COMMENTARY

At the Community Development Committee meeting held 1 March 2016 various items were discussed by the Committee, including:

CITIZENSHIP AWARDS AND AUSTRALIA DAY 2016 - The Committee reviewed the 2016 Australia Day event and NSW Local Citizenship Awards and agreed that the 2016 event at Queen Elizabeth Park had been a great success.

FINANCIAL ASSISTANCE ASSESSMENT CRITERIA - The committee reviewed the selection criteria and assessment methods used by several other councils and discussed ways of determining how local organisations might meet or address particular benchmarks. These will be discussed further at the committee's next meeting before being recommended to Council for adoption.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

Local Government Act NSW 1993, Section 356

ATTACHMENTS

1. Community Development Committee Minutes of 1 March 2016.

RECOMMENDATION

THAT Council notes the minutes of the Community Development Committee meeting held 1 March 2016.

ITEM-15 EXEC - 18/04/16 - ECONOMIC DEVELOPMENT ADVISORY COMMITTEE - 9 MARCH 2016

REPORT BY - M BREWSTER – ECONOMIC DEVELOPMENT OFFICER

REFERENCE

Min No 14-100: Ordinary Meeting of Council held on 3 March 2014
Min No 14-323: Ordinary Meeting of Council held on 28 July 2014
Min No 14-434: Ordinary Meeting of Council held on 27 October 2014

SUMMARY

This report details the Minutes of the Economic Development Advisory Committee Meeting held on 9 March 2016.

COMMENTARY

At the Economic Development Advisory Committee meeting held on 9 March 2016, there were various items discussed by the Committee including:

- Update on the Marrangaroo Masterplan project
- Update on the Investment Prospectus and Economic Development Strategy
- Funding support from Lithgow District Chamber of Commerce
- Façade Improvement Program Applicants
- Support for the Central NSW Business Enterprise Centre Outreach Project
- Retail Catchment/Leakage Study
- Lithgow Promotional Project

Some of the item was outside the Committee's delegations and require Council to formally consider the recommendation:

- **Request for support for Central NSW Business Enterprise Centre Outreach Project**

THAT Council support the BEC Lithgow Outreach Pilot Project, incorporating the co-location of Councils Economic Development Officer for two days per week in a Main St Lithgow shop front location.

The minutes of the Economic Development Advisory Committee have been endorsed by two members of the committee.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

Local Government Act 1993, s355

ATTACHMENTS

1. Minutes from the Economic Development Advisory Committee Meeting of 9 March 2016.

RECOMMENDATION

THAT Council:

1. Note the minutes of the Economic Development Advisory Committee held on the 9 March 2016.
2. Support the BEC Lithgow Outreach Pilot Project, incorporating the co-location of Councils Economic Development Officer for two days per week in a Main St Lithgow shop front location.

**ITEM-16 CORP - 18/04/16 - CRIME PREVENTION COMMITTEE MINUTES -
14 MARCH 2016**

REPORT BY: M JOHNSON – MANAGER COMMUNITY AND CULTURE

REFERENCE

Min No 15-283: Ordinary Meeting of Council held on 26 October 2015
Min No 16-60: Ordinary Meeting of Council held on 21 March 2016

SUMMARY

This report details the Minutes of the Crime Prevention Committee Meeting held on 14 March 2016.

COMMENTARY

At the Crime Prevention Committee meeting held on 14 March 2016, a number of items were discussed by the Committee including:

1. Discussion on how information on local crime incidents can be shared between business and the general community.
2. Discussion on anti-social behaviour in Queen Elizabeth Park
3. Police Report in.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Minutes from the Crime Prevention Committee meeting of 14 March 2016

RECOMMENDATION

THAT Council note the minutes of the Crime Prevention Committee held on the 14 March 2016

ITEM-17 CORP - 18/04/16 - YOUTH COUNCIL MINUTES - 15 MARCH 2016

REPORT BY: M JONES – COMMUNITY DEVELOPMENT OFFICER

REFERENCE

Min No 15 – 281: Ordinary Meeting of Council held on 26 October 2015.

SUMMARY

This report details the minutes of the Youth Council meeting held 15 March 2016.

COMMENTARY

At the 15 March 2016 Youth Council meeting, various items were discussed including:

- Planning for Youth Week 2016
- Youth Council PCYC Scholarship Program
- Area Health/Council Scholarship Program
- Youth Council Terms of Reference

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

Local Government Act 1993

ATTACHMENTS

1. Minutes of the Youth Council meeting held 15 March 2016.

RECOMMENDATION

THAT Council:

1. Note the minutes of the Youth Council meeting held 15 March 2016.
2. Council advertise for expressions of interest for youth engagement projects.

ITEM-18 OPER - 18/04/16 - TRAFFIC ADVISORY LOCAL COMMITTEE - 17 MARCH 2016

REPORT BY: I STEWART - GROUP MANAGER OPERATIONS

SUMMARY

This report details the Minutes of the Traffic Advisory Local Committee Meeting held on 17th March 2016.

COMMENTARY

At the Traffic Advisory Local Committee meeting held on 17th March 2016, the following items were discussed by the Committee:

- Martini Parade and Methven Street Intersection
- Ironfest Road Closures
- Disability Access Meeting
- Crown Land Road Closures
- Restricted Parking Space Williwa Street Portland
- Wildlife Crossing Browns Gap Road
- Pedestrian Crossings at St Patrick's School

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Minutes of the Traffic Advisory Local Committee meeting held on 17th March 2016.

RECOMMENDATION

THAT Council note the minutes of the Traffic Advisory Local Committee held on 17th March 2016.

**ITEM-19 ENVIRO - 18/04/16 - 23 MARCH 2016 - MEADOW FLAT HALL
MANAGEMENT COMMITTEE MINUTES**

REPORT BY: A MUIR - GROUP MANAGER ENVIRONMENT & DEVELOPMENT

SUMMARY

This report presents the minutes of the Meadow Flat Hall Management Committee Meeting held on 23 March 2016.

COMMENTARY

At the Meadow Flat Hall Management Committee Meeting held on 23 March 2016, there were a number of items discussed which are outlined in the attached minutes.

Council will note that there is one item that will require a formal resolution.

ATTACHMENTS

1. Minutes of the Meadow Flat Hall Management Committee Meeting held on 23 March 2016.

RECOMMENDATION

THAT:

1. Council note the minutes of the Meadow Flat Hall Management Committee Meeting held on 23 March 2016.
2. The Meadow Flat Hall Management Committee be renamed the Mac Scott Memorial Hall Management Committee.

**ITEM-20 OPER - 18/04/16 - SPORTS ADVISORY COMMITTEE MEETING
MINUTES - 29 MARCH 2016**

REPORT BY: I STEWART – GROUP MANAGER OPERATIONS

REFERENCE

Min No 16-64: Ordinary Meeting of Council held on 21st March 2016

SUMMARY

This report details the Minutes of the Sports Advisory Committee Meeting held on 29th March 2016.

COMMENTARY

At the Sports Advisory Committee held on 29th March 2016, there were numerous items discussed by the Committee, including:

- 2016 LJ Hooker Reg Cowden Memorial Sports Star Of The Year Awards
- Booking Requests
- Request Assistance for Defibrillator at Tony Luchetti Sportsground - Lithgow Storm Junior Rugby League

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

- Financial Assistance Requests

THAT Council provide Emily Watts with \$300 toward the cost of participating in the NSW Triathlon Team.

- Signed Agreement By Westfund Only - Field Sponsorship 2016 - Tony Luchetti Sportsground

THAT Council:

1. Accept Westfund Ltd's corporate sponsorship of \$5,000 per annum for a period of 3 years to be allocated to maintenance and minor improvements at Tony Luchetti Sportsground – "Westfund No. 1 Field", such contribution to be paid to Council by July 11 each year during the term; and
2. Officially name the premier field at Tony Luchetti Sportsground "Westfund No. 1 Field".

- Lithgow Giants Rugby League Football Club – New Members

THAT Council accept Cody Duncan and Brad Adams as the Sports Advisory Committee representatives from the Lithgow Giants Rugby League Football Club.

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 29th March 2016;
2. Provide Emily Watts with \$300 toward the cost of participating in the NSW Triathlon Team;
3. Accept Westfund Ltd's corporate sponsorship of \$5,000 per annum for a period of 3 years to be allocated to maintenance and minor improvements at Tony Luchetti Sportsground – "Westfund No. 1 Field", such contribution to be paid to Council by July 11 each year during the term;
4. Officially name the premier field at Tony Luchetti Sportsground "Westfund No. 1 Field"; and
5. Accept Cody Duncan and Brad Adams as the Sports Advisory Committee representatives from the Lithgow Giants Rugby League Football Club.

NOTICE OF MOTION

ITEM-21 NOTICE OF MOTION - 18/04/16 - MR OLAF LECKBANDT - COUNCILLOR M TICEHURST & J MCGINNES

REFERENCE

Public Forum of the Ordinary Meeting of the Lithgow City Council on 8 February 2016 – Mr Olaf Leckbandt.

COMMENTARY

The Minutes of the Public Forum of the Ordinary Meeting of the Lithgow City Council on 8 February 2016 – record that Mr Olaf Leckbandt made a statement in relation to the Development Approval for 2 Buttress Place, Lithgow.

The Group Manager Environment and Development, Mr Andrew Muir addressed Mr Leckbandt's concerns. All councillors were notified regarding the Development application and all processes were followed. Mr Muir will respond to Mr Leckbandt's letter.

- Q. Could the General Manager and/or Senior Council Officers provide a report to this Ordinary Meeting of Council on the actions of the Lithgow City Council Group Manager Environment and Development, Mr Andrew Muir addressing Mr Leckbandt's concerns and a copy of the Council's response to Mr Leckbandt's letter?

RECOMMENDATION

THAT the General Manager and/or Senior Council Officers provide a report to this Ordinary Meeting of Council on the actions of the Lithgow City Council Group Manager Environment and Development, Mr Andrew Muir addressing Mr Leckbandt's concerns and a copy of the Council's response to Mr Leckbandt letter?

**ITEM-22 NOTICE OF MOTION - 18/04/16 - UPDATE ON BLAST
FURNANCE PARK - COUNCILLOR J MCGINNES & M
TICEHURST**

REFERENCE

Lithgow Mercury: - <http://www.lithgowmercury.com.au/story/3825526/government-provided-450000-so-who-pays/?cs=1464>

COMMENTARY

- Q. Could the General Manager and/or Senior Council Officers provide a report to this Ordinary Meeting of Council on the current status of works to the Blast Furnace Park, Lithgow.

RECOMMENDATION

THAT the General Manager and/or Senior Council Officers provide a report to this Ordinary Meeting of Council on the current status of works to the Blast Furnace Park, Lithgow.

ITEM-23 NOTICE OF MOTION - 18/04/16 - FLOOD DAMAGE 2 BELLS ROAD LITHGOW - COUNCILLORS J MCGINNES & M TICEHURST

REFERENCE

Lithgow City Council Resolution 15 – 310 – Flood Damage 2 Bells Road Lithgow.

COMMENTARY

Lithgow City Council Resolution 15 – 310 – Flood Damage 2 Bells Road Lithgow states: -

15-310 RESOLVED

THAT the General Manager and/or Senior Council Officers table a report to the Council on the major flood damage that occurred to the boundary of 2 Bells Road Lithgow in February 2013 and an update of where the matter is currently at and recommendations on how it may be resolved and repaired.

MOVED: Councillor M F Ticehurst **SECONDED:** Councillor J J McGinnes.

Q. Could the General Manager and/or Senior Council Officers, after nearly five months since Resolution 15 – 310 was made, provide an update report on the major flood damage that occurred to the boundary of 2 Bells Road Lithgow in February 2013 and an update of where the matter is currently at and recommendations on how it may be resolved and repaired?

RECOMMENDATION

THAT the General Manager and/or Senior Council Officers, after nearly five months since Resolution 15 – 310 was made, provide an update report at this Council Meeting on the major flood damage that occurred to the boundary of 2 Bells Road Lithgow in February 2013 and an update of where the matter is currently at and recommendations on how it may be resolved and repaired.

ITEM-24 NOTICE OF MOTION - 18/04/16 - COUNCIL TO NOTIFY INDIVIDUALLY THE LANDHOLDERS OF 4000SQM & UNDER BLOCKS AFFECTED BY THE 2013 LEP - COUNCILLOR F INZITARI

COMMENTARY

As Councillors are well aware, this issue has been heavily debated on several times at particular meetings over the past several years. The original motion that 4000sqm blocks would be individually assessed by merit when a DA was submitted, was resolved by Council back in 2013. Unfortunately, there was a rescission motion presented in the 24th of March 2014 meeting, which ultimately reversed the original recommendation. A division was called, and those Councillors who voted for the change are noted in the minutes of the 24th of March 2014 meeting.

The end result was that Council resolved that these particular blocks of land would have no building entitlements that require effluent discharge, (unless a DA was submitted prior to the gazetting of the 2013 LEP) which has left those affected landholders who are aware, confused, angry, and burdened with a great financial loss.

Please note that there are still many who are not aware.

The attached letter is from an older lady who holds a parcel of land at Cullen Bullen, and she was shocked and disappointed that she was not even consulted during this process. She has written to Councillors of Lithgow twice, (I was the only one who responded to her) and in her latest letter, she has suggested that it is not even viable for her to pay the rates on this land, and is actually refusing to do so as she feels like it is a waste of money.

It is hard to argue with her, and I feel for not only her, but all of those who are in her situation.

I feel that at the least, Council should be notifying all those landholders of what has transpired, and of the new restrictions placed upon their land. This will give the landholders who are not aware of the changes the opportunity to either sell their land sooner (most probably at a large loss), instead of paying years of rates just to be informed at a later date that their land has become sterile.

While there were a selected amount of Councillors (myself included) who disagreed with this policy, we have moved on and respected the resolution by Council. I would however, like closure by informing the affected landholders.

ATTACHMENTS

1. Submission from Landowner in relation to LEP

RECOMMENDATION

THAT Council to notify individually the landholders of 4000sqm and under Village Blocks affected by the 2013 LEP policy regarding the building restrictions placed upon their titles.

**ITEM-25 NOTICE OF MOTION - 18/04/16 - MOBILE PHONE BLACKSPOT -
LOWTHER, GANBENANG & KANIMBLA - COUNCILLOR F
INZITARI**

COMMENTARY

As most Councillors are well aware, there are a number of areas within the Local Government Areas that do not have access to adequate mobile phone service. This includes the residents of Lowther, Ganbenang & Kanimbla. Many of the property owners are unable to access proper reception and the problem is magnified by Telstra's reluctance to upgrade their infrastructure of the copper lines in the area and the continued phone outages that residents experience on a regular basis.

The Federal Government has made funding available for mobile black spots. Under the first round \$100 million was committed to deliver new or upgraded mobile base stations across Australia. A further \$60 million was committed for round 2 with the locations to receive a mobile base station expected to be announced at the end of 2016. Unfortunately both Rounds have now closed.

The residents of Lowther, Ganbenang and the Kanimbla have made representations to the Federal Member, John Cobb in relation to this matter and are now asking for Council's support in providing assistance with the assessment process to ensure mobile phone coverage issue is addressed in the Lowther region and neighbouring areas.

I have received information from a local resident who was informed that the Department of Communications has given the database of black spot nominations to the providers for their consideration and they have until June to propose base station locations.

The providers will consider the total cost of the base station, the amount of Commonwealth funding being sought, the amount of funding the operator (Telstra/Optus/Vodafone) was proposing to co-contribute and the amount of co-contribution, if any, it had secured from a third party such as state or local government.

The Department then commences the assessment process. All proposed base stations included in the applications submitted by the operators will be assessed and ranked according to the assessment criteria outlined in the Programme Guidelines. The assessment criteria included the expected benefits that each base station would deliver, such as the area (in square kilometres), the number of premises, and the length of major transport routes to receive new mobile coverage. We award them points based on this criteria.

The more co-contribution that a provider can secure, the more points we award them when we review their proposed base station sites. Basically, the less money they have to ask from the Government, the more chance they will be in 'winning' that location.

Co-contributions can be financial or in-kind. The contributions can come from private citizens, business owners or the local council.

The providers would prefer financial incentives over anything else, in fact, they are awarded additional points for every \$10,000 that comes from a third party (or a combination of third parties, such as money pooled from council and private funds). In-kind contributions aren't financial in nature. In-kind contributions which could potentially be provided include:

- (a) assistance with identifying and consulting with the local community on a suitable site;
- (b) securing the necessary planning and site approvals;
- (c) lease arrangements;
- (d) civil works required for access to the site;
- (e) assistance with coordinating power to the site; or
- (f) access to existing infrastructure (such as access/use of council or privately owned land)

I understand there are a couple of properties owners in the Lowther, Ganbenang & Kanimbla who are willing to talk the Council on having a potential mobile phone tower on their property subject to receiving the appropriate approval.

RECOMMENDATION

THAT Council lobby for the installation of infrastructure to provide mobile telephone coverage for the Kanimbla, Lowther and Ganbenang areas.

General Manager's Comment:

Council wrote to the Federal Member in December 2013 seeking for representations to be made in relation to mobile telephone coverage that included the above areas.

A further letter was sent in November 2014 again seeking the inclusion of these areas in the Mobile Black Spot Program.

Attached is the last announcement of towers for Clarence, Capertee and Bogee.

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.*