



LITHGOW CITY COUNCIL

MINUTES

FINANCE AND SERVICES COMMITTEE
MEETING OF COUNCIL

HELD ON

01 JULY 2008

**MINUTES OF THE LITHGOW CITY COUNCIL MEETING
HELD AT THE CIVIC CENTRE, LITHGOW ON 1ST JULY 2008**

Meeting Commenced 6.30pm

Public Gallery: 6

PRESENT

His Worship the Mayor
Councillor Neville Castle
Councillor M F Ticehurst
Councillor W McAndrew
Councillor H K Fisher
Councillor B S Moran
Councillor M M Collins
Councillor A E Thompson
Councillor M J Wilson

APOLOGIES

An apology was received and accepted from Councillor B P Morrissey who was out of the city on business.

Moved: Councillor H K Fisher **Seconded:** Councillor W McAndrew.

F08-65 RESOLVED

CARRIED

Also in attendance

Acting General Manager, Mr Scott Greensill
Acting Group Manager Regional Services, Mr Stephen Darlington
Group Manager Community and Corporate Services, Suzanne Lollback
Minutes Secretary, Miss Casey Clarke

CONFIRMATION OF MINUTES

Confirmation of the Minutes of the Finance and Services Committee Meeting of Council held on the 3rd June 2008 were taken as read and confirmed by Councillors M M Collins and B S Moran

F08-66 RESOLVED

CARRIED

DECLARATION OF INTEREST

His Worship the Mayor called for Declarations of Interest on any matter before the Meeting.

NIL

QUESTIONS FROM THE PUBLIC GALLERY

At 6.30pm members of public gallery were invited to address questions through the Mayor to Councillors and Staff: -

NIL Questions were raised.

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GENERAL MANAGER REPORTS

ITEM:1 GM - 01/07/08 - IRONFEST 2008

SUMMARY

Correspondence has been received from Ironfest thanking Lithgow City Council for its support in 2008.

COMMENTARY

Correspondence has been received by Lithgow City Council from Ironfest in relation to the 2008 event.

Ironfest Inc Committee would like to thank Lithgow City Council for its support of this year's Ironfest.

Ironfest was held over three days this year, with an action packed program of events that included the usual jousting and colonial re-enactments, but also some new events such as a wood-chopping competition, a two-up game and the Cooke Street Plaza Stage.

Ironfest 2008 attracted over 10,000 visitors over three days. This visitation represented an increase of over 30% on 2007 and resulted in an injection of over \$2 million into the local economy.

Local community groups including the Lithgow SES, Lithgow Lions, the Quota Club of Lithgow, the Mid West Axeman's Association, Mountains Archers, the Lithgow City Brass Band, the Highland Pipe Band and the Gumnut Long Day Care Centre all participated in Ironfest in 2008.

In 2009, in keeping with our "Cirque De Soleil" 2020 vision, we will be significantly expanding our program of events to include an event in Canberra.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

F08-67 RESOLVED

THAT the information be noted.

MOVED: Councillor H K Fisher

SECONDED: Councillor M J Wilson.

CARRIED

REGIONAL SERVICES REPORTS

ITEM:2 REG - 1/07/2008 - ADVICE ON FLUORIDATION OF LITHGOW'S WATER SUPPLY

REPORT BY: ACTING GROUP MANAGER REGIONAL SERVICES - STEPHEN DARLINGTON

REFERENCE

Policy and Strategy Committee meeting of 3 April 2006
Policy and Strategy Committee meeting of 6 August 2007
Ordinary meeting of 17 September 2007
Min: 07-489 Ordinary Meeting of Council of 19 November 2007

SUMMARY

To advise Council of correspondence received from the Centre for Oral Health Strategy regarding approval for Lithgow City Council to fluoridate Lithgow's water supply.

COMMENTARY

The Fluoridation of Public Waters Advisory Committee (FPWSAC) considered the request by Lithgow City Council to fluoridate Lithgow's public water supply at its meeting of 15 May 2008. Lithgow City Council's consultative process was acknowledged and general discussion was held concerning the request to fluoridate. Lithgow City Council's decision was commended.

The FPWSAC unanimously agreed to recommend that fluoride should be introduced into Lithgow's water supplies. The advice of the FPWSAC to gazette Lithgow will be recommended to the Director General as soon as possible.

Lithgow City Council is commended in taking this important public health initiative. The adjustment of fluoride levels in the water supply to 1 part per million will provide the Lithgow Community with proven benefits that have been available to the greater majority of NSW for over 50 years.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

Nil.

RECOMMENDATION

THAT the information be received.

F08-68 RESOLVED**THAT:**

1. The information be noted.
2. A report on the timetable of implementation for this issue be brought back to Council.

MOVED: Councillor H K Fisher**SECONDED:** Councillor W McAndrew.**CARRIED****ITEM:3 REG - 01/07/08 - SCHOOL ZONE FLASHING LIGHTS****REPORT FROM: DEVELOPMENT ENGINEER – PAUL CREELMAN**

SUMMARY

Correspondence has been received from the Roads and Traffic Authority notifying Council that flashing lights are to be installed at the Williwa Street pedestrian crossing outside St Josephs School, Portland.

COMMENTARY

The issue of flashing lights at school crossings has been raised through Council as an important safety feature that should be installed at all school crossings. Unfortunately the Roads and Traffic Authority (RTA) have limited funding for the flashing lights in this years budget but they will be installed in all school zones over a four year period. St Josephs School on Williwa Street at Portland has been included to have the lights installed in this year's budget with the flashing lights due to be installed later this year.

It is important to recognise that with only 35 sites across the state getting the flashing lights in the first round of funding, St Josephs School, Portland has been recognised as a priority.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

RECOMMENDATION

THAT the information be received and approval given.

F08-69 RESOLVED

THAT:

1. The information be received and approval given.
2. Council write to the State Member, Gerard Martin seeking advice as to when the Lithgow Local Government area will be provided with more flashing lights in the schooling areas.

MOVED: Councillor H K Fisher

SECONDED: Councillor B S Moran.

CARRIED

**ITEM:4 REG - 01/07/08 - 099/08DAC - CENTRELINK - NEW SIGNAGE - 174
MORT STREET LITHGOW**

**REPORT BY: ACTING GROUP MANAGER REGIONAL SERVICES - STEPHEN
DARLINGTON**

SUMMARY

This report is to inform and seek a resolution from Council for a development application for new signage Centrelink Building in Mort Street.

COMMENTARY

Council is the owner of land described as Lot 25 Sec 1 DP 2308 & Lot 26 Sec 1 DP 2308, being known as the Centrelink Building, 174 Mort Street, Lithgow. Currently, Council is in receipt of a development application from Centrelink who are seeking approval for removal of existing and installation of new signage on the exterior of the building.

The first proposed sign measures 7.4 metres long by 430mm high. The sign is proposed to be cut in 2.4 metre long sections. The sign is to be directly fixed to the awning with digitally printed graphics applied to the face.

A second sign is to be installed under the awning of the building and measures 2 metres wide by 400mm high. The proposed sign is double sided with digitally printed graphics applied to the face

The proposal is permissible in the zone and complies with the aims and objectives outlined in Council's Local Environmental Plan 1994.

POLICY IMPLICATIONS

Council's Policy **Development Applications by Councillors and Staff and Relatives or on Council Owned Land** requires that this application be referred to Council or its appropriate committee for consideration and determination and that no aspect of the application be dealt with under delegated authority.

FINANCIAL IMPLICATIONS

There are no financial implications.

LEGAL IMPLICATIONS

In determining a development application, a consent authority is required to take into consideration the matters of relevance under Section 79C of the Environmental Planning and Assessment Act 1979. These matters have been addressed in the attached Section 79(C) report.

RECOMMENDATION

THAT the information be received and Council approve the application subject to the following conditions:

- 1 That the development be carried out in accordance with the application, Statement of Environmental Effects, accompanying information, plans submitted with the application and any further information provided during the process unless otherwise amended by the following conditions.
- 2 All building work must be carried out in accordance with the provisions of the Building Code of Australia.
- 3 Prior to the commencement of any works on site, the applicant shall advise Council of any damage to property controlled by Council which adjoins the site including kerbs, gutters, footpaths, walkways, reserves and the like. Failure to identify existing damage will result in all damage detected after completion of the building work being repaired at the applicant's expense.
- 4 The installation of the fascia sign and under awning sign are to be carried out in accordance with certification from Davron Engineering.

Requirements prior to commencement of works

- 5 Prior to commencing any construction works, Council is to be notified at least two days prior of the intention to commence building works, in accordance with Section 81A(2)(c) of the Act in Form 7 of Schedule 1 of the Regulations
- 6 Prior to the commencement of any works on the land, a sign/s must be erected in a prominent position on the site:
 - a) Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person can be contacted outside working hours.
 - b) Stating that unauthorised entry to the work site is prohibited and
 - c) Showing the name, address and telephone number of the principle certifying authority for the work.The sign/s are to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed

- 7 To ensure structural integrity, the maintenance of minimum health standards, the management of the buildings surrounds and the protection of the environment, compliance certificates are to be issued at significant stages throughout the construction period. These stages are:
- a) Completion of the development and sign off to all conditions of the consent including landscaping, prior to occupation and use.
- Note: forty-eight (48) hours notice shall be given to Council prior to inspections.
- 8 Any damage to the existing awning from the installation of the sign is to be repaired, adequately flashed and waterproofed to Council's satisfaction

Public Safety Requirements

- 9 The applicant is to submit the following details to Council's Development Engineer for approval at least one (1) week prior to the installation of the signage;
- a) Date/time when the works will be carried
 - b) Traffic and pedestrian control plan.
 - c) Protection of public safety measures whilst signs are being erected.
 - d) Copies of public liability insurance.
- 10 Prior to the commencement of any works, a hoarding or fence must be erected between the work site and a public place if the work involved in the development is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or if the building involves the enclosure of a public place in accordance with Work Cover requirements.
- 11 The works site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

F08-70 RESOLVED

THAT the information be received and Council approve the application subject to the following conditions:

- 1 That the development be carried out in accordance with the application, Statement of Environmental Effects, accompanying information, plans submitted with the application and any further information provided during the process unless otherwise amended by the following conditions.
- 2 All building work must be carried out in accordance with the provisions of the Building Code of Australia.
- 3 Prior to the commencement of any works on site, the applicant shall advise Council of any damage to property controlled by Council which adjoins the site including kerbs, gutters, footpaths, walkways, reserves and the like. Failure to identify existing damage will result in all damage detected after completion of the building work being repaired at the applicant's expense.
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- 11 The works site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

Status of Lease Arrangements

- 12 A report to be brought back on the details of the lease including the date the lease expires and whether it is to be renewed etc.

MOVED: Councillor M J Wilson
CARRIED

SECONDED: Councillor M M Collins.

A MATTER ARISING was moved by Councillor H K Fisher and seconded by Councillor W McAndrew in relation to the signs located on shops in Main Street Lithgow and the materials that they are made from. A report is to be brought back to Council on appropriateness of signage in the Local Government area.

F08-71 RESOLVED

MOVED: Councillor H K Fisher
CARRIED

SECONDED: Councillor W McAndrew.

ITEM:5 REG - 01/07/08 - LITHGOW LOCAL GOVERNMENT WATER USAGE**REPORT BY: STRATEGIC ENGINEER – LEANNE KEARNEY****REFERENCE**

Nil.

SUMMARY

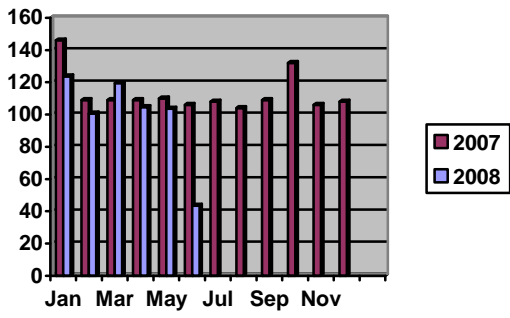
Comparison of water usage figures for 2007 and 2008 within the Lithgow Local Government area.

COMMENTARY

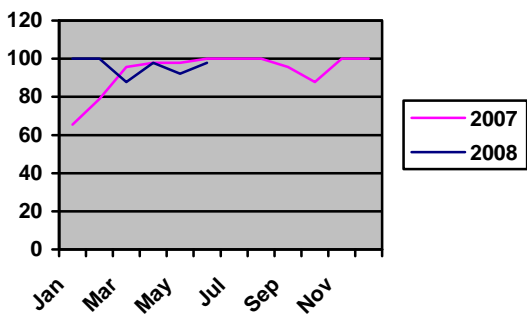
Lithgow Local Government Area Water Usage, including use from Farmers Creek Dam and Fish River Water Supply as at 16 June 2008. It should be noted that Council's maximum annual allocation of water from the Fish River Water Supply is 2,092 megalitres, and to date, Council has utilised 735 megalitres of water from this supply, equating to approximately 35% of its annual allocation (allocation issued per financial year, not calendar year).

	2007					2008				
	Farmers Creek Dam Level (%)	Oberon Dam Level (%)	Farmers Creek Dam (ML)	Fish River Water Supply (ML)	TOTAL (ML)	Farmers Creek Dam Level (%)	Oberon Dam Level (%)	Farmers Creek Dam (ML)	Fish River Water Supply (ML)	TOTAL (ML)
Jan	65.4	21.5	146.2	93.9	240.1	100	20.2	123.6	103.2	226.8
Feb	78.9	20.8	109.5	72.0	181.5	100	19.3	100.7	64.5	165.2
Mar	95.6	19.7	108.8	59.4	168.2	87.8	18.1	119.4	72.7	192.1
Apr	97.9	17.8	108.8	75.8	184.6	97.9	16.7	104.7	51.1	155.8
May	97.9	17.0	110.4	52.8	163.2	92.2	16.1	103.6	55.3	158.9
Jun	100	18.0	106.2	51.0	157.2	97.9	15.8	43.5	39.3	82.8
Jul	100	23.7	107.7	67.9	175.6					
Aug	100	24.2	104.2	49.0	153.2					
Sep	95.6	23.7	109.4	53.8	163.2					
Oct	87.8	23.0	132.3	80.3	212.6					
Nov	100	22.4	106.5	53.9	160.4					
Dec	100	21.6	107.8	44.7	152.5					
TOTAL			1,357.8	754.5	2,112.3			595.5	386.1	981.6

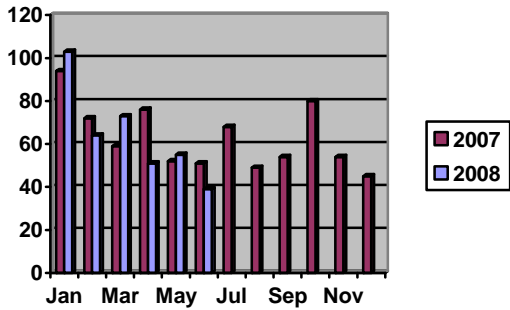
Farmers Creek Dam Usage (ML)



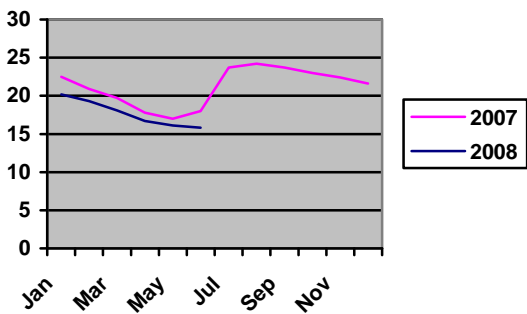
Farmers Creek Dam Storage Levels (%)



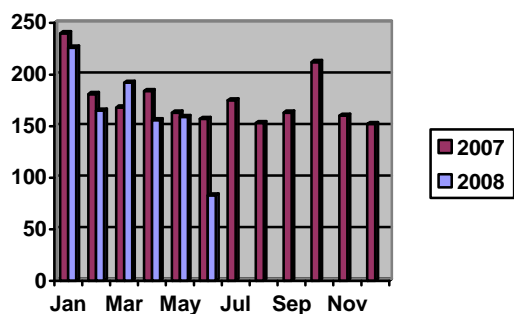
Fish River Water Supply Usage (ML)



Oberon Dam Storage Levels (%)



Total Water Consumption in Lithgow LGA (ML)



Farmers Creek Dam is currently at 97.9% capacity and Oberon Dam is currently at 15.8% of its full capacity (as at 16 June 2008).

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

Nil.

RECOMMENDATION

THAT the information be received.

F08-72 RESOLVED

THAT:

1. The information be received.
2. Council to raise at the next meeting with Fish River Water Supply the policy of water restrictions within the local government area.

MOVED: Councillor W McAndrew
CARRIED

SECONDED: Councillor B S Moran.

**ITEM:6 REG - 01/07/08 - RATE VARIATION FOR PROPERTY NUMBER 99974
(174 BELLS ROAD LITHGOW)**

REPORT BY: STRATEGIC ENGINEER – LEANNE KEARNEY

REFERENCE

At Council's meeting held on 5 May 2005, Council accepted a report regarding the proposed changes to the rating charges to comply with 'Best Practice'.

SUMMARY

Council has received a request from the owner of Property Number 99974 (174 Bells Road, Lithgow) for a review of their current Sewerage Discharge Factor, currently applied as part of the 'Best Practice' rating charges, as well as a refund for the amount overcharged since these charges were introduced in the 2005/2006 financial year.

COMMENTARY

In 2005/2006, Council adopted the guideline limits set by the Department of Water and Energy (formerly the Department of Land & Water Conservation (DLWC)) through the 'Natural Competition Policy' to improve the effectiveness of non-metropolitan water, sewerage and liquid trade waste services, resulting in 'Best Practice' pricing being introduced throughout NSW to result in fair sharing of the costs provided by the service.

The main components are an 'Access Charge' on the rate notice and a 'Usage Charge' on the 'Water / Sewerage Account', and a 'Trade Waste' account to be processed through Council Accounts Receivable system for business activities.

Sewerage usage charges are determined by defined calculations set in the 'Water Supply, Sewerage and Trade Waste Pricing Guidelines 2002'. In general, these charges are a percentage of between 60% and 95% of the water used, and are charged as outgoing sewerage (therefore a Sewerage Discharge Factor), depending on the category of the business.

The owner of Property Number 99974 (174 Bells Road, Lithgow) has requested that Council amend this current Sewerage Discharge Factor of 95% to 2%, as well as refund the amounts previously paid in excess of this amount.

In general, Council has applied an across the board sewer discharge factor of 95%, however, Property Number 99974 (174 Bells Road, Lithgow) is currently the site of a Concrete Batching Plant, and in accordance with the 'Water Supply, Sewerage and Trade Waste Pricing Guidelines 2002' should have a Sewer Discharge Factor of only 2%, as the vast majority of water used on site leaves the site as part of the business practice, and is not discharged into Council's sewerage system.

Since these charges were introduced in 2005/2006, the owner has accumulated (and paid in full) the following charges in relation to Sewerage Usage:

Date	Water Use (kL)	95% Sewer Use	Sewer Charge @ \$0.98 per kL	2% Sewer Usage	Sewer Charge @ \$0.98 per kL	Difference
19.10.05	710	674	\$ 661.50	14	\$ 13.72	\$ 647.78
16.3.06	515	489	\$ 479.22	10	\$ 9.80	\$ 469.42
2.6.06	308	292	\$ 287.14	6	\$ 5.88	\$ 281.26
19.10.06	523	496	\$ 486.91	10	\$ 9.80	\$ 477.11
25.1.07	448	425	\$ 417.09	9	\$ 8.82	\$ 408.27
2.5.07	326	309	\$ 303.51	6	\$ 5.88	\$ 297.63
14.8.07	395	375	\$ 367.74	8	\$ 7.84	\$ 359.90
21.11.07	417	396	\$ 388.23	8	\$ 7.84	\$ 380.39
7.2.08	300	285	\$ 279.30	6	\$ 5.88	\$ 273.42
15.5.08	395	375	\$ 367.74	8	\$ 7.84	\$ 359.90
					TOTAL	\$3,955.08

It would seem appropriate to vary the Sewer Discharge Factor for Property Number 99974 from 95% to 2% whilst the property is being operated as a Concrete Batching Plant, and refund the owner \$3,955.08 for this period.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

A refund of \$3,995.08 will be required to be provided to the owner of Property Number 99974 (174 Bells Road, Lithgow).

LEGAL IMPLICATIONS

Nil.

F08-73 RESOLVED

THAT

1. Council vary the Sewer Discharge Factor for Property Number 99974 from 95% to 2% whilst the property is being operated as a Concrete Batching Plant; and
2. Council provide the owner of Property Number 99974 (174 Bells Road, Lithgow) with a refund of \$3,955.08.

MOVED: Councillor H K Fisher **SECONDED:** Councillor M J Wilson.
CARRIED

ITEM:7 REG - 01/07/08 - SURPLUS FENCING SURROUNDING TARANA RESERVOIR, TARANA**REPORT BY: STRATEGIC ENGINEER – LEANNE KEARNEY**

REFERENCE

Nil.

SUMMARY

To determine a request from a community member interested in purchasing the previous, dilapidated fence surrounding the Tarana Reservoir, Tarana.

COMMENTARY

Council has received a written submission from Mr Eric Holt, requesting Council consider his offer to purchase some of the dilapidated corrugated iron fencing surrounding the Tarana Reservoir, Tarana.

Tarana Reservoir is an ingound, open roofed reservoir, providing Tarana residents with an untreated, non-potable water supply pumped from Fish River. The date that the original corrugated iron fencing was installed is unknown, however, is believed to be prior to 1980. This fencing was replaced some time later (the date of this replacement is also unknown, possibly in the late 1990's) with a barbed wire fence due to the dilapidated condition of the original fencing. The original corrugated iron fence was not removed during this project.

Market forces and impact on return from the sale of the asset will not be applicable to this request, as the asset no longer has a useful purpose to Council, and is considered to be surplus materials that are in an inoperative condition.

The asset serves no purpose to the community, as it was replaced several years ago, and therefore does not have any strategic worth or long term benefit to the community.

It would seem appropriate for Council to allow Mr Holt to remove the fencing at his own expense, and for Mr Holt to retain the old fencing materials, at a cost of \$95.00, which will offset the cost to Council for expenditure incurred in relation to the Department of Natural Resources water licence for one (1) year. The cost to Council of removing and disposing of the fencing materials is estimated at \$600.00, which has not been budgeted for in either the current or future years Annual Management Plan. The current asset represents a nil value, due to current dilapidated condition and depreciated value since installation.

POLICY IMPLICATIONS

This request has been determined in accordance with Council's Asset Disposal Policy.

FINANCIAL IMPLICATIONS

The sale of this asset will allow Council to fund the licence renewal fee of \$95.00, money to be used for licence application to be paid for next financial year.

LEGAL IMPLICATIONS

Nil.

F08-74 RESOLVED

THAT Council allow Mr Eric Holt to remove and retain the fencing at his own expense, at a cost of \$95.00, which will offset the cost to Council for expenditure incurred in relation to the Department of Natural Resources water licence for one (1) year.

MOVED: Councillor M J Wilson
CARRIED

SECONDED: Councillor H K Fisher.

COMMUNITY AND CORPORATE SERVICES REPORTS

ITEM:8 COMM - 01/07/08 - FINANCIAL ASSISTANCE REQUESTS

REFERENCE

Minute 07-258 - Extraordinary Meeting 28 June 2007
 Minute 07-289 - Council Meeting 16 July 2007
 Minute 07-360 - Council Meeting 20 August 2007
 Minute 07-402 - Finance and Services Committee Meeting 3 September 2007
 Minute 07-424 - Council Meeting 17 September 2007
 Minute 07-455 - Council Meeting 15 October 2007
 Minute O08-32 – Council Meeting 17 March 2008

SUMMARY

This report summarises submissions for financial assistance from the community that have been received since the adoption of the Management Plan for activities to be carried out in the 2008/09 financial year.

COMMENTARY

The Council provides Financial Assistance to non-for-profit community groups. The Council has set aside some \$90,000 in total in the 2008/09 – 2010/11 financial year. Some \$49,300 has been allocated with \$40,700 available for allocation throughout the year.

The following applications have been received and are presented for consideration.

Organisation	Request	Officer recommendation
Combined District Kart Club	Request for a donation equivalent to the value of rates of \$2064. The general rates component is \$1305 with the rest being for water, sewer and waste. The Club brings visitors to the area; as well they support local businesses and causes such as raising funds for Breast Cancer.	That a donation of \$500 be provided to the Combined District Kart Club.
First Portland Scout Group	Request for the waiving of rates (water, sewer, waste) to the value of \$1103.00. They are the last remaining Scout Group in the district. Have 40 members who provide activities for young people in the LGA. Note the Group received a donation of \$250 for camping and outdoor equipment as part of the Management Plan process. They also submitted an application for waiving of rates at the same time which was considered as part of their overall application.	Council's policy states that <i>only one donation will be made to any particular organisation within a financial year.</i> Recommend that no further funds be provided.
St Patrick School Art Committee	Requests a donation towards the costs of the staging of its biennial art show "Angels and Artisans"	Schools are provided with an amount of \$50 per school per annum as a contribution towards end of year academic prizes. Recommend that this application is not supported.

POLICY IMPLICATIONS

Financial Assistance Grants are provided with reference to the *Donations – Section 356 Local Government Act Policy*

Council has allocated \$90,000 in total in the 2008/09 – 2010/11 for donations to the community.

FINANCIAL IMPLICATIONS

An allocation for donations to the community is included in the Council's Management Plan 2008/09 – 2010/11.

LEGAL IMPLICATIONS

NIL

RECOMMENDATION**THAT:**

1. The Council provide \$500 to Combined Districts Kart Club for the general fund component of their rates
2. The Council does not provide financial assistance to the First Portland Scout Group towards their rates
3. The Council does not support the application from the St Patrick School Art Committee

F08-75 RESOLVED**THAT:**

1. The Council provide \$500 to Combined Districts Kart Club for the general fund component of their rates
2. Council provide financial assistance to the First Portland Scout Group towards their rates to the value of \$853 (being \$1103 less \$250 previously committed in the 2008/09 - 2010/11 management Plan).
3. Council support the applications from the St Patrick's School Art Committee and provide sponsorship to the value of \$250
4. Council review its Donation Policy and accordance with Section 356 of the Local Government Act with specific consideration of donations to schools.

MOVED: Councillor H K Fisher
CARRIED

SECONDED: Councillor M J Wilson.

An **AMENDMENT** was moved by Councillor B S Moran that Council investigate the possibility of providing support to the First Portland Scout Group for inkind maintenance on their Hall.

F08-76 RESOLVED

MOVED: Councillor B S Moran
CARRIED

SECONDED: Councillor M F Ticehurst.

ITEM:9 COMM - 01/07/08 - LIQUID TRADE WASTE - WRITE OFF OF CHARGES

**Report From: TRADE WASTE & ONSITE WASTEWATER MANAGEMENT OFFICER
– CARLY HANRAHAN**

REFERENCE

Min No 1505/01: Ordinary Meeting of Council, 20 August 2001
Min No 04-905: Ordinary Meeting of Council, 22 November 2004
Min No 05-23: Ordinary Meeting of Council, 24 January 2005
Finance and Services Committee, 7 August 2006
Min No 06-362: Finance and Services Committee, 6 November 2006
Min No 06-461: Ordinary Meeting of Council, 18 December 2006
Min No P08-34: Policy and Strategy Committee Meeting of Council, 7 April 2008
A briefing for Councillors was held on Thursday, 13 March 2008

SUMMARY

This report outlines a request in the writing-off of disputed trade waste charges.

COMMENTARY

Introduction

Council introduced its liquid trade waste policy in 2004. With the employment of an officer with responsibility for trade waste and onsite wastewater management in 2007, it has been possible to review the program and suggest a number of actions for Council's consideration to improve processes and rectify some existing problems.

Proposed Account Adjustments

Shell Roadhouse & Carwash in Lithgow has recently gained trade waste approval. An initial inspection was undertaken at the property on 6 July 2005 with an application for trade waste not being sent until 29 March 2006. During this time the property was charged at a non-compliant trade waste rate of \$3.63/kL. An application for the restaurant was received on 26 April 2006 and was forwarded to Council's consultant for review. A letter was sent on the 19 May 2006 to the property stating that Council would notify of the outcome. From the date the application was received the restaurant has been charged at the compliant rate of \$1.20/kL. Assessment of the application was not determined until Council employed a trade waste officer in late 2007. Upon informing the business that the application had not been completed a completed application, including the carwash, was received by Council on 8th April 2008 and has since been given approval by the Department of Water and Energy.

Given that the property had not been issued with an application and notification of the required works prior to being charged at a non-compliant rate it is requested that an adjustment be made to the first invoice sent to be charged at the compliant rate of \$1.20/kL. It is also requested that the legal charges generated from this period be written off. All invoices that have been paid have been paid in part at the compliant rate of \$1.20/kL including the first invoice that was charged at the non-compliant rate of \$3.63/kL.

POLICY IMPLICATIONS

Similar adjustments have been made to other premises after a similar review process has been completed. Specific reference is made to Min 08-34 Policy and Strategy Committee Meeting of Council, 7 April 2008.

FINANCIAL IMPLICATIONS

A write off of \$648.02 is requested along with an adjustment to the charges for trade waste for the period of 05/06 from \$3.63/kL to \$1.20/kL, an adjustment of \$6,011.33.

LEGAL IMPLICATIONS

NIL

F08-77 RESOLVED**THAT:**

1. The legal charges invoiced to the property of Shell Roadhouse and Carwash relating to the trade waste charges be written off
2. An adjustment be made to the account from the non-compliant charge of \$3.63/kL to the compliant rate of \$1.20/kL.

MOVED: Councillor H K Fisher
CARRIED

SECONDED: Councillor A E Thompson.

ITEM:10 COMM - 01/07/08 - ON-SITE SEWERAGE MANAGEMENT FEES AND CHARGES**Reported by: Trade Waste and Onsite Wastewater Management Officer – CARLY HANRAHAN**

REFERENCE

Min No 99-178: Council Meeting 15 March 1999

Min No 99-390: Council Meeting 7 June 1999

Min No 99-680: Council Meeting 20 September 1999

Min No P08-51: Policy and Strategy Committee Meeting 6 May 2008

SUMMARY

This report provides information regarding proposed changes to the fees and charges for the Septic Safe program based on feedback from the community and updates arising from issues with the implementation of the program.

COMMENTARY

Owners of Aerated Wastewater Treatment Systems (AWTS) (a type of on-site wastewater treatment system) have been issued with their “approval to operate” or issued with a notification to service their system in order to obtain an “approval to operate” as per the Onsite Wastewater Management Strategy. Correspondence has been received from a number of pensioners regarding their inability to pay upfront for the “approval to operate”, which is \$150 for a 5 year licence. Council’s current fees and charges for 2008/09 allows for a 1 year charge of \$30. It is proposed that the \$30 annual charge remain, but be listed for pensioners only. The overall charge for the “approval to operate” would remain the same, but there would be the ability to allow for annual payments for pensioners.

It is also requested that the 3 year charge of \$90 that is currently listed in Council’s Plan of Management be removed from the fees and charges. This charge is deemed as unnecessary as it is not being used. There will be no loss in revenue with the removal of this charge.

The inspection program for septic tanks has commenced. There has been much community comment following the inspection notification letters being sent to those to be inspected first. In comparison to AWTS’, septic tanks do not receive the same level of service from Council. AWTS service reports are forwarded to Council for monitoring to ensure the systems are being serviced, being serviced on time, if there is a problem with a system that it is fixed, and Council issues an “approval to operate”. As the reports for each system are sent in 4 times a year their monitoring takes a lot of time to process. However, the only service Council provides for septic tanks is the issuing of an “approval to operate”. When an inspection is undertaken on septic tanks they are subject to a separate charge of \$70. It is proposed that the 5 year “approval to operate” fee for septic tanks be altered to more closely reflect the service being delivered. The proposed fee for the 5 year “approval to operate” for septic tanks is \$50.

As previously noted, an education program has been initiated, with information on the program available on the Council website. Further education has taken place with information sent to residents about their system, and the fees applicable to them. Information is sent to all residents prior to inspections or the charging of fees.

POLICY IMPLICATIONS

Implementation of the strategy has already commenced.

FINANCIAL IMPLICATIONS

Following are the fees and charges proposed to be collected from the implementation of the strategy. These fees are proposed to replace or update all charges currently listed in Council's Draft Management Plan 2008/09 – 2010/11 under Septic Safe program. The implementation of the strategy is designed to be largely a "user-pays" system.

Council Charges	Fee	Details of Fee
5 year "Approval to operate" for AWTS	\$150	Approval to operate is currently for a period of 5 years. This charge is proposed to remain the same for AWTS'
1 year "approval to operate" for AWTS (Pensionrs only)	\$30	Approval to operate is currently for a period of 5 years. This is a proposed charge for pensioners only. The general charge for a \$30 fee for an "approval to operate" is requested to be removed from the fees and charges.
3 year "approval to operate"	\$90	This charge is currently listed in the fees and charges. It is proposed that this charge be removed.
5 year "Approval to Operate" for septic tank	\$50	Approval to operate is currently for a period of 5 years. This charge was previously included with the AWTS 5 year "approval to operate". The charge listed here is a proposed charge.
Inspection Fee	\$70	Inspection frequency depends on the risk category assigned to a property. It is proposed that this charge remain.
Re-inspection Fee	\$70	If there are problems with a system more inspections may be required. It is proposed that this charge remain.
Aerated Wastewater Treatment System – 2+ reminder letters	\$44 each	This charge was recently adopted by Council and it is proposed that it remain unchanged in the Plan of Management.

LEGAL IMPLICATIONS

Council has obligations under the Local Government Act 1993, Environmental Planning and Assessment Act 1979, and Protection of the Environment Operations Act 1997 that relate to the approval, regulation and monitoring of on-site wastewater management systems. The charging regime for the program is determined by Council's.

F08-78 RESOLVED

THAT proposed changes to the fees and charges be adopted as outlined below:

1. 5 Year “approval to operate” for AWTS’ - \$150
2. 1 Year “approval to operate” for AWTS’ (pensioners only) - \$30
3. 5 year “approval to operate for septic tanks - \$50
4. The removal of the 3 year “approval to operate” fee - \$90
5. Both inspection and re-inspection fee remain at the current - \$70

MOVED: Councillor B S Moran
CARRIED

SECONDED: Councillor M J Wilson.

A MATTER ARISING was moved that a report be brought back on Lithgow Sewerage Treatment Plant.

F08-79 RESOLVED

MOVED: Councillor H K Fisher
CARRIED

SECONDED: Councillor M J Wilson.

DELEGATES REPORTS

ITEM:11 DELEGATES REPORT - 01/07/08 - PACT MEETING

REFERENCE

NIL

COMMENTARY

Following the most recent PACT meeting it is pleasing to see that there are now five extra Police in our area from when the previous Pact meeting took place. The only position now unresolved is that of the replacement for the Policeman at Capertee, where that position has been selected. However the Police are now waiting for the official movement of that Policeman into that position.

It was pleasing to note that the new Superintendent, Mick Goodwin has agreed to meet with Council on the 26th June 2008 to go over the different issues that have been raised by Councillors over the past couple of months. It was also reported that he intends to have more regular updates and meetings with the Council.

It was reported that the Police have no further investigations to make regarding the Wallerawang explosion at the Howard and Sons Factory and the only outstanding issue at this point of time is now the WorkCover Investigation.

The statistics for various crime categories in our area have showed generally a pleasing down turn from March through to May. There was, however, a slight increase in the amount of stealing that has taken place. When questioned the Police have indicated they believe that there is no connection between theft in our area and the location of the gaol in our area.

The Police have indicated also that the figures given are official figures and they do believe there are some instances of some crimes not being reported and as such, they urge all activity of a criminal nature to be reported to the Police, either directly to the Police Station or through the Police Assistance Line, so that matters can be followed up and a true indication of figures can be recorded.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

RECOMMENDATION

THAT the information be noted.

F08-80 RESOLVED

THAT:

1. The information be noted.
2. Council report back on the correspondence already received from the Superintendent of the Chifley Command to various questions raised.

MOVED: Councillor W McAndrew
CARRIED

SECONDED: Councillor B S Moran.

COMMITTEE MEETINGS**ITEM:12 COMM - 01/07/08 - S355 ENVIRONMENTAL ADVISORY COMMITTEE MEETING MINUTES****REPORT FROM: Environmental Health Officer - DAVID DURIE**

REFERENCE

Min No 07-389: Policy and Strategy Committee Meeting 3 September 2007

Min No 07-483: Finance and Services Committee Meeting 5 November 2007

Min No F08-21: Finance and Services Committee Meeting 3 March 2008

SUMMARY

Summary of the Minutes of the Environmental Advisory Committee (EAC) meeting held on Wednesday 9th of April 2008.

COMMENTARY

Item 3 Greencorps Presentation

EAC received a presentation from Greencorps Team Leader, Boris Hunt, following a successful Greencorps program within the Lithgow LGA. Lithgow City Council partnered Lithgow Oberon Landcare Association (LOLA) with this program and Greencorps were based at the Lithgow and District Community Nursery.

EAC moved to thank Council for their involvement in this program and requests that Council continue its involvement with Greencorps.

Item 4 EAC Focus Meeting

EAC held an Extraordinary Meeting in February 2008 to prioritize environmental issues in the LGA. The results of this meeting were discussed and the priorities will continue to be refined.

Item 7 Street Trees

Concern was raised in regard to how well Council is managing street trees. The EAC agreed that Council should ideally have a “one for one” tree replacement policy that includes replacement within two months of the original tree being removed and as near as practical to the removed tree. It was suggested that Council could investigate the possibility of a Greencorp Team participating in a Street Tree Audit with this information being transferred to Council’s Geographical Information System.

The EAC moved to be re-establish the Street tree Committee as a sub-committee of the EAC. Expressions of Interest were sort for the Street Tree Sub-committee.

Item 10 General Business

The committee was advised that a Streamwatch Group associated with Lithgow Environment Group found concerning concentrations of salinity downstream of power stations and collieries. The Sydney Catchment Authority and Department of Environment and Climate Change have been investigating this matter.

Concern was raised in regard to the proposed expansion of a granite quarry in the Oberon LGA that will potentially impact on the Duckmaloi River and roads with the Lithgow LGA due to increased truck movements.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

F08-81 RESOLVED

THAT the information be received.

MOVED: Councillor M M Collins
CARRIED

SECONDED: Councillor M J Wilson.

QUESTIONS WITHOUT NOTICE

QWN - 01/07/08 - COUNCILLOR H K FISHER

1. Mr Mayor can a report come back to Council in relation to the statistics of wages for the employment in the LGA area from the State Debt Recovery Office as there is a lot of negativity about this Department in our community and I wish to advise the community of its worthiness.

The Mayor deemed this as urgent and advised that a report will be brought back.

QWN - 01/07/08 - COUNCILLOR M J WILSON

1. Mr Mayor can a report be brought back on the proposed development at Pottery Estate as to the changes in concept and who is responsible for this development?

The Mayor deemed this as urgent and advised that a report will be brought back.

The meeting closed at 7.10pm.