



AGENDA

ORDINARY MEETING OF COUNCIL

TO BE HELD AT

THE ADMINISTRATION CENTRE, LITHGOW

ON

25 JUNE 2018

AT 7.00pm

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# AGENDA

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## **ACKNOWLEDGEMENT OF COUNTRY**

## **APOLOGIES**

## **PRESENT**

## **CONFIRMATION OF THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 28 MAY 2018**

## **DECLARATION OF INTEREST**

## **COMMEMORATIONS AND ANNOUNCEMENTS**

## **PUBLIC FORUM**

## **MAYORAL MINUTES**

Forestry Road Infrastructure Contributions

## **STAFF REPORTS**

Economic Development and Environment Reports

Operation Reports

Water and Wastewater Reports

Finance and Assets Reports

People and Services Reports

## **COUNCIL COMMITTEE MINUTES**

Crime Prevention Committee Minutes 21 May 2018

Operations Committee Meeting Minutes - 4 June 2018

Sports Advisory Committee Meeting Minutes - 13 June 2018

Finance Committee Meeting 13 June 2018

## **NOTICES OF MOTION**

The School Student Transport Scheme (SSTS) – Councillor Coleman

Rotary Park Portland – Councillor Statham

Cullen Bullen Sewage Upgrade - Councillor Statham

Water for Farmers - Councillor Statham

Zig Zag Railway - Councillor Statham

## **BUSINESS OF GREAT URGENCY**

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

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## MAYORAL MINUTE

### ITEM-1            MAYORAL MINUTE- 25/06/18 - FORESTRY ROAD INFRASTRUCTURE CONTRIBUTIONS

**REPORT BY:**    MAYOR – CR STEPHEN LESSLIE

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## REFERENCE

LGNSW Annual Conference 2017 Record of Decisions – Minute No. 36

## SUMMARY

A rate exemption currently applies to operational land managed and worked by the Forestry Corporation of NSW. Forestry operations have an impact on Council transport infrastructure in the Lithgow Council LGA and beyond.

The LGNSW Annual Conference 2017 passed a resolution which calls on the State Government to require the payment of rates and the implementation of a system for transport infrastructure contributions by forestry corporations.

## COMMENTARY

The following resolution was passed at the LGNSW Annual Conference 2017:

*“That the NSW Government abolishes the rate exemption that currently applies to operational land managed and worked by the Forestry Corporation of NSW; and*

*That the State Government introduces a system for transport infrastructure contributions by forestry corporations to address the ongoing infrastructure maintenance, upgrade and renewal needs of council roads. This is specifically to address the roads, bridges, culverts and drainage infrastructure impacted upon by forestry operations, especially but not limited to heavy forestry vehicles.”*

Forestry Corporation activities are commercial in nature and it can be argued that the Corporation is receiving a competitive advantage, with the costs of maintaining and renewing transport infrastructure impacted by their operations being shifted to local Councils.

With the support of LGNSW, a working party was formed to address the issues around unrateable forestry plantation land and forestry road infrastructure contributions. Lithgow City Council has joined the working party.

The Mayor of Oberon Council, Cr Kathy Sajowitz, has written to The Hon Paul Toole MP, on behalf of the working party, to establish a dialogue with a view to finding a solution to the issue. The Mayor of Oberon Council has requested a meeting between the working party and The Hon Paul Toole MP.

In her letter, the Mayor of Oberon Council states that the value of foregone rates is “in the vicinity of \$739,000 p.a.” The calculation of foregone rates is based on the land area of Forestry Corporation, National Parks and Wildlife Service and related non-rateable land using an average for the farmland rating category.

From information on the Forestry Corporation website, Lithgow Council has slightly more Defined Forest Area in the LGA compared with Oberon Council. The largest forests are those in Newnes, Sunny Corner and Ben Bullen.

Using a similar calculation method to that used by Oberon Council (only for Forestry Corporation lands), the estimate of foregone rates in the Lithgow LGA is \$414,000.

Lithgow Council can support the working party by endorsing the LGNSW Annual Conference.

#### **POLICY IMPLICATIONS**

Nil.

#### **FINANCIAL IMPLICATIONS**

- Budget approved – N/A
- Cost centre - N/A
- Expended to date - N/A
- Future potential impact – rating income of approximately \$414,000 p.a.

#### **LEGAL IMPLICATIONS**

Nil.

#### **RECOMMENDATION**

**THAT** Council:

1. Endorse the LGNSW Annual Conference 2017 resolution to seek State Government action to abolish the rate exemption on Forestry Corporation operational land and to introduce a system for transport infrastructure contributions by forestry corporations.
2. Acknowledge the contribution of the Mayor of Oberon Council, Cr Kathy Sajowitz, to establishing a dialogue with the Minister on the issue.

## ECONOMIC DEVELOPMENT AND ENVIRONMENT REPORTS

### ITEM-2 ECDEV - 25/06/18 - WALLERAWANG POULTRY FARM UPDATE

**REPORT BY: DIRECTOR ECONOMIC DEVELOPMENT & ENVIRONMENT**

## REFERENCE

Min No 17-156: Ordinary Meeting of Council held on 29 May 2017  
Min No 17-347: Ordinary Meeting of Council held on 27 November 2017  
Min No 18-21: Ordinary Meeting of Council held on 26 February 2018

## SUMMARY

This report is provided in accordance with the following Council resolution of 11 May 2015 point 2:

### 15-101 RESOLVED

#### THAT:

1. The information regarding complaints received and Council actions for the Wallerawang Poultry Farm for the period 8 April 2015 to 1 May 2015 be noted.
2. 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

### Odour Complaints

Council has received a number of complaints from members of the public in regard to odour emissions from the Wallerawang Poultry Farm since February 2018. The complaints and any associated Council Action are outlined below.

Date	Time	Location	Complaint	Council Action
Monday 12 March 2018	12:00pm	West of Lot 2 DP 874368.	Bad smell coming from the chicken farm. Mice are coming from the property.	Thursday 15 March 2018 – Council Odour Survey (3:20pm). No odour detected.
Friday 16 March 2018	3:35pm	South of Lot 2 DP 874368.	Smell at the chicken farm is horrendous. Had to close house doors. Smells like it hasn't been cleaned out.	Monday 19 March 2018 – Complaints referred to farm operator requesting reason for potential odour. No response received.
Monday 19 March 2018	12:00pm	South of Lot 2 DP 874368.	Bad odour coming from the chicken farm. Unable to open windows due to the odour. Wants a clean out to be done.	Monday 19 March 2018 – Council Odour Survey (11:00am). No odour detected.
Monday 19 March 2018	10:30am	South-west of Lot 2 DP 874368.	Bad smell on the evening of Sunday 18 March 2018 between 8:00pm and 10:00pm. Windy conditions.	Monday 19 March 2018 – Council Odour Survey (11:00am). No odour detected.
Tuesday 20 March 2018	8:45am	South-west of Lot 2 DP 874368.	Smell from chicken farm on the evening of Monday 19 March 2018 from 9:30pm.	Tuesday 20 March 2018 – Council Odour Survey (1:00pm). No odour detected.
Monday 26 March 2018	10:45am	South of Lot 2 DP 874368.	Ongoing terrible smell from the chicken farm. The smell seems to be heightened on the weekends when they turn up the ventilation system. Council needs to investigate on weekends.	Tuesday 27 March 2018 – Council Odour Survey (12:55pm). No odour detected.
Tuesday 27 March 2018	9:37am	South-west of Lot 2 DP 874368.	Bad smell at chicken farm this morning. Unpleasant to work outside.	An immediate response was not possible due to staff absences.
Wednesday 28 March 2018	10:24am	South-west of Lot 2 DP 874368.	Chicken farm smelling all over the weekend and most of Tuesday 27 March 2018. Smell similar to fertiliser.	
Thursday 29 March 2018	10:23am	South of Lot 2 DP	Chicken farm has a very bad smell today. Investigate and contact customer today.	Thursday 5 April 2018 –

		874368.		Council Odour Survey (3:25pm). No odour detected.
Tuesday 10 April 2018	Unknown.	South-west of Lot 2 DP 874368.	Chicken farm smell.	Wednesday 11 April 2018 – Council Odour Survey (6:30am). No odour detected.
Friday 13 April 2018	10:24am	South-east of Lot 2 DP 874368.	Horrible smell from chicken farm. It was the worst it's ever been on the evening of Thursday 12 April 2018. Caller could smell it on Pipers Flat Road near the tip. Unacceptable smell haze and pollution.	An initial response was not possible due to staff absences  Thursday 19 April 2018 – Council Odour Survey (8:10am). No odour detected.  Saturday 21 April 2018 – Complaints referred to farm operator requesting reason for potential odour. Response received Monday 4 May 2018 stating no extraordinary weather events or farm operations undertaken.  Monday 23 April 2018 – Routine Council Odour Survey (8:10am). No odour detected.
Thursday 3 May 2018	11:51am	South of Lot 2 DP 874368.	The chicken farm turns the plant on Friday nights between 5:30pm and 6:00pm and the valley becomes covered in pollution and dust. Last Friday 27 April 2018 was particularly bad. The plant runs all weekend and is then turned off during the week when Council is in operation. They need to consider improving their clean out procedures, odour absorption and investigate new technology and options. A Council issued fine is not resolving issues.	Wednesday 2 May 2018 – Routine Council Odour Survey (9:30am). No odour detected.  Friday 4 May 2018 – Council Odour Survey (4:55pm). No odour detected.  Wednesday 9 May 2018 – Routine Council Odour Survey (6:50am). No odour detected.
Thursday 3 May 2018	3:01pm	South of Lot 2 DP 874368.	Ongoing issues of chook farm smell. Entire house smells and cannot go outside.	Tuesday 15 May 2018 – Routine Council Odour Survey (10:30am). No odour detected.
Saturday 5 May 2018	8:14pm	South of Lot 2 DP 874368.	Strong smell of chicken faeces from the farm.	
Thursday 24 May 2018	5:47pm	North-west of Lot 2 DP 874368.	Pollution and terrible smell coming from chicken farm.	Thursday 24 May 2018 – Routine Council Odour Survey (8:05am). No odour detected.
Sunday 27 May 2018	5:16pm	South-west of Lot 2 DP 874368.	Poultry farm smelling.	Thursday 24 May 2018 – Council Odour Survey (6:20pm). <b>Odour level of 2 detected, west of the farm.</b>
Monday 28 May 2018	10:33am	South-west of Lot 2 DP 874368.	Smell from the poultry farm is really bad this morning and over the weekend.	Tuesday 12 June 2018 – Complaints referred to farm operator requesting reason for potential odour. Response yet to be received.

### Odour Survey Results

As part of ongoing routine odour monitoring, a maximum odour intensity level of 2 was detected by a Council Ranger on Thursday 24 May 2018, at approximately 6:20pm at Location 1 (see Attachment 1). The chicken farm operator has been asked to provide an explanation on the farms operations on the day. No odour was detected at the remaining locations. It should be noted that Council's Ranger was calibrated in odour assessment between Tuesday 3 April 2018 and Thursday 5 April 2018. No other odour levels have been detected by Council's Rangers since February 2018.



## Landowner Consultation

In response to the concentrated amount of complaints received in March 2018, Council requested that the operators of the Wallerawang Poultry Farm provide details of any activity that may have attributed to complaints received on the following dates:

- Friday 16 March 2018
- Saturday 17 March 2018
- Sunday 18 March 2018
- Thursday 3 May 2018

The following response was received:

*“Apologies for the delay in reply. I have discussed the odour issues at hand with the farm manager for the dates and times provided. In all instances, the weather conditions observed and recorded at the farm, along with the daily odour measurements taken by the farm manager, suggest that the source of the alleged odour complaint was not from the farm.*

*The next scheduled production cleanout is due for the first week in August.”*

The landowner claims that no extraordinary farm activities were undertaken or weather conditions experienced on the days of each complaint that may have resulted in adverse odour emissions. Council’s Ranger was not “calibrated” in odour assessment until Thursday 5 April 2018 and therefore, any Odour Surveys undertaken prior to this date could have been challenged if regulatory action was taken.

## Weather Data

**STATISTICS FOR MARCH 2018**

Day/ Month 2018	Daily Observations			Observations at 9am				Observations at 3pm			
	Min Temp (°C)	Max Temp (°C)	Rain (mm)	Temp (°C)	Relative Humidity (%)	Wind Direction	Wind Speed (km/h)	Temp (°C)	Relative Humidity (%)	Wind Direction	Wind Speed (km/h)
Monday 12 March 2018	5	27.1	0	13.1	80		Calm	25.9	30	SE	4
Friday 16 March 2018	11.6	25.6	0	16.6	84	NE	4	24.5	50	N	9
Sunday 18 March 2018	10.7	31.3	0	23	44	NNW	9	29.4	27	WNW	19
Monday 19 March 2018	8.6	29.8	0	18.2	64		Calm	29.4	23	WNW	17
Tuesday 20 March 2018	2.3	25	0	10.1	74		Calm	24	33	SE	9
Saturday 24 March 2018	10.3	25	0	15.2	85		Calm	24.6	49	NW	11
Sunday 25 March 2018	10.8	25.8	3.8	19.1	67	WNW	9	24.4	47	NW	13
Monday 26 March 2018	12.2	17.5	9.2	12.5	76	W	17	16	32	W	15
Tuesday 27 March 2018	-1.5	20.4	0	5.5	89	E	2	19.6	48	NNW	7
Thursday 29 March 2018	7.8	28.4	0	14	99		Calm	26.7	37	NNW	9
<b>Mean</b>	9.6	23.8	--	15	81		4	22.5	48	--	10
<b>Lowest</b>	-1.5	14.5	0	5.5	44		Calm	13.3	23	WNW	2

The following daily weather observations and monthly statistics were recorded by the Australian Bureau of Meteorology (BOM) for the area of Wallerawang on each day (and month) that an odour reading was detected or a complaint was received.

Highest	14.6	31.3	10	23	99	W	17	29.4	91	SE	20
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**STATISTICS FOR APRIL 2018**

Day/ Month 2018	Daily Observations			Observations at 9am				Observations at 3pm			
	Min Temp (°C)	Max Temp (°C)	Rain (mm)	Temp (°C)	Relative Humidity (%)	Wind Direction	Wind Speed (km/h)	Temp (°C)	Relative Humidity (%)	Wind Direction	Wind Speed (km/h)
Tuesday 10 April 2018	7	25.4	0	15.9	70	NE	4	22.4	54	ENE	7
Thursday 12 April 2018	7.7	27	0	21.1	52	NW	6	26	34	W	13
Friday 13 April 2018	13.9	26.1	0	19.9	46	NNW	17	25.4	34	NNW	13
Friday 27 April 2018	6.7	15.4	0	11.6	79	E	7	15.3	58	SE	9
Mean	7.1	22.2	--	15.4	74		5	21	45	--	8
Lowest	-1.6	12.1	0	9.3	45		Calm	11.5	19		Calm
Highest	14.1	29.2	5.2	22.6	99	NNW & NW	17	29	85	NW & WNW	20

**STATISTICS FOR MAY 2018 (AS OF 8 JUNE 2018)**

Day/ Month 2018	Daily Observations			Observations at 9am				Observations at 3pm			
	Min Temp (°C)	Max Temp (°C)	Rain (mm)	Temp (°C)	Relative Humidity (%)	Wind Direction	Wind Speed (km/h)	Temp (°C)	Relative Humidity (%)	Wind Direction	Wind Speed (km/h)
Thursday 3 May 2018	1.7	21.7	0	14.4	74	NW	4	20	46	N	9
Saturday 5 May 2018	0.9	19	0.2	9.4	60	WNW	6	18.2	26	NW	6
Thursday 24 May 2018	-3.3	19.9	0	6.0	91	WNW	2	19.3	24	WNW	6
Sunday 27 May 2018	-4.9	18	0	4.7	98		Calm	15.3	40	ESE	6
Monday 28 May 2018	-0.8	16.5	0	5.1	99		Calm	15.4	44	NW	6
Mean	-0.2	16.1	--	8	82		5	14.8	45	--	9
Lowest	-5.5	8	0	2.7	51		Calm	5.3	24		Calm
Highest	10.2	21.7	12.2	15.1	99	WSW	15	20	73	WSW	20

Key	5 or More Above or Below Monthly Mean	Lowest of Month	Highest of Month
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Extraordinary weather conditions may have contributed to odour emissions on many of the dates in which a complaint was received, with the exception of Friday 16 March 2018, Sunday 25 March 2018, Tuesday 10 April 2018 and Saturday 5 May 2018. Most notably, on the evening of Thursday 24 May 2018 when Council's Odour Specialist detected a level 2, the relative humidity was at its lowest for the month with low wind speeds, which may have contributed towards some "lingering" odour.

### Conclusions

The only complaint that was close to being verified was that on 24 May 2018. A complaint was received 5.47pm. When the Council Ranger attended the site at 6:20pm a level 2 odour was detected. Details have been sought from the farm operator. Depending on the response, further action cannot be ruled out.

## **Continued Reporting**

In the Ordinary Meeting of Council held on 11 May 2015, the following resolution was made:

### **15-101 RESOLVED**

#### **THAT:**

1. *The information regarding complaints received and Council actions for the Wallerawang Poultry Farm for the period 8 April 2015 to 1 May 2015 be noted.*
2. *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.*

Since this time matters concerning the Wallerawang Poultry Farm have been reported to Council on approximately eight (8) occasions, from which information was noted and no further action taken. A level two (2) on the odour intensity scale may be described as below:

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

To ensure that a greater focus can be placed on the continuous monitoring of the site and associated actions, it is recommended that further reports in relation to complaints and ongoing odour surveys for the Wallerawang Poultry Farm only occur in instances where an odour level of three (3) or more is recorded. A level three (3) on the odour intensity scale may be described as below:

3. *Odour present in the air, which is objectionable and causes a person to attempt to avoid it completely.*

This proposed change in the frequency of reporting does not downgrade the importance of complaints or the severity of any unexplained Level 2 Odour detection. Council intends to continue monitoring the site (regularly and in response to complaints, where achievable) and undertaking necessary actions to prevent or reduce the frequency of odour emissions from the Wallerawang Poultry Farm.

## **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

- Budget approved – N/A
- Cost centre – N/A
- Expended to date – N/A
- Future potential impact – The continued odour monitoring is a minimal cost activity.

## **LEGAL IMPLICATIONS**

To ensure that the development complies with the *Environmental Planning and Assessment Act 1979*, in relation to compliance with Condition 8 of Development Consent (93/98DA, BA173/98), which states:

8. No offensive odours due to the development shall be emitted beyond the boundaries of the property.

## ATTACHMENTS

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

## RECOMMENDATION

### THAT:

1. The information regarding odour issues at the Wallerawang Poultry Farm be noted.
2. Council continue to undertake routine odour monitoring of the area.
3. 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 three (3) or more is recorded on the odour intensity scale by Council's Calibrated Odour Specialist.

**ITEM-3                    ECDEV - 25/06/18 - TRANSFER OF PORTION OF LAND ADJOINING 17  
BARTON AVENUE WALLERAWANG - RIGHT OF WAY ACCESS**

**REPORT BY:    DIRECTOR ECONOMIC DEVELOPMENT & ENVIRONMENT**

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## **REFERENCE**

Minute 16-32 – Ordinary Meeting of Council held on 29 February 2016  
Minute 16-99 – Ordinary Meeting of Council held on 16 May 2016  
Minute 17-209 – Ordinary Meeting of Council held on 17 July 2017  
Minute 17-236 – Ordinary Meeting of Council held on 14 August 2017

## **SUMMARY**

This report seeks Council approval to finalise the legal transfer of land at Wallerawang.

## **COMMENTARY**

This matter arose out of a request from the owners of 17 Barton Avenue, Wallerawang (Mr and Mrs Dengate) to establish vehicular access.

On 14 August 2017 Council resolved to delegate authority to the General Manager to determine DA198/17 for the subdivision of council land (1,095 m<sup>2</sup>) adjoining 17 Barton Avenue, Wallerawang, to facilitate vehicle access to Mr and Mrs Dengate's property.

The report to Council dated 14 August 2017 related to the development application only and the matter of settling on a final purchase price, sale and settlement process were to be dealt with separately.

This report now provides an update on the status of the subdivision and addresses the matters that were to be dealt with separately (ie, purchase price, sale and settlement).

### **Status of subdivision**

The plan of subdivision is now with the NSW Lands Registry pending production of the relevant certificates of title. To effect the subdivision, Council will need to produce certificate of title 20/1217065 and the purchasers will need to produce Certificate of Title 1/371568.

### **Price**

The valuation submitted by Opteon Group in November 2015 provided two values: 1,492 m<sup>2</sup> @ \$10,000 and 2,955 m<sup>2</sup> @ \$15,000. The second value was used to calculate a per square metre sum for the sale of the portion of land, as follows:

$$\$15,000 \div 2,955 = \$5.07 \times 1,095 \text{ m}^2 = \$5,551.65.$$

A tax invoice dated 15 November 2017 for \$5,551.65 was issued to Mr and Mrs Dengate and the tax invoice was paid by Mr and Mrs Dengate on 16 November 2017.

### **Sale and settlement process**

To give legal effect to the sale to Mr and Mrs Dengate it is proposed that Council instruct Le Fevre & Co to produce certificate of title 20/1217065 and to facilitate the transfer for the subdivided portion of land to Mr and Mrs Dengate.

## **POLICY IMPLICATIONS**

Council Policy 1.1 – Land – Council Leases – Legal Costs applies

## **FINANCIAL IMPLICATIONS**

- Budget approved – N/A
- Cost centre – N/A
- Expended to date – N/A
- Future potential impact – N/A

## **LEGAL IMPLICATIONS**

The subject land is classified operational and consequently there is no impediment to the sale.

## **ATTACHMENTS**

1. Plan of subdivision identifying portion to be sold
2. Valuation report of Opteon Group dated November 2015

## **RECOMMENDATION**

### **THAT**

1. Note the sale price of \$5,551.65 for the transfer of 1,095 m<sup>2</sup> of part Lot 20 in DP1217065.
2. Require the purchasers to pay legal fees incurred by Council in relation to the transfer of land, in accordance with Council Policy 1.1. Land Council Leases Legal Costs.
3. Instruct Le Fevre & Co to attend to all matters necessary to facilitate the transfer.

**ITEM-4                    ECDEV - 25/06/18 - ANGUS PLACE COLLIERY WATER TREATMENT  
PROJECT MODIFICATION 5**

**REPORT BY:     DIRECTOR ECONOMIC DEVELOPMENT AND ENVIRONMENT**

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## **REFERENCE**

Min No: 14-207: Ordinary Meeting of Council held 12 May 2014- Angus Place Mine Extension Project (Modification 4) (SSD-5602)

## **SUMMARY**

To advise Council on an application that has been submitted to the Department of Planning and Environment (the Department) for the Angus Place Colliery Water Treatment Project - Modification 5, Wolgan Road Lidsdale NSW 2790.

## **COMMENTARY**

A modification of development consent application has been lodged with the Department of Planning and Environment to temporarily increase the discharge rate and discharge treated water from Licenced Discharge Point 001 at the mine.

The modification is proposing to increase the discharge of treated mine water through licensed discharge point LDP001 to up to 10ML/day treated water to prevent the underground storage areas from flooding.

Water levels in the existing workings are steadily increasing due to constraints in the volumetric limit on the water access licence for transfer to the Springvale Delta Water Transfer Scheme and the volumetric limit on discharge through the licensed discharge point on Angus Places Colliery's Environmental Protection Licence 467. Due to these constraints the mine water extraction has been less than the mine inflows, and as a result, the capacity of the underground storage areas has been slowly decreasing.

After the Springvale Water Treatment Project is commissioned (by July 2019) water extracted from Angus Place Colliery will be transferred to the Springvale Water Treatment Project. Alternatively, mine water from Angus Place pit top may in the future be transferred to the Mt Piper Power Station's cooling water system or third parties for industrial beneficial reuse.

The modification does not involve any additional mining or increase the approved groundwater extraction rate.

## **OTHER ISSUES**

The Environmental Impact Statement was supplied to Council and was placed on exhibition for public and authority comments which finished on the 12 June 2018. A submission was made on behalf of Council with no objection to the proposed modification. The assessment of the proposal will now be undertaken and completed by the Department of Planning and Environment.

## **POLICY IMPLICATIONS**

Nil

## FINANCIAL IMPLICATIONS

- Budget approved - N/A
- Cost centre - N/A
- Expended to date - N/A
- Future potential impact - N/A

## LEGAL IMPLICATIONS

As the proposal falls within Part 4, Division 4.2 of the *Environmental Planning and Assessment Act 1979* the Department of Planning and Environment will be the consent authority.

## RECOMMENDATION

**THAT** The information in the report on the Angus Place Colliery Water Treatment Project – Modification 5, be noted.



**ITEM-5                    ECDEV - 25/06/18 - DA114/18 - PROPOSED 3 LOT SUBDIVISION, BARTON AVENUE WALLERAWANG**

**REPORT BY:     DIRECTOR ECONOMIC DEVELOPMENT & ENVIRONMENT**

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## **REFERENCE**

Item 37: Ordinary Meeting of Council held 25 September 2017- Confidential Closed Report- Proposed Sale of Council Land

## **SUMMARY**

To inform Council of the 'call in' of a development application, pursuant to Council's policy 7.7. The development application is in relation to Council owned land and is required to be determined by the elected Council as per Council's Policy 7.6, irrespective of the "call in".

## **COMMENTARY**

Council is in receipt of a Development Application (DA114/18) for a subdivision of 1 lot into 3 lots on land known as Lot 20 DP 1217065, Barton Avenue, Wallerawang.

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

## **POLICY IMPLICATIONS**

### **Policy 7.6 Development Applications By Councillors And Staff Or On Council Owned Land**

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

### **Policy 7.7 Calling In Of Development Applications By Councillors**

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

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

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

The application has been called in by Cllr Wayne McAndrew.

## **FINANCIAL IMPLICATIONS**

- Budget approved - N/A
- Cost centre - N/A

- Expended to date - N/A
- Future potential impact - N/A

### **LEGAL IMPLICATIONS**

No specific implications at this point of the process.

### **RECOMMENDATION**

**THAT** the calling in of Development Application DA114/18 be noted

**ITEM-6                    ECDEV - 25/06/18 - FOUNDATIONS SITE PORTLAND- DRAFT PLANNING PROPOSAL UPDATE**

**REPORT BY:     DIRECTOR ECONOMIC DEVELOPMENT & ENVIRONMENT**

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## **SUMMARY**

The purpose of this report is to advise Council of the receipt of a Draft Planning Proposal for the Foundations Site at Portland (Former Portland Cement Works); provide a brief description of the proposal and to provide information on the matters that require further consideration at this initial point in the assessment process.

## **COMMENTARY**

### **BACKGROUND**

At the time the Lithgow Local Environmental Plan 2014 was being prepared the site was under rehabilitation as part of the Portland Cement Works Closure Plan.

Following discussions with Boral and their planning team the site was only partially zoned in the Lithgow Local Environmental Plan 2014 with the majority of the site identified as a “deferred matter”. These sections of the site remain zoned 2(v) Village under the Lithgow Local Environmental Plan 1994. This allowed further time for further investigations and planning work to be undertaken to inform the nature of future land use on the site.

The freehold land within the site was transferred to GM Portland Developments Pty Ltd in 2014. Since the transfer of ownership, works required to complete the process of relinquishing mining leases have been undertaken including the demolition of certain buildings, heritage protection works, soil remediation, hazardous material removal, weed control work, safety signage, groundwater monitoring, dam surface water monitoring, slope stability audits, and gabion wall stability audit. The cement store, loco shed and former bachelors’ cottage were demolished in 2015.

There are still some mine closure formalities which have to be completed.

The Draft Planning Proposal currently before Council seeks to remove the site as a “deferred matter” and to zone all parts of the site under Lithgow Local Environmental Plan 2014 and to accord with the Standard Local Environmental Plan.

**APPLICANT:** Catalyst Project Consulting Pty Ltd

**OWNER/S:** GM Portland Developments Pty Ltd and NSW Crown Lands.

### **SUBJECT SITE DESCRIPTION:**

The site lies immediately north of the current Portland town centre. It is generally bounded by Forest Street to the north, Carlton and Kiln Street to the west, High Street and Williwa Street to the east, and Williwa and Laurie Street to the south.

The site has an area of approximately 88ha and includes several land parcels including 21 parcels of crown land that are predominantly located to the west of the site. Some of those lots in the west are also subject to a registered native title claim under the Native Title Act 1993 (National Native

Title Tribunal file number NC 2013/001). The Native Title issues would need to be resolved before the crown lands could be wholly transferred over from Crown ownership.

The key features of the site and its surrounds are summarised in Figure 1 below. The site exhibits steep topography in a downwards direction from all boundaries, descending into the four man-made quarry lakes. There are significant views available from the north and north-west of the site into the lakes area and dense vegetation to the north of the site creating a natural site boundary. Limestone Creek traverses the site from north to south. Two unnamed creek tributaries traverse the site from south to south-west and from the north-east.

The four lakes originated as lime quarries. They have stepped back walls, are filled with water and are surrounded by rehabilitation plantings. They range in depth from 15-70m and have a combined surface area of 18.3ha.



Figure 1 Key Features of the Site and Surrounds (Roberts Day, 2017)

- |                        |                    |
|------------------------|--------------------|
| — The Foundations site | — Town Centre core |
| — Heritage Building    | — Accessway        |
| — Dense forest         | ⬆ Topographic peak |
| — Rocky plateau        | ⬆ Topographic peak |
| — Protected creek      | ● Key location     |

While the majority of the site remains a deferred matter under Lithgow LEP 2014 and subject to the controls of the Lithgow City LEP 1994 (2(v) Village zone), some of the lots at the site have already been zoned under Lithgow LEP 2014 as shown in Figure 2 below.

The site includes items of State Heritage including the Raffan's Mill and Brick Kilns Precinct and the Portland Cement Works Precinct including the Williwa St cottages and building complexes. The site is also included in the locally listed Portland Heritage Conservation Area (C10).

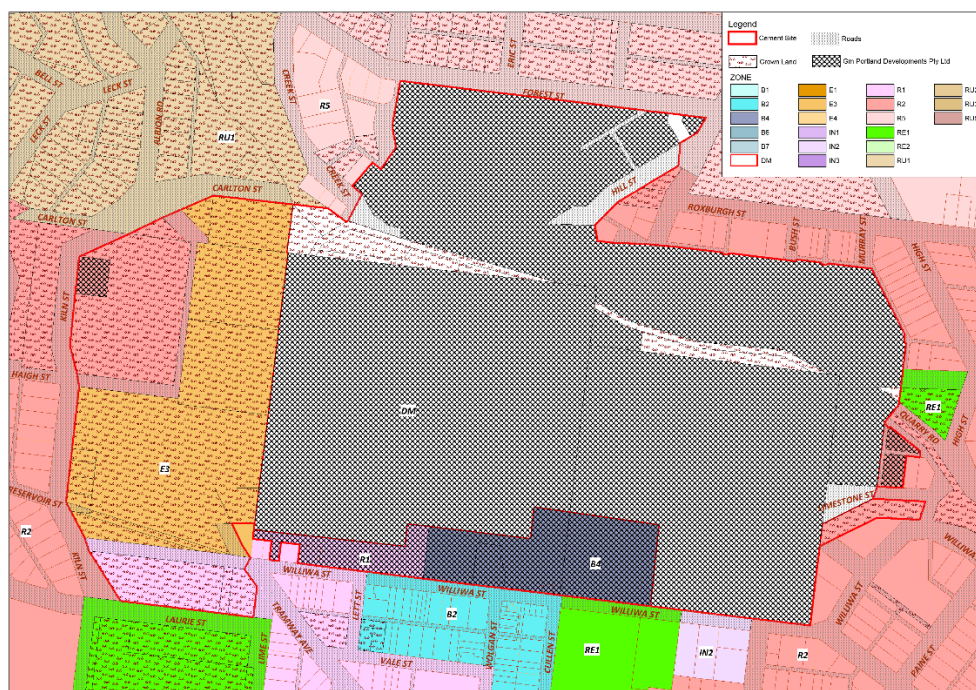


Figure 2 Site Zoning and Ownership

## DESCRIPTION OF DRAFT PLANNING PROPOSAL

The proponents have prepared a high level urban design framework and development concept for the Foundations site, building on several community consultation sessions and pre-proposal meetings with Council.

The Draft Planning Proposal seeks to bring the “deferred matter” area into the Lithgow Local Environmental Plan 2014 and to apply planning controls throughout the entire site by:

- rezoning the site to permit a range of residential, business, tourist , environmental protection; recreation and village centre uses; and
- to identify suitable minimum lot sizes for residential lands.

The intended outcomes of the Draft Planning Proposal are to:

- Facilitate a long term future development concept of the site for:
  - large lot residential (4.1ha with an average lot size of 1000m<sup>2</sup>)
  - standard residential (11.2ha with an average lot size of 450m<sup>2</sup>)
  - compact cottage residential (9.2ha with an average lot size of 300m<sup>2</sup>)
  - seniors living apartments and villas (72 on six lots with an average lot size of 1000m<sup>2</sup>)
  - employment and recreational land
- Encourage the appropriate activation and management of heritage items on the site
- Permit future works to improve the integrity of the man-made quarry lake in the east of the site whilst allowing some recreational use
- Avoid the need for multiple future Planning Proposals

The proposed land use designations will enable the site to be activated in the short to medium term so as to make orderly and economic use of the site until such time as built form development of the site is progressed which has been acknowledged is a longer term proposal.

Figure 3 below indicates the proposed future land use zones for the site:



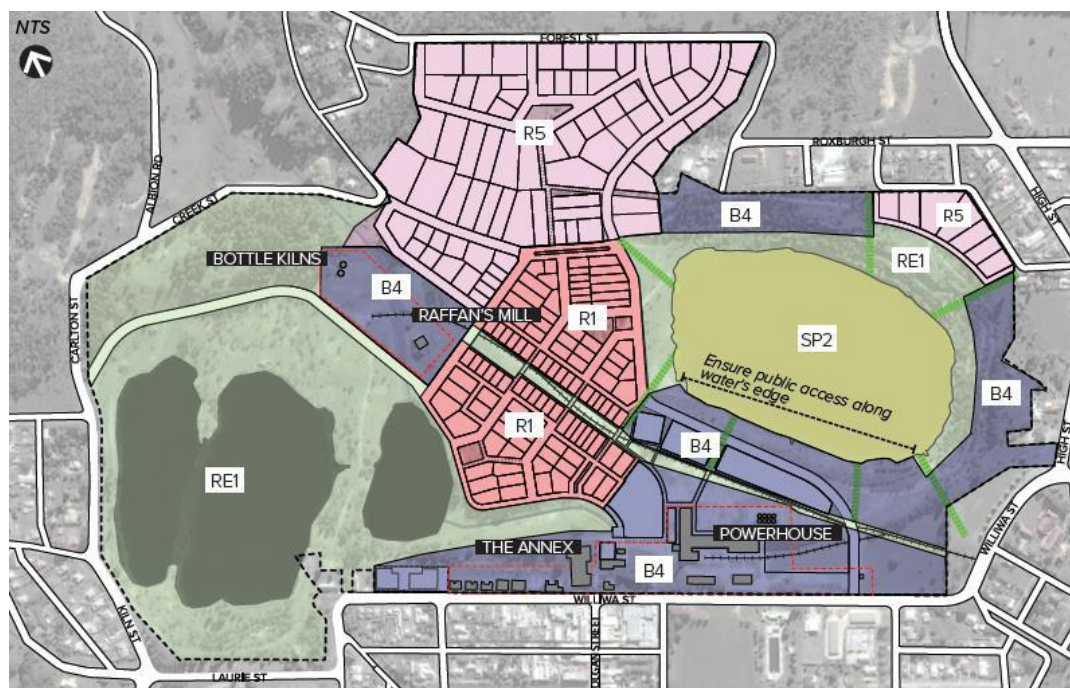


Figure 3 Proposed Land Zones (Roberts Day, 2018)

## PRELIMINARY ASSESSMENT

The Draft Planning Proposal has not provided any evidence of consultation or landowners consent with Crown Lands for the proposed zoning of those lands. As a significant proportion of the site is held in crown lands (a number parcels of which are affected by a Native Title claim), this will be necessary prior to Council proceeding to support the Draft Planning Proposal to ensure that the objectives and outcomes of the proposal as submitted could be reasonably achieved. It may be that the planning proposal requires amendment to exclude the crown land parcels.

At the time of the development of the Lithgow Land Use Strategy 2010-2030 and the Lithgow Local Environmental Plan 2014 (LLEP2014), the subject site was still undergoing quarry closure and rehabilitation and further investigation was required to enable an informed decision regarding future land use and this was reflected in the area being a “deferred matter” in the LLEP2014.

The development concept for the site as outlined in the Draft Planning Proposal is consistent with the Growth Management and Land Use Planning Principles of the Lithgow Land Use Strategy 2010-2030. It is also not inconsistent with any State or Regional Plans. The development concept, being built on sound urban development principles, will facilitate the reactivation of the site whilst positively integrating with the Portland town centre.

Whilst noting the important strategic merit of the Draft Planning Proposal, the preliminary assessment has highlighted a number of areas requiring consideration of how further investigation may occur, and at what stage during the planning proposal process it should occur. Some of these matters can be deferred to later in the process through recommendations to the Gateway and conditions of Gateway determination. Further discussions will be held with the proponent to map a way forward for these further investigations and possible mechanisms available to achieve the intended outcomes of the proposal.

These key matters are briefly outlined below and will be detailed in a further report to Council to consider the Planning Proposal.

- Crown Lands and implications of Native Title Claim and ownership.

- Consideration of State Environmental Planning Policy 55 – Remediation of Land. The past land use of the land being a limestone quarry/mine and operating Cement Works trigger the need for a preliminary investigation to be carried out in accordance with the Contaminated Land Planning Guidelines under SEPP 55. A phase 1 Environmental Site Assessment was undertaken for part of the southern portion of the site. Contamination has been previously identified on the site and some remediation and validation plans have been prepared and implemented. However such investigations did not cover all the lands the subject of the Draft Planning Proposal. Prior to making any planning decisions, Council needs to be satisfied the site is suitable for all the proposed land uses or can/will be made suitable.
- Consideration of potential of the site to be affected by localised overland drainage flows. The site is the receiver of a large catchment of stormwater flows during significant rainfall events from the upstream town footprint.
- Management mechanisms for public open space and recreation areas.
- Consideration and extent of impact upon the site stemming from potential breaches of structural integrity of quarry dam walls and the geotechnical integrity of land form changes over past dam structures.
- The need for a mechanism to manage future built form development, staging and impacts; such as a site specific development control plan.

It should be noted that the Planning Proposal document submitted for Gateway determination and after the Gateway Determination is the responsibility of Council. Therefore it is incumbent on Council to be satisfied with the level of detail provided in the planning proposal documentation to respond to the statutory requirements of the Act and its relevant Guidelines.

#### **REPORTABLE DONATIONS AND GIFTS:**

There have not been any disclosures of political donations or reportable gifts made in relation to this planning proposal.

#### **POLICY IMPLICATIONS**

Nil

#### **FINANCIAL IMPLICATIONS**

- Budget approved – N/A
- Cost centre – N/A
- Expended to date – N/A
- Future potential impact – N/A

#### **LEGAL IMPLICATIONS**

The Planning Proposal and Draft Local Environmental Plan are required to be in accordance with Part 3 Division 3.4 and relevant Guidelines of the Environmental Planning and Assessment Act, 1979.

#### **RECOMMENDATION**

**THAT** the report on the Planning Proposal for the Foundations site at Portland be noted and a further report will be forthcoming.

**ITEM-7                    ECDEV - 25/06/18 - PROPOSED CLOSURE OF CULLEN BULLEN LANDFILL  
- COMMUNITY CONSULTATION**

**REPORT BY:     DIRECTOR ECONOMIC DEVELOPMENT & ENVIRONMENT**

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## **REFERENCE**

Min No: 17-348 – Ordinary Meeting of 27 November 2017

## **SUMMARY**

The purpose of this report is to advise Council of the upcoming closure of the Cullen Bullen landfill as indicated in the Waste & Recycling Strategy 2016-2026. Prior to the closure of the Cullen Bullen landfill, community consultation will be undertaken to ensure the people are aware of their future waste disposal options. The full Community Consultation Strategy is available as an attachment to this report.

## **COMMENTARY**

To ensure compliance with the Environmental Guidelines; Solid Waste Landfills 2nd edition EPA 2016 and Council's Waste & Recycling Strategy adopted by Council on the 27th November 2017; It is proposed that Council close the Cullen Bullen garbage depot in 2019/20 financial year. In addition to complying with the above legislative and strategic documents, Cullen Bullen landfill has exhausted all available landfilling space making operations unsustainable.

Due to the proximity of Portland garbage depot and the considerable construction and ongoing operational costs it is recommended that the rehabilitation of the site does not include construction of a waste transfer station. Discontinuing all operations at the site will provide the opportunity of; improved resource recovery at a central facility such as Portland and a reduction in illegal dumping from out of area waste. It should be noted that a kerbside waste and recycling service is provided to Cullen Bullen.

A Community Consultation Strategy has been developed for the closure of the Cullen Bullen landfill to achieve delivery of a comprehensive program. This strategy will ensure that feedback is sought from Cullen Bullen & Ben Bullen residents on the closure, and rehabilitation of the landfill.

## **RATIONALE FOR CLOSURE**

**Environmental Benefits:** Closure of a landfill has benefits to the environment. It removes the opportunity for windblown litter, dust, and contaminated stormwater runoff. There will be a reduced risk of illegal dumping of out of area waste including (hazardous waste e.g. asbestos) and unauthorized disposal of waste from the levy paying area which could result in regulatory action against Council from the NSW Environment Protection Authority (EPA). Final capping of the site will reduce environmental risk to Council while providing better environmental outcomes for the community through increased resource recovery at the Portland garbage depot.

**EPA regulation:** All the airspace is used up at Cullen Bullen. The NSW Environment Protection Authority exempted small landfills in existence before 2008 from needing retrospective licence approval. A new landfill or an extension - even a simple small trench - would require EPA approval to licence the activity. An Environmental Impact Statement would likely be required.



**Unauthorised waste:** The remote location of Cullen Bullen landfill means the site is vulnerable to commercial waste and waste from outside the Lithgow LGA. Previous attempts by Council to control deliveries, via remote cameras, resulted in vandalism and theft of the cameras. Closing Cullen Bullen and using a larger facility (e.g. Portland) with existing and effective security will help ensure rural landfills are used only by those intended (i.e. residential domestic waste).

**Cost of closure, transfer station and haulage:** Council has budgeted \$350,000 for the closure of Cullen Bullen. Construction of a transfer station would be additional, and in the order of \$100,000. Council estimates the annual cost of emptying the bins to be \$30,000.

### Delivery Method of Community Consultation

Table 1: Method of Community Consultation to be undertaken within Cullen Bullen & Ben Bullen prior to closure to the landfill

Method	Why
<p>Media release</p> <ul style="list-style-type: none"> <li>- Local community radio, and newspaper</li> </ul>	<ul style="list-style-type: none"> <li>➤ Let Cullen Bullen residents know Council is undertaking consultation</li> </ul>
<p>Letter to resident</p> <ul style="list-style-type: none"> <li>- A4 double sided</li> </ul> <p>Front of letter will include:</p> <ul style="list-style-type: none"> <li>- background information, direction to online survey, option to fill in survey and mail back and info about drop in session.</li> <li>- council contact - Team Leader Environment</li> </ul> <p>Back of letter will include:</p> <ul style="list-style-type: none"> <li>- survey</li> <li>- mailed directly to residents of Cullen Bullen, and the Progress Association</li> <li>- limited no. made available at key locations in village</li> </ul>	<ul style="list-style-type: none"> <li>➤ direct way to provide information and directions to survey &amp; drop in session</li> <li>➤ direct mail out – greater success rate of engagement and completion of survey</li> </ul>
<p>Survey</p> <ul style="list-style-type: none"> <li>- made available online via LLC website</li> <li>- mailed directly to residents via letter.</li> <li>- promotion via council website/council's waste website &amp; flyer</li> <li>- media release local community radio, and newspaper</li> <li>- LLC will collate data and enter into excel for analyses and reporting by Impact Environmental</li> </ul>	<ul style="list-style-type: none"> <li>➤ efficient way to collect and analysis data</li> <li>➤ utilise existing promotional tools</li> <li>➤ making available online and direct mail out will increase rate of engagement and completion rate.</li> </ul>
<p>Drop in information session</p> <ul style="list-style-type: none"> <li>- hold one drop in information session</li> <li>- 4.30pm – 5.30pm</li> <li>- held in Cullen Bullen Progress Hall</li> <li>- facilitated by Team Leader Environment</li> </ul>	<ul style="list-style-type: none"> <li>➤ provides face to face contact</li> <li>➤ opportunity for council to provide more information and residents to ask questions in person</li> </ul>
<p>Sign at entrance to landfill</p> <p>Will include:</p> <ul style="list-style-type: none"> <li>- brief background information</li> <li>- direction for online survey</li> <li>- contact details for paper copy survey (Team Leader Environment)</li> </ul>	<ul style="list-style-type: none"> <li>➤ informs and engages landfill users directly</li> </ul>

## **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

- Budget approved – N/A
- Cost centre – N/A
- Expended to date – N/A
- Future potential impact – N/A

## **LEGAL IMPLICATIONS**

Section 76 of the *Protection of the Environment Operations Act 1997*, specifies post-closure requirements for licenced waste facilities, including preparation of a closure plan. Cullen Bullen waste depot is not covered by a licence condition requiring submission of a closure plan. Notwithstanding this the requirements under this section have been considered and a closure plan has been developed for this site to ensure best practice.

## **ATTACHMENTS**

1. Lithgow Council Consultation Strategy – Cullen Bullen Landfill Closure
2. Community Information letter and Survey

## **RECOMMENDATION**

**THAT** the community consultation for the closure of Cullen Bullen landfill commence as outlined in this report.

**ITEM-8                    ECDEV - 25/06/18 - ECONOMIC DEVELOPMENT & ENVIRONMENT POLICY REVIEW**

**REPORT BY:    DIRECTOR ECONOMIC DEVELOPMENT & ENVIRONMENT**

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## **REFERENCE**

Min No. 17-238 Ordinary Council Meeting of 14 August 2017

Min No. 17-303 Ordinary Council Meeting of 23 October 2017

## **SUMMARY**

To provide a number of policies to Council for approval as part of the comprehensive review of Economic Development & Environment Division Policies.

## **COMMENTARY**

Council will recall the comprehensive review of policies administered on behalf of Council by the Economic Development & Environment Division. Due to the number of policies involved they have been coming to Council in batches. This is the third batch of policies now available for Council consideration and they include the following:

- Policy 7.1 – Filling and levelling of land.
- Policy 7.2 – Subdivision - Release of subdivision plans.
- Policy 7.3 – Planning - Exhibition homes on land zoned residential.
- Policy 7.4 – Rainwater storage for domestic use - non-urban areas.
- Policy 5.1 – Building over easements.

Copies of the policies are attached to the Business paper with the proposed changes shown as “track changes” within each policy. Most changes within the policies are relatively minor.

As the majority of alterations proposed in this batch of policies are relatively minor, it is suggested that there is no need to publicly exhibit the revised policies prior to their final adoption.

## **POLICY IMPLICATIONS**

Primarily the subject of this report.

## **FINANCIAL IMPLICATIONS**

- Budget approved – N/A
- Cost centre – N/A
- Expended to date – N/A
- Future potential impact – N/A

## **LEGAL IMPLICATIONS**

Policies are prepared to assist in decision making and provide further guidance with regard to statutory obligations.

## ATTACHMENTS

1. Policy 7.1 – Filling and levelling of land.
2. Policy 7.2 – Subdivision - Release of subdivision plans.
3. Policy 7.3 – Planning - Exhibition homes on land zoned residential.
4. Policy 7.4 – Rainwater storage for domestic use - non-urban areas.
5. Policy 5.1 – Building over easements.

## RECOMMENDATION

**THAT** Alterations to the following policies as outlined in the attached versions be adopted and implemented immediately:

- Policy 7.1 – Filling and levelling of land.
- Policy 7.2 – Subdivision - Release of subdivision plans.
- Policy 7.3 – Planning - Exhibition homes on land zoned residential.
- Policy 7.4 – Rainwater storage for domestic use - non-urban areas.
- Policy 5.1 – Building over easements.

## OPERATION REPORTS

### ITEM-9            OPER - 25/06/18 - URGENT BRIDGE RECONSTRUCTION - DRAFT 2018/19 OPERATIONAL PLAN

**REPORT BY:    EXECUTIVE MANAGER OPERATIONS**

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## SUMMARY

This report requests the consideration of Council regarding the reallocation of funds in the draft 2018/19 Operational Plan for the urgent reconstruction of a bridge within the township of Hartley Vale. The bridge is at a high risk of failure.

## COMMENTARY

As part of the 2017/18 Timber Bridge Inspections program, a bridge on Hartley Vale Road, just outside the township of Hartley Vale has been identified as requiring urgent reconstruction. Unfortunately, as a result of the nature of this sudden failure, repair of the existing structure may be extremely difficult. See attached images for evidence of the disrepair.

The cause of the sudden and significant damage to the existing sandstone abutments of the bridge is currently unknown and as such, inspections are being carried out twice per day by both Council engineers and local bridge construction experts. A 5 tonne load limit has been placed on the bridge to minimise further damage by restricting heavy vehicle traffic while still allowing residential and light vehicle through traffic.

Works are already underway on the procurement of a temporary single span bridge to be constructed immediately adjacent to the existing bridge to divert traffic and minimise disruption to local residents while the cause of damage and methods of remediation are investigated. This temporary bridge will have a load capacity of 25 tonnes and will serve to provide temporary access to all but the largest of heavy vehicles. Once installed, Council staff will construct the required approaches to this temporary bridge. It is expected that this temporary bridge will in place by Monday or Tuesday next week and the approaches constructed within one working day.

Local experts have been contacted to provide their services in geotechnical and structural investigation to determine the cause of the issue. While at this stage the damage appears to be severe, thorough investigation of the existing structure (once a temporary bridge has been installed) will provide the additional information required to make a final judgement. Regardless, repair costs will be significant utilising one of two options as follows:

1. Jacking of the bridge deck, deconstruction of the existing sandstone abutments, backfilling with stabilised earth material and reconstruction of the abutments.
2. Decommissioning of the existing structure subject to any advice sought regarding heritage value and replacement with a large box culvert structure.

At this stage, while the cause and total extent of the damage is unknown, Council engineers are expecting Option Two to be required. Preliminary cost estimates have been received and place the total value of the required deconstruction, investigation and construction work at approximately \$174,545 excluding GST.

Should Council accept the recommended funding reallocation, \$206,148 remains in the project budget for Magpie Hollow Road, Rydal. This is 57% of the funding required to complete the

proposed scope of renewal. Therefore it is proposed to reallocate funds to the urgent reconstruction of the Hartley Vale Bridge, subject to immediate investigation of cause and options for remediation. Subsequently, the total required project allocation of \$397,148 will be considered in the draft 2019/20 Operational Plan.

#### **POLICY IMPLICATIONS**

NIL

#### **FINANCIAL IMPLICATIONS**

- Budget approved – NIL
- Cost centre – NIL
- Expended to date - NIL
- Future potential impact – \$174,545 excl. GST

#### **LEGAL IMPLICATIONS**

NIL

#### **ATTACHMENTS**

1. Set of images showing the condition of the abutments of the Hartley Vale Bridge.

#### **RECOMMENDATION**

##### **THAT** Council:

1. Note the report;
2. Consider the reallocation of \$174,545 excl. GST from the Magpie Hollow Road, Rydal project in the 2018/19 Operational Plan to fund the urgent investigation and repair of the Hartley Vale Bridge.
3. Consider the renewal of Magpie Hollow Road, Rydal in the draft 2019/20 Operational Plan at a project value of \$397,148.

**ITEM-10            OPER - 25/06/18 - PROPOSED ROAD CLOSING - OFF BELLS ROAD, LITHGOW**

**REPORT BY:    EXECUTIVE MANAGER OPERATIONS**

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## **SUMMARY**

This report advises of a request proposing to close an unformed road off Bells Road, Lithgow (between houses 25 and 29), allowing the adjacent land owner to purchase the land.

## **COMMENTARY**

Council has been approached by the owner of 29 Bells Road, Lithgow, requesting the closure of an unformed road off Bells Road, Lithgow located adjacent to their property, allowing them to purchase the property.

The road does not provide legal access to any property, and is currently only utilised as an access to the rear of 29 Bells Road, Lithgow.

Notification of the request was forwarded to adjoining neighbours and Emergency Service Agencies, who were provided with approximately six (6) weeks to review the proposal and provide comments. Responses were received from NSW Rural Fire Service, Western Mines Rescue Station, Nepean Blue Mountains Local Health District, and National Parks and Wildlife Service raising no objections to the proposed closing and subsequent sale to the resident.

The resident has agreed to fully fund any costs to Council, including application fees, surveying and legal fees, for the closing and transferring of this road.

As this is currently an unformed road, once approval for closing is granted by the Minister for Lands, the ownership of the parcel of land (formerly the road) will revert to the Crown Lands Department, and the proponents will be required to negotiate a sale price with the Department.

It is feasible for Council to close the road as requested, as there are no future plans requiring this road to be utilised.

<b>CONSIDERATION</b>	<b>RESPONSE</b>
<i>Market forces and impact on return from the sale of the asset;</i>	Council will require the land to be valued and compensation paid from the transfer and sale of this property
<i>Community need for the asset and alternative resources which could be considered to be substituted;</i>	The asset is not required for the Community, as alternative access is available to the property served by the road
<i>The strategic worth of the asset and its long term benefit to the community;</i>	The asset currently does not benefit the Community, and there are no plans to form the road in future years
<i>The purchase price and maintenance costs incurred over the lifespan of the asset should be assessed to determine, where possible, a return on investment of a particular asset;</i>	Council will not receive any income from the transfer and sale of this property, and currently does not expend any funds on the maintenance of this road
<i>That the funds raised from the sale of an asset should be considered as to their use and this must be reflected in the Council's Management Plan;</i>	It may be appropriate for the amount realised from any sale to be offset against road expenditure in the area.
<i>That the method of sale (for example auction vs private treaty) be determined and specifically resolved by Council.</i>	Not applicable to this project – asset ownership will revert to the Department of Lands
<i>The funds raised from the sale of land and/or buildings will be internally restricted for future strategic asset acquisitions or improvements.</i>	Council will not receive any income from the transfer and sale of this property

### **POLICY IMPLICATIONS**

This project complies with the objectives in Council's Asset Disposal Policies, as detailed below:

### **FINANCIAL IMPLICATIONS**

NIL, as the owner has agreed to fully fund all expenditure required by Council to close this road, including surveying, transfer, and legal fees.

### **LEGAL IMPLICATIONS**

Nil

### **ATTACHMENTS**

1. Plan showing the road proposed to be closed off Bells Road, Lithgow (between number 25 and 29).

### **RECOMMENDATION**

**THAT** Council:

1. Raise no objection to the proposed closing of the road off Bells Road, Lithgow (between houses 25 and 29), provided that the resident fully fund all expenditure in relation to the closure and transfer including a valuation of the land on which road is situated and payment of an amount equivalent to the value of the land; and
2. Liaise with Le Fevre Solicitors and Co and the Department of Lands regarding the application to close the road off Bells Road, Lithgow (between houses 25 and 29); and
3. Authorise Council's Mayor and General Manager to sign relevant documents relating to the closing and transfer of the road off Bells Road, Lithgow (between houses 25 and 29).



## WATER AND WASTE WATER REPORTS

### ITEM-11          WWW - 25/06/18 - WATER REPORT

**REPORT BY:    EXECUTIVE MANAGER WATER & WASTEWATER**

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## REFERENCE

Min No 18-:132          Ordinary Meeting of Council 28/05/18

## 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 Monday 11th June 2018 was 100%. Oberon Dam capacity on Monday 11th June 2018 was 59.30%.

### **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 Water NSW (Fish River Scheme) for 2017/2018.

**Table 1 – Oakey Park Monthly Output and Clarence Transfer 2017/2018**

Month	Oakey Park WTP (ML)	Clarence Transfer (ML)	Fish River Supply (ML)
July	119.4	0	79.3
August	141.5	0	59.3
September	143.5	0	58.4
October	110.5	102.4	73.4
November	59.0	76.0	63.6
December	88.3	12.2	45.5
January	130.7	55.9	116.2
February	112.0	78.3	73.3
March	122.2	133.7	55.9
April	137.9	79.3	70.8
May	117.6	132.7	59.6
<b>TOTAL</b>	<b>1,282.6</b>	<b>670.5</b>	<b>755.3</b>

### **Clarence Water Transfer Scheme**

The Clarence Water Transfer Scheme has been operating since 5th October 2017 and since commencing operation has pumped 670.50 megalitres of water into Farmers Creek No. 2 dam up to 31st May 2018.

### **Oakey Park Water Quality Summary**

Oakey Park Water Treatment Plant is currently supplying water to Lithgow and was supplying water to the villages for the period. No health-based ADWG values were exceeded for the period 15/05/18 to 15/06/18.

### **Treatment Plants Monitoring Results**

Samples are taken on a monthly basis at various locations within the STPs and WTP. Nine samples were taken on 29/05/18 and taken to Sydney Water for testing. There was one non-compliance recorded at Council's Wallerawang STP for the month of May 2018. The Ammonia level recorded was 6.70 mg's/L and Council's EPA Licence Limit for the Wallerawang Plant is 2.0 mg's/L. During regular in-house testing, the operators were aware that Ammonia levels were high and diverted outflows to a holding lagoon to eliminate any discharge to the environment. All test results are published on the Lithgow City Council website as required by the Protection of the Environment Operations Act 1997.

### **Fish River Water Scheme Water Quality Summary**

Fish River Water Supply supplied water to Marrangaroo, Wallerawang, Lidsdale, Portland, Cullen Bullen, Glen Davis and Rydal. 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 15/05/18 to 15/06/18.

### **Current Water Restrictions Update**

Level 3 restrictions are effective from Tuesday, 26th September 2017. This level of restriction has been in place to ensure that council is able to supply all residents connected to the reticulation network including those normally supplied by Fish River Water Scheme during interruptions to supply from the Scheme.

### **Water Saving Schemes or Processes Update**

Council's Rainwater Tank and Domestic Appliance Rebate Program continued with Council approving three (3) applications for household appliance rebates and receiving no applications for a water tank rebate for the period 15/05/18 to 15/06/18.

### **Water Reticulation Complaints**

Council received 9 complaints during the period 15/05/18 to 15/06/18 concerning water quality issues. Weather conditions have contributed to many of these complaints with samples taken at each location recording large temperature changes causing scouring of the mains. The water mains were flushed in all instances of water quality complaints and the water was tested at the location of each complaint with there being no exceedances of ADWG values.

### **POLICY IMPLICATIONS**

NIL

### **FINANCIAL IMPLICATIONS**

- Budget approved – N/A
- Cost centre – N/A
- Expended to date – N/A
- Future potential impact – N/A

### **LEGAL IMPLICATIONS**

NIL

### **RECOMMENDATION**

**THAT** Council note the water report.

## PEOPLE AND SERVICES

**ITEM-12            PS - 25/06/18 - COMBINED DELIVERY PROGRAM 2017-21 AND OPERATIONAL PLAN 2018-19**

**REPORT BY:    EXECUTIVE MANAGER PEOPLE AND SERVICES / CFIO**

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## REFERENCE

- Min 17-194:        Ordinary Meeting of Council 26 June 2017 – Integrated Planning and Reporting Framework
- Min 18-96:         Ordinary Meeting of Council 23 April 2018 - Delivery Program 2017-21 and Draft Operational Plan 2018/19
- Min 18-119:        Ordinary Meeting of Council 28 May 2018 – Lidsdale Footpath
- Min 18-129:        Ordinary Meeting of Council 28 May 2018 – Wallerawang Overbridge Pedestrian and Vehicular Traffic Issues

## SUMMARY

This report recommends the adoption of the Delivery Program 2017-2021 and Draft Operational Plan 2018/19 with identified amendments and consideration of submissions received prior to the advertised closing time of midnight on Monday 21 May 2018.

## COMMENTARY

Council at the Ordinary Meeting of 23 April 2018, resolved to place the Combined Delivery Program 2017-2021 and Draft Operational Plan 2018/19 on public exhibition for a period of 28 days from 24 April to 21 May 2018. Following the resolution, extensive advertising was conducted through the local media, on Council's Facebook pages, the Have Your Say Website and weekly Council's eNewsletter. A community consultation session was held in Cook Street Plaza. Copies of the plan were made available at the following locations:

- Councils website: [www.council.lithgow.com](http://www.council.lithgow.com) and [www.haveyoursay.lithgow.com](http://www.haveyoursay.lithgow.com)
- Council Administration Centre
- Lithgow Library Learning Centre
- Wallerawang Library
- Portland Library
- Rydal Library

### **Have Your Say Website and Social Media**

Council developed a comprehensive web and social media campaign which was designed to enable community members to make informed submissions to the Draft 2018/19 Operational Plan and Schedule of Fees and Charges. 15 Submissions were received with the majority being submitted through the Have Your Say Website.

The Have Your Say website featured video messages from the Mayor and Council Officers on key programs, downloadable fact sheets, capital programs, reports to council and the Draft 2018/19 Operational Plan and Schedule of Fees and Charges. Below is statistical data from the website showing visits, downloads and views during the exhibition period of 24 April – 21 May.

<b>Have Your Say Website - Document downloads</b>		
<b>Document Title</b>	<b>Times Downloaded</b>	<b>%</b>
Draft Delivery Program 2017-21 Operational Plan 2018-2019	155	47.69
Draft Schedule of Fees and Charges 2018-2019	55	16.92%
Special Rate Variation Fact Sheet	20	6.15%
Draft Economic Development and Tourism Program	19	5.85%
Draft Roads and Infrastructure Program	19	5.85%
Draft Wallerawang, Portland and Lidsdale Works Program	18	5.54%
Draft Waste Management Program	10	3.08%
Draft Buildings Program	9	2.77%
Draft Recreation Program	9	2.77%
Draft Water and Sewer Program	7	2.15%
Budgeting for our Future	2	0.62%
Council Report – Delivery Program 2017-2021 and Operational Plan 2018/19	1	0.31%
Council Report – Policy 4.2 Financial Assistance	1	0.31%

<b>Have your Say Website – Videos</b>	
<b>Title</b>	<b>Views</b>
Introduction – Lithgow City Council Mayor	80
Economic Development Program Presentation	7
Water and Waste Water Program Presentation	8
Main Street Revitalisation Project Presentation	6
Operations Program Presentation	6
Community & Culture (Recreation Program) Presentation	25
Finance & Assets (Budget and Special Rate Variation) Presentation	25

<b>Posts to Council Facebook Pages</b>							
<b>Post</b>	<b>Facebook Page</b>	<b>People reached</b>	<b>Post Clicks</b>	<b>Link Clicks</b>	<b>Likes</b>	<b>Number of Comments</b>	<b>Shares</b>
Have your say on the future of the LGA	Lithgow City Council	1,103	119	30	7	2	5
	Revitalising Lithgow	634	62	17	1	3	1
If you look after the pennies the dollars will look after themselves	Lithgow City Council	1,619	329	16	5	33	3
Draft Streets & Roads Program	Lithgow City Council	738	186	6	2	0	2
Draft Capital Program for Wallerawang, Lidsdale, Portland	Lithgow City Council	2,414	357	31	10	7	8
Post Share to page – Lithgow Mercury Article – Lithgow Council hosts community feedback forum on Operational Plan	Lithgow City Council	430	115	37	3	0	1
	Revitalising Lithgow	390	86	26	4	0	0
Have Your Say – Full Page Ad for the Village Voice	Lithgow City Council	616	51	4	3	0	0
	Revitalising Lithgow	526	38	3	2	0	1
	Library & Eskbank House Museum	136	11	2	0	0	0
Community consultation in Cook Street Plaza	Lithgow City Council	451	19	1	2	0	0

During the consultation period, Council and other local social media pages were monitored for comments which were responded either directly (on Council social media pages) or through the development of media releases and fact sheets on matters of interest to the community, for example, the Draft Capital Program for Wallerawang, Lidsdale and Portland was developed in response to community members wanting to know details of proposals for their area.

### Community Feedback Session

A Community Feedback Session was held on Thursday 3 May between 11.30am and 2.30pm in Cook Street Plaza to enable members of the community to meet with Council Officers and Councillors to discuss the Draft 2018/19 Operational Plan. The Mayor, Councillor Lesslie and

Councillors Thompson, Coleman, Ring and Goodwin were all in attendance along with the General Manager, Directors and Officers from Water & Waste Water, Operations, Environment, Economic Development and Corporate divisions. Members of the community from across the local government area (including Capertee Valley, Hampton, Portland, Wallerawang, Lidsdale and Lithgow) took the opportunity to discuss a variety of matters in the Draft Operational Plan such as the roads and footpath program, CBD Revitalisation, the proposed Special Rate Variation, waste and environmental issues and Council's economic development program.

#### **Proposed amendment to the Draft 2018/19 Operational Program – Special Waste Charge**

In 2018/19, additional costs will be incurred by Council's kerbside waste contractor for the processing of recyclable materials. Whilst some support has been provided by the NSW Government, Council has no alternative except to add the cost increase as a 'special waste charge' of \$28.00 per service for 2018/19. The \$28.00 'special waste charge' represents a 6.4% increase in waste charges for residential, business and non rateable customers for the 2018/19 year.

#### **Proposed amendment to the Draft 2018/19 Operational Program – Bridge Reconstruction – Hartley Vale (to address high risk of failure)**

Full details of the need for the proposed Hartley Vale Bridge Reconstruction Project are included in a separate June 2018 Operations report. It is proposed to reallocate \$174,545 from the Magpie Hollow Road, Rydal project in the draft 2018/19 Operational Plan to fund the urgent investigation and repair of the Hartley Vale bridge. It is recommended that Council consider the renewal of Magpie Hollow Road, Rydal in the draft 2019/20 Operational Plan at a project value of \$397,148.

#### **Proposed amendment to the Draft 2018/19 Operational Program – Councillor Initiatives**

At the Ordinary Meeting of Council held on 28 May 2018, two Councillor initiatives were considered which proposed changes to the Draft 2018/19 Operational Plan. Council should now determine a resolution of these matters in consideration with submissions received as part of the community consultation process:

##### Lidsdale Footpath

##### **18 – 119 RESOLVED**

##### **THAT Council**

1. *Consider the inclusion of the Lidsdale footpath project in the 2018/19 draft Operational Plan.*
2. *Consider the deferral of half of the Magpie Hollow Road, Rydal resealing project for consideration in the 2019/20 Operational Plan to enable funds to be allocated in 2018/19 to the Lidsdale footpath project when it considers its final report on the adoption of the Draft 2018/19 Operational Plan in June 2018.*
3. *Refer the site and cost impact to the next Operations Committee meeting.*

##### Wallerawang Overbridge Pedestrian and Vehicular Access Issues

##### **18 – 129 RESOLVED**

##### **THAT Council:**

1. *Note the report regarding projected costs for the installation of a pedestrian footpath on the western side of the Wallerawang Rail Overbridge; and*
2. *Consider reallocation of \$200,000.00 from the Hughes Lane, Marrangaroo project in the Draft 2018/19 Operational Plan to fund construction costs for the Wallerawang Rail Overbridge when it considers its final report on the adoption of the Draft 2018/19 Operational Plan in June 2018.*

#### **Community Submissions**

The following table provides a summary of the submissions received which are relevant to the Draft Operational Plan 2018/19 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 written submissions – 2018/19 Operational Plan

#### Caring for our Community

#### CC 3 – We feel safe.

Delivery Program Action (2017-2021)	Operational Plan Action (2018-2019)	Summary of Community Submission	Officers Response
CC3.1 Community safety and compliance is monitored.	CC3.1.1 Responsible care of animal welfare and maintenance of the Lithgow Animal Shelter.	There are no specified measures under CC3.1.1, are the reportable targets to go up or down as a %? If the animal welfare team 'destroy' 10% of impounded animals is that an improvement or an increase? – Without clear measures, this area of operation is not transparent in how it's performing.	In response to the targets and performance measures set in the Annual Operational Plan, Council provides monthly, annual and four yearly comparisons in the Six Monthly, Annual and End of Term Reports.

#### Strengthening our Economy

#### SE2 – We encourage economic growth and diversity.

Delivery Program Action (2017-2021)	Operational Plan Action (2018-2019)	Summary of Community Submission	Officers Response
SE2.2 – A strong tourism industry that maximises benefits from visitors to the Lithgow LGA.	SE2.2.2 – Delivery LithGlow and Halloween as two signature events.	Why is there no sponsorship target identified for LithGlow? Demonstrates a lack of forward planning and a need for more staff accountability to targets?	Sitting underneath this action are comprehensive event plans and critical paths with aligned KPIs across all elements, inclusive of forecast sponsorship revenue. LithGlow financial sponsorship secured in 2018 was \$7,000 (20% on top of Council contribution). The goal is to match or exceed this in 2019.
	SE 2.2.6 – Enhance and create strong partnerships with local tourism businesses.	\$15,000 has been allocated to "Implementation of the Tourism Destination Management Plan," however no activity has been identified to validate that amount or clarify what the 2018/19 priority activities from this plan are. For transparency and effective staff accountability, specific deliverables should be identified.	This is just one of a six tourism actions in the plan that align to the Destination Management Plan. Each action will have outputs and outcomes identified and reported back against across the financial year. Alliances created with local tourism operators will ensure collaborative projects and programs development and delivery, with mutually agreed KPIs set.

<b>Developing our Built Environment</b>			
<b>BE 1 – Our built environment blends with the natural and cultural environment.</b>			
<b>Delivery Program Action (2017-2021)</b>	<b>Operational Plan Action (2018-2019)</b>	<b>Summary of Community Submission</b>	<b>Officers Response</b>
BE1.2 – We provide cultural and recreational infrastructure that meets the needs of the community.	BE1.2.1 – Implement the CBD Revitalisation Action Plan.	Objection to Stage 1, CBD Revitalisation Project and use of ratepayer funds undertake the upgrade.	The objection be noted.
BE1.4 – Match infrastructure with development	BE1.4.2 – Upgrade and maintain urban and rural roads to an acceptable standard in accordance with their level of traffic use.	Re-sealing of View Street, Lidsdale <i>“A number of S94 contributions have been received by Council for this street over the past few years with new subdivision developments going in.”</i>	Section 94 Contributions were payable on a 2006 development consent for a subdivision but this was not for expenditure on View Street.  Inspections have determined that the priority for repair is no greater than that for the nominated roads in Lidsdale. This asset has been placed in a list for consideration in the 2019/20 financial year at an estimated cost of \$95,000.00.
		Resealing of Tobruk Street, Lithgow <ul style="list-style-type: none"> <li><i>“I think Tobruk Street, Lithgow needs resealing. The street is full of pot holes that just keep getting filled in.”</i></li> <li><i>“The road is in urgent need of replacement. Multiple potholes that have been filled numerous times are now becoming dangerous.”</i></li> </ul>	Works are required in this area as the two-coat seal has reached the end of its useable life. However, with the exception of removing a project from a different locality (Wallerawang/Portland etc.), there are no higher priorities due to the reduced traffic counts on Tobruk Street. Recommended for reseal in the 2019/20 financial year at a cost of \$65,000.00
		Sealing of Thompsons Creek Road, Pipers Flat <i>“Some of the issues are:</i> <ul style="list-style-type: none"> <li><i>• Corrugations in the road</i></li> <li><i>• Deep water ruts</i></li> <li><i>• Debris on the road which has made the road only suitable for one way traffic</i></li> <li><i>• Huge amounts of dust created</i></li> <li><i>• Numerous pot holes.”</i></li> </ul>	2.7 kilometres of Thompsons Creek Road remains unsealed. This section has good gravel content and does not require resheeting. Isolated rutting has occurred on hills and bends. Localised constrictions to be rectified during standard maintenance. Minimal potholes. Recommend grading and maintenance according to priority.
		<i>“In my opinion Bathurst Street, Wallerawang is in twice as good condition as Lidsdale Street...[and] you need a 4wheel drive in Lidsdale Street back lane.”</i>	Condition of Bathurst Street is similar to Lidsdale Street. For this reason, from Rose Lane to the west should be considered for reseal in the 2019/20 financial year at a cost of \$60,000.00

		<i>“Hazelgrove Road is badly corrugated its shaking our cars apart. It needs some attention.</i>	Hazelgrove Road requires capital seal as a result of the geometric constraints and constant traffic. Issues in this area are posing a hazard to the community and a significant expense to Council as a result of frequent maintenance. Cost to Council is expected to be approximately \$825,000.00, spread over two financial years.
		<i>“The Mutton Falls Road has rough edges which make passing other vehicles hazardous, also trees encroaching on to the road side.</i>	Centre carriageway is in good condition. Edge breaks are present however not a priority at this time.
		Trimming of street trees in Academy Street – not being undertaken. <i>“...the last few years Council hasn’t trimmed the trees but have increased the rates. I have had to pay someone to trim the trees, but I feel I have already paid this service in my rates”.</i>	Inspections show that no street tree trimming is currently required in Academy Street. Ongoing maintenance will occur in accordance with local priorities.
BE1.2 We provide cultural and recreational infrastructure that meets the needs of the community.	BE1.2.7 Improve the quality of life of rural village communities.	(What is in the draft operational plan, but we haven’t got quite right?) <i>A picnic shelter at Tarana. Maybe it could be useful to have a toilet to go with it?</i>	In December 2015, Council consulted with the communities of Tarana and Sodwalls as part of the development of the Tarana/Sodwalls Village Improvement Program. The community identified the need for a picnic shelter to be installed at Tarana as a priority item. However, the community did not identify the need for the installation of a public toilet to be installed in the village.



<b>Enhancing our Natural Environment</b>			
<b>NE1 – We use our resources wisely</b>			
<b>Delivery Program Action (2017-2021)</b>	<b>Operational Plan Action (2018-2019)</b>	<b>Summary of Community Submission</b>	<b>Officers Response</b>
NE1.1 – Reduce, reuse and recycle our resources.	NE1.1.1 Provide garbage disposal facilities within the LGA.	<ul style="list-style-type: none"> <li>Council to look at education programs/initiatives/incentives to be involved in the current world movement of not burning rubbish but individuals taking responsibility for their own rubbish – i.e. recycle, refurbish, reuse.</li> <li>Support given for the Lithgow Resource Recovery Centre.</li> </ul>	<p>Any energy recovery project would be determined by the NSW Minister for Planning, information on proposed developments are available through NSW Department of Planning and Environment website (<a href="http://www.planning.nsw.gov.au/">http://www.planning.nsw.gov.au/</a>).</p> <p>Any project will be assessed against relevant planning controls and the general public, like Lithgow Council, have the opportunity to provide comment as part of that process.</p> <p>Council currently delivers a waste education program actively encouraging the message Avoid, Reuse and Recycle through this program. The program targets local schools through programs and the broader community through events such as Halloween and organic recycling community workshops and bin inspection program.</p>

<b>NE 2 – We understand the environment</b>			
<b>Delivery Program Action (2017-2021)</b>	<b>Operational Plan Action (2018-2019)</b>	<b>Summary of Community Submission</b>	<b>Officers Response</b>
NE2.1 Our natural environment is improved and protected.	NE2.1.6 Plan or assist in coordinating activities that raise awareness and positively engage the community in managing the natural environment.	Education and protection of waterways – with reference to Vale of Clwydd Creek and residents disposing of waste (general rubbish, building materials and green waste onto the embankment and into the water.	Significant works have been undertaken in the Vale of Clwydd through the removal of willows along the creek and replacement with native vegetation. Further work through the Landcare Coordinator could continue education in this area.
		Council to look at opportunities with a rated return system for bulk buy Solar PV systems for the entire community.	Whilst it is understood that bulk buy programs have occurred in other areas, Council believes that it should focus on its own infrastructure and that such supply of solar systems should be in the domain of the market.
		Council to develop and implement a Renewable Energy Action Plan.	The Environmental Advisory Committee is currently considering what this would consist of with recommendations to be provided to Council for consideration.

<b>Governance and Civic Leadership</b>			
<b>GL1 Our Council works with the community</b>			
<b>Delivery Program Action (2017-2021)</b>	<b>Operational Plan Action (2018-2019)</b>	<b>Summary of Community Submission</b>	<b>Officers Response</b>
GL 1.1 Our community is involved in the planning and decision making processes of Council.	GL1.1.2 Identify and develop new plans and strategies in line with the community's needs.	Develop an Inclusive Waterways Plan for Marrangaroo Creek as part of the Marrangaroo LEP.	<p>The objective of Water Management at Marrangaroo is to protect natural systems, integrate storm water treatment into the landscape, protect water quality, and reduce runoff and peak flows. In addition to these wider goals, development should take steps to reduce the on-site potable water consumption.</p> <p>This will be achieved through best practice Water Sensitive Urban Design controls for each development implemented through the Marrangaroo Development Control Plan.</p> <p>A separate waterways plan is not planned.</p>

<b>Enhancing our Natural Environment</b>			
<b>NE1 – We use our resources wisely</b>			
<b>Delivery Program Action (2017-2021)</b>	<b>Operational Plan Action (2018-2019)</b>	<b>Summary of Community Submission</b>	<b>Officers Response</b>
NE1.1 – Reduce, reuse and recycle our resources.	NE1.1.1 Provide garbage disposal facilities within the LGA.	<ul style="list-style-type: none"> <li>Council to look at education programs/initiatives/incentives to be involved in the current world movement of not burning rubbish but individuals taking responsibility for their own rubbish – i.e. recycle, refurbish, reuse.</li> <li>Support given for the Lithgow Resource Recovery Centre.</li> </ul>	<p>Any energy recovery project would be determined by the NSW Minister for Planning, information on proposed developments are available through NSW Department of Planning and Environment website (<a href="http://www.planning.nsw.gov.au/">http://www.planning.nsw.gov.au/</a>). Any project will be assessed against relevant planning controls and the general public, like Lithgow Council, have the opportunity to provide comment as part of that process.</p> <p>Council currently delivers a waste education program actively encouraging the message Avoid, Reuse and Recycle through this program. The program targets local schools through programs and the broader community through events such as Halloween and organic recycling community workshops and bin inspection program.</p>

<b>Enhancing our Natural Environment</b>			
<b>NE1 – We use our resources wisely</b>			
<b>Delivery Program Action (2017-2021)</b>	<b>Operational Plan Action (2018-2019)</b>	<b>Summary of Community Submission</b>	<b>Officers Response</b>
NE1.1 – Reduce, reuse and recycle our resources.	NE1.1.1 Provide garbage disposal facilities within the LGA.	<ul style="list-style-type: none"> <li>Council to look at education programs/initiatives/incentives to be involved in the current world movement of not burning rubbish but individuals taking responsibility for their own rubbish – i.e. recycle, refurbish, reuse.</li> <li>Support given for the Lithgow Resource Recovery Centre.</li> </ul>	<p>Any energy recovery project would be determined by the NSW Minister for Planning, information on proposed developments are available through NSW Department of Planning and Environment website (<a href="http://www.planning.nsw.gov.au/">http://www.planning.nsw.gov.au/</a>). Any project will be assessed against relevant planning controls and the general public, like Lithgow Council, have the opportunity to provide comment as part of that process.</p> <p>Council currently delivers a waste education program actively encouraging the message Avoid, Reuse and Recycle through this program. The program targets local schools through programs and the broader community through events such as Halloween and organic recycling community workshops and bin inspection program.</p>

<b>Summary of written submissions – Special Rate Variation</b>	
<b>Summary of Community Submission</b>	<b>Officers Response</b>
<i>"The rate rise of 9% is exorbitant and something the people of Lithgow cannot afford".</i>	The submission is noted. The 9% Special Rate Variation (SRV) application will include permanent retention of the existing 4.77% SRV. The proposed actual increase on 2018/19 rates will be 4.23%.
<i>"I am a single person with a mortgage and I don't want another rate increase when we just had one last year...My neighbour is an elderly person who owns her home and lives on a single pension. I see her struggle and she doesn't have any spare money to fix things around her home or pay someone to mow her lawns. This rate increase will have a significant impact on pensioners".</i>	The submission is noted. Under the Local Government Act 1993, eligible pensioners are provided concessions on their ordinary rates and domestic waste management services charge. The cost of providing these concessions is shared between the State Government (55%) and local councils (45%).
<i>"Cost cutting is not considered. Reliance on rate increases is always the answer and too easily relied upon... You've missed making it possible for all members of the community to voice their concerns regarding a SRV. You've also missed considering the situations of the majority of your community members and their ability to absorb this increase, and so many other increases in costs that barely enable a very basic living standard. You've missed reference to the cost to our community of the termination of our previous general manager, before consulting anyone as to the pitfalls. You've missed transparency as to those members of the community that are being surveyed regarding Draft Plans."</i>	The submission is noted. The 2017-2027 Long Term Financial Plan identified a range of measures to generate long-term operational efficiencies estimated at <u>\$2.5M</u> by the end of 2019/20. The efficiencies currently being implemented include a service review program and a review of a range of governance practices and procedures. As an outcome, the Council will deliver services based on thorough analysis of the long term demand, need and type of facilities that meet the community's requirements and which are affordable within the means of Council. The Council will use an appropriate variety of engagement methods to ensure community awareness and input into the Special Rate Variation process.

### Draft 2018/19 Fees and Charges

- The 2018/19 Fees and Charges have been amended following advice from the Office of Local Government as follows:

In accordance with section 566(3) of the Act, it has been determined that the maximum rate of interest payable on overdue rates and charges for 2018/19 rating year will be 7.5%.

- The fee for “Section 121ZP Certificate (Environmental Planning & Assessment Act)” was removed following changes to the Act. On advice from Planning NSW this has been reinstated and will be \$135 per certificate for Orders.
- The monthly fee for “Property information non-financial (valuers)” is to be reinstated at \$278 per month. The fee provides valuers / agents the option of a subscription type service for unlimited S602 certificates per month.
- To enable cost recovery per kL for water usage from metered standpipes, it is proposed that the “Water Usage” fee on page 112 be changed from “As per residential Tier 2” to \$7.00 (ex GST) per kilolitre and the name of the fee be changed to “Metered Standpipes”.
- Due to issues with builders disconnecting new water meters at residential building sites, a new fee, “Security deposit for water meter compliance” is proposed to be included under Section 68 Approvals on page 58. The amount of \$500.00 (ex GST) per application. The security deposit will be refunded once building is completed and upon certification that the water meter remains connected to the water main.
- The annual CPI increase in Companion Animal Registration Fees for the 2018-2019 year has been published by way of the Companion Animals (Adjustable Fee Amounts) Amendment Notice 2018 and relevant fees have been updated.

Summary of written submissions – 2018/19 Schedule of Fees & Charges		
Service	Summary of Community Submission	Officers Response
JM Robson Aquatic Centre	<p>Object to:</p> <ul style="list-style-type: none"> <li>• Page 79 – new fee - Commercial learn to swim equipment and storage \$150.00 <i>“The fee is not in line with any other organisations being required to pay for essential equipment or additional storage fees on top of the fees already charged for the hire of a facility”</i></li> <li>• Lane hire proposed to increase from \$32/hr to \$34/hr <i>“Lane hire is proposed to increase by more than 6% for the 2018/19 financial year”</i></li> </ul>	<p>The Information be noted.</p> <p>Most pools do not allow private contractors to operate a private business. We have contacted Springwood (so we are assuming none of the BMCC pools allow private contractors), Bathurst (awaiting written confirmation) and Parkes. Also waiting on responses from Narrabri, Grenfell, and Mudgee.</p> <p>Secure space attracts a premium at the moment, we do not have much space for platforms, our own Council owned swimming equipment, and the Swim Club's equipment. If instructors only have a few items (such as the author of the submission used for 5 hours per week) they could consider bringing the items with them to each lesson and taking them away at the end of the lesson – which would result in a reduced fee to cover Council owned equipment only. The equipment hire fee is to cover the expense of maintaining the platforms for young children, these are expensive to maintain. The Lane Hire increase is an increase of \$1:00 per 30 minute hire period, this increase is commensurate with increases in previous years.</p>

Library	<p>Object to:</p> <ul style="list-style-type: none"><li>Page 70 – Computer/WIFI – Subsequent Hours Fee of \$5.00 per hour. <i>“I am writing to advocate a substantial reduction of the proposed \$5.00 per hour fee, or that a 50% reduction of this fee could be made available for particular patrons under Section 610E (see page 4, “Fee Waivers, Refunds and Reductions”)...I have been regularly using the library computers for 2 hours per day, 4-5 days per week at a minimum cost of \$80 per month, and sometimes, substantially more.</i></li></ul> <p><b>Fee structure comparisons:</b></p> <ul style="list-style-type: none"><li><i>Katoomba public library currently provides 1.5 hours free to members. Subsequent hours are charged at \$1.00 per ½ hour.</i></li><li><i>Sydney City libraries provide 3 hours free to members. Subsequent hours are charged at \$3.70 per ½ hour.</i></li></ul>	<p>It is proposed fees and charges for that Internet/WIFI usage at the Library be changed to:</p> <ol style="list-style-type: none"><li>Computer/WIFI – first two hours – Free (increased from 1 hour)</li><li>Computer/WIFI – subsequent hours – \$2.50 per hour (reduced from \$5.00 per hour).</li></ol>
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### **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 2018-2019.

### **POLICY IMPLICATIONS**

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

### **FINANCIAL IMPLICATIONS**

The financial implications of the combined Delivery Program 2017/18 – 2020/21 and Operational Plan 2018/19 are detailed in the financial plans.

### **LEGAL IMPLICATIONS**

- Council is required to review and prepare an Integrated Planning and Reporting Framework by 30 June every four years.
- Council is required to prepare a Delivery Program by 30 June every four years.
- Council is required to prepare an Operations Program by 30 June every year.

### **ATTACHMENTS**

1. Public submissions submitted to the Lithgow City Council Integrated Planning and Reporting Framework received by the closing date Monday 21 May 2018.

### **RECOMMENDATION**

#### **THAT**

1. Council notes the receipt of 15 submissions received prior to the closing date of the 21 May 2018.
2. Council notes that operational issues from the submissions have been referred to staff to action
3. Council respond to the community members advising them of action taken.
4. Council make the rates and annual charges for the 2018-2019 rating year as detailed in the 2018-2019 Operational Plan.

5. Council notes the officers responses to community submissions and adopts the Lithgow City Council combined Delivery Program 2017-2021 and Operational Plan 2018-2019 with the following amendments where appropriate:
  - a. Due to a high risk of asset failure, \$174,545 be reallocated from the Magpie Hollow Road, Rydal resealing project in the 2018/19 Operational Plan to fund the urgent investigation and repair of the Hartley Vale bridge.
  - b. As a Councillor initiative, \$200,000.00 be reallocated from the Hughes Lane, Marrangaroo project in the 2018/19 Operational Plan to fund construction costs for the Wallerawang Rail Overbridge.
  - c. As a Councillor initiative, \$170,400 be reallocated from the Magpie Hollow Road, Rydal resealing project in the 2018/19 Operational Plan to fund the Lidsdale footpath project.
  - d. The addition of a 'special waste charge' of \$28.00 per service for 2018/19 to fund additional costs incurred by Council's kerbside waste contractor for the processing of recyclable materials.
  - e. The following programs be considered in the development of the 2019/20 and 2020/21 Draft Operational Plan capital works programs:
    - i. \$95,000 be considered in the 2019/20 Draft Operational Plan for the renewal of View Street, Lidsdale.
    - ii. \$60,000 be considered in the 2019/20 Draft Operational Plan for the renewal of Lidsdale Street west of Rose Lane to the end.
    - iii. \$825,000 be considered for capital upgrade of Hazelgrove Road in the 2019/20 and 2020/21 Draft Operational Plans.
    - iv. \$397,148 be considered in the 2019/20 Draft Operational Plan for the renewal of Magpie Hollow Road, Rydal.
6. Council notes the officers responses to community submissions and adopts the Lithgow City Council Fees and Charges 2017-2018 with the following amendments where appropriate:
  - a. The amendments in the Fees and Charges in relation to the following fees and charges be noted:
    - i. Interest payable on overdue rates & charges;
    - ii. Section 121ZP Certificates;
    - iii. Property information non-financial (Valuers) monthly fee;
    - iv. Metered Standpipes; and
    - v. Security Deposit for Water Meter Compliance.
    - vi. Annual CPI increase in Companion Animal Registration Fees
  - b. The fees and charges for that Internet/WIFI usage at the Library be changed to:
    - i. Computer/WIFI – first two hours – Free of charge
    - ii. Computer/WIFI – subsequent hours – \$2.50 per hour.

**ITEM-13            P&S - 25/06/18 - WORLD WAR I PLAQUE QUEEN ELIZABETH PARK WAR MEMORIAL**

**REPORT BY:    EXECUTIVE MANAGER PEOPLE AND SERVICES**

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## **REFERENCE**

Min-18-52:            Ordinary Meeting of Council 26 March 2018

## **SUMMARY**

This report recommends that Council support the proposal to install a plaque listing the names of all who served in World War I on the Queen Elizabeth Park War Memorial.

## **COMMENTARY**

At the Ordinary Meeting of Council held 26 March 2018, Council resolved (Min18 – 52) as follows:

**THAT** Council assist the Lithgow and Portland RSL Sub Branches to lobby the Federal Government to provide research assistance via ADFA and Duntroon to verify details of Service Men and Women who served their country in WWI and fulfil the criteria for remembrance agreed by the Lithgow and Portland RSL Sub Branches.

Council has since received a final list of 768 names from Mr Burrett and correspondence in support from Lithgow RSL Sub-Branch.

Correspondence has also been received from Portland RSL Sub-Branch stating that given the quality of the research undertaken by Mr Burrett, and the support of Lithgow RSL Sub-Branch, they no longer consider it necessary to seek the support of the ADFA and Duntroon to verify the service details of those on the plaque.

Michael Cuthbert of Lithgow RSL Sub-Branch has also indicated that it would likely take an extended time to get assistance from the ADFA and Duntroon in which case the plaque could not be completed before Remembrance Day 2018, the 100<sup>th</sup> anniversary of the WWI Armistice.

Production and installation of the plaque will be at no cost to Council.

## **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

- Budget approved – NIL
- Cost centre – N/A
- Expended to date - NIL
- Future potential impact - NIL

## **LEGAL IMPLICATIONS**

NIL

## ATTACHMENTS

1. Correspondence from Mr Burrett
2. List of Names WW1 Memorial
3. Correspondence from Lithgow RSL Sub-branch
4. Correspondence from Portland RSL Sub-branch

## RECOMMENDATION

### **THAT** Council:

1. Support the installation of the plaque listing the names of all who served in World War I on the Queen Elizabeth Park War Memorial noting that funding is to be provided by sources external to Council.
2. Write a letter of thanks to Mr Burrett for undertaking this very worthwhile project.



**ITEM-14            P&S – 25/06/18 – CORPORATE IMAGE & COMMUNICATIONS POLICY SUITE**

**REPORT BY: EXECUTIVE MANAGER PEOPLE AND SERVICES**

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## **REFERENCE**

Min 18-94:     Ordinary Meeting of Council 23 April 2018

## **SUMMARY**

To provide Council with a suite of policies to ensure that Council has a consistent corporate brand and presents itself in a professional and credible manner when engaging with the community

## **COMMENTARY**

As Council will recall, the following policies were submitted to Council on 23 April and subsequently exhibited to the public for comment:

- Policy 4.6 Customer Service & Unreasonable Complainants Version 4
- Policy 4.10 Community Engagement and Communications Policy Version 1
- Policy 9.10 Council Workshops and Briefing Sessions Version 3
- Policy 9.12 Media and Social Media Policy Version 3
- Policy 9.17 Corporate Image Policy Version 1

No submissions were received during the 28 day exhibition period.

Note: The Corporate Image Policy Version 1 has been re-numbered Policy 9.17, this is due to Policy number 9.16 having been allocated to the recently adopted Compliance Policy.

## **POLICY IMPLICATIONS**

Primarily the subject of this report.

## **FINANCIAL IMPLICATIONS**

- Budget approved – N/A
- Cost centre – N/A
- Expended to date – N/A
- Future potential impact – N/A

## **LEGAL IMPLICATIONS**

Policies are prepared to assist and assist in decision making and may provide further guidance with regard to statutory obligations

## **ATTACHMENTS**

1. Policy 4.6 Customer Service & Unreasonable Complainants Version 4
2. Policy 4.10 Community Engagement and Communications Policy Version 1
3. Policy 9.10 Council Workshops and Briefing Sessions Version 3
4. Policy 9.12 Media and Social Media Policy Version 3
5. Policy 9.17 Corporate Image Policy Version 1

## RECOMMENDATION

**THAT** the following policies be adopted and implemented immediately:

- Policy 4.6 Customer Service & Unreasonable Complainants Version 4
- Policy 4.10 Community Engagement and Communications Policy Version 1
- Policy 9.10 Council Workshops and Briefing Sessions Version 3
- Policy 9.12 Media and Social Media Policy Version 3
- Policy 9.17 Corporate Image Policy Version 1

## COUNCIL COMMITTEE MINUTES

ITEM-15            P&S - 25/06/18 - CRIME PREVENTION COMMITTEE MINUTES 21 MAY 2018

REPORT BY:    EXECUTIVE MANAGER PEOPLE AND SERVICES

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## REFERENCE

Min-17-283 Ordinary Meeting of Council 25 September 2017

Min-18-38 Ordinary Meeting of Council 26 February 2018

## SUMMARY

This report details the minutes of the Crime Prevention Committee meeting held on 21 May 2018.

## COMMENTARY

At the Crime Prevention Committee meeting held on 21 May 2018 various items were discussed by the committee, including:

### Item 3 Business Arising From Previous Minutes

Lighting and public safety along Barton Street to James Parade Wallerawang and lighting and CCTV coverage on and around Lithgow Railway Station concourse.

### Item 4 Bureau of Crime Statistics and Research Quarterly Report

Crime data for Lithgow LGA for the 12 months to December 2017.

### Item 5 Police Report

### Item 7 Public Safety Issues on Newnes Plateau

## POLICY IMPLICATIONS

Nil

## FINANCIAL IMPLICATIONS

- Budget approved - Nil
- Cost centre – n/a
- Expended to date – Nil
- Future potential impact – Nil

## LEGAL IMPLICATIONS

Nil

## ATTACHMENTS

1. Minutes of the Crime Prevention Committee meeting held on 21 May 2018.

## RECOMMENDATION

**THAT** Council notes the minutes of the Crime Prevention Committee meeting held on 21 May 2018.

ITEM-16            OPER - 25/06/18 - OPERATIONS COMMITTEE MEETING MINUTES - 4 JUNE 2018

**REPORT BY: EXECUTIVE MANAGER OPERATIONS**

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## **SUMMARY**

This report details the Minutes of the Operations Committee Meeting held 4 June 2018.

## **COMMENTARY**

At the Operations Committee Meeting held 4<sup>th</sup> June 2018, the following items were discussed:

- Cullen Bullen Sewerage Scheme Update
- CBD Revitalisation Project Update
- Progress on Asset Management System
- Asbestos Register
- Operations Review Report
- Lidsdale Footpath Construction – Revised Report
- Portland Sewerage Treatment Plant Augmentation Update

## **POLICY IMPLICATIONS**

NIL

## **FINANCIAL IMPLICATIONS**

- Budget approved – N/A
- Cost centre – N/A
- Expended to date – N/A
- Future potential impact – N/A

## **LEGAL IMPLICATIONS**

NIL

## **ATTACHMENTS**

1. Minutes of the Operations Committee Meeting held 4<sup>th</sup> June 2018.

## **RECOMMENDATION**

**THAT** Council note the Operations Committee Meeting Minutes; and

1. Council note the update of the Cullen Bullen Sewerage Scheme; and
2. Council note the progress made to date on the Lithgow CBD Revitalisation Project; and
3. Council note the information on the progress of the Asset Management System; and
4. Council note the progress of the Asbestos Register; and
5. Council note the Draft Operations Review Report; and
6. Council consider the allocation of funds to the construction of a footpath on Wolgan Road, Lidsdale subject to an assessment of current project priorities within the draft 2018/19 Operational Plan; and
7. Council note the update regarding the Portland Sewerage Treatment Plant.

**ITEM-17            OPER - 25/06/18 - SPORTS ADVISORY COMMITTEE MEETING MINUTES -  
13 JUNE 2018**

**REPORT BY: EXECUTIVE MANAGER OPERATIONS**

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## **SUMMARY**

This report details the Minutes of the Sports Advisory Committee Meeting held 13 June 2018.

## **COMMENTARY**

At the Sports Advisory Committee Meeting held 13<sup>th</sup> June 2018, the following items were discussed:

- LJ Hooker Reg Cowden Memorial Sports Star of the Year Awards
- Booking Requests

## **POLICY IMPLICATIONS**

NIL

## **FINANCIAL IMPLICATIONS**

- Budget approved – N/A
- Cost centre – N/A
- Expended to date – N/A
- Future potential impact – N/A

## **LEGAL IMPLICATIONS**

NIL

## **ATTACHMENTS**

1. Minutes of the Sports Advisory Committee Meeting held 13 June 2018.

## **RECOMMENDATION**

**THAT** Council note the Minutes of the Sports Advisory Committee Meeting held 13 June 2018.

**ITEM-18            FIN - 25/06/18 - FINANCE COMMITTEE MEETING 13 JUNE 2018**

**REPORT BY:    CHIEF FINANCIAL AND INFORMATION OFFICER**

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## **SUMMARY**

This report provides details of the Minutes of the Finance Committee Meeting held on 13 June 2018.

## **COMMENTARY**

At the meeting of the Finance Committee held on 13 June 2018, the following items were resolved:

- Confirmation of the minutes of the meeting held on 14 May 2018.

The following items were noted by the Committee:

- Special Rate Variation application update.
- May monthly performance report to the Office of Local Government.
- May 2018 month & year-to-date financial results & budget variances.
- Draft 2017/18 carryover / revoke requests.
- The Audit Action List

The following business paper recommendations were endorsed by the Committee:

### **Rate Relief - Drought Affected Farmers**

**THAT** Council note:

1. The summary of the response from Federal Member, Mr Andrew Gee, with regard to lobbying the Federal Government to reinstate the Standing Council on Primary Industries.
2. The availability of rate relief for drought affected farmers within the provisions of Council's adopted Hardship Policy.

### **May 2018 Investment Report**

**THAT**

1. Investments of \$28,925,000.00 and cash of \$783,899.82 for the period ending 31 May 2018 be noted.
2. The enclosed certificate of the Responsible Accounting Officer be noted.

### **POLICY IMPLICATIONS**

Nil.

### **FINANCIAL IMPLICATIONS**

- Budget approved – N/A
- Cost centre – N/A
- Expended to date – N/A
- Future potential impact – N/A

### **LEGAL IMPLICATIONS**

Nil.

## **ATTACHMENTS**

1. Minutes from the Finance Committee Meeting held 13 June 2018.
2. May 2018 Investments Report.
3. Rate Relief – Drought Affected Farmers Report.

## **RECOMMENDATION**

### **THAT** Council:

1. Note the minutes of the Finance Committee held on 13 June 2018 and the items not requiring a resolution of Council;
2. Note the Committee's endorsement of recommendations proposed in the Finance and Assets business papers to be put to the June Council meeting.
3. Endorse the recommendations proposed in the May 2018 Investment Report and the Rate Relief – Drought Affected Farmers Report.

## NOTICE OF MOTION

### ITEM-19 NOTICE OF MOTION - 25/06/18 - THE SCHOOL STUDENT TRANSPORT SCHEME (SSTS)

REPORT BY: COUNCILLOR CASSANDRA COLEMAN

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## COMMENTARY

The School Student Transport Scheme (SSTS) benefits around half of the 1.1 million school students in NSW.

The SSTS ensures that all NSW school students who do not live close to their school have free travel to and from school. Primary school students from years three to six are eligible if the straight line distance from their home address to school is 1.6 kilometres or further, or walking distance from home to school is 2.3 kilometres or further.

However, the SSTS does not allow for students living in what would be considered close proximity to the local school to claim free travel to and from school. Some of these children would be considered too young to walk to school unaccompanied and some parents do not have the means to transport them by car.

Parents are placed in the position of having to pay \$2.70 each way, which is \$5.40 per day or \$27 per school week. This is a large financial outlay in an area like the Lithgow LGA with many parents in the lower socio-economic brackets.

One of the consequences of this financial imposed on families is that some parents choose to send their children to a school further from their home so that they can claim free transport to and from that school. This has the effect of taking children out of their local community where they would be at school with their family friends and neighbours and weakening community ties.

I believe the SSTS needs to be reviewed in regional and remote areas within in NSW.

## RECOMMENDATION

### **THAT** Council:

1. Lobby Transport for NSW to consider reviewing and adjusting the School Student Transport Scheme so that families with primary school children living in close proximity to the primary schools within the Lithgow Local Government Area are not financially disadvantaged.
2. Make representations to both the Minister for Transport and Infrastructure, Andrew Constance MP, and the Shadow Minister for Transport and Shadow Minister for Roads, Maritime and Freight, Jodi McKay MP, with our concerns regarding the School Student Transport Scheme.



**ITEM-20 NOTICE OF MOTION - 25/06/18 - ROTARY PARK PORTLAND**

**REPORT BY: COUNCILLOR MAREE STATHAM**

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**COMMENTARY**

Steven and Garry O'Reilly from Portland have volunteered to maintain the Rotary Park in Portland which the late Ron Bidwell had overseen for many years. This was a promise made to Ron from Garry and Steven prior to Ron's passing.

Ron's family requested a meeting with me last week to discuss the future as to where the enormous amount of equipment that Ron had accrued to do Community work in Portland could be stored permanently. This equipment includes lawn mowers, rakes, shovels, wheel barrows etc.

It was proposed to request Council to consider allowing permission for the O' Reilly brothers, Garry and Stephen to use the enclosed section between the Mick Moore Pavilion and the shed used by the Portland Community Group at Kremer Park.

This equipment will be used to maintain the Rotary Park which Ron's daughters hope in the future will be named after their late father "The Ron Bidwell OAM Rotary Park".

**RECOMMENDATION**

**THAT** permission be granted for the late Ron Bidwell's equipment to be permanently stored at Kremer Park in the area adjacent to the Portland Community Group and the Mick Moore Pavilion. Steven and Garry O' Reilly be given a lock and key to allow access to this particular area for security of the equipment.

**ITEM-21          NOTICE OF MOTION - 25/06/18 - CULLEN BULLEN SEWAGE UPGRADE**

**REPORT BY:    COUNCILLOR MAREE STATHAM**

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**COMMENTARY**

I have had requests from Cullen Bullen residents concerning the status of the Cullen Bullen sewerage upgrade as the funding was announced in December.

General Manager, Mr Graeme Faulkner on behalf of Lithgow City Council provide information via a meeting at Cullen Bullen to discuss the future of this project.

**RECOMMENDATION**

**THAT** Council hold a public meeting regarding the future plans of the Cullen Bullen Sewage Plant in the near future.

**ITEM-22 NOTICE OF MOTION - 25/06/18 - WATER FOR FARMERS**

**REPORT BY: COUNCILLOR MAREE STATHAM**

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**COMMENTARY**

Lithgow Council to adopt a policy to allow drought effected farmers in need of purchasing water for stock or family use a water discount as Oberon and Bathurst Councils have done.

This would be a small good will gesture on behalf of Lithgow City Council for those struggling during this incredibly disastrous drought which most elderly farmers are saying is the worst drought since 1982.

I will not declare a conflict of interest even though I own farming land as I have an adequate water supply.

**RECOMMENDATION**

**THAT** Council develop a policy to be presented to the June meeting to provide a discount for water to drought affected farmers for home use and stock use. This will no effect the majority of farmers as many have already sold off their breeding and general stock, however providing water to the affected people will show good faith and support from Lithgow City Council and aid the mental health situations many are already facing.

**ITEM-23 NOTICE OF MOTION - 25/06/18 - ZIG ZAG RAILWAY**

**REPORT BY: COUNCILLOR MAREE STATHAM**

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**COMMENTARY**

Zig Zag Railway is an integral part of Lithgow Local Government Tourism, millions of dollars have been lost locally since the unexpected fire at the railway.

It is imperative for the survival into the future for some local businesses for the Zig Zag Railway be reopened as soon as possible.

The Management Team at Zig Zag are lacking volunteers to provide assistance in the remaining cleaning of the site. This committee has worked tirelessly, however much more on the ground volunteers are needed to complete the task.

I propose Lithgow City Council show support to source volunteers to assist in accomplishing the many tasks required to return to normal business for the Railway.

Local businesses, eg, Lithgow Workman's Club who serviced many buses a week, accommodation businesses and business in general in our LGA. have suffered enormous losses since the State Mine Fire.

I propose Lithgow City Council initiate and instigate any form of assistance possible in the hastening of this major tourist attraction to get back on track.

General Manager, Mr Graeme Faulkner to contact the Governor at Bathurst Gaol and Kirkconnell Correctional Centre, Mr Mark Kennedy and the Manager of Shooters Hill Correctional Centre, Mick Dudley. Council request prisoners / inmates at these centres to have release under supervision to volunteer at Zig Zag Railway in the near future.

**RECOMMENDATION**

**THAT** The General Manager write to the Governor of Bathurst Gaol, Manager of Shooters Hill Correctional Centre and the Manager Of Kirkconnell Correctional Centre to request if at all possible to provide Zig Zag with volunteers to assist in the remainder of the work desperately needing to be completed at the Zig Zag Railway.

## **BUSINESS OF GREAT URGENCY**

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

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

## CLOSED COUNCIL

ITEM-24            **CONFIDENTIAL - CLOSED COUNCIL - P&S - 25/06/18 - AWARDING OF  
TENDER 02-18 - ADVENTURE PLAYGROUND CONSTRUCTION WORKS**

**REPORT BY:    EXECUTIVE MANAGER PEOPLE AND SERVICES**

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### Reason for Confidentiality

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

- (d) Commercial information of a confidential nature that would, if disclosed:
  - (i) Prejudice the commercial position of the person who supplied it.

### REFERENCE

Min No 14-426:            Ordinary Meeting of Council held on 29 October 2014  
Min No 16-183:            Ordinary Meeting of Council held on 18 July 2016

### SUMMARY

This report seeks a determination from Council to award Part A of Tender 02/18 for Lithgow Adventure Playground Construction.

### RECOMMENDATION

**THAT** Council consider the report in relation to Tender 02-18 Adventure Playground Construction Works in closed Council in accordance with Section 10A (2) (d) of the Local Government Act 1993.

ITEM-25      **CONFIDENTIAL - CLOSED COUNCIL - WWW - 25/06/18 - WATER SERVICE REPLACEMENT - PROPERTY 18160**

**REPORT BY:    EXECUTIVE MANAGER WATER AND WASTE WATER**

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### **Reason for Confidentiality**

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

- (a) personnel matters concerning particular individuals (other than councillors),
- (b) the personal hardship of any resident or ratepayer

### **SUMMARY**

Council officers and Councillors have been contacted by the owner of property 18160 in relation to excessive water consumption being recorded and the location of the water meter for the property.

### **RECOMMENDATION**

**THAT** Council consider the report in relation to Water Service Replacement - Property 16180 in closed council in accordance with Section 10A(2)(a) & (b) of the Local Government Act, 1993.