



A CENTRE OF REGIONAL EXCELLENCE

AGENDA

ORDINARY MEETING OF COUNCIL

TO BE HELD AT

THE ADMINISTRATION CENTRE, LITHGOW

ON

06 JUNE 2016

AT 7.00pm

AGENDA

ACKNOWLEDGEMENT OF COUNTRY

APOLOGIES

PRESENT

CONFIRMATION OF THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 16 MAY 2016

DECLARATION OF INTEREST

PUBLIC FORUM

PRESENTATIONS – NIL

MAYORAL MINUTES - NIL

STAFF REPORTS

Environment and Development Reports
Operation Reports
Corporate and Community Reports

COUNCIL COMMITTEE MINUTES

Rural Lands Study Project Committee Minutes - February 2016
Rural Lands Study Project Committee Minutes - April 2016
Rural Lands Study Project Committee Minutes - May 2016
Environmental Advisory Committee Meeting Minutes - 11 May 2016

DELEGATES REPORTS – NIL

NOTICES OF MOTION

Rollout Of NBN the Lithgow LGA - Councillor W McAndrew
Christmas in July Ball - Cllr R Higlett
Apply the Tier One Water Charge to an Affected Ratepayer Until August 2016 - Cllr F Inzitari
Establishment of Committee Regarding Closed Wallerawang Power Station And Associated Assets - Councillor W McAndrew
Maldon Dombarton Rail Freight Line - Councillor W McAndrew

NOTICE OF RESCISSIONS

COC Limited - Councillor W McAndrew

BUSINESS OF GREAT URGENCY

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

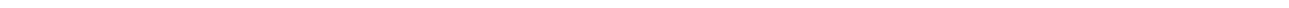


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ENVIRONMENT AND DEVELOPMENT REPORTS

ITEM-1 ENVIRO - 06/06/16 - GUMNUT HOUSE

REPORT BY: A MUIR - GROUP MANAGER ENVIRONMENT & DEVELOPMENT

SUMMARY

To update Council on the results of soil sampling which resulted in the decision by SDN children's services to temporarily cease the occupation of Gumnut House.

COMMENTARY

On 21 March 2016 Council was approached by SDN children's services advising of incidents that had taken place at Gumnut House where children had apparently picked up pieces of glass in the playground and in one instance at least, a child had been injured. SDN advised that under the circumstances they were obliged to respond to the situation. In response to this it was agreed that SDN would arrange for a number soil samples to be taken on the site to satisfy their duty of care in relation to the protection of young children.

Samples at eight locations to the rear of the site, being is part of the playground, were subsequently taken. Council was advised on 25 May 2016 that the results had identified friable asbestos at one sampling point; and concentrations of copper, mercury and Benzo(a)Pyrene (BaP) at other points. The company that carried out the sampling for SDN, Geotechniqe Pty Ltd, indicated that the presence of friable asbestos may pose a risk of harm to human health. SDN Children's Services, the operator of the site, immediately took steps to close and secure the site.

The report also recommended that:

- WorkCover licensed Asbestos Assessor must be engaged to deal with/clearance of asbestos contamination.
- Ecologist risk assessor should be consulted to deal with the elevated copper, mercury and BaP concentrations that might pose a risk of harm to the terrestrial ecosystems, including soil processes, soil flora and fauna, and terrestrial invertebrates and invertebrates.

As the owner of the site, Council immediately engaged the services of Envirowest Consulting who are both asbestos assessors and environmental consultants to review the report and advise accordingly on the appropriate course of action.

Envirowest subsequently produced the report attached to the business paper. In summary the key points were as follows:

- The sample that identified asbestos was **less** than 0.001%, the threshold level where health impacts would be of concern.

- However, remediation of the bare soil is recommended as a precaution.
- Air monitoring on 23 May 2016 **did not** detect airborne fibres greater than the appropriate threshold where health impacts would be of concern.
- The remediation works recommended will consist of stripping back 100-200mm of soil; placement of a geotextile fabric layer; replacement with certified clean material; and vegetating with lawn.
- Soil on pathways etc should be collected/hosed into the excavation area prior to placement of the geotextile layer.
- Whilst sampling and monitoring to date do not reveal levels of asbestos greater than health based criteria, a precautionary approach to direct exposure is still advisable until remediation works are carried out. Therefore, access to the outside areas of the child care centre should be restricted until remediation works have been undertaken.
- The centre should be closed during remedial works.
- The BaP levels will not impact on the environment and remediation is not required.

At the time of writing this report Council was in the process of engaging an accredited asbestos remediation company to carry out the remediation works.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

As the owner of the land Council will be expected to carry out the remediation works. At the, writing this report the final cost of this was not known.

LEGAL IMPLICATIONS

As 'contaminant' levels have been shown to be less than the relevant threshold criteria, it is questionable whether the provisions of the Contaminated Land Management Act 1997 apply. However, Council officers have taken the view that as owners of the facility, Council should take the lead role in ensuring precautionary remediation work, as recommended by an expert consultant, is carried out appropriately.

ATTACHMENTS

Report by Envirowest consulting on 21 Proto Avenue Lithgow.

RECOMMENDATION

THAT the information in relation to soil investigations and the status of the temporary closure of Gumnut House be noted.

ITEM-2 ENVIRO - 06/06/16 - WALLERAWANG POULTRY FARM UPDATE

REPORT BY: A MUIR – GROUP MANAGER ENVIRONMENT & DEVELOPMENT

REFERENCE

Min No 14-483: Ordinary Meeting of Council held on 15 December 2014
 Min No 15-07: Ordinary Meeting of Council held on 9 February 2015
 Min No 15-41: Ordinary Meeting of Council held on 2 March 2015
 Min No 15-55: Ordinary Meeting of Council held on 23 March 2015
 Min No 15-76: Ordinary Meeting of Council held on 20 April 2015
 Min No 15-101: Ordinary Meeting of Council held on 11 May 2015
 Min No 15-147: Ordinary Meeting of Council held on 29 June 2015

SUMMARY

This report has been provided in relation to the Council resolution of 11 May 2015 being:

15-101 RESOLVED

***THAT** Further reports to Council in relation to complaints and ongoing odour surveys for the Wallerawang Poultry Farm only occur in instances where an odour level of 2 or more is recorded on the odour intensity scale by Council’s odour specialist.*

COMMENTARY

In 2015 reports to Council in relation to the Wallerawang poultry farm were occurring monthly. However, at its meeting of 11 May 2015 Council resolved to only require a report when an odour level of 2 or more was recorded by Council’s odour specialist.

The following recent complaints and actions are provided below.

Date/ Time	Details of complaint	Council actions
7 to 10 March 2016 Monday to Thursday	Really bad feathery smell that was inside the house. Could not leave windows or doors open.	Inspection undertaken on afternoon of 10 March with no odours detected.
30 March 2016 Wednesday 8:30am	Odour from chicken farm detected.	Inspection undertaken by Council’s odour specialist at 9:20am. No odours were detected.
5 April 2016 Tuesday 2:00pm	Smell emanating from chicken farm is disgusting.	Inspection previously undertaken that morning by Council’s odour specialist at 11:50am and found no odour from the Poultry Farm. The smell was found to be a result of Council’s Wallerawang sports oval that had been top dressed with fertilisers. Complainants notified of results.
5 April 2016 Tuesday 5:00pm	Chicken smell is overpowering.	

28 April 2016 Thursday 5:00pm	Smell is absolutely putrid and couldn't breathe with dust also going everywhere. The smell was as bad as it used to be and smells are worst after 5pm.	Requested information from operators of the farm who advised: <i>Normal operation with feed truck delivery at 4:30pm and finished at 5:30pm.</i> No further action, reminder to use water to reduce dust issues.
7 to 8 May 2016 (received 9 May 2016) Saturday & Sunday	Odour and haze most of the weekend, last few weeks there has been some spasmodic odour which was lingering all weekend.	Inspection undertaken 10 May 2016 which found at location 2 there was an odour present in the air as a result an intensity scale of 2 was reported by Council's odour specialist at 8:30am.

Odour surveys have been ongoing since May 2015, with one previous odour event with a detection of 2 on 28 May 2015. Most odour intensity detections are at a level of 0 or 1 being:

1. Odour present in the air, which activates the sense of smell and the characteristics may or may not be distinguished and/or definite, but not objectionable in short durations. This is characterised by occasional "whiffs" of odour, but is not persistent.

An odour detection of 2 was experienced by Council's odour specialist on the 10 May 2016 which indicates:

2. Odour present in the air, which easily activates the sense of smell, is very distinctive and clearly disguisable, tends to be objectionable and/or irritating, and is persistent in the community.

Refer to attachments 1 and 2 for the associated Site Map and Odour Intensity Scale in relation to the full results of Council's odour specialist survey results for 10 May 2016 as below:

Location on Site Map	Time	Odour Intensity Detected		Comments/Odour
		Maximum Level	Minimum level	
1	8:15am to 8:20am	0	0	Nil.
2	8:21am to 8:26am	0	0	Nil.
3	8:27am to 8:32am	1	2	Odour present in the area and strong winds and direction could have attributed to the increased odour in this location
4	8:33am to 8:38am	0	0	Nil.
5	8:39am to 8:44am	0	0	Nil.

An investigation into the wind at the time of the event was found to be up to 70km/h wind gusts and 41km/h wind speeds in a westerly direction (Bureau of Meteorology).

OTHER MATTERS

It is intended to continue odour surveys by Council's odour specialist once per week at varying time periods.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

To ensure that the development complies with the *Environmental Planning & Assessment Act 1979* in relation to compliance with conditions of consent.

ATTACHMENTS

1. Site Map of Chicken Farm and Odour Investigation Area
2. Odour Intensity Scale

RECOMMENDATION

THAT the information regarding odour issues for the Wallerawang Poultry Farm be noted.

**ITEM-3 ENVIRO - 06/06/16 - VOLUNTARY PLANNING AGREEMENT FOR
035/08DA (S96018/14) - REMOVAL OF SPORTING FIELDS AND
MEDIUM DENISITY HOUSING OF 24 UNITS - 3 STAGES, LOT 1 DP
868379 - HOSKIN**

REPORT BY: A MUIR - GROUP MANAGER ENVIRONMENT & DEVELOPMENT

REFERENCE

Min No F08-90: Finance & Services Committee Meeting held on 5 August 2008
Min No 008-162: Ordinary Meeting of Council held on 21 October 2008
Min No 14-308: Ordinary Meeting of Council held on 28 July 2014

SUMMARY

To advise of and seek endorsement of a Draft Planning Agreement for Vision Property Holdings Pty Ltd.

COMMENTARY

On 21 October 2010 035/08DA was approved for the removal of sporting fields (tennis courts), the demolition of associated structures and the construction of 24 medium density housing units. The medium density units will consist of fourteen 2 bedroom units and ten 3 bedroom units.

The approval is for 3 stages; stage A being 4 units, stage B being 4 units and stage C being 16 units. The staging was approved to be carried out in three non-sequential stages.

The staging allows for the issue of separate Construction Certificates at the completion of each proposed stage and so that each stage would have individual infrastructure and assets.

A separate Torrens title subdivision application (073/08 DA) for the property was approved on 25 February 2009 and incorporated 4 lots i.e. Lot 1 which contains the old RSL Club, Lot 2, Lot 3 and Lot 4. This report relates to the new Lot 2 only.

A condition of development consent was imposed as follows:

Planning Agreement – All stages – Prior to Construction Certificates

50. The applicant is to enter into a planning agreement with Council. The contribution obtained under this agreement is to be used for community facilities within the Lithgow Local Government Area and will be based on a per unit requirement.

The applicant has proposed a Draft Planning Agreement for stage C (16 units) on the new allotment being Lot 2 DP1198292.

Discussions have been held in relation to a Voluntary Planning Agreement and an offer of a contribution of \$24,000 (\$1,500 per unit, 16 units - stage C) to go toward community facilities has been made. The original development consent was issued prior to the adoption of Council's Section 94A Contributions Plan. However, to provide a guide for an appropriate contribution it was noted that a 1% contribution for a \$2.1 million development (the value of this development) would have yielded a contribution of \$21,000. Consequently, after some negotiation, the staff indicated willingness to recommended acceptance of the \$24,000 contribution offered.

The draft agreement must be endorsed by Council. Once Council has endorsed the Draft Planning Agreement, the required public notification process may proceed.

POLICY IMPLICATIONS

Policy 7.10 – Planning Agreements applies. The Policy provides that a draft VPA is to be reported to Council for approval to be placed on public exhibition and also for final endorsement following exhibition.

FINANCIAL IMPLICATIONS

The financial implications for Council are the potential receipt by Council of a development contribution being a monetary contribution or the provision of a material public benefit in the form of infrastructure, facilities, amenities and services.

LEGAL IMPLICATIONS

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

ATTACHMENTS

1. Draft Planning Agreement

RECOMMENDATION

THAT:

1. Council endorse the Voluntary Planning Agreement proposed by Vision Property Holdings Pty Ltd for a contribution of \$24,000 (\$1,500 per unit, 16 units-stage C) to go toward community facilities
2. The Voluntary Planning Agreement be placed on public exhibition for a period of 28 days.

OPERATION REPORTS

ITEM-4 OPER - 06/06/16 - PORTLAND SEWERAGE AUGMENTATION CONTRACT ADMIN SERVICES FOR NEW SEWERAGE TREATMENT PLANT

REPORT BY: I STEWART - GROUP MANAGER OPERATIONS

REFERENCE

Min No 14-311: Ordinary Meeting of Council held on 28 July 2014
Min No 14-423: Ordinary Meeting of Council held on 27 October 2014
Min No 14-468: Ordinary Meeting of Council held on 17 November 2014
Min No 15-251: Ordinary Meeting of Council held on 28 September 2015

SUMMARY

To advise Council of a proposal from the Department of Public Works for procurement, contract administration & technical support services associated with the construction and commissioning of the Portland STP Augmentation.

COMMENTARY

Following the detailed design prepared by NSW Public Works, Council has engaged NSW Public Works to carry out the expressions of interest stage and tendering services. A proposal has been received to provide associated services including procurement, contract administration & technical support during the construction and commissioning of the augmentation of Portland Sewerage Treatment Plant. This proposal includes:

- Contract Administration
- Post Award Preconstruction Surveillance
- Construction Contract Administration
- Construction Site Surveillance
- Commissioning & Handover Management
- Specialist Technical Support
- Onsite Meetings & Workshops
- Staff Training

Fee Schedule

The total fee is \$571,238.80 inc. GST and is broken up in the following cost activities:

Item	Fee Amount
Contract Administration	\$385,418.00
Disbursements	\$2,950.00
Specialist Technical Support	\$10,940.00
Commissioning	\$120,000.00
Sub-total	\$519,308.00
GST	\$51,930.80

Total Fee (inc. GST)	\$571,238.80
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NSW Public Works have been involved in the augmentation of Portland Sewage Treatment Plant from the commencement of the project including the Options Report, Concept Design and Detailed Design. This gives NSW Public Works in depth knowledge of the project background and the scope of the project.

In addition to preparing the detailed design for the upgraded plant, NSW Public Works have proceeded with the expressions of interest stage and tendering services. Council will recall that tenders were called on a selective tender basis and three tenders were received. These are currently being evaluated with a view to recommending the successful tenderer at the next Ordinary Council Meeting.

NSW Public Works were previously engaged to contract manage both Lithgow and Wallerawang sewerage treatment plant augmentations and the Portland sewerage treatment plant upgrade is modelled on the recent Wallerawang sewerage treatment plant upgrade. The Portland project is complicated by site restrictions caused by lack of space as the upgraded plant will need to be constructed on the existing site.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

This project is part funded by an allocation of \$10.05 million from the NSW Resources for Regions program with any required additional funds being provided by Council. The total budget is \$15.05 million and total funds spent to date are \$685,432 ex GST (\$753,975.20 inc. GST).

Council has also engaged Public Works Department to prepare the expression of interest for tending plus assist with the tender process including tender evaluations at a cost of \$60,356 ex GST (\$66,391.60 inc GST). Total committed expenditure to date is \$745,788 ex GST (\$820,366.80 inc GST).

LEGAL IMPLICATIONS

Under section 55 of the Tendering Regulations in the Local Government Act, Council is not required to call tenders for the provision of these services when engaging with the Crown, a Minister of the Crown or a statutory body representing the Crown.

RECOMMENDATION

THAT Council:

1. Note the engagement of NSW Public Works to carry out the expressions of interest stage and tendering services at a cost of \$66,391.60 inc. GST; and
2. Accept the proposal from NSW Public Works to provide procurement, contract administration & technical support services for the augmentation of the Portland Sewerage Treatment Plant at a total cost of \$571,238.80 inc. GST.

ITEM-5 OPER - 06/06/16 - PROPOSED CLOSURE - UNFORMED CROWN ROAD - SOUTH BOWENFELS

REPORT BY: I STEWART – GROUP MANAGER OPERATIONS

REFERENCE

Min No 16 – 95: Ordinary meeting of Council held on 18th April 2016

SUMMARY

This report provides an update on the proposed road closure and intended sale of crown land at South Bowenfels. The road is east of the Great Western Highway in the vicinity of the South Bowenfels Cemetery, adjoining and providing access to the properties located 3518 and 3532 Great Western Highway.

COMMENTARY

The NSW Department of Primary Industries is in receipt of an application to close the crown road which is shaded black on the attached map, extending from the Great Western Highway to Lot 120 DP 751650. A portion of this crown road provides site access to Lot 3534. NSW Trade and Investment have sought Council's advice in regard to the proposed closure of this crown road and its proposed sale.

Following an onsite meeting attended by Councillor Frank Inzitari, Councillor Wayne McAndrew, community members and Council Officer, Iain Stewart an agreement was reached that all parties present were supportive of an amended closure of the crown road commencing at the boundary of Lot 3532 as shown on the attached map with Lot 3532 being identified as the rear fence line of the Presbyterian Cemetery.

This proposal will not impact on the access to any properties in the vicinity of the crown road and will benefit Lot 3532 the owners of whom have requested the closure.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Proposed Closure of Public Roads Diagram
2. Proposed Amended Closure diagram

RECOMMENDATION

THAT Council provide the Department of Primary Industries advice supporting the proposed part closure of the crown road providing access to properties located at 3534 & 3532 Great Western Highway on the basis that the crown road closure would commence from the boundary of Lot 3532 extending in a easterly direction to the end of the crown road.

ITEM-6 OPER - 06/06/16 - WATER REPORT

REPORT BY: I STEWART – GROUP MANAGER OPERATIONS

REFERENCE

Min No 16-103: Ordinary Meeting of Council held on 16th May 2016

SUMMARY

This report provides an update on various water management issues.

COMMENTARY

Current Dam Levels for both Farmers Creek No. 2 Dam and Oberon Dam

Farmers Creek No. 2 Dam capacity on Sunday, 22 May 2016 was 50%. Water levels at the dam are being lowered to allow for the replacement of the trunnion outlet structure for the Dam. These works commenced on 23 May 2016 and are expected to take 4 weeks. On previous asset inspections the trunnion was identified to be in very poor condition and is essential for providing continuous supply to the Oakey Park Water Treatment Plant. The trunnion arm is being manufactured and will be installed by a team of divers. Council has been in consultation with Fish River Water Supply to provide additional treated water from Oberon Dam.

Oberon Dam capacity on Sunday, 22 May 2016 was 52%.

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 and 2014/2015.

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

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

December	162	63	55
January	120	0	74
February	111	0	77
March	132	0	88
April	119	12	61
TOTAL	1,226	75	666

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

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 9/5/2016 to 11/5/2016 and from 17/5/2016 to 19/5/2016. Oakey Park Water Treatment Plant is currently supplying

water to Lithgow. No health-based ADWG values were exceeded for the period 7/5/2016 to 27/5/2016.

Treatment Plants Monitoring Results

Samples are taken on a monthly basis at various locations within the STPs and WTP. Nine samples were taken on 26/4/2016 and forwarded to Sydney Water for testing. There was one minor non compliance at Wallerawang STP, as detailed below in Table 3. All other test results complied with licence criteria. 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 10.5mg/L	10mg/L	26/4/2016	Build up of sludge in IDEA tank not allowing nitrification to complete, build up of sludge in chlorine contact tank and debris in effluent holding tank.	Emptied and cleaned both tanks, excess removal of sludge.	Cleaning of both tanks to be completed on regular basis, constant monitoring of sludge.

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 7/5/2016 to 27/5/2016.

Current Water Restrictions Update

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

Water Saving Schemes or Processes Update

Council's Rainwater Tank and Domestic Appliance Rebate Program continued with Council approving one (1) application for household appliance rebates and one (1) application for water tank rebates for the period 7/5/2016 to 27/5/2016.

Water Reticulation Complaints

Four (4) complaints were received during the period 7/5/2016 to 27/5/2016 concerning water quality issues in the following areas. Testing of the water was undertaken at each location.

Locality	Concern	Notes
Fullagar Avenue, Lithgow	Caller stated that they have dirty water again.	Dead end of the network. Council Officers investigating options to improve water quality in this area. Complied with ADWG health limits. Main flushed.
Park Avenue, Portland	Customer advised that close to f/night water has been tasting metallic and also when you fill up a basin for washing of hands etc when water drains away there is a film left around the edges. Can Council investigate and test the water.	Burst main in the network. Complied with ADWG health limits. Main flushed.
Paine Street, Portland	Reported trouble with pipes and brown water in household Water leaking in Williwa St and Portland Rd	Burst main in the network. Complied with ADWG health limits. Main flushed.
Wrights Road, Lithgow	Customer advised 4 years being at property had ongoing problems with dirty water, ran the bath for her children last night water filthy brown and when let go left residue in and around bath. Council has flushed the mains however this is a constant ongoing problem and something needs to be done more permanently to ensure good quality water. Can Council contacts Toni and discuss.	Dead end of the network. Council Officers investigating options to improve water quality in this area. Complied with ADWG health limits. Main flushed.

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

Due to a recent malfunction of the pressure control valve which stabilises the pressure in some of the lower areas of Portland, three breaks were encountered in Portland on Monday, 23 May 2016 in the reticulation network and staff worked through the night to restore supply to consumers.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Water Quality Complaint Trend

RECOMMENDATION

THAT Council notes the water report.

CORPORATE AND COMMUNITY REPORTS

ITEM-7 CORP - 06/06/16 - COMBINED DELIVERY PROGRAM DRAFT OPERATIONAL PLAN-LONG TERM FINANCIAL PLAN

REPORT BY: **J BROZEK – GROUP MANAGER CORPORATE & COMMUNITY**

REFERENCE

Min No. 16-83: Ordinary Meeting of council held on 18 April 2016

SUMMARY

This report recommends the adoption of the Delivery Program 2013-2017 and Draft Operational Plan 2016/17 with identified amendments and consideration of submissions received prior to the advertised closing time of 4.30pm on Friday 20 May 2016.

The Long Term Financial Plan 2016/17-2025/26 is also included in this report for Council's consideration. It is a requirement of the Integrated Planning and Reporting Framework that the plan is reviewed and updated on a regular basis addressing Council's ability to meet future demands, community needs and economic growth.

COMMENTARY

Council at the Ordinary Meeting of 20 April 2016, resolved to place the Combined Delivery Program 2013-2017 and Draft Operational Plan 2016/17 on public exhibition for a period of 32 days from 19 April to 20 May 2016. Following the resolution extensive advertising was conducted through the local media, on Council's Facebook pages, email and mail outs to community groups. Copies of the plan were made available at the following locations:

- Councils website: www.council.lithgow.com
- Council Administration Centre
- Lithgow Library Learning Centre
- Wallerawang Library
- Portland Library
- Rydal Library
- JM Robson Aquatic Centre.

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

- Wednesday 21 April at 6.00pm – Old Hartley Schoolhouse
- Wednesday 28 April at 6.00pm – Hampton Public School Library
- Thursday 29 April at 6.00pm – Glen Davis Community Hall
- Tuesday 3 May at 6.00pm – Crystal Theatre, Portland

- Wednesday 4 May at 6pm – Lithgow City Council Chambers

A Council Officer was available at the Lithgow Library Learning Centre on Friday 22 April from 2 - 4.30pm to answer any questions members of the community may have regarding the Draft Operational Plan. One member of the public was present during this time seeking information regarding in the programs included in the Draft Operational Plan.

A copy of the meeting notes from each of the community information sessions and community submissions are provided as attachments 1 and 2 for the information of Councillors.

The following table provides a summary of the submissions received and items raised at the Community Information Sessions which are relevant to the Draft Operational Plan 2016/17 and require the consideration of Council. Matters raised in submissions which can be dealt with through the Customer Request System are not identified in the table below.

Summary of Community Submissions		
Submission	Request	Officers Recommendations
Community Submission 1	<p>2016/17 Fees and Charges 3 month Leisure Membership and Exercise Upgrade.</p> <p><i>"I was wondering if there was a possibility of a 3 month pass for half the price as I am going to Europe in July returning in September, at the moment there is no provision for a shorter period."</i></p>	<p>Council introduce a suspension fee of \$20 to all requests.</p> <p>Membership holders may apply for a minimum suspension time of 2 weeks and a maximum suspension time of 12 weeks once per calendar year for 6 and 12 month memberships.</p> <p>24 hours notice for all requests must be given in writing.</p>
Community Submission 2 Capertee Progress Association	<p>Children's Playground – Clarence Pirie Park Upgrade of the playground equipment and installation of shade sail.</p> <p><i>"Our playground equipment services both local children and visiting children, and has now become a safety hazard. Apart from the very important need for a shade sail over the playground equipment, because in the summer months the playground equipment becomes too hot for the children, the free fall material is in a dreadful state, and there is upgrading work required for the slide and other playground equipment."</i></p>	<p>Funding is provided in the 2016/17 Budget for shade and new playground equipment. The location is to be identified.</p>

Community Submissions 3 & 8	<p>McKanes Falls Road</p> <p><i>“Our easiest route to Lithgow from our area is via McKanes Falls Rd which has been allocated ZERO funding and via Rydal Rd which has been allocated an amount enough to cover only "band aid" maintenance. I implore you to reconsider the mix of funding at your disposal to reflect our concerns.”</i></p> <p><i>“A couple of sections of this road have been upgraded; however the majority remains in various stages of disrepair.</i></p> <p><i>Patching of potholes is conducted periodically however this fills the holes, but sometimes overfills them which make the surface even more uneven”.</i></p>	Council will consider repairs to two of the rough sections of McKanes Falls Road, as part of the 2016/17 works program.
Community Submission 4	<p>Market Place, Glen Davis – Bitumen Seal</p> <p><i>“...the stretch of road particularly from the bridge onwards be tarred as it is the main route tourists take to go the community hall, meaning that white dust with silica in it is being disturbed constantly”.</i></p>	A Material Safety Data Sheet is being obtained from the Quarry. Subject to any issues being raised regarding the silica content of the material, alternative materials to surface Market St will be investigated.
Community Submissions 5 & 11	<p>Jamison, Limestone and Long Streets, Portland – Roadworks</p> <ol style="list-style-type: none"> 1. Jamison Street sealed from the intersection of Roxburgh Street 160m to residents boundary. 2. Rehabilitate the laneway joining Quarry Road with Jamison Street and consider making it one-way. 3. Improve drainage works in Jamison and Limestone Streets. 	<p>To be considered in the Draft Works Program for consideration by the Works Committee for prioritising in the 2016/17 budget subject to available funds.</p> <p>The matter of making the laneway joining Quarry Road with Jamison Street one-way be referred to TALC for consideration.</p>
Community Submission 6	<p>Portland Spring Fair – Request for financial Assistance.</p> <p>The Portland Spring Fair supports the local economy, raises aware of local dance and performance groups and proves a fun and safe environment for the community and</p>	That the request be referred to the Community Development Committee for consideration and allocation of funding.

	visitors to enjoy at reasonable costs. In 2016, we are aiming to bring more entertainment/rides to town especially aimed at the many teenagers in the area and adding a history display of Portland. Our budget is \$9,000 and we hope that Council could include some assistance in the 2016/17.	
Community Submissions 7 & 10	<p>Glen Alice Road – reseal</p> <ol style="list-style-type: none"> 1. The 2.5km section between Noola and Port Macquarie Roads needs resealing as a matter of urgency. This is priority one in the Capertee Valley at this time. 2. Work be undertaken to improve access to properties along this stretch of road. 3. The \$343,585 allocated to Glen Alice Road should be supplemented by extra funding to enable complete resealing of the entire worn out section of the road, approximately 6.7 km. (Bogee River Bridge to the “Boom Boom” 2922 property). 4. Line marking should be carried out on the new reseal together with the previous work at Mt Marsden which was never line marked. 5. A sum should be allocated to rectify the dangerous overhanging branches on Glen Alice Road between Bogee River Bridge and the Northern border of the LGA. 	<p>Resealing of sections of Glen Alice Road will commence in 2016/17.</p> <p>Line marking and removal of dangerous trees/overhanging branches will be undertaken as part of the resealing program.</p>
Community Submission 8	<p>Community Information</p> <p><i>“Can some method, perhaps email to those ratepayers in your area, be used to notify and inform us to Council initiatives and operations, instead of only relying on local newspapers, local radio and television? All of which is costly and not accessible to us”.</i></p>	<p>Members of the community can subscribe to receive copies of Council Connections via email as well as the traditional mail service which occurs three times per year to all ratepayers. Media Releases are placed on Council’s website and social media when they are distributed to local and regional media outlets.</p>
Community Submission 9	<p>LithGlo – Twilight Markets</p> <ol style="list-style-type: none"> 1. Request the markets are become an afternoon/evening event. 2. Request an increase in funding for LithGlo. 	<p>The LithGlo budget for 2016/17 remains constant from 2015/16. Additional funding would enable additional afternoon entertainment. \$32,000 has been allocated</p>

<p>Community Information Sessions – Hartley 21 April Hampton 27 April Glen Davis 28 April Portland 3 May Lithgow 4 May</p>	<p>Update of 1998 Bicycle Plan Requests for the following roads to be considered in the update of the 1998 Cycle Plan:</p> <ul style="list-style-type: none"> • Browns Gap Road • McKanes Falls Road 	<p>2016/17. These roads will be considered in the update of the 1998 Bicycle Plan as potential bike routes.</p>
	<p>Waste & Recycling</p> <ul style="list-style-type: none"> • Will Council consider a Greenwaste collection? • Can Council investigate options for Bulky Waste Collection to be disposed of at Katoomba tip for residents in Megalong Valley? 	<ul style="list-style-type: none"> • Council is not looking to implement a Greenwaste collection service at this stage. • Council will investigate options for bulky waste pick-up in the Megalong Valley.
	<p>Rural Roads: Peachtree Road, Megalong Valley Requires gravel re-sheeting. Portland Streets: Limestone and Jamison Streets Request for Limestone and Jamison Streets to be sealed. They are extremely dusty. Capertee Valley: Market Street, Glen Davis Request for this to be bitumen sealed. Glen Alice Road Request for section between Glen Alice and Bogee Bridge to be re-surfaced as it is full of potholes.</p>	<ul style="list-style-type: none"> • Peachtree Road, Limestone and Jamison Streets will be considered in the Draft Works Program for consideration by the Works Committee for prioritising in the 2016/17 budget subject to available funds. • Alternative materials to surface Market St will be investigated subject to any concerns raised on the MSDS. • Resealing of sections of Glen Alice Road will commence in 2016/17.
	<p>Telecommunications The issue of Blackspots in the Megalong Valley and Hampton was raised. Can we coordinate to lobby as a community for Blackspot Funding?</p>	<p>Council Min 16-72 Resolved THAT: Council lobby for the installation of infrastructure to provide mobile telephone coverage for the Kanimbla, Lowther and Ganbenang areas.</p>
	<p>Community Noticeboards Requests were received for community noticeboards to be installed at Hampton and Portland.</p>	<p>The installation of Community Noticeboards at Hampton and Portland will be investigated.</p>
	<p>Toilets – Saville Park, Portland These toilets are in need of repairs.</p>	<p>The toilets will be inspected and repairs will be programmed to be undertaken.</p>
	<p>RV Friendly Sites A number of issues were raised regarding the RV Friendly sites at Lake Wallace and Kremer Park.</p>	<p>Options for managing the RV Friendly sites are being investigated.</p>

	<ul style="list-style-type: none"> • Rangers to monitor: <ul style="list-style-type: none"> ○ Campers are staying at Lake Wallace for long periods. ○ Animal control for Campers with dogs. • People breaking into the toilets when they are locked up. • Increased garbage pickup during peak periods at both locations. 	<p>Rangers are performing sporadic patrols of the sites.</p> <p>Garbage collection issues have been resolved.</p>
	<p>Kremer Park, Portland – Steps Can Council look at ways to a) make the steps in the retaining wall safer or b) install new steps.</p>	<p>Replacement of the steps is included in the 2016/17 works program.</p>
	<p>Portland Pool Can a meeting be convened between Council and the Portland Pool Committee to discuss ways of working together to manage the pool.</p>	<p>A meeting will be convened between the Council and the Portland Pool Committee.</p>
	<p>Defibrillator Unit – Tony Luchetti Sportsground Can Council install a Defibrillator Unit at Tony Luchetti Sportsground for use by Sporting/Event Organisers in the event of an emergency?</p>	<p>Council investigate options for the installation of a defibrillator at Tony Luchetti Sportsground.</p>
	<p>Economic Development Several questions were raised regarding Council's Economic Development Program:</p> <ul style="list-style-type: none"> • Are there any proposals to increase the budget for Economic Development? • Will Council consider employing more than 1 Economic Development Officer? • What happens after mining? 	<p>Council funds a range of activities in the Operational Plan designed to attract and retain business and industry in the local government area.</p> <p>Council has allocated \$299,325 Economic Development Operating Projects and costs plus an additional \$400,000 contribution from Council funds for the CBD Revitalisation Project.</p>
	<p>Weed Management – Capertee River The Glen Davis Bridge is overgrown with bull rushes what can be done about this?</p>	<p>Council will make representations to Local Land Services to have the river bed cleaned out.</p>
	<p>Gateway Signage – Capertee Valley Can signage be installed at the southern end of the valley?</p>	<p>To be referred to the Tourism Advisory Committee for consideration.</p>

Rates and Annual Charges

As per Section 535 of the Local Government Act 1993, Council, once it considers the Draft Operational Plan and Delivery Program should resolve to make the rates and annual charges as adopted in the Operational Plan 2016-2017. The rates and annual charges proposed are detailed in the tables below:

Ordinary – General Rate – Sections 494 & 535				
Residential				
	Base Amount (\$)	Ad Valorem Amount (c in the \$)	Total Yield (\$)	% of Yield from Base Amount
Lithgow (Including Strathlone, Littleton and Marrangaroo)	281	0.620312	4,253,790	35.59%
Wallerawang	245	0.467332	469,009	42.87%
Portland	239	0.515095	453,685	49.13%
Lidsdale	281	0.533228	91,106	40.10%
General	197	0.351239	1,657,414	25.79%
Farmland				
Intense Use	366	0.285424	186,119	20.65%
Farmland	366	0.285424	1,541,030	26.77%
Business				
Lithgow	396	2.369100	1,457,325	7.90%
Wallerawang	396	1.422544	117,945	13.20%
Portland	396	1.135786	38,541	41.53%
Lidsdale	268	2.112478	7,622	14.06%
General	268	0.461034	169,214	19.27%
Mining				
Coal Mines	9677	9.726568	2,032,307	6.19%
Total Estimated Yield			12,475,107	

Waste Management Service – Section 496 & 501		
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 Management Services Section 496A

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

Water Service – Section 501

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	1,070.00	1,070.00
100mm	1,070.00	28,880.00
50mm	941.00	71,527.00
20mm	711.00	295,687.00
Total Estimated Yield		1,518,952.50

Water Usage Charges

Kilolitres Used	Charge (\$)
0 – 250 Residential	3.11 / kl
250+ Residential	4.67 / kl
All business – Flat rate	3.11 / kl

Sewerage Service – Section 501

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	1,168.00	700.64
100mm	1,168.00	23,903.46
50mm	1,027.00	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

Special Rate – Parking – Section 495		
	Ad Valorem Amount (\$)	Estimated Yield (\$ GST Exclusive)
Designated area of Lithgow	0.9574	246,640

The Special Parking Rate will be applied to properties wholly or partially categorised as business use for rating purposes within the designated Lithgow Central Business District. Constituted on 4 August 1975 by resolution of Council, the designated area was to be levied on the unimproved capital value of all rateable properties within the Lithgow Central Business District. The area was broadly described as being:

- All premises aligned to the North Western side of Main Street between the western alignment of Bridge Street and the western boundary of the Commercial Hotel premises.
- All premises aligned to the South Eastern side of Main Street between the western alignment of Bridge Street and the western boundary of the then D&J Ford premises adjacent to Queen Elizabeth Park.
- All premises on the North Western side of Railway Parade, between the western alignment of the Tank Street / Inch Street intersections and the eastern alignment of Roy Street.

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

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

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

Properties that will be levied for the Special Parking Rate for the 2016/2017 rating year include all those within the aforementioned area which are currently categorised wholly or partially as business use.

Interest charges on outstanding property balances

In accordance with section 566(3) of the Act, it has been determined by the Office of Local Government that the maximum rate of interest to be charged on rate and charges arrears is to be 8.0% in 2016/17.

Long Term Financial Plan

The Long Term Financial Plan presents the strategic aims, financial objective, financial indicators and strategies Council will use to continue its progress to meet financial sustainability challenges from 2016/17 – 2025/26.

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

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

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

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

- Deliver the required services in response to community priorities previously identified in Our Place...Our Future Community Strategic Plan 2026.
- Generate funding needed to address community service priorities and maintain assets in a serviceable condition by 2025/26.

In deriving the Long Term Financial Plan, a series of key assumptions were developed. Unless stated otherwise, these assumptions have been applied to each year following the 2015/16 budget to develop the outer years.

The following key assumptions have been made in developing the Long Term Financial Plan 2016-2025:

- Rates to increase by 1.8% in 2016/17 and 2.4% for outer years in line with future rate pegging expectations.
- Waste charges to increase by 2.4%.
- User fees and charges increase by 3.0% in line with expected Local Government Cost Index plus a 0.5% increase to fund asset renewals.
- Employee costs increase by 2.8% in 2016/17 as per the employee award agreements and 2.5% for outer years as the award is up for negotiations from 1 July 2017. The provision for workers compensation expense is held constant.
- Materials and contracts increase by 3.0% in line with expected Local Government Cost Index.
- Other Expenses to increase by 3.0% in line with the expected Local Government Cost Index.
- Fully expending all Capital Works Programs in each financial year.

Borrowings

The 2016/17 original budget does not include any new loan borrowings.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

When adopted the combined Delivery Program 2013-2017 and Operational Plan 2016-2017 includes Council's Revenue Policy for the next two financial years.

LEGAL IMPLICATIONS

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

ATTACHMENTS

1. Meeting notes from Community Information Sessions.
2. Public submissions submitted to the Lithgow City Council combined Delivery Program 2013-2017 and Draft Operational Plan 2015-2016 by the closing date 4.30pm, Friday 20 May 2016.
3. Long Term Financial Plan 2016-2025.

RECOMMENDATION

THAT Council:

1. Notes the receipt of 11 written submissions for the combined Delivery Program 2013-2017 and Operational Plan 2016-2017.
2. Notes the meeting notes from the five Community Information Sessions held during the exhibition period.
3. Adopt the Lithgow City Council Operational Plan 2016-2017 with the following actions identified to be undertaken:

- a. A shade sail and new playground equipment be installed at Clarence Pirie Park, Capertee.
 - b. Consider the following road works for inclusion in the Draft Works Program:
 - i. Sealing of Jamison and Limestone Streets, Portland and Peachtree Road, Megalong Valley.
 - ii. Rehabilitation of the laneway joining Quarry Road with Jamison Street.
 - iii. Drainage works in Jamison and Limestone Street, Portland.
 - c. The request to make the laneway joining Quarry Road with Jamison Street one-way be referred to TALC for consideration and report to Council.
 - d. The request for Financial Assistance by the Portland Development Committee be referred to the Community Development Committee for consideration and report to Council.
 - e. Browns Gap Road and McKanes Falls Road be considered as potential bike routes in the update of the 1998 Bicycle Plan.
 - f. Council investigate options for bulky waste pick-up in the Megalong Valley.
 - g. The installation of Community Noticeboards be investigated for Hampton and Portland.
 - h. A meeting be convened between Council and the Portland Pool Committee.
 - i. Options for the installation of a Defibrillator at Tony Luchetti Sportsground be investigated.
 - j. Representations be made to the Local Land Services to clean out the Capertee River in the vicinity of the Glen Davis Bridge.
 - k. Installation of Gateway Signage at the southern end of the Capertee Valley be referred to the Tourism Advisory Committee for prioritisation of the Town Entry Signage Program.
4. Refer the operational issues from the submissions and Community Information Session to staff to action.
 5. Adopt the Fees & Charges 2016-2017 with the following amendment:
 - a. A \$20 suspension fee applies for a minimum suspension time of 2 weeks and a maximum suspension time of 12 weeks once per calendar year for 6 and 12 month memberships.
 - b. 24 hours notice for all requests must be given in writing.
 6. Adopt the Long Term Financial Plan 2016/17-2025/26.
 7. Make the rates and annual charges for the 2016-2017 rating year as detailed in the 2016-2017 Operational Plan.

ITEM-8 CORP - 06/06/16 - COUNCIL INVESTMENTS HELD TO 30 APRIL 2016

REPORT FROM: J BROZEK – GROUP MANAGER CORPORATE AND COMMUNITY

REFERENCE

Min No 16-15: Ordinary meeting of Council held on 8 February 2016
 Min No 16-59: Ordinary meeting of Council held on 21 March 2016
 Min No 16-110: Ordinary meeting of Council held on 16 May 2016

SUMMARY

To advise Council of investments held as at 30 April in the 2015/16 financial year.

COMMENTARY

Council's total investment portfolio, as at 30 April 2016 when compared to 31 March 2016, has decreased by \$1,024,467.52 from \$23,655,267.94 to \$22,630,800.42. While cash in Council's bank account decreased by \$629,180.39 from \$1,682,266.50 to \$1,053,086.11.

There is an overall decrease in cash and investments of \$1,653,647.91 since 31 March 2016. This is primarily due to the payments to contractors for capital works projects and limited additional income from rating revenue.

INVESTMENT REGISTER 2015/16								
INSTITUTION	INV TYPE	DATE LODGED	DATE DUE	DAYS	INT	VALUE 31.03.16	VALUE 30.04.16	% OF TOTAL
AMP	On Call	26.08.14			2.55	1,036,274.36	1,036,274.36	4.39%
CBA	On Call				1.95	1,005,240.09	0.00	4.23%
IMBS	TD	17.02.16	18.05.16	91	2.8	1,000,000.00	1,000,000.00	
	TD	13.01.16	04.05.16	112	2.8	500,000.00	500,000.00	
								6.35%
NAB	TD	16.03.16	15.06.16	91	3.03	1,000,000.00	1,000,000.00	
	TD	24.12.15	20.04.16	118	2.98	1,000,000.00	0.00	
	TD	16.03.16	14.06.16	90	3.06	1,000,000.00	1,000,000.00	
	TD	20.01.16	07.05.16	108	3.03	1,000,000.00	1,000,000.00	
	TD	06.01.16	27.04.16	112	2.95	1,000,000.00	0.00	
	TD	06.04.16	09.08.16	125	3.03	0.00	1,000,000.00	
								16.93%
WESTPAC	TD	13.04.16	13.08.16	122	2.90	1,020,453.49	1,025,636.84	4.34%
ST GEORGE	TD	19.01.16	19.05.16	121	2.4	986,203.58	986,203.58	
	TD	26.02.16	26.06.16	121	2.4	1,025,696.63	1,025,696.63	
	TD	31.03.16	31.07.16	122	3.15	1,000,000.00	1,000,000.00	
								12.75%
ME BANK	TD	24.02.16	25.05.16	91	2.85	1,000,000.00	1,000,000.00	
	TD	06.04.16	05.07.16	90	2.85	1,000,000.00	1,000,000.00	
	TD	02.03.16	31.05.16	90	2.85	1,000,000.00	1,000,000.00	
	TD	20.04.16	19.07.16	90	3.06	0.00	1,000,000.00	

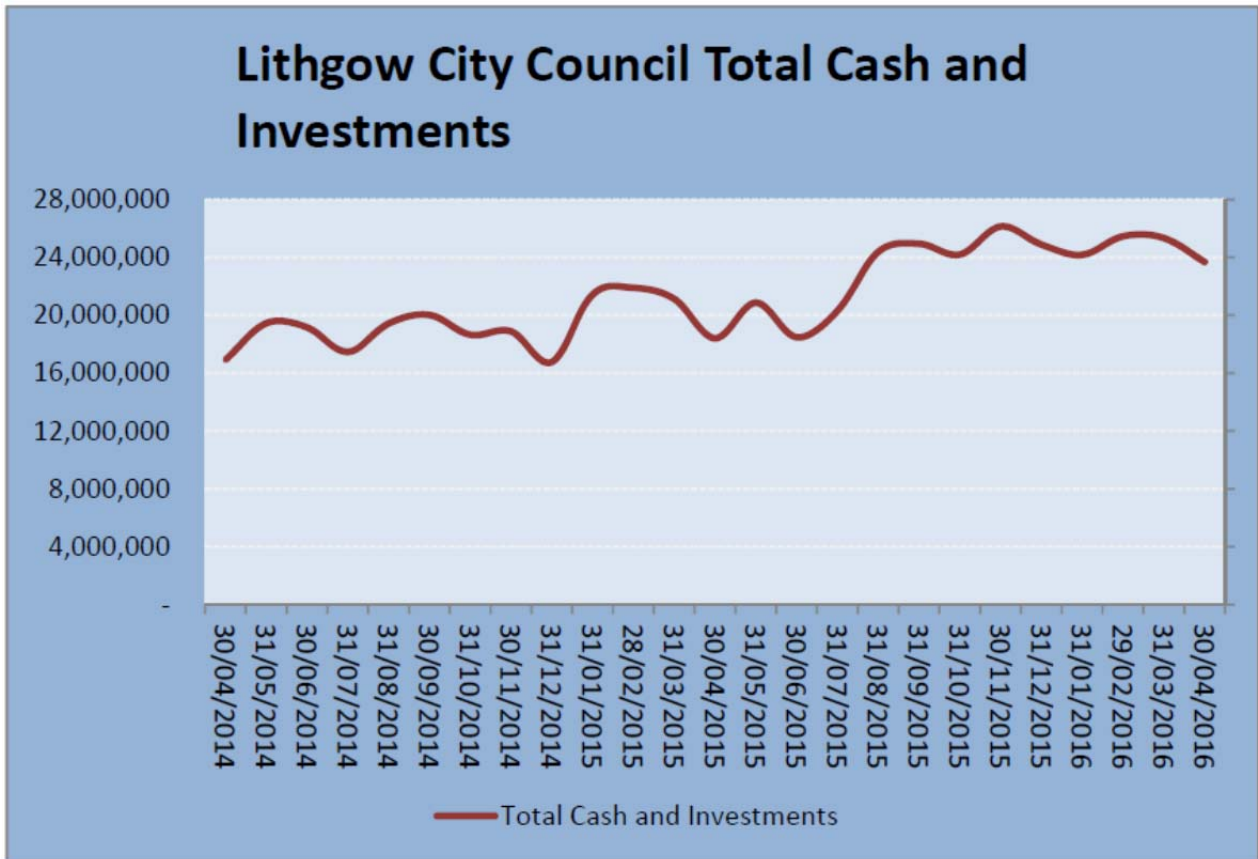
	TD	27.04.16	26.07.16	90	3.06	0.00	1,000,000.00	
								21.15%
NEWCASTLE PERMANENT	On Call	25.05.15			2.00	1,024,410.78	0.00	
FAMILY FIRST CREDIT UNION	TD	01.02.16	01.05.16	90	2.50	1,041,257.50	1,041,257.50	4.41%
BANK OF QLD	TD	10.02.16	11.05.16	91	2.85	1,000,000.00	1,000,000.00	
	TD	25.02.16	22.06.16	118	2.95	1,000,000.00	1,000,000.00	
								8.46%
MY STATE BANK	TD	02.03.16	31.05.16	90	2.90	1,007,786.30	1,007,786.30	
	TD	09.03.16	09.06.16	92	2.90	1,007,945.21	1,007,945.21	
								8.53%
BEYOND BANK	TD	01.03.16	01.06.16	92	3.00	1,000,000.00	1,000,000.00	
	TD	01.03.16	08.06.16	99	3.00	1,000,000.00	1,000,000.00	
								8.46%
TOTAL						23,655,267.94	22,630,800.42	100.00%
I, Juli-Ann Brozek, Lithgow City Council's Group Manager Corporate & Community certify as required under Local Government (General) Regulations 2005, that Council's investments have been made in accordance with the Local Government Act 1993, Regulations and Lithgow City Council's Investment Policy.								

The movement in Investments for the month of April 2016 were as follows:

Opening Balance of cash and investments as 31 March 2016	\$25,337,534.44
Plus New Investments – April 2016	\$3,005,183.35
Less Investments redeemed – April 2016	\$4,658,831.26
Closing Balance of cash and investments as at 30 April 2016	\$23,683,886.53

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

On the graph below historical and current investments to 30 April are shown.



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

POLICY IMPLICATIONS

Investments are held in accordance with the Lithgow City Council's Investment Policy at the date of investing funds. On 27 October 2014 Council adopted a draft of the Investment Policy as Policy 8.7 which includes the Minster's Investment Order of 12 January 2011.

FINANCIAL IMPLICATIONS

Interest received for month of April 2016 was \$32,355.68. Interest is paid on the maturity date of the investment. The budget for interest income is determined by the average level of funds held and the rate of return. Adjustments to the budget estimate are processed through Council's Quarterly Budget Review process. Interest returns are determined by average funds invested and the rate of interest return.

LEGAL IMPLICATIONS

Investments are held in accordance with the Lithgow City Council's Investment Policy at the date of investing the funds. On 27 October 2014 Council adopted a draft of the Investment Policy as Policy 8.7 and investments will comply with this Policy which includes the following:

- Local Government Act 1993 - Section 625

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

RECOMMENDATION

THAT Investments of \$22,630,800.42 and cash of \$1,053,086.11 for the period ending 30 April 2016 be noted.

ITEM-9 CORP - 06/06/16 - WAIVING OF FEES FOR COUNCIL FACILITIES

REPORT BY: MATTHEW JOHNSON – MANAGER COMMUNITY AND CULTURE

REFERENCE

Min 15-280 Ordinary Meeting of Council 26 October 2015
Min 15-286 Ordinary Meeting of Council 26 October 2015
Min 15-312 Ordinary Meeting of Council 16 November 2015
Min 15-330 Ordinary Meeting of Council 14 December 2015

SUMMARY

In accordance with Council Policy 4.4 - Requests for Financial Assistance by Waiving of Fees for Council facilities, approvals given by the General Manager under delegation for waiving of Council fees are to be reported to Council twice annually, as part of the Annual Financial Assistance Program.

This report details those fee waivers approved under the General Manager's \$500 delegation during 2015/16 as well as Civic Ballroom and Showground Fee waiver packages approved throughout the year by Council resolution.

COMMENTARY

Council allocates \$1,000 each year from the Financial Assistance allocation for the waiving of Council fees and charges by the General Manager up to \$500 each. During the 2015/16 financial year, the following four fee waiver requests were approved by the General Manager to the value of \$1,285.

Portland Art Purchase Society Crystal Theatre waiver \$400
Mitchell Conservatorium Union Theatre waiver \$350
Lithgow Business Networking Group Cook Street Plaza waiver \$64.50
St Joseph's Primary School Portland Crystal Theatre waiver \$470.50.

In addition, Council allocated during the year \$8,428.65 out of a total budget allocation of \$10,000 for Civic Ballroom and Showground Fee waiver packages as follows:

Lithgow RSL for 2016 Cooee March (Min 15-280 26 October 2015)	\$1,422.50
Lions Club (Min 15-286 26 October 2015)	\$2,500.00
Festival of Valley (Min 15-312 16 November 2015)	\$1,207.25
Lithgow Show (Min 15-330 14 December 2015)	\$3,298.90

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

The fee waivers detailed in this report form part of the existing Financial Assistance allocation and do not involve additional expenditure.

LEGAL IMPLICATIONS

Local Government Act NSW 1993, Section 356

RECOMMENDATION

THAT Council notes the list of fee waiver requests approved by the General Manager and Council during 2015/16.

COUNCIL COMMITTEE MINUTES

ITEM-10 ENVIRO - 06/06/16 - FEBRUARY 2016 - RURAL LANDS STUDY PROJECT COMMITTEE MINUTES

REPORT BY - A MUIR – GROUP MANAGER ENVIRONMENT & DEVELOPMENT

REFERENCE

Min No 15-66:	Ordinary Meeting of Council held on 23 March 2015
Min No 15-127:	Ordinary Meeting of Council held on 1 June 2015
Min No 15-224:	Ordinary Meeting of Council held on 7 September 2015
Min No 15-333:	Ordinary Meeting of Council held on 14 December 2015

SUMMARY

This report details the Minutes of the Rural Lands Study Project Steering Committee Meeting held on 8 February 2016.

COMMENTARY

At the Rural Lands Study Project Steering Committee held on 8 February 2016, there were six items discussed by the Committee as outlined in the attached minutes. Key matters discussed included:

- Update of the development of the analysis components of the Strategy including economic; demographic; rural holdings and infrastructure.
- Update of stakeholder consultation
- Outline of community visioning workshop techniques

No matters discussed require a Council resolution.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

Minutes of the Rural Lands Study Project Steering Committee meeting of 8 February 2016.

RECOMMENDATION

THAT Council notes the minutes of the Rural Lands Study Project Steering Committee held on 8 February 2016.

**ITEM-11 ENVIRO - 06/06/16 - APRIL 2016 - RURAL LANDS STUDY PROJECT
COMMITTEE MINUTES**

REPORT BY - A MUIR – GROUP MANAGER ENVIRONMENT & DEVELOPMENT

REFERENCE

Min No 15-66: Ordinary Meeting of Council held on 23 March 2015
Min No 15-127: Ordinary Meeting of Council held on 1 June 2015
Min No 15-224: Ordinary Meeting of Council held on 7 September 2015
Min No 15-333: Ordinary Meeting of Council held on 14 December 2015

SUMMARY

This report details the Minutes of the Rural Lands Study Project Steering Committee Meeting held on 12 April 2016.

COMMENTARY

At the Rural Lands Study Project Steering Committee held on 12 April 2016, there were six items discussed by the Committee as outlined in the attached minutes. Key matters discussed included:

- Community visioning workshops outcomes
- Constraints Analysis
- Land Use Survey Outcomes
- Supply and Demand Analysis
- Rural Residential Development Criteria
- Emerging options and directions for rural and rural residential development
- Revised project program

No matters discussed require a Council resolution.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

Minutes of the Rural Lands Study Project Steering Committee meeting of 12 April 2016.

RECOMMENDATION

THAT Council notes the minutes of the Rural Lands Study Project Steering Committees held on 12 April 2016.

**ITEM-12 ENVIRO - 06/06/16 - RURAL LANDS STUDY PROJECT COMMITTEE
MINUTES - MAY 2016**

REPORT BY - A MUIR – GROUP MANAGER ENVIRONMENT & DEVELOPMENT

REFERENCE

Min No 15-66: Ordinary Meeting of Council held on 23 March 2015
Min No 15-127: Ordinary Meeting of Council held on 1 June 2015
Min No 15-224: Ordinary Meeting of Council held on 7 September 2015
Min No 15-333: Ordinary Meeting of Council held on 14 December 2015

SUMMARY

This report details the Minutes of the Rural Lands Study Project Steering Committee Meetings held on 9 May 2016.

COMMENTARY

At the Rural Lands Study Project Steering Committee held on 9 May 2016, there were five items discussed by the Committee as outlined in the attached minutes. Key matters discussed included:

- Implications of changes to the Local Government Act and Model Code of Conduct
- Draft (incomplete) Strategy for discussion and identification of gaps to complete
- Possibility of revising project program beyond the term of the current Council.

No matters discussed require a Council resolution.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

Minutes of the Rural Lands Study Project Steering Committee meeting of 9 May 2016.

RECOMMENDATION

THAT Council notes the minutes of the Rural Lands Study Project Steering Committee held on 9 May 2016.

**ITEM-13 ENVIRO - 06/06/16 - ENVIRONMENTAL ADVISORY COMMITTEE
MEETING MINUTES - 11 MAY 2016**

REPORT BY: A MUIR – GROUP MANAGER ENVIRONMENT & DEVELOPMENT

SUMMARY

This report details the Minutes of the Environmental Advisory Committee Meeting held on 11 May 2016.

COMMENTARY

At the Environmental Advisory Committee meeting held on 11 May 2016 there were 10 items on the agenda which are outlined in the attached minutes. The notable items on the agenda were:

- Update of Hassan's Walls Plan of Management
- Ben Bullen State Forest
- Hyde Park Reserve
- Newnes Plateau
- Farmers Creek Master Plan

No matters require a Council resolution.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

ATTACHMENTS

1. Minutes from the Environmental Advisory Committee meeting held on 11 May 2016

RECOMMENDATION

THAT Council note the minutes of the Environmental Advisory Committee held on 11 May 2016.

NOTICE OF MOTION

ITEM-14 NOTICE OF MOTION - 06/06/16 - ROLLOUT OF NBN THE LITHGOW LGA - COUNCILLOR W McANDREW

COMMENTARY

Telstra and NBN Maps show rollout of NBN around Bathurst and the Blue Mountains with a stark absence of the NBN rollout in the Lithgow LGA. On investigation, dates for the completion of NBN facilities for the Lithgow LGA are vague to say the least.

The availability of NBN facilities to our LGA will be vital for future business prospects and growth. As there is a Federal Election set down for 2nd July, it is important that Council seeks from the candidates of the major parties for the seat of Calare, their position on the matter.

ATTACHMENTS

1. Map of current NBN Coverage for Lithgow Area

RECOMMENDATION

THAT Council seek the positions of the major parties on the quick and timely roll out of the NBN for the Lithgow LGA before the upcoming Federal Election and in any event, to lobby aggressively for NBN facilities for our area as a matter of priority.

ITEM-15 NOTICE OF MOTION - 06/06/16 - CHRISTMAS IN JULY BALL - CLR R HIGLETT

COMMENTARY

Council's Tourism Advisory Committee has been working on the holding of a Christmas in July Ball for Friday 22 July 2016 to be held at the newly opened function room of the Lithgow Workmen's Club.

With such a great facility now available in Lithgow it is opportune to hold a function at the venue to not only assist the Club but also to promote Lithgow. The Club has come a long way from its early inception by rail workers and coal miners back in 1887 and the first Workmen's Club in NSW, to now being the premier venue in Lithgow with modern entertainment areas and a motel.

The Committee propose that the event be budgeted for on a cost neutral or slight surplus basis.

RECOMMENDATION

THAT Council hold a Christmas in July function at the Lithgow Workmen's Club and that this be budgeted for on a cost neutral basis.

ITEM-16 NOTICE OF MOTION - 06/06/2016 - APPLY THE TIER ONE WATER CHARGE TO AN AFFECTED RATEPAYER UNTIL AUGUST 2016 - CLR F INZITARI

MOTION

To apply the tier one water charge to an affected ratepayer until august 2016

COMMENTARY

The resident in question had some concerns that her water meter on her property was not working correctly, the water usage was very consistent for many years, until she found that it had spiked over the last few months. Council did replace it at her request.

In order to confirm her concerns, Council required that she pays to test the meter at a cost of \$200.00. She chose not to as it would not have benefited her financially as the bill in question was about \$400.

Council did however apply the maximum discount of \$200.00 to her water bill.

Since then, her water usage has dropped dramatically, and she feels it was a faulty meter. The resident is now asking Council to consider leaving her water charge at the tier one rate until it resets this August, as the excess usage has now put her in the higher tier.

It would only be a difference of a few hundred dollars, but at least it would be a fair way to resolve this issue.

RECOMMENDATION

THAT Council apply the tier one water charge rate for the affected ratepayer until August 2016.

GENERAL MANAGER'S COMMENT

Clause 15 of the Local Government (General) Regulation 2005 provides that in relation to the testing of water meters that:

158 Testing of meters

- (1) At the request of an owner or occupier of premises and on the payment of a fee fixed by the council, the council must arrange for a water meter installed on the premises to be examined and tested.
- (2) The council may, on its own initiative, arrange for such a water meter to be examined and tested.

- (3) If, as a result of such an examination and test, a water meter is found not to correctly measure the quantity of water passing through it, the council may charge for the supply of water:
 - (a) on the basis of a daily consumption equal to the average daily consumption during the corresponding meter reading period of the previous year, or
 - (b) on such other basis as the council and the consumer may agree.
- (4) Testing carried out at the request of a person who is the owner or occupier of premises is to be at the expense of the person, unless the meter is one hired from or provided by the council and the testing indicates that the meter is defective, in which case the testing is to be at the expense of the council.
- (5) A water meter that registers less than 4 per cent more or less than the correct quantity is taken to correctly measure the water passing through it.
- (6) If a water meter provided by the council is found to be defective, the council must replace it with one that is not defective.
- (7) If a privately owned meter is found to be defective, the council may require the owner to rectify the meter or, if the defect cannot be rectified, replace the meter with one that is not defective. An owner who is required to rectify or replace a meter must comply with the requirement.
- (8) The rectification or replacement is to be at the expense of the owner.
- (9) When a privately owned water meter is being rectified or is awaiting replacement, the supply of water to the owner of the meter:
 - (a) is to be regulated by special contract made between the owner and the council, and
 - (b) is to be restricted to use for domestic purposes.

The affected consumer was advised that if, after independent testing, the water meter was found to be faulty then Council would refund the charge for the test along with amending the water charges.

ITEM-17 NOTICE OF MOTION - 06/06/16 - ESTABLISHMENT OF COMMITTEE REGARDING CLOSED WALLERAWANG POWER STATION AND ASSOCIATED ASSETS - COUNCILLOR W McANDREW

COMMENTARY

Investigation into the availability and/or opportunities for commercial, industrial and light industrial land within the Lithgow Local Government Area including but not limited to, discussions with the NSW Government over the now closed Wallerawang Power Station and its associated lands and buildings and the potential for a Business Park on the site.

ATTACHMENTS

1. NSW Government Treasurer Minister for Industrial Relations letter
2. Letter received 4 September 2015 from Energy Australia regarding Lithgow Minerals and Industry Park

RECOMMENDATION

THAT a committee of Council be formed involving appropriate staff and up to three councillors, to investigate the availability and/or opportunities for commercial, industrial and light industrial land within the Lithgow LGA including but not limited to, discussions with the NSW Government over the now closed Wallerawang Power Station and its associated lands and buildings and the potential for a Business Park on the site.

**ITEM-18 NOTICE OF MOTION - 06/06/16 - MALDON DOMBARTON RAIL
FREIGHT LINE - COUNCILLOR W McANDREW**

COMMENTARY

Reaffirm Council's Policy on the Maldon Dombarton Rail Freight Line and continue to lobby for its completion.

Recently, Council as a member of Centroc, through a Council Media Release, sought expressions of interest from interested parties to submit EOI's for rail infrastructure. Centroc Chair Cr West, Mayor of Cowra specifically suggested that it was vitally important that councils and businesses in the region provide an expression of interest under the Fixing Country Rail Program.

ATTACHMENTS

1. Copy of Council Media Release
2. Copy of Submission - Maldon to Dombarton Rail Link
3. Minutes 07042008 - Maldon Dombarton Railway Line

RECOMMENDATION

THAT Council reaffirm its policy on the Maldon Dombarton Rail Freight Line, provide an EOI to the Fixing Country Rail Program supporting its completion and continue to lobby strongly for funding from both State and Federal Governments for the finalization of this vitally important rail infrastructure project.

**ITEM-19 RESCISSION MOTION - 06/06/16 - COC LIMITED - COUNCILLOR W
McANDREW**

We the undersigned wish to rescind Resolution No. 16-111 made at the Ordinary Meeting of Council on 16 May 2016:

16 - 111

“That Council allocates \$5,000 to Commonwealth Oil Corporation (COC) Ltd for the development of the Newnes Junction to Wolgan Valley Rail Trail Development and Environmental Plan subject to COC providing evidence of having obtained the remaining funds required for their matching grant contribution

Councillor McAndrew

Councillor Inzitari

Councillor Hunter

ATTACHMENTS

1. Item 12 Council Meeting – 14 December 2015

Should this Rescission Motion be successful then we propose to move the following motion:

RECOMMENDATION

THAT Council allocates \$10,000 to Commonwealth Oil Corporation (COC) Ltd for the development of the Newnes Junction to Wolgan Valley Rail Trail Development and Environmental Plan subject to COC providing evidence of having obtained the remaining funds required for their matching grant allocation.

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.*