



A CENTRE OF REGIONAL EXCELLENCE

AGENDA

ORDINARY MEETING OF COUNCIL

TO BE HELD AT

THE ADMINISTRATION CENTRE, LITHGOW

ON

27 FEBRUARY 2017

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 6 FEBRUARY 2017**

**DECLARATION OF INTEREST**

**COMMEMORATIONS AND ANNOUNCEMENTS**

**PUBLIC FORUM**

**PRESENTATIONS – NIL**

**MAYORAL MINUTES – NIL**

**STAFF REPORTS**

General Managers Reports  
Environment and Development Reports  
Operation Reports  
Corporate and Community Reports

**COUNCIL COMMITTEE MINUTES**

Sports Advisory Committee Meetings Minutes - 20 December 2016  
Traffic Advisory Local Committee -11 January 2017  
Sports Advisory Committee Meeting Minutes 31 January 2017

**DELEGATES REPORTS – Nil**

**NOTICES OF MOTION**

Two Extra Generating Units for Mt Piper - Councillor W McAndrew  
Lithgow Correctional Centre – Councillor W McAndrew  
Reporting on the Status of Minuted Council Decisions By Way of an Actions Register -  
Councillor W McAndrew

**QUESTIONS WITH NOTICE – Nil**

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**NOTICE OF RECISSIONS – Nil**

**BUSINESS OF GREAT URGENCY**

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

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## **GENERAL MANAGERS REPORTS**

### **ITEM-1 GM - 27/02/17 - COUNCIL COMMITTEES - TERMS OF REFERENCE.**

**REPORT BY: A MUIR- ACTING GENERAL MANAGER**

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## **REFERENCE**

Min No 16 – 246: Ordinary Meeting of Council on 10 October 2016  
Min No 16 – 247: Ordinary Meeting of Council on 10 October 2016  
Min No 16 – 248: Ordinary Meeting of Council on 10 October 2016

## **SUMMARY**

To assist with the effective operations of Council a number of committees have been appointed. This report outlines the terms of reference for the operations of those Committees.

## **COMMENTARY**

A council can form committees and determine their functions, powers, membership and voting rights. Membership of a council committee is not necessarily restricted to councillors. At its meeting on 10 October 2016 Lithgow Council appointed a number of committees to assist it with the management of its business.

### **THAT**

3. Authorise the Councillors appointed to the respective Council committees to review the Terms of Reference for each committee, including committee membership and report to Council on the terms of reference.

A council committee could be advisory in nature or it could have decision making powers delegated to it by Council via section 355 of the Act provided that Council does not delegate to the committee any functions set out in section 377.

The terms of reference for a number of Committees have now been reviewed by appointed Councillors. This report proposes to establish the functions of each committee. The council can change those functions from time to time (cl.261 of the Regulations).

Advisory committees or sub-committees are common and usually have the power to make recommendations but not to make decisions, though it is proposed that some committees will have minor decision making powers.

The recommendations of advisory committees can assist a council in making informed decisions on complex matters. Alternatively, committees may be given power to spend council monies on certain matters.

The Terms of Reference for the Committees also provide guidelines on how to conduct their meetings and other related issues.

Council has established the following committees:

- Environmental Advisory
- Operations Committee
- Traffic Advisory Local (TALC)
- Sports Advisory Committee
- Internal Audit Committee
- Lithgow Tourism Advisory
- Economic Development Advisory
- Community Development
- Youth Advisory
- Lithgow Crime Prevention
- Mining Taskforce
- Business and Industry Investment
- General Manager Performance Review
- Local Heritage Advisory Committee

Revised Terms of Reference are now proposed for those committees set out in the attachments. Furthermore, the Lithgow Chamber of Commerce have requested representation on the following committees:

- Lithgow Tourism Advisory Committee
- Economic Development Advisory Committee
- CBD Revitalisation Committee
- Business Taskforce
- Mining Taskforce

The Tourism Advisory Committee has representatives from different business sectors and there is a likelihood that one of these representatives may also be a member of the Chamber. However, no objection is raised to affording membership to a Chamber of Commerce representative for this committee. The former Lithgow Business Association was previously a member of the CBD Revitalisation Committee and Economic Development Advisory Committee and this role has been transferred to the Chamber. The Business taskforce (which has become the Business and Industry Investment Committee) and Mining Taskforce are more suited to direct Councillor Membership.

#### **POLICY IMPLICATIONS**

As outlined in the report

#### **FINANCIAL IMPLICATIONS**

Nil

#### **LEGAL IMPLICATIONS**

As outlined in the report

## **ATTACHMENTS**

1. Terms of Reference for Council committees

## **RECOMMENDATION**

### **THAT**

1. The Lithgow and District Chamber of Commerce be afforded representation on the Lithgow Tourism Advisory Committee and this be reflected in the revised Terms of Reference.
2. Council adopt the Terms of Reference for each of the following Council Committees:
  - Environmental Advisory Committee
  - Sports Advisory Committee
  - Lithgow Tourism Advisory Committee
  - Community Development Committee
  - Youth Advisory
  - Lithgow Crime Prevention Committee
  - Local Heritage Advisory Committee
3. The Terms of Reference for the Internal Audit Committee, Economic Development Advisory Committee, Mining Taskforce, Business and Industry Investment Committee and General Managers Performance Review Committee be reviewed at each of these committees first meeting.



**ITEM-2 GM - 27/02/17 - PORTLAND ART SHOW - REQUESTED REDUCTION IN FEES**

**REPORT BY: A MUIR – ACTING GENERAL MANAGER**

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**SUMMARY**

To advise of a request submitted by the Portland Arts Purchase Society requesting a reduction in fees for the 2017 Portland Art Show for the hire of the Crystal Theatre.

**COMMENTARY**

Following representations to the Mayor on how Council may be able to assist with the 2017 Portland Art Show, the Mayor requested that the Acting General Manager discuss the matter with the Portland Arts Purchase Society which resulted in the attached submission. The Society has requested a reduction in fees for the 2017 event, which is to be held at the Crystal Theatre 3 – 5 March 2017. The current fee for the hire of theatre is \$498. The Arts Purchase Society has requested that this be reduced for this event to be in line with what the fees were in 2015, i.e. \$220.

The art show is a popular event bringing visitors to Portland and showcasing talent from the Lithgow Local Government Area and beyond. Whilst Council's fees and charges are set to maximise revenue the Council may consider in this instance to provide some relief.

**POLICY IMPLICATIONS**

Policy 4.4 Request for Financial Assistance by Waiving of Fees for Council Facilities applies.

**FINANCIAL IMPLICATIONS**

If Council agree to the reduction it would result in a reduction of \$258 in revenue.

**LEGAL IMPLICATIONS**

Nil

**ATTACHMENTS**

1. Email request from the Chair of Portland Arts Purchase Society

**RECOMMENDATION**

**THAT** Council:

1. Reduce the fees for the hire of the Crystal Theatre for the Portland Arts Purchase Society in 2017 charging \$220.
2. The Portland Arts Purchase Society be advised in future years that it would be expected to pay for the full cost for the hire of the facility.

## ENVIRONMENT AND DEVELOPMENT REPORTS

### ITEM-3            ENVIRO - 27/02/17 – DA030-17 - PROPOSED CONSTRUCTION OF STORAGE SHED FOR GOLF CARTS AT LITHGOW GOLF CLUB, LOT 1 DP 840412, GREAT WESTERN HIGHWAY MARRANGAROO

REPORT BY: J NICHOLS – ACTING GROUP MANAGER ENVIRONMENT & DEVELOPMENT

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## SUMMARY

To determine Development Application DA030/17 for a storage shed at Lithgow Golf Club on Lot 1 DP 840412 Great Western Highway Marrangaroo.

## COMMENTARY

Council is in receipt of a Development Application DA030/17 submitted by Lithgow Golf Club for a storage shed on land known as Lot 1 DP 840412 Great Western Highway Marrangaroo. The purpose of this development is to provide storage facilities for golf carts.

The proposal provides for the construction of a 96m<sup>2</sup> shed, 12 metres long by 8 metres wide with a wall height of 2.7m and maximum ridge height of 3.772m. The shed on Council land, is proposed to be located 23 metres behind the rear of the existing club house and 40 metres from the southern boundary.

The site is currently used as a public recreation facility comprising the golf clubhouse, associated outbuildings and 18 hole golf course. The golf clubhouse is listed under Council's LEP 2014 as being an item of local environmental heritage. The proposed shed located at the rear of the club house will have no impact on the heritage significance of the building.

The proposal will be of minimal impact on the adjoining properties as the shed is approximately 40 metres from the closest dwelling and is screened by scattered mature trees. Additional landscaping will also be provided to further screen the shed from the clubhouse.

## POLICY IMPLICATIONS

### Policy 7.5 Notification Of Development Applications

This policy applies to all applications unless excluded by Section 1.2 and/or Section 2.

### 2. Applications for which notification will not be given under this policy

Development applications for the following types of development will not be notified (NB: Any structure must conform to applicable setback requirements):

- Any development of a minor nature that, in the opinion of the assessing officer, does not have the potential to create a negative impact on the amenity of the neighbourhood by way of the emission of noise, vibration,

smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil, traffic generation or otherwise.

It was considered that neighbour notification was not required for the following reasons:

- The proposed shed is located 40 metres from the nearest residential property and will be partially screened by existing vegetation.
- It is considered that the electric golf carts will not create a negative impact on the amenity of the neighbourhood. The carts produce minimal noise and do not cause or emit any waste or pollution.
- The roller door to the shed will be located on the northern side of the shed facing away from residential dwellings to the south, south east and south west.

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

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

#### **Other Matters**

It should be noted that approval of a development application does not extend to approval to actually allow construction of the facility on the land in a landowner /lessee sense. This is separate to the DA.

#### **FINANCIAL IMPLICATIONS**

Nil

#### **LEGAL IMPLICATIONS**

##### **Environmental Planning and Assessment Act 1979**

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

##### **Local Government Act 1993**

The Lithgow Golf Course Plan of Management applies to the community land described as Lithgow Golf Course, categorised as a sportsground and contained within Lot 1 DP 840412. It is considered that the proposed golf cart storage shed will improve the quality of the recreational facility and is ancillary to the golf course and complies with the objectives of the plan.

#### **ATTACHMENTS**

1. A complete Section 79C Development Consent Report.

## RECOMMENDATION

### THAT:

1. The Development Application DA030/17 be **APPROVED** subject to conditions on the consent as shown in the attached Section 79C report.
2. A **DIVISION** be called in accordance with the requirements of Section 375A(3) of the Local Government Act, 1993.

**ITEM-4 ENVIRO – 27/02/17 - DRAFT PLAN OF MANAGEMENT (POM)  
 HASSANS WALLS RESERVE**

**REPORT BY: J NICHOLS - ACTING GROUP MANAGER ENVIRONMENT AND  
 DEVELOPMENT**

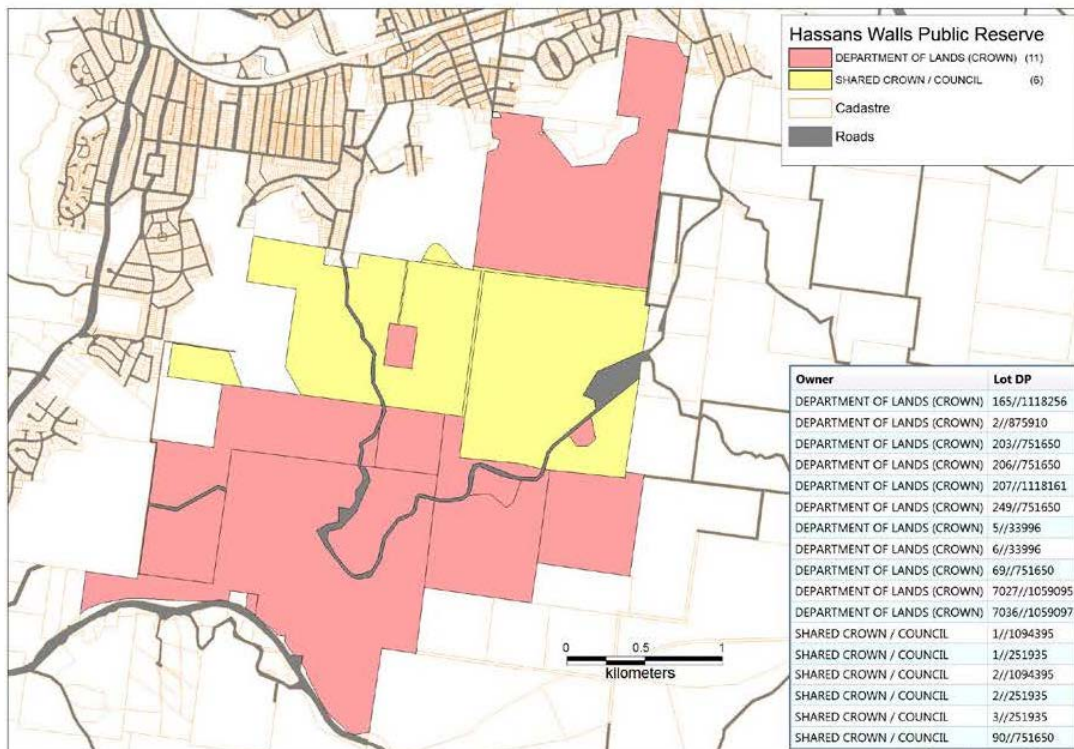
**SUMMARY**

The purpose of this report is to recommend for exhibition the Draft Plan of Management (POM) for the Hassans Walls Reserve, Lithgow. The full Draft POM document is available as an attachment to this report.

**COMMENTARY**

Hassans Walls Reserve is a 780 hectare area of both Crown Land reserved for public recreation and community land managed by Lithgow City Council. The Reserve is a significant environmental and recreation asset, contains infrastructure to support essential services and is a sizeable area under Council’s management. The public land sections of the reserve are shown yellow on the map below. These areas are currently managed through the Generic Community Lands POM 2013, however, factors including environmental and heritage significance, scenic quality, visitation and others warrant management and direction through a site specific Plan of Management – as consistent with the Crown Lands Act 1989 and Local Government Act 1993.

The physical extent of the reserve is shown in the map below:



### **What is a Plan of Management (POM)**

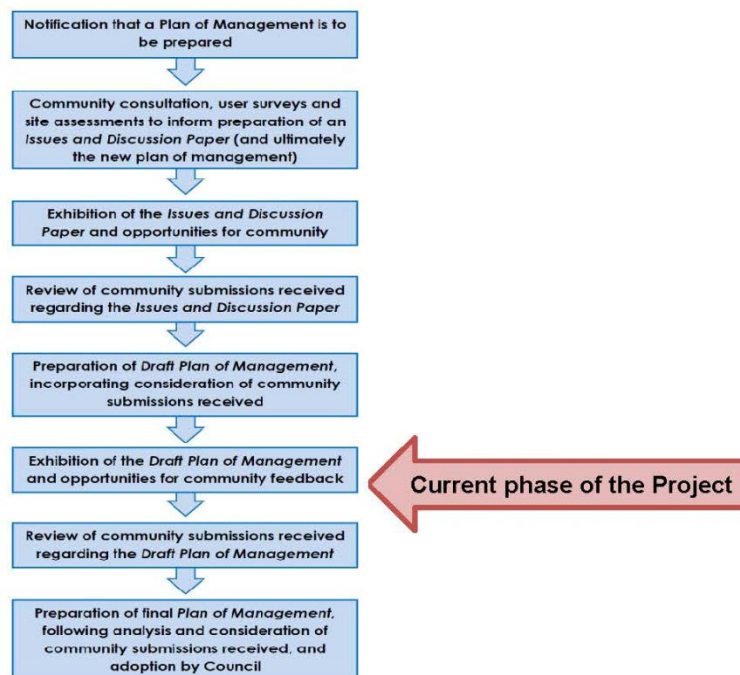
A plan of management is developed, in consultation with the community, to provide direction for the future management of a place; usually for a park, reserve or other area of open space. The Plan defines the values, use and future management intent and practices for the area and contains a range of actions to guide the management of the area over the life of the document (usually a ten year period).

### **Objectives**

This plan of management has been prepared to provide a clear strategic direction for future management and use of Hassans Walls Reserve. The key principal objectives of this plan of management are as follows:

- Identify a vision for Hassans Walls Reserve;
- Identify the values of Hassans Walls Reserve;
- Set out the strategic direction for future management of Hassans Walls Reserve;
- Outline management actions for Hassans Walls Reserve;
- Propose a concept masterplan for future development;
- Provide direction on the conservation and environmental management of natural resources within Hassans Walls Reserve;
- Provide direction on the conservation and protection of cultural heritage sites within Hassans Walls Reserve;
- Identify and minimise risks within Hassans Walls Reserve;
- Consolidate information into a single document for ease of reference; and
- Identify future studies that may be required to inform the management of the reserve and implementation of the plan.

This Draft POM has been extensively informed by the results of two community consultation phases undertaken during the planning process. An initial phase identifying issues and values, and an exhibition phase, seeking comments on an issues and discussion paper. The planning process for preparing the draft plan of management is summarised in the flow chart below.



Community consultation has consistently identified the following values for the reserve:

- a) Natural Environmental Values
- b) Cultural Heritage Values
- c) Recreational Values
- d) Landscape and Amenity Values

## LAND CATEGORISATION

A central requirement of the *Local Government Act 1993* is that all “community land” must be assigned to one or more land categorisations. Land categorisation defines how Council will manage certain parcels of land. Each categorisation has an associated set of objectives for land so categorised. Whilst not all lands covered by this plan of management are community lands administered under the *Local Government Act 1993*, the entire reserve has been categorised to provide a consistent management approach across both “community” and “crown” land managed by Council. The categorisations of crown land, while not legislatively supported by the *Local Government Act 1993* in this instance, still provide a clear management direction for Council and the community.

In 2012 the NSW Government initiated a review of the management of crown land within NSW, the outcome of which is the Crown Land Management Bill 2016. The Bill will consolidate a range of existing crown land legislation into a single Act (assuming the Bill is passed into law). The Bill continues to allow land to be vested in local councils and enables local councils to manage crown reserves under the provisions of the *Local Government Act 1993*. The categorisation of crown land in accordance with the *Local Government Act 1993*, as proposed in this Plan of Management, is consistent with the provisions of the Crown Lands Management Bill 2016.

The community land parcels of Hassans Walls Reserve were categorised in Council’s Generic Community Lands Plan of Management, 2013 as Bushland and General Community Use. The categorisations in the Generic Community Lands Plan of Management, 2013 will no longer apply to the community land parcels in the Hassans Walls Reserve upon adoption of the Hassans Walls Reserve Plan of Management.

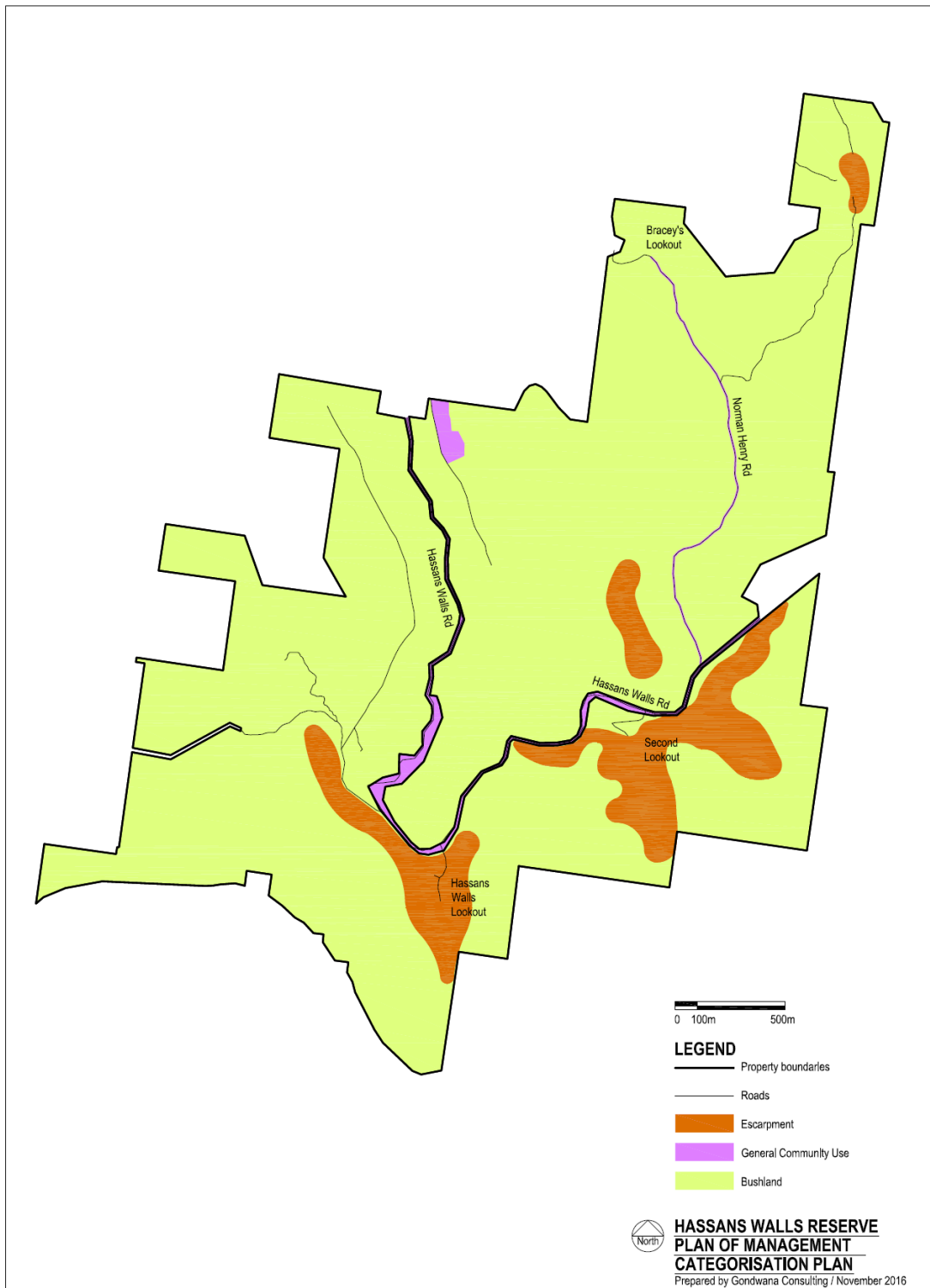
The table below indicates the categorisation of community lands in the Generic Community Lands Plan of Management, 2013 and the categorisations proposed in this plan of management.

Community Land Parcel	Category in Generic CL POM, 2013	Proposed category in Hassans Walls Reserve POM	Public Hearing Required
Lots 1,2 and 3, DP 251935	Bushland	Bushland	No
Lot 1, DP 1094395	Bushland and General Community Use	Bushland and General Community Use. Note - reduced extent of GCU)	Yes. (S40(A)1 of the <i>LG Act 1993</i> )
Lot 2, DP 1094395	Bushland	Bushland	No
Lot 90, DP 751650	Bushland	Bushland and Escarpment	No. (S40(A)2 of the <i>LG Act 1993</i> )

The Local Government Act 1993 requires that a council must hold a public hearing in relation to a proposed plan of management if the proposed plan would have the effect of categorising, or altering the categorisation of community land. However, a public hearing is not required if the proposed plan would merely have the effect of altering the categorisation of the land under section 36 (5); that is, a public hearing is not required if categorisation changes are made between any of the categories of bushland, wetland, escarpment, watercourse, and foreshore.

In the case of the proposed categorisations as indicated above, a public hearing will be required in relation to Lot 1, DP 1094395 as the area categorised as General Community Use has decreased and the area categorised as Bushland has increased. The public hearing will be held during the public exhibition of the Hassans Walls Reserve Draft Plan of Management and will provide the community with a further opportunity to make formal comment on the categorisations proposed within the Draft Plan. The proposed categories for Hassans Walls Reserve are shown in the map below.





**Proposed Categorisations – Hassans Walls Reserve**

The objectives for each category give a broad strategic direction for management of this land, which is the same for all categories across NSW. Directions and actions relating specifically to Hassans Walls Reserve have been developed in accordance with core objectives of the *Crown Lands Act 1989*, *Local Government Act 1993* and in response to the values of the Reserve.

This plan of management applies the following three (3) land categories to Hassans Walls Reserve:

- Bushland
- Escarpment
- General Community Use.

### **Bushland Category**

The core objectives for management of Community land categorised as bushland are:

- a) to ensure the ongoing ecological viability of the land by protecting the ecological biodiversity and habitat values of the land, the flora and fauna (including invertebrates, fungi and micro-organisms) of the land and other ecological values of the land, and
- b) to protect the aesthetic, heritage, recreational, educational and scientific values of the land, and
- c) to promote the management of the land in a manner that protects and enhances the values and quality of the land and facilitates public enjoyment of the land, and to implement measures directed to minimising or mitigating any disturbance caused by human intrusion, and
- d) to restore degraded bushland, and
- e) to protect existing landforms such as natural drainage lines, watercourses and foreshores, and
- f) to retain bushland in parcels of a size and configuration that will enable the existing plant and animal communities to survive in the long term, and
- g) to protect bushland as a natural stabiliser of the soil surface.

### **Escarpment**

The core objectives for management of Community land categorised as an escarpment are:

- a) to protect any important geological, geomorphological or scenic features of the escarpment, and
- b) to facilitate safe community use and enjoyment of the escarpment.

### **General Community Use**

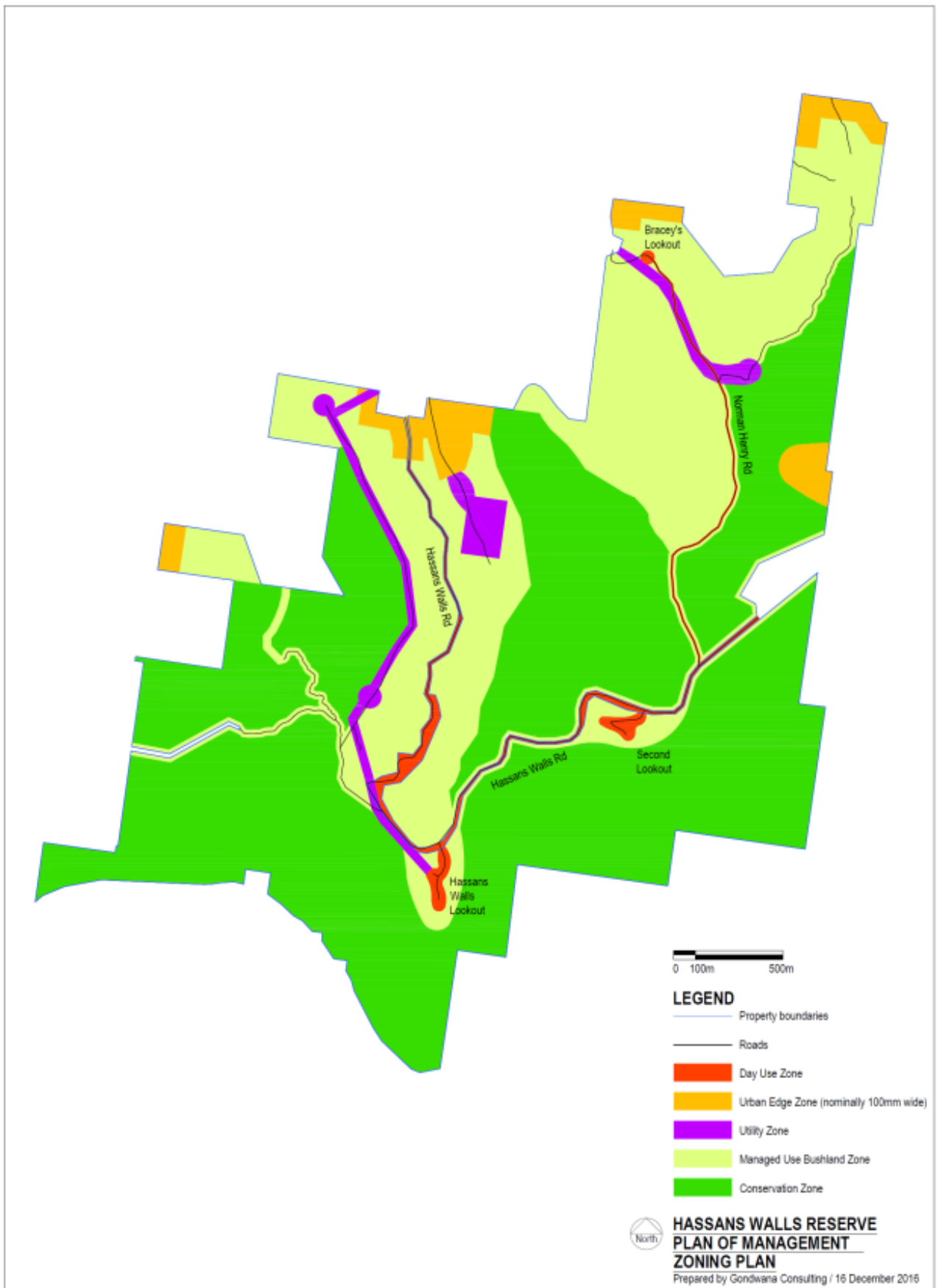
The core objectives for management of Community land categorised as a General Community Use are to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public:

- a) in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and
- b) in relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).

### **PROPOSED MANAGEMENT FRAMEWORK**

For management purposes the reserve is proposed to be divided into five management zones. Management zones are a way of defining different areas within the reserve based on the values that management aims to protect and the types of activities and uses that are permitted. General management strategies have been provided for the entire site and specific management strategies are proposed for each management zone.

The following management zones are proposed to provide a framework for the Reserve's future management:



Proposed Management Zones

**Conservation Zone**

Management Intent – To maintain the majority of the reserve as natural bushland and a scenic landscape, protecting communities and species of high conservation value.

Primary Management objectives:

- i. To protect communities and species legislated as having high conservation value.
- ii. To maintain and enhance the natural systems, biodiversity, habitat, and scenic values of a large natural bushland area.
- iii. To not provide access or facilities to encourage recreational use within this zone.

Secondary Management objectives:

- i. To maintain links to adjacent or nearby natural areas.
- ii. To assist in maintaining the reserve's undeveloped bushland skyline, as seen from internal and external vantage points and use areas.

### **Bushland**

Management Intent – To maintain the majority of the reserve as natural bushland and a scenic landscape, protecting communities and species of high conservation value, while providing for sustainable dispersed recreational and educational uses without significant impact on natural processes.

Primary Management objectives:

- i. To protect communities and species legislated as having high conservation value.
- ii. To maintain and enhance the natural systems, biodiversity, habitat and scenic values of the reserve.
- iii. To provide sustainable opportunities for dispersed track-based recreational and educational uses without significant impact on natural processes.

Secondary Management objectives:

- i. To maintain links to adjacent or nearby natural areas.
- ii. To accommodate occasional special uses or activities, with prior approval.
- iii. To assist in maintaining the reserve's undeveloped bushland skyline, as seen from internal and external vantage points and day use areas.

### **Day Use**

Management Intent – To maintain the existing main visitor access roads (Hassans Walls Road and Norman Henry Road) and most visited day use areas at Hassans Walls Lookout and Bracey's Lookout and allow for increased use of the Second Lookout.

Primary Management objectives:

- i. To offer a high quality day-use experience for reserve visitors - providing for visitor vehicle access and accommodating passive day-use recreational activities at the key lookout locations.
- ii. To provide visitor facilities, as warranted by demand and use levels, appropriate to day use destinations in a bushland environment in proximity to Lithgow.
- iii. To provide for visitor safety.

Secondary Management objectives:

- i. To maintain existing reserve access standards with improved vehicle parking within this zone.

- ii. To accommodate use by elderly, mobility impaired and disabled visitors and groups.
- iii. To promote links (walking tracks) to the adjoining bushland areas of the reserve.

### **Urban Edge**

Management Intent – To manage those sections of the reserve boundary adjacent to residential areas and other developments to effectively manage hazards and reduce inconveniences to reserve neighbours, as well as minimising adverse impacts from adjoining land uses on the reserve and its values.

Primary Management objectives:

- i. To minimise the risks to life and property posed by occasional wildfires on the reserve.
- ii. To reduce direct and indirect impacts on the reserve and its values from adjacent land uses, as well as to avoid undue inconvenience to reserve neighbours from on-reserve activities.

Secondary Management objectives:

- i. To provide sustainable opportunities for dispersed recreational and educational uses, without significant adverse impacts on adjacent natural areas.
- ii. To provide for the lease of lands for recreational use by Lithgow Pony Club while enabling access and use by other park visitors.

### **Utilities Zone**

Management Intent – To manage the ongoing presence of a range of infrastructure assets (radio towers, electricity transmission lines) located within the reserve.

Primary Management objectives:

- i. To authorise the ongoing presence of a range of infrastructure within the reserve
- ii. To minimise impacts of these infrastructure assets on the natural values of the reserve.

Secondary Management objectives:

- i. To allow for recreational use of access tracks used to maintain the infrastructure.

### **CONCEPT MASTERPLAN**

The concept masterplan is intended to detail the broad management direction and strategic works proposed to support the future use and development of the reserve. It is intended that the masterplan contained below will be implemented over time as resources become available.

Hassans Walls Reserve Master Plan

**1**  
Flora and fauna surveys undertaken at various times of the year / seasons, allow for survey of the full suite of flora and fauna. In the absence of these surveys, surveys will be undertaken to inform the planning and approval of site specific developments proposed in this Plan. The greater majority of the Reserve will be managed to protect and enhance the natural environment, habitats and biodiversity values and contribute to the Reserve's recreation and scenic appeal.

**2**  
Undertake an audit of **Recreational Tracks**; re physical condition, facilities and hazards. Develop a Masterplan to establish shared use tracks for walkers and riders offering a variety of track lengths, standards and environments. No additional tracks to be approved until the Recreational Track Masterplan has been finalised. The existing Pony Express Track will be maintained and its use for organised competition will continue. Conditions of the associated Development Approval will be enforced.

**3**  
A lease with the **Lithgow Pony Club** to encompass only the currently cleared area will be negotiated.

**4**  
**Bracey's Lookout** will be retained in its current form. Vegetation trimming minimised to maintain viewlines.

**5**  
**Henry Norman Road**, two way road, with natural surface, some bitumen, improved maintenance. Signposting of existing informal passing lay-bys.

**6**  
**Hassans Walls Road**, two way compacted gravel, for walkers and bicycle riders. 40 km/h limit, improved traffic warning signs, speed humps and road verge barriers.

**7**  
**Hassans Walls Lookout**, primary visitor attraction, high standard visitor facilities. Develop a site specific Masterplan to improve functioning, visitor facilities and the visitor experience:

- formalise car park (10 -15 spaces) and prevent vehicular encroachment into adjacent bushland;
- upgrade sandstone shelter;
- provide a toilet facility;
- defined single walking track to the small rock cave;
- review escarpment fences and supporting signage;
- measures to reduce the visual intrusiveness of the boardwalk.

**8**  
**Second Lookout** reopened with low key basic facilities as alternative to Hassans Walls Lookout, for visitors seeking a less developed site:

- small (5 spaces) car park at Hassans Walls Road;
- access via a walking track on the alignment of the original vehicle access track;
- small number of seats at selected vantage points reusing existing old seats if their condition allows;
- existing sandstone shelter will be removed;
- rehabilitation/ revegetation;
- toilets or water will not be provided.

**9**  
Aboriginal sites will not be publicly disclosed. The **Dummy Anti-Aircraft Station** built heritage elements will be maintained in their current form.

**LEGEND**  

 Property boundaries  
 Roads

**HASSANS WALLS RESERVE PLAN OF MANAGEMENT MASTER PLAN**  
 Prepared by Gondwana Consulting / November 2016



## **Staged Implementation of the Plan of Management**

Given the size of Hassans Walls Reserve there is a range and scale of initiatives and actions proposed to be undertaken all of which require either recurrent Council commitment in the form of personnel and funding or one off allocated funding for specific initiatives in the plan of management. The implementation of the plan will therefore necessarily be staged over time.

### **First Stage (Years 1 - 5)**

It is proposed that the first stage of the plans implementation will focus primarily on improving the understanding of the reserve's natural, heritage and recreational values to provide a sound information base that will enable informed decisions on other initiatives proposed in the plan. At the same time, in recognition of the reserve's high use by Lithgow locals and regional visitors, it is proposed that works be undertaken to improve visitor safety on Hassans Walls Road; improve functioning of the site and recreational experience offered at the Sir Joseph Cook Boardwalk and lookout; and improve information availability and promotion of the Reserve.

Specific high priority actions in this stage include:

#### **1. Information Gathering**

- i. Flora and fauna survey of the Reserve – indicative cost \$60K
- ii. Audit of Recreational tracks – indicative cost \$40K
- iii. Geotechnical study of the rock formations and escarpments within the reserve to assess the location and extent of subsidence and rock cracking, the risk of future rock falls and any ongoing monitoring requirements indicative cost \$40K
- iv. Identify and document historic heritage sites / features within the reserve indicative cost - \$40K

#### **2. Improved Recreational Experience**

- i. Implement management measures proposed for Hassans Walls Road to improve pedestrian and rider safety and enable continued shared use of the road – indicative cost \$50K
- ii. Implement Norman Henry Road improvements – indicative cost \$15K
- iii. Prepare and implement masterplan for Hassans Walls Lookout - \$170K
- iv. Prepare and implement masterplan for the Second Lookout - \$60K
- v. Enhance information availability and promotion of recreational opportunities at Hassans Walls Reserve – indicative cost \$10K.

#### **3. Environmental Management**

- i. Implement Purple Copper Butterfly Recovery Plan management measures relevant to Hassans Walls Reserve - indicative cost \$2K per annum
- ii. Continue to prepare and implement a rolling programme of weed control and bush regeneration effort within the reserve - \$15K per annum
- iii. Undertaken flora and fauna surveys to inform the planning and approval of the Hassans Walls Lookout

- iv. site masterplan works (should the reserve wide flora and fauna surveys not have been completed when the masterplan is in preparation.) – indicative cost \$10K

## **Second Stage (Years 6 – 10)**

The second stage of the plans implementation will focus on using the enhanced understanding of the reserve's natural, heritage and recreational values to improve environmental and recreational management of the reserve.

Specific high priority actions in this stage include the following:

### **1. Expanded Recreational Opportunities**

- i. Prepare and commence implementation of the Recreational Track Plan to establish a network of shared use tracks for walkers and riders offering tracks of a variety of lengths, standards and environments.

### **2. Targeted Environmental Management**

- i. Prepare and implement Hassans Walls Reserve Fire Management Plan to identify fire sensitive areas and populations of threatened and rare species requiring special fire management regimes, prioritise areas for burning and identify burning regimes appropriate for maintaining biodiversity as well as protecting other assets in the reserve.
- ii. Prepare and implement specific management plans for species identified by the flora and fauna survey that are listed under Threatened Species Conservation Act, to establish specific management regimes to locally manage / conserve the species within the reserve.
- iii. Improved targeting and prioritisation of weed control and bush regeneration efforts within the reserve based on enhanced understanding of weed distribution, vegetation communities of high conservation significance and habitats/populations of native flora and fauna species of high conservation significance.

## **MANAGEMENT ACTIONS**

Management actions have been detailed in Section 14 of the Draft POM. In summary, the management actions comprise policies and management directions or guidelines, as well as more specific on-ground or tangible actions that will guide the reserve's management over the coming 5 to 10 years. The management actions have been identified in response to the reserve's values, the threats to these values and other management issues, community values and aspirations as expressed through the various community consultation measures during the plan's preparation, and the stated reserve vision and management objectives.

Management actions have been grouped into specific value or operational areas as follows:

**Natural Environment** management actions for native flora and vegetation communities and habitats, native fauna, weeds and pests and introduced animals and fire management.



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**Cultural Heritage** management actions for Aboriginal cultural heritage and historic (non-Aboriginal) heritage.

**Visitor Use and Recreation** management actions for access, day use areas, recreational tracks, information and interpretation, and educational uses.

**Landscape and Amenity** management actions for retaining view lines to and from the reserve and addressing risk related to mining subsidence.

**Reserve Management and Administration** management actions for reserve administration and management activities, leases and licences and special uses and commercial activities, and assets and infrastructure.

The action tables also include an indication of the order of resources required, priority and implementation responsibilities for each management action, as a guide to the plan's implementation or operation.

## **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

Nil at this time. However the final plan if adopted will have significant implications for Council operation and delivery plan program in terms of financial resourcing.

## **LEGAL IMPLICATIONS**

The plan has been drafted in accordance with the requirements of the Crown Lands Act 1989 and the Local Government Act 1993.

In accordance with Section 38 of the Local Government Act 1993, the Draft Plan is required to be exhibited for a period of 28 days with the period for public submissions being 42 days from the first day of exhibition.

## **ATTACHMENTS**

1. Draft Plan of Management – Hassans Walls Reserve

## **RECOMMENDATION**

**THAT** Council:

1. Approve the Draft Plan of Management – Hassans Walls Reserve as presented for exhibition for a period of 28 days with the period for submissions being 42 days from the first day of the exhibition period.
2. Authorise the conduct of a public hearing into the re-categorisation of Lot 1, DP 1094395 as Bushland and General Community Use in accordance with the requirements of S40(A)1 of the LG Act 1993.

**ITEM-5            ENVIRO - 27/02/17 - LOOSE-FILL ASBESTOS REMOVAL  
DEVELOPMENT FEES**

**REPORT BY: J NICHOLS – ACTING GROUP MANAGER ENVIRONMENT &  
DEVELOPMENT**

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**SUMMARY**

To inform Council that a request has been received from a resident for fees associated with the submission of Development Applications and Construction Certificates for the reconstruction of a dwelling to be demolished through the government Loose-fill Asbestos scheme to be waived by Council. The recommendation is that all Council fees be refunded.

**COMMENTARY**

The NSW Government through the Department of Fair Trading has implemented a Voluntary Purchase and Demolition Program to assist residents where loose-fill asbestos has been identified in their home via the inspection process the government initiated in 2016.

Under this program residents have the option to either sell their land and premises to the government who would then demolish and resell the land, or sell the premises only to the government at market value. The government then demolishes the building and the property owner retains the land to either rebuild or sell.

There are currently three premises identified with loose-fill asbestos in Lithgow. Development Applications for demolition have been received from the government for two of these premises, while a Development Application has been received for the reconstruction of one of these premises from the owner.

The Voluntary Purchase and Demolition Program does not compensate homeowners for the cost of any Council fees for the construction of a new dwelling on the land. This has the potential to impact financially on owners who have already had to cope with the demolition of the family home for market value only. This may result in a potential shortfall when attempting to reconstruct a new building on the site. It should also be noted that all furnishings are required to be destroyed through the demolition process and no compensation is provided for replacement.

The Department of Fair Trading have advised that a number of affected Councils have resolved to waive all development and construction fees for those residents who take the option to construct a new dwelling on their land following demolition by the department. It is considered that this option would be appropriate considering the impact on the resident whose premises is to be demolished. However, as a development application is technically only legally valid upon the payment of a fee, it is more appropriate for the fee to be paid and then refunded.

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Council would not receive development fees for affected properties.

**LEGAL IMPLICATIONS**

Nil

**RECOMMENDATION**

**THAT** Council refund all Council fees for development and construction of any new dwelling being constructed by an existing owner where the original dwelling has been demolished under the State Government Loose-fill Asbestos Program.

**ITEM-6            ENVIRO - 27/02/17- CROWN LAND REFORMS UPDATE**

**REPORT BY: J NICHOLS - ACTING GROUP MANAGER ENVIRONMENT & DEVELOPMENT**

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**SUMMARY**

To provide an update to Council on reforms to Crown Lands legislation.

**COMMENTARY**

In 2012 and 2013, the NSW Government conducted the first major review of Crown land in more than 25 years – the Crown Lands Management Review. The Government responded to the review, and released a white paper on proposed legislative changes. More than 600 submissions were received from a wide variety of respondents. The Government's response to the white paper recognised that the NSW Government's objectives and the needs of the community had changed markedly over that period.

There was extensive consultation with local government during the review process that has influenced the outcomes of the Crown Lands Management Bill. In particular local government advocated that transfers of Crown land to Councils must be subject to Council agreement to protect Councils from cost and responsibility shifting. This has been provided for in the Bill.

On 9 November 2016 the NSW Parliament passed the Crown Land Management Bill 2016 which seeks to deliver modern, streamlined and transparent management of the State's vast Crown lands.

This is the first stage in a process that will consolidate eight complex pieces of legislation into one Act. The new legislation aims to reduce complexity and duplication, and deliver better social, environmental and economic outcomes in relation to Crown Land.

The new Act will provide:

- stronger and more effective community engagement in decisions about Crown land
- continuing community involvement in the management of Crown land reserves
- local management for the benefit of local communities
- enabling the most appropriate local owner of Crown land
- protecting our environment, social and cultural heritage
- meaningful involvement for Aboriginal communities in Crown land
- effectively managing Crown land with native title rights and interests
- a fairer and more consistent approach to Crown land tenures
- facilitating a sustainable and prosperous Western Division
- greater powers to stop illegal activity on Crown land

A series of facts sheets further explaining above points are available on NSW Department of Industry (Lands) website at:

[http://www.crownland.nsw.gov.au/crown\\_land/comprehensive\\_review\\_of\\_nsw\\_crown\\_land\\_and\\_management](http://www.crownland.nsw.gov.au/crown_land/comprehensive_review_of_nsw_crown_land_and_management)

It is anticipated that the majority of the new legislation will commence in early 2018. This will enable sufficient time to inform and engage with stakeholders and customers with an interest in Crown land, as well as prepare the required policies and systems to support the implementation of the new Crown Lands Act.

Further, it should be noted that the Department of Industry - Lands is currently undertaking additional consultation in relation to recognising and protecting the value of Commons. The Lithgow LGA has one (1) town common located off Ridge St Portland that is administered by the Portland Common Trust. It is expected that a further Bill will be introduced later this year to ensure that appropriate provisions for commons form part of the crown land reforms.

Until this time, all current legislation remains in place. Crown land will continue to be administered in accordance with existing legislation. There are no changes for existing reserve trusts, lessees, licence holders or others with an interest in Crown land.

### **Key Implications for Local Government**

Local Government NSW (LGNSW) has identified the following key elements of the Bill relating to local government:

#### **1. Councils managing Crown reserves**

- The Bill will enable councils to manage their Crown land reserves as if they were council-owned land under the Local Government Act 1993 (LGA).
- Councils will not generally be required to seek the Minister for Lands' approval for dealings. Instead, in most cases councils will manage these reserves as if they were community land.
- There will be the ability to manage land as operational land in appropriate circumstances.
- The requirement to have plans of management for each reserve that is classified as community land will be phased in over time and councils will not have to go through the full LGA process for initial plans. To address initial costs, some financial assistance from the Government will be available.
- Councils will continue to be eligible to apply for grants from the Public Reserve Management Fund Program to support their management and up-keep of Crown reserves.

#### **2. Local ownership**

- The Bill allows land identified as being of local significance to be vested in councils where this is agreed by the councils.
- The rationale is that councils are best placed to make decisions on land of local significance and that ownership will reduce the council's cost of managing land, simplify the approval and decision making process and enhance benefits to local communities.
- There will be no forced transfers - the Bill explicitly requires agreement to any vesting.

- While land will generally be transferred as community land, the Bill provides for pragmatic exceptions to this in cases where operational classification is appropriate.
- Once land is transferred, income generated by that land will be retained by the council.

### **3. Native Title**

- Councils as Crown land managers already are responsible for complying with the Commonwealth Native Title Act in all their dealings and activities.
- The Bill recognises this and clarifies responsibilities where native title has not been extinguished or determined.
- It includes provisions requiring councils to appoint trained native title managers to ensure compliance with their obligations under the Commonwealth Native Title Act. This will ensure that councils have the ability to meet their native title obligations.
- The State will pay for initial training for native title managers for all councils.
- The new vesting provisions will also allow land to be transferred to council ownership where native title has not been extinguished. All transfers will be voluntary.

### **POLICY IMPLICATIONS**

Nil

### **FINANCIAL IMPLICATIONS**

Nil

### **LEGAL IMPLICATIONS**

Nil

### **RECOMMENDATION**

**THAT** The information in relation to the Crown land reforms be noted.

**ITEM-7            ENVIRO - 27/02/17- DA326/16 - PROPOSED SINGLE DWELLING LOT  
4 DP416, 1 HUTCHINSON STREET LITHGOW**

**REPORT BY: J NICHOLS – ACTING GROUP MANAGER ENVIRONMENT &  
DEVELOPMENT**

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**SUMMARY**

To inform Council of the ‘call in’ of a development application pursuant to Council Policy.

**COMMENTARY**

Council is in receipt of Development Application DA326/16 for a single dwelling on land known as Lot 4 Section 5 DP 416, 1 Hutchinson Street, Lithgow.

The application has been called in for determination by Mayor Lesslie.

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

**POLICY IMPLICATIONS**

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.

**FINANCIAL IMPLICATIONS**

Council’s Section 94A Development Contributions Plan 2015 applies to the development.

**LEGAL IMPLICATIONS**

No specific implications at this point of the process.

**RECOMMENDATION**

**THAT** the calling in of Development Application DA326/16 be noted.

**ITEM-8            ENVIRO - 27/02/17- DA327/16 - PROPOSED SINGLE DWELLING -  
LOT 2 DP416 - 2 HUTCHINSON STREET LITHGOW**

**REPORT BY: JIM NICHOLS – ACTING GROUP MANAGER ENVIRONMENT &  
DEVELOPMENT**

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**SUMMARY**

To inform Council of the 'call in' of a development application pursuant to Council Policy.

**COMMENTARY**

Council is in receipt of Development Application DA327/16 for a single dwelling on land known as Lot 2 Section 5 DP 416, 2 Hutchinson Street, Lithgow.

The application has been called in for determination by Mayor Lesslie.

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

**POLICY IMPLICATIONS**

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.

**POLICY IMPLICATIONS**

**FINANCIAL IMPLICATIONS**

Council's Section 94A Development Contributions Plan 2015 applies to the development.

**LEGAL IMPLICATIONS**

No specific implications at this point of the process.

**RECOMMENDATION**

**THAT** the calling in of Development Application DA327/16 be noted.



**ITEM-9            ENVIRO – 27/02/17- SPRINGVALE MINE STATE SIGNIFICANT DEVELOPMENT (SSD 5594) MODIFICATION 2**

**REPORT BY: J NICHOLS – ACTING GROUP MANAGER ENVIRONMENT & DEVELOPMENT**

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**REFERENCE**

Min No 14-208: Ordinary Meeting of Council held on 12 May 2014 – Springvale Mine Extension Project State Significant Development (SSD 5594)

**SUMMARY**

To advise Council on a Major Project application that has been submitted to the Department of Planning and Environment (the Department) for the modification of the Springvale Mine State Significant Development (SSD 5594), Wolgan Road Lidsdale.

**COMMENTARY**

The State Significant Development Consent SSD 9954 for the Springvale Mine Extension Project was issued on 21 September 2015 and allows Springvale Mine to carry out operations until 31 December 2028. Springvale Mine also has approval to allow extraction of coal from 20 longwalls at the extraction rate of 4.5 million tonnes per annum, employment of up to 310 full time personnel for operations to run 24 hours a day, seven days a week and the continued operations of the mine’s surface infrastructure sites at the pit top and on Newnes Plateau.

**Proposal**

The Statement of Environmental Effects submitted with the modification states that the amendment is to Schedule 4 Condition 12 and includes:

- To remove the requirement to “Meet limits for salinity of 700 (50<sup>th</sup> percentile), 900 (90<sup>th</sup> percentile) and 1000 (100<sup>th</sup> percentile) uS/cm EC by 30 June 2017”.
- To defer from 30 June 2017 to 30 June 2019 the requirement to “Eliminate acute and chronic toxicity from LDP009 discharges to aquatic species, with acute toxicity defined as >10% effect relative to the control group and chronic toxicity defined as >20% effect relative to the control group”.

There are no changes to the project boundary, surface infrastructure, current surface operations and majority of activities within the project.

The purpose of the modification is to amend the conditions relating to the water quality performance criteria as the Springvale Water Treatment Project (State Significant Development SSD 7592) was developed to meet the SSD 5594 water quality performance, will not be operational by 30 June 2017. This is due to the time-consuming processes involved in project design, development consent, procurement, construction and commissioning.

It is expected that the Springvale Water Treatment Project will be operational by 30 June 2019 and will meet the water quality performance criteria to provide significant environmental benefits.

A Surface Water Assessment was undertaken and indicated that the impacts associated with the removal of the water quality criteria for the predicted salinity within the Coxs River over the prediction period compared to the current approval, will be minor to negligible.

The development has a well-established environmental management system to monitor and manage operations as well as to ensure compliance with all regulatory requirements.

**Status**

The Environmental Impact Statement was supplied to Council and was placed on exhibition for public submission and authority comments which finishes on the 28 February 2017.

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**LEGAL IMPLICATIONS**

As the proposal falls within Part 4, Division 4.1 of the *Environmental Planning and Assessment Act 1979* the Department of Planning and Environment is the consent authority.

**RECOMMENDATION**

**THAT** The information in the report on the Springvale Mine State Significant Development (SSD 5594) Modification 2 be noted.

**OPERATION REPORTS**

**ITEM-10            OPER - 27/02/17 - WATER REPORT**

**REPORT BY: I STEWART – GROUP MANAGER OPERATIONS**

**REFERENCE**

Min No 17-35:            Ordinary Meeting of Council held on 6<sup>th</sup> February 2017

**SUMMARY**

This report provides an update on various water management issues.

**COMMENTARY**

**Current Dam Levels for both Lithgow No. 2 Dam and Oberon Dam**

Lithgow No. 2 Dam capacity on Monday 13<sup>th</sup> February 2017 was 55.2%. Oberon Dam capacity on Monday 13<sup>th</sup> February 2017 was 94.2%.

**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 2016/2017.

**Table 1 - Oakey Park Monthly Output and Clarence Transfer 2016/2017**

Month	Oakey Park WTP (ML)	Clarence Transfer (ML)	Fish River Supply (ML)
July	112	0	58
August	97	0	66
September	95	0	66
October	111	0	66
November	124	0	56
December	148	0	47
January	112	0	96
<b>TOTAL</b>	<b>799</b>	<b>0</b>	<b>455</b>

### Oakey Park Water Quality Summary

Oakey Park Water Treatment Plant is currently supplying water to Lithgow. No health-based ADWG values were exceeded for the period 28/01/17 to 14/02/17.

### Treatment Plants Monitoring Results

Samples are taken on a monthly basis at various locations within the STPs and WTP. Nine samples were taken on 18/01/2017 and forwarded to Australian Laboratory Services (ALS) for testing. There were three (3) non-compliances, one (1) at each of Council's STP's as detailed below in Table 2. All test results are published on the Lithgow City Council website as required by the *Protection of the Environment Operations Act 1997*.

**Table 2 – Treatment Plants Monitoring Results**

Plant	Non Compliance	Licence Limit	Date Sampled	Cause of Non Compliance	Action Taken to Mitigate Adverse Effects of the Non Compliance	Action Taken to Prevent Future Reoccurrence Of Non Compliance
Lithgow STP	Ammonia 4.70mg's/L	2mg's/L	18/01/17	Mechanical Failure of One Aerator	Adjust and Increase Aeration Times on Remaining Aerators	Contractor To Repair Aerator and Rectify Design Faults
Wallerawang STP	Faecal Coliforms 1400 units/ 100mL	200units/ 100mL	18/01/17	Substantial UV Lamp Failure	Replacement of UV Lamps	Regular Servicing of UV System
Portland STP	Faecal Coliforms 3500 units/ 100mL	600 units/ 100mL	18/01/17	Removal of Tricking Filter During Plant Upgrade	Increase Cleaning to Reduce load On Remaining Filter	

### Fish River Water Scheme Water Quality Summary

Fish River Water Supply supplied water to Lithgow, Marrangaroo, Wallerawang, Lidsdale, Portland, Cullen Bullen, Glen Davis and Rydal from 28/01/17 to 17/02/17. 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 28/01/17 to 17/02/17.

### Current Water Restrictions Update

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

### Water Saving Schemes or Processes Update

Council's Rainwater Tank and Domestic Appliance Rebate Program continued with Council approving ten (10) applications for household appliance rebates and no applications for water tank rebates for the period 28/01/17 to 14/02/17.

### **Water Reticulation Complaints**

Two complaints were received during the period 28/01/17 to 17/02/17 concerning water quality issues in the following areas. Testing of the water was undertaken at these locations.

<b>Locality</b>	<b>Concern</b>	<b>Notes</b>
McKanes Falls Road, Sth Bowenfels	Reported dirty water.	Water was tested and complied with all ADWG health limits. Water was stirred up following burst main in this locality.
15 Mills Street, Lithgow	Reported dirty water.	Water was tested and complied with all ADWG health limits. Water was stirred up following burst main in this locality.

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

### **POLICY IMPLICATIONS**

NIL

### **FINANCIAL IMPLICATIONS**

NIL

### **LEGAL IMPLICATIONS**

NIL

### **ATTACHMENTS**

1. Water Quality Complaint Trend

### **RECOMMENDATION**

**THAT** Council notes the water report.

## **CORPORATE AND COMMUNITY REPORTS**

### **ITEM-11 CORP - 27/02/17 - MENTAL HEALTH SUMMIT**

**REPORT BY: M JOHNSON – COMMUNITY AND CULTURE MANAGER**

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## **REFERENCE**

Min 16 – 285: Ordinary Meeting of Council held on 31 October 2016

## **SUMMARY**

This report advises Council of the outcomes of the 14 December 2016 Lithgow Mental Health Summit and the establishment of an ongoing Mental Health Taskforce to implement strategies to address mental health concerns in the community.

## **COMMENTARY**

A very successful mental health summit was held at Lithgow Workies Club on Wednesday 14 December with over 120 people attending. The summit was chaired by Associate Professor and Head of the University of Notre Dame Lithgow Rural Clinical School, Dr John Dearin, and included a panel of mental health experts and others working in the field of mental health.

The summit provided an important opportunity for people experiencing, or affected by mental health issues in their families to tell their stories and to hear what is happening in the mental health field. The summit highlighted the many facets of mental health including economic and social factors that affect people, particularly young people. The importance of economic development, jobs and apprenticeships was highlighted.

Other matters raised at the summit included the importance of:

- Mapping local services so that both service providers and consumers, know about the services on offer. The service network can change quickly and some services are provided on a part-time basis from outside the area.
- The need for coordination and collaboration between local services.
- It is critical that those affected by mental health issues, are able to navigate the support system as easily and as quickly as possible.
- The importance of peer support for those affected by mental health issues.

A follow up debrief meeting of panel members was held in early February 2017 where it was agreed that a Mayor's Mental Health Taskforce be established with the following responsibilities:

- To raise awareness of mental health issues and where people can get help.
- To encourage coordination and communication between agencies and providers
- To lobby higher levels of government for the provision of appropriate mental health services.

- In all the above to give specific regard to suicide prevention.

Task force membership will include

- The Mayor and Deputy Mayor
- Dr John Dearin
- Katrina Prescott
- Nepean/Blue Mountains/Lithgow Primary Health Network

The Taskforce will be supported by Council staff and will meet bi-monthly.

The post summit debrief meeting also agreed on some short term initiatives:

- A walk, called Walk out of the Shadows, be held one Sunday in early May 2017 modelled along the lines of similar initiatives in other areas to give an opportunity for people affected by mental health issues to come together. Details on location and times are to be finalised at the next Task Force meeting.
- Council staff to investigate the possible establishment of a Headspace service in Lithgow. Headspace provides early intervention mental health services to 12-25 year olds, along with assistance in promoting young peoples' wellbeing. The nearest Headspace services are in Penrith and Bathurst.

Council staff to contact Westfund about possible re-instatement of a very successful music therapy program with young people affected by mental health issues.

#### **POLICY IMPLICATIONS**

NIL

#### **FINANCIAL IMPLICATIONS**

NIL

#### **LEGAL IMPLICATIONS**

NIL

#### **RECOMMENDATION**

**THAT** Council note the report on the successful 14 December 2016 Mental Health Summit and the establishment of the Mayor's Mental Health Taskforce.

**ITEM-12          CORP - 27/02/17 - ALCOHOL FREE ZONES**

**REPORT BY:    M JOHNSON – COMMUNITY AND CULTURE MANAGER**

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**REFERENCE**

Min 09- 101:    Ordinary Meeting of Council 9 March 2009  
Min 09-191:    Ordinary Meeting of Council 11 May 2009  
Min 13-62:      Ordinary Meeting of Council 25 February 2013

**SUMMARY**

This report proposes that, following completion of a public notice period, the current Alcohol Free Zones in the Lithgow, Portland and Wallerawang CBD areas be established for a further 4 years under Section 644 of the Local Government Act 1993.

**COMMENTARY**

The current Alcohol Free Zones in the Lithgow, Portland and Wallerawang CBD areas were last extended by a resolution of Council at the Ordinary Meeting of Council on 25 February 2013 (Min 13-62) and took effect on 8 March 2013. Their operation will cease on 8 March 2017.

Alcohol Free Zones may operate for a maximum period of 4 years after which Councils are required to consider whether they are still required or if they should be re-established for a further period.

Council has powers under Sections 644 of the local Government Act 1993 to establish Alcohol Free Zones on roads, footpaths and public carparks. The establishment of an Alcohol Free Zone gives powers to the Police to seize, tip out or otherwise dispose of open containers of alcohol. The Police may also issue a warning or where a person does not cooperate with the Police, they can be charged with obstruction under Section 660 of the Local Government Act 1993.

Council may also establish Alcohol Prohibited Areas under Section 632A of the Local Government Act in public places (other than roads, footpaths and public carparks) such as parks, as for example Council has done in Queen Elizabeth Park and a number of other parks. Alcohol Prohibited Areas may operate without time limit. Offences and penalties are consistent with those that apply in Alcohol Free Zones. This report does not deal with the establishment of Alcohol Prohibited Areas.

**The Lithgow Alcohol Free Zone**

The public areas included in the proposed re-established Lithgow CBD Alcohol Free Zone are unchanged from those in the existing Alcohol Free Zone and include the following:

- Main Street (from Bridge Street to Laurence Street)
- Main Street Lane and Burns Lane between Bridge Street and Bank Lane)



- 
- Tank Street (from Bridge Street to Read Avenue)
  - Bridge Street (from Tank Street to Main Street Lane)
  - Railway Parade (from Tank Street to Sandford Avenue and including Gray and Station Streets.)
  - Eskbank Street (from Mort Street to Railway Parade)
  - Cook Street Plaza
  - Bank Lane
  - Tatts Lane
  - Collins Laneway
  - Exchange Walkway
  - Bank Street between Main Street and Gray Street.

### **The Portland Alcohol Free Zone**

The public areas included in the proposed re-established Portland CBD Alcohol Free Zone are unchanged from those in the existing Alcohol Free Zone and include the following:

- Williwa Street from Lett Street to Saville Street.
- Lett Street from Vale Street to Williwa Street
- Scheidel Lane
- Cox Street from Villiers Street to Vale Street.
- Vale Street from Lett Street to Wolgan Street
- Wolgan Street from Villiers Street to Williwa Street.
- Villiers Street from Lett Street to Wolgan Street
- Wallerawang Road from Cullen Street to Wolgan Street
- Cullen Street from Wallerawang Road to Williwa Street

### **The Wallerawang Alcohol Free Zone**

The public areas included in the proposed re-established Wallerawang CBD Alcohol Free Zone are unchanged from those in the existing Alcohol Free Zone and include the following:

- Main Street between Pipers Flat Road (Black Bridge) and the Royal Hotel including Daintree Lane, Blackberry Lane and Doggett Lane.

Council has received correspondence from Inspector Sammut of Chifley Command indicating that he fully supports this extension as Alcohol Free Zones are a major part of the Police's crime fighting arsenal in tackling anti social behaviour and alcohol related crime in the CBD.

The Ministerial Guidelines on Alcohol Free Zones require that in establishing an Alcohol Free Zone, Councils consider:

- The success of the previous zone in achieving a reduction in unacceptable street drinking.
- Police statistics
- Other possible measures for addressing street drinking such as community education
- Community perceptions on the safety benefits

These matters will be canvassed during the consultation process.

The attached proposal to establish the Lithgow, Portland and Wallerawang Alcohol Free zones for a further 4 years will be publicly advertised with the community asked to make

comment within 30 days. All Liquor Licensees within or adjoining the Alcohol Free Zones together with the Police and Mingaan Aboriginal Corporation will be provided with a copy of the proposal and invited to make comment.

The matter, with community comments will then be brought back to Council in April 2017 for its consideration.

The establishment of the Alcohol Free Zones will come into effect 7 days after Council resolves to adopt the proposal, publishes a notice to that effect and once the areas included in the zones are adequately signposted.

#### **POLICY IMPLICATIONS**

Nil

#### **FINANCIAL IMPLICATIONS**

There will be minimal cost in altering the dates of operation on existing signage.

#### **LEGAL IMPLICATIONS**

Local Government Act NSW 1993

#### **ATTACHMENTS**

1. Proposal to establish the Alcohol Free Zones in the Lithgow, Portland and Wallerawang CBD areas for a further 4 years.
2. Maps of Lithgow, Portland and Wallerawang Alcohol Free Zones
3. Correspondence from Inspector Chris Sammut Lithgow Police.

#### **RECOMMENDATION**

**THAT** Council:

1. Consult with the Police, all affected liquor licensees and the general community on the attached proposal to establish Alcohol Free Zones in the Lithgow, Portland and Wallerawang CBD's for a further 4 years in accordance with Section 644 of the Local Government Act 1993.
2. Publishes a notice of the proposed establishment of the Alcohol Free Zones in these areas calling for comment by 31 March 2017.

**ITEM-13          CORP - 27/02/17 - HARDSHIP INTEREST WRITE OFF**

**REPORT BY:    N DERWENT – FINANCIAL SERVICES MANAGER**

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**SUMMARY**

To request Council consider a hardship application for Property 60370 in accordance with Policy 8.3 Hardship and Section 567 of the Local Government Act 1993 and write off interest of \$6,418.

**COMMENTARY**

The owner of property 60370 became an invalid pensioner in 2003 due to an accident which restricted their ability to acquire fulltime employment. The ratepayer did not apply for a pension rebate until 2011, at which time Council applied the pensioner rebate in accordance with retrospective provisions in Policy 8.5 Pensioner Rebates which states Council can apply pensioner rebates for the current year and two prior years for eligible pensioners. The ratepayer has transitioned to the aged pension since 2011 and does not have the ability or funds to pay off this debt. If Council was to continue to pursue this debt the ratepayer would be forced into homelessness.

Following is an extract of Sect 567 of the Local Government Act 1993 which is contained in the 8.3 Hardship policy.

**LOCAL GOVERNMENT ACT 1993 - Section 567**

***Writing off of accrued interest***

The council may write off accrued interest on rates or charges payable by a person if, in its opinion:

- (a) the person was unable to pay the rates or charges when they became due and payable for reasons beyond the person's control,
- (b) the person is unable to pay the accrued interest for reasons beyond the person's control, or
- (c) payment of the accrued interest would cause the person hardship.

**POLICY IMPLICATIONS**

Policy 8.3 Hardship Policy

**FINANCIAL IMPLICATIONS**

Write off of \$6,418

**LEGAL IMPLICATIONS**

Nil

**RECOMMENDATION**

**THAT** Council write off \$6,418 of accrued interest on property 60370 in accordance with Council Policy 8.3 Hardship and Section 567 of the Local Government Act of 1993.



The proposed lease of part of the site to Wallerawang Men's Shed is authorised in accordance with s.46 of the Local Government Act 1993 and s.8.7(2) of the Generic Community Lands Plan of Management 2013.

Council is required to comply with Section 47 and 47A of the Local Government Act relating to public notification and exhibition of the lease proposal prior to executing a final lease.

### **Lease terms**

It is proposed that Wallerawang Men's Shed be offered a lease in similar terms to the lease entered into in 2015 between Council and the Lithgow Chapter Group for the South Littleton Hall and using the Crown Lands NSW Minimum Rents for Crown Lands as a guide:

Lease term of 5 years

Rent \$470 pa + CPI

Lessee to hold Public Liability insurance of \$20m

Lessee to meet 100% of all outgoings excluding property rates and building insurance.

### **Conclusion**

It is proposed that:

- Council consult with the Wallerawang community on the proposal for Wallerawang Men's Shed to have exclusive use of Wallerawang Memorial Hall and, should there be significant community objections, report these back to Council.
- Enter a draft lease agreement with Wallerawang Men's Shed for a period of 5 years and an annual rent of \$470 pa + CPI.
- The draft lease proposal be publicly notified for a period of twenty-eight (28) days in accordance with Section 47 and 47A of the Local Government Act and any submissions received be reported back to Council prior to finalising any lease agreement.

### **POLICY IMPLICATIONS**

NIL

### **FINANCIAL IMPLICATIONS**

All works will need to be undertaken and funded by the Men's Shed as Council has no funds to assist. While the proposed rent of \$470 pa is less than the current fees and charges for the hall, there has been very little hire of the hall in recent years.

### **LEGAL IMPLICATIONS**

The proposed lease of part of the site to Wallerawang Men's Shed is authorised in accordance with s.46 of the Local Government Act 1993 and s.8.7(2) of the Generic Community Lands Plan of Management 2013.

Council is required to comply with Section 47 and 47A of the Local Government Act relating to public notification and exhibition of the lease proposal prior to executing a final lease.

Lease documents will be prepared by Council's solicitor in compliance with current legislation.

## ATTACHMENTS

1. Correspondence from Wallerawang Men's Shed

## RECOMMENDATION

**THAT** Council:

1. Consult with the Wallerawang community on the proposal for Wallerawang Men's Shed to have exclusive use of Wallerawang Memorial Hall and note that should there be significant community objections, report these back to Council.
2. Enter a draft lease agreement with Wallerawang Men's Shed for a period of 5 years and an annual rent of \$470 pa + CPI.
3. Publicly notify the draft lease proposal for a period of twenty-eight (28) days in accordance with Section 47 and 47A of the Local Government Act and note that any submissions received will be reported back to Council prior to finalising any lease agreement.

**ITEM-15            CORP - 27/02/17 - REQUEST FOR COUNCIL INVOLVEMENT WITH  
                         WW1 PROJECT**

**REPORT BY: M JOHNSON - MANAGER COMMUNITY AND CULTURE**

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**SUMMARY**

This report advises Council of correspondence received from Mr Ian Burrett, Secretary of the Lithgow WWI Commemorative Plaque Project Committee, requesting Council involvement in a project to identify people from the greater Lithgow area who served and returned from WW1, and to include their names on the Lithgow war memorial.

**COMMENTARY**

Mr Burrett, Secretary of the Lithgow WWI Commemorative Plaque Project Committee wrote to Council in September 2015 advising that while the Cenotaph in Queen Elizabeth Park lists the names of 131 people who were killed during WW1, his committee considers that all those who served should also be listed on a commemorative plaque to recognise their service to this country.

His initial research identifies over 700 Lithgow people who served and returned from WW1. To further assist the Project Committee, Mr Burrett has requested that Council become more involved in the commemorative plaque project by appointing a Councillor, or member of staff, to the Project Committee.

Subsequently, Council staff replied to Mr Burrett's request advising that Council cannot be directly involved in the project due to the lengthy and complex processes involved in identifying and authenticating people who have served and returned from WW1. Council did however approve \$1,000 financial assistance in 2016/17 to assist the Project Committee with its research and other expenses related to the project.

Councillors may recall that the WW11 memorial plaque in the Queen Elizabeth Park cenotaph was installed in 2014/15 following lengthy research by Mrs Janice Marshall and Mrs Lorraine Ryan. The WW11 plaque lists the names of approximately 50 people who died, not of those who served and returned home. The research involved at that time proved to be very time consuming and difficult as official war graves records do not necessarily include the names of all people with a connection to Lithgow who died or served. A considerable amount of local research was therefore required using local records.

The task is therefore likely to be much greater for a WW1 memorial plaque which includes many hundreds of names of those who served. Mr Burrett has discussed his proposal with the Lithgow RSL Sub Branch which does not support it. This is highly significant as the RSL sub branch is the body that Council would see as representing returned servicemen and women and it would be difficult to add Council's support in the absence of the RSL sub branches support. There are currently commemorative plaques in the Lithgow cenotaph commemorating those who died in WW1 and WW11, those who served in the Vietnam war and those missing in action from the Korean war.

In addition to the \$1,000 financial assistance already provided to Mr Burrett's committee, some research assistance can be provided as required by Council's Local Studies Librarian however it is recommended that Council decline Mr Burrett's request for Council involvement in his WW1 research project.

Mr Burrett has submitted a second request in November 2016 that Council be involved in the commemorative plaque project, and has asked this matter be considered at a meeting of Council. Mr Burrett would like to speak at a Council meeting in support of his request.

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**LEGAL IMPLICATIONS**

Nil

**ATTACHMENTS**

1. Correspondence from Mr Burrett including Council's response to Mr Burrett's initial request and correspondence from Lithgow RSL Sub-Branch

**RECOMMENDATION**

**THAT** Council decline Mr Burrett's request for Council involvement in his WW1 research project.



**ITEM-16            CORP - 27/02/17 - YOUTH STRATEGY AND ACTION PLAN 2016-2020**

**REPORT BY: M JOHNSON – COMMUNITY & CULTURE MANAGER**

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**REFERENCE**

Min No 16-327:            Ordinary meeting of Council held on 21 November 2016

**SUMMARY**

The draft Youth Strategy and Action Plan 2016-2020 was considered by Council at the ordinary Meeting of Council held 21 November 2016 where it was resolved (Min 16-327) to place the strategy on public exhibition.

Subsequently, the draft Youth Strategy and Action Plan 2016-2020 was placed on public exhibition for 28 days from 16 December 2016 to 12 January 2017, and is now brought back to Council for final adoption.

**COMMENTARY**

The Youth Strategy and Action Plan 2016-2020 aims to ensure that local young people are included in decision-making and community life, are provided with opportunity and choice, and feel a strong sense of belonging and wellbeing.

During the development of the Youth Strategy, Council surveyed approximately 580 young people that live in the Lithgow LGA, consulted with Youth Council and local service providers in the youth sector. The data collected from the consultation process was used to develop the action plan in the Youth Strategy, which is designed to achieve positive outcomes in the area of health, education, employment, relationships, recreation, safety and participation for young people in Lithgow.

Council received one submission from Lithgow Community Projects following the exhibition period. This feedback has been considered, and the following comments have been included in the action plan:

**Strategy - Encourage and support learning opportunities in the LGA**

Advocate for increased funding to deliver a broader range of tertiary courses in Lithgow.

**Strategy – Support a range of health and wellbeing programs and services which meet the needs of young people**

Change the word “quality” to “safe and affordable” in the action that relates to lobbying the government for accommodation options for youth experiencing homelessness or insecure housing.

**Strategy – Facilitate a safe community**

Change the term Domestic Violence Liaison Committee to Lithgow Partnerships Against Domestic Violence and Family Abuse.

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Implementation costs will be considered each year for incorporation into annual budgets.

**LEGAL IMPLICATIONS**

Nil

**ATTACHMENTS**

1. Youth Strategy and Action Plan 2016-2020

**RECOMMENDATION**

**THAT** Council adopt the Youth Strategy and Action Plan 2016-2020.

**ITEM-17            CORP - 27/2/17 - AUDIT REVIEW LETTER CROWE HORWATH 10  
NOVEMBER 2016**

**REPORT BY: N DERWENT – FINANCIAL SERVICES MANAGER**

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**REFERENCE**

Min No 16-304:        Ordinary Meeting of Council held on 10 November 2016.

**SUMMARY**

For Council to note Council's response to issues raised by Council's auditors, Crowe Horwath, in their Audit Review Letter of the 10 November 2016

**COMMENTARY**

This report relates to part three of Council Minute 16-304 which is as follows:

3. The Finance Manager bring a report back to Council outlining what action has been taken, this minute relates to the presentation of the Annual Financial statements to Council. While there were no submissions in relation to the presentation made by Crowe Horwath to Council, there was an Audit Review letter outlining areas where controls needed enhancement. The following are the issues as presented in the Audit Review Letter, (Attachment 1).

**A Creditors and Debtors Reconciliations**

**B Independent Reviews on Reconciliation Reports**

**D Bank Reconciliation and Outstanding Cheques**

These issues have been addressed by reinstating the monthly reconciliation of the Balance sheet general ledger account by the 15th day of the month. The Financial Services Manager reviews and signs off on the reconciliations by the end of the month.

**C Key Management Personnel's Employment Contract**

Moving forward, the Organisational Development Manager is to reconcile key management personnel contracts on a quarterly basis.

**E Bank Signatory**

When the Financial Services Manager obtained the administrator role for Council's internet banking system, signatories to Council's bank accounts were updated, this was early October 2016.

**F Property, Plant and Equipment**

The first part of this issue has been addressed by the appointment of an Accounts Payable officer, this error occurred due to staff turnover and minimal training and experience with accounts payable processing. Part two of this issue has been addressed

by uploading assets data onto finance one and by the current asset revaluation and asset useful life review currently underway as part of Fit for the Future.

**G Employee Leave Forms**

This is being addressed with a move to online leave forms for indoors staff and stringent monitoring of paper leave forms by payroll.

**H Inventory**

The issue around inventory relates to stocktake and Council had appointed a new storeman with limited Finance One experience. This has been rectified by providing training for the storeman and updating stocktake procedures.

**I IT Controls**

The IT Manager carried out an audit of the IT Controls once notified by the auditors and rectified the issue.

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**LEGAL IMPLICATIONS**

Nil

**ATTACHMENTS**

1. Crowe Horwath – Audit Review Letter 10/11/2016

**RECOMMENDATION**

**THAT** Council note the resolution to issues raised by Council's auditors, Crowe Horwath, in the Audit Review Letter of the 10/11/2016.

**ITEM-18            CORP - 27/02/17 - COUNCIL INVESTMENTS HELD TO 31 JANUARY 2017**

**REPORT FROM: N DERWENT – FINANCIAL SERVICES MANAGER**

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**REFERENCE**

Min No 17-37:            Ordinary meeting of Council held on 06 February 2017  
Min No 17-38:            Ordinary meeting of Council held on 06 February 2017

**SUMMARY**

To advise Council of investments held as at 31 January in the 2016/17 financial year.

**COMMENTARY**

Council's total investment portfolio, as at 31 January 2017 when compared to 31 December 2016, has decreased by \$1,950,000.00 from \$25,900,138.43 to \$23,950,138.43. While cash in Council's bank account decreased by \$91,392.30 from \$793,274.67 to \$701,882.37.

There is an overall decrease in cash and investments of \$2,041,392.30 since 31 December 2016.

The decrease in investments is due to outward cash flows between rate instalments for general operating costs of Council and cash flow timing for the Portland Sewer Treatment Plant grant. This is a part of the ebb and flow of Council operations and is no cause for alarm.

INVESTMENT REGISTER 2016/17								
INSTITUTION	INV TYPE	DATE LODGED	DATE DUE	DAYS	INT	VALUE 31.12.16	VALUE 31.01.17	% OF TOTAL
AMP	TD	10.08.16	08.03.16	210	2.95	1,500,000.00	1,500,000.00	
	TD	18.08.16	16.03.16	210	2.95	1,500,000.00	1,500,000.00	
	TD	25.08.16	29.03.17	216	2.95	1,000,000.00	1,000,000.00	
	TD	30.11.16	31.05.16	182	2.75	1,000,000.00	1,000,000.00	20.87%
CBA	On Call				1.45	400,000.00	1,450,000.00	6.05%
NAB	TD	07.09.16	07.01.17	122	2.65	1,000,000.00	0.00	
	TD	09.11.16	08.02.17	91	2.65	1,000,000.00	1,000,000.00	
	TD	07.11.16	01.02.17	86	2.85	1,000,000.00	1,000,000.00	
	TD	07.01.17	07.05.17	120	2.65		1,000,000.00	12.53%
WESTPAC	TD	13.12.17	19.04.17	127	2.75	1,000,000.00	1,000,000.00	4.18%
ST GEORGE	TD	26.10.16	26.01.17	92	2.65	1,000,000.00	0.00	
	TD	04.12.16	04.04.17	121	2.75	2,000,138.43	2,000,138.43	
	TD	26.01.17	26.06.17	151	2.65		1,000,000.00	12.53%
ME BANK	TD	31.08.16	04.01.17	126	2.65	2,000,000.00	0.00	
	TD	20.09.16	22.03.17	83	2.65	1,000,000.00	1,000,000.00	
	TD	21.09.16	05.04.17	196	2.65	1,000,000.00	1,000,000.00	
	TD	23.11.16	21.02.16	90	2.65	1,000,000.00	1,000,000.00	
	TD	22.12.16	26.04.17	125	2.85	1,500,000.00	1,500,000.00	18.78%
MY STATE BANK	TD	23.11.16	22.05.16	180	2.77	1,000,000.00	1,000,000.00	
	TD	07.12.16	07.06.17	182	2.85	1,000,000.00	1,000,000.00	8.35%
BEYOND BANK	TD	30.08.16	04.01.17	127	2.75	2,000,000.00	0.00	
	TD	01.12.16	31.05.16	181	2.85	1,000,000.00	1,000,000.00	
	TD	04.01.17	14.06.17	161	2.75		2,000,000.00	12.53%
NEWCASTLE PERMANENT	TD	05.09.16	11.01.17	128	2.70	1,000,000.00	0.00	
	TD	08.12.16	12.04.16	125	2.75	1,000,000.00	1,000,000.00	4.18%
<b>TOTAL</b>						<b>25,900,138.43</b>	<b>23,950,138.43</b>	<b>100.00%</b>

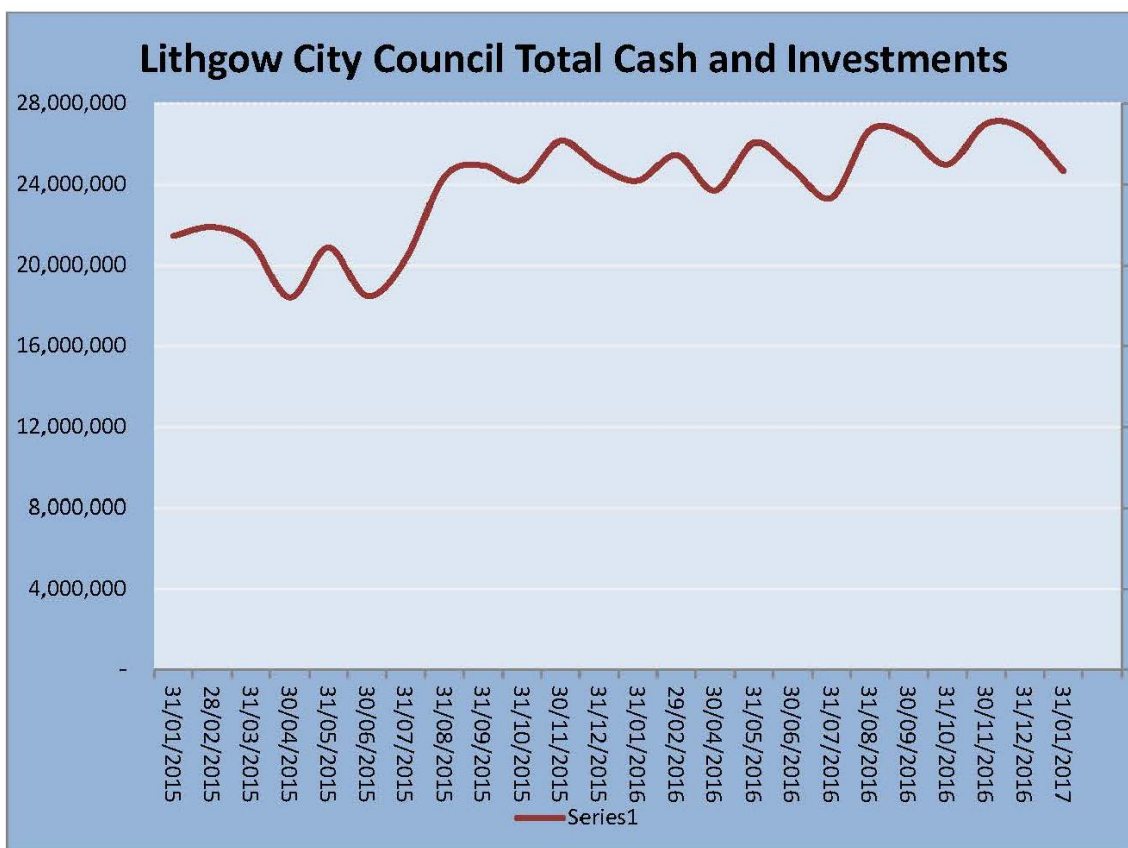
I, Neil Derwent, Lithgow City Council's Acting Responsible Accounting Officer certify as required under Local Government (General) Regulations 2005, that Council's investments have been made in accordance with the Local Government Act 1993, Regulations and Lithgow City Council's Investment Policy.

The movement in Investments for the month of January 2017 were as follows:

Opening Balance of cash and investments as 01 December 2016	\$26,693,413.10
Plus New Investments – January 2017	\$5,050,000.00
Less Investments redeemed – January 2017	\$7,091,392.30
<b>Closing Balance of cash and investments as at 31 January 2017</b>	<b>\$24,652,020.80</b>

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

On the graph below historical and current investments to 31 January are shown.



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

**POLICY IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

Interest received for month of January 2017 was \$64,228.64. Interest is paid on the maturity date of the investment. The budget for interest income is determined by the average level of funds held and the rate of return. Adjustments to the budget estimate are processed through Council’s Quarterly Budget Review process. Interest Returns are determined by average funds invested and the rate of interest return.

**LEGAL IMPLICATIONS**

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

- Local Government Act 1993 - Section 625
- Local Government Act 1993 - Order dated 12 January 2011
- Local Government (General) Regulation 2005
- Trustee Amendment (Discretionary Investments) Act 1997 Section 14A (2), 14c(1) & (2)

## **RECOMMENDATION**

**THAT** Investments of \$23,950,138.43 and cash of \$701,882.37 for the period ending 31 January 2017 be noted.



**ITEM-19          CORP - 27/02/17 - PROVISIONS AND DEBT WRITE OFF**

**REPORT BY:    N DERWENT – FINANCIAL SERVICES MANAGER**

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**SUMMARY**

Council to consider the write off Doubtful Debt provisions for the 30 June 2016 and bad/unrecoverable debts for the financial year ending 30 June 2017.

**COMMENTARY**

Council's auditors, Crowe Horwath, reviewed Council's debtors/accounts receivable as part of the audit for the financial year ending 30 June 2016 and recommended that Council make a provision for bad debts totalling \$99,802.92. Attachment 1 details the list of debts provided for as requested by Crowe Horwath. As these debts were provided in the 30 June 2016 financial statements there are no financial implications in the current financial year ending 30 June 2017.

As part of the second quarterly budget review the finance department has been reviewing Council's debtor positions. They have identified a total of \$108,020.66 of bad/unrecoverable debts which need to be written off in accordance with accounting standards. Attachment 2 details the list of debts.

**POLICY IMPLICATIONS**

Local Government Code of Accounting Practice and Financial Reporting and Australian Accounting Standards Board – AASB137 - Provisions, Contingent Liabilities and Contingent Assets and AASB1049 - Whole of Government and General Government Sector Financial Reporting.

**FINANCIAL IMPLICATIONS**

Write off \$108,020.66 in bad/unrecoverable debts.

**LEGAL IMPLICATIONS**

Nil

**ATTACHMENTS**

1. Provisions list 30 June 2016
2. Bad/Unrecoverable debts list

**RECOMMENDATION**

**THAT** Council write off:

1. \$99,802.92 provisions provided as requested by Crowe Horwath at 30 June 2016 in accordance with AASB137 - Provisions, Contingent Liabilities and Contingent Assets and AASB1049 - Whole of Government and General Government Sector Financial Reporting
2. \$108,020.66 of unrecoverable debts in accordance with AASB1049 - Whole of Government and General Government Sector Financial Reporting.

**ITEM**                      **CORP – 27/02/17 – QUARTERLY PERFORMANCE REPORT ON  
2016-2017 OPERATIONAL PLAN FOR THE PERIOD 1 OCTOBER  
TO 31 DECEMBER 2016**

**REPORT BY N DERWENT – FINANCIAL SERVICES MANAGER**

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## **REFERENCE**

Min No 16-127: Ordinary Meeting of Council held on 6 June 2016

Min No. 16-239: Ordinary Meeting of council held on 21 November 2016

## **SUMMARY**

This report provides the Quarterly Performance Report on the 2016-2017 Operational Plan for the period of 1 October to 31 December 2016 with a recommendation that variations to income and expenditure estimates are voted and the revised reduction in the cash balance deficit of \$267,351 being a movement of \$276,351 from the original budget position be noted.

The deterioration of the cash balance is due to costs associated with the termination of the former General Manager as well as a new bid from previous backlog Special Rate Variation funds which are required to be spent before the end of the special rate period. Whilst significant, the impact has been softened by increased revenues for rentals and a reduction in workers compensation premium; and the ability to more appropriately categorise several projects as 'capital' rather than 'operating'. Council currently retains sufficient unrestricted cash to cover the projected budget deficit.

## **COMMENTARY**

The October to December Quarterly Performance Report on the 2016-2017 Operational Plan has been prepared and details are provided with the attachment to the Business Paper.

This report provides a detailed summary of achievements against the Delivery Program 2013-2017.

Note: A negative balance is identified in brackets.

<b>2016/17 Quarterly Budget Comparison</b>			
<b>Budget (Inc Internal)</b>	<b>Income \$'000</b>	<b>Expenditure \$'000</b>	<b>Total \$'000</b>
Original	65,269	65,260	9
September Quarter	80,428	80,419	9
December Quarter	80,428	80,695	(267)

2016/17 Quarterly Budget Comparison Fund			
Budget(Inc Internal)	Income \$'000	Expenditure \$'000	Total \$'000
General	48,391	48,658	(267)
Water	8,232	8,232	0
Wastewater	23,806	23,806	0

The revised December quarter of the 2016-2017 Operational Plan has been adjusted as detailed in the following table.

2016/17 Quarterly Budget Variations				
	Directorate	Department	Variation	Reason
<b>Maintenance &amp; Operating Budget</b>				
1)	Corporate & Community	Community & Culture – Expenditure	(4,631)	Transfer expenditure to Community & Culture project budget to fund small overspend.
2)	Corporate & Community	Corporate Governance - Expenditure	105,660	Increased expenditure due to costs associated with the termination of the previous General Manager.
3)	Corporate & Community	Finance – Expenditure	56,000	Increase expenditure for additional asset class revaluations.
4)	Environment & Development	Development & Buildings – Income	(15,000)	Increase in rental income expected to be received.
5)	Environment & Development	Development & Buildings – Expenditure	(465,000)	Decrease in expenditure to fund Roads operating due to incorrect original budget allocation of salaries and resources.
6)	Environment & Development	Environment – Expenditure	(419,635)	Decrease in expenditure to fund Roads due to incorrect original budget allocation of salaries and resources.
7)	Environment & Development	Environment – Revenue	62,107	Decrease in income due to grant funding no longer being available.

2016/17 Quarterly Budget Variations				
	Directorate	Department	Variation	Reason
8)	Environment & Development	Waste Management – Expenditure	(298,120)	Decrease in expenditure to fund Roads due to incorrect original budget allocation of salaries and resources.
9)	Office of the General Manager	Economic Development – Expenditure	(65,600)	Transfer expenditure to fund additional asset class revaluations and Fit for the Future consultant.
10)	Office of the General Manager	Executive – Expenditure	101,107	Increase in expenditure due to the termination of the General Manager and Fit for the Future consultant.
11)	Office of the General Manager	Human Resources – Expenditure	31,000	Increase expenditure for advertising & recruitment costs of General Manager position.
12)	Office of the General Manager	Human Resources – Expenditure	71,000	Increase expenditure for recruitment of General Manager position and workers compensation salary expenses funded from funds received.
13)	Office of the General Manager	Human Resources – Revenue	(40,000)	Increase revenue for workers compensation funds received.
14)	Operations	Recreation – Expenditure	125,050	Increase in expenditure due to under-allocation of resources in original budget funded from increases in corresponding revenues.
15)	Operations	Recreation – Revenue	(145,000)	Increase income expected for JM Robson Aquatic Centre and cemeteries.
16)	Operations	Transport – Expenditure	1,132,288	Increase in expenditure roads due to incorrect original budget allocation of salaries and resources.
<b>Operating Projects Budget</b>				
17)	Corporate & Community	Community & Culture – Expenditure	12,278	Increase expenditure for NSW War Memorial grant

2016/17 Quarterly Budget Variations				
	Directorate	Department	Variation	Reason
18)	Corporate & Community	Community & Culture – Revenue	(12,278)	Increase income for NSW War Memorial grant
19)	Corporate & Community	Tourism – Expenditure	1,000	Increase expenditure for Christmas in July Ball
20)	Corporate & Community	Tourism – Revenue	(1,000)	Increased income for Christmas in July Ball donation received
21)	Environment & Development	Environment – Expenditure	3,528	Increase expenditure for in-kind contribution for Companion Animal grant and Hassan's Walls PRMFP Grant – Crown Lands overspend funded from environment operating budget
22)	Environment & Development	Strategic Planning & Property – Expenditure	10,000	Increased expenditure to fund consultant for Marrangaroo Precinct Planning
23)	Environment & Development	Strategic Planning & Property – Reserves	(10,000)	Increase transfer from reserve to fund consultant for Marrangaroo Precinct Planning.
24)	Office of the General Manager	Economic Development – Expenditure	10,000	Increase expenditure for Regional Marketing from 2015/16 carry forwards. Transfer from various projects to funds Fit for the Future consultant and additional asset revaluation services.
25)	Office of the General Manager	Economic Development – Reserves	(40,000)	Increase transfer from reserves for Regional Marketing
26)	Operations	Recreation – Expenditure	19,029	Adjustment to Noxious Weed Control and Removal due to incorrect original budget allocation
<b>Capital Projects Budget</b>				
27)	Corporate & Community	Community & Culture Capital – Expenditure	(145,369)	Decrease Blast Furnace expenditure due to grant funding being received next financial year
28)	Corporate & Community	Community & Culture Capital – Revenue	150,000	Decrease Blast Furnace revenue due to grant funding being received next financial year

2016/17 Quarterly Budget Variations				
	Directorate	Department	Variation	Reason
29)	Corporate & Community	Information Technology Capital – Expenditure	4,000	Increase expenditure for asset module, funded from Finance operating budget. Additional adjustments made within Information Technology capital program between over and under spend on projects.
30)	Corporate & Community	Tourism Capital – Expenditure	(7,723)	Decrease expenditure for Town Entry Signage savings to fund LVIC upgrade.
31)	Environment & Development	Development & Buildings Capital – Expenditure	22,723	Increase expenditure to fund LVIC upgrade overspends. Increase to Pound works from within Buildings capital program underspends.
32)	Environment & Development	Development & Buildings Capital – Reserve	(15,000)	Increase transfers from reserve to fund LVIC upgrade
33)	Environment & Development	Waste Capital – Expenditure	753	Increase expenditure from Waste operating to fund overspend on Resource Recovery project
34)	Operations	Plant & Depot Capital – Expenditure	(20,000)	Decrease expenditure to fund Fit for the Future consultant and asset valuations.
35)	Operations	Transport Roads Capital – Expenditure	94,184	Increase expenditure for Brown's Gap Road funded from prior years unspent special rate monies.
36)	Operations	Water Reservoirs Capital – Expenditure	300,000	Increase expenditure to fund future reservoir upgrade.
37)	Operations	Water Treatment Plants Capital – Expenditure	(300,000)	Transfer expenditure from telemetry upgrade to fund future reservoir upgrade.

Please note that a number of projects have had a change in classification (capital/operating) due to the nature of works undertaken which has not had an impact on cash but has changed Council's operating position significantly. They are listed below for transparency and information purposes. Overall there has been a positive impact on the operating position due to these changes.

2016/17 - Reclassifications			
Directorate	Project	Amount	New Classification
Operations	Recreation – Tree Removal	20,000	Operating
Operations	Recreation – Street Tree Renewal & Replacement	20,000	Operating
Operations	Transport – Floodplain Management	6,040	Operating
Operations	Transport – Roads to Recovery	1,843,585	Capital
Operations	Transport – Timber Bridge Improvements	61,182	Operating

Other variations have been made in the sealed roads capital program; please refer to minute 16-323 for details. These have not been included in the variations above as they have already been approved.

#### **POLICY IMPLICATIONS**

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

#### **FINANCIAL IMPLICATIONS**

The financial implications as reported in the October to December Quarterly Performance Report, 2016/17 Operational Plan.

The Financial Services Manager, as the Acting Responsible Accounting Officer has reviewed the statements and certifies as required by the Local Government (General) Amendment (Planning and reporting) Regulation 20019, that Council's 2016/17 Operational Plan has been reviewed and the financial position of Council is satisfactory.

#### **LEGAL IMPLICATIONS**

The Local Government Act 1993 and Local Government (General) Amendment (Planning and Reporting) Regulation 2009 sets out requirements for the quarterly reporting of the

achievement of performance targets and the submission of a budget review statement after the end of each quarter.

## **ATTACHMENTS**

1. Quarterly Progress Report 1 October – 31 December 2016.

## **RECOMMENDATION**

### **THAT**

1. The deficit of \$267,351 for the 2016/17 Operational Plan as detailed in the Quarterly Performance Report for the period 1 October to 31 December 2016 be adopted.
2. Council adopts the variations to the Council budget as outlined in the report.
3. Council notes that the Financial Services Manager, as the Acting Responsible Accounting Officer has reviewed the statements and certifies as required by the Local Government (General) Amendment (Planning and Reporting) Regulation 2009, (s203) that Council's 2016/17 Operational Plan has been reviewed and the financial position of Council is satisfactory.



## COUNCIL COMMITTEE MINUTES

### ITEM-21 OPER - 27/02/17 - SPORTS ADVISORY COMMITTEE MEETINGS MINUTES - 20 DECEMBER 2016

**REPORT BY: I STEWART - GROUP MANAGER OPERATIONS**

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## SUMMARY

This report details the Minutes of the Sports Advisory Committee Meeting held on 20 December 2016.

## COMMENTARY

At the Sports Advisory Committee held on 20 December 2016, there were numerous items discussed by the Committee, including:

- 2016 LJ Hooker Reg Cowden Sports Star of the Year Awards
- Booking Requests

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

- Terms of Reference Review

**THAT** Council adopt the Sports Advisory Committee Terms of Reference with no change.

- Financial Assistance Requests

**THAT** Council provide Shaqkyra Quinn with \$500 toward the cost of participating in the U/15's Australian Girls Futsal Team.

- Lithgow Swimming Club – New Members

**THAT** Council accepts Mark Dean & Mark Jenkins as the Sports Advisory Committee representatives from the Lithgow Swimming Club.

NB – The adoption of the Terms of Reference are dealt with separately in the business paper.

## ATTACHMENTS

1. Minutes of the Sports Advisory Committee meeting held on 20 December 2016.

## RECOMMENDATION

**THAT** Council:

1. Note the minutes of the Sports Advisory Committee held on 20 December 2016.
2. Provide Shaqkyra Quinn with \$500 toward the cost of participating in the U/15's Australian Girls Futsal Team.
3. Accepts Mark Dean & Mark Jenkins as the Sports Advisory Committee representatives from the Lithgow Swimming Club.



**ITEM-23 OPER - 27/02/17 -SPORTS ADVISORY COMMITTEE MEETING  
MINUTES 31 JANUARY 2017- REPORT**

**REPORT BY: I STEWART – GROUP MANAGER OPERATIONS**

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**SUMMARY**

This report details the Minutes of the Sports Advisory Committee Meeting held on 31 January 2017.

**COMMENTARY**

At the Sports Advisory Committee held on 31 January 2017, there were numerous items discussed by the Committee, including:

- 2017 LJ Hooker Reg Cowden Sports Star of the Year Awards
- Booking Requests

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

- Lithgow District Cricket Association – New Member

**THAT** Council accept Quentin Kidd as the Sports Advisory Committee representative from Lithgow District Cricket Association.

**POLICY IMPLICATIONS**

NIL

**FINANCIAL IMPLICATIONS**

NIL

**LEGAL IMPLICATIONS**

NIL

**ATTACHMENTS**

1. Minutes of the Sports Advisory Committee meeting held 31 January 2017.

**RECOMMENDATION**

**THAT** Council accepts Quentin Kidd as the Sports Advisory Committee representative from Lithgow District Cricket Association.

## NOTICE OF MOTION

### ITEM-24 NOTICE OF MOTION - 27/02/17 - TWO EXTRA GENERATING UNITS FOR MT PIPER

**REPORT BY: COUNCILLOR W MCANDREW**

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## COMMENTARY

There is much debate and discussion around security of generating supply both in NSW and nationally, made more newsworthy with recent power outages in South Australia. It is vital in NSW and elsewhere for reliable and guaranteed base load power supply. Mt Piper provides that vital base load supply and currently provides 16% of the State's electricity requirements. Mt Piper has two generating units but was always set up for four.

It is also the newest, most efficient and environmental friendly Power Station in NSW.

## POLICY IMPLICATIONS

Nil

## FINANCIAL IMPLICATIONS

Nil

## LEGAL IMPLICATIONS

Nil

## RECOMMENDATION

**THAT** Council reinforce its policy of support for the construction of the two extra units at Mt Piper and lobby Energy Australia and the relevant tiers of Government both State and Federal to push for these units as a way of guaranteeing base load capacity into a very uncertain electricity generating future.

It goes without saying that, if successful, construction and operation of the two units would mean major job opportunities for our entire Local Government Area.

**ITEM-25 NOTICE OF MOTION - 27/02/17 - LITHGOW CORRECTIONAL CENTRE**

**REPORT BY: COUNCILLOR W MCANDREW**

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**COMMENTARY**

Recent media reports have indicated that there is continuing overcrowding in NSW Jails and that the NSW State Government is looking at expanding current jail facilities across the State.

This is an opportunity for Council to pursue job opportunities on behalf of our community by lobbying for the expansion of the Lithgow Correctional Centre at a time when Lithgow has the highest unemployment rate in the Central West.

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**LEGAL IMPLICATIONS**

Nil

**RECOMMENDATION**

**THAT** Council requests an urgent meeting with the Local State Member Paul Toole seeking his and his Government's support for the expansion of the Lithgow Correctional Centre.

**ITEM-26 NOTICE OF MOTION - 27/02/17 - REPORTING ON THE STATUS OF MINUTED COUNCIL DECISIONS BY WAY OF AN ACTIONS REGISTER**

**REPORT BY: COUNCILLOR W MCANDREW**

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**COMMENTARY**

It was brought to my attention recently that a decision made by the previous Council many months ago had not been enacted. In other organizations that I have been involved with, decisions by the governing body are reported on at each subsequent meeting as to the status of those decisions e.g. whether they have been finalized, are ongoing or held up for any reason etc.

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**LEGAL IMPLICATIONS**

Nil

**RECOMMENDATION**

**THAT** minuted decisions of Council requiring actions be reported six weekly to Councillors by email outlining each decision, the date of that decision, and where the implementation of that decision is up to. This motion to start from Council decisions made by the new Council after the September Council Election held last year in September.

## **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-27      **CLOSED COUNCIL - ENVIRO – 27/02/17 TEN02-16 AWARDDING OF TENDER FOR CONSTRUCTION OF CLEAN WATER DIVERSION DRAIN LITHGOW SOLID WASTE FACILIT**

**REPORT BY: J NICHOLS- ACTING GROUP MANAGER ENVIRONMENT & DEVELOPMENT**

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### Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d)(i) 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.

### SUMMARY

This report seeks a determination from Council to award open tender 02/16 for the construction of a clean water diversion drain around the Lithgow Solid Waste Facility.

### RECOMMENDATION

**THAT** Council consider the report on Open Tender 02/16 for the construction of a clean water diversion drain around the Lithgow Solid Waste Facility and review in Closed Council pursuant to Section 10A(2)(d)(i) of the Local Government Act 1993.