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Our Ref: DNSW2017/33009

Mr Graeme Faulkner General Manager PO Box 19 LITHGOW NSW 2790

Dear Mr Faulkner

I refer to your letter to Mr Howard Collins, Acting Chief Executive, NSW TrainLink concerning the Bathurst Bullet train service. Mr Collins asked me to respond.

NSW TrainLink helps to deliver integrated transport solutions and better transport outcomes for NSW regional communities. We work hard to improve the customer experience and the reliability of our services.

The introduction of the Bathurst Bullet five years ago was a great win for the people of Bathurst and surrounding areas. Patronage has grown since the train began operating and we expect that to continue as we make improvements to the service.

From 26 November, when the new timetable is introduced, the Bathurst Bullet will make an extra stop at Westmead making public transport more convenient for people accessing health services. Unfortunately, it is not possible to include Strathfield as a stop as the train passes through that station during the very busy peak periods. We also have no current plans to stop the Bullet at Tarana as residents are able to board the Dubbo XPT to travel to Sydney.

I have noted the resolution for two additional carriages to be added to the Bullet. This is currently not possible as there is not enough rollingstock available without withdrawing the carriages from other services. The new regional fleet, which is expected to be delivered from the early 2020s will provide us with more opportunities to improve our services.

Yours sincerely

**Pete Allaway** 

Chief Operating Officer





Our Ref: 00402034 Your Ref: BB:200917/2

The Hon Paul Toole MP Minister for Lands and Forestry Minister for Racing Member for Bathurst PO Box 2237 BATHURST NSW 2795

Dear Minister

Thank you for your correspondence on behalf of Mr Graeme Faulkner, General Manager, Lithgow City Council, about Bathurst Bullet services.

As Mr Faulkner is aware, the Minister announced several significant reforms under the 'More Trains, More Services' program. This program is a \$1.5 billion capital investment to improve travel times, boost capacity and frequency of services. Customers will benefit from 24 new express services between Sydney and the Blue Mountains on weekends, dedicated eight car express trains, more than 25,000 additional seats every week, including 18,000 on weekends, and a new weekday Sydney to Lithgow return express service.

I am further advised that when the new timetable is introduced, Bathurst Bullet and new weekday Lithgow to Sydney CBD return express services will both include a stop at Westmead. Additionally, customers who travel on the morning Sydney to Lithgow express service will connect at Lithgow with coaches heading to Bathurst and Orange. Return Lithgow to Sydney services will connect with coaches arriving from destinations like Nyngan, Dubbo, Wellington, Molong, Orange, Lucknow and Bathurst.

Regarding Lithgow Council's request for extra carriages on Bathurst Bullet services, I am advised that no extra carriages are available at this time. However, council's feedback will be considered when more carriages become available.

I trust this information is of assistance.

Yours sincerely

THE HON ANDREW CONSTANCE MP

1/11/2017

Document Set ID: 1548112 Version: 1, Version Date: 10/11/2017

## **Model Code of Conduct Complaints Statistics**

Lithgow City Council			
N	uml	ber of Complaints	
1	a b	The total number of complaints <b>received</b> in the period about councillors and the General Manager (GM) under the code of conduct  The total number of complaints <b>finalised</b> in the period about councillors and the GM under the code of conduct	12
0	ver	view of Complaints and Cost	
2	а	The number of complaints <b>finalised at the outset</b> by alternative means by the GM or Mayor	7
	b	The number of complaints <b>referred to the Office of Local Government</b> under a special complaints management arrangement	1
	С	The number of code of conduct complaints referred to a conduct reviewer	2
	d	The number of code of conduct complaints <b>finalised at preliminary assessment</b> by conduct reviewer	0
	е	The number of code of conduct complaints <b>referred back to GM or Mayor</b> for resolution after preliminary assessment by conduct reviewer	2
	f	The number of finalised code of conduct complaints investigated by a conduct reviewer	2
	g	The number of finalised code of conduct complaints <b>investigated by a conduct review committee</b>	0
	h	The number of finalised complaints investigated where there was found to be <b>no breach</b>	8
	i	The number of finalised complaints investigated where there was found to be <b>a breach</b>	1
	j	The number of complaints referred by the GM or Mayor to another agency or body such as the ICAC, the NSW Ombudsman, the Office or the Police	0
	k	The number of complaints being investigated that are <b>not yet finalised</b>	2
	I	The <b>total cost</b> of dealing with code of conduct complaints within the period made about councillors and the GM including staff costs	52,652

Pr	Preliminary Assessment Statistics			
3	3 The number of complaints determined by the conduct reviewer at the preliminary assessment stage by each of the following actions:			
	а	To take no action	0	
	b	To resolve the complaint by alternative and appropriate strategies	0	
	С	To refer the matter back to the GM or the Mayor, for resolution by alternative and appropriate strategies	1	
	d	To refer the matter to another agency or body such as the ICAC, the NSW Ombudsman, the Office or the Police	0	
	e	To investigate the matter	1	
	f	To recommend that the complaints coordinator convene a conduct review committee to investigate the matter	0	
In	ves	tigation Statistics		
4		e number of investigated complaints resulting in a determination that there was <b>no breach</b> , in ich the following recommendations were made:		
	а	That the council revise its policies or procedures	0	
	b	That a person or persons undertake training or other education	0	
5		e number of investigated complaints resulting in a determination that there was a breach in ich the following recommendations were made:		
	a	That the council revise any of its policies or procedures	0	
	b	That the subject person undertake any training or other education relevant to the conduct giving rise to the breach	0	
	С	That the subject person be counselled for their conduct	0	
	d	That the subject person apologise to any person or organisation affected by the breach	0	
	е	That findings of inappropriate conduct be made public	0	
	f	In the case of a breach by the GM, that action be taken under the GM's contract for the breach	0	
	g	In the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Local Government Act 1993	0	
	h	In the case of a breach by a councillor, that the matter be referred to the Office for further action	1	
6		Matter referred or resolved after commencement of an investigation under clause 8.20 of the Procedures	0	

Categories of misconduct				
7		e number of investigated complaints resulting in a determination that there was a breach with pect to each of the following categories of conduct:		
	а	General conduct (Part 3)	1	
	b	Conflict of interest (Part 4)	0	
	С	Personal benefit (Part 5)	0	
	d	Relationship between council officials (Part 6)	0	
	e	Access to information and resources (Part 7)	0	
Outcome of determinations				
8		e number of investigated complaints resulting in a determination that there was a breach in ich the council failed to adopt the conduct reviewers recommendation	0	
9		e number of investigated complaints resulting in a determination that there was a breach in ich the council's decision was overturned following a review by the Office	0	

# The Model Code of Conduct

for Local Councils in NSW

October 2017



**CONSULTATION DRAFT** 

#### **CONSULTATION DRAFT**

#### THE MODEL CODE OF CONDUCT FOR LOCAL COUNCILS IN NSW

October 2017

#### **ACCESS TO SERVICES**

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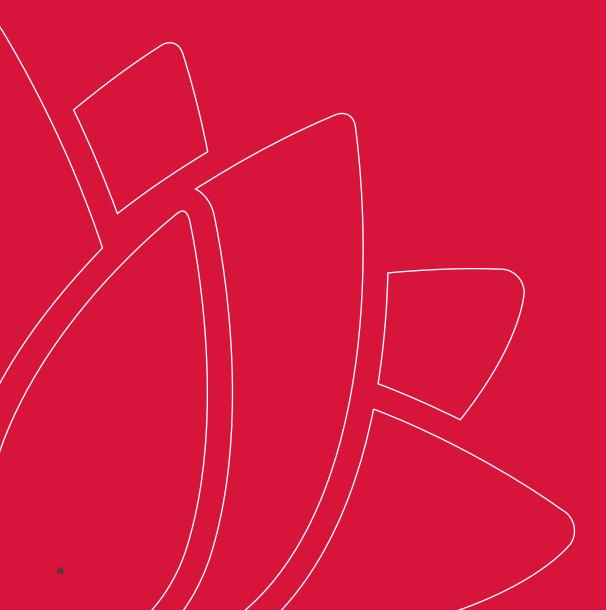
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#### Part 1:

### Introduction



This Model Code of Conduct for Local Councils in NSW ("the Model Code of Conduct") is made under section 440 of the Local Government Act 1993 ("LGA") and the Local Government (General) Regulation 2005 ("the Regulation").

Section 440 of the LGA requires every council to adopt a code of conduct that incorporates the provisions of the Model Code of Conduct. A council's adopted code of conduct may include provisions that supplement the Model Code of Conduct.

A council's adopted code of conduct has no effect to the extent that it is inconsistent with the Model Code of Conduct. However, a council's adopted code of conduct may prescribe requirements that are more onerous than those prescribed in the Model Code of Conduct.

### Part 2:

## **Definitions**



#### In the Model Code of Conduct the following definitions apply:

LGA the Local Government Act 1993

act of disorder see the definition in clause 256 of the Local Government

(General) Regulation 2005

administrator an administrator of a council appointed under the Act other

than an administrator appointed under section 66

Chief Executive Chief Executive of the Office of Local Government

Code means the Model Code of Conduct for Local Councils

in NSW

committee a council committee

conflict of interest a conflict of interest exists where a reasonable and

informed person would perceive that you could be influenced by a private interest when carrying out your

public duty

council committee a committee established by resolution of council **other than** 

a wholly advisory committee

council committee member a person other than a councillor or member of staff of a

council who is a member of a council committee other than

a wholly advisory committee

council official includes councillors, members of staff of council,

administrators, council committee members, delegates of council and, for the purposes of clause 4.16, council

advisers

councillor any person elected or appointed to civic office, including

the mayor

conduct includes acts and omissions

delegate of council a person (other than a councillor or member of staff of a

council) or body, and the individual members of that body,

to whom a function of the council is delegated

designated person a person referred to in clause 4.8

election campaign includes council, state and federal election campaigns

environmental planning instrument has the same meaning as in the Environmental Planning

and Assessment Act 1979

Office	Office of Local Government
personal information	information or an opinion about a person whose identity is apparent, or can be ascertained from the information or opinion
the Procedures	The Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW prescribed under the Regulation
the Regulation	the Local Government (General) Regulation 2005

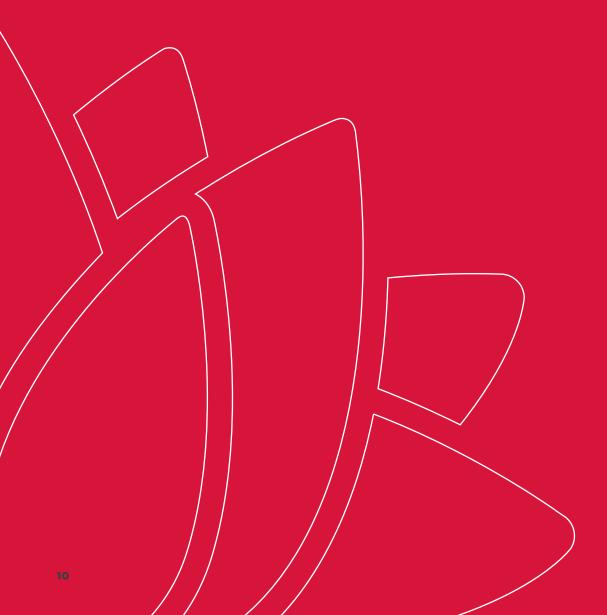
The term "you" used in the Model Code of Conduct refers to council officials.

The phrase "this code" used in the Model Code of Conduct refers also to the Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW prescribed under the Local Government (General) Regulation 2005.



#### Part 3:

## General Conduct Obligations



#### **General conduct**

- 3.1 You must not conduct yourself in carrying out your functions in a manner that:
  - a) is likely to bring the council or other council officials into disrepute
  - b) is contrary to statutory requirements or the council's administrative requirements or policies
  - c) is improper or unethical
  - d) is an abuse of power
  - e) causes, comprises or involves intimidation or verbal abuse
  - f) involves the misuse of your position to obtain a personal benefit
  - g) constitutes harassment or bullying behaviour under this code, or is improperly discriminatory.
- 3.2 You must act lawfully and honestly, and exercise a reasonable degree of care and diligence in carrying out your functions under the LGA or any other Act. (section 439).

#### Fairness and equity

- 3.3 You must consider issues consistently, promptly and fairly. You must deal with matters in accordance with established procedures, in a non-discriminatory manner.
- 3.4 You must take all relevant facts known to you, or that you should be reasonably aware of, into consideration and have regard to the particular merits of each case. You must not take irrelevant matters or circumstances into consideration when making decisions.
- 3.5 An act or omission in good faith, whether or not it involves error, will not constitute a breach of clauses 3.3 or 3.4.

#### Harassment and discrimination

- 3.6 You must not harass or improperly discriminate against others, and you must not support anyone who harasses or improperly discriminates against others. This includes, but is not limited to, harassment or discrimination on the grounds of sex, pregnancy, age, race, marital status, disability, sexuality, political or other affiliation. It also includes discrimination against those who are carers, those who identify as transgender persons, and those who have infectious diseases.
- 3.7 For the purposes of this code, "harassment" is any form of behaviour towards a person that is:
  - a) not wanted by the person
  - offends, humiliates or intimidates the person, and
  - c) creates a hostile environment.

#### **Bullying**

- 3.8 You must not engage in bullying behaviour towards another council official.
- 3.9 For the purposes of this code, "bullying behaviour" is any behaviour in which:
  - a) a person or a group of people repeatedly behaves unreasonably towards another council official or a group of council officials and
  - b) the behaviour creates a risk to health and safety.
- 3.10 Bullying behaviour may involve, but is not limited to, any of the following types of behaviour:
  - a) aggressive or intimidating conduct
  - b) belittling or humiliating comments

- c) spreading malicious rumours
- d) teasing, practical jokes or 'initiation ceremonies'
- e) exclusion from work-related events
- f) unreasonable work expectations, including too much or too little work, or work below or beyond a worker's skill level
- g) displaying offensive material
- h) pressure to behave in an inappropriate manner.
- 3.11 Reasonable management action carried out in a reasonable manner does not constitute bullying behaviour for the purposes of this code. Examples of reasonable management action may include, but are not limited to:
  - a) performance management processes
  - b) disciplinary action for misconduct
  - c) informing a worker about unsatisfactory work performance or inappropriate work behaviour
  - d) directing a worker to perform duties in keeping with their job
  - e) maintaining reasonable workplace goals and standards.

#### Work health and safety

- 3.12 All council officials, including councillors, owe statutory duties under the Work Health and Safety Act 2011 (WH&S Act). You must comply with your duties under the WH&S Act and your responsibilities under any policies or procedures adopted by the council to ensure workplace health and safety. Specifically, you must:
  - a) take reasonable care for your own health and safety

- take reasonable care that your acts or omissions do not adversely affect the health and safety of other persons
- c) comply, so far as you are reasonably able, with any reasonable instruction that is given to ensure compliance with the WH&S Act and any policies or procedures adopted by the council to ensure workplace health and safety
- d) cooperate with any reasonable policy or procedure of the council relating to workplace health or safety that you have been notified of
- e) report accidents, incidents, near misses, to the general manager and take part in any incident investigations.

## Land use planning, development assessment and other regulatory functions

- 3.13 You must ensure that land use planning, development assessment and other regulatory decisions are properly made, and that all parties are dealt with fairly. You must avoid any occasion for suspicion of improper conduct in the exercise of land use planning, development assessment and other regulatory functions.
- 3.14 In exercising land use planning, development assessment and other regulatory functions, you must ensure that no action, statement or communication between yourself and others conveys any suggestion of willingness to improperly provide concessions or preferential or unduly unfavourable treatment.
- 3.15 You must keep a written record of all meetings and other communications with applicants or objectors to planning

applications. Councillors must disclose in writing any meetings and other communications with applicants or objectors to a planning application at a council or committee meeting where the planning application is under consideration.

- 3.16 For the purposes of clause 3.15, a "planning application" is:
  - an application for development consent, or for the modification of a development consent, or
  - an application for a complying development certificate, or an application for the modification of a complying development certificate, or
  - a formal request to initiate the making of an environmental planning instrument or development control plan in relation to development on a particular site.

#### **Binding caucus votes**

- 3.17 You must not participate in binding caucus votes in relation to matters to be considered at a council or committee meeting.
- 3.18 For the purposes of clause 3.17, a binding caucus vote is a process whereby a group of councillors are compelled by a threat of disciplinary or other adverse action to comply with a predetermined position on a matter before the council or committee, irrespective of the personal views of individual members of the group on the merits of the matter before the council or committee.
- 3.19 Clause 3.17 does not prohibit councillors from discussing a matter before the council or committee prior to considering the matter in question at a council or committee meeting, or from voluntarily holding a shared view with other councillors on the merits of a matter.

3.20 Clause 3.17 does not apply to a decision to elect the mayor or deputy mayor, or to nominate a person to be a member of a council committee or a representative of the council on an external body.

## Obligations in relation to meetings

- 3.21 You must comply with rulings by the chair at council and committee meetings or other proceedings of the council.
- 3.22 You must not harass the chair, other council officials or any members of the public present during council or committee meetings or other proceedings of the council.
- 3.23 You must not engage in conduct that disrupts council or committee meetings or other proceedings of the council, or that would otherwise be inconsistent with the orderly conduct of meetings.
- 3.24 If you are a councillor, you must not engage in any acts of disorder or other conduct that is intended to prevent the proper or effective functioning of the council, or of a committee of the council.

  Without limiting this clause, you must not:
  - a) leave a meeting of the council or a committee for the purposes of depriving the meeting of a quorum, or
  - b) submit a rescission motion with respect to a decision for the purposes of voting against it to prevent another councillor from submitting a rescission motion with respect to the same decision, or
  - c) submit a large number of notices of motion, questions with notice or other business for consideration at a meeting of the council or a committee for the purposes of impeding the consideration of other business in the agenda for the meeting.

#### Part 4:

## **Pecuniary Interests**



### What is a pecuniary interest?

- 4.1 A pecuniary interest is an interest that you have in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to you or a person referred to in clause 4.3.
- 4.2 You will not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision you might make in relation to the matter, or if the interest is of a kind specified in clause 4.6.
- 4.3 For the purposes of this Part, you will have a pecuniary interest in a matter if the pecuniary interest is:
  - (a) your interest, or
  - (b) the interest of your spouse or de facto partner, your relative, or your partner or employer, or
  - (c) a company or other body of which you, or your nominee, partner or employer, is a member.
- 4.4 For the purposes of clause 4.3:
  - (a) Your "relative" is any of the following:
    - i) your parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
    - ii) your spouse's or de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
    - iii) the spouse or de factor partner of a person referred to in paragraphs(i) and (ii).
  - (b) "de facto partner" has the same meaning as defined in section 21C of the *Interpretation Act 1987*.

- 4.5 You will not have a pecuniary interest in relation to a person referred to in subclauses 4.3(b) or (c):
  - (a) if you are unaware of the relevant pecuniary interest of your spouse, de facto partner, relative, partner, employer or company or other body, or
  - (b) just because the person is a member of, or is employed by, a council or a statutory body, or is employed by the Crown, or
  - (c) just because the person is a member of, or a delegate of a council to, a company or other body that has a pecuniary interest in the matter, so long as the person has no beneficial interest in any shares of the company or body.

### What interests do not have to be disclosed?

- 4.6 You do not have to disclose the following interests for the purposes of this Part:
  - (a) your interest as an elector
  - (b) your interest as a ratepayer or person liable to pay a charge
  - (c) an interest you have in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to the public generally, or to a section of the public that includes persons who are not subject to this code
  - (d) an interest you have in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to your relative by the council in the same manner and subject to the same conditions as apply to persons who are not subject to this code

- (e) an interest you have as a member of a club or other organisation or association, unless the interest is as the holder of an office in the club or organisation (whether remunerated or not)
- (f) if you are a council committee member, an interest you have as a person chosen to represent the community, or as a member of a non-profit organisation or other community or special interest group, if you have been appointed to represent the organisation or group on the council committee
- (g) an interest you have relating to a contract, proposed contract or other matter, if the interest arises only because of a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company
- (h) an interest you have arising from the proposed making by the council of an agreement between the council and a corporation, association or partnership, being a corporation, association or partnership that has more than 25 members, if the interest arises because your relative is a shareholder (but not a director) of the corporation, or is a member (but not a member of the committee) of the association, or is a partner of the partnership
- (i) an interest you have arising from the making by the council of a contract or agreement with your relative for, or in relation to, any of the following, but only if the proposed contract or agreement is similar in terms and conditions to such contracts and agreements as have been made, or as are proposed to be made, by the council in respect of similar matters with other residents of the area:

- the performance by the council at the expense of your relative of any work or service in connection with roads or sanitation
- ii) security for damage to footpaths or roads
- iii) any other service to be rendered, or act to be done, by the council by or under any Act conferring functions on the council, or by or under any contract
- (j) an interest relating to the payment of fees to councillors (including the mayor and deputy mayor)
- (k) an interest relating to the payment of expenses and the provision of facilities to councillors (including the mayor and deputy mayor) in accordance with a policy under section 252 of the LGA,
- (I) an interest relating to an election to the office of mayor arising from the fact that a fee for the following 12 months has been determined for the office of mayor
- (m)an interest of a person arising from the passing for payment of a regular account for the wages or salary of an employee who is a relative of the person
- (n) an interest arising from being covered by, or a proposal to be covered by, indemnity insurance as a councillor or a council committee member
- (o) an interest arising from the appointment of a councillor to a body as a representative or delegate of the council, whether or not a fee or other recompense is payable to the representative or delegate.
- 4.7 For the purposes of clause 4.6, "relative" has the same meaning as in clause 4.4, but includes your spouse or de facto partner.

## What disclosures must be made by a designated person?

- 4.8 Designated persons include:
  - (a) the general manager
  - (b) other senior staff of the council for the purposes of section 332 of the LGA
  - (c) a person (other than a member of the senior staff of the council) who is a member of staff of the council or a delegate of the council and who holds a position identified by the council as the position of a designated person because it involves the exercise of functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the person's duty as a member of staff or delegate and the person's private interest
  - (d) a person (other than a member of the senior staff of the council) who is a member of a committee of the council identified by the council as a committee whose members are designated persons because the functions of the committee involve the exercise of the council's functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the member's duty as a member of the committee and the member's private interest.
- 4.9 A designated person:
  - (a) must prepare and submit written returns of interests in accordance with clauses 4.21, and
  - (b) must disclose pecuniary interests in accordance with clause 4.10.

- 4.10 A designated person must as soon as practicable disclose in writing to the general manager (or if the person is the general manager, to the council) the nature of any pecuniary interest the person has in any council matter with which the person is dealing.
- 4.11 Clause 4.10 does not require a designated person who is a member of staff of the council to disclose a pecuniary interest if the interest relates only to the person's salary as a member of staff, or to his or her other conditions of employment.
- 4.12 The general manager must, on receiving a disclosure from a designated person, deal with the matter to which the disclosure relates or refer it to another person to deal with.
- 4.13 A disclosure by the general manager must, as soon as practicable after the disclosure is made, be laid on the table at a meeting of the council and the council must deal with the matter to which the disclosure relates or refer it to another person to deal with.

## What disclosures must be made by council staff other than designated persons?

- 4.14 A member of staff of council, other than a designated person, must disclose in writing to their supervisor or the general manager the nature of any pecuniary interest they have in a matter they are dealing with as soon as practicable.
- 4.15 The staff member's supervisor or the general manager must, on receiving a disclosure under clause 4.14, deal with the matter to which the disclosure relates or refer it to another person to deal with.

## What disclosures must be made by council advisers?

- 4.16 A person who, at the request or with the consent of the council or a council committee, gives advice on any matter at any meeting of the council or committee, must disclose the nature of any pecuniary interest the person has in the matter to the meeting at the time the advice is given. The person is not required to disclose the person's interest as an adviser.
- 4.17 A person does not breach clause 4.16 if the person did not know, and could not reasonably be expected to have known, that the matter under consideration at the meeting was a matter in which he or she had a pecuniary interest.

## What disclosures must be made by a council committee member?

- 4.18 A council committee member must disclose pecuniary interests in accordance with clause 4.29 and comply with clause 4.30.
- 4.19 For the purposes of clause 4.18, a "council committee member" includes a member of staff of council.

## What disclosures must be made by a councillor?

4.20 A councillor:

(a) must prepare and submit written returns of interests in accordance with clause 4.21, and

(b) must disclose pecuniary interests in accordance with clause 4.29 and comply with clause 4.30.

### Disclosure of interests in written returns

- 4.21 A councillor or designated person must make and lodge with the general manager a return in the form set out in schedule 2 to this code, disclosing the councillor's or designated person's interests as specified in schedule 1 to this code within 3 months after:
  - (a) becoming a councillor or designated person, and
  - (b) 30 June of each year, and
  - (c) the councillor or designated person becoming aware of an interest they are required to disclose under schedule 1 that has not been previously disclosed in a return lodged under paragraphs (a) or (b).
- 4.22 A person need not make and lodge a return under clause 4.21, paragraphs (a) and (b) if:
  - (a) they made and lodged a return under that clause in the preceding 3 months, or
  - (b) they have ceased to be a councillor or designated person in the preceding 3 months.
- 4.23 A person must not make and lodge a return that the person knows or ought reasonably to know is false or misleading in a material particular.
- 4.24 The general manager must keep a register of returns required to be made and lodged with the general manager.

- 4.25 Returns required to be lodged with the general manager under clause 4.21(a) and (b) must be tabled at the first meeting of the council after the last day the return is required to be lodged.
- 4.26 Returns required to be lodged with the general manager under clause 4.21(c) must be tabled at a council meeting as soon as practicable after the return is lodged.
- 4.27 The general manager must cause the information contained in returns made and lodged by councillors and the general manager under clause 4.21, other than information disclosing the address of the councillor's or general manager's principal place of residence, to be published on the council's website as soon as practicable after the returns are lodged. The general manager must cause the information published on the council's website to be kept up to date.
- 4.28 Information contained in returns made and lodged by designated persons other than the general manager is not to be publicly disclosed (including in the tabling of the returns under clauses 4.25 and 4.26) unless the council decides to grant access to the information in response to an access request made under the Government Information (Public Access) Act 2009.

## Disclosure of pecuniary interests at meetings

4.29 A councillor or a council committee member who has a pecuniary interest in any matter with which the council is concerned, and who is present at a meeting of the council or committee at which the matter is being considered, must disclose the nature of the interest to the meeting as soon as practicable.

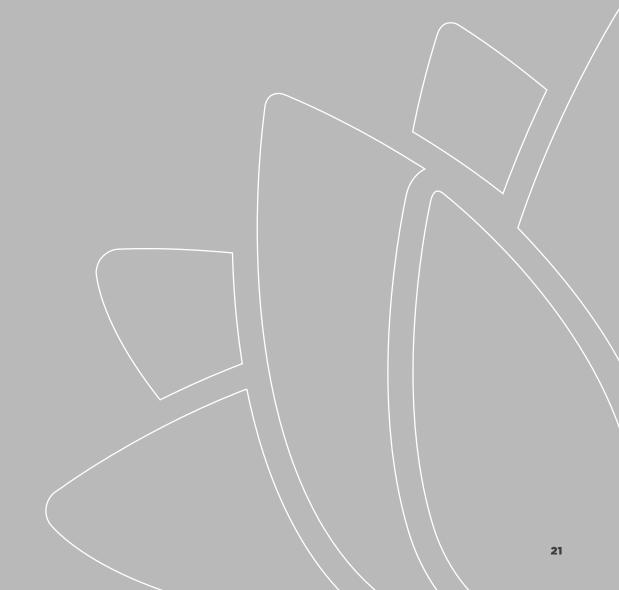
- 4.30 The councillor or council committee member must not be present at, or in sight of, the meeting of the council or committee:
  - (a) at any time during which the matter is being considered or discussed by the council or committee, or
  - (b) at any time during which the council or committee is voting on any question in relation to the matter.
- 4.31 A disclosure made at a meeting of a council or council committee must be recorded in the minutes of the meeting.
- 4.32 A general notice may be given to the general manager in writing by a councillor or a council committee member to the effect that the councillor or council committee member, or the councillor's or council committee member's spouse, de facto partner or relative, is:
  - (a) a member of, or in the employment of, a specified company or other body, or
  - (b) a partner of, or in the employment of, a specified person.

Such a notice is, unless and until the notice is withdrawn, sufficient disclosure of the councillor's or council committee member's interest in a matter relating to the specified company, body or person that may be the subject of consideration by the council or council committee after the date of the notice.

4.33 A councillor or a council committee member is not prevented from being present at and taking part in a meeting at which a matter is being considered, or from voting on the matter, merely because the councillor or council committee member has an interest in the matter of a kind referred to in clause 4.6.

- 4.34 A person does not breach clauses 4.29 or 4.30 if the person did not know, and could not reasonably be expected to have known, that the matter under consideration at the meeting was a matter in which he or she had a pecuniary interest.
- 4.35 Despite clause 4.30, a councillor who has a pecuniary interest in a matter may participate in a decision to delegate consideration of the matter in question to another body or person.
- 4.36 Clause 4.30 does not apply to a councillor who has a pecuniary interest in a matter that is being considered at a meeting if:
  - (a) the matter is a proposal relating to:
    - (i) the making of a principal environmental planning instrument applying to the whole or a significant portion of the council's area, or
    - (ii) the amendment, alteration or repeal of an environmental planning instrument where the amendment, alteration or repeal applies to the whole or a significant portion of the council's area, and
  - (b) the pecuniary interest arises only because of an interest of the councillor in the councillor's principal place of residence or an interest of another person (whose interests are relevant under clause 4.3) in that person's principal place of residence, and
  - (c) the councillor made a special disclosure under clause 4.37 in relation to the interest before the commencement of the meeting.

- 4.37 A special disclosure of a pecuniary interest made for the purposes of clause 4.36(c) must:
  - (a) be in the form set out in schedule 3 of this code and contain the information required by that form, and
  - (b) be laid on the table at a meeting of the council as soon as practicable after the disclosure is made, and a copy of the special disclosure is to be recorded in the minutes of the meeting.
- 4.38 The Minister for Local Government may, conditionally or unconditionally, allow a councillor or a council committee member who has a pecuniary interest in a matter with which the council is concerned to be present at a meeting of the council or committee, to take part in the consideration or discussion of the matter and to vote on the matter if the Minister is of the opinion:
  - (a) that the number of councillors prevented from voting would be so great a proportion of the whole as to impede the transaction of business, or
  - (b) that it is in the interests of the electors for the area to do so.



#### Part 5:

## Non-pecuniary Conflicts of Interest



## What is a non-pecuniary conflict of interest?

- 5.1 Non-pecuniary interests are private or personal interests a council official has that do not amount to a pecuniary interest as defined in clause 4.1 of this code. These commonly arise out of family or personal relationships, or out of involvement in sporting, social or other cultural groups and associations, and may include an interest of a financial nature.
- 5.2 A non-pecuniary conflict of interest exists where a reasonable and informed person would perceive that you could be influenced by a private interest when carrying out your public duty.
- 5.3 Non-pecuniary conflicts of interest must be identified and appropriately managed to uphold community confidence in the probity of council decision-making. The onus is on you to identify any nonpecuniary conflict of interest you may have in matters that you deal with, to disclose the interest fully and in writing, and to take appropriate action to manage the conflict in favour of your public duty.
- 5.4 When considering whether or not you have a non-pecuniary conflict of interest, it is always important to think about how others would view your situation.
- 5.5 The political views of a councillor do not constitute a private interest for the purposes of clause 5.2.

### Managing non-pecuniary conflicts of interest

5.6 Where you have a non-pecuniary conflict of interest for the purposes of clause 5.2, you must disclose the relevant private interest fully and in writing as soon as practicable.

- 5.7 If a disclosure is made at a council or committee meeting, both the disclosure and the nature of the interest must be recorded in the minutes. This disclosure constitutes disclosure in writing for the purposes of clause 5.6.
- 5.8 How you manage a non-pecuniary conflict of interest will depend on whether or not it is significant.
- 5.9 As a general rule, a non-pecuniary conflict of interest will be significant where it does not involve a pecuniary interest for the purposes of clause 4.1, but it involves:
  - a) a relationship between a council official and another person that is particularly close, for example, a current or former spouse or de facto partner, a relative for the purposes of clause 4.4 or another person from the council official's extended family that the council official has a close personal relationship with, or another person living in the same household
  - b) other relationships that are particularly close, such as friendships and business relationships. Closeness is defined by the nature of the friendship or business relationship, the frequency of contact and the duration of the friendship or relationship
  - c) an affiliation between the council official and an organisation, sporting body, club, corporation or association that is particularly strong, including, but not limited to, active participation in its management or administration and other activities
  - d) a financial interest that is not a pecuniary interest for the purposes of clause 4.1.
  - e) the conferral or loss of a personal benefit other than one conferred or lost as a member of the community or a broader class of people affected by a decision.

- 5.10 If you have a significant non-pecuniary conflict of interest, you must manage it in one of two ways:
  - a) by removing yourself from consideration of the matter in which you have a significant non-pecuniary conflict of interest and arranging to have your duties in relation to the matter allocated to another person, or
  - b) if the significant non-pecuniary conflict of interest arises in relation to a matter you are required to consider at a council or committee meeting, by managing the conflict of interest as if you had a pecuniary interest in the matter by complying with clauses 4.29 and 4.30.
- 5.11 If you determine that you have a nonpecuniary conflict of interest in a matter
  that is not significant and does not
  require further action, when disclosing
  the interest you must also explain why
  you consider that the non-pecuniary
  conflict of interest is not significant and
  does not require further action in the
  circumstances.
- 5.12 If you are a member of staff of council, the decision on which option should be taken to manage a non-pecuniary conflict of interest must be made in consultation with your manager.
- 5.13 Despite clause 5.10(b), a councillor who has a significant non-pecuniary conflict of interest in a matter, may participate in a decision to delegate consideration of the matter in question to another body or person.

#### **Political donations**

5.14 Councillors should be aware that matters before council or committee meetings involving their political donors may also give rise to a non-pecuniary conflict of interest.

- 5.15 Where a councillor has received or knowingly benefitted from a reportable political donation:
  - a) made by a major political donor in the previous four years, and
  - b) where the major political donor has a matter before council.

the councillor must declare a nonpecuniary conflict of interest, disclose the nature of the interest, and manage the conflict of interest as if they had a pecuniary interest in the matter by complying with clauses 4.29 and 4.30.

- 5.16 For the purposes of this Part:
  - a) a "reportable political donation" is a "reportable political donation" for the purposes of section 86 of the Election Funding, Expenditure and Disclosures Act 1981
  - b) a "major political donor" is a "major political donor" for the purposes of section 84 of the Election Funding, Expenditure and Disclosures Act 1981.
- 5.17 Councillors should note that political donations below \$1000, or political donations to a registered political party or group by which a councillor is endorsed, may still give rise to a non-pecuniary conflict of interest. Councillors should determine whether or not such conflicts are significant for the purposes of clause 5.9 and take the appropriate action to manage them.
- 5.18 If a councillor has received or knowingly benefitted from a reportable political donation of the kind referred to in clause 5.15, that councillor is not prevented from participating in a decision to delegate consideration of the matter in question to another person (see clause 5.13 above).

## Loss of quorum as a result of compliance with this Part

- 5.19 Where a majority of councillors is precluded from consideration of a matter **by compliance with a requirement under this Part**, the council or committee must resolve to delegate consideration of the matter in question to another person.
- 5.20 Where a majority of councillors is precluded under this Part from consideration of a matter, and the matter in question concerns the exercise of a function that may not be delegated under section 377 of the LGA, the councillors may apply in writing to the Chief Executive to be exempted from complying with a requirement under this Part relating to the management of a non-pecuniary conflict of interest.
- 5.21 The Chief Executive will only exempt a councillor from complying with a requirement under this Part where:
  - a) compliance by councillors with a requirement under the Part in relation to a matter will result in the loss of a quorum, and
  - b) the matter relates to the exercise of a function of the council that may not be delegated under section 377 of the Act.
- 5.22 Where the Chief Executive exempts a councillor from complying with a requirement under this Part, the councillor must still disclose any interests they have in the matter the exemption applies to, in accordance with **clause 5.6**.
- 5.23 A councillor who would otherwise be precluded from participating in the consideration of a matter under this Part because they have a non-pecuniary

conflict of interest in the matter is permitted to participate in consideration of the matter if:

- a) the matter is a proposal relating to
  - the making of a principal environmental planning instrument applying to the whole or a significant **portion** of the council's area, or
  - ii) the amendment, alteration or repeal of an environmental planning instrument where the amendment, alteration or repeal applies to the whole or a significant **portion** of the council's area, and
- the non-pecuniary conflict of interest arises only because of an interest that a person has in that person's principal place of residence, and
- c) the councillor discloses the interest they have in the matter that would otherwise have precluded their participation in consideration of the matter under this Part in accordance with clause 5.6.

## Other business or employment

- 5.24 The general manager must not engage, for remuneration, in private employment or contract work outside the service of the council without the approval of the council.
- 5.25 A member of staff must not engage, for remuneration, in private employment or contract work outside the service of the council that relates to the business of the council or that might conflict with the staff member's council duties unless he or she has notified the general manager in writing of the employment or work.

- 5.26 The general manager may at any time prohibit a member of staff from engaging, for remuneration, in private employment or contract work outside the service of the council that relates to the business of the council, or that might conflict with the member's council duties.
- 5.27 A member of staff must not engage, for remuneration, in private employment or contract work outside the service of the council if prohibited from doing so.
- 5.28 Members of staff must ensure that any outside employment or business they engage in will not:
  - a) conflict with their official duties
  - involve using confidential information or council resources obtained through their work with the council
  - c) require them to work while on council duty
  - d) discredit or disadvantage the council
  - e) pose, due to fatigue, a risk to their health or safety, or to the health and safety of their co-workers.

## Personal dealings with council

- 5.29 You may have reason to deal with your council in your personal capacity (for example, as a ratepayer, recipient of a council service or applicant for a development consent granted by council). You must not expect or request preferential treatment in relation to any matter in which you have a private interest because of your position. You must avoid any action that could lead members of the public to believe that you are seeking preferential treatment.
- 5.30 You must undertake any personal dealings you have with the council in a manner that is consistent with the

way other members of the community deal with the council. In particular, you must not:

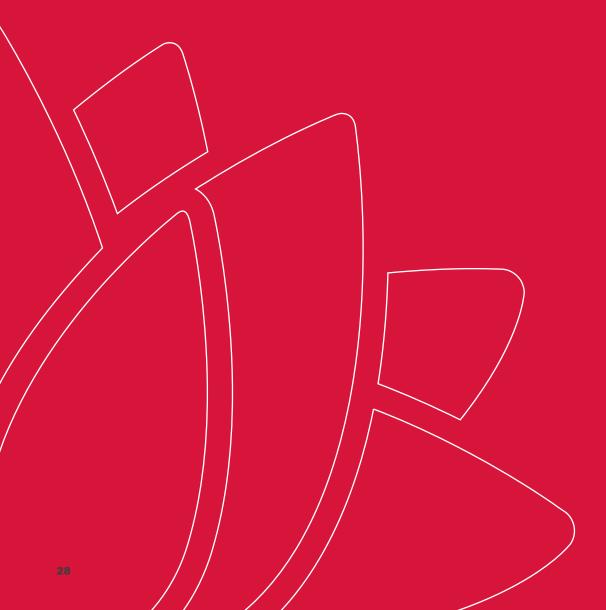
- a) access council information for personal purposes
- b) undertake personal dealings with the council during work time, or
- approach council staff in staff only areas to discuss your personal dealings with the council.

You must also ensure that you disclose and appropriately manage any conflict of interest you may have in any matter in accordance with the requirements of this code.



#### Part 6:

### Personal Benefit



For the purposes of this section, a reference to a gift or benefit does not include a political donation for the purposes of the *Election*Funding, Expenditure and Disclosures Act 1981.

#### Gifts and benefits

- 6.1 You must avoid situations giving rise to the appearance that a person or body, through the provision of gifts, benefits or hospitality of any kind, is attempting to secure favourable treatment from you or from the council.
- 6.2 You must take all reasonable steps to ensure that your immediate family members do not receive gifts or benefits that give rise to the appearance of being an attempt to secure favourable treatment. Immediate family members include parents, spouses or de facto partners, children and siblings.

## How are offers of gifts and benefits to be dealt with?

- 6.3 You must not:
  - a) seek or accept a bribe or other improper inducement
  - b) seek gifts or benefits of any kind
  - c) accept any gift or benefit that may create a sense of obligation on your part, or may be perceived to be intended or likely to influence you in carrying out your public duty
  - d) accept any gift or benefit of value
  - e) accept an offer of cash or a cash-like gift, regardless of the amount
  - f) participate in competitions for prizes where eligibility is based on the council being in a customersupplier relationship with the competition organiser

- g) personally benefit from reward points programs when purchasing on behalf of the council.
- 6.4 Where you are offered or receive a gift or benefit, you must disclose this promptly to your supervisor or the general manager in writing. The recipient, supervisor, or general manager must ensure that, at a minimum, the following details are recorded in the council's gift register:
  - a) whether the gift was accepted or refused
  - b) the nature of the gift
  - the estimated monetary value of the gift
  - d) the name of the person who offered the gift, and
  - e) the date on which the gift was offered or received.
- 6.5 Where you receive a gift or benefit of value that cannot reasonably be refused or returned, the gift or benefit must be surrendered to the council, unless the nature of the gift or benefit makes this impractical.

#### Token gifts and benefits

- 6.6 Generally speaking, token gifts and benefits include:
  - a) one or more gifts or benefits received from a person over a 12-month period that do not exceed a cumulative value of \$50.
  - b) free or subsidised meals, beverages or refreshments provided in conjunction with:
    - i) the discussion of official business
    - ii) council work-related events such as council-sponsored events, training, education sessions or workshops

- iii) conferences
- iv) council functions or events
- v) social functions organised by groups, such as council committees and community organisations
- c) invitations to and attendance at local social, cultural or sporting events with a ticket value that does not exceed \$50
- d) gifts of single bottles of alcohol to individual council officials at end of year functions, public occasions or in recognition of work done (such as providing a lecture/training session/ address) that do not exceed a value of \$50
- e) ties, scarves, coasters, tie pins, diaries, chocolates or flowers
- f) prizes that do not exceed \$50 in value.

## Gifts and benefits of value

- 6.7 Gifts or benefits that exceed \$50 in value are to be treated as gifts or benefits of value and must not be accepted.
- 6.8 Where you have accepted a token gift or benefit from a person, you must not accept a further gift or benefit from the same person or another person associated with that person within a single 12-month period where the value of the gift, added to the value of earlier gifts received from the same person or a person associated with that person, during the same 12-month period would exceed \$50 in value.
- 6.9 Gifts and benefits of value include, but are not limited to, tickets to major sporting events (such as international matches or matches in national sporting

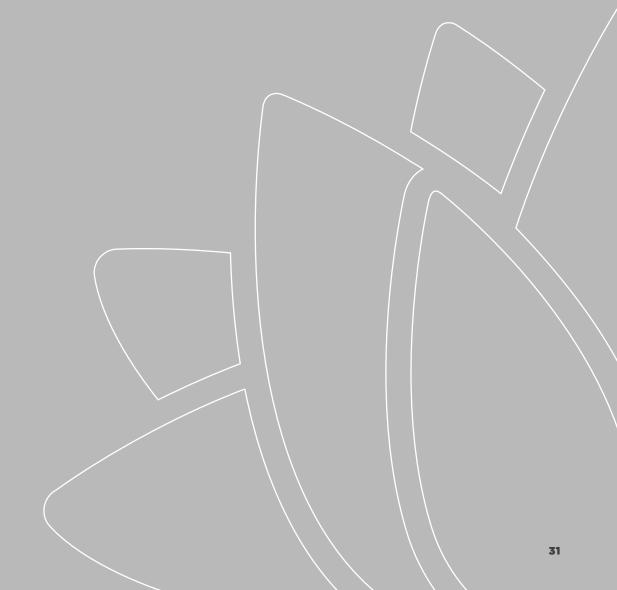
- codes with a ticket value that exceeds \$50, corporate hospitality at a corporate facility at major sporting events, discounted products for personal use, the frequent use of facilities such as gyms, the use of holiday homes, free or discounted travel.)
- 6.10 Clause 6.9 does not apply to events that have been organised or sponsored by the council, where the person is required to attend the event for the purposes of performing their official functions.
- 6.11 For the purposes of this Part, the value of a gift or benefit is the monetary value of the gift or benefit inclusive of GST.

#### "Cash-like gifts"

6.12 For the purposes of clause 6.3(e), "cashlike gifts" include but are not limited to, gift vouchers, credit cards, debit cards with credit on them, prepayments such as phone or internal credit, memberships or entitlements to discounts.

### Improper and undue influence

- 6.13 You must not use your position to influence other council officials in the performance of their public or professional duties to obtain a private benefit for yourself or for somebody else. A councillor will not be in breach of this clause where they seek to influence other council officials **through** the proper exercise of their role as prescribed under the LGA.
- 6.14 You must not take advantage (or seek to take advantage) of your status or position with council, or of functions you perform for council, in order to obtain a private benefit for yourself or for any other person or body.



## Part 7:

# Relationships Between Council Officials



## Obligations of councillors and administrators

- 7.1 Each council is a body politic. The councillors or administrator/s are the governing body of the council. Under section 223 of the LGA, the role of the governing body of the council includes the development and endorsement of the strategic plans, programs, strategies and policies of the council, including those relating to workforce policy.
- 7.2 Councillors or administrators must not:
  - a) direct council staff other than by giving appropriate direction to the general manager in the performance of the council's functions by way of council or committee resolution, or by the mayor or administrator exercising their power under section 226 of the **LGA** (section 352)
  - b) in any public or private forum, direct or influence, or attempt to direct or influence, any other member of the staff of the council or a delegate of the council in the exercise of the functions of the staff member or delegate
  - c) contact a member of the staff of the council on council-related business unless in accordance with the policy and procedures governing the interaction of councillors and council staff that have been authorised by the council and the general manager
  - d) contact or issue instructions to any of council's contractors or tenderers, including council's legal advisers, unless by the mayor or administrator exercising their power under section 226 of the LGA. Councillors may contact the council's external auditor or the chair of the council's audit risk and improvement committee to provide information reasonably

necessary for the external auditor or audit, risk and improvement committee to effectively perform their functions.

## **Obligations of staff**

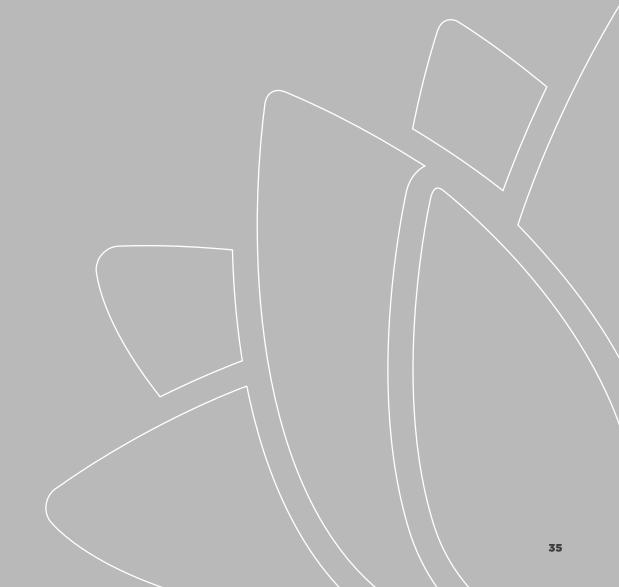
- 7.3 Under section 335 of the LGA, the role of the general manager includes conducting the day-to-day management of the council in accordance with the strategic plans, programs, strategies and policies of the council, implementing without undue delay, lawful decisions of the council and ensuring that the mayor and other councillors are given timely information and advice and the administrative and professional support necessary to effectively discharge their official functions.
- 7.4 Members of staff of council must:
  - a) give their attention to the business of the council while on duty
  - ensure that their work is carried out efficiently, economically and effectively
  - c) carry out lawful directions given by any person having authority to give such directions
  - d) give effect to the lawful decisions, policies and procedures of the council, whether or not the staff member agrees with or approves of them
  - e) ensure that any participation in political activities outside the service of the council does not conflict with the performance of their official duties.

## **Inappropriate** interactions

7.5 You must not engage in any of the following inappropriate interactions:

- a) councillors and administrators
   approaching staff and staff
   organisations to discuss individual or
   operational staff matters including
   but not limited to industrial relations
   matters such as grievances, workplace
   investigations and disciplinary matters
- b) council staff approaching councillors and administrators to discuss individual or operational staff matters including but not limited to industrial relations matters such as grievances, workplace investigations and disciplinary matters
- subject to clause 8.6, council staff refusing to give information that is available to other councillors to a particular councillor
- d) councillors and administrators
   who have lodged a development
   application with council, discussing the
   matter with council staff in staff-only
   areas of the council
- e) councillors and administrators being overbearing or threatening to council staff
- f) councillors and administrators making personal attacks on council staff in public forums including social media
- g) councillors and administrators directing or pressuring council staff in the performance of their work, or recommendations they should make
- h) council staff providing ad hoc advice to councillors and administrators without recording or documenting the interaction as they would if the advice was provided to a member of the community
- i) council staff meeting with applicants or objectors alone AND outside office hours to discuss applications or proposals

j) councillors attending on-site inspection meetings with lawyers and/or consultants engaged by the council associated with current or proposed legal proceedings unless permitted to do so by the council's general manager or, in the case of the mayor or administrator, unless they are exercising their functions under section 226 of the LGA.



## Part 8:

# Access To Information and Council Resources



# Councillor and administrator access to information

- 8.1 The general manager is responsible for ensuring that councillors and administrators can access information necessary for the performance of their official functions. The general manager and public officer are also responsible for ensuring that members of the public can access publicly available council information under the Government Information (Public Access) Act 2009 (the GIPA Act).
- 8.2 The general manager must provide councillors and administrators with the information necessary to effectively discharge their official functions.
- 8.3 Members of staff of council must provide full and timely information to councillors and administrators sufficient to enable **them to exercise their official functions** and in accordance with council procedures.
- 8.4 Members of staff of council who provide any information to a particular councillor in the performance of their **official functions** must also make it available to any other councillor who requests it and in accordance with council procedures.
- 8.5 Councillors and administrators who have a private interest only in council information have the same rights of access as any member of the public.
- 8.6 Notwithstanding clause 8.4, councillors who are precluded from participating in the consideration of a matter under this code because they have a pecuniary or significant non-pecuniary conflict of interest in the matter, are not entitled to access to council information in relation to the matter unless the information is otherwise available to members of the

public, or the council has determined to make the information available under the GIPA Act.

# Councillors and administrators to properly examine and consider information

8.7 Councillors and administrators must ensure that they comply with their duty under section 439 of the LGA to act honestly and exercise a reasonable degree of care and diligence by properly examining and considering all the information provided to them relating to matters that they are required to make a decision on.

## Refusal of access to documents

8.8 Where the general manager or public officer determine to refuse access to a document sought by a councillor or administrator, they must act reasonably. In reaching this decision they must take into account whether or not the document sought is required for the councillor or administrator to perform their official functions (see clause 8.2). The general manager or public officer must state the reasons for the decision if access is refused.

## Use of certain council information

- 8.9 In regard to information obtained in your capacity as a council official, you must:
  - a) only access council information needed for council business
  - b) not use that council information for private purposes

- c) not seek or obtain, either directly or indirectly, any financial benefit or other improper advantage for yourself, or any other person or body, from any information to which you have access by virtue of your office or position with council
- d) only release council information in accordance with established council policies and procedures and in compliance with relevant legislation.

## Use and security of confidential information

- 8.10 You must maintain the integrity and security of confidential documents or information in your possession, or for which you are responsible.
- 8.11 In addition to your general obligations relating to the use of council information, you must:
  - a) only access confidential information that you have been authorised to access and only do so for the purposes of exercising your official functions
  - b) protect confidential information
  - c) only release confidential information if you have authority to do so
  - d) only use confidential information for the purpose for which it is intended to be used
  - e) not use confidential information gained through your official position for the purpose of securing a private benefit for yourself or for any other person
  - f) not use confidential information with the intention to cause harm or detriment to the council or any other person or body

g) not disclose any information discussed during a confidential session of a council or committee meeting or any other confidential forum.

## **Personal information**

- 8.12 When dealing with personal information you must comply with:
  - a) the *Privacy and Personal Information Protection Act 1998*
  - b) the Health Records and Information Privacy Act 2002
  - c) the Information Protection Principles and Health Privacy Principles
  - d) the council's privacy management plan
  - e) the Privacy Code of Practice for Local Government

## Use of council resources

- 8.13 You must use council resources ethically, effectively, efficiently and carefully in the course of your official duties, and must not use them for private purposes (except when supplied as part of a contract of employment) unless this use is lawfully authorised and proper payment is made where appropriate.
- 8.14 Union delegates and consultative committee members may have reasonable access to council resources for the purposes of carrying out their industrial responsibilities, including but not limited to:
  - a) the representation of members with respect to disciplinary matters
  - b) the representation of employees with respect to grievances and disputes
  - c) functions associated with the role of the local consultative committee.

- 8.15 You must be scrupulous in your use of council property, including intellectual property, official services and facilities, and must not permit their misuse by any other person or body.
- 8.16 You must avoid any action or situation that could create the appearance that council property, official services or public facilities are being improperly used for your benefit or the benefit of any other person or body.
- 8.17 You must not use council resources, property or facilities for the purpose of assisting your election campaign or the election campaigns of others unless the resources, property or facilities are otherwise available for use or hire by the public and any publicly advertised fee is paid for use of the resources, property or facility.
- 8.18 You must not use the council letterhead, council crests or other information that could give the appearance it is official council material for:
  - a) the purpose of assisting your election campaign or the election campaign of others, or
  - b) for other non-official purposes.
- 8.19 You must not convert any property of the council to your own use unless properly authorised.

## Internet access and use of social media

8.20 You must not use council's computer resources or other mobile devices to search for, access, download or communicate any material of an offensive, obscene, pornographic, threatening, abusive or defamatory nature, or that could otherwise lead to criminal penalty or civil liability and/or damage the council's reputation.

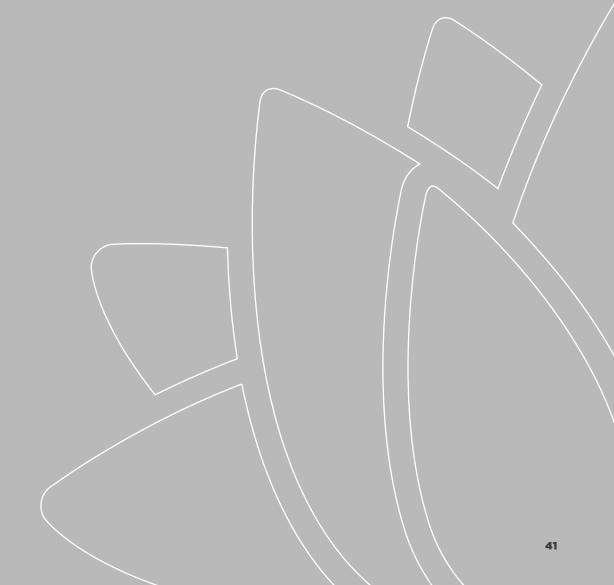
- 8.21 You must not use social media to post comments, photos, sound recordings or other information that:
  - a) compromises your capacity to perform your official duties in an unbiased manner
  - b) has the potential to have a negative impact on your working relationships within the council or with external parties
  - c) is offensive, humiliating, threatening or intimidating to other council officials or those that deal with the council
  - d) has the capacity to damage the council's reputation or contains content about the council that may be misleading or deceptive
  - e) divulges confidential council information
  - f) breaches the privacy of other council officials or those that deal with council
  - g) contains allegations of suspected breaches of this code or information about the consideration of a matter under this code, or
  - could be perceived to be an official comment on behalf of the council where you have not been authorised to make such comment.

## **Council record keeping**

- 8.22 All information received in your official capacity is a council record and must be managed in accordance with the council's approved record management practices and policies.
- 8.23 All information stored in either soft or hard copy on council supplied resources is deemed to be related to the business of the council and can be used by the council as a council record regardless of whether the original intention was to create the information for personal purposes.

## Councillor access to council buildings

- 8.24 Councillors and administrators are entitled to have access to the council chamber, committee room, mayor's office (subject to availability), councillors' rooms, and public areas of council's buildings during normal business hours and for meetings. Councillors and administrators needing access to these facilities at other times must obtain authority from the general manager.
- 8.25 Councillors and administrators must not enter staff-only areas of council buildings without the approval of the general manager (or delegate) or as provided in the procedures governing the interaction of councillors and council staff.
- 8.26 Councillors and administrators must ensure that when they are within a staff area they refrain from conduct that could be perceived to improperly influence council staff decisions.



## Part 9:

# Maintaining the Integrity of This Code



9.1 You must not conduct yourself in a manner that is likely to undermine confidence in the integrity of this code or its administration.

## Complaints made for an improper purpose

- 9.2 You must not make a complaint or cause a complaint to be made under this code for an improper purpose.
- 9.3 For the purposes of clause 9.2, a complaint is made for an improper purpose where it is trivial, frivolous, vexatious or not made in good faith, or where it otherwise lacks merit and has been made substantially for one or more of the following purposes:
  - a) to intimidate or harass another council official
  - b) to damage another council official's reputation
  - c) to obtain a political advantage
  - d) to influence a council official in the exercise of their official functions or to prevent or disrupt the exercise of those functions
  - e) to influence the council in the exercise of its functions or to prevent or disrupt the exercise of those functions
  - f) to avoid disciplinary action under this code
  - g) to take reprisal action against a person for making a complaint under this code
  - h) to take reprisal action against a person for exercising a function prescribed under the Procedures for the administration of this code
  - i) to prevent or disrupt the effective administration of this code.

## **Detrimental action**

- 9.4 You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for a complaint they have made under this code.
- 9.5 You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for any function they have exercised under this code.
- 9.6 For the purposes of clauses 9.4 and 9.5, a detrimental action is an action causing, comprising or involving any of the following:
  - a) injury, damage or loss
  - b) intimidation or harassment
  - c) discrimination, disadvantage or adverse treatment in relation to employment
  - d) dismissal from, or prejudice in, employment
  - e) disciplinary proceedings.

# Compliance with requirements under this code

- 9.7 You must not engage in conduct that is calculated to impede or disrupt the consideration of a matter under this code.
- 9.8 You must comply with a reasonable and lawful request made by a person exercising a function under the Procedures. A failure to make a written or oral submission invited under the Procedures will not constitute a breach of this clause.
  - 9.9 You must comply with a practice ruling made by the **Office**.

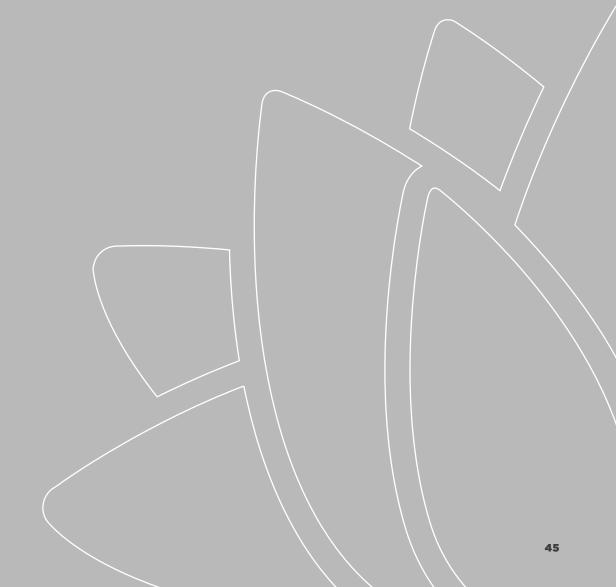
9.10 Where you are a councillor or the general manager, you must comply with any council resolution requiring you to take action as a result of a breach of this code.

# Disclosure of information about the consideration of a matter under this code

- 9.11 All allegations of breaches of this code must be dealt with under and in accordance with the Procedures.
- 9.12 You must not allege breaches of this code other than by way of a complaint made or initiated under the Procedures.
- 9.13 You must not make allegations about, or disclose information about, suspected breaches of this code at council, committee or other meetings, whether open to the public or not, or in any other forum, whether public or not.
- 9.14 You must not disclose information about a complaint you have made under this code or a matter being considered under this code except for the purposes of seeking legal advice, unless the disclosure is otherwise permitted under the Procedures.

## Complaints alleging a breach of this part

- 9.15 Complaints alleging a breach of this Part by a councillor, the general manager or an administrator are to be managed by the Office. The Office may delegate the consideration of an alleged breach of this Part to the general manager, the mayor or to another person.
- 9.16 Complaints alleging a breach of this Part by other council officials are to be managed by the general manager.



# **Schedule 1:**Disclosures of Interest



## **Part 1: Preliminary**

#### Definitions

1. For the purposes of the schedules to this code, the following definitions apply:

#### address means:

- a) in relation to a person other than a corporation, the last residential or business address of the person known to the councillor or designated person disclosing the address, or
- b) in relation to a corporation, the address of the registered office of the corporation in New South Wales or, if there is no such office, the address of the principal office of the corporation in the place where it is registered, or
- c) in relation to any real property, the street address of the property.

**de facto partner** has the same meaning as defined in section 21C of the *Interpretation Act 1987.* 

disposition of property means a conveyance, transfer, assignment, settlement, delivery, payment or other alienation of property, including the following:

- a) the allotment of shares in a company
- b) the creation of a trust in respect of property
- c) the grant or creation of a lease, mortgage, charge, easement, licence, power, partnership or interest in respect of property
- d) the release, discharge, surrender, forfeiture or abandonment, at law or in equity, of a debt, contract or chose in action, or of an interest in respect of property

- e) the exercise by a person of a general power of appointment over property in favour of another person
- f) a transaction entered into by a person who intends by the transaction to diminish, directly or indirectly, the value of the person's own property and to increase the value of the property of another person.

gift means a disposition of property made otherwise than by will (whether or not by instrument in writing) without consideration, or with inadequate consideration, in money or money's worth passing from the person to whom the disposition was made to the person who made the disposition, but does not include a financial or other contribution to travel.

#### interest means:

- a) in relation to property, an estate, interest, right or power, at law or in equity, in or over the property, or
- b) in relation to a corporation, a relevant interest (within the meaning of section 9 of the *Corporations Act 2001* of the Commonwealth) in securities issued or made available by the corporation.

**listed company** means a company that is listed within the meaning of section 9 of the *Corporations Act 2001* of the Commonwealth.

**occupation** includes trade, profession and vocation.

#### professional or business association

means an incorporated or unincorporated body or organisation having as one of its objects or activities the promotion of the economic interests of its members in any occupation.

property includes money.

return date means:

- a) in the case of a return made under clause 4.21(a), the date on which a person became a councillor or designated person
- b) in the case of a return made under clause 4.21(b), 30 June of the year in which the return is made
- c) in the case of a return made under clause 4.21(c), the date on which the councillor or designated person became aware of the interest to be disclosed.

relative includes any of the following:

- a) a person's spouse or de facto partner
- a person's parent, grandparent,
   brother, sister, uncle, aunt, nephew,
   niece, lineal descendant or adopted
   child
- a person's spouse's or de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
- d) the spouse or de factor partner of a person referred to in paragraphs (b) and (c).

**travel** includes accommodation incidental to a journey.

## Matters relating to the interests that must be included in returns

- 2. Interests etc. outside New South Wales: A reference in this schedule or in schedule 2 to a disclosure concerning a corporation or other thing includes any reference to a disclosure concerning a corporation registered, or other thing arising or received, outside New South Wales.
- References to interests in real property:
   A reference in this schedule or in schedule
   2 to real property in which a councillor or designated person has an interest includes

- a reference to any real property situated in Australia in which the councillor or designated person has an interest.
- 4. **Gifts, loans etc. from related corporations:** For the purposes of this schedule and schedule 2, gifts or contributions to travel given, loans made, or goods or services supplied, to a councillor or designated person by two or more corporations that are related to each other for the purposes of section 50 of the *Corporations Act 2001* of the Commonwealth are all given, made or supplied by a single corporation.

## Part 2: Pecuniary interests to be disclosed in returns

## Real property

- 5. A person making a return under clause 4.21 of this code must disclose:
  - a) the **street** address of each parcel of real property in which he or she had an interest on the return date, and
  - b) the **street** address of each parcel of real property in which he or she had an interest in the period since 30 June of the previous financial year, and
  - c) the nature of the interest.
- 6. An interest in a parcel of real property need not be disclosed in a return if the person making the return had the interest only:
  - a) as executor of the will, or administrator of the estate, of a deceased person and not as a beneficiary under the will or intestacy, or

- as a trustee, if the interest was acquired in the ordinary course of an occupation not related to his or her duties as the holder of a position required to make a return.
- 7. An interest in a parcel of real property need not be disclosed in a return if the person ceased to hold the interest prior to becoming a councillor or designated person.
- 8. For the purposes of clause 5 of this schedule, "interest" includes an option to purchase.

### **Gifts**

- A person making a return under clause
   4.21 of this code must disclose:
  - a) a description of each gift received in the period since 30 June of the previous financial year, and
  - b) the name and address of the donor of each of the gifts.
- 10. A gift need not be included in a return if:
  - a) it did not exceed \$1000, unless it was among gifts totalling more than \$1000 made by the same person during a period of 12 months or less, or
  - b) it was a political donation disclosed, or required to be disclosed, under Part
     6 of the Election Funding Expenditure and Disclosures Act 1981, or
  - c) the donor was a relative of the donee, or
  - d) subject to paragraph (a), it was received prior to the person becoming a councillor or designated person.
- 11. For the purposes of clause 10 of this schedule, the amount of a gift other than money is an amount equal to the value of the property given.

#### Contributions to travel

- 12. A person making a return under clause 4.21 of this code must disclose:
  - a) the name and address of each person who made any financial or other contribution to the expenses of any travel undertaken by the person in the period since 30 June of the previous financial year, and
  - b) the dates on which the travel was undertaken, and
  - the names of the states and territories, and of the overseas countries, in which the travel was undertaken.
- 13. A financial or other contribution to any travel need not be disclosed under this clause if it:
  - a) was made from public funds (including a contribution arising from travel on free passes issued under an Act or from travel in government or council vehicles), or
  - b) was made by a relative of the traveller, or
  - c) was made in the ordinary course of an occupation of the traveller that is not related to his or her functions as the holder of a position requiring the making of a return, or
  - d) did not exceed \$500, unless it was among gifts totalling more than \$500 made by the same person during a 12-month period or less, or
  - e) was a political donation disclosed, or required to be disclosed, under Part
     6 of the Election Funding Expenditure and Disclosures Act 1981, or
  - f) was made by a political party of which the traveller was a member and the travel was undertaken for the purpose of political activity of the party in New

South Wales, or to enable the traveller to represent the party within Australia, or

- g) subject to paragraph (d) it was received prior to the person becoming a councillor or designated person.
- 14. For the purposes of clause 13 of this schedule, the amount of a contribution (other than a financial contribution) is an amount equal to the value of the contribution.

## Interests and positions in corporations

- 15. A person making a return under clause4.21 of this code must disclose:
  - a) the name and address of each corporation in which he or she had an interest or held a position (whether remunerated or not) on the return date, and
  - b) the name and address of each corporation in which he or she had an interest or held a position in the period since 30 June of the previous financial year, and
  - the nature of the interest, or the position held, in each of the corporations, and
  - d) a description of the principal objects
     (if any) of each of the corporations,
     except in the case of a listed company.
- 16. An interest in, or a position held in, a corporation need not be disclosed if the corporation is:
  - a) formed for the purpose of providing recreation or amusement, or for promoting commerce, industry, art, science, religion or charity, or for any other community purpose, and
  - b) required to apply its profits or other income in promoting its objects, and

- c) prohibited from paying any dividend to its members.
- 17. An interest in a corporation need not be disclosed if the interest is a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company.
- 18. An interest or a position in a corporation need not be disclosed if the person ceased to hold the interest or position prior to becoming a councillor or designated person.

## Interests as a property developer or a close associate of a property developer

- 19. A person making a return under clause 4.21 of this code must disclose whether they were a property developer, or a close associate of a corporation that is a property developer, on the return date.
- 20. For the purposes of clause 19:

**close associate** of a corporation means each of the following:

- a) a director or officer of the corporation, or a related body corporate of the corporation, or the spouse of such a director or officer
- b) a person whose voting power in the corporation, or a related body corporate of the corporation, is greater than 20% or the spouse of such a person
- c) if the corporation is a trustee, manager or responsible entity in relation to a trust—a person who holds more than 20% of the units in the trust (in the case of a unit trust) or is a beneficiary of the trust (in the case of a discretionary trust)
- d) if the corporation or a related body corporate of the corporation is a stapled entity in relation to a stapled

security—a person who holds more than 20% of the units in the trust that is the other stapled entity.

officer, related body corporate and voting power have the same meanings as they have in the Corporations Act 2001 of the Commonwealth.

property developer means a person engaged in a business that regularly involves the making of relevant planning applications by or on behalf of the person in connection with the residential or commercial development of land, with the ultimate purpose of the sale or lease of the land for profit.

**spouse of a person** includes a de facto partner of that person.

## Positions in trade unions and professional or business associations

- 21. A person making a return under clause 4.21 of the code must disclose:
  - a) the name of each trade union, and of each professional or business association, in which he or she held any position (whether remunerated or not) on the return date, and
  - b) the name of each trade union, and of each professional or business association, in which he or she has held any position (whether remunerated or not) in the period since 30 June of the previous financial year, and
  - a description of the position held in each of the unions and associations.
- 22. A position held in a trade union or a professional or business association need not be disclosed if the person ceased to hold the position prior to becoming a councillor or designated person.

## Dispositions of real property

- 23. A person making a return under clause 4.21 of this code must disclose particulars of each disposition of real property by the person (including the street address of the affected property) in the period since 30 June of the previous financial year, under which he or she wholly or partly retained the use and benefit of the property or the right to re-acquire the property.
- 24. A person making a return under clause 4.21 of this code must disclose particulars of each disposition of real property to another person (including the street address of the affected property) in the period since 30 June of the previous financial year, that is made under arrangements with, but is not made by, the person making the return, being a disposition under which the person making the return obtained wholly or partly the use of the property.
- 25. A disposition of real property need not be disclosed if it was made prior to a person becoming a councillor or designated person.

#### Sources of income

- 26. A person making a return under clause4.21 of this code must disclose:
  - a) each source of income that the person reasonably expects to receive in the period commencing on the first day after the return date and ending on the following 30 June, and
  - each source of income received by the person in the period since 30 June of the previous financial year.
- 27. A reference in clause 26 of this schedule to each source of income received, or reasonably expected to be received, by a person is a reference to:

- a) in relation to income from an occupation of the person:
  - (i) a description of the occupation, and
  - (ii) if the person is employed or the holder of an office, the name and address of his or her employer, or a description of the office, and
  - (iii) if the person has entered into a partnership with other persons, the name (if any) under which the partnership is conducted, or
- b) in relation to income from a trust, the name and address of the settlor and the trustee, or
- c) in relation to any other income, a description sufficient to identify the person from whom, or the circumstances in which, the income was, or is reasonably expected to be, received.
- 28. The source of any income need not be disclosed by a person in a return if the amount of the income received, or reasonably expected to be received, by the person from that source did not exceed \$1000, or is not reasonably expected to exceed \$1000, as the case may be.
- 29. The source of any income received by the person that they ceased to receive prior to becoming a councillor or designated person need not be disclosed.
- 30. A fee paid to a councillor or to the mayor or deputy mayor under sections 248 or 249 of the LGA need not be disclosed.

#### **Debts**

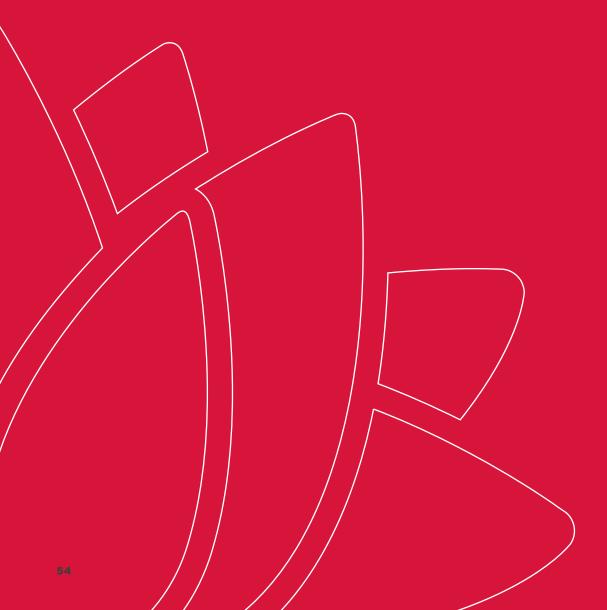
- 31. A person making a return under clause 4.21 of this code must disclose the name and address of each person to whom the person was liable to pay any debt:
  - a) on the return date, and
  - b) at any time in the period since 30 June of the previous financial year.
- 32. A liability to pay a debt must be disclosed by a person in a return made under clause 4.21 whether or not the amount, or any part of the amount, to be paid was due and payable on the return date or at any time in the period since 30 June of the previous financial year, as the case may
- 33. A liability to pay a debt need not be disclosed by a person in a return if:
  - a) the amount to be paid did not exceed \$1000 on the return date or in the period since 30 June of the previous financial year, as the case may be, unless:
    - (i) the debt was one of two or more debts that the person was liable to pay to one person on the return date, or at any time in the period since 30 June of the previous financial year, as the case may be, and
    - (ii) the amounts to be paid exceeded, in the aggregate, \$1000, or
  - b) the person was liable to pay the debt to a relative, or

- c) in the case of a debt arising from a loan of money the person was liable to pay the debt to an authorised deposittaking institution or other person whose ordinary business includes the lending of money, and the loan was made in the ordinary course of business of the lender, or
- d) in the case of a debt arising from the supply of goods or services:
  - (i) the goods or services were supplied in the period of 12 months immediately preceding the return date, or were supplied in the period since 30 June of the previous financial year, as the case may be, or
  - (ii) the goods or services were supplied in the ordinary course of any occupation of the person that is not related to his or her duties as the holder of a position required to make a return, or
- e) subject to paragraph (a), the debt was discharged prior to the person becoming a councillor or designated person.

## Discretionary disclosures

34. A person may voluntarily disclose in a return any interest, benefit, advantage or liability, whether pecuniary or not, that is not required to be disclosed under another provision of this Schedule.

# Schedule 2: Form of Return – Disclosure of Interest



## 'Disclosures by councillors and designated persons' return

- The pecuniary interests and other matters to be disclosed in this return are prescribed by Schedule 1 of the Model Code of Conduct for Local Councils in NSW (the Model Code of Conduct).
- If this the first return you have been required to lodge with the general manager after becoming a councillor or designated person, do not complete Parts C, D and I of the return. All other parts of the return should be completed with appropriate information based on your circumstances at the return date, that is, the date on which you became a councillor or designated person.
- 3 If you have previously lodged a return with the general manager and you are completing this return for the purposes of disclosing a new interest that was not disclosed in the last return you lodged with the general manager, you must complete all parts of the return with appropriate information for the period from 30 June of the previous financial year to the return date which is the date you became aware of the new interest to be disclosed in your updated return.
- 4 If you have previously lodged a return with the general manager and are submitting a new return for the new financial year, you must complete all parts of the return with appropriate information for the 12-month period commencing on 30 June of the previous year to 30 June this year.
- 5 This form must be completed using block letters or typed.
- 6 If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.

- 7 If there are no pecuniary interests or other matters of the kind required to be disclosed under a heading in this form, the word "NIL" is to be placed in an appropriate space under that heading.
- 8 "\*" means delete whichever is inapplicable.

## Important information

This information is being collected for the purpose of complying with clause 4.21 of the Model Code of Conduct.

You must not lodge a return that you know or ought reasonably to know is false or misleading in a material particular (see clause 4.23 of the Model Code of Conduct). Complaints about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by the council, the Chief Executive of the Office of Local Government or the NSW Civil and Administrative Tribunal.

The information collected on this form will be kept by the general manager in a register of returns. The general manager is required to table all returns at a council meeting.

If you are a councillor or the general manager, information in this return other than information about your principal place of residence will be published on the council's website.

If you are a designated person other than the general manager, information in this return is not to be publicly disclosed by the council unless the council decides to grant access in response to an access request made under the *Government Information (Public Access) Act 2009*.

You have an obligation to keep the information contained in this return up to date. If you become aware of a new interest that must be disclosed in this return, or an interest that you have previously failed to disclose, you must submit an updated return within three months of becoming aware of the previously undisclosed interest.

**Disclosure of pecuniary interests and other matters by** [full name of councillor or designated person]

\*as at [return date]

\*in respect of the period from [date] to [date]

[councillor's or designated person's signature]

[date]

#### A. Real Property

**Street address** of each parcel of real property in which I had an interest \*at the return date/\*at any time since 30 June

Nature of interest

#### **B. Sources of income**

1 \*Sources of income I reasonably expect to receive from an occupation in the period commencing on the first day after the return date and ending on the following 30 June:

\*Sources of income I received from an occupation at any time since 30 June:

Description of occupation	Name and address of employer or description of office held (if applicable)	Name under which partnership conducted (if applicable)
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2 \*Sources of income I reasonably expect to receive from a trust in the period commencing on the first day after the return date and ending on the following 30 June:

\*Sources of income I received from a trust since 30 June:

3 \*Sources of other income I reasonably expect to receive in the period commencing on the first day after the return date and ending on the following 30 June:

\*Sources of other income I received at any time since 30 June:

[Include description sufficient to identify the person from whom, or the circumstances in which, that income was received]

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Description of each gift I received at any time since 30 June

Name and address of donor

#### **D. Contributions to travel**

Name and address of each person who made any financial or other contribution to any travel undertaken by me at any time since 30 June

Dates on which travel was undertaken

Name of States, Territories of the Commonwealth and overseas countries in which travel was undertaken

#### E. Interests and positions in corporations

Name and address of each corporation in which I had an interest or held a position \*at the return date/\*at any time since 30 June

Nature of interest Description of (if any) position (if any)

Description of principal objects (if any) of corporation (except in case of listed company)

F. Were you a property developer or a close associate of a corporation that is a property developer on the return date? (Y/N)

#### G. Positions in trade unions and professional or business associations

Name of each trade union and each professional or business association in which I held any position (whether remunerated or not) \*at the return date/\*at any time since Description of position 30 June

#### H. Debts

Name and address of each person to whom I was liable to pay any debt \*at the return date/\*at any time since 30 June

#### I. Dispositions of property

1 Particulars of each disposition of real property by me (**including the street address of the affected property**) at any time since 30 June as a result of which I retained, either wholly or in part, the use and benefit of the property or the right to re-acquire the property at a later time

2 Particulars of each disposition of property to a person by any other person under arrangements made by me (**including the street address of the affected property**), being dispositions made at any time since 30 June, as a result of which I obtained, either wholly or in part, the use and benefit of the property

#### J. Discretionary disclosures

# Schedule 3: Form of Special Disclosure of Pecuniary Interest



- 1 This form must be completed using block letters or typed.
- If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.

## **Important Information**

This information is being collected for the purpose of making a special disclosure of pecuniary interests under clause 4.36(c) of the Model Code of Conduct for Local Councils in NSW (the Model Code of Conduct).

The special disclosure must relate to a pecuniary interest that arises only because of an interest of the councillor in the councillor's principal place of residence, or an interest of another person (whose interests are relevant under clause 4.3 of the Model Code of Conduct) in that person's principal place of residence.

You must not make a special disclosure that you know or ought reasonably to know is false or misleading in a material particular. Complaints about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by the Chief Executive of the Office of Local Government or the NSW Civil and Administrative Tribunal.

This form must be completed by you before the commencement of the council or council committee meeting in respect of which the special disclosure is being made. The completed form must be tabled at the meeting. Everyone is entitled to inspect it. The special disclosure must be recorded in the minutes of the meeting.

## **Special disclosure of pecuniary interests by** [full name of councillor]

in the matter of [insert name of environmental planning instrument]

which is to be considered at a meeting of the [name of council or council committee (as the case requires)]

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Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land) <sup>1</sup>	
	☐ Councillor has interest in the land (e.g. is owner or has other interest arising out of a mortgage, lease, trust, option or contract, or otherwise).
Relationship of identified land to councillor [Tick or cross one box.]	☐ Associated person of councillor has interest in the land.
	☐ Associated company or body of councillor has interest in the land.
Matter giving rise to pecuniary interest <sup>2</sup>	
Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	
Effect of proposed change of zone/planning control on councillor <b>or associated person</b> [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	

[If more than one pecuniary interest is to be declared, reprint the above box and fill in for each additional interest.]

Councillor's signature

Date

[This form is to be retained by the council's general manager and included in full in the minutes of the meeting]

- Clause 4.1 of the Model Code of Conduct provides that a pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter, or if the interest is of a kind specified in clause 4.6 of the Model Code of Conduct (for example, an interest as an elector or as a ratepayer or person liable to pay a charge).
- Clause 4.3 of the Model Code of Conduct provides that you may have a pecuniary interest in a matter because of the pecuniary interest of your spouse or your de facto partner or your relative or because your business partner or employer has a pecuniary interest. You may also have a pecuniary interest in a matter because you, your nominee, your business partner or your employer is a member of a company or other body that has a pecuniary interest in the matter.
- "Relative" is defined by clause 4.4 of the Model Code of Conduct as meaning your, your spouse's or your de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child and the spouse or de facto partner of any of those persons.





Procedures for the Administration of

# The Model Code of Conduct

for Local Councils in NSW

October 2017



**CONSULTATION DRAFT** 

## **CONSULTATION DRAFT**

## PROCEDURES FOR THE ADMINISTRATION OF THE MODEL CODE OF CONDUCT FOR LOCAL COUNCILS IN NSW

October 2017

#### **ACCESS TO SERVICES**

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TTY: 02 4428 4209
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Website: www.olg.nsw.gov.au

#### **OFFICE HOURS**

Monday to Friday 9.00am to 5.00pm (Special arrangements may be made if these hours are unsuitable) All offices are wheelchair accessible.

#### **ALTERNATIVE MEDIA PUBLICATIONS**

Special arrangements can be made for our publications to be provided in large print or an alternative media format. If you need this service, please contact us on 02 4428 4100.

#### **DISCLAIMER**

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## Part 1: Introduction



These procedures ("the Model Code Procedures") are prescribed for the administration of the *Model Code of Conduct* for Local Councils in NSW ("the Model Code of Conduct").

The Model Code of Conduct is made under section 440 of the Local Government Act 1993 ("the Act") and the Local Government (General) Regulation 2005 ("the Regulation"). Section 440 of the Act requires every council to adopt a code of conduct that incorporates the provisions of the Model Code of Conduct.

The Model Code Procedures are made under section 440AA of the Act and the Regulation. Section 440AA of the Act requires every council to adopt procedures for the administration of their codes of conduct that incorporate the provisions of the Model Code Procedures.

In adopting procedures for the administration of their adopted codes of conduct, councils may supplement the Model Code Procedures. However, provisions that are not consistent with those prescribed under the Model Code Procedures will have no effect.

Note: Parts 6, 7, 8 and 11 of these Model Code Procedures apply only to the management of code-of-conduct complaints about councillors (including the mayor) or the general manager.

## Part 2: Definitions



For the purposes of the procedures, the following definitions apply:

the Act the Local Government Act 1993

administrator an administrator of a council appointed under the Act other

than an administrator appointed under section 66

code of conduct adopted under section 440 of the Act

code of conduct complaint a complaint that is a code of conduct complaint for the

purposes of clauses 4.1 and 4.2 of these procedures

complainant a person who makes a code of conduct complaint

complainant councillor a councillor who makes a code of conduct complaint

complaints coordinator a person appointed by the general manager under these

procedures as a complaints coordinator

conduct reviewer a person appointed under these procedures to review

allegations of breaches of the code of conduct by

councillors or the general manager

council committee a committee established by resolution of council other

than a wholly advisory committee

council committee member a person other than a councillor or member of staff of a

council who is a member of a council committee other

than a wholly advisory committee

councillor a person elected or appointed to civic office and includes

a mayor

council official any councillor, member of staff of council, administrator,

council committee member, delegate of council **and, for** the purposes of clause 4.16 of the Model Code of Conduct,

council adviser

delegate of council a person (other than a councillor or member of staff of a

council) or body and the individual members of that body

to whom a function of the council is delegated

the Office the Office of Local Government

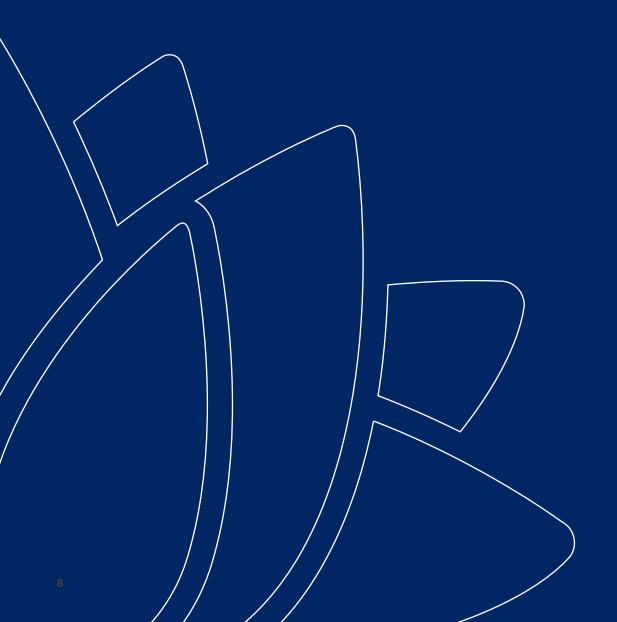
investigator a conduct reviewer

the Regulation the Local Government (General) Regulation 2005

subject person a person whose conduct is the subject of investigation by a

conduct reviewer under these procedures

## Part 3: Administrative Framework



### The establishment of a panel of conduct reviewers

- 3.1 The council must by resolution establish a panel of conduct reviewers.
- 3.2 The council may by resolution enter into an arrangement with one or more other councils to share a panel of conduct reviewers including through a regional body associated with the councils.
- 3.3 The panel of conduct reviewers is to be established following a public expression of interest process.
- 3.4 An expression of interest for members of the council's panel of conduct reviewers must, at a minimum, be advertised locally and in the Sydney metropolitan area.
- 3.5 To be eligible to be a conduct reviewer, a person must, at a minimum, meet the following requirements:
  - a) an understanding of local government,
     and
  - b) knowledge of investigative processes including but not limited to procedural fairness requirements and the requirements of the *Public Interest Disclosures Act 1994*, and
  - c) knowledge and experience of one or more of the following:
    - i) investigations
    - ii) law
    - iii) public administration
    - iv) public sector ethics
    - v) alternative dispute resolution, and
  - d) meet the eligibility requirements for membership of a panel of conduct reviewers under clause 3.6.

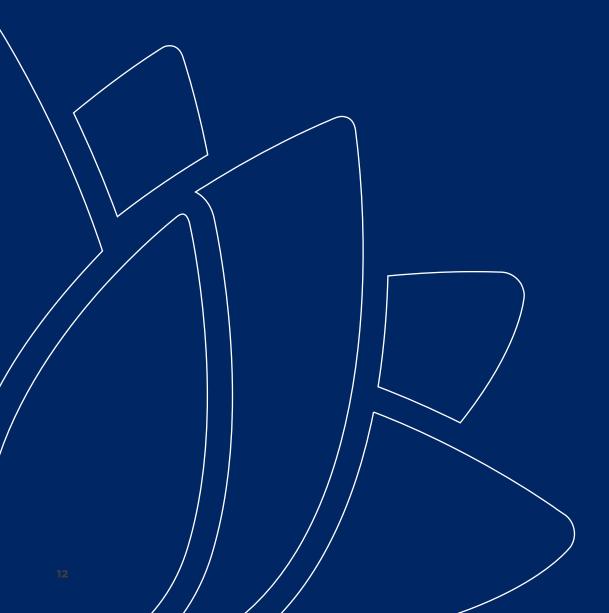
- 3.6 A person is not eligible to be a conduct reviewer if they are:
  - a) a councillor, or
  - b) a nominee for election as a councillor, or
  - c) an administrator, or
  - d) an employee of a council, or
  - e) a member of the Commonwealth
     Parliament or any State Parliament or
     Territory Assembly, or
  - f) a nominee for election as a member of the Commonwealth Parliament or any State Parliament or Territory Assembly, or
  - g) a person who has a conviction for an indictable offence that is not an expired conviction.
- 3.7 A person is not precluded from being a member of the council's panel of conduct reviewers if they are a member of another council's panel of conduct reviewers.
- 3.8 A panel of conduct reviewers established under this Part is to have a term of up to four years.
- 3.9 The council may terminate the panel of conduct reviewers at any time by resolution.
- 3.10 When the term of the conduct reviewers concludes or is terminated, the council must establish a new panel of conduct reviewers in accordance with the requirements of this Part.
- 3.11 A person who was a member of a previous panel of conduct reviewers established by the council may be a member of subsequent panels of conduct reviewers established by the council.

#### The appointment of complaints coordinators

- 3.12 The general manager must appoint a member of staff of the council or another person (such as, but not limited to, a member of staff of another council or a regional body associated with the council), to act as a complaints coordinator. Where the complaints coordinator is a member of staff of the council, the complaints coordinator should be a senior and suitably qualified member of staff.
- 3.13 The general manager may appoint other members of staff of the council or other persons (such as, but not limited to, members of staff of another council or a regional body associated with the council), to act as alternates to the complaints coordinator.
- 3.14 The general manager must not undertake the role of complaints coordinator.
- 3.15 The person appointed as complaints coordinator or alternate complaints coordinator must also be a nominated disclosures coordinator appointed for the purpose of receiving and managing reports of wrongdoing under the Public Interest *Disclosures Act 1994*.
- 3.16 The role of the complaints coordinator is to:
  - a) coordinate the management of complaints made under the council's code of conduct
  - b) liaise with and provide administrative support to a conduct reviewer or conduct review committee
  - c) liaise with the Office and
  - d) arrange the annual reporting of code of conduct complaints statistics.



## Part 4: How May Code Of Conduct Complaints be Made?



#### What is a code of conduct complaint?

- 4.1 For the purpose of these procedures, a code of conduct complaint is a complaint that alleges conduct on the part of a council official in connection with their role as a council official or the exercise of their functions as a council official that would constitute a breach of the standards of conduct prescribed under the council's code of conduct.
- 4.2 The following are not "code of conduct complaints" for the purposes of these procedures:
  - a) complaints about the standard or level of service provided by the council or a council official
  - complaints about the merits of a decision made by the council or a council official or the exercise of a discretion by the council or a council official
  - c) complaints about the policies or procedures of the council
  - d) complaints about the exercise in good faith by a council official of their functions, whether or not involving error.
- 4.3 Only code of conduct complaints are to be dealt with under these procedures. Complaints that do not satisfy the definition of a code of conduct complaint are to be dealt with under council's routine complaints management processes.

### When must a code of conduct complaint be made?

- 4.4 A code of conduct complaint must be made within three months of the alleged conduct occurring or within three months of the complainant becoming aware of the alleged conduct.
- 4.5 A complaint made after 3 months may only be accepted if the general manager or their delegate, or, in the case of a complaint about the general manager, the mayor or their delegate, is satisfied that there are compelling grounds for the matter to be dealt with under the code of conduct.

## How may a code of conduct complaint about a council official other than the general manager be made?

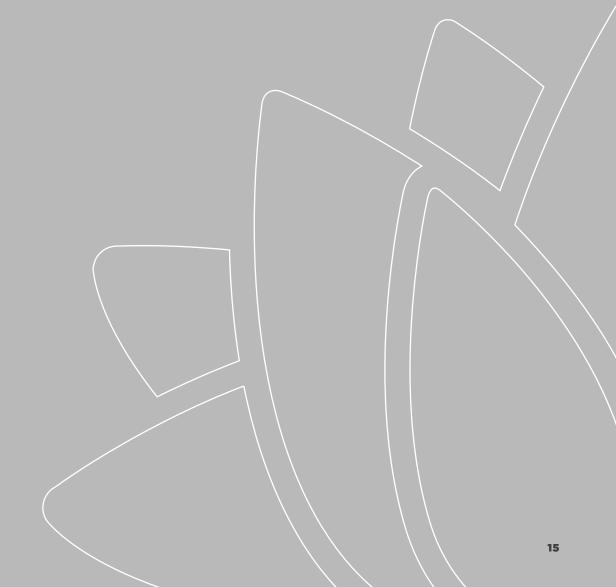
- 4.6 All code of conduct complaints other than those relating to the general manager are to be made to the general manager in writing. This clause does not operate to prevent a person from making a complaint to an external agency.
- 4.7 Where a code of conduct complaint about a council official other than the general manager cannot be made in writing, the complaint must be confirmed with the complainant in writing as soon as possible after the receipt of the complaint.
- 4.8 In making a code of conduct complaint about a council official other than the general manager, the complainant may nominate whether they want the complaint to be resolved by mediation or by other alternative means.

- 4.9 The general manager **or their delegate**, or, where the complaint is referred to a conduct reviewer, the conduct reviewer, must consider the complainant's preferences in deciding how to deal with the complaint.
- 4.10 Notwithstanding **clauses 4.6 and 4.7**, where the general manager becomes aware of a possible breach of the council's code of conduct, he or she may initiate the process for the consideration of the matter under these procedures without a written complaint.

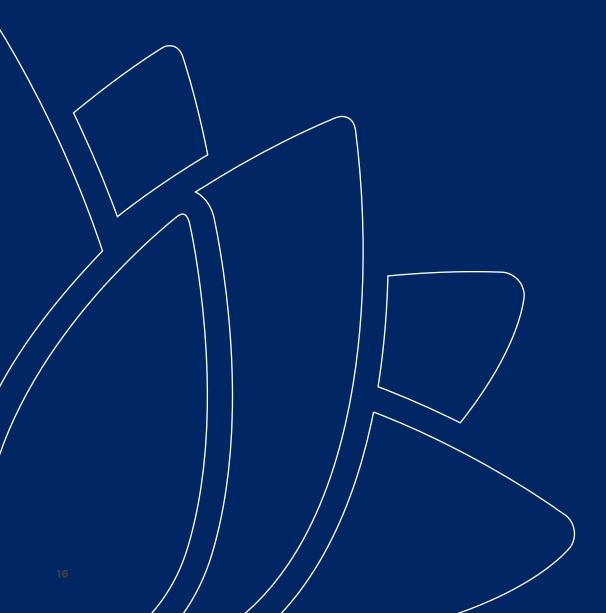
## How may a code of conduct complaint about the general manager be made?

- 4.11 Code of conduct complaints about the general manager are to be made to the mayor in writing. This clause does not operate to prevent a person from making a complaint about the general manager to an external agency.
- 4.12 Where a code of conduct complaint about the general manager cannot be made in writing, the complaint must be confirmed with the complainant in writing as soon as possible after the receipt of the complaint.
- 4.13 In making a code of conduct complaint about the general manager, the complainant may nominate whether they want the complaint to be resolved by mediation or by other alternative means.
- 4.14 The mayor **or their delegate**, or, where the complaint is referred to a conduct reviewer, the conduct reviewer, must consider the complainant's preferences in deciding how to deal with the complaint.

4.15 Notwithstanding **clauses 4.11 and 4.12**, where the mayor becomes aware of a possible breach of the council's code of conduct by the general manager, he or she may initiate the process for the consideration of the matter under these procedures without a written complaint.



## Part 5: How are Code of Conduct Complaints to be Managed?



## Delegation by general managers and mayors of their functions under this Part

5.1 A general manager or mayor may delegate his or her functions under this Part to a member of staff of the council or to a person or persons external to the council other than a state government agency. References in this part to the general manager or mayor are also to be taken to be references to their delegates.

#### What complaints may be declined at the outset?

- 5.2 Without limiting any other provision in these procedures, the general manager or, in the case of a complaint about the general manager, the mayor, may decline to deal with a complaint under these procedures where he or she is satisfied that the complaint:
  - a) is not a code of conduct complaint, or
  - subject to clause 4.5, is not made within 3 months of the alleged conduct occurring or the complainant becoming aware of the alleged conduct, or
  - is trivial, frivolous, vexatious or not made in good faith, or
  - d) relates to a matter the substance of which has previously been considered and addressed by the council and does not warrant further action, or
  - e) is not made in a way that would allow the alleged conduct and any alleged breaches of the council's code of conduct to be readily identified.

## How are code of conduct complaints about staff (other than the general manager) to be dealt with?

- 5.3 The general manager is responsible for the management of code of conduct complaints about members of staff of council (other than complaints alleging a breach of the pecuniary interest provisions contained in Part 4 of the code of conduct) and for determining the outcome of such complaints.
- 5.4 The general manager must refer code of conduct complaints about members of staff of council alleging a breach of the pecuniary interest provisions contained in Part 4 of the code of conduct to the Office.
- 5.5 The general manager may decide to take no action in relation to a code of conduct complaint about a member of staff of council other than one requiring referral to the Office under clause 5.4 on grounds that he or she considers that no action is warranted in relation to the complaint.
- 5.6 Where the general manager decides to take no action in relation to a code of conduct complaint about a member of staff of council, the general manager must give the complainant reasons in writing for their decision and this shall finalise the consideration of the matter under these procedures.
- 5.7 Code of conduct complaints about members of staff of council must be managed in accordance with the relevant industrial instrument or employment contract and make provision for procedural fairness including the right of an employee to be represented by their union.

5.8 Sanctions for breaches of the code of conduct by staff depend on the severity, scale and importance of the breach and must be determined in accordance with any relevant industrial instruments or contracts.

# How are code of conduct complaints about delegates of council, council advisers and council committee members to be dealt with?

- 5.9 The general manager is responsible for the management of code of conduct complaints about delegates of council and council committee members (other than complaints alleging a breach of the pecuniary interest provisions contained in Part 4 of the code of conduct) and for determining the outcome of such complaints.
- 5.10 The general manager must refer code of conduct complaints about council advisers, delegates of council and council committee members alleging a breach of the pecuniary interest provisions contained in Part 4 of the code of conduct to the Office.
- 5.11 The general manager may decide to take no action in relation to a code of conduct complaint about a delegate of council or a council committee member other than one requiring referral to the Office under clause 5.10 on the grounds that he or she considers that no action is warranted in relation to the complaint.
- 5.12 Where the general manager decides to take no action in relation to a code of conduct complaint about a delegate of council or a council committee member,

- the general manager must give the complainant reasons in writing for their decision and this shall finalise the consideration of the matter under these procedures.
- it to be practicable and appropriate to do so, the general manager may seek to resolve code of conduct complaints about delegates of council or council committee members, by alternative means such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation or a voluntary apology. The resolution of a code of conduct complaint under this clause is not to be taken as a determination that there has been a breach of the council's code of conduct.
- 5.14 Where the general manager resolves a code of conduct complaint under clause 5.13 to the general manager's satisfaction, the general manager must notify the complainant in writing of the steps taken to resolve the complaint and this shall finalise the consideration of the matter under these procedures.
- 5.15 Sanctions for **breaches of the code of conduct by** delegates of council and/or
  council committee members depend on
  the severity, scale and importance of the
  breach and may include one or more of
  the following:
  - a) censure
  - requiring the person to apologise to any person or organisation adversely affected by the breach in such a time and form specified by the general manager
  - c) prosecution for any breach of the law
  - d) removing or restricting the person's delegation

- e) removing the person from membership of the relevant council committee.
- 5.16 Prior to imposing a sanction against a delegate of council or a council committee member under clause 5.15, the general manager or any person making enquiries on behalf of the general manager must comply with the requirements of procedural fairness. In particular:
  - a) the substance of the allegation (including the relevant provision/s of the council's code of conduct that the alleged conduct is in breach of) must be put to the person who is the subject of the allegation, and
  - b) the person must be given an opportunity to respond to the allegation, and
  - c) the general manager must consider the person's response in deciding whether to impose a sanction under clause 5.15.

## How are code of conduct complaints about administrators to be dealt with?

- 5.17 The general manager must refer all code of conduct complaints about administrators to the **Office** for its consideration.
- 5.18 The general manager must notify the complainant of the referral of their complaint in writing.

## How are code of conduct complaints about councillors to be dealt with?

- 5.19 The general manager must refer the following code of conduct complaints about councillors to the **Office**:
  - a) complaints alleging a breach of the pecuniary interest provisions contained in Part 4 of the code of conduct
  - b) complaints alleging a failure to comply with a requirement under the code of conduct to disclose and appropriately manage conflicts of interest arising from political donations (see section 328B of the Act)
  - c) complaints alleging a breach of the provisions relating to the maintenance of the integrity of the code of conduct contained in Part 9 of the code of conduct
  - d) complaints that are the subject of a special complaints management arrangement with the Office under clause 5.47.
- 5.20 Where the general manager refers a complaint to the Office under clause 5.19, the general manager must notify the complainant of the referral in writing.
- 5.21 The general manager may decide to take no action in relation to a code of conduct complaint about a councillor, other than one requiring referral to the Office under clause 5.19, on grounds that he or she considers that no action is warranted in relation to the complaint.

- 5.22 Where the general manager decides to take no action in relation to a code of conduct complaint about a councillor, the general manager must give the complainant reasons in writing for their decision and this shall finalise the consideration of the matter under these procedures.
- 5.23 Where the general manager considers it to be practicable and appropriate to do so, the general manager may seek to resolve code of conduct complaints about councillors, other than those requiring referral to the **Office** under clause 5.19, by alternative means such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation or a voluntary apology. The resolution of a code of conduct complaint under this clause is not to be taken as a determination that there has been a breach of the council's code of conduct.
- 5.24 Where the general manager resolves a code of conduct complaint under clause
  5.23 to the general manager's satisfaction, the general manager must notify the complainant in writing of the steps taken to resolve the complaint and this shall finalise the consideration of the matter under these procedures.
- 5.25 The general manager must refer all code of conduct complaints about councillors, other than those referred to the **Office** under **clause 5.19 or finalised under clause 5.22** or resolved under clause 5.23, to the complaints coordinator.

## How are code of conduct complaints about the general manager to be dealt with?

- 5.26 The mayor must refer the following code of conduct complaints about the general manager to the **Office**:
  - a) complaints alleging a breach of the pecuniary interest provisions contained in Part 4 of the code of conduct
  - complaints alleging a breach of the provisions relating to the maintenance of the integrity of the code of conduct contained in Part 9 of the code of conduct
  - c) complaints that are the subject of a special complaints management arrangement with the Office under clause 5.47.
- 5.27 Where the mayor refers a complaint to the **Office** under clause **5.26**, the mayor must notify the complainant of the referral in writing.
- 5.28 The mayor may decide to take no action in relation to a code of conduct complaint about the general manager, other than one requiring referral to the Office under clause 5.26, on grounds that he or she considers that no action is warranted in relation to the complaint.
- 5.29 Where the mayor decides to take no action in relation to a code of conduct complaint about the general manager, the mayor must give the complainant reasons in writing for their decision and this shall finalise the consideration of the matter under these procedures.
- 5.30 Where the mayor considers it to be practicable and appropriate to do so, he or she may seek to resolve code of

conduct complaints about the general manager, other than those requiring referral to the Office under clause 5.26, by alternative means such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation or a voluntary apology. The resolution of a code of conduct complaint under this clause is not to be taken as a determination that there has been a breach of the council's code of conduct.

- 5.31 Where the mayor resolves a code of conduct complaint under **clause 5.30** to the mayor's satisfaction, the mayor must notify the complainant in writing of the steps taken to resolve the complaint and this shall finalise the consideration of the matter under these procedures.
- 5.32 The mayor must refer all code of conduct complaints about the general manager, other than those referred to the Office under clause 5.26 or finalised under clause 5.28 or resolved under clause 5.30, to the complaints coordinator.

## How are complaints about both the general manager and the mayor to be dealt with?

- 5.33 Where the general manager or mayor receives a code of conduct complaint that alleges a breach of the code of conduct by both the general manager and the mayor, the general manager or mayor must either:
  - a) delegate their functions under this part with respect to the complaint to a member of staff of the council other than the general manager or to a person external to the council, or
  - b) refer the matter to the complaints coordinator under clause 5.25 and clause 5.32.

### Referral of code of conduct complaints to external agencies

- 5.34 The general manager, mayor or a conduct reviewer may, at any time, refer a code of conduct complaint to an external agency or body such as, but not limited to, the **Office**, the Independent Commission Against Corruption, the NSW Ombudsman or the police for its consideration, where they consider such a referral is warranted.
- 5.35 Where the general manager, mayor or conduct reviewer refers a complaint to an external agency or body under clause 5.34, they must notify the complainant of the referral in writing where it is appropriate for them to do so.
- 5.36 Referral of a matter to an external agency or body shall finalise consideration of the matter under the code of conduct unless the council is subsequently advised otherwise by the referral agency or body.

#### Disclosure of the identity of complainants

- 5.37 In dealing with matters under these procedures, information that identifies or tends to identify complainants is not to be disclosed unless:
  - a) the complainant consents in writing to the disclosure, or
  - b) it is generally known that the complainant has made the complaint as a result of the complainant having voluntarily identified themselves as the person who made the complaint, or
  - c) it is essential, having regard to procedural fairness requirements, that the identifying information be disclosed, or

- d) a conduct reviewer is of the opinion that disclosure of the information is necessary to investigate the matter effectively, or
- e) it is otherwise in the public interest to do so.
- 5.38 **Clause 5.37** does not apply to code of conduct complaints made by councillors about other councillors or the general manager.
- 5.39 Where a councillor makes a code of conduct complaint about another councillor or the general manager, and the complainant councillor considers that compelling grounds exist that would warrant information that identifies or tends to identify them as the complainant not to be disclosed, they may request in writing that such information not be disclosed.
- 5.40 A request made by a complainant councillor under clause 5.39 must be made at the time they make a code of conduct complaint and must state the grounds upon which the request is made.
- 5.41 The general manager or mayor, and where the matter is referred to a conduct reviewer, the conduct reviewer, must consider a request made under clause 5.39 before disclosing information that identifies or tends to identify the complainant councillor, but they are not obliged to comply with the request.
- 5.42 Where a complainant councillor makes a request under clause 5.39, the general manager or mayor or, where the matter is referred to a conduct reviewer, the conduct reviewer, shall notify the councillor in writing of their intention to disclose information that identifies or tends to identify them prior to disclosing the information.

## Code of conduct complaints made as public interest disclosures

- 5.43 Code of conduct complaints that are made as public interest disclosures under the *Public Interest Disclosures Act 1994* are to be managed in accordance with the requirements of that Act, the council's internal reporting policy, and any guidelines issued by the NSW Ombudsman that relate to the management of public interest disclosures.
- 5.44 Where a councillor makes a code of conduct complaint about another councillor or the general manager as a public interest disclosure, before the matter may be dealt with under these procedures, the complainant councillor must consent in writing to the disclosure of their identity as the complainant.
- 5.45 Where a complainant councillor declines to consent to the disclosure of their identity as the complainant under clause 5.44, the general manager or the mayor must refer the complaint to the Office for consideration. Such a referral must be made under section 26 of the Public Interest Disclosures Act 1994.

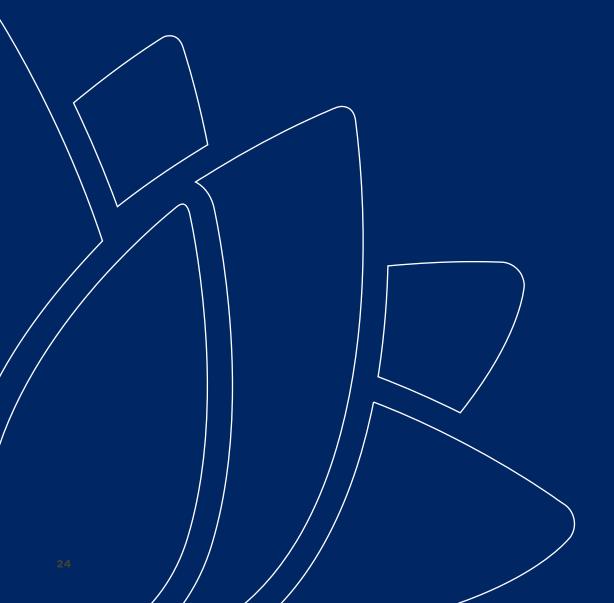
### Special complaints management arrangements

- 5.46 The general manager may request in writing that the **Office** enter into a special complaints management arrangement with the council in relation to code of conduct complaints made by or about a person or persons.
- 5.47 Where the **Office** receives a request under **clause 5.46**, it may agree to enter into a special complaints management arrangement if it is satisfied that the number or nature of code of conduct complaints made by or about a person or persons has:
  - a) imposed an undue and disproportionate cost burden on the council's administration of its code of conduct, or
  - b) impeded or disrupted the effective administration by the council of its code of conduct, or
  - c) impeded or disrupted the effective functioning of the council.
- 5.48 A special complaints management arrangement must be in writing and must specify the following:
  - a) the code of conduct complaints the arrangement relates to, and
  - b) the period that the arrangement will be in force.
- 5.49 The **Office** may, by notice in writing, amend or terminate a special complaints management arrangement at any time.
- 5.50 While a special complaints management arrangement is in force, an officer of the Office (the assessing OLG officer) must undertake the preliminary assessment of the code of conduct complaints specified

- in the arrangement in accordance with the requirements of **Part 6** of these procedures.
- 5.51 Where, following a preliminary assessment, the assessing **OLG officer** determines that a code of conduct complaint warrants investigation by a conduct reviewer, the assessing **OLG officer** shall notify the complaints coordinator in writing of their determination and the reasons for their determination. The complaints coordinator must comply with the recommendation of the assessing **OLG officer**.
- 5.52 Prior to the expiry of a special complaints management arrangement, the Office may, at the request of the general manager, review the arrangement to determine whether it should be renewed or amended.
- 5.53 A special complaints management arrangement shall expire on the date specified in the arrangement unless renewed under clause 5.52.

#### Part 6:

Preliminary Assessment of Code of Conduct Complaints About Councillors or the General Manager by Conduct Reviewers



## Referral of code of conduct complaints about councillors or the general manager to conduct reviewers

- 6.1 The complaints coordinator must refer all code of conduct complaints about councillors or the general manager submitted to the complaints coordinator to a conduct reviewer within 21 days of receipt of a complaint by the general manager or the mayor.
- 6.2 For the purposes of clause 6.1, the complaints coordinator will refer a complaint to a conduct reviewer selected from:
  - a) a panel of conduct reviewers established by the council, or
  - a panel of conduct reviewers established by an organisation approved by the chief executive of the Office.
- 6.3 In selecting a suitable conduct reviewer, the complaints coordinator may have regard to the qualifications and experience of members of the panel of conduct reviewers. Where the conduct reviewer is an incorporated or other entity, the complaints coordinator must also ensure that the person assigned to receive the referral on behalf of the entity meets the selection and eligibility criteria for conduct reviewers prescribed under Part 3 of these procedures.
- 6.4 A conduct reviewer must not accept the referral of a code of conduct complaint where:
  - a) they have a conflict of interest in relation to the matter referred to them, or
  - a reasonable apprehension of bias arises in relation to their consideration of the matter, or

- c) they or their employer has entered into one or more contracts with the council (other than contracts relating to the exercise of their functions as a conduct reviewer) in the 2 years preceding the referral, and they or their employer have received or expect to receive payments under the contract or contracts of a cumulative value that exceeds \$100,000, or
- at the time of the referral, they or their employer are the council's legal service providers or are a member of a panel of legal service providers appointed by the council.
- 6.5 For the purposes of clause 6.4(a), a conduct reviewer will have a conflict of interest in a matter where a reasonable and informed person would perceive that they could be influenced by a private interest when carrying out their public duty (see **clause**5.2 of the Model Code of Conduct).
- 6.6 For the purposes of clause 6.4(b), a reasonable apprehension of bias arises where a fair-minded observer might reasonably apprehend that the conduct reviewer might not bring an impartial and unprejudiced mind to the matter referred to the conduct reviewer.
- 6.7 Where the complaints coordinator refers a matter to a conduct reviewer, they will provide the conduct reviewer with a copy of the code of conduct complaint and any other information relevant to the matter held by the council, including any information about previous proven breaches and any information that would indicate that the alleged conduct forms part of an ongoing pattern of behaviour.
- 6.8 The complaints coordinator must notify the complainant in writing that the matter has been referred to a conduct reviewer, and advise which conduct reviewer the matter has been referred to.

- 6.9 Where a matter has been referred to a conduct reviewer, the conduct reviewer must comply with these procedures in their consideration of the matter and exercise their functions in a diligent and timely manner.
- 6.10 The complaints coordinator may at any time terminate the referral of a matter to a conduct reviewer and refer the matter to another conduct reviewer where the complaints coordinator is satisfied that the conduct reviewer has failed to:
  - a) comply with these procedures in their consideration of the matter, or
  - comply with a lawful and reasonable request by the complaints coordinator, or
  - exercise their functions in a timely or satisfactory manner.

# Preliminary assessment of code of conduct complaints about councillors or the general manager by a conduct reviewer

- 6.11 The conduct reviewer is to undertake a preliminary assessment of a complaint referred to them by the complaints coordinator for the purposes of determining how the complaint is to be managed.
- 6.12 The conduct reviewer may determine to do one or more of the following in relation to a complaint referred to them by the complaints coordinator:
  - a) to take no action
  - b) to resolve the complaint by alternative and appropriate strategies such as, but not limited to, explanation,

- counselling, training, mediation, informal discussion, negotiation or **a voluntary apology**
- c) to refer the matter back to the general manager or, in the case of a complaint about the general manager, the mayor, for resolution by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, or a voluntary apology
- d) to refer the matter to another agency or body such as, but not limited to, the ICAC, the NSW Ombudsman, the Office or the police
- e) to investigate the matter.
- 6.13 In determining how to deal with a matter under clause 6.12, the conduct reviewer must have regard to the complaint assessment criteria prescribed under clause 6.30.
- 6.14 The conduct reviewer may make such enquiries the conduct reviewer considers to be reasonably necessary to determine what options to exercise under clause 6.12.
- 6.15 The conduct reviewer may request the complaints coordinator to provide such additional information the conduct reviewer considers to be reasonably necessary to determine what options to exercise in relation to the matter under clause 6.12. The complaints coordinator will, as far as is reasonably practicable, supply any information requested by the conduct reviewer.
- 6.16 The conduct reviewer must refer to **the**Office any complaints referred to him or
  her that should have been referred to **the**Office under clauses 5.19 and 5.26.
- 6.17 The conduct reviewer must determine to take no action on a complaint that is not a code of conduct complaint for the purposes of these procedures.

- 6.18 The resolution of a code of conduct complaint under clause 6.12, paragraphs(b) or (c) is not to be taken as a determination that there has been a breach of the council's code of conduct.
- 6.19 Where the conduct reviewer completes their preliminary assessment of a complaint by determining to exercise an option under clause 6.12, paragraphs (a), (b) or (c), they must provide the complainant with written notice of their determination and provide reasons for it, and this will finalise consideration of the matter under these procedures.
- 6.20 Where the conduct reviewer refers a complaint to another agency or body, they must notify the complainant of the referral in writing where it is appropriate for them to do so.
- 6.21 The conduct reviewer may only determine to investigate a matter where they are satisfied as to the following:
  - a) that the complaint is a "code of conduct complaint" for the purposes of these procedures, and
  - b) that the alleged conduct is sufficiently serious to warrant investigation, and
  - that the matter is one that could not or should not be resolved by alternative means.
- 6.22 In determining whether a matter is sufficiently serious to warrant investigation, the conduct reviewer is to consider the following:
  - a) the harm or cost that the alleged conduct has caused to any affected individuals and/or the council
  - b) the likely impact of the alleged conduct on the reputation of the council and public confidence in it
  - c) whether the alleged conduct was deliberate or undertaken with reckless intent or negligence

- d) any previous proven breaches by the person whose alleged conduct is the subject of the complaint and/or whether the alleged conduct forms part of an ongoing pattern of behaviour.
- 6.23 The conduct reviewer must complete their preliminary assessment of the complaint within 28 days of referral of the matter to them by the complaints coordinator.
- 6.24 The conduct reviewer is not obliged to give prior notice to or to consult with any person before making a determination in relation to their preliminary assessment of a complaint, except as may be specifically required under these procedures.

### Referral back to the general manager or mayor for resolution

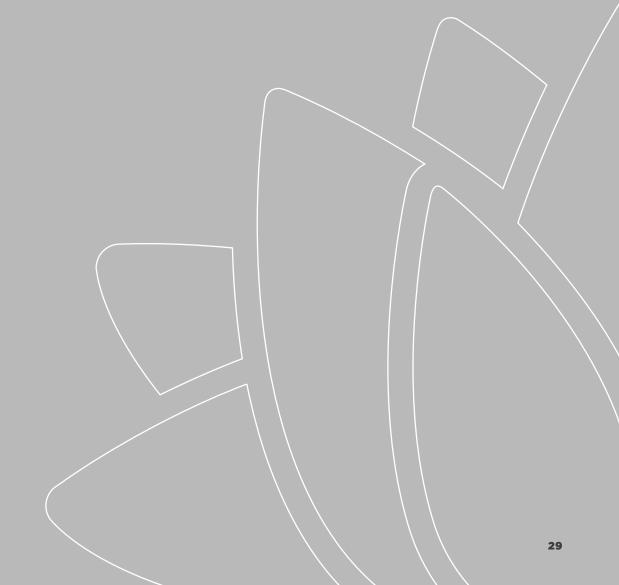
- 6.25 Where the conduct reviewer determines to refer a matter back to the general manager or to the mayor to be resolved by alternative and appropriate means, they must write to the general manager or, in the case of a complaint about the general manager, to the mayor, recommending the means by which the complaint may be resolved.
- 6.26 The conduct reviewer must consult with the general manager or mayor prior to referring a matter back to them under clause 6.12(c).

- 6.27 The general manager or mayor may decline to accept the conduct reviewer's recommendation. In such cases, the conduct reviewer may determine to deal with the complaint by other means under clause 6.12.
- 6.28 Where the conduct reviewer refers a matter back to the general manager or mayor under **clause 6.12(c)**, the general manager or, in the case of a complaint about the general manager, the mayor, is responsible for implementing or overseeing the implementation of the conduct reviewer's recommendation.
- 6.29 Where the conduct reviewer refers a matter back to the general manager or mayor under **clause 6.12(c)**, the general manager, or, in the case of a complaint about the general manager, the mayor, must advise the complainant in writing of the steps taken to implement the conduct reviewer's recommendation once these steps have been completed.

#### **Complaints assessment** criteria

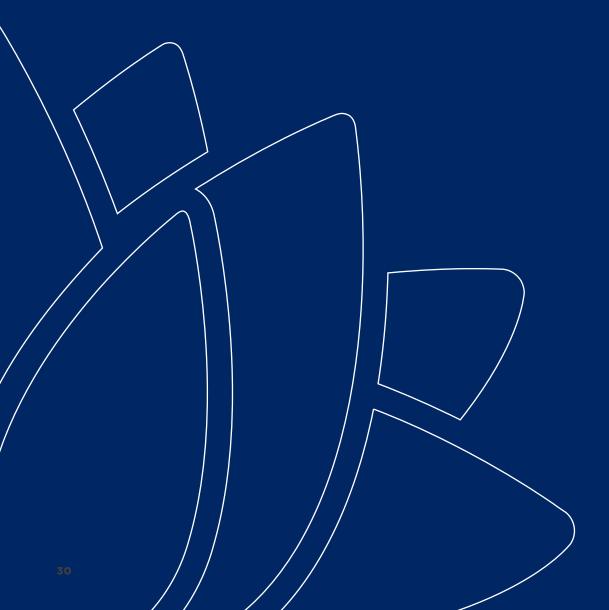
- 6.30 In undertaking the preliminary assessment of a complaint, the conduct reviewer may have regard to the following considerations:
  - a) whether the complaint is a "code of conduct complaint" for the purpose of these procedures
  - b) whether the complaint has been made in a timely manner in accordance with clause 4.4, and if not, whether there are compelling grounds for the matter to be dealt with under the council's code of conduct
  - c) whether the complaint is trivial, frivolous, vexatious or not made in good faith

- d) whether the complaint discloses prima facie evidence of conduct that, if proven, would constitute a breach of the code
- e) whether the complaint raises issues that would be more appropriately dealt with by another agency or body
- f) whether there is or was an alternative and satisfactory means of redress available in relation to the conduct complained of
- g) whether the complaint is one that can be resolved by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, informal discussion, negotiation or a voluntary apology
- h) whether the issue/s giving rise to the complaint have previously been addressed or resolved
- i) any previous proven breaches of the council's code of conduct
- j) whether the conduct complained of forms part of an ongoing pattern of behaviour
- k) whether there were mitigating circumstances giving rise to the conduct complained of
- the seriousness of the alleged conduct (having regard to the criteria specified in clause 6.22)
- m) the significance of the conduct or the impact of the conduct for the council
- n) how much time has passed since the alleged conduct occurred
- such other considerations that the conduct reviewer considers may be relevant to the assessment of the complaint.



#### **Part 7:**

Investigations of Code of Conduct Complaints About Councillors or the General Manager



### What matters may a conduct reviewer investigate?

- 7.1 A conduct reviewer (hereafter referred to as an "investigator") may investigate a code of conduct complaint that has been referred to them by the complaints coordinator and any matters related to or arising from that complaint.
- 7.2 Where an investigator identifies further separate possible breaches of the code of conduct that are not related to or arise from the code of conduct complaint that has been referred to them, they are to report the matters separately in writing to the general manager, or, in the case of alleged conduct on the part of the general manager, to the mayor.
- 7.3 The general manager or the mayor or their delegate is to deal with a matter reported to them by an investigator under clause 7.2 as if it were a new code of conduct complaint in accordance with these procedures.

#### How are investigations to be commenced?

- 7.4 The investigator must at the outset of their investigation provide a written notice of investigation to the subject person. The notice of investigation must:
  - a) disclose the substance of the allegations against the subject person, and
  - advise of the relevant provisions of the code of conduct that apply to the alleged conduct, and
  - c) advise of the process to be followed in investigating the matter, and

- d) invite the subject person to make a written submission in relation to the matter within at least 14 days or such other period specified by the investigator in the notice, and
- e) provide the subject person the opportunity to address the investigator on the matter within such reasonable time specified in the notice.
- 7.5 The subject person may, within **7 days** of receipt of the notice of investigation, request in writing that the investigator provide them with such further information they consider necessary to assist them to identify the substance of the allegation against them. An investigator will only be obliged to provide such information that the investigator considers reasonably necessary for the subject person to identify the substance of the allegation against them.
- 7.6 An investigator may at any time prior to issuing a draft report, issue an amended notice of investigation to the subject person in relation to the matter referred to them.
- 7.7 Where an investigator issues an amended notice of investigation, they will provide the subject person with a further opportunity to make a written submission in response to the amended notice of investigation within at least 14 days or such other period specified by the investigator in the amended notice.
- 7.8 The investigator must also, at the outset of their investigation, provide written notice of the investigation to the complainant, the complaints coordinator and the general manager, or in the case of a complaint about the general manager, to the complainant, the complaints coordinator and the mayor. The notice must:

- a) advise them of the matter the investigator is investigating, and
- b) in the case of the notice to the complainant, invite them to make a written submission in relation to the matter within at least 14 days or such other period specified by the investigator in the notice.

#### Written and oral submissions

- 7.9 Where the subject person or the complainant fails to make a written submission in relation to the matter within the period specified by the investigator in their notice of investigation or amended notice of investigation, the investigator may proceed to prepare their draft report without receiving such submissions.
- 7.10 The investigator may accept written submissions received outside the period specified in the notice of investigation or amended notice of investigation.
- 7.11 Prior to preparing a draft report, the investigator must give the subject person an opportunity to address the investigator on the matter being investigated. The subject person may do so in person or by telephone **or other electronic means**.
- 7.12 Where the subject person fails to accept the opportunity to address the investigator within the period specified by the investigator in the notice of investigation, the investigator may proceed to prepare a draft report without hearing from the subject person.
- 7.13 Where the subject person accepts the opportunity to address the investigator in person, they may have a support person or legal adviser in attendance. The support person or legal adviser will act in an advisory or support role to the subject

- person only. They must not speak on behalf of the subject person or otherwise interfere with or disrupt proceedings.
- 7.14 The investigator must consider all written and oral submissions made to them in relation to the matter.

#### How are investigations to be conducted?

- 7.15 Investigations are to be undertaken without undue delay.
- 7.16 Investigations are to be undertaken in the absence of the public and in confidence.
- 7.17 Investigators must make any such enquiries that may be reasonably necessary to establish the facts of the matter.
- 7.18 Investigators may seek such advice or expert guidance that may be reasonably necessary to assist them with their investigation or the conduct of their investigation.
- 7.19 An investigator may request that the complaints coordinator provide such further information that the investigator considers may be reasonably necessary for them to establish the facts of the matter. The complaints coordinator will, as far as is reasonably practicable, provide the information requested by the investigator.

## Referral or resolution of a matter after the commencement of an investigation

7.20 At any time after an investigator has issued a notice of investigation and before they have issued a draft report, an investigator may determine to:

- a) resolve the matter by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation or a voluntary apology, or
- b) refer the matter to the general manager, or, in the case of a complaint about the general manager, to the mayor, for resolution by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation or a voluntary apology, or
- c) refer the matter to another agency or body such as, but not limited to, the ICAC, the NSW Ombudsman, the Office or the Police.
- 7.21 Where an investigator determines to exercise any of the options under **clause 7.20** after the commencement of an investigation, they must do so in accordance with the requirements of Part 6 of these procedures relating to the exercise of these options at the preliminary assessment stage.
- 7.22 The resolution of a code of conduct complaint under clause 7.20, paragraphs(a) or (b) is not to be taken as a determination that there has been a breach of the council's code of conduct.
- 7.23 Where an investigator determines to exercise any of the options under clause 7.20 after the commencement of an investigation, they may by written notice to the subject person, the complainant, the complaints coordinator and the general manager, or in the case of a complaint about the general manager, to the subject person, the complainant, the complaints coordinator and the mayor, discontinue their investigation of the matter.

- 7.24 Where the investigator discontinues their investigation of a matter under clause7.22, this shall finalise the consideration of the matter under these procedures.
- 7.25 An investigator is not obliged to give prior notice to or to consult with any person before making a determination to exercise any of the options under **clause 7.20** or to discontinue their investigation except as may be specifically required under these procedures.

#### Draft investigation reports

- 7.26 When an investigator has completed their enquiries and considered any written or oral submissions made to them in relation to a matter, they must prepare a draft of their proposed report.
- 7.27 The investigator must provide their draft report to the subject person and invite them to make a written submission in relation to it within at least 14 days or such other period specified by the investigator.
- 7.28 Where the investigator proposes to make adverse comment about any other person (an affected person) in their report, they must also provide the affected person with relevant extracts of their draft report containing such comment and invite the affected person to make a written submission in relation to it within at least 14 days or such other period specified by the investigator.
- 7.29 The investigator must consider written submissions received in relation to the draft report prior to finalising their report in relation to the matter.
- 7.30 The investigator may, after consideration of all written submissions received in relation to their draft report, make further enquiries into the matter. If, as a result of making further enquiries, the investigator makes any material change to their

proposed report that makes new adverse comment about the subject person or an affected person, they must provide the subject person or affected person as the case may be with a further opportunity to make a written submission in relation to the new adverse comment.

- 7.31 Where the subject person or an affected person fails to make a written submission in relation to the draft report within the period specified by the investigator, the investigator may proceed to prepare and issue their final report without receiving such submissions.
- 7.32 The investigator may accept written submissions in relation to the draft report received outside the period specified by the investigator at any time prior to issuing their final report.

#### Final investigation reports

- 7.33 Where an investigator issues a notice of investigation they must prepare a final report in relation to the matter unless the investigation is discontinued under clause 7.23.
- 7.34 An investigator must not prepare a final report in relation to the matter at any time before they have finalised their consideration of the matter in accordance with the requirements of these procedures.
- 7.35 The investigator's final report must:
  - a) make findings of fact in relation to the matter investigated, and,
  - b) make a determination that the conduct investigated either,
    - constitutes a breach of the code of conduct, or
    - ii. does not constitute a breach of the code of conduct, and
  - c) provide reasons for the determination.

- 7.36 Where the investigator determines that the conduct investigated constitutes a breach of the code of conduct, the investigator may make one or more of the following recommendations:
  - a) that the council revise any of its policies or procedures
  - b) that the subject person undertake any training or other education relevant to the conduct giving rise to the breach
  - c) that the subject person be counselled for their conduct
  - d) that the subject person be removed from membership of a committee of the council or any other body or organisation that the subject person serves on as the council's representative
  - e) that the subject person apologise to any person or organisation affected by the breach in such a time and form specified by the recommendation
  - f) that findings of inappropriate conduct be made public by publishing the investigator's findings and determination in the minutes of the council meeting at which the matter is considered
  - g) in the case of a breach by the general manager, that action be taken under the general manager's contract
  - h) in the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Act
  - i) in the case of a breach by a councillor, that the council resolves as follows:
    - i. that the councillor be formally censured for the breach under section 440G of the Act, and
    - ii. that the matter be referred to the Office for further action under the misconduct provisions of the Act.

- 7.37 Where the investigator determines that the conduct investigated does not constitute a breach of the code of conduct, the investigator may make one or more of the following recommendations:
  - a) that the council revise any of its policies or procedures
  - b) that a person or persons undertake any training or other education.
- 7.38 In making a recommendation under **clause**7.36, the investigator may have regard to the following:
  - a) the seriousness of the breach
  - b) whether the breach can be easily remedied or rectified
  - c) whether the subject person has remedied or rectified their conduct
  - d) whether the subject person has expressed contrition
  - e) whether there were any mitigating circumstances
  - f) the age, physical or mental health or special infirmity of the subject person
  - g) whether the breach is technical or trivial only
  - h) any previous proven breaches
  - i) whether the breach forms part of an ongoing pattern of behaviour
  - j) the degree of reckless intention or negligence of the subject person
  - k) the extent to which the breach has affected other parties or the council as a whole
  - the harm or potential harm to the reputation of the council or local government in general arising from the conduct

- m) whether the findings and recommendations can be justified in terms of the public interest and would withstand public scrutiny
- n) whether an educative approach would be more appropriate than a punitive one
- the relative costs and benefits of taking formal **disciplinary** action as opposed to taking no action or taking informal action
- p) what action or remedy would be in the public interest.
- 7.39 Where the investigator proposes to make a recommendation under clause 7.36(i), the investigator must first consult with the Office on their proposed findings, determination and recommendation prior to finalising their report, and must take any comments by the Office into consideration when finalising their report.
- 7.40 At a minimum, the investigator's final report must contain the following information:
  - a) a description of the allegations against the subject person
  - b) the relevant provisions of the code of conduct that apply to the alleged conduct investigated
  - a statement of reasons as to why the matter warranted investigation
  - d) a statement of reasons as to why the matter was one that could not or should not be resolved by alternative means
  - e) a description of any attempts made to resolve the matter by use of alternative means
  - f) the steps taken to investigate the matter
  - g) the facts of the matter

- h) the investigator's findings in relation to the facts of the matter and the reasons for those findings
- i) the investigator's determination and the reasons for that determination
- j) any recommendations.
- 7.41 The investigator must provide a copy of their report to the complaints coordinator and the subject person.
- 7.42 The investigator must provide the complainant with a written statement containing the following information:
  - a) the investigator's findings in relation to the facts of the matter and the reasons for those findings
  - b) the investigator's determination and the reasons for that determination
  - c) any recommendations, and
  - d) such other additional information that the investigator considers may be relevant.
- 7.43 Where the investigator has determined that there has not been a breach of the code of conduct, the complaints coordinator must provide a copy of the investigator's report to the general manager or, where the report relates to the general manager's conduct, to the mayor, and this will finalise consideration of the matter under these procedures.
- 7.44 Where the investigator has determined that there has been a breach of the code of conduct and makes a recommendation or recommendations under clause 7.36, paragraph (a) only, the complaints coordinator must provide a copy of the investigator's report to the general manager. Where the general manager agrees with the recommendation/s, the general manager is responsible for implementing the recommendation/s.

- 7.45 Where the investigator has determined that there has been a breach of the code of conduct and makes a recommendation or recommendations under clause **7.36**, paragraphs (b) or (c) **only**, the complaints coordinator must provide a copy of the investigator's report to the general manager or, where the report relates to the general manager's conduct, to the mayor. The general manager is responsible for arranging the implementation of the recommendation/s where the report relates to a councillor's conduct. The mayor is responsible for arranging the implementation of the recommendation/s where the report relates to the general manager's conduct.
- 7.46 Where the investigator has determined that there has been a breach of the code of conduct and makes a recommendation or recommendations under clause 7.36, paragraphs (d) to (i), the complaints coordinator must, where practicable, arrange for the investigator's report to be reported to the next ordinary council meeting for the council's consideration, unless the meeting is to be held within the 4 weeks prior to an ordinary local government election, in which case the report must be reported to the first ordinary council meeting following the election.

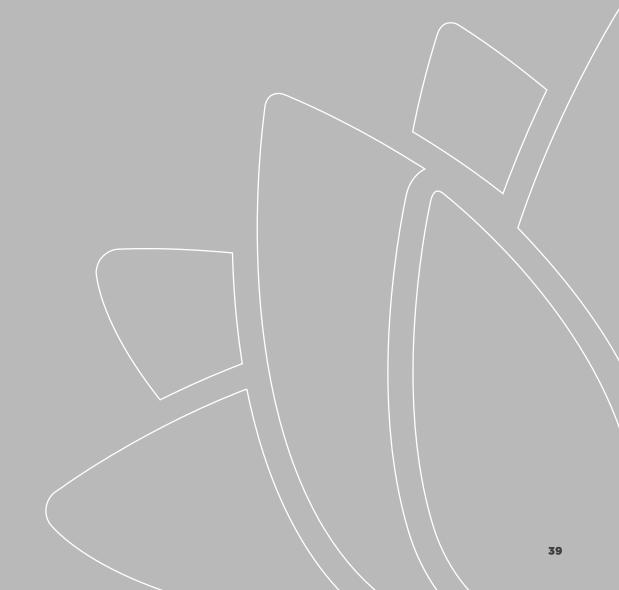
### Consideration of the final investigation report by council

- 7.47 The role of the council in relation to a final investigation report is to impose a sanction if the investigator has determined that there has been a breach of the code of conduct and has made a recommendation in their final report under clause 7.36, paragraphs (d) to (i).
- 7.48 The council is to close its meeting to the public to consider the final investigation report in cases where it is permitted to do so under section 10A of the Act.
- 7.49 Where the complainant is a councillor, they must absent themselves from the meeting and take no part in any discussion or voting on the matter. The complainant councillor may absent themselves without making any disclosure of interests in relation to the matter unless otherwise required to do so under the code of conduct.
- 7.50 Prior to imposing a sanction, the council must provide the subject person with an opportunity to make a submission to the council. A submission may be made orally or in writing. The subject person is to confine their submission to addressing the investigator's recommendation/s.
- 7.51 Once the subject person has made their submission they must absent themselves from the meeting and, where they are a councillor, take no part in any discussion or voting on the matter.
- 7.52 The council must not invite submissions from other persons for the purpose of seeking to rehear evidence previously considered by the investigator.
- 7.53 Prior to imposing a sanction, the council may by resolution:

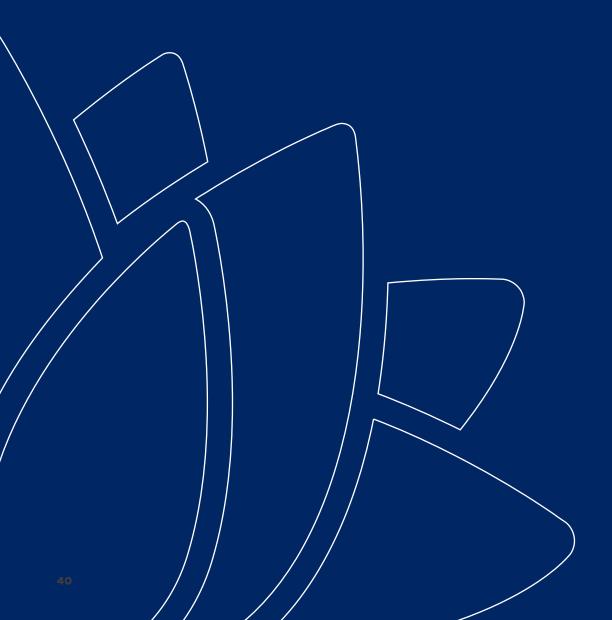
- a) request that the investigator make additional enquiries and/or provide additional information to it in a supplementary report, or
- b) seek an opinion from **the Office** in relation to the report.
- 7.54 The council may, by resolution, defer further consideration of the matter pending the receipt of a supplementary report from the investigator or an opinion from the Office.
- 7.55 The investigator may make additional enquiries for the purpose of preparing a supplementary report.
- 7.56 Where the investigator prepares a supplementary report, they must provide copies to the complaints coordinator who shall provide a copy each to the council and the subject person.
- 7.57 The investigator is not obliged to notify or consult with any person prior to submitting the supplementary report to the complaints coordinator.
- 7.58 The council is only required to provide the subject person a further opportunity to **make an oral or written submission** on a supplementary report if the supplementary report contains new information that is adverse to them.
- 7.59 A council may by resolution impose one or more of the following sanctions on a subject person:
  - a) that the subject person undertake any training or other education relevant to the conduct giving rise to the breach
  - b) that the subject person be counselled for their conduct
  - c) that the subject person be removed from membership of a committee of the council or any other body or organisation that the subject person serves on as the council's representative

- d) that the subject person apologise to any person or organisation affected by the breach in such a time and form specified by the resolution
- e) that findings of inappropriate conduct be made public by publishing the investigator's findings and determination in the minutes of the meeting
- f) in the case of a breach by the general manager, that action be taken under the general manager's contract for the breach
- g) in the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Act
- h) in the case of a breach by a councillor:
  - that the councillor be formally censured for the breach under section 440G of the Act, and
  - ii. that the matter be referred to the Office for further action under the misconduct provisions of the Act.
- 7.60 The council is not obliged to adopt the investigator's recommendation/s. Where the council proposes not to adopt one or more of the investigator's recommendation/s, the council must resolve not to adopt the recommendation/s and state in its resolution the reasons for its decision.
- 7.61 Where the council proposes to impose, under clause 7.59, a sanction on the subject person that is different to the sanction recommended by the investigator in their final report, the council must state in its resolution the reasons for its decision.

7.62 Where the council resolves not to adopt the investigator's recommendation/s or imposes, under clause 7.59, a sanction on the subject person that is different to the sanction recommended by the investigator, the complaints coordinator must notify the Office of the council's decision and the reasons for it.



Part 8:
Oversight and Rights of Review



### Failure to comply with a requirement under these procedures

8.1 Where any person believes that a person has failed to comply with a requirement prescribed under these procedures, they may at any time raise their concerns in writing with the Office.

#### Complaints about conduct reviewers

- 8.2 The general manager must refer complaints about conduct reviewers to the Office for its consideration.
- 8.3 The general manager must notify the complainant of the referral of their complaint in writing.
- 8.4 The general manager must implement any recommendation made by the Office as a result of its consideration of a complaint about a conduct reviewer.

#### **Practice rulings**

- 8.5 Where a subject person and an investigator are in dispute over a requirement under these procedures, either person may make a request in writing to **the Office** to make a ruling on a question of procedure (a practice ruling).
- 8.6 Where **the Office** receives a request in writing for a practice ruling, **the Office** may provide notice in writing of its ruling and the reasons for it to the person who requested it and to the investigator, where that person is different.
- 8.7 Where **the Office** makes a practice ruling, all parties are to comply with it.

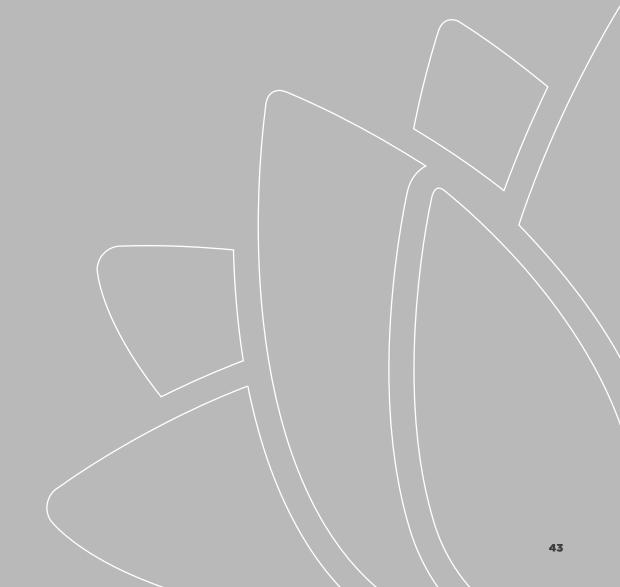
8.8 **The Office** may decline to make a practice ruling. Where **the Office** declines to make a practice ruling, it will provide notice in writing of its decision and the reasons for it to the person who requested it and to the investigator, where that person is different.

#### **Requests for review**

- 8.9 A person who is the subject of a sanction imposed under Part 7 of these procedures other than one imposed under clause 7.59, paragraph (h), may, within 28 days of the sanction being imposed, seek a review of the investigator's determination and recommendation by the Office.
- 8.10 A review under **clause 8.9** may be sought on the following grounds:
  - a) that the investigator has failed to comply with a requirement under these procedures, or
  - that the investigator has misinterpreted or misapplied the standards of conduct prescribed under the code of conduct, or
  - that in imposing its sanction the council has failed to comply with a requirement under these procedures.
- 8.11 A request for a review made under clause
  8.9 must be made in writing and must specify the grounds upon which the person believes the investigator or the council has erred.
- 8.12 **The Office** may decline to conduct a review, in cases where the grounds upon which the review is sought are not sufficiently specified.
- 8.13 **The Office** may undertake a review of a matter without receiving a request under **clause 8.9**.

- 8.14 **The Office** will undertake a review of the matter on the papers. However, **the Office** may request that the complaints coordinator provide such further information that **the Office** considers reasonably necessary for it to review the matter. The complaints coordinator must, as far as is reasonably practicable, provide the information requested by **the Office**.
- 8.15 Where a person requests a review under clause 8.9, the Office may direct the council to defer any action to implement a sanction. The council must comply with a direction to defer action by the Office.
- 8.16 **The Office** must notify the person who requested the review and the complaints coordinator of the outcome of **the Office's** review in writing and the reasons for its decision. In doing so, **the Office** may comment on any other matters the Office considers to be relevant.
- 8.17 Where the Office considers that the investigator or the council has erred, the Office may recommend that a decision to impose a sanction under these procedures be reviewed.
- 8.18 In the case of a sanction implemented by the general manager or mayor under clause 7.45, where the Office recommends that the decision to impose a sanction be reviewed:
  - a) the complaints coordinator must provide a copy of the Office's determination in relation to the matter to the general manager or the mayor,
  - b) the general manager or mayor must review any action taken by them to implement the sanction, and
  - the general manager or mayor must consider the Office's recommendation in doing so.

- 8.19 In the case of a sanction imposed by the council by resolution under clause7.59, where the Office recommends that the decision to impose a sanction be reviewed:
  - a) the complaints coordinator must, where practicable, arrange for **the Office's** determination to be tabled at the next ordinary council meeting unless the meeting is to be held within the 4 weeks prior to an ordinary local government election, in which case it must be tabled at the first ordinary council meeting following the election, and
  - b) the council must:
    - i. review its decision to impose the sanction, and
    - ii. consider the Office's recommendation in doing so, and
    - iii. resolve to either rescind or reaffirm its previous resolution in relation to the matter.
- 8.20 Where, having reviewed its previous decision in relation to a matter under clause 8.19, the council resolves to reaffirm its previous decision, the council must state in its resolution its reasons for doing so.

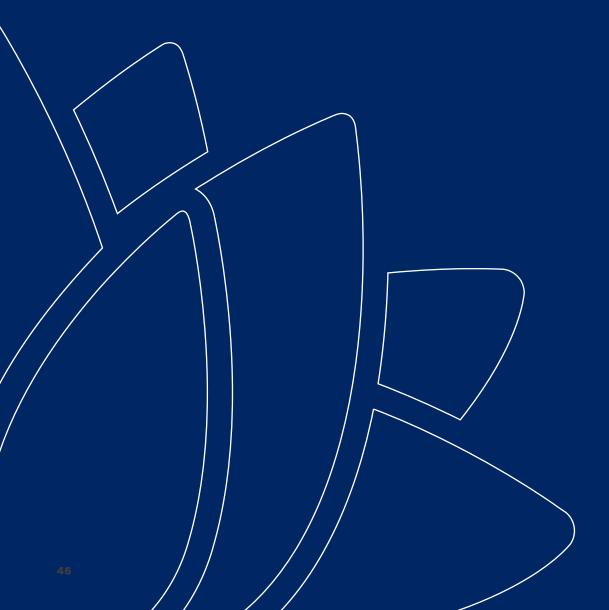


## Part 9: Procedural Irregularities



- 9.1 A failure to comply with these procedures does not, on its own, constitute a breach of the code of conduct, except as may be otherwise specifically provided under the code of conduct.
- 9.2 A failure to comply with these procedures will not render a decision made in relation to a matter invalid where:
  - a) the non-compliance is isolated and/or minor in nature, or
  - b) reasonable steps are taken to correct the non-compliance, or
  - c) reasonable steps are taken to address the consequences of the non-compliance.

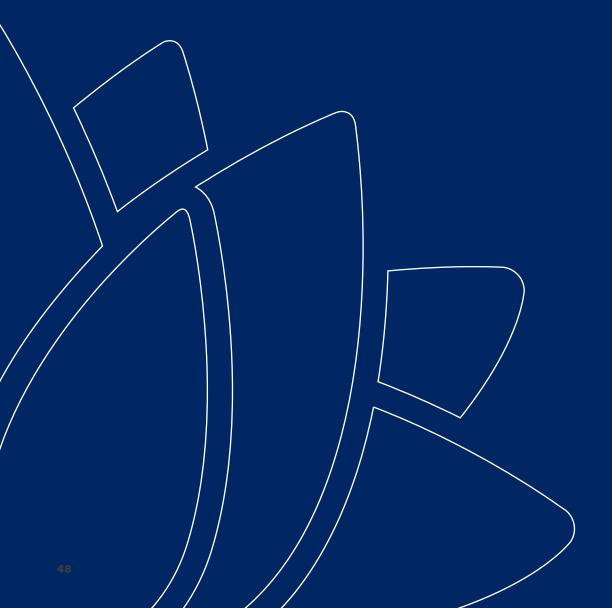
# Part 10: Practice Directions



- 10.1 **The Office** may at any time issue a practice direction in relation to the application of these procedures.
- 10.2 **The Office** will issue practice directions in writing, by circular to all councils.
- 10.3 All persons performing a function prescribed under these procedures must consider **the Office's** practice directions when performing the function.

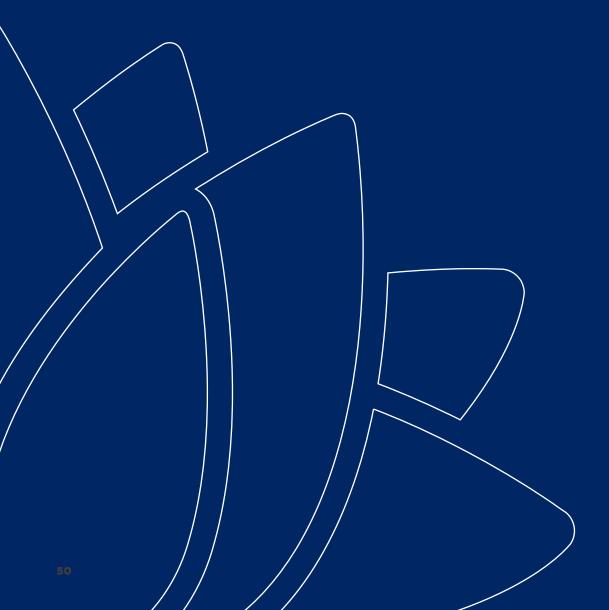
### **Part 11:**

Reporting Statistics on Code of Conduct Complaints
About Councillors and the General Manager



- 11.1 The complaints coordinator must arrange for the following statistics to be reported to the council within 3 months of the end of September of each year:
  - a) the total number of code of conduct complaints made about councillors and the general manager under the code of conduct in the year to September (the reporting period)
  - the number of code of conduct complaints referred to a conduct reviewer during the reporting period
  - the number of code of conduct complaints finalised by a conduct reviewer at the preliminary assessment stage during the reporting period and the outcome of those complaints
  - d) the number of code of conduct complaints investigated by a conduct reviewer during the reporting period
  - e) without identifying particular matters, the outcome of investigations completed under these procedures during the reporting period
  - the number of matters reviewed by the Office during the reporting period and, without identifying particular matters, the outcome of the reviews, and
  - g) the total cost of dealing with code of conduct complaints made about councillors and the general manager during the reporting period, including staff costs.
- 11.2 The council is to provide the Office with a report containing the statistics referred to in **clause 11.1** within 3 months of the end of September of each year.

# Part 12: Confidentiality



- 12.1 Information about code of conduct complaints and the management and investigation of code of conduct complaints is to be treated as confidential and is not to be publicly disclosed except as may be otherwise specifically required or permitted under these procedures.
- 12.2 Where a complainant publicly discloses information on one or more occasions about a code of conduct complaint they have made or has purported to make, the general manager or their delegate may, with the consent of the Office, determine that the complainant is to receive no further information about their complaint and any future code of conduct complaint they make or purport to make.
- 12.3 Prior to seeking the Office's consent under clause 12.2, the general manager or their delegate must give the complainant written notice of their intention to seek the Office's consent, invite them to make a written submission and consider any submission made by them.
- 12.4 In giving its consent under clause 12.2, the Office must consider any submission made by the complainant to the general manager or their delegate.
- 12.5 The general manager or their delegate must give written notice of a determination made under clause 12.2 to:
  - a) the complainant
  - b) the complaints coordinator
  - c) the Office, and
  - d) any other person the general manager or their delegate considers should be notified of the determination.

12.6 Any requirement under these procedures that a complainant is to be provided with information about a code of conduct complaint that they have made or has purported to make, will not apply to a complainant the subject of a determination made by the general manager or their delegate under clause 12.2 unless that person is otherwise entitled to receive the information under the *Public Interest Disclosures Act 1994*.







### **Application**

under

Policy 4.9

Events Attraction Package – Section 356 of The Local Government Act

**Presented by Rocky Trail Entertainment Pty Ltd** 

Project:
JetBlack 24 Hour in Rydal
3+4 March 2018

### **EVENT ATTACTIONS PACKAGE Application Form**

### SECTION 1: APPLICANT'S DETAILS — all applicants complete this section

The manual of court French	John de 24 Herre in Drudel
The name of your Event.	JetBlack 24 Hour in Rydal
Name of the organisation or person seeking financial assistance.	Rocky Trail Entertainment Pty Ltd
Address	20 Kensington Place
	Mardi NSW 2259
Postal Address	20 Kensington Place, Mardi NSW 2259
Name and position of the contact	Martin Wisata
person	Managing Director
Telephone, Fax and	Telephone: 0403 090 952
Email Address	Fax:
	Mobile: 0403 090 952
	Email: martin@rockytrailentertainment.com
What legal status does your	Pty Ltd
organisation have? (e.g.	
Incorporated Association etc)	F0 120 217 C70
Australian Business Number (ABN) * Australian Company Number (if	50 129 217 670 129 217 670
applicable)	129 217 070
General Description of your	Rocky Trail Entertainment Pty Ltd is one of the
Organisation	leading mountain bike events promoters in Australia.
	We organise 20 events in NSW and the ACT with 3,500-4000 event participants each year. Our
	portfolio includes cross-country, downhill and
	superflow/enduro events as well as public relations
	consulting services in the cycling industry.
Is your insurance, including a	2017 – policy number ATCSL00456 through ATC
minimum of \$20m for public liability	Insurance Solutions Pty Ltd
insurance, current? Please state	Will be were suited for 2010
policy numbers. (Council may request a copy of	Will be renewed for 2018
certificates of currency.)	
What is the time frame of your	Start Date: 3 March 2018 (arrival 1-2 March)
project?	
	End Date: 4 March 2018 (departure (5 March)

If you don't have an ABN, please attach a copy of the Australian Taxation Office form "Statement by a supplier". Applicants with an ABN DO NOT need to complete the Statement by a Supplier form.

\$ 5,000

### AMOUNT OF FINANCIAL ASSISTANCE REQUESTED:

Must agree with amount stated in this application's budget in section 3) (amount EXCLUSIVE of GST)

SECTION 2: EVENT DETAILS - all applicants to complete (including

representation/prize giving).

Briefly describe your request/project. If required, attach additional

details.

The JetBlack 24 Hour race is the premier mountain bike endurance event in NSW.

Rocky Trail Entertainment established the event in 2009 under the patronage of

JetBlack Products Australia who have been supporters and naming rights sponsors of

the event since its inception. The three most successful 24-hour riders world-wide

have all participated in the event: Jason English, 7-time 24-hour World Champion

from Newcastle (NSW), Craig Gordon – 24-hour World Champion from Wollongong

(NSW) and JetBlack brand ambassador as well as the reigning 24-hour World

Champion and multiple Canadian National Marathon Champion, Cory Wallace.

The event is highly renowned in the Australian cycling industry and an established

race on the national events calendar.

It is a niche sport and very specific type of mountain bike event, however, due to its

extreme nature for solo riders very popular with industry and news and as it offers a

team as well as short 6+6 hour race option (riders get a break overnight) it has a

very popular social character as well.

From an industry and events point of view, recent developments have had two major

24-hour events in Canberra announce their final events for 2017. Both events have

been volunteer- and club-run and the nature of the event being run over a whole

weekend was too much effort for the organising committees.

With Rocky Trail Entertainment, the JetBlack 24 Hour event is in the safe hands of

one of Australia's leading private events promoters. Our business and team structure

is well equipped to run such a high-effort race. Both Directors of the business are

well experienced in strategic brand marketing in the tourism and cycling industries.

As lecturers overseas for Tourism and Leisure Management and consultants to

several international cycling and mountain bike events they bring their experience

into the business and provide their know-how to events partners. The business also

has the marketing, media and promotional platforms to support the event.

**Target market:** 

Geographical:

CORE: NSW + ACT

○ PLUS: QLD + VIC

Lithgow City Council

Policy 4.9 Event Attraction Package Financial Assistance Section356Local Government Act

- Demographic core market:
  - o 18-55, male dominated
  - Experienced amateur racers
  - Social weekend warriors

#### **Secondary markets:**

- 18-55, female amateur racers
- Accompanying families and friends

#### **Estimated event participants and visitation:**

	Riders	Rider Nights*	Crew	Crew Nights	Visitor, Spectators	Visitors & Supporters Nights*
RTE Core Team			4	16		- 10
Local	20	20	2	2	6	
NSW Other	235	470	11	22	71	141
Interstate						
ACT	40	80	2	4	12	24
QLD	4	12			1	4
VIC	1	3				
Total	300		15		90	

Event participants	405

A detailed overview of the visitation estimates can be found in the enclosed PDF; the event is scheduled to start on Saturday at 12pm and finishes on Sunday at 12pm. The additional short-race version pauses between 6pm on Saturday and 6am on Sunday, thus encouraging overnight stays in hotels in the region.

The event participants will have the option to camp on-site at the Rydal Showgrounds as well and we have estimated a split between hotel and camping accommodation as per previous event experience.

We suggest to conduct primary and secondary research at the event to get an insight into the dynamics at Rydal. The economic impact has been based on Destination NSW values for overnight and day visitation, whereby we assumed all campers to have the value of day visitors. The estimate is as follows:

Economic impact estimate	Base rate
Camping – assuming Day visitor value domestic*	\$103
Hotel – assuming overnight visitor value domestic*	\$173
Trotal about might work value democrat	

	Nights	Value Total
000		
	708	\$72,948.72
	73	\$12,639.38
	781	\$85,588.10

Base rate source: Destination NSW

We will work together with the local tourism organisations and council representatives to invite the community to spectate at the event too.

In summary the event is a great spectacle that attracts the most passionate mountain bikers to a venue. It both attracts well-seasoned racers and newcomers and weekend warriors and a lot of families and big groups of friends. Find some images from previous events in the enclosed event concept document.

Please find a detailed event concept and marketing plan enclosed:.

2018\_JB24H-Rydal\_pricing\_MARKETING-PLAN.pdf
File: Concept\_JetBlack24Hour\_Funding.pdf
Rocky Trail Company Profile 2017-18.pdf

Is your event new? Select one YES NO

If you answered no, please provide some information that illustrates the new part of an existing project that you are seeking funding for.

The event is new to Rydal, but the event has been run by Rocky Trail since 2009. We have been able to secure the support of the local Central Tablelands Mountain Bike Club, which is the official hosting club for the event.

Please find a detailed marketing plan enclosed. 2018\_JB24H-Rydal\_pricing\_MARKETING-PLAN.pdf File: Support Letter\_CTMTB-Club.pdf

What are the *aims* of the event? How will your event assist members of the Community? Which of Council's vision statements does your project achieve?

The major aim of this event is to attract at least 250 mountain bikers and their supporters/families to the JetBlack 24 Hour race in 2018 – all activities undertaken to achieve this, including strategic marketing and media campaign will be in line with the vision statement of Lithgow City Council. In particular we will address the following items:

- Community The local Central Tablelands Mountain Bike Club is one of the most active community groups in the region and we are very proud that we have secured their support for this event. As official hosting club, they will assist us in the identification of suitable trails that the race participants will ride on and will also be financially remunerated by us ("venue hire"), which is a major income stream for the club. Furthermore, we hope to achieve a sense of ownership and pride in the greater community that such events are coming to the region we will work together with the local council representatives to promote the event not only nation-wide to our cycling target market, but also to the local community via local media (print, radio, outdoor). The goal is to attract not only spectators to the event, but potentially also volunteers and hopefully also race participants. The event provides a very positive and encouraging environment and has successfully attracted beginner racers and juniors.
- Economy We will offer a promotional platform to local businesses as with previous events and as this is a 2-day event with a very captive audience that is based at an event centre such local partners can really use the event to promote and sell products.

### Please find a draft information for local businesses enclosed. Draft\_JB24H\_LithgowInfo\_LocalBusinesses.pdf

- Promotion Use funding to create content photos/event video to showcase the region's cycling assets and potential to further establish it as a cycling destination. The Council Logo will be featured on the photos that all riders will be able to download for free, which always creates a huge promotional push especially on social media.
- **Employment** By bringing such a visiting crowd into the region, local businesses will benefit. Based on the attached visitation estimate, we expect to generate close to 781 visitor nights with a total of 405 riders, officials and visiting spectators. The event participants will be encouraged to stay overnight, which will boost the local tourism industry, as well as hospitality industry. The estimated economic value (based on day and overnight visitor

values by Destination NSW) is \$85,588. As Rocky Trail has held events in Lithgow since 2012, we know the region quite well and we see ourselves as ambassadors, promoting the resources and facilities that our riders can benefit from.

- Health A sports event will give the club and local media the opportunity to
  promote a healthy and sporty lifestyle and the fact that the facilities in the
  local community make such a lifestyle possible.
- **Growth** With the injection of economic and sports activity we hope to contribute to the sustainable growth and we are looking forward to promoting the existing rural and village atmosphere in the region.

### Identify how your event supports social, environmental and/or economic aspects and development in the Community.

**Economic**: We expect all of the riders to stay overnight and the majority of riders and visiting families/friends to stay for two nights – estimates are based on previous experience – see the attached visitation estimate for a detailed overview. The estimated economic value is estimated at \$85,588. The event will be promoted throughout all Rocky Trail marketing channels, which will highlight **and advertise the region as a sports and cycling tourism destination** to potential visitors with the aim to **boost the business activities in Lithgow**. The event format and communication will particularly encourage overnight stays through cooperation with Lithgow Tourist Information Centre and the 6+6-hour short-race option (break overnight) as well as a family-friendly atmosphere and support-programmes (kids races, catering, music).

As part of this sponsorship proposal, we are offering:

- The "presented by" sponsorship rights to Lithgow City Council for the shortrace option: "JetBlack 6+6 Hour presented by Lithgow City Council"
- To include the Lithgow City Council logo on the free rider photos, which ALL racing participants will be able to download FOR FREE.

Please find a suggested design in the event concept document and the visitation estimate document enclosed.

File: 2018\_JB24H-Rydal\_pricing\_VISITATION.pdf File: Concept\_JetBlack24Hour\_Funding.pdf

**Social**: We will be running a local PR campaign and work closely together with the local mountain bike club to encourage the local community and businesses to participate – as racers, voluteers and/or spectators.

Please find a draft information for local businesses enclosed.

Draft\_JB24H\_LithgowInfo\_LocalBusinesses.pdf

**Environmental**: Rocky Trail has been running mountain bike events since 2008 and we are very conscious of our environmental impact, working closely together with land managers and trail builders to minimise it.

Please find a detailed visitation estimate enclosed. File: 2018\_JB24H-Rydal\_pricing\_VISITATION.pdf

#### What outcomes and benefits will your event have for the community?

It brings an iconic cross-country mountain bike race event into the region and the local community benefits economically, but also socially – the event is targeting not only elite riders, which attract media attention, but specifically the amateur and junior markets, encouraging beginner and young racers to participate. We will work to secure the 7-time 24 Hour World Champion Jason English to participate, which will be inspiring to the community and up and coming racers. We are hoping to attract also a lot of local riders – especially in cooperation with the local club. Also, the race provides a fun and exciting destination for spectators – we offer free kids activities and free kids races in the event centre, food and drinks/coffee as well as a buzzing racing atmosphere with a professional MC and energetic music throughout the day.

#### What community consultation has confirmed the need for this program?

We have been working together with the local mountain bike club for years, holding downhill events in Lithgow as well as a SHIMANO MTB Grand Prix cross-country event in Rydal, which have been received very well by the community and local council. We have also been encouraged by the representatives of the local tourism visitor information centre to identify areas/trails to hold more events in the region.

#### List the organisations actively involved in the event.

ORGANISATION	CONTACT PERSON	Contact telephone number
Central Tablelands MTB Club	Craig Flynn	0448 513 172
Lithgow Tourism Visitor Information Centre	Robbie Park	(02) 6350 3230

#### **Supporting documentation:**

Budget, Marketing Plan and Visitation Estimate: File: 2018\_JB24H-Rydal\_pricing\_MARKETING-PLAN.pdf File: 2018\_JB24H-Rydal\_pricing\_VISITATION.pdf 2018\_JB24H-Rydal\_pricing\_FORECAST-BUDGET.pdf

Event concept and 6+6H/sponsorship, image proposal – logo feature: File: 2017 Concept\_JetBlack24Hour\_Funding.pdf Draft\_JB24H\_LithgowInfo\_LocalBusinesses.pdf

Support Letter naming rights sponsor JetBlack Products Australia Support Letter\_JetBlackProducts.pdf

> Support Letter Central Coast Tabelands MTB Club File: Support Letter\_CTMTB-Club.pdf

**Insurance Certificate of cover policy copy ATCSL00456** 

**ACN Certification Rocky Trail Entertainment Pty Ltd.** 

**Rocky Trail Company Profile 2017-18.pdf** 

**Curriculum Vitae Juliane Wisata, Marketing Director** 

**Curriculum Vitae Martin Wisata, Managing Director** 

### SECTION 3: BUDGET - IMPORTANT - all applicants must complete this section.

You should include estimates of the cash and in-kind contributions you are making to the project and any other income you are applying for/expecting to receive from other grant sources. You may submit your budget as a separate attachment if you prefer.

Proposed Income:	Amount	Sponsorship component	Note
Est. riders 300	\$35,700	-	
Lithgow Council funding	\$5,500	\$5,500	
TOTAL	\$41,200	\$5,500	
Proposed Expenses:	Amount	Sponsorship component	Note
Venue hire	\$3,800	\$1,700	Rydal Showground NSW Forestry Corp.
Infrastructure	\$3,144		
First Aid	\$2,145		
Number plates	\$600		
MC and staff	\$1,050		
Accommodation staff	\$500		
Prize money	\$500		
Registration fee online	\$1,428		
Marketing			
Print	\$814	\$800	Print industry magazine
Online	\$670	\$600	Online forums
Photography (\$8 per rider)	\$2,400	\$2,400	OuterImage.com.au
TOTAL	\$17,051	\$5,500	
TOTAL PROFIT OF EVENT	\$24,149		
TOTAL COST OF FUNDING SOUGHT	\$5,500		

Please note: As per the attached events budget, we will provide a clear and structured acquittal report post-event. All amounts spent with Council Funding will have a correlating invoice attached to the report.

We will keep our accountant informed of this project and provide him with a copy of the budget, application and acquittal report, so he may provide any clarification to council staff post-event if need be. Contact details:

Adam Sprainger, Chartered Accountant

**Trusted Tax Accountants** 

Postal Address: PO Box 7339 BAULKHAM HILLS B.C. NSW 2153

Office address: Unit 36, 12-14 Columbia Way BAULKHAM HILLS NSW 2153

http://adamsprainger.com.au/

Please find a detailed budget enclosed. File: 2018 JB24H-Rydal pricing FORECAST-BUDGET.pdf

### **SECTION 4: IMPLEMENTATION SCHEDULE**

KEY MILESTONE	TIME FRAME
Sponsorship approved	Oct 2017
Media release announcement Lithgow City Council Support and "presented by"	Oct 2017
sponsorship	
Calendar entries on major forums and What's On Sites	Oct 2017
Online registration opens	Oct 2017
Contact local businesses via council contacts	Nov 2017
Online advertising Marathon-MTB, AdventureRace, CycleSportNews	Nov-Feb 2018
FP Ad cycling Magazine(s) due in Dec 2017	Dec 2017
Fortnightly posts about Rydal with event update – Facebook	Jan-Feb 2017
Media release – cycling industry upon confirmation of funding support	Oct 2018
Weekly posts about Rydal with event update – Facebook	Nov-Feb 2018
Facebook advertising campaign	Mar 2017
Media release – community, local	20 Feb 2018
Media release – event update with race details for TV and print locally, cycling	27 Feb 2018
industry	
Event crew bump in	1-2 Mar 2018
EVENT	3-4 Mar 2018
Event crew bump out	5 Mar 2018
Post Media release – results, locals, photos	7 Mar 2018
Images online for free Download with sponsor logos	7 Mar 2018

### **SECTION 5: DECLARATION – ALL applicants to complete this section.**

On behalf of: Rocky Trail Entertainment Pty Ltd
(name of the organisation, if applicable)
I declare that the information provided above is complete and correct.
Signed: Martin Wisata
Print Name: Martin Wisata
Position in organisation: Managing Director
Address: 20 Kensington Place, Mardi NSW 2259
Contact telephone numbers: 0403 090 952
Email address: martin@rockytrailentertainment.com
Date: 05 September 2017

#### FORESTRY CORPORATION OF NSW



# Forestry Corporation Forest Permit - Mountainbike Racing

Customer:						
To:	ROCKY TRAIL ENTERTAINMENT PTY	LTD	N	o: HF54	986	
Of:	20 KENSINGTON PLACE				Old Pei	mit No:
City:	MARDI	State:	NSW	PCode:		2259
Phone:	(04) 0309-0952 Fax:	Email:	martin@ro	ckytrailentertair	nment.	com
activity hereinafte	ufficient authority for you and the other properties on the area described herein, and any amendments thereto and subject	subject to the	Forestry Act	, 2012 and the itations of this p	Forest	
This permit shall	nave effect from	14-Sep-16				
and, subject to th	e provisions hereof, expires on	31-Dec-19				
Category:	MOUNTAINBIKE RACING					
Specified Activity:	ROCKY TRAIL ENTERTAINMENT MTB EV	ENTS IN NSW	STATE FOR	ESTS.		
Forest:	Ourimbah STATE FOREST #290 Olney STATE FOREST #124 LIDS dale SF (SFA)	Shire: Parish: County: RLPB:				5.1.2.2.2.2.2.2.2.2.2.2.2.2.2.2.2.2.2.2.
List of other persons authorised::	ROCKY TRAIL CREW AND PARTICIPANT USAGE FEES \$3.00 PER PARTICIPANT, I EVENTS AT PERMITTED MTB PARKS ON WHO MANAGES THE AREA. SPECIAL CONDITIONS APPLY. ADDITIONAL STATE FORESTS CAN BE A	PAYABLE EVER I STATE FORES	ST, MUST HA	VE APPROVAL		THE CLUB
(See Conditi	ons attached)					
Number of items	authorised: 1					
Usage Fee:		\$0.00				
Sub Total Usage	e Fee:	\$0.00				
Permit Fee:	\$4	188.18				
GST:		\$48.82	Guara	intee Deposit	Lodge	d:
Total Permit	Cost: \$5	37.00			\$	0
		Issue Date:			1	4-Sep-16
Signature:	mit()	Region:	Forest	t Stewardship		
Designation:	RECREATION COORDINATOR	Red	ceiptNo:	CREDIT CA	RD	



### **Forest Permit - Activity Conditions**

- 1. The Permittee shall indemnify and hold indemnified Forestry Corporation of NSW, its officers, agents and employees against any claim by any person for damage to property or injury to persons arising out of or as a consequence of or incidental to the conduct of the specified activity.
- The Permittee and the Participants will in no way hold Forestry Corporation of NSW responsible for any damage to their property or for any personal injuries to themselves or to any other person associated with them in the specified activity.
- 4. The Permittee will accept full responsibility for any damage caused to any property of Forestry Corporation of NSW including roads, resulting from the conduct of the specified activity and will effect without delay repairs to such damage to the satisfaction of the Senior Manager or alternatively, if in the opinion of the Senior Manager, such repairs are being unduly delayed or if it is impracticable for the Permittee to carry them out, pay in advance to the office of the Senior Manager the amount determined to his satisfaction to be the full estimated cost of such repairs.
- All vehicles used during the specified activity must be properly registered for operation on a public street and driven by persons duly licensed to operate them. The requirements of all statutes, regulations and licences must be complied with.
- This Permit shall be carried by the Permittees (or, if more than one Permittee, by one of them) at all times during the conduct of the activity and shall be produced for inspection upon the request of an officer of Forestry Corporation of NSW.
- The Permittee and participants and other persons associated with the specified activity shall, in the event of
  any accident involving domestic livestock depastured with due authority on the forest, hold blameless the
  owner of such livestock.
- 8. The Permittee shall ensure that all persons associated with the specified activity shall comply with the provisions of the Forestry Regulation 2012 and the Rural Fires Act 1997. The minimum requirements, unless varied by special condition, for the lighting and/or maintenance of fires will be:
  - (a) The lighting or maintaining of fires is prohibited other than in properly constructed fire places or other receptacles as approved by the Senior Manager, and should be surrounded for at least two metres by ground cleared of all inflammable matter and not within 4.5 metres of any log, stump or tree.
  - (b) No fire, once lit, shall be left unattended at any time.
  - (c) No person shall place, drop or throw any lighted cigarette, tobacco, cigar or match unless it is immediately and completely extinguished.
- 9. The Permittee shall, if he/she does not intend to proceed with and complete the specified activity on any specific date, so notify the Senior Manager as soon as possible after making that determination.
- 10. If in the opinion of the Senior Manager it should be necessary for Forestry Corporation of NSW to provide any supervision of the specified activity, the amount determined to the satisfaction of the Senior Manager to be the cost of such supervision shall be paid in advance by the Permittee to the Senior Manager.
- 11. If required by the Senior Manager the Permittee shall attend joint inspections of the route prior to and after the event for the assessment of pre-existing conditions and for the assessment of damage.
- 12. The Permittee shall so organise and conduct the specified activity so as to avoid any undue interference with or disturbance of any native animals or domestic stock, and the Permittee shall compensate the owner for any damage to the stock or property of any occupant, licensee, lessee, or permittee upon the forest and for any costs incurred by him/her as a result of the dispersal of stock caused by or arising out of the conduct of the specified activity.
- 13. The Permittee must ensure that no motor vehicle shall be driven on other than a constructed road or trail on the agreed route at any time. The Permittee shall obtain prior approval from the Senior Manager for any change to the agreed location of activities.

- 14. The Permittee shall comply with any directions given by an officer of Forestry Corporation of NSW in relation to the activity and shall not contravene the direction given in any control sign. Forestry Corporation of NSW reserves the right to redirect or cancel the activity when one or more of the following conditions prevail in the vicinity of the specified activity:
  - a) logging operations or other forestry activities;
  - b) bush fire, planned hazard reduction burning or conditions of very high fire danger;
  - c) very wet or windy conditions; or
  - d) road damage is likely to occur.
- 15. If required by the Senior Manager the Permittee shall place warning signs to the satisfaction of the Senior Manager and staff control points to warn the general public of the event taking place, which in no way reduced the responsibility of Forestry Corporation of NSW to affect the closure of the forest.
- 16. Temporary signs and route indicators may be tied or stapled to trees (using paper staplers only). Signs must not be nailed or screwed to any tree. All temporary signs and indicators must be removed from the forest by the Permittee immediately after the event.
- 17. The Permittee shall immediately notify an officer or employee of Forestry Corporation of NSW of the outbreak of any fire and shall require all participants in the activity to make all reasonable efforts to suppress and extinguish the fire.
- 18. Liquid fuel shall not be stored (other than in fuel tanks of machines) nor shall machines be refuelled unless authorised by, and in accordance with conditions issued by, the Senior Manager.
- 19. Any gates opened for the purpose of, or in the course of, the specified activity shall be closed after participants have passed through them. The Permittee shall ensure that stock do not stray through such gateways.
- 20. Where approval has been given and unforeseen circumstances, including dangerous, wet or extreme fire conditions, arise either before or during the event, such approval may be cancelled or amended without notice.
- 21. The Permittee shall, after completion of the specified event, remove all litter which may have been deposited on the State forest by any participant, or other person associated with the conduct of the specified activity, or being a spectator thereto, including vehicles and parts thereto or pay to the office of the Senior Manager in advance the amount determined to the satisfaction of the Senior Manager to be the estimated cost of disposal of the litter.
- 22. The Permittee shall take out and keep current for the term of this Permit, a Public Liability Policy for an amount not less than \$20,000,000.00 (twenty million dollars) per claim.
- 23. The Permittee shall provide a Certificate of Currency completed by the insurer to Forestry Corporation of NSW confirming that the appropriate Public Liability Policy cover is in place.
- 24. The Permittee shall ensure that persons involved in the specified activity do not, without the prior approval of Forestry Corporation of NSW:
  - Cut, disturb or remove trees or undergrowth, forest materials or products on State forest;
  - b. Establish or construct campsites on the State forest; or
  - c. Construct improvements on the State forest.
- 25. Forestry Corporation of NSW reserves the right to issue other Permits or Authorities over the subject area and the issue of this Permit does not confer any rights for exclusive use of the subject area.
- 26. The Permittee shall not interfere with the lawful rights of any person authorised to access the area.
- 27. The Permittee shall not carry or discharge any firearms on State forest.
- 28. The Permittee shall not take, harm, kill, trap or disturb any fauna.
- 29. Forestry Corporation of NSW makes no guarantee as to the condition or trafficability of any road or track, which is to be used for the specified activity.

- 30. The Permittee shall submit to Forestry Corporation of NSW details of the intended route and facilities to be used during the specified activity and shall only use routes as approved by the Senior Manager.
- 31. The Permittee shall not use approved routes during periods of wet weather when the surface of the road or track is likely to be damaged by the passage of vehicles used during the conduct of the specified activity.
- 32. The Permit is not transferable without Forestry Corporation of NSW written consent.
- 33. The Permittee must participate in any familiarisation process requested by Forestry Corporation of NSW in relation to the permit and the relevant forest.
- 34. Where practical, the Permittee must acknowledge in any promotional material that the activity is taking place on State Forest.
- 35. Where practical, the location of any photos taken on State forest and used in any promotional material must be acknowledged as being taken on State forest in the caption attached to each photo.
- 36. The Permittee will notify Forestry Corporation of NSW within five working days (24 hours if it is a fatality or major incident) via the attached incident reporting form of any injury to an event participate or spectator of which the Permittee is aware of that requires transport to hospital.
- 37. The Permittee acknowledges that the speed limit in all NSW State forests is 60km/h unless otherwise signposted.
- 38. The Permittee must comply with all conditions of this permit. Any permit non-compliance constitutes a breach of the Forestry Act 2012 and the regulations and is grounds for suspension and / or cancellation of the permit.
- 39. Special Activity Conditions are: over the page....

Special Conditions for Rocky Trail Entertainment events:

i. Usage fees will be applied at the rate of \$3.00 per participant.

Usage fees must be submitted to Forestry Corporation on a quarterly basis quarterly in arrears for the periods ending 31 March, 30 June, 30 September and 31 December, or at an agreed timeframe after the event. All payments must include the details of Permit name/number and the total number of participants for the quarter. Please speak to your FCNSW contact for payment options.

- ii. Rocky Trails Entertainment must provide:
  - Annual calendar of events for each calendar year. This notification needs to include the estimated number of participants/vehicles, locations and dates of the activity, plus any other relevant information.
  - Incident report, as per Condition 36 in the event of a serious injury/fatality and/or interaction with the public, and/or forest neighbour that may impact the reputation of FCNSW and the permit holders.
- iii. Maintain permission from Clubs to use MTB parks under a FCNSW Forest Permit.
- iv. Rocky Trail Entertainment must adopt wet weather contingency plans in conjunction with the Clubs with the aim to protect the environment (soil and water); Club MTB park assets i.e. trails and infrastructure; whilst promoting a positive "tread lightly" message to MTB riders.
- v. Rocky Trail entertainment must keep current the following plans for each event:

I hereby acknowledge that I have read and understood and agree to abide by these conditions:

- · Risk management plans
- · Communication and emergency plans
- · Additional event plans
- vi. If any events are being held within Bush Fire season, please ensure you check the potential of bush fire risk. If required, the Permittee may contact the Forestry Corp of NSW's Maitland Fire Duty Officer on 0429 491 868 to check conditions or updates, or contact your FCNSW contact.

Signed		Date
Capacity of Signatory	Company	



### EVENT CONCEPT

PRESENTED TO



SADAT SOIS



### BACKGROUND

#### **ESTABLISHED:**

Major endurance race on Australian national mountain biking calendar

### **UNIQUE:**

The only 24-hour mountain bike race in NSW and ACT that offers BOTH solo AND team entries

#### PRESTIGIOUS:

Participants include multiple 24-hour World Champions and National Champions

Very popular with broad field of amateur riders

High news and industry media interest





### EVENT DEVELOPMENT

### 2018 event development plans:

- New venue proposed:
   Rydal Showgrounds on 3+4 March
- Intense promotional program to capitalise on two club-based competitor events in ACT finishing up in 2017
- This opens up a gap in the market
- 24-hour racing is a niche sport, however, at the same time very social
  - Most first-time racers start in 24- or 12-hour endurance events with Rocky Trail
  - 6+6-hour racing option offered



### TEST EVENT: APRIL 2017 - 4+7 HOUR RACE

#### SHIMANO MTB Grand Prix

- Flagship event series by Rocky Trail
- One round in 2017 was held at Rydal in March 2017
- 200 riders from NSW and ACT
- Positive feedback from rider field
- Great cooperation with Rydal Showground crew
- Hosting club Central Tablelands MTB Club-approved



### TARGET MARKET

### Geographical:

CORE: NSW + ACT

PLUS: QLD + VIC

### **Demographic core market:**

- 18-55, male dominated
- Experienced amateur racers
- Social weekend warriors

### **Secondary markets:**

- 18-55, female amateur racers
- Accompanying families and friends



### MARKETING CHANNELS + STRATEGIC PLAN

### Direct Marketing through Rocky Trail platforms

- Website 12,000 visitors monthly
- eNewsletter 7,000 subscribers, bi-monthly

#### Social media

- Facebook 6700+ fans, 2600 average reach daily
- Instagram 1400+ followers
- Twitter 800+ followers

#### Online forums and What's On calendars

- Australian Tourism Data Warehouse (ATDW)
- Industry-specific events calendars (cycling/outdoor)
  - Through print/online media portals (magazines)

### Advertising

- Existing arrangements with print and online media
- Boost through Council Funding

#### Editorial

- Established relationship to major print/online cycling media
- In-house cycle-specific PR agency: "Rocky Trail Communication"

### ECONOMIC VALUE

### 3- day event schedule:

- Bump-in from Thursday
- Rider arrival Friday
- Race start Saturday 12pm
  - Short race option finish 6pm
- Race finish Sunday 12pm
  - Short race option start 6am
- Short-race option offered:
  - 6 hours Saturday, plus
  - 6 hours Sunday
- Riders will camp on Showground
- Short-race (6+6 hour) riders will be encouraged to stay in the region
- Accompanying visitors/families encouraged to stay in the region



### EVALUATION + RESEARCH PLANNED

- Estimated economic value based on previous events (JetBlack 24 Hour and in Lithgow/Rydal)
  - Camping (day visitor value): 708 nights \$73,000
  - Hotel (overnight value): 73 nights \$12,500
     (see enclosed Visitation PDF for details)
- Proposed research conducted at event in-house
  - Primary: how many nights, how many visitors
  - Secondary: post event check accommodation types, nights, money spent
- Race-format and communication particularly encouraging overnight stays
  - Cooperation with Lithgow Tourist Information Centre
  - 6+6-hour short-race option (break overnight)
  - Family-friendly atmosphere and support-programmes (kids races, catering, music)

### LOCAL INITIATIVES

### Event promotional platforms offered to local businesses:

- Cooperation with Lithgow Tourism
   Information Centre
- Local businesses can publish offers through our promotional channels to event participants (e.g. coffee, restaurants, hotels)
- Local products as giveaways
- Rocky Trail to source local products as event winners' prizes
- Club trail builders offered free entries
- Community involvement spectators and volunteer programme







### FUNDING PACKAGE







### INCLUDES:

- "Presented by" sponsorship rights for short race option:
  - "JetBlack 6+6 Hour presented by Lithgow City Council"
- Website brand coverage on main event and sponsor pages
- Brand coverage on ALL race photographs created
  - Funds used to sponsor FREE download by every rider from an online portal - est. 1,500-1,800 photos
  - Extensive social media exposure post-event
  - 10 high-res photos for use in PR
- Brand coverage on print ad in cycling industry magazine
- Brand coverage on all event-related media releases
- Regular e-Newsletter features in event lead up
  - Lithgow Tourism Information Centre encouraged to provide content about the region
- Social media platform features
  - Facebook posts in event lead-up
  - Instagram during event
  - Twitter during event
- On-site brand activation
  - Official invited to open event
  - Merchandise, flags in event centre

### FUNDING PACKAGE

### Draft Logos -

Jetblack 6+6 Hour presented by Lithgow City Council (a final logo draft will be presented upon funding approval - council input is welcome)

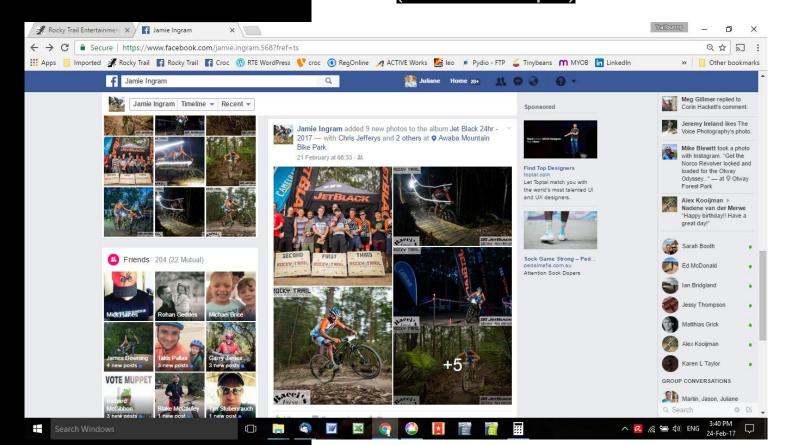


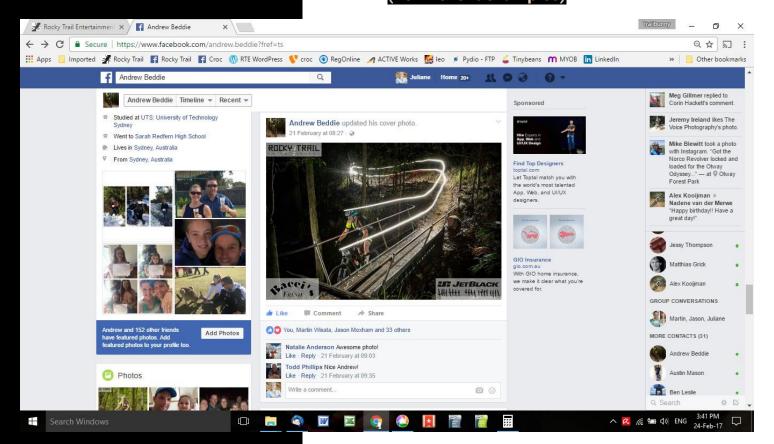
Lithgow City Council

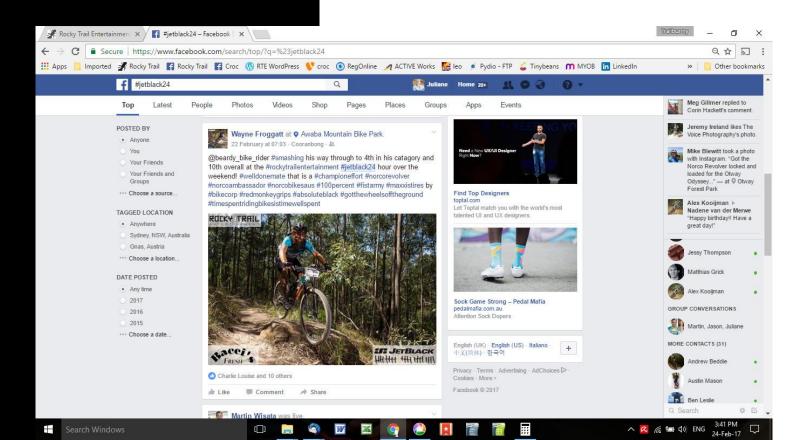


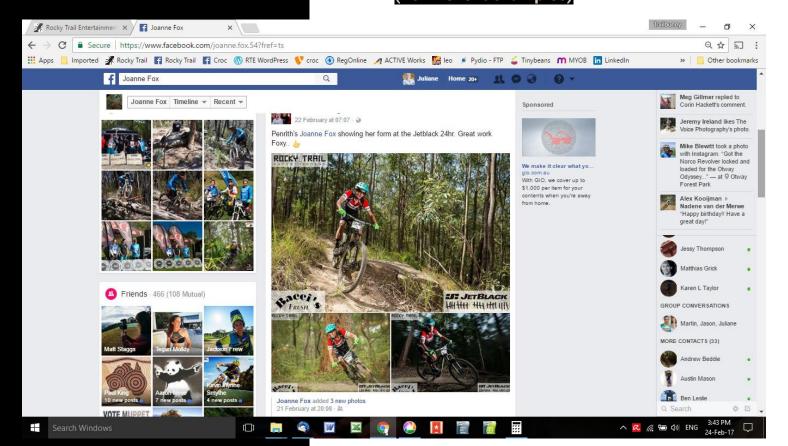












# IMAGES JBZYH









# IMAGES JBZYH











# IMAGES RYDAL 2017



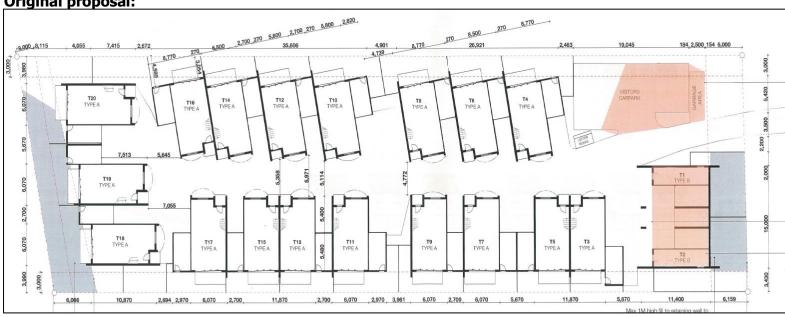




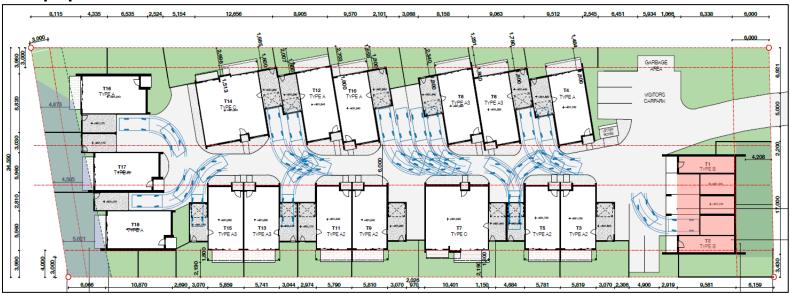


#### SITE PLANS OF ORIGINAL PROPOSAL COMPARED TO AMENDED PROPOSAL

**Original proposal:** 



#### New proposal:



# DEVELOPMENT ASSESSMENT REPORT - DA283/16 PROPOSED MULTI DWELLING DEVELOPMENT - LOT 1 DP 787040, 37 ATKINSON STREET LITHGOW

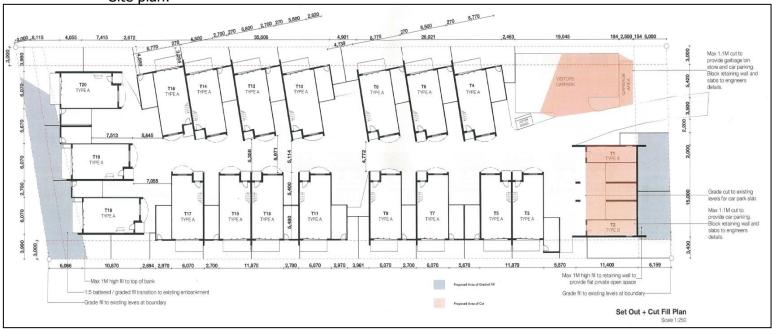
#### 1. PROPOSAL

#### **Original proposal**

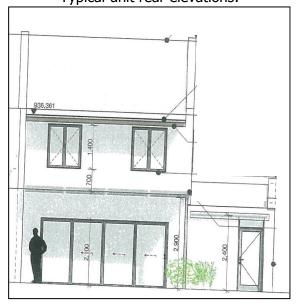
Council was originally in receipt of Development Application DA283/16 for multidwelling development of 20 two storey dwellings at Lot 1 DP 787040, 37 Atkinson Street Lithgow NSW 2790.

The proposal included the removal of the existing four dwellings onsite to construct 20 two storey terrace type dwellings with private open spaces, car spaces, visitor carparking, garbage area and an upgraded driveway. The terraces were all of a similar design and all contained 3 bedrooms, bathroom (one with ensuite), kitchen/dining/living area, laundry, balcony and a single garage.

Site plan:



Typical unit rear elevations:



Typical unit front elevations:



#### **New proposal**

The applicant amended the proposal as a result of concerns raised by public submissions and Council. The main amendments to the proposal include:

- Reduce to 18 units all containing 3 bedrooms
- Change the design to three types of units with varied rooflines as below:

T4, T10, T12, T16, T17 & T18

T3, T5, T9 & T11

T6, T8, T13, T15

T1 & T2

o T7 & T14

= Type A3 (two storey- dormer windows)

= Type B (two storey)

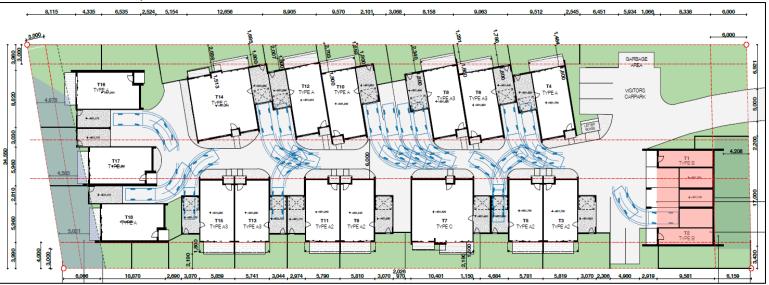
= Type A (two storey)

= Type A2 (two storey)

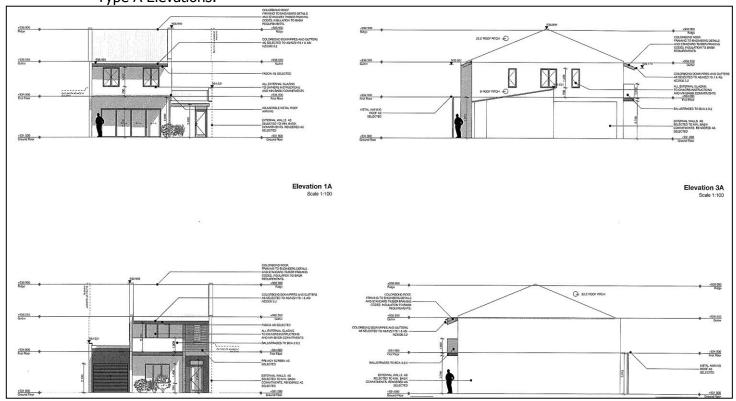
= Type C (single storey)

- Change parking locations
- Changed setbacks
- Change garbage area

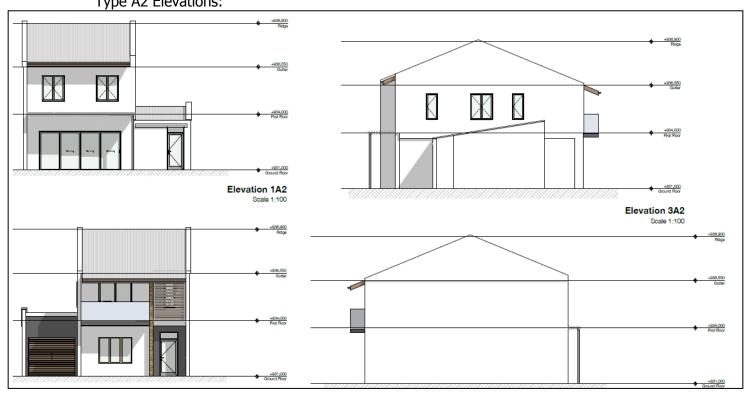
#### Site plan:



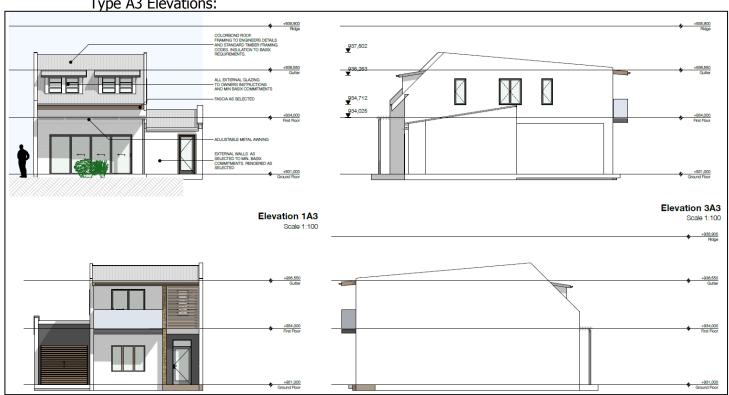
Type A Elevations:



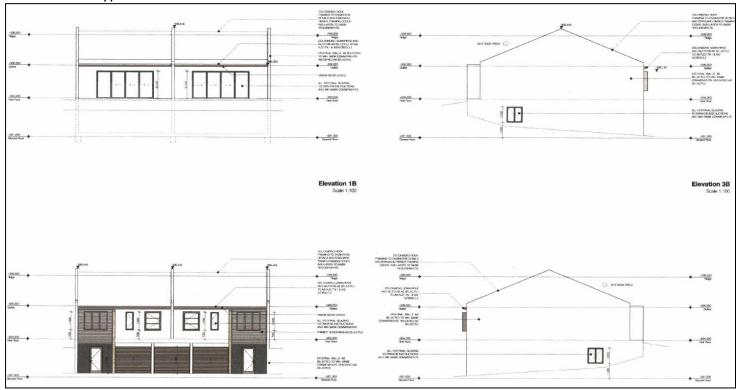
Type A2 Elevations:



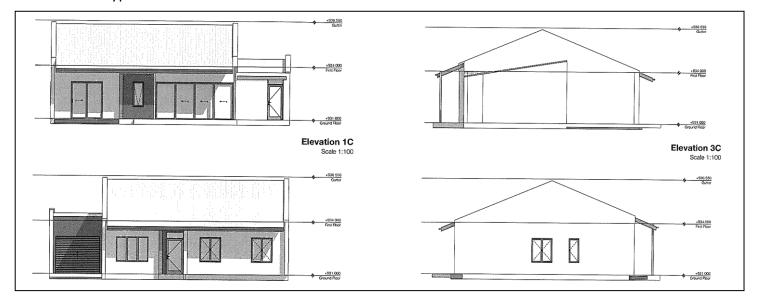




Type B Elevations:



Type C Elevations:



#### 2. SUMMARY

To assess and recommend determination of DA283/16 for a multi dwelling development of 18 dwellings. Recommendation will be for approval subject to conditions.

#### 3. LOCATION OF THE PROPOSAL

Legal Description: Lot 1 DP 787040

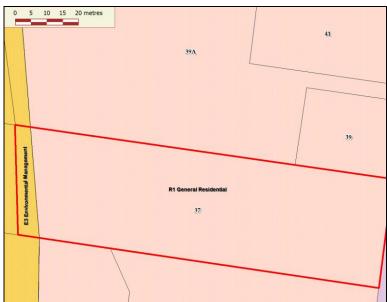
Property Address: 37 Atkinson Street Lithgow NSW 2790

**4. ZONING:** The land is zoned R1 General Residential & E3 Environmental Management in accordance with Lithgow Local Environmental Plan 2014.

**5. PERMISSIBILITY:** The development being a multi dwelling housing (defined below) is permissible under Lithgow Local Environmental Plan 2014 zone R1 General Residential, subject to development consent.

**multi dwelling housing** means 3 or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building. **Note.** Multi dwelling housing is a type of **residential accommodation**—see the definition of that term in this Dictionary.

There is no proposed dwellings on the section zoned E3 Environmental Management as below:



#### **5.1 POLICY IMPLICATIONS (OTHER THAN DCP's)**

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

This application has been called in by Councillor M Ticehurst 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.

Therefore, the application will be determined by the elected Council.

#### **5.2 FINANCIAL IMPLICATIONS (eg Section 94)**

#### **Water Management Act 2000**

Under the Water Management Act 2000, Section 305, an application for Certificate of Compliance must be submitted to Council. This Act states:

- (1) A person may apply to a water supply authority for a certificate of compliance for development carried out, or proposed to be carried out, within the water supply authority's area.
- (2) An application must be accompanied by such information as the regulations may prescribe.

Therefore Councils Section 64 Contributions under *Local Government Act 1993* for water and sewer connections will be required to be paid prior to the release of the Final Occupation Certificate.

Following condition would be included in the condition of consent:

• An application shall be submitted to Council for the supply of a Compliance Certificate under Section 305 of the Water Management Act 2000. A Final Occupation Certificate shall not be issued until such time as the contributions applicable to release the Certificate of Compliance are paid in full to Council. These contributions are calculated using Water Directorate Section 64 Determinations of Equivalent Tenements (ET) Guidelines- May 2009 and Lithgow Council Fees and Charges or any applicable document adopted by Council in relation to contributions under Section 64 of the Local Government Act 1993 at time of payment.

At the time of this approval the following chargers were applicable, which are subject to variation and to CPI increases in accordance with the applicable Fees & Charges adopted by Council at the time of payment.

Clause 7- Standard ET Figures – residential user categories

Category	Standard Unit	Suggeste	ed Values
Residential Units 3 Bedroom (or more)	dwelling	Water ET	Sewer ET
		0.80	1.00

Therefore the following calculations will be applied to the development:

Water= 0.80 x 18 = 14.4 E.T x \$3,105.00 = \$44,712.00Sewer= 1.00 x 18 = 18 E.T x \$2,587.50 = \$46,575.00**TOTAL** = **\$91,287.00** 

#### **Section 94A Development Contributions Plan 2015**

The Section 94A plan applies to this development given it is for a multi dwelling development at an estimated cost of \$4,515,013.00 as part of the original submission.

Therefore, the following condition of consent should apply to the development is approved to allow a variation to the Section 94A contribution using the estimated cost calculated by a Quantity Surveyor for the amended proposal.

• Prior to the issue of a Construction Certificate the applicant shall pay to Council a Section 94A contribution in accordance with the Lithgow City Council Section 94A Development Contribution Plan 2015. It is advised that the level of contribution in this plan may be adjusted at the time of actual payment, in accordance with the provisions of the Lithgow City Council Section 94A Development Contribution Plan 2015.

#### **5.3 LEGAL IMPLICATIONS**

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

If this application is approved, the applicant must obtain a written Section 68 application for connection to Council's water and sewerage supply. This must be lodged and approved prior to commencement of any work on site and shall be at full cost to the applicant.

The Section 68 application requires the submission of all detailed engineering drawings/design, specifications and any applicably supporting information for the proposed works. All conditions of the Section 68 Approval must be complied with prior to the release of the Occupation Certificate.

#### **Mine Subsidence Compensation Act 1961**

The development is considered to be integrated under this Act (via Section 91 of the EP & A Act 1979). Accordingly the approval of the Mine Subsidence Board is required prior to Council being in a position to determine the application. Approval from the Mine Subsidence Board has been obtained and is discussed later in this report and therefore it is considered that the proposal will comply with the provisions of this Act.

#### **Water Management Act 2000**

The proposed development includes works within proximity to a watercourse to the west of the property. Therefore, the development is Integrated Development under Section 91 of the *Environmental Planning & Assessment Act 1979* with Department of Primary Industries- Water in relation to a controlled activity approval being required under Chapter 3 Part 3 of the Water Management Act 2000. The application was referred to the department in which General terms of Approval will be issued and implemented as conditions of consent.

#### **Native Vegetation Act 2003**

No native vegetation is required to be cleared as a result of this application. Accordingly, there are no legal implications of this Act on the proposed development.

#### **Rural Fires Act 1997**

The development is considered to be integrated under this Act (via Section 91 of the EP & A Act 1979). Accordingly the approval of the Rural Fire Service is required prior to Council being in a position to determine the application. Recommendations from the Rural Fire Service have been obtained and it is considered that subject to conditions of consent the development will comply with the provisions of this Act.

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

In determining a development application, a consent authority is required to take into consideration the matters of relevance under Section 79C of the *Environmental Planning and Assessment Act 1979*. These matters for consideration are as follows:

#### 5.3.1 Any Environmental Planning Instruments

#### Lithgow Local Environmental Plan 2014

	LEP 2014 – Compliance Check	Compliance
Zone	R1 General Residential	Yes
4.1A	Minimum lot sizes for dual occupancies, multi dwelling housing and residential flat buildings	Yes
7.1	Earthworks	Yes

7.3	Stormwater management	Yes
7.10	Essential Services	Yes

**Comments:** The proposal is providing for housing needs in the community by proposing a medium density type of housing development. The development will maintain or improve the water quality of receiving water catchments and therefore meets the objectives of the zone.

Under Clause 4.1A for R1 General Residential zoning with a minimum lot size of 600m<sup>2</sup> (as per the Lot Size Map), the lot size requirement for multi dwelling housing is 800m<sup>2</sup>. This land is 4056m<sup>2</sup> and therefore the multi dwelling housing is permissible subject to consent.

The proposed earthworks and stormwater management onsite has been assessed by Council and Water NSW and will have minimal impact to the surrounding area subject to conditions of consent if approved.

The proposal will be connected to reticulated water and sewer facilities. The development will have appropriate access from Atkinson Street and electricity and telecommunication services are available. The development will provide adequate services for the development.

The proposal will meet the requirements the LEP. Note: at the time of submission of the application, the allotment was not within a flood prone area. Flooding has been addressed in the response to submissions.

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

	SEPP (Building Sustainability Index: BASIX) 2004	
	Clause	Compliance
6	Buildings to which Policy applies	Yes
7	Relationship with other environmental planning instruments	Yes

**Comment:** The development application will comply with the SEPP by providing a BASIX Certificate no. 749166M and commitments detailed on the plans for implementation.

# State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011

SEPP (Sydney Drinking Water Catchment) 2011 – Compliance Check		
	Clause	Compliance
10	Development consent cannot be granted unless neutral or beneficial effect on water quality	Yes
11	Development that needs concurrence of the Chief Executive	Yes

**Comment:** The application is required to be assessed using under the SEPP and given the scale a referral to Water NSW for appropriate assessment was required. Water NSW have addressed the requirements of the SEPP and advised that there is no objection to the proposal subject to conditions of consent to ensure a neutral or beneficial effect on water quality.

5.3.2 Any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority

Nil.

#### 5.3.3 Any Development Control Plan

Carparking Development Control Plan (DCP)

	Carparking DCP – Compliance Check	
	Clause	Compliance
6	Carparking Standards	Yes

**Comment:** The proposed development is for 18 units with three bedrooms with the below calculation applicable as per the Development Control Plan:

Land & Building Use	Rate of Provision	Total
Residential Flat Buildings (containing	• 1 enclosed garage plus 0.5	
two or more dwellings)	spaces per unit	31.5 = 32
Three bedroom unit	<ul> <li>Visitor spaces- 1 space per</li> </ul>	31.5 = 32
	every 4 units	

The proposal will be provided one enclosed garage for each unit and 16 visitor space around the development being 34 spaces in total. Therefore, the proposed development will provide 2 additional spaces than that required under the Development Control Plan.

5.3.4 Any planning agreement that has been entered into under Section 93F, or any draft planning agreement that a developer has offered to enter into under Section 93F?

No.

#### 5.3.5 Any matters prescribed by the regulations that apply to the land

The development has been forwarded to Council's Building Officer for assessment under appropriate regulations. It is considered that as a result of this assessment the development will comply with the provisions of the regulations subject to conditions of consent.

5.3.6 The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

**Adjoining Landuse:** The adjoining land uses are for residential uses being dwellings and dual occupancies, varying in size from 700m² to 5500m². There are some higher density residential developments, being the current property (4 dwellings) and Macaulay Street (4 dwellings- Strata). The proposal for 18 terraces dwellings is permissible in the zone, however is larger development than that currently undertaken in the area. The use will not be of a conflict to the adjoining land as it is for residential uses and will have conditions of consent to further minimise impacts if approved.

**Services:** The development will be required to connect to Council's reticulated sewer and water with conditions of consent to be implemented if approved. The proposal is also within proximity of telecommunications and electricity infrastructure which will allow for easy connections. The proposal will have a garbage collection area off the road which has been agreed to by a private waste collection service and is adequate for the site. Therefore, the proposal will be adequately serviced.

**Context and Setting:** The proposed development is of a higher density than existing within the majority of the locality. The proposal is permissible within the zone and the area has been zoned to allow for a variety of housing types. This proposal will allow for a higher density development on a larger portion of land. The development has been modified to reduce impacts on the adjoining neighbours. The development is higher density than adjoining land uses and has been perceived by the neighbouring residents as not in character, however the proposal will have adequate services and provide for appropriate solar design and private open space acceptable for unit type developments. The context and setting is appropriate for the zoning of the land.

**Access:** The access has been assessed by Council's Engineers in accordance with Council's Policies and the Australian Standards. The access will be suitable for the development and the slope is acceptable if constructed in accordance with the propose conditions of consent.

**Flora and Fauna:** The development requires removal of some vegetation onsite, however the area has been previously disturbed with minimal mature trees. The area is located close to residential areas with fauna limited and maintained within the bushland close by. The development is expected to have minimal impact to flora or fauna.

**Social and Economic Impact:** The proposed development will be of higher density than that of adjoining land which may cause minor conflicts to adjoining neighbours. However the use is residential and is permissible in the zoning and if approved conditions of consent will be imposed to ensure reduced impacts to adjoining landowners. The proposal will provide for adequate services and will provide for employment during construction. Upgrade works will be burdened by the development and therefore the proposal will have minimal economic impact.

**Soils:** The proposed development will undertake cut in the front of the property to site the buildings into the existing bank. Additionally the proposal will be placing some soil towards the rear to level the block. The proposed earthworks are minor and conditions of consent will be imposed to control erosion and sedimentation issues onsite. The land is not known to be contaminated and overall the development will have minimal impact to soils subject to conditions of consent.

**Water:** The proposed development has been assessed using the NorBE tool as required by the *State Environmental Planning Policy (Sydney Catchment Drinking Water) 2011* with a result of satisfied. Therefore with appropriate conditions of consent it is considered that the development will have minimal impact on water.

**Air and Microclimate:** There will be no significant impact on air or microclimate. However, a condition of consent will be imposed requiring that dust suppression be used during construction works to minimise impacts on the surrounding area.

**Waste:** Waste during construction will be to a licenced facility as per conditions of consent if approved. Given the development is for residential use, once an Occupation Certificate has been provided a garbage service will be available for domestic use.

**Natural Hazards:** The land is known as bushfire prone as per Council's mapping and therefore required assessment by the Rural Fire Services. No objections to the proposal were provided in relation to bushfire subject to conditions of consent being implemented if approved. The development will have adequate provisions to minimise the impact of the natural hazard being a bushfire.

The land is also known to be flood prone after the submission of this application. When the application was submitted to Council the land was not within a flood prone area as per Kinhill Study 1992. Council's most recent flood study Lithgow Flood Study Review (Lyall and Associates 2017) shows the Flood Planning Area in red in the below map for this allotment:



The flood level for this area is 928AHD and adding a 0.5m freeboard the required flood planning area is shown in red. No structure will be erected within this area and the finished floor levels for Units 16, 17 and 18 are above 931AHD. Open pool type fencing is also proposed which will minimise impact of flood waters. The proposed development will not impact on the flood waters subject to the condition of consent:

To ensure the development will not have impact on flood waters, the proposed fill at the west of the property is not to extend past 3m off the western boundary of the allotment and is not to impact on the flow of water at any time. The grade is to fill to the existing ground levels within 3 metres from the boundary rather than at the boundary, being the flood area of the allotment. Batters are to be appropriate for the area, utilising exiting slope and revegetation undertaken a soon as practicable.

**Note:** If any sedimentation leaves the site, Council could issue a Penalty Infringement Notice for a pollution incident under the Protection of the Environment Operations Act 1997.

**Noise and Vibration:** There are no nearby sources of noise or vibration that would impact detrimentally on residents of the proposed dwelling. The proposal is not expected to cause any noise issues in the surrounding area, given it is for residential use.

#### 5.3.7 The Suitability of the site for the development

The surrounding land uses are for residential pursuits with the size and nature of the development consistent with those in the surrounding area. The development will have minimal impact to the surrounding amenity. The proposed development complies with the objectives of the zone and the site is considered to be suitable for the proposal.

#### 5.3.8 Any submissions made in accordance with this Act or the Regulations

The proposal was sent to Water NSW, Department of Primary Industries- Water, Rural Fire Service, Mine Subsidence Board, Council's Building Officer, Water & Wastewater Officer and Engineers for commenting with recommendations detailed below. The proposal was also sent to surrounding landowners and placed on public display in Council's Administration Building for a period of 14 days with 11 submissions received for the original proposal. The amended application was notified for a further 14 days with 8 submissions received, all which are summarised below.

#### **WATER NSW**

#### 1 August 2017 response:

I refer to your e-mail received 26 July 2017 requesting comments on amended plans for a multi-unit dwelling proposal on the above property.

The subject property, which has been previously inspected by Water NSW, is located within the Warragamba catchment which forms part of Sydney's water supply. Amended Site & Building Design Plans prepared by 8 Squared Architects (dated 19 July 2017) and Stromwater Management Plans prepared by Gerard Balkin (dated 27 June 2017) have been considered in the assessment of the amended application.

Based on Water NSW's previous site inspection and the information provided, including that previously provided, the proposed development has been assessed by Water NSW as being able to achieve a neutral or beneficial effect on water quality provided appropriate conditions are included in any development consent and are subsequently implemented. Water NSW concurs with Council granting consent to the application, subject to the following conditions. This advice replaces concurrence conditions issued under Water NSW's pervious concurrence advice (dated 17 January 2017).

#### General

 The site layout and works of the development shall be as specified in the Statement of Environmental Effects (dated 9 November 2016) and shown on the Proposed Site Plan (Plan No. 16R148, Page 4, dated 19 July 2017) both prepared by 8 Squared Architects Pty Ltd. No revisions to layout, works or staging of the development that will impact on water quality, shall be permitted without the agreement of Water NSW.

Reason for Condition 1 - Water NSW has based its assessment under State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011 on this version of the development.

#### **Stormwater Management**

All stormwater management measures as specified in the Drainage Report (dated 9
January 2017) and Drainage and Drainage Details Plans (Dwg. No. 2016/021/3 Rev D
and Dwg. No. 2016/021/4 Rev C; both dated 27 June 2017) both prepared by Gerard
Balkin, shall be implemented, in particular as elaborated or varied in the following
conditions.

- 3. The two raingardens shall be designed and constructed as per the Drainage Report (2016-02, dated 9 January 2017) and Drainage and Drainage Details Plans (Dwg. No. 2016/021/3 Rev D and Dwg No. 2016/021/4 Rev C; both dated 27 June 2017), both prepared by Gerard Balkin, to capture and treat all runoff from the internal driveways, car parking spaces and residential areas in development. The raingardens shall incorporate the following specifications and requirements:
  - be designed consistent with Adoption Guidelines for Stormwater Biofiltration Systems Version 2 (Payne *et al*, 2015, Melbourne, CRC for Water Sensitive Cities)
  - a minimum combined surface area of 39 square metres and a minimum combined filter area of 39 square metres
  - each raingarden shall also meet the following specifications:
    - o an extended detention depth of 300 mm
    - o a filter depth (excluding transition layers) of 300 mm above the underdrain
    - a filter media consisting of a clean sandy loam with a certified median particle diameter of 0.5 mm, a maximum orthophosphate concentration of 40 mg/kg and a maximum total nitrogen concentration of 400 mg/kg
    - be planted with appropriate deep-rooted, moisture-tolerant vegetation protected by rock mulch (grass and turf is not appropriate vegetation and organic mulch is not suitable)
    - direct all discharge and overflow to State Mine Creek via an armoured discharge point such that discharge does not cause erosion
  - be accessible from a driveway by machinery to facilitate cleaning, monitoring and maintenance of the structures
  - be permanently protected from vehicular damage by bollards, fences, castellated kerbs or similar structures, with a sign to be erected to advise of its nature and purpose in water quality management, and
  - be protected by sediment and erosion control measures during any construction and post-construction phase until the ground surface is revegetated or stabilised.
- 4. Rainwater tanks shall be designed, located and installed to capture and retain stormwater runoff from the residential roof surfaces as shown on the Drainage and Drainage Details Plans (Dwg. No. 2016/021/3 Rev D and Dwg No. 2016/021/4 Rev C; both dated 27 June 2017), prepared by Gerard Balkin. Each rainwater tank shall incorporate the following specifications and requirements:
  - a minimum volume of 2,000 litres
  - tank overflow connected to the proposed raingardens via the site drainage system.
- 5. No changes to stormwater treatment and management that will impact on water quality, shall be permitted without the agreement of Water NSW.
- 6. A suitably qualified stormwater consultant or engineer shall certify in writing to Water NSW and Council that all stormwater management structures have been installed as per these conditions of consent and are in a functional state.
- 7. An Operational Environmental Management Plan (OEMP) for the development shall be prepared in consultation with Water NSW by a person with knowledge and experience in the preparation of such plans. The OEMP shall be prepared **prior to the issuance of an Occupation Certificate** and shall be provided to Owner's Corporation. The OEMP shall include but not be limited to
  - details on the location, description and function of stormwater management structures such as pits, pipes, gross pollutant traps, raingardens, rainwater tanks and any other stormwater structures and drainage works
  - an identification of the responsibilities and detailed requirements for the inspection, monitoring and maintenance of all stormwater management structures, including the frequency of such activities
  - the identification of the individuals or positions responsible for inspection and maintenance activities including a reporting protocol and hierarchy, and

checklists for recording inspections and maintenance activities.

Reason for Conditions 2 to 7 – To ensure that the stormwater quality management measures and structures for the proposed subdivision have a sustainable neutral or beneficial impact on water quality over the longer term.

#### **Construction Activities**

- 8. A Soil and Water Management Plan shall be prepared for all works proposed or required as part of the development by a person with knowledge and experience in the preparation of such plans. The Plan shall meet the requirements outlined in Chapter 2 of NSW Landcom's Soils and Construction: Managing Urban Stormwater (2004) manual the "Blue Book". The Plan shall be prepared **prior to construction commencing** (including demolition of existing structures or clearance of vegetation) and shall be to the satisfaction of Council.
- 9. The Plan shall be implemented and effective erosion and sediment controls shall be installed prior to any construction activity including demolition and earthworks for service installation and internal driveways and car parking areas. The controls shall prevent sediment or polluted water leaving the construction site or entering any natural drainage lines or stormwater drain and shall be regularly maintained and retained until works have been completed and groundcover established.

Reason for Conditions 8 & 9 – To manage adverse environmental and water quality impacts during the construction phase of the development so as to minimise the risk of erosion, sedimentation and pollution within or from the site during this phase.

#### **DEPARTMENT OF PRIMARY INDUSTRIES- WATER**

No objection is raised in relation to the proposal subject to a Controlled Activity Approval under the *Water Management Act 2000* being obtained in relation to the General Terms of Approval. The Controlled Activity Approval is to be obtained prior to the issue of a Construction Certificate.

#### **RURAL FIRE SERVICE**

#### 8 March 2017 response:

I refer to your letter dated 7 December 2016 seeking advice regarding bush fire protection for the above Land Use Application in accordance with Section 79BA of the 'Environmental Planning and Assessment Act 1979'.

The Service provides the following recommended conditions:

#### Asset Protection Zones

The intent of measures is to provide sufficient space and maintain reduced fuel loads so as to ensure radiant heat levels of buildings are below critical limits and to prevent direct flame contact with a building. To achieve this, the following conditions shall apply:

 At the commencement of building works, and in perpetuity, the entire property shall be managed as an Inner Protection Area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

#### Water and Utilities

The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building. To achieve this, the following conditions shall apply:

2. The provision of water, electricity and gas shall comply with section 4.1.3 of 'Planning for Bush Fire Protection 2006'.

#### Access

The intent of measures for internal roads is to provide safe operational access for emergency services personnel in suppressing a bush fire, while residents are accessing or egressing an area. To achieve this, the following conditions shall apply:

3. The property access road shall comply with section 4.1.3 (2) of Planning for Bush Fire Protection 2006.

#### **Design and Construction**

The intent of measures is that buildings are designed and constructed to withstand the potential impacts of bush fire attack. To achieve this, the following conditions shall apply:

4. All new construction shall comply with section 3 and section 7 (BAL 29) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection' 2006'.

#### Landscaping

5. Landscaping to the site is to comply with the principles of Appendix 5 of "Planning for Bush Fire Protection 2006".

#### 9 August 2017 response:

I refer to your letter dated 26 July 2017 seeking advice regarding bush fire protection for the above Land Use Application in accordance with Clause 55(1) of the Environmental Planning and Assessment Regulation 2000.

The Service has reviewed the submitted amendments and raises no objections subject to compliance with our previous advice dated 8 March 2017.

#### MINE SUBSIDENCE BOARD

Attached, please find Subsidence Advisory NSW's General Terms of Approval (GTA) for the development of land as detailed in DA283/16. Please note the conditions of approval are detailed under Schedule 2 and stamped plans are attached. This satisfies the approval of the Subsidence Advisory NSW under *section 15 of the Mine Subsidence Act 1961*.

#### GENERAL TERMS OF APPROVAL

Issued in accordance with s.91A of the Environmental Planning & Assessment Act for the subdivision/development of land.

As delegate for Subsidence Advisory NSW under delegation executed 27 September 2017, general terms of approval are granted for the development described in Schedule 1, subject to the conditions attached in Schedule 2.

#### SCHEDULE 1

Development Application: DA283/16

Ref: TBA16-39467\$1

Site Address: 37 ATKINSON ST LITHGOW

Lot and DP: LOT 1 DP 787040

Proposed Development: 20 DOUBLE STOREY TOWNHOUSES

Mine Subsidence District: LITHGOW

#### SCHEDULE 2

GENERAL	
Plans, standards and guidelines	

The development being undertaken strictly in accordance with the details set out on the application form, any information submitted with the application and the plans submitted, as amended or as modified by the conditions of this approval.

Note: Any proposal to modify the terms or conditions of this approval, whilst still maintaining substantially the same development to that approved, will require the submission of a formal application for consideration by Subsidence Advisory NSW (SA NSW). If amendments to the design result in the development not remaining substantially the same as that approved by this approval, a new Application will have to be submitted to SA NSW.

 This approval expires 5 years after the date the approval was granted if construction work has not physically commenced.

#### PRIOR TO COMMENCEMENT OF CONSTRUCTION

Based on the Douglas Partners report:

37 Atkinson Street, Morts Estate Lithgow, dated July 2017, Project 91143.00.

#### SA NSW will require:

 A geotechnical investigation involving a minimum of 3 boreholes to the base of the Lithgow Seam and an inspection of the mine voids and overburden (such as CCTV and sonar) carried out.

A report be submitted to SA NSW for acceptance commenting on: Nature of workings, including whether the workings have collapsed (goafed), or are standing. Depth of coal seam, height of workings, floor conditions and thickness of competent rock as well as providing details of the pillar and void dimensions used in any analysis. o Estimated credible worst case subsidence parameters for vertical subsidence, tilt, strain and curvature, Confidence in the information used and whether further investigation or work, such as removing the risk of mine subsidence via a suitable means such as grouting should be carried out. If, following geotechnical investigation and analysis detailed above, it cannot be 4. demonstrated the improvement can be designed to remain "safe, serviceable and any damage from mine subsidence shall be limited to 'very slight' damage in accordance with AS2870 (Damage Classification), and readily repairable", then removal of the of mine subsidence by a suitable means such as grouting may be required. Submit a final design for acceptance by Subsidence Advisory prior to 5. commencement of construction. It shall include certification by a qualified structural engineer to the effect that the improvements will remain "safe, serviceable and any damage from mine subsidence shall be limited to 'very slight' damage in accordance with AS2870 (Damage Classification), and readily repairable" taking into consideration any mine subsidence parameters approved by Subsidence Advisory NSW. UPON COMPLETION OF CONSTRUCTION Upon completion of construction, work-as-executed certification by a qualified engineer will be required by Subsidence Advisory NSW confirming that construction was in accordance with the plans accepted by Subsidence Advisory NSW.

#### Dispute Resolution

If you are dissatisfied with the determination of this application an appeal may be formally submitted with the Chief Executive Office for an independent internal review. The application must be made in writing and must provide reasons why the determination should be changed.

**Comment:** The General terms of Approval will be attached to the consent if approved. A condition of consent will be imposed on the development as below to reference these requiremets:

- That the development comply with the General Terms of Approval in Attachment 1, from Subsidence Advisory NSW n relation to:
  - o Requirements prior to commencement of construction
  - Upon completion of construction

#### **COUNCIL'S BUILDING OFFICER**

I refer to the abovementioned development application in regards to your referral dated 15 November 2016 and provide the following comments.

#### **Proposal**

The proposal provides for:

- a) The demolition of the existing four (4) units and associated structures; and
- b) The removal of exiting vegetation; and

- c) The construction of twenty (20) two storey BCA Class 1a town houses with attached garages; and
- d) The construction of vehicular access driveways and offstreet carparking spaces.

A cursory review of the proposal has revealed that compliance with the relevant provisions of the Building Code of Australia is readily achievable.

#### Suggestions

The allotment is mapped under Council's LEP as being bushfire prone. The applicant has submitted a bushfire threat analysis report prepared by Control Line Consulting (Ref. No. 16.07.181 dated 19/8/16). The bushfire threat analysis report notes that the proposal does not satisfy the 'Acceptable Solutions' of Planning for Bushfire Protection 2006 due to the property being located greater than 200m from a <u>public through road</u> as the extent of Atkinson Street ends at the level rail crossing to the north. Further, State Mine Gully Road is a no through road. Accordingly the proposal should be referred to the NSW RFS for comment.

It is noted that demolition works are proposed however no specific demolition details have been submitted to Council. A demolition plan and demolition waste management plan should be submitted to Council for consideration having regard to the demolition requirements of AS2601:2001 'The Demolition of Structures'.

#### **RECOMMENDATION**

Notwithstanding, should approval be recommended, no objection is given to the proposal subject to the following conditions being imposed on the Development Consent:

#### General

 All building work must be carried out in accordance with the provisions of the Building Code of Australia.

#### Requirements Prior to Commencement of Work

- 2. Prior to commencing any construction works, the following provisions of the Environmental Planning and Assessment Act 1979 are to be complied with:
  - a) A Construction Certificate is to be obtained in accordance with Section 81A(2)(a) of the Act, and
  - b) A Principal Certifying Authority is to be appointed and Council is to be notified of the appointment in accordance with Section 81A(2)(b) of the Act and Form 7 of the Regulations, and
  - c) Council is to be notified at least two days prior of the intention to commence building works, in accordance with Section 81A(2)(c) of the Act in Form 7 of Schedule 1 of the Regulations.
- 3. Prior to commencement of work, hydraulic plumbing and drainage drawings prepared by a practising Hydraulic Engineer in accordance with the relevant provisions of AS3500 must be submitted to and approved by Council. These drawings must indicate:
  - a) Sanitary plumbing and drainage systems including location of drains, diameter of pipework, material, etc.; and
  - b) Fixture and fitting details; and
  - c) Backflow prevention devices (e.g. dual check valves, double check valves, RPZ valves, etc.); and
  - d) Temperature control devices (e.g. thermostatic mixing valves and tempering valves).
- 4. Prior to commencement of any building works, a suitable lidded waste container for the deposit of all building rubbish and litter must be provided onsite. The waste container must be emptied at a licensed waste disposal facility when full. All building rubbish and litter must be contained on the building site and the site left clear of waste and debris upon completion of works.

- 5. Prior to the commencement of any works on the land, a sign/s must be erected in a prominent position on the site:
  - a) Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person can be contacted outside working hours.
  - b) Stating that unauthorised entry to the work site is prohibited and
  - c) Showing the name, address and telephone number of the principle certifying authority for the work.

The sign/s are to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

6. Before work starts, toilet facilities must be provided for construction personnel on the site on the basis of 1 toilet for every 20 workers. Amenities are to be installed and operated in an environmentally responsible and sanitary manner. Toilets cannot remain on site for any longer than 12 months, without the further approval of Council.

#### Requirements During Construction

7. The new works shall be constructed in accordance with, and comply with the undertakings given on BASIX Certificate Number 749166M as obtained on 1 September 2016 from the Department of Planning.

Appropriate certification is to be submitted to the Principal Certifying Authority prior to issue of the occupation certificate indicating that all BASIX requirements have been undertaken.

8. All work on site shall only occur between the following hours:

Monday to Friday 7.00am to 6.00pm Saturday 8.00am to 1.00pm Sunday and public holidays No work

- 9. The following survey reports (prepared by a practising registered Surveyor) are to be submitted to the Principal Certifying Authority to accurately demonstrate compliance with the approved Construction Certificate drawing:
  - a) A Set-out survey showing the location of slab formwork is to be submitted (prior to pouring of concrete);
  - b) An Identification Survey (upon completion of external walls / eaves construction and prior to any Completion inspection being carried out).
- 10. That all plumbing and drainage work be carried out by a licensed plumber and drainer and inspected by Council officers.

#### Requirements Prior to Issue of an Occupation Certificate

- 11. Prior to the use/occupation of the structure an Occupation Certificate must be issued by the Principal Certifying Authority (PCA). In this regard an application must be lodged with the PCA in conjunction with any request to carry out a final inspection.
- 12. The occupation certificate shall not be issued until Council as the certifying authority for water and sewer inspections has undertaken and approved the final installation of all plumbing and drainage fixtures and the Certificate of Compliance has been supplied by the licensed installer.

#### **Advisory Note:**

AN1. To ensure structural integrity, the maintenance of minimum health standards, the management of the buildings surrounds and the protection of the environment, compliance certificates are to be issued at significant stages throughout the construction period. These stages are:

- a) Pier holes/pad footings before filling with concrete.
- b) Trenches complete with reinforcing and prior to filling with concrete.

- c) Internal drainage carried out by licensed plumber prior to covering
- d) Reinforcing steel in position and before concrete is poured (footings, lintels, beams, columns, floors, walls and the like.
- e) Slab base if no piers required and prior to placement of the membrane.
- f) Floor frame, dampcourse, antcapping, foundation walls before floor material is laid.
- g) Framing when external wall and roof cladding is in place and prior to internal linings.
- h) External drainage (including onsite waste disposal system) installed by a licensed plumber and prior to covering.
- i) Wet area flashing prior to tiling or covering.
- j) Stormwater drainage between building and discharge point (drainage pipes, soakage pits and the like) prior to covering.
- k) Completion of the development and sign off to all conditions of the consent including landscaping, prior to occupation and use.

At each inspection, erosion and sediment control measures and site management will be inspected.

Note: forty-eight (48) hours notice shall be given to Council prior to inspections.

#### **Additional comments 13 October 2017:**

That fire hydrant coverage to the development comply with the requirements of NSW Fire and Rescue. Concern is raised that the furthest most dwellings in the development may not have coverage from the existing street hydrant in Atkinson Street and therefore an onsite fire hydrant may be required. Documentary evidence of meeting the requirements of NSW Fire and Rescue for hydrant coverage shall be submitted with the Construction Certificate application.

**Comments:** General demolition conditions will be imposed on the proposal as requested, if approved.

#### **COUNCIL'S WATER & WASTEWATER OFFICER**

I refer to the abovementioned development application in regards to your referral dated 15 November 2016 and provide the following comments.

Please be advised of the following:

NOTES OF ASSESSMENT

The applicant has provided a Section 68 Application for Approval to connect to Councils water and sewer infrastructure.

The 18 multi-purpose units (Town Houses) concept plan shows proposed connection to Councils existing manhole located within the development. Council would agree to this being the point of connection for sewer.

There is a 100mm water main available at the front of the property and an existing water service is connected. Upgrade of water property service to 50mm will be required

A water pressure and flow test will be required to assess adequate pressure.

Therefore, it is requested that the following information be supplied prior to the appropriate assessment being carried out

Therefore, there is no objection to the proposal given the following conditions of consent:

1. Sanitary drainage for all units to connect to existing Man Hole via 150mm Vertical Shaft, any additional connections to the sewer main shall be at owner's costs.

- 2. Building foundations that are in the zone of influence shall be designed by a qualified engineer and shall be designed to prevent any loads impacting on to the sewer main. Minimum horizontal clearance to the sewer main shall be 1.5m
- 3. Upgrade existing water property service (Main to Meter) to 50mm and install containment backflow prevention with frost protection located at the property boundary
- 4. The property is to be serviced by a separate 50mm water meter (Master Meter) and each unit separately metered by a privately owned 20mm water meter read by the property manager or owner. Council will only read the master meter
- 5. Any fire service water connections shall be installed at owners cost and require backflow prevention prior to any booster assembly
- 6. Live Connections to Councils water and sewer infrastructure shall be at owners cost and in accordance with Councils current fees and charges. An application for work at owners cost payment authority shall be signed by the owner

#### **COUNCIL'S ENGINEERS**

- The visitor parking area is to meet the dimension requirements stipulated in AS2890.1:2004 for a class 1A car park. A summary of the requirements are as follows:
  - o 2.4m wide parking spaces
  - o 5.4m long parking spaces
  - o 5.8m wide aisle
  - Parking spaces at the end of a blind aisle are to have a minimum additional width of 0.3m when bounded by a wall or fence
  - o Maximum gradient of 1 in 20 (5%) in the parking direction
  - Maximum gradient of 1 in 16 (6.25%) in all other directions
  - Minimum gradient of 1 in 100 (1.0%) to enable adequate drainage
- Adequate manoeuvring space is to be provided for each parking space on the development to allow vehicles to exit the development in a forward direction in a practical manner
- A construction certificate will be required to be lodged to Council prior to the commencement of any Civil Works.
- All development to be constructed in accordance with Council's "Guidelines for Civil Engineering Design and Construction for Development". This document is available on Council's website or upon request from Council's administration desk.
- All road, drainage, kerb and gutter, water and sewerage reticulation works associated with a development will be inspected by Council's Operations Department. The developer shall at all times give uninterrupted access and afford every facility for the examination for any works and materials requested by the Group Manager of Operations or his authorised delegate.
- Effective erosion and sediment controls shall be installed prior to any construction activity including dwelling site access. The controls must prevent sediment entering drainage depressions and watercourses, and shall be regularly maintained and retained until works have been completed and groundcover established.
- Works as Executed (WAE) Plans detailing all services and infrastructure are to be prepared by a registered surveyor or professional engineer, and submitted to Council. The WAE plans shall be lodged prior to the release of the linen plan. The applicant is required to submit three complete sets of hard copy plans (one A1-sized, two A3sized) and one set of electronic plans in AUTOCAD format.
- All Stormwater infrastructure is to be constructed in accordance with submitted plans and the supplied documents "drainage and general notes" and "raingarden notes".
- An Operational Environmental Management Plan is required to be submitted to Council prior to the submission of a construction certificate detailing the on-going management of the Rain Gardens and On-Site Stormwater Detention pits.

- The rain garden is not to be constructed until the majority of civil works, including roads, car parks and buildings have been completed.
- Where there is a delay between the civil construction of the rain garden and its landscape work a geotextile fabric lining must be provided over the raingarden extending to the top of the batter to protect the "filter media" from sediment and gross pollutants

#### **PUBLIC SUBMISSIONS**

#### Submissions from 21 November 2016 to 14 December 2016

The original proposed 20 two storey dwellings was notified and a site meeting held with residents, applicant, Council officers and Councillors on 10 March 2017 with most concerns raised as detailed in the 11 public submissions summarised as below:

#### **Overshadowing**

- Overshadowing due to the density is not suitable to the area.
- Loss of light and solar access due to overshadowing to adjoining properties.
- The height of the development is an issue due to the valley already not allowing for much daylight. The proposal will add to shadowing of adjoining residences.
- Overshadowing will impact on adjoining landowners vegetation.

#### Scale 5

- Scale of the development is not suitable to the surrounding area.
- The development does not fit the existing character of the area.
- Lack of yards and greenspace is not suitable to the area.
- No information was available in relation to the maximum occupants of each dwelling to determine if the carparking would be adequate onsite.
- The development will impact on the relaxed and quiet lifestyle.
- No other high density development is within the area and the proposal does not fit into the existing surrounding lands.
- There will be an increased conflict amongst others in the proposal and neighbouring landowners given the amount of residents that will be living in the development.

#### Traffic

- Visitor carparking will cause headlights to shine into adjoining properties and no fencing or screening is proposed to reduce this impact.
- Increased noise with the additional traffic will impact on neighbours.
- The single driveway is insufficient to deal with traffic produced as part of 20 townhouses. This will have traffic of at least 40 cars using the single road.
- Atkinson Street is narrow and cannot cater for any additional traffic as it is already overused. The road is narrow with a bend and accidents are inevitable.
- Lack of street parking when the carpark is full will impact on the narrow street of Atkinson Street. Additionally, there is no kerb and guttering in this area.
- There are no pedestrian footpaths in this location and an increase of pedestrians on Atkinson Street will cause traffic issues.
- The slope of the driveway is an issue for the amount of traffic proposed.
- There is not enough carparking proposed onsite to cater for residents and visitors, especially when events are held by residents.
- There is no room for vehicles to pas one another within the development is a concern for residents and community with how car movements will be undertaken. This will be an issue as cars will not always be driving forwards.
- Details should be provided by the developer on how the driveway and carparking areas comply with Australian Standard 2890. It is noted that the plans provided show that manoeuvring cannot be met, given the current design.
- Due to lack of yard areas, any children who will live in this development would use the driveway (i.e. scooters, bikes etc) further adding issues to the traffic situation onsite.

- The proposal does not allow for easy access or exit for emergency vehicles when rapid access is essential.
- Unsupervised children waiting for the bus will cause further safety and traffic concerns to the area with the increase from the development.
- Some vehicles would not sit into the designated areas i.e. trailers, caravans and these would then be parked on the street causing further issues.
- Damage to shared fences due to the insufficient turning circles will be an issue for the development.

#### **Other**

- The development compromises the privacy of adjoining landowners.
- The number of windows over looking neighbouring properties is of concern for existing privacy.
- Lack of landscaping is not compatible with the area.
- Positioning of bins on the site in relation to smells, attracting rodents etc. It is unclear
  where on the street the 40 bins (recycle and waste), will be positioned for collection
  without blocking or overflowing onto the street and causing vision restrictions to
  vehicles.
- Concerned about reduced water pressure, having an adequate sewer system and adequate electricity supply to cater for such a significant development. In the past there have been issues with sewer blockages.
- No information was supplied on the long term nature of the application, i.e. rentals, split private ownership (strata) etc.
- Given the location of waterways in the direct vicinity, that are known to flood, no information has been provided to alleviate concerns that flooding will not have an impact on adjoining landowners.
- Management of the site overall is unclear I.e. who will be responsible for maintenance, weeding etc.
- Approval of buildings close to an existing solid fuel heater outlet is going to cause conflicts.
- The wildlife in the area is in abundance and concerns are raised about the impact of this development on the wildlife of the surrounding area.

Council requested that the applicant address the above resident concerns and the following Council's issues for assessment:

- The vehicular turning areas are unclear on the existing plans. Some areas do not allow for swing room of a car and some of the turning circles would have a vehicle impacting with walls. Further, it does not seem that the carparking areas provided for each unit would allow for opening of vehicle doors once parked. It is also unclear if the development had all carspaces full, how vehicles would allow for turning circles to leave in a forward direction as it relies on the second car spaces. Lastly, it does not allow for logical turning areas for units and Council is of the opinion that some residents would be confused on how to achieve a forward in and forward out vehicle movement. Please provide plans at a scale of 1:100 to demonstrate compliance with Austroads 'Design vehicles and turning path templates' & AS2890.1 Parking Facilities: Part 1 Off-street parking.
- The sizes of the courtyards have not been justified to Council's satisfaction. It was requested in the pre-lodgement meeting 5 May 2016 that the applicant look at other local government areas and examples to provide justification in relation to the proposed sizes. It would seem that the southern courtyards would be mostly in shade for winter, which would not be appropriate development of the site. This also creates privacy issues and does not allow for appropriate area of landscaping.
- The proposed development is out of character to the area. The closet representation as indicated is four single storey units, which not suitable to be used as a comparison to the 20 two storey unit development.
  - The development will not be sympathetic to the surrounding area which currently is larger allotments with single dwellings or dual occupancies. The submission of the application

does not adequately address how the development is suitable to the area in relation to character, bulk and scale.

- The proposal to allow 40 garbage receptacles on the road verge would not be an acceptable outcome for Council. A more appropriate outcome would be a commercial garbage contract with one large garbage receptacle and one large recycling receptacle available for residents to utilise that would be emptied once a week. This could be appropriately landscaped and designed.
- Overland flows of the site and surrounding area were raised as a concern from the community meeting. Please provide details in writing how these overland flows will be dealt with onsite as part of stormwater control.

It is suggested that for the development to be considered suitable, an overall redesign and review of the proposed yield could minimise the issues raised above and achieve an improved development.

As a result, the applicant re-designed the proposal and Council re-notified the application to surrounding landowners and previous objectors.

#### Submissions from 26 July 2017 to 18 August 2017:

The current proposed 18 dwellings was notified, with 8 submissions received. The concerns raised within these submissions are summarised below with the applicant's comments & Council's planning assessment:

#### **DESIGN:**

#### 1. Submissions:

- The overall footprint of the development has not changed.
- The project will still impose overshadowing concerns regardless of the changes to roof lines.
- Adjoining gardens will still be in the shade for majority of the year.
- Maintenance issues of the development have still not been addressed. This is a current issue with four units and will be increased with 18 dwellings.
- There is minimal landscaping proposed and will significantly impact on the character of the area and environmental quality of the area. How will the proposed landscaping be maintained (individual owners?). Additionally, there is no information on how the steep slopes will be remediated to ensure erosion and sedimentation removal are not an issue.
- The proposal is overdevelopment of the site given the existing character and streetscape in the area.
- The development will still impact the quiet lifestyle and is not in character with the area.

#### 2. Applicant's Comments:

Footprint unchanged

The footprint has changed to reduce the overall number of dwellings from 20 to 18.
 The changes also increase private open spaces and setbacks to southern adjoining properties.

#### Overshadowing

 The proposed overshadowing impacts are minor, and are similar or less than other 2 storey dwellings in the area. Increased setbacks to the southern boundary, reducing roof heights and the inclusion of the single storey dwellings also has reduced the overshadowing impact.

#### Maintenance

• The terraces will be a strata development, and the strata and body corp will have the necessary means to maintain the property.

#### Landscaping

• The proposed landscape plan provides significant new planting for screening, feature deciduous trees and private open space. Individual owners will maintain private

garden areas. The strata scheme will maintain common landscape areas. The sloped areas of the site are to be remediated as part of the works.

The infill courtyards to the front of the development will improve the steepness of site and will reduce bush fire risk. The areas adjacent to the carpark/garbage area contain some established trees which will be maintained and improved.

#### COUNCIL ISSUES:

#### Scale

• The scale of the development is a combination of one and two storey which is identical to all properties in the area.

#### Character

• The proposed terraces will compliment the character of the area.

#### Green space

 The proposed green space (landscape area ratio) is similar to 39+39A Atkinson St directly adjacent.

#### Carparking

 Detailed floor plans and parking numbers submitted to council demonstrate the number of terraces, bedrooms and occupants and a complying number of parking spaces are provided.

#### Quiet

 The proposal cleverly divides the private open spaces of each dwelling around the boundary of the site which provides landscaped areas adjacent to neighbours and minimises noise impacts. Setbacks to southern boundaries has been increased further to reduce impacts on adjoining properties.

#### Density

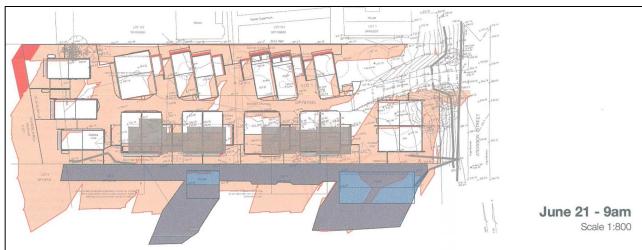
The density of the development is very similar to that of 57 Macaulay St (directly
opposite the creek) and the proposed number of terraces is within Council's density
controls.

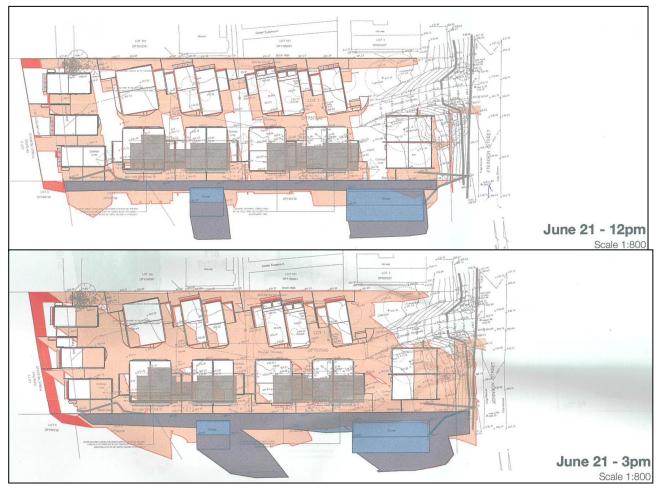
#### Conflict

 There should be no more or less conflict than that of any other development in any part of NSW.

#### 3. Planning Comments:

- The footprint of the proposal has not changed greatly, however the overall bulk and density has been amended to be of a less impact than previously proposed.
- Below is the shadow diagram submitted by the applicant in relation to overshadowing on the winter solstice for the amended development:





The Australian Model Code for Residential Development -AMCORD- A National Resource Document for Residential Development by Commonwealth of Australia - Housing & Regional Development guidelines specify that:

A8.4 In temperate and cool-temperate climate zones, sunlight to at least 50% (or 35m² with minimum dimension 2.5m, whichever is the lesser area) of the principle area of ground level private open space of adjacent properties is not reduced to less than two hours between 9am and 3pm on June 21. Where existing overshadowing by buildings and fences is greater than this, sunlight is not further reduced by more than 20%.

The proposed development easily meets the above requirements.

South Boundary elevation- showing articulation and building breaks



Under the Complying Development Guidelines (by the NSW Department of Planning) the minimum setback for buildings is 2.5m (max wall height 8.5m). The proposal is designed to be set back 4m from the southern boundary to help minimise potential overshadowing impacts.

It is considered that even though there is some overshadowing impact to the southern properties, it is only a minor impact given the width of adjoining properties as shown by the shadow diagrams for the shortest day of the year and therefore is considered acceptable.

- The maintenance of the proposed unit development is not a consideration for Council and will be the responsibility of the landowner(s). This is similar to any proposed development including single dwellings.
- Conditions of consent will be imposed to ensure that the landscaping is implemented prior to interim occupation and established prior to final occupation of the development. Landscaping onsite will be the responsibility of landowners and is to be maintained in perpetuity. Sedimentation and erosion controls will be implemented by proposed conditions of consent, to ensure that steeper slopes are maintained and revegetated as soon as possible.
- The existing streetscape of the area is set behind the embankment of Atkinson Street. The proposal will be set down from the existing street and of greater density than existing in the area. However the multi-dwelling development is permissible and the zoning promotes housing variety. Each unit has sufficient room for individual carparking and courtyards. The proposal will have minimal conflict given the proposal is for residential development in an established residential area. There will be an increase in traffic; however noise will be similar to existing residential uses of the area. The redesign has allowed for varied roof heights which reflect that of adjoining properties in the area.

#### TRAFFIC:

#### 1. Submissions:

- There is insufficient space internally to allow driving in a forward direction which will cause safety issues. There has been no indication on how the development complies with Australian Standards for carparking.
- Noise from the development will impact on all adjoining neighbours with traffic and general residential noises of 18 dwellings in one area.
- The location of the visitor carpark will impact adjoining landowners with headlights and noise from vehicles. The plans show no screening or fencing for this area.
- Reduced carparking will further congest the narrow street of Atkinson Street when there are visitors or residents with more than one vehicle per dwelling. A truck would not be able to access the site regularly and if it does will cause more noise issues.
- The development will still increase traffic in the area especially on weekends. The road is unmarked and in poor condition with the speed and bends dangerous at times with care veering onto the wrong side. The increase traffic will further impact the road and may cause an increased hazard.
- The absence of a footpath for pedestrians to access along Atkinson Street will have people walking on the narrow road.
- Access and egress to the development is of concern due to the slope and sight line is not suitable. A slope of 1:8 is proposed places the nose of an existing vehicle higher than if the car were on level ground thus making it difficult to safely exit the property. A 'no parking' area needs to be considered for this road to make it safer for vehicles.
- There is no kerb and gutter for Atkinson Street which causes issues with overland flow and maintenance of the road.
- The issues with school children and pedestrians has not been addressed as they will be forced onto the road for the bus service. This development will add to the issue of safety.

#### 2. Applicant's Comments:

Headlights/noise

 Existing Colorbond fences will be retained and extended as necessary to provide a continuous boundary fence. Proposed terraces, vegetation and retaining walls will reduce any impact from headlights and vehicle noise.

Single driveway

• There are widened areas at the base and top of the driveway to allow for waiting areas. The driveway is straight to allow a line of site view.

#### Narrow Street/footpath

- The proposed development complies with council's parking requirements. Driveway Slope
- The proposed driveway slope complies with standards. Parking
- The proposed development complies with council's parking requirements. Vehicle space
- There are 3 areas that allow additional space for passing and turning to allow movement in a forward direction.

#### Compliance with AS

 Turning circles to comply with AS2890 shown on site plan. The proposed development and driveway configuration is equivalent to many similar developments of this type.

#### Children

• The style of development and paving/ driveway treatment will require slow vehicular movement through the site (shared zone). This will ensure pedestrian safety.

#### Emergency vehicles

• The driveway be required to be clear at all times. Of the 50 spaces provided, one could be allocated for an emergency vehicle and turning area if necessary.

#### Unsupervised children

 Young children are required to be supervised by law. Further arrangements for bus stops may be arranged with council if required in the future.

#### Large vehicles

• Occupants will not be able to store large trailers or caravans on site. Council can further restrict street parking if necessary.

#### Damage to fences

• Kerbs, wheel stops or vegetation will be placed to prevent accidental damage to fences or buildings.

#### 3. Planning Comments:

- The internal driveway is not a public road and there will be sufficient areas to allow for vehicles to turn and enter/ exit in a forward direction from the site. The proposed parking onsite will comply with Australian Standards.
- The noise from the development will be similar to that of any residential use.
   Construction hours will be limited to ensure minimal impact on adjoining landowners.
- A condition of consent will be imposed as follows to ensure the visitor carpark is screened from the adjoining neighbouring properties:
  - That screening be undertaken for the main visitor carparking area to minimise impact on adjoining landowners. This is to be provided and approved by Council prior to Construction Certificate.
- There will be minimal reasons for a truck to access the site regularly other than for a waste contractor, which it has been agreed with the contractor that the proposal will be suitable to allow a waste truck to enter for waste retrieval. The proposal includes one enclosed garage for each unit and 16 visitor spaces around the development being a total 34 spaces. Therefore, the proposed development will provide 2 additional spaces than that required under the Development Control Plan which is acceptable.
- Traffic will be increased in the area as a result of the proposal, however Atkinson Street is a public road and is subject to maintenance schedules. The road will be upgraded in accordance with Council's existing maintenance schedule and concerns raised by residents. Council's Engineers have assessed the application and found that Atkinson Street can cater for the additional traffic. The speed limit of the road is 50km/hr and speeding on this road cannot be controlled by Council

- and is a matter for the NSW Police. Council cannot consider illegal actions as impacts to the assessment of a Development Application.
- With the absence of a footpath within this location, this will be a matter for Council to consider potential upgrades.
- Council's Engineers have assessed the proposal in relation to the driveway slope and it meets Council's requirements. There is enough room to allow a car to safely exist the development onto Atkinson Street. A 'no parking' area may be considered by the Traffic Advisory Local Committee if concerns persist after the development is operational, however there is appropriate carparking spaces onsite for the size of the development.
- Kerb and guttering of the existing road system is to be addressed by Council's Operations Department and is a separate matter to the proposed development.
- Council's Operations Department will investigate a proposed bus shelter for school children in the area.

#### **OTHER CONCERNS**

#### 1. Submissions:

- Views from windows will compromise privacy for adjoining dwellings and private open space.
- There is no information on how the garbage area will be screened from neighbouring properties.
- The proposed location of garbage next to adjoining property is unacceptable and will lead to spread of rubbish to those properties, including rubbish and vermin issues close to the boundary.
- There is no information on impacts to water pressure as a result of the proposed 18 dwellings.
- Nothing has been done to reduce the effects to the creek when filling for dwellings 16, 17 & 18. No hydrological study has been provided to alleviate concerns in relation to the effects due to flooding and changes to the creek as a result of the development.
- The proposal has not reduced concerns on impacts to the overloaded sewer system. The sewer regularly overflows at 7 Pillans Road due to blockages in the system. This situation is unacceptable and will become worse as a result of the development. This is also costly for Council to fix each time and is unhealthy for people living in this area with raw sewerage overflows.

# 2. Applicant's Comments:

Privacy

• The proposed development strategically locates living areas on the ground floor to prevent overlooking and privacy issues. The upper levels have been designed to ensure only bedroom windows face neighbouring properties, and these will be fitted with privacy blinds. The proposed terraces are spread along the boundary to dilute the number of windows overlooking each neighbouring property. There are approximately 4 windows facing each adjacent property which is equivalent to 4 large houses (similar to existing and neighbouring properties).

landscaping

 The proposed green space (landscape area ratio) is similar to 39+39A Atkinson St directly adjacent.

Bins

• The bin area will be constructed to council's requirements. The size and location of the bin area has been discussed and agreed with JR Richards. The management of the bins and general site will be the responsibility of the strata and a maintenance contract will be in place to manage the site. Bin collection will be via commercial bins in the garbage area. Further screening can be provided as necessary to meet council requirements. A separate strata subdivision application is to be lodged following approval as discussed with council.

#### Flood/sewer/water

• Detailed water engineering has been completed for the proposal, and will result in an improved complying system. Council's is responsible for provide adequate sewer and water services to the area.

# 3. Planning Comments:

- Given the setbacks from the adjoining neighbouring boundaries, there will be accetable privacy issues to adjoining neighbours. All windows facing adjoining landowners which are on second levels are for bedrooms only and not living areas. Mature landscaping and fencing once established will further reduce potential impacts.
- A condition of consent will be imposed to ensure that screening is addressed by the developers and approved by Council prior to Construction Certificate as below:
  - The waste location is to be screened to adjoining properties with a design provided to Council prior to issue of a Construction Certificate and implemented prior to issue of an Occupation Certificate.
- If rubbish is not being captured onsite via a waste disposal, this is regarded as a pollution incident and can be dealt with as such. It is considered that the waste disposal will be appropriate and screening will minimise potential for waste to exit the site. Vermin control will be the responsibility of all landowners.
- Council's Water & Wastewater Officers have assessed the application and advise that the development will achieve adequate water pressure with minimal impact to existing systems in the area.
- When the application was submitted to Council the land was not identified within
  a flood prone area as per the Kinhill Study 1992. Council's most recent flood
  study Lithgow Flood Study Review (Lyall and Associates 2017), shows the Flood
  Planning Area in red in the below map for this allotment:



The flood level for this site is 928AHD and adding a 0.5m freeboard the required flood planning area is shown in red. No structure will be erected within this area

and the finished floor levels for Units 16, 17 and 18 are above 931AHD. Open pool type fencing is also proposed which will minimise the impact of flood waters. The proposed development will not impact on the flood waters subject to the following condition of consent:

- To ensure the development will not have impact on flood waters, the proposed fill at the west of the property is not to extend past 3m from the western boundary of the allotment and is not to impact on the flow of water at any time. The finished grade is to fill to the existing ground levels within 3 metres from the boundary rather than at the boundary, being the flood area of the allotment. Batters are to be appropriate for the area, utilising exiting slope and revegetation undertaken a soon as practicable.
  - **Note:** If any sedimentation leaves the site, Council could issue a Penalty Infringement Notice for a pollution incident under the Protection of the Environment Operations Act 1997.
- Council's Water & Wastewater Officers have assessed the proposed development and have provided appropriate conditions of consent to ensure the proposal will be undertaken to satisfy Council requirements. Council's Water & Wastewater Officer considers that the development will not impact on existing sewerage systems of the area.

#### **CONCLUSION:**

#### **Applicants Comments:**

- 1. Screening to carpark/garbage areas to be provided as per council requirements.
- 2. Further clarification on traffic/parking street kerb and gutters etc can be provided if required to meet council's conditions. All car spaces and turning designed to comply with AS2890.

# **Planning Comments:**

Concerns raised by public submissions will be minimised through appropriate conditions of consent if the application is to be approved.

# 5.3.9 The public interest

There have been no issues raised other than discussed above from the public regarding planning issues.

# 6. DISCUSSION AND CONCLUSIONS

The proposal is considered to generally comply with the relevant provisions of the applicable Environmental Planning Instruments. The proposal is not considered likely to have any significant negative impacts upon the environment or upon the amenity of the locality. As such it is recommended that development consent is issued subject to the conditions outlined below.

## 7. ATTACHMENTS

Schedule A- Conditions of consent.

## 8. RECOMMENDATION

**THAT** development application DA283/16 is approved subject to conditions set out in Schedule A.

Report prepared by:	Manager:
Signed:	Signed:
Dated:	Dated:

#### **REASONS FOR CONDITIONS**

The conditions in Schedule A have been imposed for the following reasons:

- To ensure compliance with the terms of the relevant Planning Instruments
- To ensure no injury is caused to the existing and likely future amenity of the neighbourhood
- Due to the circumstances of the case and the public interest.
- To ensure that adequate road and drainage works are provided.
- To ensure access, parking and loading arrangements will be made to satisfy the demands created by the development.
- To ensure the structural integrity of the development.
- To ensure the protection of the health and safety of the occupants of the development.
- To protect the environment.
- To prevent, minimise, and/or offset adverse environmental impacts.
- To ensure lots are adequately serviced.
- To ensure there is no unacceptable impact on the water quality.
- To ensure compliance with the requirements of the Rural Fire Services.
- To ensure adequate soil conservation and protect against movement of soil and sediments.

# Schedule A

# Conditions of Consent (Consent Authority) and General Terms of Approval (Integrated Approval Body)

**Please Note:** It should be understood that this consent in no way relieves the owner or applicant from any obligation under any covenant affecting the land.

#### **ADMINISTRATIVE CONDITIONS**

- 1. That the development be carried out in accordance with the application, Statement of Environmental Effects, accompanying information, plans listed in the approval and any further information provided during the process unless otherwise amended by the following conditions.
- 2. All building work must be carried out in accordance with the provisions of the Building Code of Australia.
- 3. To ensure the development will not have impact on flood waters, the proposed fill at the west of the property is not to extend past 3m from the western boundary of the allotment and is not to impact on the flow of water at any time. The finished grade is to fill to the existing ground levels within 3 metres from the boundary rather than at the boundary, being the flood area of the allotment. Batters are to be appropriate for the area, utilising exiting slope and revegetation undertaken a soon as practicable. **Note:** If any sedimentation leaves the site, Council may issue a Penalty Infringement Notice for a pollution incident under the Protection of the Environment Operations Act 1997.
- 4. The waste location is to be screened to adjoining properties with a design provided to Council prior to issue of a Construction Certificate and implemented prior to issue of an Occupation Certificate.
- 5. That a full scale landscape plan be submitted for approval prior to the issue of a Construction Certificate. Any proposed landscaping is to be implemented prior to the Final Occupation Certificate.
- 6. That screening be undertaken for the main visitor carparking area to minimise impact on adjoining landowners. This is to be provided and approved by Council prior to Construction Certificate and implemented prior to Final Occupation Certificate.
- 7. Visitor parking is to be delineated and appropriately sign posted prior to Interim Occupation.
- 8. Letterboxes are to be installed to Australia Post's satisfaction in relation to their location on site.

#### **Contributions**

9. Prior to the issue of a Construction Certificate the applicant shall pay to Council a Section 94A contribution in accordance with the Lithgow City Council Section 94A Development Contribution Plan 2015. A Quantity Surveyors Report shall be supplied to Council to provide an estimate cost of the development. It is advised that the level of contribution in this plan may be adjusted at the time of actual payment, in accordance with the provisions of the Lithgow City Council Section 94A Development Contribution Plan 2015.

10. An application shall be submitted to Council for the supply of a Compliance Certificate under Section 305 of the Water Management Act 2000. A Final Occupation Certificate shall not be issued until such time as the contributions applicable to release the Certificate of Compliance are paid in full to Council. These contributions are calculated using Water Directorate Section 64 Determinations of Equivalent Tenements (ET) Guidelines- May 2009 and Lithgow Council Fees and Charges or any applicable document adopted by Council in relation to contributions under Section 64 of the Local Government Act 1993 at time of payment.

At the time of this approval the following charges were applicable, which are subject to variation and to CPI increases in accordance with the applicable Fees & Charges adopted by Council at the time of payment.

Clause 7- Standard ET Figures – residential user categories

Category	Standard Unit	Suggeste	ed Values
Residential Units 3 Bedroom (or more)	dwelling	Water ET	Sewer ET
		0.80	1.00

Therefore the following calculations be applied to the development:

Water=  $0.80 \times 18 = 14.4 \text{ E.T } \times \$3,105.00 = \$44,712.00$ Sewer=  $1.00 \times 18 = 18 \text{ E.T } \times \$2,587.50 = \$46,575.00$ **TOTAL** = **\$91,287.00** 

# Water & Wastewater Requirements

- 11. Sanitary drainage for all units to connect to existing Man Hole via 150mm Vertical Shaft, any additional connections to the sewer main shall be at owner's costs.
- 12. Building foundations that are in the zone of influence shall be designed by a qualified engineer and shall be designed to prevent any loads impacting on to the sewer main. Minimum horizontal clearance to the sewer main shall be 1.5m.
- 13. Upgrade existing water property service (Main to Meter) to 50mm and install containment backflow prevention with frost protection located at the property boundary.
- 14. The property is to be serviced by a separate 50mm water meter (Master Meter) and each unit separately metered by a privately owned 20mm water meter read by the property manager or owner. Council will only read the master meter.
- 15. Any fire service water connections shall be installed at owner's cost and require backflow prevention prior to any booster assembly.
- 16. Live connections to Councils water and sewer infrastructure shall be at owners cost and in accordance with Councils current fees and charges. An application for work at owner's cost payment authority shall be signed by the owner.

#### **Engineering Requirements**

- 17. A Construction Certificate will be required to be lodged to Council prior to the commencement of any Civil Works.
- 18. Adequate manoeuvring space is to be provided for each parking space on the development

to allow vehicles to exit the development in a forward direction in a practical manner.

- 19. The visitor parking area is to meet the dimension requirements stipulated in AS2890.1:2004 for a class 1A car park. A summary of the requirements are as follows:
  - 2.4m wide parking spaces
  - 5.4m long parking spaces
  - 5.8m wide aisle
  - Parking spaces at the end of a blind aisle are to have a minimum additional width of 0.3m when bounded by a wall or fence
  - Maximum gradient of 1 in 20 (5%) in the parking direction
  - Maximum gradient of 1 in 16 (6.25%) in all other directions
  - Minimum gradient of 1 in 100 (1.0%) to enable adequate drainage
- 20. All development to be constructed in accordance with Council's "Guidelines for Civil Engineering Design and Construction for Development". This document is available on Council's website or upon request from Council's administration desk.
- 21. All road, drainage, kerb and gutter, water and sewerage reticulation works associated with a development will be inspected by Council's Operations Department. The developer shall at all times give uninterrupted access and afford every facility for the examination for any works and materials requested by the Group Manager of Operations or his authorised delegate.
- 22. Effective erosion and sediment controls shall be installed prior to any construction activity including dwelling site access. The controls must prevent sediment entering drainage depressions and watercourses, and shall be regularly maintained and retained until works have been completed and groundcover established.
- 23. Works as Executed (WAE) Plans detailing all services and infrastructure are to be prepared by a registered surveyor or professional engineer, and submitted to Council. The WAE plans shall be lodged prior to the release of the linen plan. The applicant is required to submit three complete sets of hard copy plans (one A1-sized, two A3-sized) and one set of electronic plans in AUTOCAD format.
- 24. All Stormwater infrastructure is to be constructed in accordance with submitted plans and the supplied documents "drainage and general notes" and "raingarden notes".
- 25. An Operational Environmental Management Plan is required to be submitted to Council prior to the submission of a construction certificate detailing the on-going management of the Rain Gardens and On-Site Stormwater Detention pits.
- 26. The rain garden is not to be constructed until the majority of civil works, including roads, car parks and buildings have been completed.
- 27. Where there is a delay between the civil construction of the rain garden and its landscape work a geotextile fabric lining must be provided over the raingarden extending to the top of the batter to protect the "filter media" from sediment and gross pollutants

# **PRIOR TO DEMOLITION WORKS**

28. A demolition plan and demolition waste management plan should be submitted to Council for consideration having regard to the demolition requirements of AS2601:2001 'The

- Demolition of Structures'. Council is to be satisfied with the plan provided prior to commencement of demolition works.
- 29. That discussion and approval from Council's Water & Wastewater Officer be sought for the disconnection of existing services prior to demolition works being undertaken.
- 30. Before demolition is commenced and during the progress of such work all electric cables or apparatus which are liable to be a source a danger, other than a cable or apparatus used for the demolition works shall be disconnected.

# **DEMOLITION REQUIREMENTS**

- 31. Demolition works are to be carried out in accordance with Australian Standard 2601"Demolition of structures". Note: Work involving bonded asbestos removal work
  (of an area of more than 10 square metres) or friable asbestos removal work
  must be undertaken by a person who carried on a business of such removal
  work in accordance with a licence under clause 318 of the Occupational Health
  and Safety Regulation 2001.
- 32. The works shall be executed, by competent persons with due regard at all times for safe working practices and in accordance with the approved work plan, a copy of which shall be kept on site. Any modifications to the work plan, which may be necessary as the work progresses, shall be made by a competent person in accordance with Clause 2.1 AS2601. The structure to be demolished and all its components shall be maintained in a stable and safe condition at all stages of the demolition work.
- 33. Security fencing shall be provided around the perimeter of the demolition site to prevent unauthorised entry into the demolition area and protect public and employees from injury. Warning notices displaying the words "WARNING DEMOLITION IN PROGRESS" shall be fixed to fencing to warn the public.
- 34. The demolition area is to be illuminated and clearly visible at all times.
- 35. No demolition activity shall cause damage to or adversely affect the structural integrity of adjoining buildings.
- 36. The structure to be demolished and all its components shall be maintained in a stable and safe condition at all stages of the demolition work.
- 37. Precautions shall be taken to ensure that the stability of all parts of the structure, and the safety of persons on and outside the site will be maintained in the event of sudden and severe weather changes. In these circumstances loose debris can become airborne, particularly if it is in sheet form.
- 38. All demolished material and excess spoil from the site shall be disposed of at the Lithgow Waste Management facility in a location and in a manner approved of by Council. No material is to be burnt on site.
- 39. Approval must be obtained from Council prior to the disposal of any waste (including VENM) at any Council owned facility. Certification of the classification of the waste in accordance with the Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-liquid Wastes and quantities will be required to be

- submitted. Also, waste receipts may need to be obtained and provided to Council prior to issue of an Occupation Certificate.
- 40. The demolition, demolishers and disposal of refuse are to comply with the requirements of Australian Standard 2601 2001 (The Standard can be viewed at Councils Lithgow Library) and Work Cover.
- 41. Materials containing asbestos must be removed and disposed of in accordance with Work Cover requirements. Further information can be obtained from web site http://www.safework.nsw.gov.au/ and brochures obtained from Council.
- 42. Demolished material shall not be allowed to remain on any floor or structure if the weight of the material exceeds the safe carrying capacity of the floor or structure and such material shall be so piled or stacked that it will not endanger workmen or other persons and shall be removed as soon as practicable from the site unless otherwise authorised by the Building and Development Officer.
- 43. Dust creating material, unless thoroughly dampened shall not be thrown or dropped from the building but shall be lowered by hoisting apparatus or removed by material chutes.

# REQUIREMENTS PRIOR TO COMMENCEMENT OF CONSTRUCTION WORK

- 44. That fire hydrant coverage to the development comply with the requirements of NSW Fire and Rescue. Concern is raised that the furthest most dwellings in the development may not have coverage from the existing street hydrant in Atkinson Street and therefore an onsite fire hydrant may be required. Documentary evidence of meeting the requirements of NSW Fire and Rescue for hydrant coverage shall be submitted with the Construction Certificate application.
- 45. Prior to commencing any construction works, the following provisions of the Environmental Planning and Assessment Act 1979 are to be complied with:
  - a) A Construction Certificate is to be obtained in accordance with Section 81A(2)(a) of the Act, and
  - b) A Principal Certifying Authority is to be appointed and Council is to be notified of the appointment in accordance with Section 81A(2)(b) of the Act and Form 7 of the Regulations, and
  - c) Council is to be notified at least two days prior of the intention to commence building works, in accordance with Section 81A(2)(c) of the Act in Form 7 of Schedule 1 of the Regulations.
- 46. Prior to commencement of work, hydraulic plumbing and drainage drawings prepared by a practising Hydraulic Engineer in accordance with the relevant provisions of AS3500 must be submitted to and approved by Council. These drawings must indicate:
  - a) Sanitary plumbing and drainage systems including location of drains, diameter of pipework, material, etc.; and
  - b) Fixture and fitting details; and
  - c) Backflow prevention devices (e.g. dual check valves, double check valves, RPZ valves, etc.); and
  - d) Temperature control devices (e.g. thermostatic mixing valves and tempering valves).

- 47. Prior to commencement of any building works, a suitable lidded waste container for the deposit of all building rubbish and litter must be provided onsite. The waste container must be emptied at a licensed waste disposal facility when full. All building rubbish and litter must be contained on the building site and the site left clear of waste and debris upon completion of works.
- 48. Prior to the commencement of any works on the land, a sign/s must be erected in a prominent position on the site:
  - a) Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person can be contacted outside working hours.
  - b) Stating that unauthorised entry to the work site is prohibited and
  - c) Showing the name, address and telephone number of the principle certifying authority for the work.

The sign/s are to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

49. Before work starts, toilet facilities must be provided for construction personnel on the site on the basis of 1 toilet for every 20 workers. Amenities are to be installed and operated in an environmentally responsible and sanitary manner. Toilets cannot remain on site for any longer than 12 months, without the further approval of Council.

# REQUIREMENTS DURING CONSTRUCTION

50. The new works shall be constructed in accordance with, and comply with the undertakings given on BASIX Certificate Number 749166M\_02 dated 6 November 2017 from the Department of Planning & Environment.

Appropriate certification is to be submitted to the Principal Certifying Authority prior to issue of the occupation certificate indicating that all BASIX requirements have been undertaken.

51. All work on site shall only occur between the following hours:

Monday to Friday 7.00am to 6.00pm Saturday 8.00am to 1.00pm

Sunday and public holidays No work

- 52. The following survey reports (prepared by a practising registered Surveyor) are to be submitted to the Principal Certifying Authority to accurately demonstrate compliance with the approved Construction Certificate drawing:
  - a) A Set-out survey showing the location of slab formwork is to be submitted (prior to pouring of concrete);
  - b) An Identification Survey (upon completion of external walls / eaves construction and prior to any Completion inspection being carried out).
- 53. That all plumbing and drainage work be carried out by a licensed plumber and drainer and inspected by Council officers.

# REQUIREMENTS PRIOR TO ISSUE OF AN OCCUPATION CERTIFICATE

54. Prior to the use/occupation of the structure an Occupation Certificate must be issued by the Principal Certifying Authority (PCA). In this regard an application must be lodged with

- the PCA in conjunction with any request to carry out a final inspection.
- 55. The occupation certificate shall not be issued until Council as the certifying authority for water and sewer inspections has undertaken and approved the final installation of all plumbing and drainage fixtures and the Certificate of Compliance has been supplied by the licensed installer.

# SUBSIDENCE ADVISORY NSW REQUIREMENTS

- 56. That the development comply with the General Terms of Approval in Attachment 1, from Subsidence Advisory NSW in relation to:
  - Requirements prior to commencement of construction
  - Upon completion of construction

# WATER NSW REQUIREMENTS

#### General

57. The site layout and works of the development shall be as specified in the Statement of Environmental Effects (dated 9 November 2016) and shown on the Proposed Site Plan (Plan No. 16R148, Page 4, dated 19 July 2017) both prepared by 8 Squared Architects Pty Ltd. No revisions to layout, works or staging of the development that will impact on water quality, shall be permitted without the agreement of Water NSW.

# Stormwater Management

- 58. All stormwater management measures as specified in the Drainage Report (dated 9 January 2017) and Drainage and Drainage Details Plans (Dwg. No. 2016/021/3 Rev D and Dwg. No. 2016/021/4 Rev C; both dated 27 June 2017) both prepared by Gerard Balkin, shall be implemented, in particular as elaborated or varied in the following conditions.
- 59. The two raingardens shall be designed and constructed as per the Drainage Report (2016-02, dated 9 January 2017) and Drainage and Drainage Details Plans (Dwg. No. 2016/021/3 Rev D and Dwg No. 2016/021/4 Rev C; both dated 27 June 2017), both prepared by Gerard Balkin, to capture and treat all runoff from the internal driveways, car parking spaces and residential areas in development. The raingardens shall incorporate the following specifications and requirements:
  - be designed consistent with Adoption Guidelines for Stormwater Biofiltration Systems Version 2 (Payne *et al*, 2015, Melbourne, CRC for Water Sensitive Cities)
  - a minimum combined surface area of 39 square metres and a minimum combined filter area of 39 square metres
  - each raingarden shall also meet the following specifications:
    - o an extended detention depth of 300 mm
    - o a filter depth (excluding transition layers) of 300 mm above the underdrain
    - a filter media consisting of a clean sandy loam with a certified median particle diameter of 0.5 mm, a maximum orthophosphate concentration of 40 mg/kg and a maximum total nitrogen concentration of 400 mg/kg
    - be planted with appropriate deep-rooted, moisture-tolerant vegetation protected by rock mulch (grass and turf is not appropriate vegetation and organic mulch is not suitable)
    - direct all discharge and overflow to State Mine Creek via an armoured discharge point such that discharge does not cause erosion
  - be accessible from a driveway by machinery to facilitate cleaning, monitoring and maintenance of the structures

- be permanently protected from vehicular damage by bollards, fences, castellated kerbs or similar structures, with a sign to be erected to advise of its nature and purpose in water quality management, and
- be protected by sediment and erosion control measures during any construction and post-construction phase until the ground surface is revegetated or stabilised.
- 60. Rainwater tanks shall be designed, located and installed to capture and retain stormwater runoff from the residential roof surfaces as shown on the Drainage and Drainage Details Plans (Dwg. No. 2016/021/3 Rev D and Dwg No. 2016/021/4 Rev C; both dated 27 June 2017), prepared by Gerard Balkin. Each rainwater tank shall incorporate the following specifications and requirements:
  - a minimum volume of 2,000 litres
  - tank overflow connected to the proposed raingardens via the site drainage system.
- 61. No changes to stormwater treatment and management that will impact on water quality, shall be permitted without the agreement of Water NSW.
- 62. A suitably qualified stormwater consultant or engineer shall certify in writing to Water NSW and Council that all stormwater management structures have been installed as per these conditions of consent and are in a functional state.
- 63. An Operational Environmental Management Plan (OEMP) for the development shall be prepared in consultation with Water NSW by a person with knowledge and experience in the preparation of such plans. The OEMP shall be prepared **prior to the issuance of an Occupation Certificate** and shall be provided to Owner's Corporation. The OEMP shall include but not be limited to
  - details on the location, description and function of stormwater management structures such as pits, pipes, gross pollutant traps, raingardens, rainwater tanks and any other stormwater structures and drainage works
  - an identification of the responsibilities and detailed requirements for the inspection, monitoring and maintenance of all stormwater management structures, including the frequency of such activities
  - the identification of the individuals or positions responsible for inspection and maintenance activities including a reporting protocol and hierarchy, and
  - checklists for recording inspections and maintenance activities.

#### **Construction Activities**

- 64. A Soil and Water Management Plan shall be prepared for all works proposed or required as part of the development by a person with knowledge and experience in the preparation of such plans. The Plan shall meet the requirements outlined in Chapter 2 of NSW Landcom's Soils and Construction: Managing Urban Stormwater (2004) manual the "Blue Book". The Plan shall be prepared **prior to construction commencing** (including demolition of existing structures or clearance of vegetation) and shall be to the satisfaction of Council.
- 65. The Plan shall be implemented and effective erosion and sediment controls shall be installed prior to any construction activity including demolition and earthworks for service installation and internal driveways and car parking areas. The controls shall prevent sediment or polluted water leaving the construction site or entering any natural drainage lines or stormwater drain and shall be regularly maintained and retained until works have been completed and groundcover established.

#### **DEPARTMENT OF PRIMARY INDUSTRIES- WATER**

66. A Controlled Activity Approval under the *Water Management Act 2000* is to be obtained in accordance with the General Terms of Approvals in Attachment 2. The Controlled Activity Approval is to be obtained prior to the issue of a Construction Certificate.

# **RURAL FIRE SERVICE REQUIREMENTS**

#### **Asset Protection Zones**

67. At the commencement of building works, and in perpetuity, the entire property shall be managed as an Inner Protection Area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bushfire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

#### Water and Utilities

68. The provisions of water, electricity and gas shall comply with section 4.1.3 of 'Planning for Bush Fire Protection 2006'.

#### Access

69. The property access road shall comply with section 4.1.3 (2) of 'Planning for Bush Fire Protection 2006'.

# **Design and Construction**

70. All new construction shall comply with section 3 and section 7 (BAL29) Australian Standard AS3959-2009 'Construction of buildings in bush fire prone areas' and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.

#### Landscaping

71. Landscaping to the site is to comply with the principles of Appendix 5 of 'Planning for Bush Fire Protection 2006'.

#### **ADVISORY NOTES**

- AN1. To ensure structural integrity, the maintenance of minimum health standards, the management of the buildings surrounds and the protection of the environment, compliance certificates are to be issued at significant stages throughout the construction period. These stages are:
  - a) Pier holes/pad footings before filling with concrete.
  - b) Trenches complete with reinforcing and prior to filling with concrete.
  - c) Internal drainage carried out by licensed plumber prior to covering
  - d) Reinforcing steel in position and before concrete is poured (footings, lintels, beams, columns, floors, walls and the like.
  - e) Slab base if no piers required and prior to placement of the membrane.
  - f) Floor frame, dampcourse, antcapping, foundation walls before floor material is laid.
  - g) Framing when external wall and roof cladding is in place and prior to internal linings.
  - h) External drainage (including onsite waste disposal system) installed by a licensed plumber and prior to covering.
  - i) Wet area flashing prior to tiling or covering.
  - j) Stormwater drainage between building and discharge point (drainage pipes, soakage pits and the like) prior to covering.
  - k) Completion of the development and sign off to all conditions of the consent including landscaping, prior to occupation and use.

At each inspection, erosion and sediment control measures and site management will be inspected.

Note: forty-eight (48) hours notice shall be given to Council prior to inspections.

# **ATTACHMENT 1**

# **Subsidence Advisory NSW – General Terms of Approval**

Issued in accordance with s.91A of the Environmental Planning & Assessment Act for the subdivision/development of land.

As delegate for Subsidence Advisory NSW under delegation executed 27 September 2017, general terms of approval are granted for the development described in Schedule 1, subject to the conditions attached in Schedule 2.

#### SCHEDULE 1

Development Application: DA283/16

Ref: TBA16-39467S1

Site Address: 37 ATKINSON ST LITHGOW

Lot and DP: LOT 1 DP 787040

Proposed Development: 20 DOUBLE STOREY TOWNHOUSES

Mine Subsidence District: LITHGOW

#### SCHEDULE 2

SCHEDULE 2			
GENER	GENERAL		
Plans, s	standards and guidelines		
1.	The development being undertaken strictly in accordance with the details set out on the application form, any information submitted with the application and the plans submitted, as amended or as modified by the conditions of this approval.		
	Note: Any proposal to modify the terms or conditions of this approval, whilst still maintaining substantially the same development to that approved, will require the submission of a formal application for consideration by Subsidence Advisory NSW (SA NSW). If amendments to the design result in the development not remaining substantially the same as that approved by this approval, a new Application will have to be submitted to SA NSW.		
2.	This approval expires 5 years after the date the approval was granted if construction work has not physically commenced.		
PRIOR	TO COMMENCEMENT OF CONSTRUCTION		
3.	Based on the Douglas Partners report:  • 37 Atkinson Street, Morts Estate Lithgow, dated July 2017, Project 91143.00.  SA NSW will require:  • A geotechnical investigation involving a minimum of 3 boreholes to the base of the Lithgow Seam and an inspection of the mine voids and overburden (such as CCTV and sonar) carried out.		

	A report be submitted to SA NSW for acceptance commenting on:		
	<ul> <li>Nature of workings, including whether the workings have collapsed (goafed), or are standing.</li> </ul>		
	<ul> <li>Depth of coal seam, height of workings, floor conditions and thickness of competent rock as well as providing details of the pillar and void dimensions used in any analysis.</li> </ul>		
	<ul> <li>Estimated credible worst case subsidence parameters for vertical subsidence, tilt, strain and curvature.</li> </ul>		
	<ul> <li>Confidence in the information used and whether further investigation or work, such as removing the risk of mine subsidence via a suitable means such as grouting should be carried out.</li> </ul>		
4.	If, following geotechnical investigation and analysis detailed above, it cannot be demonstrated the improvement can be designed to remain "safe, serviceable and any damage from mine subsidence shall be limited to 'very slight' damage in accordance with AS2870 (Damage Classification), and readily repairable", then removal of the of mine subsidence by a suitable means such as grouting may be required.		
5.	Submit a final design for acceptance by Subsidence Advisory prior to commencement of construction. It shall include certification by a qualified structural engineer to the effect that the improvements will remain "safe, serviceable and any damage from mine subsidence shall be limited to 'very slight' damage in accordance with AS2870 (Damage Classification), and readily repairable" taking into consideration any mine subsidence parameters approved by Subsidence Advisory NSW.		
UPON COMPLETION OF CONSTRUCTION			
6.	Upon completion of construction, work-as-executed certification by a qualified engineer will be required by Subsidence Advisory NSW confirming that construction was in accordance with the plans accepted by Subsidence Advisory NSW.		

# Dispute Resolution

If you are dissatisfied with the determination of this application an appeal may be formally submitted with the Chief Executive Office for an independent internal review. The application must be made in writing and must provide reasons why the determination should be changed.

# **ATTACHMENT 2 DEPATRMENT OF PRIMARY INDUSTRIES- WATER – General Terms of Approval**

TO BE INSERTED WHEN RECIEVED

# DEVELOPMENT ASSESSMENT REPORT – DA228/17 - PROPOSED REMOTE AREA FIRE FIGHTING TRAINING CENTRE, Lots 26-31 DP 14100, 16 NOON STREET BLACKMANS FLAT NSW 2790

## 1. PROPOSAL

Council is in receipt of a Development Application DA228/17 from the NSW Rural Fire Service for a remote area fire fighting training centre on land known as Lots 26-31 DP 14100, 16 Noon Street, Blackmans Flat.

The site for the proposed development is currently vacant. It was previously occupied by dwellings until a major coal mine acquired the land and demolished the dwellings within the Blackmans Flat area. Each individual lot contains an area of approximately  $761.74\text{m}^2$  each. The land is relatively flat with access from Noon Street.

The development is to construct and provide a remote training facility for fire fighting purposes. The remote facility will allow training to be conducted and includes access to fire trails and remote access areas via the use of helicopters and trail bikes. The centre is proposed to be fitted with a mock-up helicopter and other equipment.

The centre will include a shed for the mock-up helicopter, a training room and amenities. The facility is proposed to be utilised a couple of times throughout each month for example, a training session could run over a weekend and be attended by anywhere between 10 to 30 attendees.

The shed is proposed to be located on Lot 26 and 27 while the septic system, access and carparking are proposed to be located on Lots 28 to 30. The shed is proposed to consist of two stories and have a height of 7.5m. The total ground floor area will be approximately 300m<sup>2</sup>.

A new septic system is also proposed as part of this application.

The property is shown in the photo below:



# 2. SUMMARY

To assess and recommend determination of DA228/17 with recommendation for approval subject to conditions.

# 3. LOCATION OF THE PROPOSAL

Legal Description: Lots 26-31 DP 14100

Property Address: 16 NOON STREET BLACKMANS FLAT NSW 2790

**4. ZONING:** The land is zoned RU1 Primary Production in accordance with Council's current planning instrument, being Lithgow Local Environmental Plan (LEP) 2014.

**5. PERMISSIBILITY:** The development being an 'Emergency services facility', as defined below and permissible under Lithgow Local Environmental Plan 2014, subject to development consent as per the State Environmental Planning Policy (Infrastructure) 2007.

**Emergency services facility** means a building or place (including a helipad) used in connection with the provision of emergency services by an emergency services organisation.

# **5.1 POLICY IMPLICATIONS (OTHER THAN DCP's)**

# **Policy 7.5 Notification Of Development Applications**

This policy applies to the development, however the following clause does not require Council to notify this particular application:

# 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 other 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, waste water, waste products, grit or oil, traffic generation or otherwise.

The development is surrounded entirely by properties owned by Centennial Coal; therefore no adjoining or adjacent landowners have been notified of the proposal as part of this process.

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

1. That, subject to the exemptions in Part 2 of this Policy, any development application lodged where the applicant is a Councillor or a member of staff, or where a Councillor or member of staff is the owner of the land to which the application relates, or where the development application on Council owned land, that such an application be referred to Council for consideration and determination.

Although the development was submitted by the Rural Fire Service (RFS) with the application signed by the current owner at time of lodgement being Centennial Coal, Council is in the process of purchasing the land from Centennial Coal Mine.

A report was presented to Council by the General Manager at the Council Meeting held on the 29 August 2016. The following resolution was made:

# ITEM-2 GM - 29/08/16 - RURAL FIRE SERVICE REMOTE AREA FIREFIGHTING TEAM (RAFT) TRAINING CENTRE

#### 16 - 215 RESOLVED

# THAT Council:

- 1. Endorse the action taken thus far in relation to the development of a Rural Fire Service Remote Area Training Centre
- 2. Enter into arrangements with Centennial Coal (lease, licence, sale or acquisition) for establishment of the Rural Fire Service Remote Area Training Centre within Lot 11-20 DP 14100, Lot 26-31 DP 14100 & Lot 1 DP 872119.
- 3. Enter into arrangements with Centennial Coal (lease, licence, sale or acquisition) for use of Council land within Lot 42 DP 751636 by Centennial Coal as identified in Item 2
- 4. Enter into arrangements with Centennial Coal to establish an access agreement over Lot 1 DP 872119 and Lot 26 DP 126483 between the Castlereagh Highway and Lot 42 as identified in Item 3.
- 5. Enter into arrangements with Centennial Coal to convert the access arrangement in (4) above to public road once the Council Waster Management Facility is established on Lot 42.
- 6. Authorise Council's General Manager to finalise negotiations in relation to the items above.
- 7. Authorise Council's General Manager to relinquish, if conditions are satisfactory, Mining Lease CCL733.
- 8. Authorise the affixing of the Council seal to any necessary documentation in relation to these matters.
- 9. Thank Centennial Coal for their contributions and assistance with the matter.

Reports were also presented to the following Council meetings:

Min No. 16-34: Ordinary Meeting of Council held on 29 February 2016 Min No. 16-74: Ordinary Meeting of Council held on 18 April 2016

Min No. 16-172: Ordinary Meeting of Council held on 18 July 2016

# 5.2 FINANCIAL IMPLICATIONS (eg Section 94)

# Section 94A Development Contributions Plan 2015 C7 Are there any exemptions to the levy?

The following types of development or components of development will also be exempted from a levy under this Plan:

- a) Development by or on behalf of Lithgow City Council;
- b) Development by or on behalf of NSW Government for public infrastructure such as hospitals, police stations, fire stations, education facilities and public transport infrastructure;

As the property will be owned by Council and used by the Rural Fire Service as an education facility, the development is exempt from Council's Section 94A Contributions.

#### **5.3 LEGAL IMPLICATIONS**

#### **Conveyancing Act 1919**

There are no restrictive covenants or 88B instruments relating to the land. As part of the development Council would require the land to be consolidated into one allotment. The following condition would be included on the consent:

Lots 26-31 DP 14100 are to be consolidated and registered with the Lands Title Office prior to the issue of the Occupation Certificate.

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

If this application is approved, the applicant must obtain a written Section 68 application for connection to Council's water supply and construct an onsite effluent management system. This must be lodged and approved prior to commencement of any work on site and shall be at full cost to the applicant.

The Section 68 application requires the submission of all detailed engineering drawings/design, specifications and any applicably supporting information for the proposed works. All conditions of the Section 68 Approval must be complied with prior to the release of the Occupation Certificate.

# **Environmental Planning and Assessment Act 1979**

In determining a development application, a consent authority is required to take into consideration the matters of relevance under Section 79C of the *Environmental Planning and Assessment Act 1979*. These matters for consideration are as follows:

## 5.3.1 Any Environmental Planning Instruments

#### Lithgow Local Environmental Plan 2014

LEP 2014 – Compliance Check		
Clause		Compliance
Land Use table	RU1 Primary Production	Yes
7.3	Stormwater management	Yes
7.5	Groundwater vulnerability	Yes

**Comment:** The development is considered to comply with the objectives of the zone. The zone objectives are:

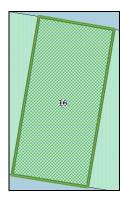
#### 1 Objectives of zone

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To encourage diversity in primary industry enterprises and systems appropriate for the area.
- To minimise the fragmentation and alienation of resource lands.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.

- To minimise the environmental and visual impact of development on the rural landscape.
- To provide for recreational and tourist development and activities of an appropriate type and scale that do not detract from the economic resource, environmental or conservation value of the land.
- To maintain or improve the water quality of receiving water catchments.

The development is proposed to be located on allotments that were previously utilised for dwelling purposes. The dwellings have since been demolished with the land owned by Centennial Coal. Each individual lot contains an area of approximately 761.74m² each and therefore unviable for agricultural purposes. The development is not expected to impact services or facilities in the area as all services exist within the vicinity of the property or surrounding landuses being for Centennial Coal's monitoring stations. A geotechnical report has been provided for the development which suggests that any proposed development is able to provide effective onsite effluent disposal. The report demonstrates that all effluent disposal would be managed within the boundaries of the property.

The property is identified as containing ground water vulnerability. Groundwater dependent ecosystems would not be impacted upon by the development as the landscape of the property is proposed to remain. The development is designed, sited and will be managed to avoid any significant adverse environmental impact. Water vulnerability is mapped below:



The development is considered to comply with Council's Local Environmental Plan 2014.

## State Environmental Planning Policy 44 - Koala Habitat Protection

SEPP 44 is applicable to site given that it exceeds 1ha in size and is located within the Lithgow Local Government Area to which the SEPP applies. Part 2 of the SEPP requires Council to consider whether the land the subject of the application retains potential and subsequently core koala habitat.

Many of the trees listed within Schedule 2 of the SEPP are common within the Lithgow Local Government area, however core koala habitat within this area is rare, with only 12 koala sightings ever reported on private land within the LGA.

**Comment:** Given that no trees are to be removed as part of the development, and the section of the subject site relevant to the application is devoid of native vegetation it is considered unnecessary to proceed further with SEPP 44 assessment.

# State Environmental Planning Policy (Infrastructure) 2007

	SEPP (Infrastructure) 2007 – Compliance Che	eck
	Clause	Compliance
Division 6 Emergency services facilities and bush fire hazard reduction		
47	Development permitted with consent	Yes

**Comment:** The development is permissible in the zone and complies with the above SEPP.

# State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011

SEPP (Sydney Drinking Water Catchment) 2011 – Compliance Check		
	Clause	Compliance
10	Development consent cannot be granted unless neutral or beneficial effect on water quality	Yes
11	Development that needs concurrence of the Chief Executive	Yes

**Comment:** Reference is made to Council's letter received 21 September 2017 requesting the concurrence of Water NSW under Clause 11 of State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011 (the SEPP) with a proposal for a remote area fire-fighting training facility.

The subject property, which has been inspected by Water NSW, is located within the Warragamba catchment which forms part of Sydney's water supply.

Based on Water NSW's site inspection and the information provided, the proposed development has been assessed by Water NSW as being able to achieve a neutral or beneficial effect on water quality provided appropriate conditions are included in any development consent and are subsequently implemented.

Water NSW concurs with Council granting consent to the application subject to conditions on the consent. These conditions are found later in this report.

5.3.2 Any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority

Nil.

#### 5.3.3 Any Development Control Plan

Council does not have a development control plan specifically for the proposed use. As Council's previous DCP's have been repealed, the following are used as a guide.

#### **Outdoor Advertising Development Control Plan**

Outdoor Advertising - Compliance Check		
	Clause	Compliance
Part 1	Objectives	Yes
Part 3	Procedures	Yes
Part 4	Design Controls- General	Yes

**Comment:** The development proposes one sign to advertise the training facility on the front of the shed above the roller door. This is satisfactory for the development.

# **Off Street Carparking Development Control Plan**

Off Street Carparking – Compliance Check		
	Clause	Compliance
Part 1	Objectives	Yes
Part 6	Car Parking Standards	Yes
Part 7	Construction Standards	Yes

**Comment:** The property has sufficient space for carparking for all types of vehicles. The development was referred to Council's Engineers regarding the standard and construction of the carpark. These comments are found later in this report.

5.3.4 Any planning agreement that has been entered into under Section 93F, or any draft planning agreement that a developer has offered to enter into under Section 93F?

Nil.

# 5.3.5 Any matters prescribed by the regulations that apply to the land

The development has been forwarded to Council's Building Officer for assessment under appropriate regulations. It is considered that as a result of this assessment the development will comply with the provisions of the regulations subject to conditions of consent.

5.3.6 The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

**Adjoining Landuse:** The development is proposed to be located within the former Blackmans Flat community. There are no residents or other existing structures within 150m of the site. The surrounding land is owned by Centennial Coal Mine but is not utilised for mining activities except monitoring purposes.

The proposal will not cause any land use conflicts and the development is permissible within the zone.

**Services:** The development will have connections to electricity services and telecommunication services. Council's reticulated water is located within Noon Street and would be connected to the development.

A new septic system is proposed as part of the application and has been assessed by WaterNSW. The development will have neutral or beneficial effect on water quality and will not impact on adjoining properties. WaterNSW comments are found later in this report.

The development was referred to Council's Water and Sewer Officer to comment on water connections.

Therefore, it is considered that the proposal will be adequately serviced.

**Context and Setting:** The proposed development includes a shed for the mock-up helicopter, a training room and amenities. The shed has been designed to have minimal impact the now vacant streetscape and surrounding landuses.

The facility is proposed to contain a man proof fence around the property boundary to ensure the security of the premise when unoccupied.

**Access/traffic:** The proposal will gain access from Noon Street that is within proximity to the Castlereagh Highway. Noon Street is a partially paved street with gravel in front of the site. An existing gravel driveway will be utilised for access.

During construction, traffic will be increased and will include light vehicles, delivery trucks and items of plant equipment. It is considered that as construction will be undertaken during a short time period and there are no residential uses surrounding the development, there will be minimal impact to traffic. A condition will also be placed on the consent to ensure that construction will be undertaken during daylight hours.

During operations of the facility, traffic will only be increased during training days. Traffic will include the use of light vehicles and RFS firefighting equipment.

There is sufficient space onsite for parking.

The development was referred to Council's Engineers, whose comments are found later in this report.





**Heritage:** The property is not heritage listed or contains heritage items. There are also no heritage items located within proximity to the development.

**Flora and Fauna:** No proposed clearing is required and the development will have no impact on flora or fauna.

**Social and Economic Impact:** As the proposed development will be generally in keeping with the provisions of the planning instrument and is reasonably compatible with other similar development in the locality, it is expected to have minimal social and economic impact.

**Soils:** The proposed development will have no significant impact on soils. There is no reason to believe the site would be affected by acid sulphate soil or contamination problems. Asbestos from the demolition of the dwellings were previously removed by Centennial Coal. Conditions of consent will be imposed to control erosion and sedimentation impacts on the site and therefore it is considered there will be minimal impacts on soils.

**Water:** The proposed development has been assessed using the NorBE tool as required by the *State Environmental Planning Policy (Sydney Catchment Drinking Water) 2011* with a result of satisfied. Therefore with appropriate conditions of consent it is considered that the development will have minimal impact on water.

**Air and Microclimate:** There will be no significant impact on air or microclimate.

**Waste:** The Statement of Environmental Effects states that management strategies will be in place for recyclable and waste materials. During operation the site will generate minimal amounts of waste, and will be emptied by the site manager of a regular basis.

**Natural Hazards:** The land is not known to be bushfire or flood prone.

**Noise and Vibration:** There are no nearby sources of noise or vibration that would impact detrimentally the proposal. The proposal is not expected to cause any noise issues in the surrounding area, given it is for an educational and training facility.

**Other Land Resources:** The development will not impact on the value of the land in terms of agricultural potential or mining as it was previously utilised for residential purposes within the Blackmans Flat community. Each lot contains an area of approximately 761m<sup>2</sup> and therefore agricultural production is not viable.

#### 5.3.7 The Suitability of the site for the development

The surrounding land uses are for rural and mining pursuits with the size and nature of the development to be consistent with those in the surrounding area. The proposal is compatible with the objectives of the zone and is considered to have minimal impact on the surrounding amenity. Therefore, the site is considered to be suitable for the proposed development.

#### 5.3.8 Any submissions made in accordance with this Act or the Regulations

The proposal was sent to Water NSW, Endeavour Energy, Council's Building Officer, Water & Wastewater Officer and Engineers for commenting with recommendations detailed below.

# **WATER NSW**

Reference is made to Council's letter received 21 September 2017 requesting the concurrence of Water NSW under Clause 11 of State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011 (the SEPP) with a proposal for a remote area fire-fighting training facility. Additional information was received on 25 October 2017.

The subject property, which has been inspected by Water NSW, is located within the Warragamba catchment which forms part of Sydney's water supply.

The following documents have been considered in the assessment of the application:

- a Statement of Environmental Effects prepared by NSW Public Works (dated July 2017)
- Site Plan prepared by CEH Survey (dated 2 December 2016)
- Architectural Plans prepared by Kollanyi Architects Pty Ltd (dated December 2015), and
- Geotechnical Report incorporating Site and Soil Classification for On-Site Wastewater Disposal prepared by Macquarie GeoTech (dated 30 June 2017), including additional information received on 25 October 2017.

Based on Water NSW's site inspection and the information provided, the proposed development has been assessed by Water NSW as being able to achieve a neutral or beneficial effect on water quality provided appropriate conditions are included in any development consent and are subsequently implemented.

Water NSW concurs with Council granting consent to the application subject to the following conditions:

#### General

1. The site layout and works shall be as specified in the Statement of Environmental Effects prepared by NSW Public Works (dated July 2017) and shown on the Site Plan prepared by CEH Survey (CEH Ref. 4/4970; Dwg. No. RAFT 001; Amended 2 December 2016). No revised site layout, staging or external works that will impact on water quality, shall be permitted without the agreement of Water NSW. Reason for Condition 1 - Water NSW has based its assessment under the State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011 on this

#### Stormwater Management

version of the development.

- 2. A rainwater collection and reuse system for the building roof shall be installed that incorporates the following specifications and requirements:
  - rainwater tanks with a minimum total capacity of 20,000 litres above any volume required for mains top-up
  - roofs and gutters designed so as to maximise the capture of rainwater in the tanks
  - the tanks plumbed to toilets and other areas for non-potable use including landscape watering, and
  - all rainwater tank overflow shall be directed to the stormwater drainage system in Noon Street in a manner that does not cause erosion.
- 3. No fire-fighting chemicals that are identified as harmful to aquatic life as per their applicable Safety Data Sheet (SDS) shall be used on-site.

Reason for Conditions 2 & 3 — To ensure appropriate stormwater treatment and quality control measures are designed, implemented and maintained so as to achieve a sustainable neutral or beneficial impact on water quality, particularly during wet weather, over the longer term.

#### Wastewater Management

- 4. The septic tank and absorption beds shall be designed, located and installed in accordance with the recommendations in the geotechnical report prepared by Macquarie Geotech (dated 30 June 2017), and Designing and Installing On-Site Wastewater Systems (Sydney Catchment Authority, 2012) but with the following specific requirements and modifications:
  - the septic tank shall have a minimum volume of 4500 litres and shall be fitted with an outlet filter,
  - the effluent distribution pipe from the tank to the absorption beds shall be buried at a minimum depth of 300 mm (500 mm under access way) and laid in a manner that provides protection against mechanical damage or deformation,
  - absorption beds with a total base area of at least 150 square metres shall be installed e.g. three beds each 17m long x 3m wide
  - the beds shall be located as indicated in the report
  - the beds shall be physically separated from vehicle access routes and car parking areas with barriers installed if necessary
  - switching valves and/or a dosing/distribution mechanism shall be installed to ensure the effluent is evenly distributed to different beds, and
  - all run-on and stormwater collected from roofs, access roads and other hard surface areas shall be diverted away from the beds in a manner that does not result in scour or increased rate of erosion.
- 5. All effluent shall be fully assimilated within the boundaries of the property.
- 6. No effluent disposal area shall be located within 100 metres of a named river, any perennial or intermittent creek or watercourse or water supply reservoir, or within 40 metres of a dam or drainage depression or waterbodies.
- 7. Appliances and fixtures with at least a four star ratings shall be installed in the building to minimise the volume of wastewater produced.
- 8. These conditions of consent relating to wastewater management shall be provided to the installers of the wastewater management and effluent disposal system.
- 9. The installers of the wastewater management and effluent disposal systems shall certify to Council in writing that the wastewater management and effluent disposal systems have been constructed and installed as per these conditions of consent and in accordance with Designing and Installing On-Site Wastewater Systems (Sydney Catchment Authority, 2012), and that the systems have been tested and are functioning properly.
- 10. The on-site wastewater management system shall be maintained according to Section 5 of the Department of Local Government's guidelines On-site Sewage Management for Single Households (1998), AS/NZS 1547:2012 On-site Domestic Wastewater Management, and the manufacturer's specifications.
- 11. Council shall not issue any Occupation Certificate until Council has received the certification from the installers and approved the onsite wastewater management system under the *Local Government Act 1993* as being consistent with these conditions.

Reason for Conditions 4 to 11 – To ensure that the on-site wastewater management system is appropriately designed, located and constructed so as to have a sustainable neutral or beneficial effect on water quality over the longer term.

#### Other

12. Conditions 2, 4, 6 to 9 above shall be carried out **prior to the issuance of any** *Occupation Certificate.* 

Reason for Condition 12 – To ensure there is an overall and sustainable neutral or beneficial impact on water quality during all stages of the proposed development.

#### **Construction Activities**

- 13. An Erosion & Sediment Control Plan shall be prepared for all works required as part of the development by a person with knowledge and experience in the preparation of such plans. The Plan shall meet the requirements outlined in Chapter 2 of NSW Landcom's Soils and Construction: Managing Urban Stormwater (2004) manual the "Blue Book". The Plan shall be prepared **prior to construction commencing** and shall be to the satisfaction of Council.
- 14. The Plan shall be implemented and effective erosion and sediment controls shall be installed prior to any construction activity, including earthworks for building footings and site access. The controls shall prevent sediment or polluted water leaving the construction site or entering any natural drainage system or stormwater drain and shall be regularly maintained and retained until works have been completed and groundcover established.

Reason for Conditions 13 & 14 – To manage adverse environmental and water quality impacts during the construction phase of the development so as to minimise the risk of erosion, sedimentation and pollution within or from the site during this phase.

#### **ENDEAVOUR ENERGY**

No response was received by Endeavour Energy therefore it is assumed that they have no objection to the development. As there are electricity lines and power poles in the vicinity, the following standard conditions are placed on the consent:

#### • Vegetation Management

The planting of large trees in the vicinity of electricity infrastructure is not supported by Endeavour Energy. Suitable planting needs to be undertaken in proximity of electricity infrastructure. Only low growing shrubs not exceeding 3.0 metres in height, ground covers and smaller shrubs, with non-invasive root systems are the best plants to use. Larger trees should be planted well away from electricity infrastructure (at least the same distance from overhead power lines as their potential full grown height) and even with underground cables, be installed with a root barrier around the root ball of the plant. Landscaping that interferes with electricity infrastructure may become a potential safety risk, cause of bush fire, restrict access or result in the interruption of supply. Such landscaping may be subject to Endeavour Energy's Vegetation Management program and/or the provisions of the <u>Electricity Supply Act 1995</u> (NSW) Section 48 'Interference with electricity works by trees' by which under certain circumstances the cost of carrying out such work may be recovered.

#### • Dial before You Dig

Before commencing any underground activity the applicant is required to obtain advice from the *Dial before You Dig* **1100** service in accordance with the requirements of the *Electricity Supply Act 1995* (NSW) and associated Regulations. This should be obtained by the applicant not only to identify the location of any underground electrical and other utility infrastructure across the site, but also to identify them as a hazard and to properly assess the risk.

#### • Public Safety

Workers involved in work near electricity infrastructure run the risk of receiving an electric shock and causing substantial damage to plant and equipment. Endeavour Energy's public safety training resources, which were developed to help general public/workers to understand why you may be at risk and what you can do to work safely are available via Endeavour Energy's website via the following link:

http://www.endeavourenergy.com.au/wps/wcm/connect/ee/nsw/nsw+homepage/communitynav/safety/safety+brochures

## • Emergency Contact

In case of an emergency relating to Endeavour Energy's electrical network, the applicant should note the Emergencies Telephone is 131 003 which can be contacted 24 hours/7 days.

#### **COUNCIL'S BUILDING OFFICER**

Reference is made to the abovementioned development application in regards to Council's Planners referral dated 4 September 2017.

Please be advised of the following:

- Consolidation of the lots comprising the development will be required.
- The land is not mapped as bushfire prone, but there is a significant area of woodland to the south of the site. Therefore it is considered that the building should comply with BAL12.5 as the bush is within 100 metres of the subject property.

Therefore, there is no objection to the proposal given the following conditions of consent.

# **Approved Development**

1. The development shall take place in accordance with the approved development plans containing Council's approved development stamp and all associated documentation submitted with the application, except as modified in red by Council and/or any conditions of this consent.

# **Building Code of Australia**

2. All building work must be carried out in accordance with the provisions of the Building Code of Australia.

# Construction Certificate - Building

3. A construction certificate is required prior to the commencement of any site or building works. This certificate can be issued either by Council as the consent authority or by an accredited certifier.

#### Notification of commencement of Building/subdivision work

4. Prior to commencing any construction works, Council is to be notified at least two days prior of the intention to commence building works, in accordance with Section 81A(2)(c) of the Act in Form 7 of Schedule 1 of the Regulations.

#### Erosion and sediment control

- 5. To contain soil and sediment on the property, controls are to be implemented prior to clearing of the site vegetation and the commencement of site works. This will include:
- a) The installation of a sediment fence with returned ends across the low side of the site so that all water flows through. These shall be maintained at no less than 70% capacity at all times. Drains, gutters, roadways etc., shall be kept clean and free of sediment.
- b) To prevent the movement of soil off site, a single entry/exit point to the property shall be constructed of 40mm blue metal aggregate or recycled concrete to a depth of 150mm. The length must be at least 5 metres with the width at least 3 metres.

Soil erosion fences shall remain and must be maintained until all disturbed areas are restored by turfing, paving, revegetation.

# Vehicular entry during Construction

6. Prior to the commencement of any works on the land, a single vehicle/plant entry/access to the site shall be provided to minimise ground disturbance and prevent the transportation of soil onto any public place. Single sized 40mm or larger aggregate placed 150mm deep, and extending from the street, kerb/road to the site is to be provided as a minimum requirement.

# **Erection of Construction Sign**

- 7. Prior to the commencement of any works on the land, a sign/s must be erected in a prominent position on the site:
  - a. Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person can be contacted outside working hours.
  - b. Stating that unauthorised entry to the work site is prohibited and
  - c. Showing the name, address and telephone number of the principle certifying authority for the work.

The sign/s are to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

#### **Dust Nuisance**

8. Measures shall be implemented to minimise wind erosion and dust nuisance in accordance with the requirements of the manual – "Soils and Construction" (2004) (Bluebook). All haul roads and construction areas shall be treated/regularly watered to the satisfaction of the principal certifying authority.

#### Workers toilet facilities

9. Before work starts, toilet facilities must be provided for construction personnel on the site on the basis of 1 toilet for every 20 workers. Amenities are to be installed and operated in an environmentally responsible and sanitary manner. Toilets cannot remain on site for any longer than 12 months, without the further approval of Council.

## Fencing

10. An appropriate fence preventing public access to the site shall be erected for the duration of construction works.

#### **Construction Work Hours**

11. All work on site shall only occur between the following hours:

Monday to Friday 7.00am to 6.00pm Saturday 8.00am to 1.00pm

Sunday and public holidays No work

12. That minimal disturbance is caused to the site during construction works. Cut and fill areas are to be battered, stabilised and revegetated to Council's satisfaction as soon as possible after excavation works and prior to the issue of the Occupation Certification.

Excavated and filled areas shall be graded and drained and all constructed batters are to be topsoiled, and turfed. Batters shall not exceed a ratio of 3 horizontal to 1 vertical and shall be stabilised and revegetated to Council's satisfaction.

- 13. Alterations to the natural surface contours must not impede or divert natural surface water runoff, so as to cause a nuisance to adjoining property owners.
- 14. All excavations and backfilling associated with the approved works must be executed safely and in accordance with appropriate professional standards. All excavations must be properly guarded and protected to prevent them from being dangerous to life or property.

#### Septic Tank Application

15. A separate Section 68 application for the installation of the on-site sewage management system shall be submitted to, and approved by Council prior to work commencing.

# **Bushfire Protection Asset Protection Zone**

16. At the commencement of building works, and in perpetuity, the subject property shall be managed an Inner Protection Area (IPA) as outlined within Section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Services Document 'Standards for asset protection zones'.

#### Water and Utilities

17. Water, electricity and gas are to comply with the requirements of Section 4.1.3 of *Planning for Bush Fire Protection 2006.* 

#### Access

19. The access road shall comply with Section 4.1.3 (2) of 'Planning for Bush Fire Protection 2006.

# **Design and Construction**

20. The building shall comply with sections 3 and 5 (BAL12.5) Australian Standard AS3959-2009 *Construction of buildings in bush fire prone areas* or NASH Standard (1.7.14 updated) '*National Standard Steel Framed Construction in Bushfire Areas – 2014'* as appropriate and section A3.7 Addendum Appendix 3 of '*Planning for Bush Fire Protection 2006'*.

# Landscaping

21. Landscaping to the site is to comply with the principles of Appendix 5 of Planning for Bush Fire Protection 2006.

# Licensed plumber

22. That all plumbing and drainage work be carried out by a licensed plumber and drainer and inspected by Council officers.

# Approval to use structure

23. Prior to the use/occupation of the structure an Occupation Certificate must be issued by the Principal Certifying Authority (PCA). In this regard an application must be lodged with the PCA in conjunction with any request to carry out a final inspection.

# **Advisory Notes**

# AN1. Construction Inspections

To ensure structural integrity, the maintenance of minimum health standards, the management of the buildings surrounds and the protection of the environment, compliance certificates are to be issued at significant stages throughout the construction period. These stages are:

- a) Pier holes/pad footings before filling with concrete.
- b) Trenches complete with reinforcing and prior to filling with concrete.
- c) Internal drainage carried out by licensed plumber prior to covering
- d) Reinforcing steel in position and before concrete is poured (footings, lintels, beams, columns, floors, walls and the like.
- e) Slab base if no piers required and prior to placement of the membrane.
- f) Framing when external wall and roof cladding is in place and prior to internal linings.
- g) External drainage installed by a licensed plumber and prior to covering.
- h) Wet area flashing prior to tiling or covering.
- i) Stormwater drainage between building and discharge point prior to covering.
- j) Completion of the development and sign off to all conditions of the consent including landscaping, prior to occupation and use.

At each inspection, erosion and sediment control measures and site management will be inspected.

Note: forty-eight (48) hours notice shall be given to Council prior to inspections.

#### AN2. Construction Certificate Plans

The Construction Certificate plans must indicate compliance with the following provisions of the Building Code of Australia (Volume 1):-

- The building structure must be designed for a snow load in accordance with Australian Standard AS1170.3 Snow and ice actions.
- The glazing must comply with AS1288 glass in buildings.

- Compliance with Section J in regard to Energy Efficiency.
- The provision of an exit door at the rear of the Remote Area Training Centre near the base of the stairs so that exit travel distances from the platform comply with Clause D1.4.
- Exit doors swinging outwards in the direction of egress in accordance with Clause D2.20.
- A performance solutions report in accordance with Clauses A0.3, A0.5 & A0.7 for the Access and Barrier Provisions of DP1, DP2 & DP3 in regard to the Remote Area Training Centre.
- Compliance with the accessibility provisions of Part D3, Clause F2.4 and Australian Standard AS1428.1, in particular:-
  - The provision of an accessible carparking space with an accessway to the entry of the building;
  - Door circulation spaces in accordance with Figure 31 of AS1428.1;
  - o The provision of an ambulant sanitary facility; and
  - A detailed plan of the accessible sanitary facility in accordance with Part 15 of AS1428.1.
- Details of the proposed number of persons to be accommodated in the building and the provision of sanitary facilities in accordance with Clause F2.3.

#### **COUNCIL'S WATER & WASTEWATER OFFICER**

Reference is made to the development application in regard to Council's Planners referral dated 4 September 2017.

Please be advised of the following:

- NOTES OF ASSESSMENT
- a) There is 100mm water reticulation located in Noon Street and a water property service installed with no meter.
- b) Fire spring hydrants are also located in Noon Street.

Therefore, there is no objection to the proposal given the following conditions of consent:

- 1. The proponent must obtain written Section 68 approval from Council for water connection; this will be required prior to the start of Construction. The Section 68 application requires the submission of all detailed engineering drawings/design, specifications and any applicable supporting information for the proposed works. If your Section 68 application is approved, Council will issue you with a Section 68 approval containing conditions must be complied with during construction.
- 2. All live water connections and any additional water services including fire services, upgrade of size or service relocations, are to be undertaken by Council Plumbers at owners costs, the applicant is to complete a Water Service Connection Application and Application for Work at owners Costs in accordance with Lithgow Council's Fees and Charges.

- 3. The applicant shall install a potable water supply Backflow Prevention by the means of a Reduced Pressure Zone Device for containment purposes immediately downstream of the water meter as per AS/NZ 3500 Part 1. and be located at the property boundary to protect Councils water supply.
- 4. Water pressure and flow tests shall be required for Fire and Potable water design purposes if above 25mm and submitted to Council prior to the release of the Construction Certificate or any works commencing.
- 5. Water connections dedicated to servicing private hydrants and/or sprinkler systems shall have a double detector check valve with a 25mm diameter bypass and meter fitted. A backflow device shall be required on the bypass. The device shall be installed close to where the service crosses the property boundary prior to any booster assembly.

#### **COUNCIL'S ENGINEERS**

Reference is made to the Development Application in regard to Council's Planners referral dated 4 September 2017.

As part of the proposal it is recommended that the lots be consolidated to simplify the access arrangement and negate the need for a ROW.

The existing access is adequate for the proposal and as such no engineering conditions are required.

# 5.3.9 The public interest

There have been no issues raised from the public regarding planning issues.

# 6. DISCUSSION AND CONCLUSIONS

The proposal is considered to generally comply with the relevant provisions of the applicable Environmental Planning Instruments. The proposal is not considered likely to have any significant negative impacts upon the environment or upon the amenity of the locality. As such it is recommended that development consent is issued subject to the conditions outlined below.

# 7. ATTACHMENTS

Schedule A- Conditions of consent.

## 8. RECOMMENDATION

**THAT** development application DA 228/17 is approved subject to conditions set out in Schedule A.

Report prepared by:	Supervisor:
Signed:	Signed:
Datada	Datadi

#### **REASONS FOR CONDITIONS**

The conditions in Schedule A have been imposed for the following reasons:

- To ensure compliance with the terms of the relevant Planning Instruments
- To ensure no injury is caused to the existing and likely future amenity of the neighbourhood
- Due to the circumstances of the case and the public interest.
- To ensure that adequate road and drainage works are provided.
- To ensure access, parking and loading arrangements will be made to satisfy the demands created by the development.
- To ensure the structural integrity of the development.
- To ensure the protection of the health and safety of the occupants of the development.
- To protect the environment.
- To prevent, minimise, and/or offset adverse environmental impacts.
- To ensure there is no unacceptable impact on the water quality.
- To ensure adequate soil conservation and protect against movement of soil and sediments.

#### Schedule A

#### **Conditions of Consent (Consent Authority)**

**Please Note:** It should be understood that this consent in no way relieves the owner or applicant from any obligation under any covenant affecting the land.

#### **ADMINISTRATIVE CONDITIONS**

- 1. That the development be carried out in accordance with the application, Statement of Environmental Effects, accompanying information, plans listed in the approval and any further information provided during the process unless otherwise amended by the following conditions.
- 2. Lots 26-31 DP 14100 are to be consolidated and registered with the Lands Title Office prior to the issue of the Occupation Certificate.

#### Notification of commencement of Building/subdivision work

3. Prior to commencing any construction works, Council is to be notified at least two days prior of the intention to commence building works, in accordance with Section 81A(2)(c) of the Act in Form 7 of Schedule 1 of the Regulations.

### PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

#### Erosion and sediment control

- 4. To contain soil and sediment on the property, controls are to be implemented prior to clearing of the site vegetation and the commencement of site works. This will include:
  - a) The installation of a sediment fence with returned ends across the low side of the site so that all water flows through. These shall be maintained at no less than 70% capacity at all times. Drains, gutters, roadways etc., shall be kept clean and free of sediment.
  - b) To prevent the movement of soil off site, a single entry/exit point to the property shall be constructed of 40mm blue metal aggregate or recycled concrete to a depth of 150mm. The length must be at least 5 metres with the width at least 3 metres.
  - Soil erosion fences shall remain and must be maintained until all disturbed areas are restored by turfing, paving, revegetation.

#### Vehicular entry during Construction

5. Prior to the commencement of any works on the land, a single vehicle/plant entry/access to the site shall be provided to minimise ground disturbance and prevent the transportation of soil onto any public place. Single sized 40mm or larger aggregate placed 150mm deep, and extending from the street, kerb/road to the site is to be provided as a minimum requirement.

#### **Erection of Construction Sign**

- 6. Prior to the commencement of any works on the land, a sign/s must be erected in a prominent position on the site:
  - a. Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person can be contacted outside working hours.
  - b. Stating that unauthorised entry to the work site is prohibited and
  - c. Showing the name, address and telephone number of the principle certifying authority for the work.

The sign/s are to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

#### **Dust Nuisance**

7. Measures shall be implemented to minimise wind erosion and dust nuisance in accordance with the requirements of the manual – "Soils and Construction" (2004) (Bluebook). All haul roads and construction areas shall be treated/regularly watered to the satisfaction of the principal certifying authority.

#### Workers toilet facilities

8. Before work starts, toilet facilities must be provided for construction personnel on the site on the basis of 1 toilet for every 20 workers. Amenities are to be installed and operated in an environmentally responsible and sanitary manner. Toilets cannot remain on site for any longer than 12 months, without the further approval of Council.

#### Fencing

9. An appropriate fence preventing public access to the site shall be erected for the duration of construction works.

#### **Construction Work Hours**

10. All work on site shall only occur between the following hours:

Monday to Friday 7.00am to 6.00pm Saturday 8.00am to 1.00pm

Sunday and public holidays No work

#### **Earthworks**

11. That minimal disturbance is caused to the site during construction works. Cut and fill areas are to be battered, stabilised and revegetated to Council's satisfaction as soon as possible after excavation works and prior to the issue of the Occupation Certification.

Excavated and filled areas shall be graded and drained and all constructed batters are to be topsoiled, and turfed. Batters shall not exceed a ratio of 3 horizontal to 1 vertical and shall be stabilised and revegetated to Council's satisfaction.

- 12. Alterations to the natural surface contours must not impede or divert natural surface water runoff, so as to cause a nuisance to adjoining property owners.
- 13. All excavations and backfilling associated with the approved works must be executed safely and in accordance with appropriate professional standards. All excavations must be properly guarded and protected to prevent them from being dangerous to life or property.

#### Septic Tank Application

14. A separate Section 68 application for the installation of the on-site sewage management system shall be submitted to, and approved by Council prior to work commencing.

#### Bushfire Protection Asset Protection Zone

15. At the commencement of building works, and in perpetuity, the subject property shall be managed an Inner Protection Area (IPA) as outlined within Section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Services Document 'Standards for asset protection zones'.

#### Water and Utilities

16. Water, electricity and gas are to comply with the requirements of Section 4.1.3 of *Planning for Bush Fire Protection 2006.* 

#### Access

17. The access road shall comply with Section 4.1.3 (2) of 'Planning for Bush Fire Protection 2006.

#### **Design and Construction**

18. The building shall comply with sections 3 and 5 (BAL12.5) Australian Standard AS3959-2009 Construction of buildings in bush fire prone areas or NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas – 2014' as appropriate and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.

#### Landscaping

19. Landscaping to the site is to comply with the principles of Appendix 5 of Planning for Bush Fire Protection 2006.

#### Licensed plumber

20. That all plumbing and drainage work be carried out by a licensed plumber and drainer and inspected by Council officers.

#### Water and Sewer

- 21. The proponent must obtain written Section 68 approval from Council for water connection; this will be required prior to the start of Construction. The Section 68 application requires the submission of all detailed engineering drawings/design, specifications and any applicable supporting information for the proposed works. If your Section 68 application is approved, Council will issue you with a Section 68 approval containing conditions must be complied with during construction.
- 22. All live water connections and any additional water services including fire services, upgrade of size or service relocations, are to be undertaken by Council Plumbers at owners costs, the applicant is to complete a Water Service Connection Application and Application for Work at owners Costs in accordance with Lithgow Council's Fees and Charges.
- 23. The applicant shall install a potable water supply Backflow Prevention by the means of a Reduced Pressure Zone Device for containment purposes immediately downstream of the water meter as per AS/NZ 3500 Part 1. and be located at the property boundary to protect Councils water supply.
- 24. Water pressure and flow tests shall be required for Fire and Potable water design purposes if above 25mm and submitted to Council prior to the release of the Construction Certificate or any works commencing.
- 25. Water connections dedicated to servicing private hydrants and/or sprinkler systems shall have a double detector check valve with a 25mm diameter bypass and meter fitted. A backflow device shall be required on the bypass. The device shall be installed close to where the service crosses the property boundary prior to any booster assembly.

## WATER NSW REQUIRMENTS

#### General

26. The site layout and works shall be as specified in the Statement of Environmental Effects prepared by NSW Public Works (dated July 2017) and shown on the Site Plan prepared by CEH Survey (CEH Ref. 4/4970; Dwg. No. RAFT 001; Amended 2 December 2016). No revised site layout, staging or external works that will impact on water quality, shall be permitted without the agreement of Water NSW.

Reason for the above Condition - Water NSW has based its assessment under the State

Environmental Planning Policy (Sydney Drinking Water Catchment) 2011 on this version of the development.

#### Stormwater Management

- 27. A rainwater collection and reuse system for the building roof shall be installed that incorporates the following specifications and requirements:
  - rainwater tanks with a minimum total capacity of 20,000 litres above any volume required for mains top-up
  - roofs and gutters designed so as to maximise the capture of rainwater in the tanks
  - the tanks plumbed to toilets and other areas for non-potable use including landscape watering, and
  - all rainwater tank overflow shall be directed to the stormwater drainage system in Noon Street in a manner that does not cause erosion.
- 28. No fire-fighting chemicals that are identified as harmful to aquatic life as per their applicable Safety Data Sheet (SDS) shall be used on-site.

Reason for the above Conditions – To ensure appropriate stormwater treatment and quality control measures are designed, implemented and maintained so as to achieve a sustainable neutral or beneficial impact on water quality, particularly during wet weather, over the longer term.

#### Wastewater Management

- 29. The septic tank and absorption beds shall be designed, located and installed in accordance with the recommendations in the geotechnical report prepared by Macquarie Geotech (dated 30 June 2017), and Designing and Installing On-Site Wastewater Systems (Sydney Catchment Authority, 2012) but with the following specific requirements and modifications:
  - the septic tank shall have a minimum volume of 4500 litres and shall be fitted with an outlet filter,
  - the effluent distribution pipe from the tank to the absorption beds shall be buried at a minimum depth of 300 mm (500 mm under access way) and laid in a manner that provides protection against mechanical damage or deformation,
  - absorption beds with a total base area of at least 150 square metres shall be installed e.g. three beds each 17m long x 3m wide
  - the beds shall be located as indicated in the report
  - the beds shall be physically separated from vehicle access routes and car parking areas with barriers installed if necessary
  - switching valves and/or a dosing/distribution mechanism shall be installed to ensure the effluent is evenly distributed to different beds, and
  - all run-on and stormwater collected from roofs, access roads and other hard surface areas shall be diverted away from the beds in a manner that does not result in scour or increased rate of erosion.
- 30. All effluent shall be fully assimilated within the boundaries of the property.
- 31. No effluent disposal area shall be located within 100 metres of a named river, any perennial or intermittent creek or watercourse or water supply reservoir, or within 40 metres of a dam or drainage depression or waterbodies.
- 32. Appliances and fixtures with at least a four star ratings shall be installed in the building to minimise the volume of wastewater produced.

- 33. These conditions of consent relating to wastewater management shall be provided to the installers of the wastewater management and effluent disposal system.
- 34. The installers of the wastewater management and effluent disposal systems shall certify to Council in writing that the wastewater management and effluent disposal systems have been constructed and installed as per these conditions of consent and in accordance with Designing and Installing On-Site Wastewater Systems (Sydney Catchment Authority, 2012), and that the systems have been tested and are functioning properly.
- 35. The on-site wastewater management system shall be maintained according to Section 5 of the Department of Local Government's guidelines On-site Sewage Management for Single Households (1998), AS/NZS 1547:2012 On-site Domestic Wastewater Management, and the manufacturer's specifications.
- 36. Council shall not issue any Occupation Certificate until Council has received the certification from the installers and approved the onsite wastewater management system under the *Local Government Act 1993* as being consistent with these conditions.

Reason for the above conditions – To ensure that the on-site wastewater management system is appropriately designed, located and constructed so as to have a sustainable neutral or beneficial effect on water quality over the longer term.

#### Other

37. The conditions above shall be carried out **prior to the issuance of any** *Occupation Certificate.* 

Reason for the above condition — To ensure there is an overall and sustainable neutral or beneficial impact on water quality during all stages of the proposed development.

#### **Construction Activities**

- 38. An Erosion & Sediment Control Plan shall be prepared for all works required as part of the development by a person with knowledge and experience in the preparation of such plans. The Plan shall meet the requirements outlined in Chapter 2 of NSW Landcom's Soils and Construction: Managing Urban Stormwater (2004) manual the "Blue Book". The Plan shall be prepared **prior to construction commencing** and shall be to the satisfaction of Council.
- 39. The Plan shall be implemented and effective erosion and sediment controls shall be installed prior to any construction activity, including earthworks for building footings and site access. The controls shall prevent sediment or polluted water leaving the construction site or entering any natural drainage system or stormwater drain and shall be regularly maintained and retained until works have been completed and groundcover established.

Reason for the above conditions — To manage adverse environmental and water quality impacts during the construction phase of the development so as to minimise the risk of erosion, sedimentation and pollution within or from the site during this phase.

#### Approval to use structure

40. Prior to the use/occupation of the structure an Occupation Certificate must be issued by the Principal Certifying Authority (PCA). In this regard an application must be lodged with the PCA in conjunction with any request to carry out a final inspection.

#### **ADVISORY NOTES**

#### **Building Code of Australia Compliance**

AN1. All building work must be carried out in accordance with the provisions of the Building Code of Australia.

#### Construction Certificate - Building

AN2. A construction certificate is required prior to the commencement of any site or building works. This certificate can be issued either by Council as the consent authority or by an accredited certifier.

#### **Construction Inspections**

- AN3. To ensure structural integrity, the maintenance of minimum health standards, the management of the buildings surrounds and the protection of the environment, compliance certificates are to be issued at significant stages throughout the construction period. These stages are:
  - a) Pier holes/pad footings before filling with concrete.
  - b) Trenches complete with reinforcing and prior to filling with concrete.
  - c) Internal drainage carried out by licensed plumber prior to covering
  - d) Reinforcing steel in position and before concrete is poured (footings, lintels, beams, columns, floors, walls and the like.
  - e) Slab base if no piers required and prior to placement of the membrane.
  - f) Framing when external wall and roof cladding is in place and prior to internal linings.
  - g) External drainage installed by a licensed plumber and prior to covering.
  - h) Wet area flashing prior to tiling or covering.
  - i) Stormwater drainage between building and discharge point prior to covering.
  - j) Completion of the development and sign off to all conditions of the consent including landscaping, prior to occupation and use.

At each inspection, erosion and sediment control measures and site management will be inspected.

Note: forty-eight (48) hours notice shall be given to Council prior to inspections.

#### Construction Certificate Plans

- AN4. The Construction Certificate plans must indicate compliance with the following provisions of the Building Code of Australia (Volume 1):-
  - The building structure must be designed for a snow load in accordance with Australian Standard AS1170.3 Snow and ice actions.
  - The glazing must comply with AS1288 glass in buildings.
  - Compliance with Section J in regard to Energy Efficiency.
  - The provision of an exit door at the rear of the Remote Area Training Centre near the base of the stairs so that exit travel distances from the platform comply with Clause D1.4.
  - Exit doors swinging outwards in the direction of egress in accordance with Clause D2.20.
  - A performance solutions report in accordance with Clauses A0.3, A0.5 & A0.7 for the Access and Barrier Provisions of DP1, DP2 & DP3 in regard to the Remote Area Training Centre.
  - Compliance with the accessibility provisions of Part D3, Clause F2.4 and Australian Standard AS1428.1, in particular:-
    - The provision of an accessible carparking space with an accessway to the entry of the building;
    - Door circulation spaces in accordance with Figure 31 of AS1428.1;
    - The provision of an ambulant sanitary facility; and
    - A detailed plan of the accessible sanitary facility in accordance with Part 15 of AS1428.1.

• Details of the proposed number of persons to be accommodated in the building and the provision of sanitary facilities in accordance with Clause F2.3.

#### **ENDEAVOUR ENERGY**

#### **Vegetation Management**

AN5. The planting of large trees in the vicinity of electricity infrastructure is not supported by Endeavour Energy. Suitable planting needs to be undertaken in proximity of electricity infrastructure. Only low growing shrubs not exceeding 3.0 metres in height, ground covers and smaller shrubs, with non-invasive root systems are the best plants to use. Larger trees should be planted well away from electricity infrastructure (at least the same distance from overhead power lines as their potential full grown height) and even with underground cables, be installed with a root barrier around the root ball of the plant. Landscaping that interferes with electricity infrastructure may become a potential safety risk, cause of bush fire, restrict access or result in the interruption of supply. Such landscaping may be subject to Endeavour Energy's Vegetation Management program and/or the provisions of the *Electricity Supply Act 1995* (NSW) Section 48 'Interference with electricity works by trees' by which under certain circumstances the cost of carrying out such work may be recovered.

#### Dial before You Dig

AN6. Before commencing any underground activity the applicant is required to obtain advice from the **Dial before You Dig 1100** service in accordance with the requirements of the <u>Electricity Supply Act 1995</u> (NSW) and associated Regulations. This should be obtained by the applicant not only to identify the location of any underground electrical and other utility infrastructure across the site, but also to identify them as a hazard and to properly assess the risk.

#### **Public Safety**

AN7. Workers involved in work near electricity infrastructure run the risk of receiving an electric shock and causing substantial damage to plant and equipment. Endeavour Energy's public safety training resources, which were developed to help general public/workers to understand why you may be at risk and what you can do to work safely are available via Endeavour Energy's website via the following link:

http://www.endeavourenergy.com.au/wps/wcm/connect/ee/nsw/nsw+homepage/communitynav/safety/safety+brochures

#### Emergency Contact

AN8. In case of an emergency relating to Endeavour Energy's electrical network, the applicant should note the Emergencies Telephone is 131 003 which can be contacted 24 hours/7 days.

# DEVELOPMENT ASSESSMENT REPORT – DA294/17 - PROPOSED SHELTER, LOT 1 DP 840412, GREAT WESTERN HIGHWAY MARRANGAROO NSW 2790

#### 1. PROPOSAL

Council is in receipt of a Development Application DA294/17 from Lithgow Golf Club for a shelter on land known as Lot 1 DP 840412, Great Western Highway Marrangaroo, owned by Lithgow City Council.

The site contains the existing golf club (heritage listed building) and a golf course. There are ancillary buildings and shelters within the site which is ancillary to the recreational use of the property.

The proposed shelter is to be placed on a slab, constructed of steel components and colourbond roofing. The proposal is  $4m \times 3.5m$  at a maximum height (peak) of 2.7m and total floor area of  $14m^2$ . Below is the site plan of the proposed location.



#### 2. SUMMARY

To assess and recommend determination of DA294/17 with recommendation for approval subject to conditions.

#### 3. LOCATION OF THE PROPOSAL

Legal Description: Lot 1 DP 840412

Property Address: Great Western Highway Marrangaroo NSW 2790

**4. ZONING:** The land is zoned RE1 Public Recreation in accordance with Council's current planning instrument, being Lithgow Local Environmental Plan (LEP) 2014.

**5. PERMISSIBILITY:** The development being a shelter is ancillary use to the recreational development of the golf course and is permissible under Lithgow Local Environmental Plan 2014, subject to development consent.

#### **5.1 POLICY IMPLICATIONS (OTHER THAN DCP's)**

#### **Policy 7.5 Notification Of Development Applications**

This policy applies to the development; however the following clause does not require Council to notify this particular application:

## 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 other 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, waste water, waste products, grit or oil, traffic generation or otherwise.

Therefore, as the proposal is for a shelter behind the existing building with minimal impact to the surrounding area, no adjoining or adjacent landowners have been notified of the proposal as part of this process.

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

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

#### **5.2 FINANCIAL IMPLICATIONS (eg Section 94)**

#### **Section 94A Development Contributions Plan 2015**

The Section 94A plan applies to this development given it is for a shelter. However, as the estimated cost is \$5000.00 it does not meet the minimum threshold of \$100,000 for the levy to be applicable. Therefore no constructions will be applied to this application.

#### 5.3 LEGAL IMPLICATIONS

#### **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 shelter will improve the quality of the recreational facility and is ancillary to the golf course and complies with the objectives of the plan.

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

In determining a development application, a consent authority is required to take into consideration the matters of relevance under Section 79C of the *Environmental Planning and Assessment Act 1979*. These matters for consideration are as follows:

#### 5.3.1 Any Environmental Planning Instruments

Lithgow Local Environmental Plan 2014

LEP 2014 – Compliance Check			
Clause		Compliance	
Land Use table	RE1 Public Recreation	Yes	
5.10	Heritage conservation	Yes	
7.2	Flood Planning	Yes	
7.3	Stormwater management	Yes	
7.5	Groundwater vulnerability	Yes	

**Comment:** The application for a shelter meets the objectives of the zone as it improves the use as a recreational facility being the golf course.

The site currently contains community land used for a public recreation facility comprising of a golf club house, associated outbuildings and 18 hole golf course. The golf club house is listed under Council's LEP 2014 with the Heritage Inventory Sheet (B106) identifying that the club house has been extensively altered and extended unsympathetically. However, the important architectural and aesthetic feature is the front polychrome brickwork façade and decorated brick walls. As the proposed shelter is small and located at the rear of the club house, it will have no impact on the heritage significance of the building including the architectural and aesthetic feature of the front façade.

The site is flood prone on the eastern boundary and the development is not expected to be impacted by flood or impact on the flood waters of the area.

Stormwater will be controlled by way of a condition of consent. Stormwater will be disposed to Council's satisfaction to ensure that there will be no impact on adjoining properties and receiving waters.

The proposed shelter will have minimal impact to ground water vulnerability given the size and nature of the proposal.

**State Environmental Planning Policy 44 – Koala Habitat Protection**SEPP 44 is applicable to site given that it exceeds 1ha in size and is located within the Lithgow Local Government Area to which the SEPP applies.

Part 2 of the SEPP requires Council to consider whether the land the subject of the application retains potential and subsequently core koala habitat.

#### **Comment:**

Given that no native trees are to be removed as part of the development, and the section of the subject site relevant to the application is devoid of native vegetation it is considered unnecessary to proceed further with SEPP 44 assessment.

# State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011

SEPP (Sydney Drinking Water Catchment) 2011 – Compliance Check			
	Clause	Compliance	
10	Development consent cannot be granted unless neutral or	Yes	
	beneficial effect on water quality		
11	NA		

**Comment:** The application is required to be assessed using the Neutral or Beneficial Effect on Water Quality Assessment Tool provided by Water NSW. The development satisfies this assessment and is considered to comply with the provisions of the SEPP.

5.3.2 Any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority

Nil.

#### 5.3.3 Any Development Control Plan

Nil.

5.3.4 Any planning agreement that has been entered into under Section 93F, or any draft planning agreement that a developer has offered to enter into under Section 93F?

Nil.

#### 5.3.5 Any matters prescribed by the regulations that apply to the land

The development has been forwarded to Council's Building Officer for assessment under appropriate regulations. It is considered that as a result of this assessment the development will comply with the provisions of the regulations subject to conditions of consent.

5.3.6 The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

**Adjoining Landuse:** The surrounding area is generally for residential and recreational pursuits with the proposal to be consistent with the surrounding land uses. The proposal will not cause any land use conflicts and the development is permissible within the zone.

**Context and Setting:** The proposed development will be located within an established recreational area and will have no major impact on the context and setting of the area. The development has been designed to complement existing features of similar development in the area.

**Heritage:** The site currently contains community land used for a public recreation facility comprising of a golf club house, associated outbuildings and 18 hole golf course. The golf club house is listed under Council's LEP 2014 with the Heritage Inventory Sheet (B106) identifying that the club house has been extensively altered and extended unsympathetically. However, the important architectural and aesthetic feature is the front polychrome brickwork façade and decorated brick walls. As the proposed shelter is small and located at the rear of the club house, it will have no impact on the heritage significance of the building including the architectural and aesthetic feature of the front façade.

**Flora and Fauna:** No proposed clearing is required and the development will have no impact on flora or fauna.

**Social and Economic Impact:** As the proposed development will be generally in keeping with the provisions of the planning instrument and is reasonably compatible with other similar development in the locality, it is expected to have minimal social and economic impact.

**Soils:** The proposed development will have no significant impact on soils. There is no reason to believe the site would be affected by acid sulphate soil or contamination problems. Conditions of consent will be imposed to control erosion and sedimentation impacts on the site and therefore it is considered there will be minimal impacts on soils.

**Water:** The proposed development has been assessed using the NorBE tool as required by the *State Environmental Planning Policy (Sydney Catchment Drinking Water) 2011* with a result of satisfied. Therefore with appropriate conditions of consent it is considered that the development will have minimal impact on water.

**Natural Hazards:** The rear western portion of the property is mapped as bushfire prone. The proposed shelter and existing clubhouse are located outside the mapped area and located in excess of 400 metres from the bushfire threat. Therefore there are no requirements under Planning for Bushfire Protection 2006.

**Air and Microclimate:** There will be no significant impact on air or microclimate. However, a condition of consent will be imposed requiring that dust suppression be used during construction works to minimise impacts on the surrounding area.

#### 5.3.7 The Suitability of the site for the development

The surrounding land uses are for residential and recreational pursuits with the size and nature of the development to be consistent with those in the surrounding area. The proposal is compatible with the objectives of the zone and is considered to have minimal impact on the surrounding amenity. Therefore, the site is considered to be suitable for the proposed development.

#### 5.3.8 Any submissions made in accordance with this Act or the Regulations

The proposal was sent to Council's Building Officer, Health Officer and Water & Wastewater Officer for commenting with recommendations detailed below.

#### **COUNCIL'S BUILDING OFFICER**

Reference is made to the abovementioned Development Application and Construction Certificate Application and site inspection carried out on 7 November 2017, examination of Council's records and the assessment of plans and details provided.

The 14m² class 10a carport/ awning is considered and classified as a non-habitable structure that will be used for the purposes of a BBQ cover. No seating will be provided under the structure (see condition below). The proposal has been referred to Council's Environmental Health Officer for comment in relation to the use of the outdoor BBQ in conjunction with the club house/restaurant and compliance with the Australian and New Zealand Food Standards Code.

You are advised that no objections are raised to the proposed development subject to the following conditions of approval:

#### **CONDITIONS** (including Section 94 Conditions)

(Please note: It should be understood that this consent in no way relieves the owner of applicant from any obligation under any covenant affecting the land).

#### **GENERAL REQUIREMENTS**

- The development shall take place in accordance with the approved development plans containing Council's approved development stamp and all associated documentation submitted with the application, except as modified in red by Council and/or any conditions of this consent.
- 2. The carport/awning shall be located wholly within the confines of the property boundary and in accordance with approved site plan.
- 3. That the carport/awning is for the purposes of a BBQ cover only and shall not be further altered, enclosed or used for a shelter for outdoor seating without the prior approval of Council.
- 4. That minimal disturbance is caused to the site during construction works and any disturbed areas including embankments are to be generally made good and revegetated in accordance with the approved landscaping plan, prior to the issue of the Occupation Certificate. Any excavated and filled areas are graded and drained and all constructed batters are to be topsoiled, and turfed (batters are not to exceed a ratio of 3 horizontal to 1 vertical) prior to occupation.
- 5. Any cut and fill areas are to be retained/stabilised to Council's satisfaction as soon as possible after excavation works and prior to the issue of the Occupation Certification.

6. Measures shall be implemented to minimise wind erosion and dust nuisance in accordance with the requirements of the manual – "Soils and Construction" (2004) (Bluebook).

#### Easements and services

- 7. No portion of the structure shall encroach into easements or over services. The applicant is responsible for identifying all easements and services (including the sewer pump line) on the property and complying with the relevant service provider requirements and conditions prior to commencement of work.
- 8. The carport/awning shall be located clear of the existing sewer pump line.
- 9. The carport/awning shall be located clear of the easement for underground electrical cable (10m wide) as shown on DP 840412.
- 10. The applicant is responsible for identifying the private power pole and complying with the service provider (Endeavour Energy) requirements and conditions including required setbacks (minimum of 3m), earthing, landscaping and safety requirements

#### **REQUIREMENTS PRIOR TO COMMENCEMENT OF WORKS**

#### Construction certificate - Building

11. A construction certificate is required prior to commencement of any site or building works. Note: Council as your Principal Certifying Authority has issued this certificate concurrently with the development consent. Therefore this requirement is fulfilled.

#### Notification of commencement of Building Work

- 12. Prior to commencing any construction works, Council is to be notified at least two days prior of the intention to commence building works, in accordance with Section 81A(2)(c) of the Act in Form 7 of Schedule 1 of the Regulations.
- 13. Building work that involves residential building work (within the meaning of the Home Building Act 1989) must not be carried out unless the Principal Certifying Authority for the development to which the work relates:
  - a) In the case of work to be done by a Licensee under the Act:
    - i) has been informed in writing of the licensee's name and contractor Licensee Number, and
    - ii) it is satisfied that the Licensee has complied with the requirements of Part 6 of the Act, or
  - b) in the case of work to be done by any other person:
    - i) has been informed in writing of persons name and Owner-Builder Permit Number, or
    - ii) has been given a declaration signed by the owner of the land that states that the reasonable market cost of the labour and materials involved in work is less than the amount prescribed for the purposes of the definition of Owner-Builder Work in Section 29 of that Act,

and is given appropriate information and declarations under paragraphs (a) and (b) whenever arrangements for the doing of the work are changed in such a manner as to render out of dated any information or declaration previously given under either of those paragraphs.

#### Sediment controls

- 14. To contain soil and sediment on the property, controls are to be implemented prior to clearing of the site vegetation and the commencement of site works. This will include:
  - a) The installation of a sediment fence with returned ends across the low side of the site so that all water flows through. These shall be maintained at no less than 70% capacity at all times. Drains, gutters, roadways etc., shall be kept clean and free of sediment.
  - b) To prevent the movement of soil off site, a single entry/exit point to the property shall be constructed of 40mm blue metal aggregate or recycled concrete to a depth of 150mm. The length must be at least 5 metres with the width at least 3 metres.

Soil erosion fences shall remain and must be maintained until all disturbed areas are restored by turfing, paving, revegetation.

#### Signage

- 15. Prior to the commencement of any works on the land, a sign/s must be erected in a prominent position on the site:
  - a) Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person can be contacted outside working hours.
  - b) Stating that unauthorised entry to the work site is prohibited and
  - Showing the name, address and telephone number of the principle certifying authority for the work.

The sign/s are to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

16. A copy of the stamped and approved plans, development consent and the construction certificate are to be on the site at all times.

#### REQUIREMENTS DURING CONSTRUCTION

#### Construction work hours

17. All work on site shall only occur between the following hours:

Monday to Friday 7.00am to 6.00pm Saturday 8.00am to 1.00pm

Sunday and public holidays No work

#### Stormwater

- 18. That the rainwater drains are connected into the existing stormwater disposal system to Council's satisfaction.
- 19. Alterations to the natural surface contours must not impede or divert natural surface water runoff, so as to cause a nuisance to adjoining property owners.

20. All excavations and backfilling associated with the approved works must be executed safely and in accordance with appropriate professional standards. All excavations must be properly guarded and protected to prevent them from being dangerous to life or property.

If an excavation associated with the approved works extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:

- Must preserve and protect the building from damage; and
- If necessary, must underpin and support the building in an approved manner, and footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

21. Prior to any building works commencing a suitable Waste Container with a lid for the deposit of all building rubbish and litter must be provided and emptied as soon as full. Building rubbish and litter must be contained on the building site.

#### PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

22. The conditions of consent must be complied with prior to the issue of an Occupation Certificate either by Lithgow Council or an accredited principal certifying authority. All necessary information to comply with the conditions of consent must be submitted prior to the occupation of the building.

#### **ADVISORY NOTES**

#### Compliance with Building Code of Australia

1. All building work must be carried out in accordance with the provisions of the Building Code of Australia.

#### **Building Inspection schedule**

- 2. To ensure structural integrity, the maintenance of minimum health standards, the management of the buildings surrounds and the protection of the environment, compliance certificates are to be issued at significant stages throughout the construction period. These stages are:
  - a) Pier holes and reinforcing steel in position and before concrete is poured (footings, lintels, beams, columns, floors, walls and the like).
  - b) Stormwater drainage between building and discharge point (drainage pipes, soakage pits and the like) prior to covering.
  - Framing prior to internal linings and completion of the development and sign off to all conditions of the consent including landscaping, prior to occupation and use.

At each inspection, erosion and sediment control measures and site management will be inspected.

Note: forty-eight (48) hours notice shall be given to Council prior to inspections

#### Construction, Plumbing and Drainage

- 3. The carport/awning shall be designed and constructed to the site specific wind and ground snow load and erected in accordance with the structural and manufacturers details designed by the Approved Practising Structural Engineer.
- 4. That the structure is securely bolted at its supports and fixed rigidly at its base.
- 5. That existing plumbing and drainage fixtures affected by the building works are modified or relocated in accordance with the requirements of the Council. That all plumbing and drainage work be carried out by a licensed plumber and drainer and inspected by Council officers.
- 6. That seepage and surface waters are collected and diverted clear of the carport/awning site by a drainage system prior to the issue of the Occupation Certificate. Care is to be taken to ensure that no nuisance is created to adjoining properties.
- 7. That all footings/piers are taken to foundation material of uniform adequate bearing pressure.
- 8. That the structure is securely bolted at its supports and fixed rigidly at its base.
- 9. That, owing to the area being subject to high wind velocities from time to time, every precaution is to be taken to ensure the building and the roof cladding are effectively secured. Manufacturer's details and directions for anchorage and fixing are to be adhered to.

#### **Prior to Occupation**

10. Prior to the use/occupation of the structure an Occupation Certificate must be issued by the Principal Certifying Authority (PCA). In this regard an application must be lodged with the PCA in conjunction with any request to carry out a final inspection.

#### Reference to the Building Code of Australia

11. A reference to the Building Code of Australia is a reference to that Code as in force on the date the application for the relevant Construction Certificate is made.

#### **COUNCIL'S WATER & WASTEWATER OFFICER**

I refer to the abovementioned development application in regards to your referral dated 9 November 2017 and provide the following comments.

The applicant is to be made aware of a water main and sewer rising main located on the eastern side of the development that will be in close proximity of the proposed structure.

Therefore, there is no objection to the proposal given the following conditions of consent:

1. The proposed building structure is to be no closer than 1m from the 100mm water main and the piers and footings if located in the zone of influence to be designed by a qualified engineer to ensure no weight is exerted onto the water main

2. The contractor is to contact Councils water and sewer reticulation supervisor and arrange a site meeting for confirmation of services prior to any excavation works being commenced

#### **COUNCIL'S HEALTH OFFICER**

This looks to be an outdoor area for a moveable BBQ to be wheeled in & out when needed and Environment has no objection to this application subject to the following conditions:

#### **Lighting and Light Fittings**

- 1. Artificial lighting provided to the premises shall comply with the requirements of AS 1680.1 and AS/NZS 1680.2.4.
- 2. In areas where open food is handled or stored, light fittings shall be designed and constructed to prevent contamination of food should the globe or tube shatter and free from any features that would harbour dirt, dust or insects or make the fitting difficult to clean.

#### Fixtures, Fittings and Equipment

- 3. All fixtures, fittings and equipment shall be constructed so as to be capable of being easily and effectively cleaned.
- 4. Service pipes, conduits and electrical wiring shall either be
  - (i) concealed in floors, plinths, walls or ceiling; or
  - (ii) fixed on brackets so as to provide at least 25mm clearance between the pipe and adjacent vertical surface and 100mm between the pipe or conduit and adjacent horizontal surfaces.

#### 5.3.9 The public interest

There have been no issues raised from the public regarding planning issues.

#### 6. DISCUSSION AND CONCLUSIONS

The proposal is considered to generally comply with the relevant provisions of the applicable Environmental Planning Instruments. The proposal is not considered likely to have any significant negative impacts upon the environment or upon the amenity of the locality. As such it is recommended that development consent is issued subject to the conditions outlined below.

#### 7. ATTACHMENTS

Schedule A- Conditions of consent.

#### 8. RECOMMENDATION

**THAT** development application DA294/17 is approved subject to conditions set out in Schedule A.

Report prepared by:	Supervisor:
Signed:	Signed:
Dated:	Dated:

#### **REASONS FOR CONDITIONS**

The conditions in Schedule A have been imposed for the following reasons:

- To ensure compliance with the terms of the relevant Planning Instruments
- To ensure no injury is caused to the existing and likely future amenity of the neighbourhood
- Due to the circumstances of the case and the public interest.
- To ensure that satisfactory arrangements are made to satisfy the increased demand for public recreation facilities.
- To ensure the structural integrity of the development.
- To ensure the protection of the health and safety of the occupants of the development.
- To protect the environment.
- To prevent, minimise, and/or offset adverse environmental impacts.
- To ensure there is no unacceptable impact on the water quality.
- To ensure adequate soil conservation and protect against movement of soil and sediments.

#### Schedule A

#### **Conditions of Consent (Consent Authority)**

**Please Note:** It should be understood that this consent in no way relieves the owner or applicant from any obligation under any covenant affecting the land.

#### **ADMINISTRATIVE CONDITIONS**

- 1. That the development be carried out in accordance with the application, Statement of Environmental Effects, accompanying information, plans listed in the approval and any further information provided during the process except as modified in red by Council or otherwise amended by the following conditions.
- 2. The carport/awning shall be located wholly within the confines of the property boundary and in accordance with approved site plan.
- 3. That the carport/awning is for the purposes of a BBQ cover only and shall not be further altered, enclosed or used for a shelter for outdoor seating without the prior approval of Council.
- 4. That minimal disturbance is caused to the site during construction works and any disturbed areas including embankments are to be generally made good and revegetated in accordance with the approved landscaping plan, prior to the issue of the Occupation Certificate. Any excavated and filled areas are graded and drained and all constructed batters are to be topsoiled, and turfed (batters are not to exceed a ratio of 3 horizontal to 1 vertical) prior to occupation.
- 5. Any cut and fill areas are to be retained/stabilised to Council's satisfaction as soon as possible after excavation works and prior to the issue of the Occupation Certification.
- 6. Measures shall be implemented to minimise wind erosion and dust nuisance in accordance with the requirements of the manual "Soils and Construction" (2004) (Bluebook).

#### Easements and services

- 7. No portion of the structure shall encroach into easements or over services. The applicant is responsible for identifying all easements and services (including the sewer pump line) on the property and complying with the relevant service provider requirements and conditions prior to commencement of work.
- 8. The proposed building structure is to be no closer than 1m from the 100mm water main and the piers and footings if located in the zone of influence to be designed by a qualified engineer to ensure no weight is exerted onto the water main.
- 9. The carport/awning shall be located clear of the easement for underground electrical cable (10m wide) as shown on DP 840412.
- 10. The applicant is responsible for identifying the private power pole and complying with the service provider (Endeavour Energy) requirements and conditions including required setbacks (minimum of 3m), earthing, landscaping and safety requirements.
- 11. The contractor is to contact Council's Water and Sewer Reticulation Supervisor and arrange a site meeting for confirmation of services prior to any excavation works being commenced.

#### **Lighting and Light Fittings**

- 12. Artificial lighting provided to the premises shall comply with the requirements of AS 1680.1 and AS/NZS 1680.2.4.
- 13. In areas where open food is handled or stored, light fittings shall be designed and constructed to prevent contamination of food should the globe or tube shatter and free from any features that would harbour dirt, dust or insects or make the fitting difficult to clean.

#### Fixtures, Fittings and Equipment

- 14. All fixtures, fittings and equipment shall be constructed so as to be capable of being easily and effectively cleaned.
- 15. Service pipes, conduits and electrical wiring shall either be
  - (i) concealed in floors, plinths, walls or ceiling; or
  - (ii) fixed on brackets so as to provide at least 25mm clearance between the pipe and adjacent vertical surface and 100mm between the pipe or conduit and adjacent horizontal surfaces.

#### REQUIREMENTS PRIOR TO COMMENCEMENT OF WORKS

#### Construction certificate - Building

16. A construction certificate is required prior to commencement of any site or building works.

Note: Council as your Principal Certifying Authority has issued this certificate concurrently with the development consent. Therefore this requirement is fulfilled.

#### Notification of commencement of Building Work

- 17. Prior to commencing any construction works, Council is to be notified at least two days prior of the intention to commence building works, in accordance with Section 81A(2)(c) of the Act in Form 7 of Schedule 1 of the Regulations.
- 18. Building work that involves residential building work (within the meaning of the Home Building Act 1989) must not be carried out unless the Principal Certifying Authority for the development to which the work relates:
  - a) In the case of work to be done by a Licensee under the Act:
    - has been informed in writing of the licensee's name and contractor Licensee Number, and
    - ii) it is satisfied that the Licensee has complied with the requirements of Part 6 of the Act, or
  - b) in the case of work to be done by any other person:
    - i) has been informed in writing of persons name and Owner-Builder Permit Number, or
    - ii) has been given a declaration signed by the owner of the land that states that the reasonable market cost of the labour and materials involved in work is less than the amount prescribed for the purposes of the definition of Owner-Builder Work in Section 29 of that Act.

and is given appropriate information and declarations under paragraphs (a) and (b) whenever arrangements for the doing of the work are changed in such a manner as to render out of dated any information or declaration previously given under either of those paragraphs.

#### Sediment controls

- 19. To contain soil and sediment on the property, controls are to be implemented prior to clearing of the site vegetation and the commencement of site works. This will include:
  - a) The installation of a sediment fence with returned ends across the low side of the site so that all water flows through. These shall be maintained at no less than 70% capacity at all times. Drains, gutters, roadways etc., shall be kept clean and free of sediment.
  - b) To prevent the movement of soil off site, a single entry/exit point to the property shall be constructed of 40mm blue metal aggregate or recycled concrete to a depth of 150mm. The length must be at least 5 metres with the width at least 3 metres.

Soil erosion fences shall remain and must be maintained until all disturbed areas are restored by turfing, paving, revegetation.

20. Effective erosion and sediment controls shall be installed prior to any construction activity and shall prevent sediment or polluted water leaving the construction site or entering any natural drainage system or stormwater drain. The controls shall be regularly maintained and retained until works have been compacted and groundcover established.

#### Signage

- 21. Prior to the commencement of any works on the land, a sign/s must be erected in a prominent position on the site:
  - a) Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person can be contacted outside working hours.
  - b) Stating that unauthorised entry to the work site is prohibited and
  - Showing the name, address and telephone number of the principle certifying authority for the work.

The sign/s are to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

22. A copy of the stamped and approved plans, development consent and the construction certificate are to be on the site at all times.

#### REQUIREMENTS DURING CONSTRUCTION

#### Construction work hours

23. All work on site shall only occur between the following hours:

Monday to Friday 7.00am to 6.00pm Saturday 8.00am to 1.00pm

Sunday and public holidays No work

#### Stormwater

- 24. That the rainwater drains are connected into the existing stormwater disposal system to Council's satisfaction.
- 25. Alterations to the natural surface contours must not impede or divert natural surface water runoff, so as to cause a nuisance to adjoining property owners.
- 26. All excavations and backfilling associated with the approved works must be executed safely and in accordance with appropriate professional standards. All excavations must be properly guarded and protected to prevent them from being dangerous to life or property.

If an excavation associated with the approved works extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:

- Must preserve and protect the building from damage; and
- If necessary, must underpin and support the building in an approved manner, and footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

27. Prior to any building works commencing a suitable Waste Container with a lid for the deposit of all building rubbish and litter must be provided and emptied as soon as full. Building rubbish and litter must be contained on the building site.

#### PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

28. The conditions of consent must be complied with prior to the issue of an Occupation Certificate either by Lithgow Council or an accredited principal certifying authority. All necessary information to comply with the conditions of consent must be submitted prior to the occupation of the building.

#### **ADVISORY NOTES**

#### Compliance with Building Code of Australia

AN1. All building work must be carried out in accordance with the provisions of the Building Code of Australia.

#### **Building Inspection schedule**

- AN2. To ensure structural integrity, the maintenance of minimum health standards, the management of the buildings surrounds and the protection of the environment, compliance certificates are to be issued at significant stages throughout the construction period. These stages are:
  - a) Pier holes and reinforcing steel in position and before concrete is poured (footings, lintels, beams, columns, floors, walls and the like).
    - b) Stormwater drainage between building and discharge point (drainage pipes, soakage pits and the like) prior to covering.
    - c) Framing prior to internal linings and completion of the development and sign off to all conditions of the consent including landscaping, prior to occupation and use.

At each inspection, erosion and sediment control measures and site management will be inspected.

Note: forty-eight (48) hours notice shall be given to Council prior to inspections

#### Construction, Plumbing and Drainage

- AN3. The carport/awning shall be designed and constructed to the site specific wind and ground snow load and erected in accordance with the structural and manufacturers details designed by the Approved Practising Structural Engineer.
- AN4. That the structure is securely bolted at its supports and fixed rigidly at its base.
- AN5. That existing plumbing and drainage fixtures affected by the building works are modified or relocated in accordance with the requirements of the Council. That all plumbing and drainage work be carried out by a licensed plumber and drainer and inspected by Council officers.
- AN6. That seepage and surface waters are collected and diverted clear of the carport/awning site by a drainage system prior to the issue of the Occupation Certificate. Care is to be taken to ensure that no nuisance is created to adjoining properties.
- AN7. That all footings/piers are taken to foundation material of uniform adequate bearing pressure.
- AN8. That the structure is securely bolted at its supports and fixed rigidly at its base.
- AN9. That, owing to the area being subject to high wind velocities from time to time, every precaution is to be taken to ensure the building and the roof cladding are effectively secured. Manufacturer's details and directions for anchorage and fixing are to be adhered to.

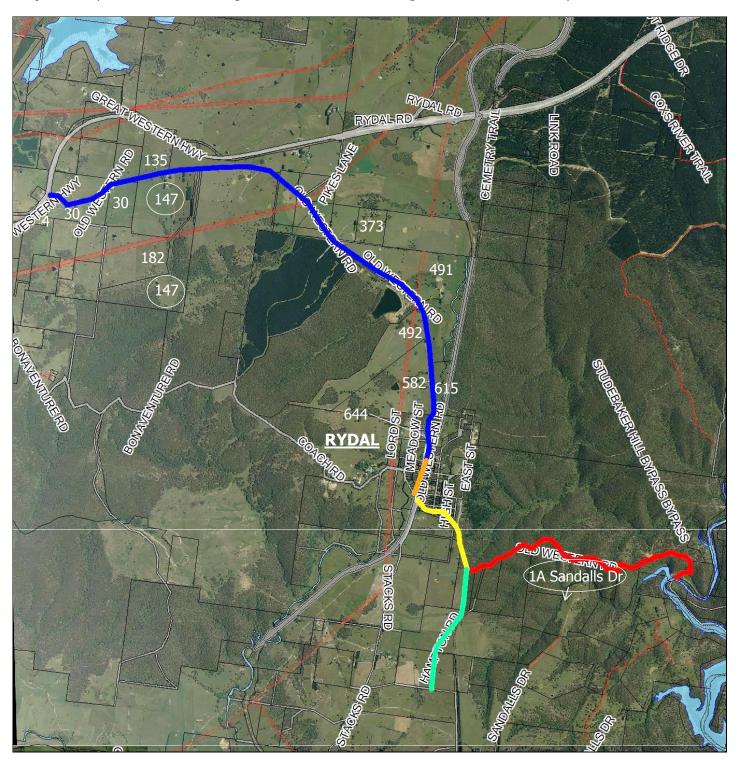
#### **Prior to Occupation**

AN10. Prior to the use/occupation of the structure an Occupation Certificate must be issued by the Principal Certifying Authority (PCA). In this regard an application must be lodged with the PCA in conjunction with any request to carry out a final inspection.

#### Reference to the Building Code of Australia

AN11. A reference to the Building Code of Australia is a reference to that Code as in force on the date the application for the relevant Construction Certificate is made.

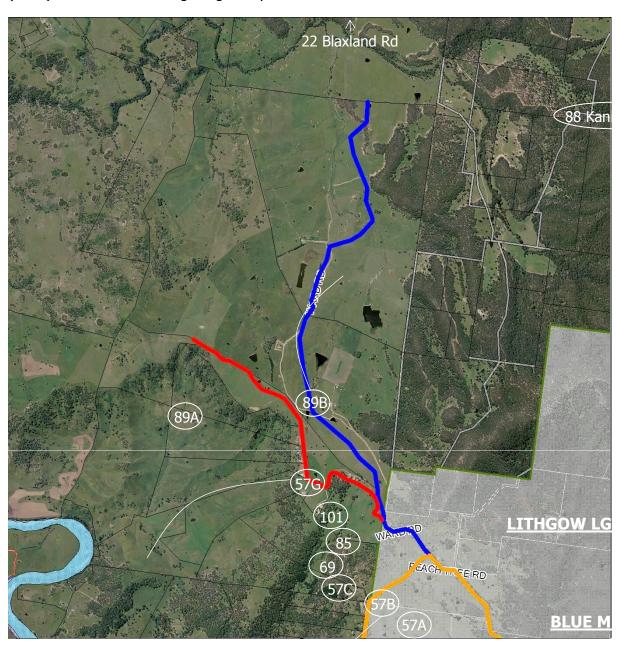
**Map 1 –** Proposed Road Renaming and Address Renumbering – Old Western Road Rydal NSW 2790



## Key

Old Western Road – Northern Extent
Railway Street
Sydney Road
Old Western Road – Southern Extent
Hampton Road
Potential Address Change Required

**Map 2 –** Proposed Road Renaming and Address Renumbering – Right of Carriageway (ROW) off Wards Road Megalong Valley NSW 2785



### Key

Wards Road
Right of Carriageway – Off Wards Road
Peach Tree Road
Potential Address Change Required

# State Environmental Planning Policy (State and Regional Development) 2011

Current version for 20 October 2017 to date (accessed 7 November 2017 at 14:01)

#### Schedule 1

#### 23 Waste and resource management facilities

- (1) Development for the purpose of regional putrescible landfills or an extension to a regional putrescible landfill that:
  - (a) has a capacity to receive more than 75,000 tonnes per year of putrescible waste, or
  - (b) has a capacity to receive more than 650,000 tonnes of putrescible waste over the life of the site, or
  - (c) is located in an environmentally sensitive area of State significance.
- (2) Development for the purpose of waste or resource transfer stations in metropolitan areas of the Sydney region that handle more than 100,000 tonnes per year of waste.
- (3) Development for the purpose of resource recovery or recycling facilities that handle more than 100,000 tonnes per year of waste.
- (4) Development for the purpose of waste incineration that handles more than 1,000 tonnes per year of waste.
- (5) Development for the purpose of hazardous waste facilities that transfer, store or dispose of solid or liquid waste classified in the Australian Dangerous Goods Code or medical, cytotoxic or quarantine waste that handles more than 1,000 tonnes per year of waste.
- (6) Development for the purpose of any other liquid waste depot that treats, stores or disposes of industrial liquid waste and:
  - (a) handles more than 10,000 tonnes per year of liquid food or grease trap waste, or
  - (b) handles more than 1,000 tonnes per year of other aqueous or non-aqueous liquid industrial waste.



117 Bull Street, Newcastle West NSW 2302
Tel 02 4908 4300 | www.subsidenceadvisory.nsw.gov.au
24 Hour Emergency Service: Free Call 1800 248 083
ABN 87 445 348 918

Mr Graeme Faulkner General Manager Lithgow City Council council@lithgow.nsw.gov.au

Dear Mr Faulkner

#### Changes to the mine subsidence compensation system in NSW

Thank you for meeting with Subsidence Advisory NSW (SA NSW) on 28 August 2017 to discuss the upcoming changes to the mine subsidence compensation system in NSW. As discussed, the changes take effect from January 2018 following the passage of the *Coal Mine Subsidence Compensation Bill* 2017 (the Bill) in NSW Parliament.

The new legislation will ensure the owners of properties impacted by mine subsidence receive fairer, faster compensation. In addition, the reforms will see SA NSW partner with Council to bring a renewed focus on delivering a more effective regulatory framework for development in mine subsidence districts (districts).

#### SA NSW is streamlining development regulation within mine subsidence districts

A key component of the reforms is to streamline the approval process for low risk subsidence development applications in districts.

Under Section 24 of the *Coal Mine Subsidence Compensation Bill 2017*, the Chief Executive of SA NSW may exempt specified work from requiring SA NSW approval subject to conditions. From January 2018, SA NSW intends to make certain applications exempt from SA NSW approval.

To facilitate this change, SA NSW has initiated a review of its development guidelines (guidelines) to ensure they can be administered quickly and easily. The previous suite of 19 guidelines has been reduced to eight. An expert reference group with representatives from government, the development and mining industries along with academics specialising in structural, geotechnical or mining engineering was convened to provide input into the review. SA NSW is currently assigning one of the eight new guidelines to each property in a district based on subsidence risks.

SA NSW intends to make low risk development that complies with five of its new guidelines exempt under Section 24 of the new legislation. This means that Principal Certifying Authorities (PCAs), including Council, will be able to approve development applications that comply those five guidelines without a requirement for referral to SA NSW. Any applications for development that exceed SA NSW's guidelines or for properties assigned one of the three remaining guidelines will need to be referred to SA NSW for approval.

SA NSW may assign a different guideline to a property over time due to subdivision, mitigation work such as grouting or new information about subsidence risks. For example, a large property that is partially mined beneath may be subdivided resulting in the creation of new lots that are not impacted by underground mining. In this instance, SA NSW may apply a guideline with no restrictions to those new lots that are not mined beneath.

From January 2018, details of the SA NSW guideline assigned to a property will be publicly available at <a href="www.planningportal.nsw.gov.au">www.planningportal.nsw.gov.au</a> and <a href="www.subsidenceadvisory.nsw.gov.au">www.subsidenceadvisory.nsw.gov.au</a>. SA NSW is also developing a new online portal where Council will be able to download a geographical information system (GIS) file with details of the guideline for each property in a district within your Local Government Area (LGA). The file will be updated weekly with any revised property guidelines. Council will be able to download the file as regularly as it deems necessary.

The portal will also facilitate a smoother, quicker referral process for those applications that will continue to require SA NSW approval. Council will be able to refer and track the status of applications online in real time through SA NSW's portal. Referral of applications will require minimal data input. SA NSW will set up an account for Council to use the portal once development is complete. To enable this, it would be appreciated if Council could please provide a corporate email address that can be used to set up the account.

I understand that this approach is a substantial change from the current development approval process in districts and would like to assure you that SA NSW will support Council during the transition. To ensure Councils are prepared for the change, SA NSW will be hosting training sessions for relevant Council employees in late November 2017. The sessions are expected to run for two hours. The sessions will cover the application of SA NSW's new guidelines and provide an introduction to the new online portal. My Executive Assistant, Kathryn Rodd, will make contact in the coming days to arrange a suitable time for your staff.

#### Section 15 Certificates will no longer be required under the new legislation

From January 2018, SA NSW will no longer issue Section 15 Certificates. Importantly, protections will be afforded to a property owner where, through no fault of their own, their home is damaged by subsidence and they were unaware that their home was built in contravention of the requirements in a district.

#### Coal mine operators will be financially accountable for subsidence damage they cause

The most significant change to the compensation framework is that underground coal mine operators will become directly accountable for subsidence damage they cause. SA NSW will continue to provide compensation for damage caused by subsidence from non-active mines (including historical mining activity or where liability cannot be attributed to a specific active mine).

Importantly, SA NSW will continue to manage all claims for compensation irrespective of whether the subsidence damage was caused by active or non-active mining. Where a claim relates to damage arising from an active mine, SA NSW will involve the mine operator at key stages.

Property owners will benefit from improved case management services. Property owners will lodge claims online through SA NSW's new online portal where they will be able to track and manage their claim throughout the process. A dedicated SA NSW Case Advisor will be assigned to each claim to provide property owners with a dedicated point of contact and support throughout their claim.

Claims in active mining areas will be assessed by an independent expert from a panel of assessors managed by SA NSW. Claims in non-active mining areas will continue to be assessed by an SA NSW Project Manager with expertise in mine subsidence damage. SA NSW may also engage an independent expert from the technical panel, such as a geotechnical engineer, to carry out additional assessments on more complex claims in non-active mining areas. Mine operators, and SA NSW, will be required to provide compensation in accordance with the claim assessment in strict time frames.

Further detail, including frequently asked questions, on the changes to the compensation framework is available at <a href="www.subsidenceadvisory.nsw.gov.au/reforms">www.subsidenceadvisory.nsw.gov.au/reforms</a>. In addition, SA NSW will be hosting community drop in sessions on the changes to the compensation system in late 2017. Session details will be published online shortly.

I note that SA NSW is also progressing the public sharing of information about areas of underground mining as discussed in our meeting. I will write separately to update you on this exciting initiative.

Please contact me on (02) 4908 4395 or at <a href="mailto:brendan.killen@finance.nsw.gov.au">brendan.killen@finance.nsw.gov.au</a> if you have any questions or would like to discuss.

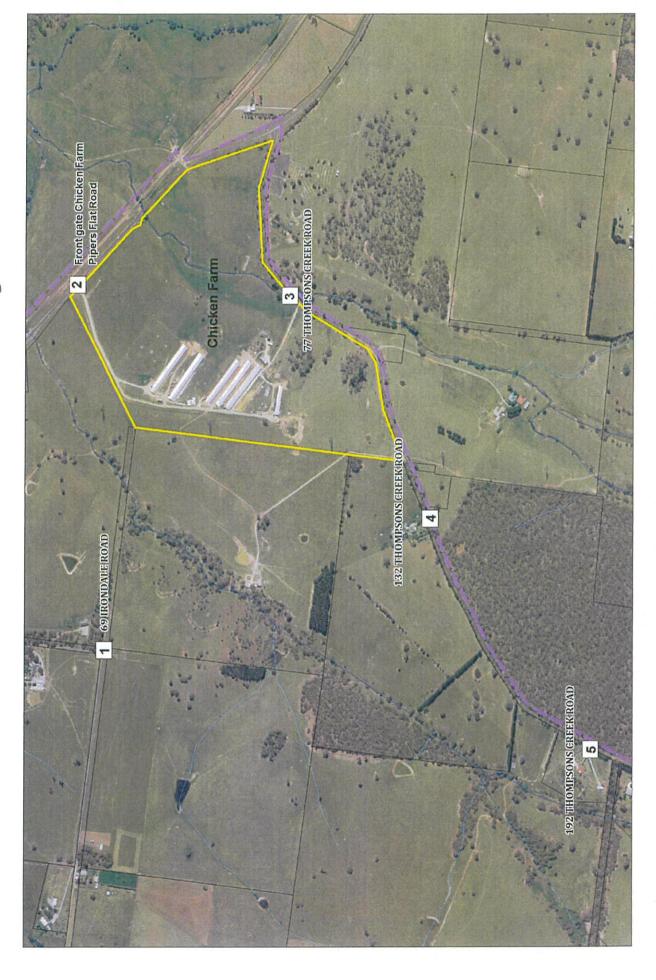
Yours, sincerely

Brendan Killen

A/Chief Executive Officer

25 October 2017

Site map of the Chicken Farm and odour investigation area



# Odour Intensity Scale - Numbered Levels 0 - 4

Level	Descriptor			
0	Odour Not Detectable			
1	Odour present in the air, which activates the sense of smell and the characteristics may or may not be distinguished and/or definite, but not objectionable in short durations. This is characterized by occasional "whiffs" of odour, but is not persistent.			
2	Odour present in the air, which easily activates the sense of smell, is very distinct and clearly distinguishable, tends to be objectionable and/or irritating, and is persistent in the community.			
3	Odour present in the air, which is objectionable and causes a person to attempt to avoid it completely.			
	Odour present in the air, which is so strong that it is overpowering and intolerable.			



ENVIRONMENT & NATURAL HAZARDS



**Lithgow City Council** 

**Lithgow Waste Strategy Review** 

Final Report





# **Lithgow Waste Strategy Review**

FINAL REPORT

for

Lithgow City Council

by

Molino Stewart Pty Ltd ACN 067 774 332

September 2016



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#### **DOCUMENT APPROVAL**

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#### 1 INTRODUCTION

#### 1.1 BACKGROUND

Lithgow City Council (the City) offers a range of waste management services for the community including:

- Domestic and commercial kerbside collection of municipal solid waste (MSW) and dry recyclables (two bin system);
- Public place litter collection;
- Domestic bulk waste collection;
- Greenwaste collection;
- Operation of the Lithgow Solid Waste Facility (SWF) including the landfill, weighbridge and greenwaste mulching (contracted) and five small village landfills;
- Four small rural waste transfer stations catering for waste disposal; and
- Associated education, promotion and community empowerment programs.

The period for the City's current Waste and Recycling Strategy 2011-2016 expires this year and the City is now in a position to review progress to-date and evolve its waste and resource recovery strategies to provide direction over the next 10 year period.

#### 1.2 OBJECTIVES

The objectives of this strategy are to:

- Provide the City with a strategic direction for waste management in the short and longer term;
- Encourage efficient and effective waste management in line with the waste hierarchy (Avoid, Reduce, Reuse, Recycle, and Dispose) and the NSW Government targets;
- Provide infrastructure and services which are efficient, flexible and accessible to the community; and
- Develop waste initiatives that are suitable for the City's corporate objectives sensitive to the financial capacity of the City.

## 2 WASTE GENERATION PROFILE

The solid waste generation profile for the Lithgow LGA is outlined in this section.

#### 2.1 WASTE VOLUMES

It is estimated that across the whole of the Lithgow LGA approximately 63,940 tonnes of solid waste is generated per annum (see Table 1). This comprises approximately:

- 47,950 tonnes of waste that is landfilled;
- 2,280 tonnes of green waste;
- 11,700 tonnes of virgin excavated natural material (VENM)/clean fill used as landfill cover material; and
- 2,000 tonnes of dry recycled material including paper, glass, metal and plastics.

These figures include all solid wastes collected, hauled and disposed at the landfills and transfer stations across the urban and rural areas within the LGA, excluding on farm disposals by farmers.

Note the quantums are estimates as only the Lithgow SWF operates with a weighbridge. The Lithgow SWF volumes are based on 2015/16 data. In 2016/17, the wastes received at the rural landfills were measured for three months to derive annual estimates of materials.

If the VENM quantum is included then approximately 18% of the total waste volume is recovered for recycling and reuse.

If VENM is excluded and the focus is on just dry recyclables (ie paper/cardboard, glass, plastics and metal) then approximately three percent of the waste stream is recovered and reused.

#### 2.2 WASTE TYPES

With respect to the different categories of waste, the indicative breakdown is shown in Table 1. This is based primarily on the waste deposited at the Lithgow Landfill, (which includes material transferred from the rural

sites and kerbside collections) and the smaller rural landfills.

Further details of the waste stream composition are discussed below and the facilities are discussed in Section 3.

Table 1 Lithgow LGA Waste Stream Volumes (Estim)

Waste Stream	Volume (tonnes per annum)		
MSW	26,719		
C&I	4,921		
C&D	16,302		
VENM	11,717		
Glass	564		
Paper/cardboard	579		
Metal	736		
E-waste	15		
Plastics	107		
Green	2,279		
TOTAL	63,939		

#### 2.2.1 Mixed Dry Recyclables

The volume of mixed dry recyclables collected and managed at the Lithgow SWF totals approximately 2,000 tonnes per annum. This quantum includes glass, paper, metal, E waste and plastics.

There is some source separation of metals at all the landfill sites but not the rural transfer stations. However recyclables are generally not being collected from the rural landfills, so



tends to contribute to the landfill volumes at these sites.

E-waste is only collected at the central Lithgow facility.

#### 2.2.2 C&D and C&I

In 2015-16, approximately 16,303 and 4,921 tonnes of C&D and C&I waste respectively were collected at the Lithgow SWF. The C&D includes the clean fill tonnages of 11,082 collected at the Lithgow SWF.

The smaller rural landfills were designed and built to service the rural population, thus intended for receipt of primarily small quantities of MSW, with minimal amounts of C&D waste.

However recent experience would suggest that there may be commercial entities operating waste collection businesses using the small un-manned rural landfills as a free destination for various wastes, including C&I and C&D.

At the small rural landfills the split of waste types and volumes is estimated to be MSW 5,480 tonnes per annum; 157 tonnes per annum of metal and 200 tonnes of VENM. C&I and C&D waste was not measured separately as these are at present landfilled as MSW at these sites. Similarly, green waste is mulched and reused onsite in site rehabilitation.

It is predicted that the C&I volumes are likely to be higher due to illegal dumping, however the City has installed surveillance cameras at a number of locations to assist in this regard.

#### 2.2.3 Green waste

It is estimated that approximately 2,279 tonnes of green waste is collected at the Lithgow SWF. Historically this has been landfilled but is now being mulched and reused onsite. Additional material is collected at the rural landfilled but the volumes are not separately recorded.

NetWaste, a voluntary regional waste group formed in 1995 to provide collaborative approaches to waste and resource management of which Lithgow is a member, recently facilitated a collection contract involving multiple nearby councils including Bathurst, Blayney and Cabonne for a weekly residential kerbside food and garden waste collection by JR Richards & Sons (JRR). The waste is to be transported to an industrial scale composting facility at Blayney run by Australian Native Landscapes. Lithgow has chosen not to be a part of this contract as it plans to use its green waste supply as phytocapping material within the final cover applied at the Lithgow SWF. At the rural landfills it is mulched and reused onsite for rehabilitation.

#### 3 CURRENT SITUATION

#### 3.1 MANAGEMENT

The Environment & Development Department of the City is a strategically focused unit. Its waste management functions primarily include:

- Collection of household waste and recyclables
- Collection of municipal waste and recyclables
- Operation of waste disposal facilities including the Lithgow Solid Waste Facility (SWF), Wallerawang, Portland, Capertee, Cullen Bullen and Glen Davis Landfills, transfer stations at Angus Place, Hampton, Meadow Flat and Tarana and the Lithgow Recycling Centre
- Disposal of bulk commercial wastes; and the
- Management of former landfills.

To provide the services in a timely and cost effective manner a number of contractors are utilised. The kerbside garbage and recycling service is currently undertaken by JRR. The Lithgow SWF is managed under contract by Henry Plant Hire (HPH).

#### 3.2 OVERVIEW OF FACILITIES

An overview of the existing solid waste management facilities is provided below.

#### 3.2.1 Lithgow Solid Waste Facility

The Lithgow SWF (Lithgow landfill) is located off Geordie Street, Lithgow and is the City's primary landfill. It has operated at this location for over 75 years. It is a Class 1 landfill licensed to accept MSW as well as certain regulated waste. Historically, a recycling centre operated separately adjoining this with kerbside however collection recyclables, this is no longer required. There is a small recycling bay at the landfill for; cardboard. E-waste, waste oil and drumMuster.

The Lithgow Landfill accepts and disposes of approximately 50,000 tonnes per annum of solid waste.

There is also approximately 11,717 tonnes per annum of VENM/clean fill accepted by the facility and re-used as landfill cover material. In addition, approximately 2,000 tonnes per annum of mixed recyclables are sorted and recovered, principally from the kerbside collection service. The green waste quantity received is limited at 2,280 tonnes per annum. Historically this has been landfilled but is now being mulched and reused onsite. It is also noted that the 11,717 tonnes per annum of VENM received in 2015/16 is higher than normal due to material being received from roadworks being undertaken by Roads and Maritime Services on the Great Western Highway.

Definitive plans have recently been developed for upgrading and expanding the landfill.

Ongoing development of additional airspace over a further five stages has been designed, (see report by Amaral, 2016) although the sequencing of Stages 2 and 3 has been reversed. This adjustment will enable the filling and capping of the eastern portion of the landfill to be completed more quickly.

Currently Stage 1 is being used to the final design.

Upgrade works currently underway include designing and constructing improved water management strategies, including the diversion of clean stormwater runoff around the waste pile.

The Landfill Environmental Management Plan (LEMP) is currently being revised to reflect the design and operational improvements being made to the site. Through the adoption of the LEMP, the City is seeking to update the EPL. The City continues to work with the EPA on this matter.

An independent report obtained by the City suggests the remaining landfill life is approximately 22 years. This assessment was based on the assumption that the waste inflow would be approximately 25,000 tonnes per annum.

Clearly, based on the current waste inflow being almost double this figure, the landfill may



well be full in about 10 - 12 years time. It is therefore important for the City to maximise its resource recovery and diversions and plan for the provision of additional landfill air space.

Furthermore, consideration has to be made for the destiny of wastes currently disposed at the small rural landfills dispersed throughout the LGA. If these low grade facilities close then even more waste will need to be disposed at the Lithgow SWF, further shortening its remaining life even more.

#### 3.2.2 Small Rural Landfills

The City currently operates five small rural landfills, with the locations, waste tonnages and proposed closure dates shown in Table 2.

The landfills accept putrescible and non-putrescible waste. While separated out on site, green waste volumes are included in the landfilled volumes. The material is mulched and reused onsite for rehabilitation. The C&I and C&D volumes are also included in the landfilled volumes.

The operational lives of the landfills at Cullen Bullen, and Glen Davis are due to end by 2020.

Portland was due to close a year later, however based on a new filling plan and life expectancy analysis for Portland (Amaral 2017a, 2017b), the City believes the operational life of Portland can be extended to 2027. As of June 2017, this was yet to be adopted by the City.

Capertee has approximately eight years remaining, out to 2025.

The scheduled landfill closure date for Wallerawang had been 2017/18; however based on a new filling plan and life expectancy analysis for this site (Amaral 2017b, 2017c), the City believes the operational life of Wallerawang can be extended to 2035.

These relatively small somewhat basic landfills are not staffed so residents are requested to separate building waste, green waste, steel and putrescible waste at all the facilities. Signage indicating this requirement is provided on site. However, ultimately these materials are landfilled onsite. While the City employs a

rural tip controller, whose role it is to manage the day to day activities of the small rural landfill sites across the LGA, this person is only visiting each site intermittently. As such, there is only limited oversight and compliance with the request is not assured.

Further, there is no weighbridge at any of these facilities hence there is no record of what waste is being received, no revenue in takings and no financial recovery against any waste deposited at these facilities. Having the sites unstaffed also poses challenges in regards to the nature of waste being deposited at these sites.

There is evidence to suggest that commercial waste management operators are taking advantage of the availability of these unmanned facilities to dispose of wastes free of charge. However the City has installed surveillance cameras at a number of locations to assist in this regard.

Management of the facilities is somewhat limited with no application of daily cover and no effective leachate management systems in place. It was for these reasons that in negotiations with the City, the former Department of Environment, Climate Change and Water (DECCW) required the rural landfills be closed as soon as possible with all waste then transferred to the central Lithgow facility (Molino Stewart 2010).



Table 2 Rural Landfill Waste Receipts & Closure Dates

Landfill Name	MSW	VENM	Metal	Estimated Annual Waste Receipts: 2016/17 (t.p.a).	Expected Landfill Closure Date
Cullen Bullen	960	0	0	960	2019/20
Capertee	720	0	53	773	2024/25
Glen Davis	320	0	0	320	2019/20
Portland	1,680	0	70	1,750	2026/27
Wallerawang	1,600	200	34	1,834	2034/35
TOTAL	5,280	200	157	5,637	

#### a) Cullen Bullen Landfill

Cullen Bullen Landfill has been in operation for more than 40 years. Throughout this period it has primarily received municipal waste.

The site consists of:

- · A trench for disposal of MSW; and
- Designated areas for the placement of C&D rubble and green waste.

#### b) Capertee Landfill

Capertee Landfill has been in operation for more than 30 years. Throughout this period it has primarily received MSW.

MSW is disposed in an earthen trench. Metals may be separated, and green waste and clean soil is may be used on site for landscaping and rehabilitation works however these materials are generally buried as waste.

#### c) Glen Davis Landfill

The establishment of this site coincided with the beginnings of the nearby oil shale mine during the 1930s. Throughout its operation the depot has been the main local receptor for MSW. Access to this depot is restricted to Glen Davis and Glen Alice residents. The site consists of the current municipal waste trench and building and green waste stockpiles.

#### d) Portland Landfill,

The site has been in operation since the 1930s with approval for the disposal of night soil.

The landfill site is divided into three main areas.

- The MSW area, comprising several open waste disposal cells dug into the ground;
- The differentiated waste area where scrap metal, green waste and building waste are initially stockpiled before burial; and
- The former nightsoil area.

#### e) Wallerawang Landfill

This landfill has been in operation for more than 50 years. The depot has primarily received municipal waste with some sump oil, tyres, scrap metal and builders rubble.

The site consists of:

A trench for the placement of MSW;



- Designated areas for the placement of C&D rubble and green waste surrounded by earth mounds; and
- Rehabilitated areas.

#### 3.2.3 Small Rural Transfer Stations

The service provider JRR collects the two bin types from each transfer station as described in Table 3 and transfers them to the Lithgow SWF where the wastes are landfilled.

Table 3 Rural Transfer Stations

Facility	Waste Type & Equipment	Bin Collection Frequency
Hampton	MSW: 1 x 23 m <sup>3</sup> hooklift bin (roof) Mixed Recyclables: 12 x MGB	weekly
Meadow Flat	MSW: 1 x 23 m <sup>3</sup> hooklift bin (roof) Mixed Recyclables: 10 x MGB	weekly
Tarana	MSW: 1 x 15 m <sup>3</sup> hooklift bin Mixed Recyclables: 8 x MGB (a hooklift bin with roof for MSW will be completed late 2016)	weekly
Angus Place	MSW: 2 x 15 m <sup>3</sup> hooklift bins Mixed Recyclables: 10 x MGBs	

#### 3.3 KERBSIDE COLLECTION

Kerbside waste collection services are primarily governed by the contract between the City and JRR. Kerbside collection is provided to a number of villages and Lithgow suburbs. The collection route and day of pick up is outlined in Appendix A.

The current domestic service includes the weekly collection of a 240litre MGB for MSW and since November 2013 a 240 MGB for fortnightly recycling collection has been provided to collect standard recyclable items of glass, aluminium, steel, plastics, paper and cardboard.

The MSW is disposed at the Lithgow SWF.

The recyclable materials are transported by JRR to Poytrade Recycling in Rydalmere, Sydney for further management. An average of 16 trips to Sydney is made per month, transporting 120 tonnes of recyclables per month.

Urban areas of Lithgow, Portland and Wallerawang receive a bulky household goods kerbside collection service in September and March each year.

#### 3.3.1 Special case waste streams

### a) Pressure Vessels (gas bottles), batteries, paints, oils

Through NetWaste, permanent storage units have been located at the Lithgow SWF for the collection of these wastes. Gas bottles are separated and recycled

#### b) Tyres

Tyres are only collected at the Lithgow SWF. Only residential tyres are accepted with a limit of the disposal of six tyres per vehicle. Tyres received are landfilled.

#### c) E-waste

Through and arrangement with Netwaste, E-waste is collected at the Lithgow SWF. From there it is collected and transferred to a site in Sydney.

#### d) White Goods

White goods are collected and stored separately to scrap metal. This includes fridges, washing machines, dryers etc. and sent for recycling.



#### e) Event Management

The City supports waste-wise events and provides services and advice to those running public events in regards to recycling and waste management. The City provides a number of 240L garbage bins on request for such events.

## 3.4 REGULATORY FRAMEWORK

Table 4 lists the legislation and other statutory documents which are of relevance to the management of various wastes in the Lithgow LGA.

The details of the relevance for each instrument are provided and discussed in Appendix B.



Table 4 Legislative Framework.

Statutory Instrument	Relevance for Lithgow City Council		
National Greenhouse and Energy Reporting Act 2007	Under the NGER Act there is a requirement to report emissions if they exceed 50,000 t CO <sub>2</sub> per year.		
Local Government Act 1993	This Act prescribes the rules for the application of the waste levy.		
Environmental Planning & Assessment Act 1979	This Act requires operators of waste facilities above a certain size to hold an Environment Protection Licence.		
Environmental Planning & Assessment Regulation 2000	This Regulation outlines the steps required to gain approval for a new landfill or landfill expansion.		
Protection of the Environment Administration Act 1991	This Act gives powers to the EPA to direct Councils to contribute to environmental protection or to cease anything that adversely affects environmental protection.		
Protection of the Environment Operations Act 1997	The POEO Act details the thresholds for the various waste facilities that require Environmental Protection Licenses. It outlines the penalties that apply for certain environmental offences. It establishes the waste and environmental levy which is payable on waste from the regulated area being disposed of at a licensed facility.		
Protection of the Environment (Waste) Regulation 1996	This Regulation establishes requirements relating to non-licensed waste facilities.		
Waste Avoidance and Resource Recovery Act 2001	The WARR Act sets forth the waste hierarchy of:		
Contaminated Land Management Act 1997	This Act sets out the process of investigating and remediating contaminated land.		
State Environmental Planning Policy (Infrastructure) 2007 This SEPP outlines the conditions under what state is a separate of the conditions of the conditio			
Environmental Guidelines: Solid Waste Landfills	This Guideline details a consistent and environmentally responsible approach to managing landfills.		
Draft Environmental Guidelines: Solid Waste Landfills	These guidelines provide guidance for the environmental management of landfills in NSW by specifying a series of best practice measures called 'Minimum Standards'.  This includes directions for the provision of a phytocap to seal a landfill.		
Environmental Guidelines: Assessment, Classification and This Guideline provides guidance with regar			



Statutory Instrument	Relevance for Lithgow City Council
Management of Liquid and non-liquid Waste	
National Waste Policy	This Policy sets direction and identifies strategies to guide Councils with regard to waste reuse, disposal and management.
NSW Container Deposit Scheme	From July 2017, eligible beverage containers can be returned for a 10-cent refund. This will include containers in kerbside collections. The City may operate collection depots.



## 3.5 COMMUNITY ENGAGEMENT AND EDUCATION

To help educate the community about the importance of waste minimisation, the City is actively engaging in education and engagement programs designed to encourage resource recovery and increase understanding of the benefits to the local community and surrounding environment of recycling and waste avoidance.

#### 3.5.1 The City's programs

#### a) Management

Under the City's contract with JRR, JRR is responsible for all aspects of community education in relation to the delivery of the collection services. The deliverables specified for this include:

- the design and production of educational material;
- quarterly education strategy meetings with the City; and
- an education officer (approximately 10% of a full-time equivalent position).

To provide the community with relevant information, JRR has provided the City with a dedicated waste management website (http://lithgowwaste.com.au/).

#### b) Education

Through this arrangement, the City has run numerous education programs to communicate its key messages relating to waste. A company called Envirocom has been engaged by JRR to design and implement a waste education program through primary, secondary and tertiary education institutions. These programs include:

 Early Learning Education Programs: a free training session for Early Learning Centre (ELC) staff to provide knowledge, educational tools and resources on a range of waste minimisation practices such as recycling and organics diversion, as well as explain the environmental issues associated with waste (held in 2015).

- Primary School Education Programs: available to all Primary Schools and aims to increase knowledge of students, teachers and parents/carers on a range of recycling, waste management and waste minimisation issues and management options.
- Community Education Programs: these are targeted at the community to provide awareness on waste management and avoidance techniques (an organic recycling workshop for the community in May 2016).

Teacher resources are also made available via the waste management website.

Envirocom has also overhauled the City's waste website in order to promote recycling, green waste collection and bulky waste collection.

There has been some publishing of factsheets and brochures, as well as the issuing of press releases promoting green waste and bulky waste collection services.

Envirocom recently gave take home surveys to parents of school students who had benefited from the waste education programs. The surveys aimed to gauge the success of the education initiatives in helping school children develop positive attitudes to recycling and waste management, and changing their behaviours. While there has been generally positive feedback from the schools, the surveys have not been returned yet so data is not available to measure the outcomes.

It is recommended the program be reviewed and revised to provide a broader community focus.

#### c) Engagement

To assist residents with their waste and recycling, the City has also developed a 'Waste Info App'. This provides a collection calendar, waste disposal information and details of waste services and facilities. It is available to download from the waste management website.

News items and other regular updates are provided to the community through the City's



Facebook page: https://www.facebook.com/LithgowCityCouncil, a weekly news bulletin via email and a quarterly "Council Connections" newsletter.

#### 3.5.2 NetWaste Strategies

Netwaste is a collaborative environmental management project sponsored by the NSW Environment Protection Authority (EPA) and the Central West (CENTROC) and Orana Regional Organisation of Councils (OROC), located in the central and western regions of New South Wales. The region comprises 26 councils, including Lithgow City Council (NetWaste, 2016).

The 2013 - 2017 NetWaste Strategic Waste Plan updates the NetWaste Strategic Waste Plan - July 2012 to June 2015. It recognises the community's changing attitudes and behaviour to achieving sustainability. The pursuit of sustainability through better waste management practices has shifted from the issues of how to collect waste and where to dispose it, to advancing the development of resource recovery and recycling through processes resulting efficient in social, economic and environmental gains.

The strategies identified in the Strategy are very broad, which allows an adaptive approach to education in the various council areas. NetWaste runs a number of regional projects such as Waste to Art. A different council hosts this exhibition each year, and a problem waste theme is the focus at each exhibition.

NetWaste also runs an extensive school education program. This differs across council areas based on each area's needs. Litter Workshops were run for Lithgow schools.

## 3.6 FINANCIAL MANAGEMENT

The City raises approximately \$4.16 Mil pa from the waste services charge component of landholder's rates. There are 8,880 residential properties, 2,343 rural properties and 620 businesses levied with the charge.

There are two key waste management contracts awarded by the City, namely to JRR

and to HPH. The details of each are outlined below. The total annual cost of the combined waste management contracts is \$2 Mil. The residual \$2.16 Mil is allocated to fund the operational and capital costs of the City's waste management program. This includes salaries for relevant staff, the operation of plant and equipment (a utility vehicle, truck and loader) and relevant capital works

It would be prudent to develop a budget for the next 10 years forecasting the infrastructure required to effectively manage the predicted waste volumes and types, population growth and environmental requirements. This task could be included as a line item in the City's long term financial planning.

#### 3.6.1 JR Richards

The City has a contract with JRR for the period November 2013 to November 2023. The annual cost of the JRR contract is \$1.4 Mil.

Services provided by JRR include:

- weekly kerbside collections in the urban and village zones for 240L MSW MGBs containing solid waste;
- fortnightly kerbside collections in the urban and village zones for 240L MSW MGBs containing mixed dry recyclables;
- · weekly servicing of street litter bins;
- weekly servicing of waste bins located in council managed parks and gardens; and
- weekly changeover of rural transfer station hooklift waste bins and MGBs containing mixed recyclables.

Kerbside collected MSW is disposed at the Lithgow SWF. Kerbside collected recyclables are transported by road on a weekly basis to a third party facility in Rydalmere, Sydney.

There is no kerbside green waste collection service.

As discussed in Section 3.5, part of the JRR contract is a waste education element. Funds to the value of \$25,000 pa are allocated.

#### 3.6.2 Henry Plant Hire

HPH is contracted to construct, operate and manage the Lithgow Landfill seven days a



week. The scope of works includes controlling the weighbridge, waste placement, compaction and placement of daily, intermediate and final cover, construction of new waste cells and resource recovery activities.

Any funds generated by the sale of recyclables are retained by HPH.

The annual cost of the HPH contract is \$0.5 Mil.

#### **3.6.3 Grants**

#### a) Landfill Consolidation Grant

The City was successful in a NSW Environmental Trust Landfill Consolidation grant. This project involves environmental improvements to the Portland Garbage Depot and the Wallerawang Garbage Depot. The works involve upgrading the perimeter fences to chain mesh with two strands of barbed wire and the installation of CCTV. These works will help prevent unauthorised access, contain windblown litter, reduce illegal dumping, limit the contamination of stockpiles and will improve resource recovery.

#### b) Illegal Dumping Baseline Data

Baseline data on illegal dumping is required to enable the City to effectively manage the issue of illegal dumping. Successful grant funding from the EPA's Waste Less Recycle More Illegal Dumping Grants has provided Council with this opportunity.

Illegal dumping affects the natural environment, human health and costs Council and landholders a lot of money annually. Funds from this grant will be used to provide an accurate baseline, with an indication of the most commonly dumped waste stream, the demographic of who is responsible and will help prioritise and inform different preventative measures for the future.

For example, if most of the construction waste is asbestos, then the City will focus on ensuring businesses and residents in its own jurisdiction and neighbouring LGAs are clear on the impacts on the communities' health, the importance of safe and appropriate treatment of this waste and the correct disposal methods.

Using this information, the City intends to take a proactive approach, to identifying and recording illegal dumping in the LGA and the information will also support future illegal dumping grant funding.

#### c) Other grants

A number of grants are made available through the Waste Less Recycle More project. One of the smaller programs that has resulted from this grant is the Love Food Hate Waste project and a number of litter projects. These programs are reported on regularly.

# 3.7 REVIEW OF IMPLEMENTATION OF THE WASTE & RECYCLING STRATEGY 2010-2015

The Waste & Recycling Strategy 2010-2015 included a five year prioritised action plan for the City's implementation. This plan has been reviewed and the progress the City has made towards the implementation documented in Appendix C.

The key outstanding items are:

- Construction of Blackmans Flat Waste Management Facility and associated infrastructure. This has been delayed due to the revised Lithgow SWF landfill plan;
- Delays in the closure of the rural landfill sites; and
- Review of C&D management at the landfill sites.

A review of the opportunities for the collection of organics within the kerbside collection service and new transfer stations; and the associated proposal for an upgrade to a three bin kerbside collection scheme were flagged to be considered 2016+.

## 4 FUTURE WASTE MANAGEMENT OPTIONS & PLANS

## 4.1 UPGRADED LITHGOW SWF

Based on a review of incoming waste volumes and the possibility of an inflow of additional tonnes if the small rural landfills are closed, the upgraded Lithgow SWF's capacity is unlikely to stretch to 22 years as has been predicted in an earlier report to the City.

Future disposal tonnages will also depend on the efficacy of the proposed new transfer station mentioned below and the timing of its commencement of operations.

Clearly the first step is to implement the facility upgrades necessary to satisfy the regulatory performance requirements of the EPA.

## 4.2 PROPOSED NEW WASTE MANAGEMENT FACILITIES

#### 4.2.1 Lithgow Waste Transfer Station

The operation of a modern waste transfer station at Lithgow is a highly desirable outcome as it will divert wastes away from disposal and thus increase the resource recovery performance.

Its availability will also enable waste collection strategies and services to be modified to increase resource recovery by implementing more source separation initiatives.

A waste transfer station to be located adjacent to the Lithgow SWF was proposed and designed in 2016. The construction cost is estimated to be \$4 Mil. The facility plans to provide a full range of resource recovery services.

Commencement of construction of the facility is dependent on the availability of funds provided by the City. Some funds have been

earmarked for expenditure in 2017/18, with construction to run over two years.

The City is exploring the possibility of securing funding from the NSW EPA to support the community recycling centre (CRC) component.

### 4.2.2 Blackmans Flat Waste Management Facility

The Blackmans Flat Waste Management Facility (near Portland, 17 km north of Lithgow) is on the site of the old Western Main Colliery at Blackmans Flat. The facility will only be concerned with the disposal of waste that is generated from within the boundaries of the Lithgow LGA. Development consent was secured in 2006 for this facility.

Blackmans Flat Waste Management Facility incorporates designs for a modern landfill and an integrated waste transfer/resource recovery facility.

The landfill is approved to receive 40,000 tonnes per year. The proposed landfill concept design capacity is approximately 744,000 m<sup>3</sup>, and would have a design life of 15 years.

The transfer station infrastructure will include a waste deposition area, green waste area, recyclables area and one two-wav weighbridge. It is expected to receive 1000 tonnes per annum, with scope for future expansion if required. It would receive green waste, scrap metal, recyclables, C&D and C&I waste. The concept design includes in the facility three 30m<sup>3</sup> residual waste bins which are anticipated to require pickup every 3 days on average. The layout would accommodate an additional two bins in future if required.

The consent for the construction has been activated. However, the project has been deferred because of the previously anticipated 22 years of available airspace remaining at the Lithgow SWF.

Given the presence of the rudimentary rural landfills and low key rural transfer stations in the vicinity, it would be prudent to rationalise the infrastructure situation by building the transfer station component of the planned Blackmans Flat Waste Management Facility, close some of the minimalist facilities and



upgrade others, given the travel distances involved.

The transfer station component would be considered as "Stage 1" of the Blackmans Flat Waste Management Facility. To proceed, this may require a modification of the existing development consent. Consultation with the RMS would be required to understand the traffic management requirements and if an intersection upgrade at the entrance to the facility would be required.

#### 4.3 FACILITIES TO SERVICE RURAL AND REMOTE RATEPAYERS

Arguably one of the most challenging assignments is how to effectively manage the small volumes of waste generated by ratepayers located in rural and remote parts of the LGA, such that the approach is environmentally, socially and economically sustainable.

An approach could be to bring forward construction and operation of the transfer station component of the Blackmans Flat facility. This will require a modification of the Blackmans Flat development consent. The facility could have limited operating hours and be staffed at those times. Offloaded MSW could be regularly hauled to the Lithgow SWF by the City or a third party provider. Resource recovery materials could be stored here for longer periods and transported to other facilities by the City or a third party provider as required.

Simultaneously, the small sub-standard rural landfills and transfer stations nearby could be progressively closed.

Potential issues include obtaining rural landholder support for the plan, funding, an increase in fly tipping and the logistics for managing MSW transfers to the Lithgow SWF.

## 4.4 FINANCIAL ARRANGEMENTS

#### **4.4.1 Contractual Arrangements**

The state of contractual arrangements can greatly facilitate or conversely hinder the delivery of the desired waste management outcomes.

The two key contracts are arguably limiting the ability of The City to introduce innovative or different approaches to the management of waste.

For instance the current HPH contract for the operations and maintenance of the Lithgow SWF is tied to the timing of having the Blackmans Flat Waste Management Facility operational. That is, there is a clause in the contract that stipulates that the contract will be re-tendered when Blackmans Flat is opened. It would be prudent to re-negotiate the contact sooner rather than later to introduce more flexibility regarding management options for the City.

The contract with JRR similarly imposes limitations on the City regarding the transfer of five TS hook bins from the rural transfer stations.

This contract could also be revised to allow the closure of the rural transfer stations and haul waste to a modified Blackmans Flat transfer station.

#### 4.4.2 Grants

The NSW Government regularly provides funds for the improvement of waste management facilities and strategies at the local government level. It would be prudent to investigate the possibility of securing OEH/EPA grants to help fund new capital works.

### 4.4.3 Lithgow City Council Resources

As part of the revision and realignment of the waste management strategy for the LGA moving forward it would be advantageous for



the City to review the human resourcing component its waste management services.

With the closure of the small rural landfills, the City could restructure the rural landfill officer position description to include being the supervisor and weigh bridge attendant at the Blackmans Flat facility and the hauling waste bins to and from the transfer stations.

#### 4.5 OTHER OPPORTUNITES

#### 4.5.1 Recyclables

With the advent of the new container deposit legislation it would be useful for the City to explore whether the legislative change provides a trigger mechanism for renegotiation of the JRR contract and improve resource recovery performance.

At present it is probably appropriate to maintain the recyclables component of the contract with JRR so the materials are hauled to Sydney. During the next phase it would be advisable to consider the feasibility of upgrading the MRF to better manage recyclables – perhaps on a regional basis under the auspices of NetWaste.

#### 4.5.2 Green waste

#### a) Residential collection

The City could review arrangements with NetWaste regarding green waste management and explore the feasibility of introducing a household green waste collection service on a fortnightly basis.

#### b) Reuse at the Lithgow SWF

The City is looking to process green waste for use as material for inclusion in the final landfill cover matrix and is being duly addressed as part of the LEMP. It is understood Lithgow SWF requires 3,000 tonnes per annum green waste for the cell final cover material. This option is being negotiated with the EPA and would be in accordance with the Draft Environmental Guidelines: Solid Waste Landfills.

Allied with the paragraph above there is also a need to examine the financial and operational implications of the new EPA regulations requiring pasteurisation/processing of green waste and/or compost before it can be made available to the public.

The issue also needs to be flagged in the LEMP.

#### 4.5.3 Other waste streams

Other small, special waste streams can continue to be managed as per current arrangements. In the event that the Lithgow Transfer Station is built then these wastes (eg waste oil, tyres, mattresses, E-waste, etc) can be more effectively collected, stored and managed. If a transfer station at Blackmans Flat is built then the same principles can apply.

#### 4.5.4 Other measures

#### a) Development controls

As part of development approval for any development with a capex of over \$100K, it would be prudent to require pre-approved waste management plans. This would then be followed through by the City's officers to ensure compliance.

#### b) Waste data base

Having a robust, transparent waste database is crucial to being able to have confidence when framing future waste management strategies. It provides the baseline information necessary to underpin future plans.

It would be prudent therefore to update the Lithgow SWF weighbridge program to track MSW, C&I, C&D, VENM, green, all categories of dry recyclables, asbestos, special burials, security wastes, etc. The new transfer station at Lithgow should also have a robust waste tracking database.

#### c) Council briefing paper

As a corporate governance initiative, it may be prudent to prepare a briefing paper to full Council informing it of the current status of waste management in the LGA, documenting



the current and emerging issues and outlining future steps, beginning with a recommendation that the City prepare a detailed feasibility study to rationalise all waste management services and facilities in the LGA, with a priority to deliver an integrated facility network. The scope of the recommended work could include:

- determining the volumes of all main categories of waste (MSW, C&I, C&D, VENM, green, all the categories of dry recyclables, asbestos, special wastes, etc) both now and out 20 years;
- re-examining the remaining life of Lithgow Landfill given increased waste volumes;
- examining current and predicted state government policy;
- documenting the status of current waste management facilities and what is proposed;
- examining how resource recovery could be enhanced in a financially viable way;
- examining costs compared to the funding base;
- examining mechanisms to fund facility planning, construction and operation;
- suggesting locations of facilities; and
- documenting a construction and funding schedule.

#### **5 RECOMMENDATIONS**

## 5.1 WASTE INFRASTRUCTURE FEASIBILITY STUDY / MASTER PLAN

#### 5.1.1 Background and Imperative

It is recommended that the City undertake a detailed feasibility study/master plan to fully investigate all existing waste management services and facilities in the LGA. Being mindful of the wastes generated, this investigation would have as a priority moving forward deliver delivering an integrated facility network that is efficient and effective and provides a quality service to residents, ratepayers and businesses.

Of critical importance is determining the funding needs for the necessary infrastructure and service provisions. The City will need to consider its funding options – both short and medium term - and plan budgets accordingly.

At present there are a number of uncertainties regarding actual waste quantities and types and the schedule for opening and closing various waste management facilities. These matters require detailed examination to enable effective planning into the future.

Subjects of interest include:

#### a) Lithgow SWF:

Based on the current incoming waste volumes and the expected tonnage increase if the small rural landfills are closed, the Lithgow SWF's capacity is unlikely to stretch the 22 years that was recently mooted in another study. The 22 year lifespan was calculated on the basis of approximately 25,000 tonnes per annum being received. However, the Lithgow SWF is currently receiving approximately 45,000 tonnes per annum and across the whole LGA there is approximately 50,000 tonnes per annum being received at all landfill sites, exclusive of VENM.

Future disposal tonnages will also depend on the efficacy of measures to reduce waste volumes being landfilled, the timing of operations of the new Lithgow Transfer Station (yet to be built) and a possible, proposed new transfer station at Blackmans Flat and the timing of its commencement of operations.

The robustness of the assumptions on which the remaining lifespan of the Lithgow SWF is based and how this will change over time needs to be better understood. The robustness of the assumptions on which the remaining lifespan of the facility is based and how this will change over time needs to be better understood.

#### b) Proposed Blackmans Flat Waste Management Facility

This site sits at the confluence of two waterways and within the Sydney drinking water catchment. As such, it has some onerous requirements to meet the WaterNSW (former Sydney Catchment Authority) approval conditions regarding leachate management.

There are also some landholding opportunities that could be explored with Energy Australia and/or Centennial Coal in relation to resiting the facility. It needs to be determined whether this is feasible and whether there a more suitable site nearby and if so, the implications for the facility's planning approval. These matters should be resolved prior to any works commencing on the current site.

The site is also only approved to receive up to 40,000 tonnes per year, which is less than the 45,000 tonnes per year currently received at the Lithgow SWF, excluding VENM, and 50,000 tonnes per year excluding VENM inclusive of the rural landfill receipts.

If the Stage 1 works were to proceed at the current proposed site, the issue of whether a modification is required to the existing consent needs to be addressed along with determining what the scope and extent of the works would be, including the intersection upgrades, the costs and the timing of providing the infrastructure.

#### c) Rural Landfill Sites

The management of the rural landfill sites ties into the construction or otherwise of Stage 1 of the Blackmans Flat Waste Management Facility. The issues centre predominantly on



which of the existing rural landfills would transition to waste transfer stations and which would close with the residents then being serviced by Stage 1 of the Blackmans Flat Waste Management Facility. Those primarily in question are:

- Cullen Bullen;
- Wallerawang; and
- Portland.

Given the additional life identified in the 2017 filling plans and life analysis for the Portland and Wallerawang landfills (Amaral, 2017a, 2017b and 2017c) the City's can defer construction of any works at the Blackmans Flat site until these landfills have reached the end of their operational life. This will ensure the rural landfills are rehabilitated progressively, providing financial saving to the community.

Landfilling operation at Cullen Bullen will cease by 2019 when a final landform can be achieved. The City will undertake further consultation with the community of Cullen Bullen to determine if a waste transfer station will be constructed or if residence will take their waste to the nearby Portland waste depot. ..

There is also a right-of-way at the existing landfill at Wallerawang. If it is determined that a waste transfer station should replace the existing landfill, then the most suitable location for the facility needs to be determined.

#### 5.1.2 Scope

The scope of work for an infrastructure feasibility study / master plan would include:

- detailed quantification and classification of waste types and volumes, both now and out 20-30 years;
- current and predicted state government policies relating to waste management, waste minimisation and resource recovery;
- waste facilities current and proposed;
- community expectations;
- the applicability of regional approaches to waste management;

- predicted future costs and revenue compared to the current and predicted funding base;
- funding mechanisms local and state government;
- locations of facilities;
- contractual arrangements for facilities and service management so the City can optimise flexibility and efficiency; and
- construction and funding schedule.

This feasibility study/master plan is considered necessary to provide the detail and granularity necessary to enable this Waste Strategy Review report to be finalised.

### 5.2 INFRASTRUCTURE DEVELOPMENT

Based on this initial review there are a number of infrastructure options which can be tentatively considered as outlined below.

These need to be confirmed and made more detailed and robust via an infrastructure feasibility study/master plan.

- Prioritise upgrade works to modernise the Lithgow SWF and future operations plans. Progress requires close liaison and co-operation with the NSW EPA.
- Prioritise construction and operation of Lithgow Waste Transfer Station.
- Bring forward construction and operation of the transfer station component of the Blackmans Flat Waste Management Facility (to be considered as 'Stage 1'). This will provide a modern waste management facility in a central location for rural residents to replace a number of the unattended rural landfill sites and small, unattended transfer facilities. Resource recovery materials from rural areas would be deposited here, with MSW wastes required to be hauled to the Lithgow SWF. A modification of the existing development consent is likely to be required for the project to be staged in this manner.
- Progressively close and remediate the small rural landfills as scheduled.
- Review and renegotiate the two waste management contracts (JRR and HPH) to



improve cost effectiveness and to rationalise operations so consistent with the new waste management strategy.

#### More specifically:

- HPH contract: allow greater flexibility independent of whether Blackmans Flat is operational or not. This may require some legal advise;
- JRR contract: allow greater flexibility regarding all facets of the contract including kerbside waste and recyclables collection and hook bin management at the rural transfer stations with the potential for the City to take over the role of bin servicing.

#### 5.3 RECYCLABLES

Review the container deposit legislation to determine if the City can use it as the trigger to revise the JRR contract in light of recommended changes above. Also use the review to identify any legislative responsibilities imposed on the City.

For the present time maintain the recyclables contractual arrangements with JRR with the materials hauled to Sydney. However in the next phase of infrastructure planning it is recommended the City consider the feasibility of building a MRF to better manage recyclables – perhaps on a regional basis under the auspices of Netwaste.

#### 5.4 WASTE DATA TRACKING

Modify the Lithgow SWF weighbridge data base so it is adopting best practice standards regarding the various waste streams to be accurately recorded and weighed including:

- Municipal Solid Waste (MSW) with subcategories
- Commercial & Industrial (C&I) with subcategories
- Construction & Demolition (C&D)- with subcategories
- Green Waste
- Excavated Natural Material (ENM)

- Virgin Excavated Natural Material (VENM)
- Asbestos
- Special Waste eg clinical waste
- Special Burials eg loads comprising of specification goods and products
- Recycling Metal
- Recycling E-waste
- Recycling Cardboard/Paper
- Recycling Glass

The data base should also be updated to be able to track where asbestos and any other special wastes are buried.



#### 6 REFERENCES

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Amaral 2017a. Portland filling plan

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Amaral 2017c Wallerawang Filling Plan

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APPENDIX A – KERBSIDE COLLECTION ROUTES

Lithgow Waste Strategy Review - Final Report





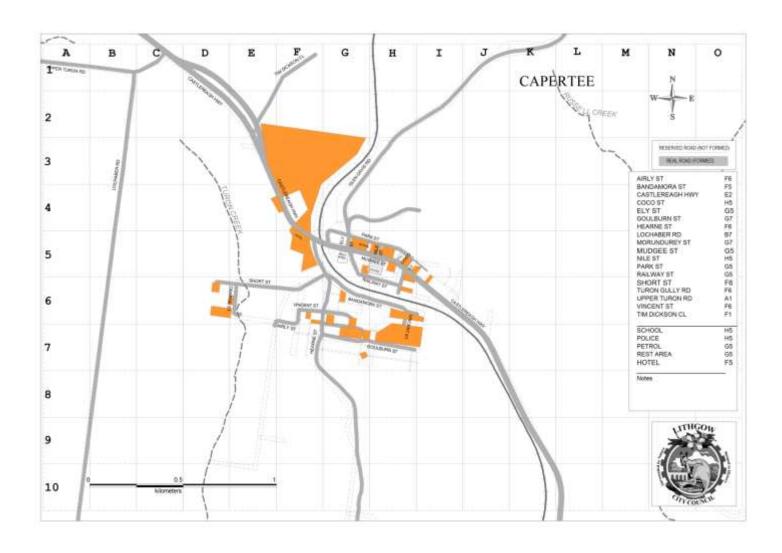


Figure 1 Capertee Kerbside Collection Route



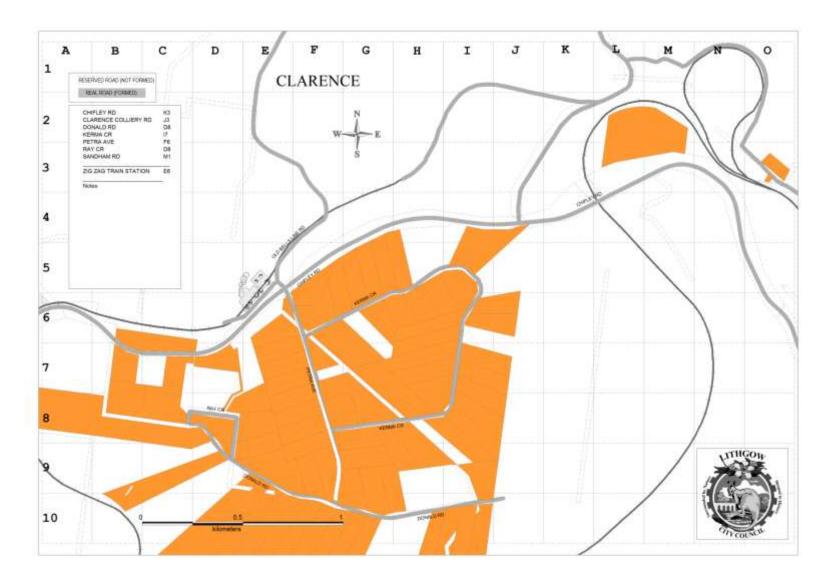


Figure 2 Clarence Kerbside Collection Route





Figure 3 Cullen Bullen Kerbside Collection Route



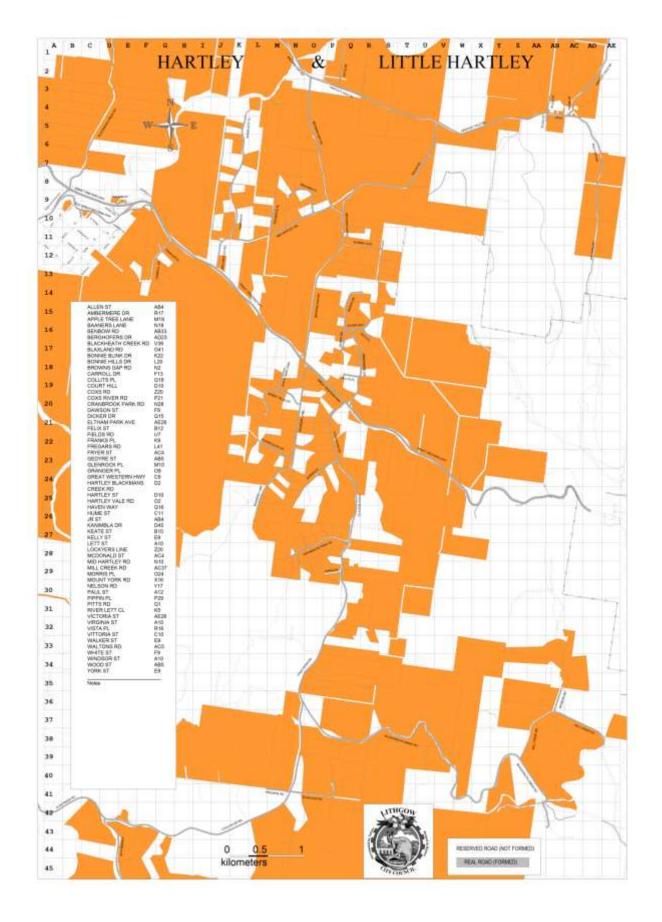


Figure 4 Hartley & Little Hartley Kerbside Collection Route



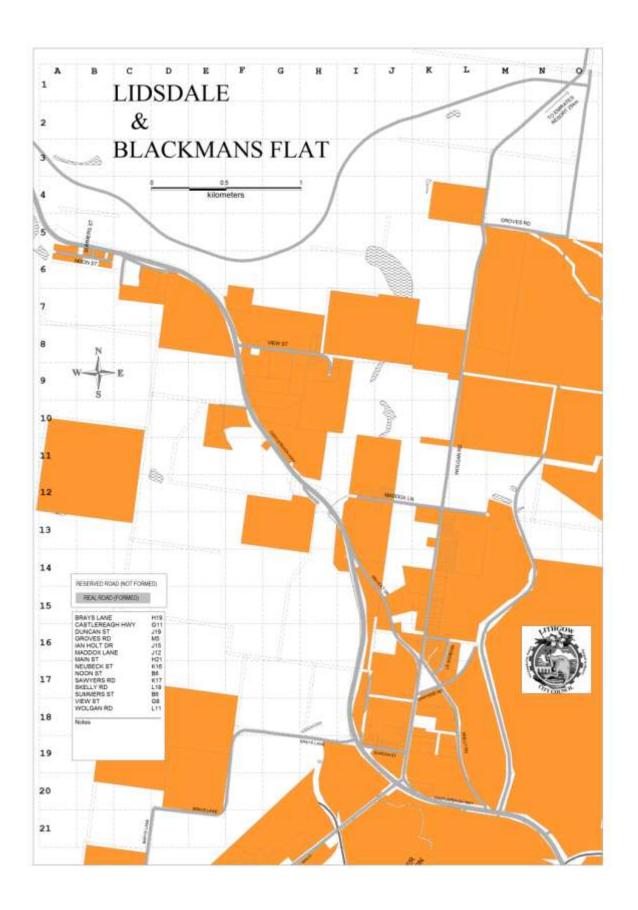


Figure 5 Lidsdale & Blackmans Flat Kerbside Collection Route



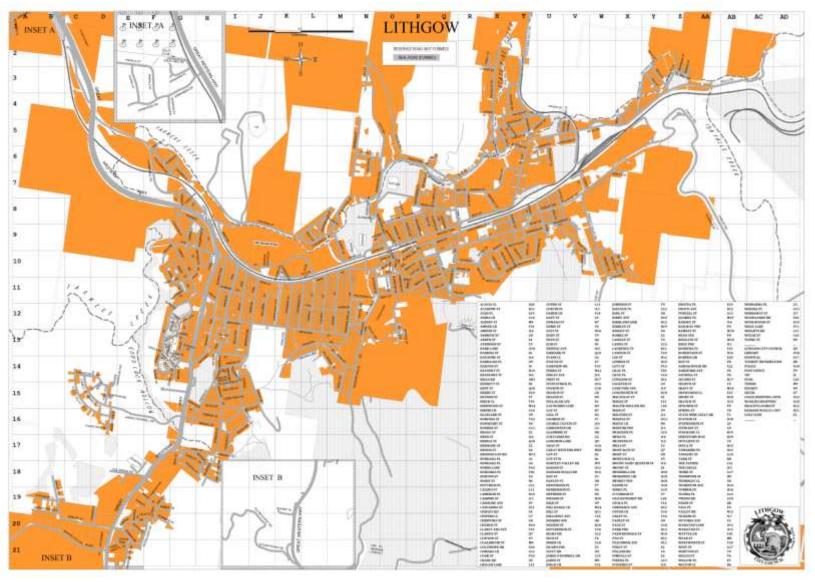


Figure 6 Lithgow Kerbside Collection Route



## **GARBAGE ROUTES NORTH**

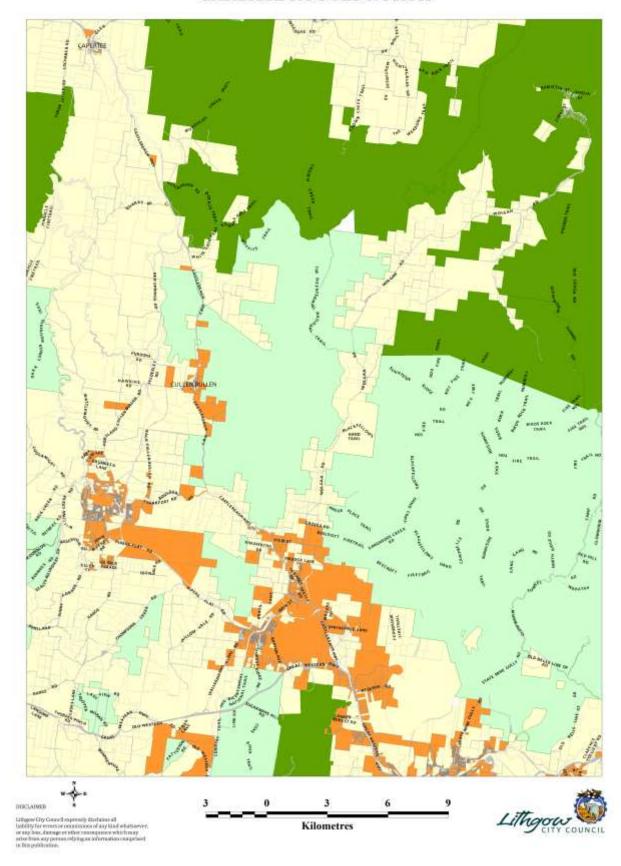


Figure 7 North Lithgow Collection Route(overview)



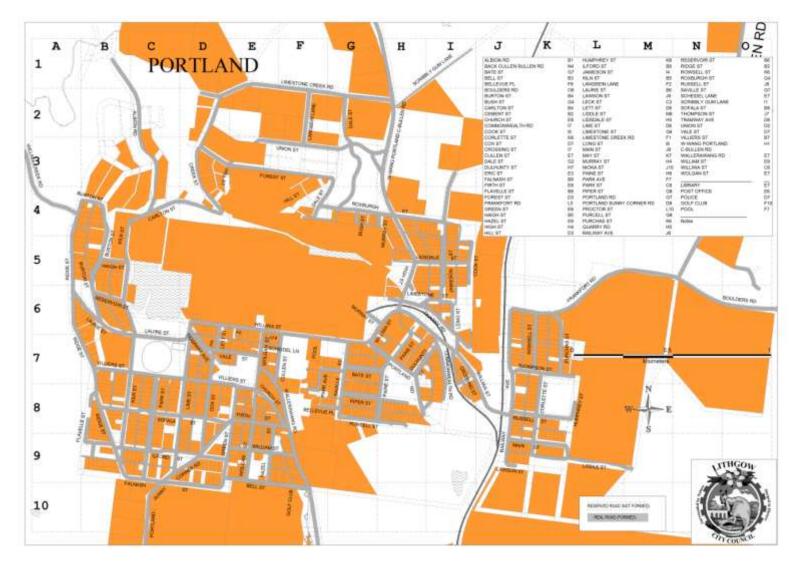


Figure 8 Portland Collection Route



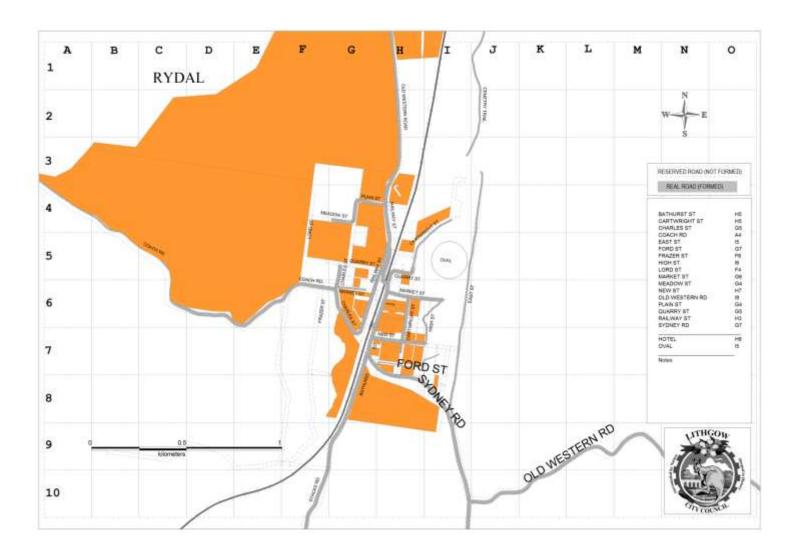


Figure 9 Rydal Collection Route



### GARBAGE ROUTES SOUTH

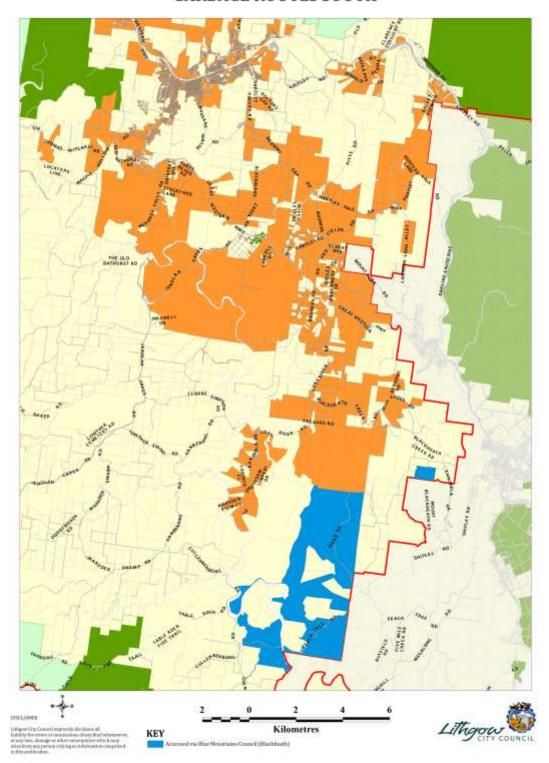


Figure 10 South Collection Route



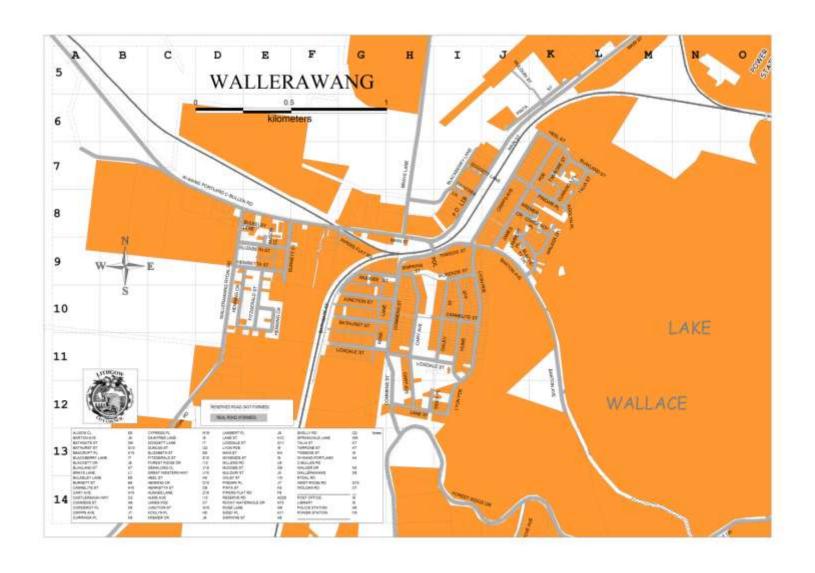


Figure 11 Wallerawang Collection Route



#### REGULATORY FRAMEWORK

Waste infrastructure planning and management have long been recognised as significant issues at both the State and Local Government levels in NSW, evidenced by the number of related statutes, which include the:

- Local Government Act 1993;
- Environmental Planning and Assessment Act 1979;
- Environmental Planning and Assessment Regulation 2000;
- Protection of the Environment Administration Act 1991;
- Protection of the Environment Operations Act 1997;
- Protection of the Environment Operations (Waste) Regulation 1996;
- Waste Avoidance and Resource Recovery Act 2001;
- Contaminated Land Management Act 1997;
- Public Sector Employment and Management (Environment and Conservation) Order 2003; and
- State Environmental Planning Policy (Infrastructure) 2007.

Waste management legislation is complex, and detailed examination of regulations surrounding the provision of waste-related services and infrastructure development is required to ensure statutory compliance. In addition to statutes, the Environment Protection Authority of NSW (NSW EPA) has produced *Environmental Guidelines for Solid Waste Landfills* and *Environmental Guidelines for the Assessment, Classification and Management of Liquid and Non-Liquid Wastes* to assist operators in meeting environmental obligations.

#### COMMONWEALTH LEGISLATION

#### National Greenhouse and Energy Reporting Act 2007 (NGER Act)

The National Greenhouse and Energy Reporting Act 2007 (NGER Act) established a single national framework for reporting and disseminating company information about greenhouse gas emissions, energy production, energy consumption and other information.

A controlling corporation is required to report on all facilities under the operational control of members of its corporate group if it meets a corporate threshold. This includes facilities that meet a facility threshold and those that do not. The corporate level threshold is 50kt CO2-e of greenhouse gas emissions or 200 TJ of energy for the first reporting year. Corporations that meet an NGER threshold must report their:

- greenhouse gas emissions
- energy production
- energy consumption, and
- other information specified under NGER legislation.

Council has sought professional assistance in order to determine its potential liability under the NGER Act and can advise that the total emissions of its operations and facilities will be under the 50,000 tonnes of CO2-e annual threshold. The City should review annual emissions and compliance annually.



#### STATE LEGISLATION

An overview of NSW-based legislation, regulation and policy relevant to waste management planning for Lithgow Council is presented below.

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

Under Chapter 6 of the *Local Government Act 1993*, Councils' non-regulatory functions include the provision, management or operation of "waste removal, treatment and disposal services and facilities". S. 496 provides for the application of a levy to domestic waste management services. Significantly, s.504 of the Act prescribes not only how the cost of services is to be recovered, but also broadly, the level of these charges. This may limit a Council's ability to pursue more expensive waste management options, which might result in a significant increase in their annual waste charges. S. 510 provides a maximum annual charge for domestic waste management services.

Subsection (1) states that a Council must not apply income from an ordinary rate towards the cost of providing domestic waste management's services; however, subsection (1A) allows income from an ordinary rate to be lent (by way of internal loan) for use by Council in meeting the cost of providing domestic waste management services. Other sections of the Act relate to Councils' authority to approve (or otherwise) management of waste (s.68, part C), and a requirement to include waste-related issues within the Environmental section of Annual Reports (s.428 (2) (c) (v)).

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

Section 91 of the *Environmental Planning and Assessment Act 1979* links development consent for waste facilities above nominated threshold levels, being "integrated developments", to approvals prescribed within the *Protection of the Environment Operations Act 1997*.

Specifically, environment protection licences must be sought to authorise the carrying out of scheduled activities at any premises described as a waste facility that receives in excess of the prescribed quantity of waste annually.

#### **Environmental Planning and Assessment Regulation 2000**

The Environmental Planning and Assessment Regulation 2000 sets forth the steps that are required to gain development consent for the establishment or alteration of new and existing developments or activities. This includes the lodgement of Development Applications (DAs), accompanying information requirements and associated charges. Notably, Part 1, Schedule 3 (Item 32) of this regulation sets threshold criteria for designated developments. Here, waste management facilities or works are taken to be those that "store, treat, purify or dispose of waste or sort, process, recycle, recover, use or reuse material from waste". More specifically, waste management facilities or works:

1(a) that dispose (by landfilling, incinerating, storing, placing or other means) of solid or liquid waste:

- that includes any substance classified in the Australian Dangerous Goods Code or medical, cytotoxic or quarantine waste, or
- (ii) that comprises more than 100,000 tonnes of "clean fill" (such as soil, sand, gravel, bricks or other excavated or hard material) in a manner that, in the opinion of the consent authority, is likely to cause significant impacts on drainage or flooding, or
- (iii) that comprises more than 1,000 tonnes per year of sludge or effluent, or
- (iv) that comprises more than 200 tonnes per year of other waste material, or



- 1(b) that sort, consolidate or temporarily store waste at transfer stations or materials recycling facilities for transfer to another site for final disposal, permanent storage, reprocessing, recycling, use or reuse and:
  - (v) that handle substances classified in the Australian Dangerous Goods Code or medical, cytotoxic or quarantine waste, or
  - (vi) that have an intended handling capacity of more than 10,000 tonnes per year of waste containing food or livestock, agricultural or food processing industries waste or similar substances, or
  - (vii) that have an intended handling capacity of more than 30,000 tonnes per year of waste such as glass, plastic, paper, wood, metal, rubber or building demolition material, or
- 1(c) that purify, recover, reprocess or process more than 5,000 tonnes per year of solid or liquid organic materials, or

#### 1(d) that are located:

- in or within 100 metres of a natural water body, wetland, coastal dune field or environmentally sensitive area, or
- (ii) in an area of high water table, highly permeable soils, acid sulphate, sodic or saline soils, or
- (iii) within a drinking water catchment, or
- (iv) within a catchment of an estuary where the entrance to the sea is intermittently open, or
- (v) on a floodplain, or
- (vi) within 500 metres of a residential zone or 250 metres of a dwelling not associated with the development and, in the opinion of the consent authority, having regard to topography and local meteorological conditions, are likely to significantly affect the amenity of the neighbourhood by reason of noise, visual impacts, air pollution (including odour, smoke, fumes or dust), vermin or traffic.

As a result, Part 1 of Schedule 3 of this regulation requires that for facilities exceeding these threshold levels, an Environmental Impact Statement (EIS) needs to be prepared to accompany a DA to establish a new or alter an existing development. Within the EIS, consideration must be given to alternatives to carrying out the development or activity, environmental effects, measures to mitigate adverse effects and justification for the development. The effect of this regulation is that it introduces a rigorous assessment process for the establishment of new (designated) waste facilities or the alteration of existing waste operations. Thus extensive study and planning must be carried out in order to gain development consent for proposed facilities. This often introduces a significant cost and time factors into establishing major facilities. For those developments which are not deemed to be designated developments i.e. those not exceeding threshold requirements, Part 1 subclause (1)(c) of this Regulation requires that development applications must be accompanied by a Statement of Environmental Effects (SEE).

#### **Protection of the Environment Administration Act 1991**

The objectives of the Protection of the Environment Administration Act 1991 are:

- a) to constitute the Environment Protection Authority (EPA);
- b) to provide integrated administration for environment protection; and
- c) to require the Authority to perform particular tasks in relation to the quality of the environment, environmental audit and reports on the state of the environment.



Within this Part 3 of this Act, the objectives of the EPA are stated as being:

- 6 (1) (a) to protect, restore and enhance the quality of the environment in New South Wales, having regard to the need to maintain ecologically sustainable development; and
- 6. (1) (b) to reduce the risks to human health and prevent the degradation of the environment.

Notably, Part 4 of the Act outlines the responsibilities and powers of the EPA including its responsibility for reporting on the state of the environment every 3 years. Of particular relevance to Councils is Part 4 Section 12 in which the EPA is assigned the power of direction to any public authority. Specifically, the EPA may from time to time:

- 12. (1) (a) direct any public authority to do anything within the powers of the public authority which will, in the opinion of the Authority, contribute to environment protection; or
- 12. (1) (b) direct any public authority to cease doing anything which, in the opinion of the Authority, adversely affects environment protection.

However, it should be noted that the power of direction is subject to a consultation process as laid out in the remainder of Section 12.

#### **Protection of the Environment Operations Act 1997**

The *Protection of the Environment Operations Act 1997* is a key legislative instrument in the overall management of waste and its effects on the environment. This is evident from its direct reference to the *Waste Avoidance and Resource Recovery Act 2001* (s.3 (g)). This Act forms a key instrument in the permitting and operating of waste facilities, specifying licences, operating documentation, operating standards, and remedies for waste-related activities, which may include remediation works. The Act prescribes the licensing requirements and environmental standards to which facilities conducting scheduled activities should operate. Specifically, Schedule 1 of this Act lists solid waste landfills receiving over 5,000 tonnes per year of solid waste, or solid waste and inert waste, as EPA-licensed activities. The meaning of solid wastes is further defined in Schedule 1, Part 4. Additionally, composting facilities must be licensed where they have more than 2,000 tonnes of organics on site at one time or where they have more than 5,000 tonnes of non-putrescible organics or more than 200 tonnes of putrescible organics (outside of the regulated area).

A notable feature of this Act is the system of penalties ranging from Tier 1 offences for wilful or negligent (criminal) acts of environmental damage, through to Tier 3 offences against the Act or regulations referred to within the Act. Tier 2 and 3 offences are strict liability offences, often resulting in a monetary fine. This system of penalties reflects the seriousness with which the NSW EPA views acts of environmental pollution. Coupled with broad descriptions of breaches e.g. a person must not pollute, cause or permit waters to be polluted (s.120), the Act imposes a heavy responsibility on individuals and corporations to ensure that the environment is not harmed as a consequence of its activities.

In terms of ensuring adherence to relevant environmental standards and licence requirements, Chapter 7 of this Act details the investigative powers of the NSW Environment Protection Authority and its officers. Here, an authorised officer may enter any premises at where the officer reasonably suspects that pollution has been, is being or is likely to be caused. In addition, evidentiary search powers are assigned to authorised officers in carrying out their investigations.

The POEO Act establishes the waste and environment levy (the levy) which is payable by scheduled waste facilities (those requiring a licence) in the regulated area (see below) and state wide for intractable liquid waste. The levy applies to waste disposed to landfill or intractable liquid waste facilities. The solid waste levy applies in the regulated area of NSW which is made up of the Sydney Metropolitan Area, the Illawarra and Hunter regions and, as of July 2009, the central and north coast local government areas to the Queensland border as well as the Blue Mountains, Wingecarribee and



Wollondilly local government areas. A flat levy is charged on solid waste regardless of the type of waste, but the rate varies across the three geographical regions.

It is to be noted that payment of the levy does occur in the Lithgow Local Government Area should waste be transported from Sydney or the other regulated areas for disposal at a licensed landfill. Section 88 of the Act requires payment of contributions by the license holder of the waste facility. Two of Lithgow City Council's landfills are licensed. The payment of the levy outside is to deter the disposal of waste outside of the regulated areas in an attempt to avoid the landfill disposal costs.

In the Metropolitan Levy Area (MLA), the levy commenced at \$0.51 per tonne in 1971 and is currently \$135.70 per tonne. In the Regional Levy Area (RLA) the levy is currently \$78.20 per tonne. Lithgow is not within either the MLA or RLA but waste transported from those areas still attracts the levy.

The levy works by increasing the cost of waste disposal, thereby providing a strong economic incentive to reduce waste generation and promote resource recovery. The levy is designed to discourage landfill disposal and drive resource recovery investment. As the levy increases, it encourages waste generators to review their practices and makes recycling options more financially viable in comparison to landfill.

#### Protection of the Environment Operations (Waste) Regulation 1996

The *Protection of the Environment Operations (Waste) Regulation 1996* establishes requirements relating to non-licensed waste facilities, waste activities and transporters. These requirements relate primarily to operation and reporting. The regulation also details financial contributions by occupiers of scheduled waste facilities and monitoring requirements.

#### **Waste Avoidance and Resource Recovery Act 2001**

The Waste Avoidance and Resource Recovery Act 2001 sets forth the State's overall objectives in the responsible and sustainable management of waste. It is notable that the waste hierarchy has been enshrined within the objects of the Act i.e.

- 3(b) (i) Avoidance of unnecessary resource consumption;
- 3(b) (ii) Resource recovery (including reuse, reprocessing, recycling and energy recovery); and
- 3(b) (iii) Disposal.

The hierarchy discourages consumption and encourages resource recovery in its many forms, thereby placing an increased emphasis on alternative technologies for recovering resources and treating waste.

#### **Contaminated Land Management Act 1997**

The Contaminated Land Management Act 1997 establishes a process of investigating and (where appropriate) remediating land in areas where contamination presents a significant risk of harm to human health or some other aspect of the environment. Most significantly, it sets out accountabilities for managing contamination if a significant risk of harm is identified, which includes a hierarchy of liability for land contamination.

This is evidenced by s.9 (3) (d) (i) which states that "those who generate pollution and waste should bear the cost of containment, avoidance or abatement". Hence there is a clear link with managing waste in a responsible and sustainable manner. Here, it is understood that the NSW EPA has served remediation orders on Local Councils held to be responsible for the contamination of land which is



deemed to present a significant risk of harm. It is further understood that one such notice specifically related to a former waste disposal facility which was previously operated by a Sydney metropolitan Council and requires it to remediate the site at Council's cost. As a result, a clear link has been established between contaminated land which presents significant risk of harm and the past and present activities of local councils. Furthermore, given the increasingly stringent environmental standards for "polluting" activities, the issuing of such a notice has the ability to impose significant financial burden upon a local Government and its constituents.

On 10 December 2003, this Act was amended by the assent of the *Contaminated Land Management Amendment Act 2003*. Whilst this Act deals mainly with the accreditation of site auditors, it also includes an amendment which enables the recovery in court, of a portion of investigation costs from those who have had partial responsibility for the contamination of land.

On 1 January 2015, this Act was amended by the assent of the *Protection of the Environment Legislation Amendment Act 2014.* This Act increases the maximum penalties for certain offences and enables the EPA to require a person to whom a management order is directed to provide a financial assurance to secure or guarantee funding for or towards the carrying out of an action required under the order.

#### **GUIDELINES**

#### State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Infrastructure) 2007 (ISEPP) assists the NSW Government, local councils and the communities they support by simplifying the process for providing infrastructure like schools, hospitals, roads, railways, emergency services, water supply, electricity delivery and waste management facilities. The ISEPP includes specific planning provisions and development controls for 25 types of infrastructure works or facilities. It plays a key part delivering the NSW Government's infrastructure works.

Division 23 of the ISEPP outlines the conditions under which a waste or resource management facility may be approved. This includes waste management facilities, waste transfer stations and recycling centres. Such developments may be approved if the consent authority considers that there is a suitable level of resource recovery, that the design and operation comply with best practice, that the design maximises landfill gas capture, that the land is suitable for the purpose, that there are no land conflicts, and that transport links to the landfill are optimised to reduce the environmental and social impacts associated with transporting waste to the landfill.

#### **Environmental Guidelines: Solid Waste Landfills**

The purpose of the Environmental Guidelines: Solid Waste Landfills (Guidelines) is to "launch" a consistent and environmentally responsible approach to managing landfills across NSW. The NSW Office of Environment and Heritage (EPA) holds the view that such an approach is vital to instilling community confidence in landfilling activities and avoiding extremely costly land remediation programs. As a result, rather than prescribing actions or designing specifications and standards, OEH (EPA) has selected a performance-based criteria approach for its Guidelines to promote and achieve the best environmental outcomes for the effective treatment and disposal of waste.

The Guidelines assume five principal environmental management techniques for landfills, which an owner / occupier must consider in order to achieve the best environmental outcome.

- 1. Site selection;
- 2. Design and construction;



- 3. Monitoring;
- 4. Site operations management; and
- 5. Remediation and post closure management.

The Guidelines focus on environmental management during the planning process and actual life of a landfill, by providing an outline of issues and goals that need to be managed. These include a system for regulating landfills and some current techniques for managing these issues. From this, current and future occupiers of landfills are required to acknowledge the environmental issues they are expected to manage, recognise goals and performance levels expected of them, and consider their strategic approach to landfilling throughout the life cycle of a landfill facility.

#### **Draft Environmental Guidelines: Solid Waste Landfills**

These guidelines provide guidance for the environmental management of landfills in NSW by specifying a series of best practice measures called 'Minimum Standards'. They involve a mix of design and construction techniques, effective site operations, monitoring and reporting protocols, and post-closure management.

One of the standards in this guideline, which has changed from earlier practice is that daily cover material should be virgin excavated natural material in the form of soil. A minimum cover depth of 150 mm is required. At all times, at least 2 weeks' cover material should be available at the landfill. If this material cannot be won on-site, a stockpile of daily cover material should be maintained adjacent to the tip face.

The guidelines also contain directions relating to the sealing of a landfill with an evapotranspiration cap (or phytocap). Such caps must be prepared in accordance with recognised guidelines, and require accurate calculations and modelling to ensure that factors such as rainfall percolation, soil, vegetation and climate are properly accounted for. All such proposals must be first considered by the EPA. There are also specific and detailed requirements relating to soil and vegetation selection, and monitoring requirements.

# Environmental Guidelines: Assessment, Classification & Management of Liquid & Non-liquid Waste

The purpose of these environmental guidelines is to provide general assistance to parties generating, storing, transporting, treating, processing, reprocessing or disposing of waste to fulfil their licensing requirements. As such, the document draws together common issues relating to liquid and non-liquid wastes. The guideline outlines:

- the obligations of those required to hold licences as well the general environmental obligations of those who do not need a licence.
- the classification and assessment process for both liquid and non-liquid wastes
- the rules set out within the Waste Regulation for the management of liquid and non-liquid wastes once they have been classified, as well as discussing good management practices and the constraints on sending particular wastes to certain landfill facilities,
- common issues arising from the classification and management of waste, drawing out some implicit and explicit linkages between various aspects of waste regulation and discusses these in relation other aspects of environmental regulation. These take the form of general answers to common questions including:
  - the handling of chemical waste;



- the extent to which a generator is responsible for the assessment and classification of waste;
- sampling and testing of waste;
- relevant documents;
- acid sulphate soils in landfills.



#### OTHER RELEVANT DOCUMENTS

#### **National Waste Policy**

The National Waste Policy builds on the 1992 National Strategy for Ecologically Sustainable Development commitments to improve the efficiency with which resources are used, reduce the impact on the environment of waste disposal, and improve the management of hazardous wastes, avoiding their generation and addressing clean-up issues. It also seeks to enhance, build on, or complement, existing policy and actions at all levels of government.

To achieve these outcomes, the policy sets six key directions and identifies 16 priority strategies to guide, direct and complement the actions of individual jurisdictions. The strategies are designed to:

- provide a coherent, comprehensive national framework for waste management, resource recovery and the avoidance of waste over the next decade
- enable Australia to meet its international obligations in regard to the management of hazardous wastes and substances and persistent organic pollutants into the future and reduce the risk and legacy for future generations
- address market impediments and streamline the regulatory frameworks so that national companies and small businesses can operate effectively and efficiently and manage products and materials responsibly during and at end of life
- provide national leadership on waste and resource recovery where it is needed and facilitate collaboration between the states on national issues.
- contribute to climate change, sustainability, innovation and employment opportunities, and
- be high impact and cost effective by setting clear national directions and through collaborative, carefully targeted action that incrementally builds on the existing efforts of governments over a ten year period.

#### **NSW Container Deposit Scheme**

From July 2017 NSW will commence a container deposit scheme. Under the NSW Container Deposit Scheme (CDS), people will be able to return eligible beverage containers for recycling in exchange for a 10-cent refund. A network of collection depots and reverse vending machines will open across NSW to receive empty beverage containers and deliver the 10-cent refund.

Councils will have the opportunity to participate in the operation of collection depots and in helping to inform the community about the scheme. Householders will have a choice to either continue disposing of their eligible beverage containers using their domestic recycling bins or return them to a collection depot or reverse vending machine to claim the 10-cent refund.

Eligible containers in the kerbside recycling will be able to be redeemed. The redemption mechanisms and the distribution of the refund and handling fees will be determined by the Implementation Working Group, which will be established by the NSW Environment Minister. This will result in savings that are likely to help councils improve their waste services and pass reduced council rates on to householders.

Councils can apply to operate collection depots. Alternatively, councils can choose to make their facilities available for others – such as charities, community groups or social enterprises – to run, for fundraising opportunities or to help provide a service to their local community.



## NSW EPA: Industry Sector Rural Waste Landfills Compliance Performance Report - December 2002

As part of its Industry Sector Compliance Audit Program, the then NSW EPA (now OEH) conducted compliance audits of 30 rural landfill facilities across NSW. Waste disposal facilities within the NetWaste region that were audited include:

- 1. Bathurst Waste Management Centre Bathurst City Council;
- 2. Daroobalgie Waste Dept Forbes Shire Council;
- 3. Glenlogan Road Landfill Facility Cowra Shire Council; and
- 4. Mudgee Waste Disposal Depot Mudgee Shire Council.

It should be noted that three of the four facilities audited are located in the Eastern subregion. The objectives of the audits were to address each facility's compliance with the statutory instruments issued to it and with legislation administered by the NSW EPA, and to outline a program of follow-up actions needed to address non-compliances and to improve environmental performance. The key issues identified from the audits related to:

- prevention of air pollution;
- prevention of water pollution;
- land management and conservation;
- prevention of hazards and loss of amenity;
- monitoring; and
- · administrative requirements.

It is understood from OEH (EPA) that this program of auditing rural landfills is likely to continue. At this stage, it is not known whether this program will focus solely on licensed facilities or whether non-licensed facilities will also be audited.

#### **Extended Producer Responsibility Statement 2004.**

In March 2004, the then DEC (now OEH) released the Extended Producer Responsibility Priority Statement 2004.

This document identifies 16 wastes of concern with nine of these wastes receiving priority focus. The intention of this statement is to put the industries producing the identified waste on notice to act to reduce the amount and/or impact of their products in the waste stream. The criteria used to identify waste of concern suited to management by Extended Producer Responsibility (EPR) schemes were:

- detrimental environmental and/or public health impacts resulting from the recovery and/or disposal of the product;
- total volume of the waste requiring disposal and/or the percentage of the waste stream it comprises;
- potential for waste avoidance, reuse or beneficial resource recovery;
- potential to contaminate waste streams and limit opportunities for resource recovery;
- likelihood of illegal disposal through dumping or littering;
- level of community concern about the waste; and
- extent to which EPR is the appropriate tool for managing the waste.



In determining the extent to which EPR is the appropriate tool for managing a particular waste, consideration was given to whether:

- there are clearly identifiable producers;
- the producers have a reasonable capacity to take action;
- there is a well structure or organised industry sector; and
- there is a capacity to influence the whole supply chain.

Using the above assessment criteria, OEH has identified the following 16 wastes of concern that are suitable for management by EPR schemes:

- 1. computers;
- 2. televisions;
- 3. used tyres;
- 4. nickel cadmium batteries, excluding mobile phone batteries;
- 5. plastic bags;
- 6. agricultural / veterinary chemicals
- 7. agricultural / veterinary chemical containers;
- 8. mobile phones and batteries;
- 9. packaging waste, excluding plastic bags;
- 10. cigarette litter;
- 11. electrical products, excluding computers, televisions and mobile phones;
- 12. end-of-life vehicle residuals;
- 13. household hazardous and chemical wastes;
- 14. office paper;
- 15. polyvinyl chloride (PVC); and
- 16. treated timber.

Extended Producer responsibility is now supported through the National Waste Management Strategy as well (refer section 2.1.4).

#### LEGISLATIVE IMPLICATIONS

From the above legislation, regulations and policies, it is clear that the effective and responsible management of waste is a clear and important objective of the NSW Government. Furthermore, it may be seen that appropriately managed waste streams are increasingly being viewed as potential resources and therefore increasing efforts are being made to recover resources with the result of maximising environmental sustainability.

Along with the encouragement of responsible waste management, there is an increasing "tightening" of legislation to deal with parties (including Local Governments) causing environmental degradation as a result of poor waste management practices. This is evidenced by the numerous guidelines and associated reporting requirements and has seen the formation of hierarchies of responsibility along with the assignment of substantial penalties for environmental breaches or where a risk of significant harm is believed to exist. These point to an increasing requirement for those assigned with the



responsibility of managing waste to ensure that their operations incorporate mechanisms to deal with risk in a pro-active manner. Such mechanisms include constant monitoring of facilities, maintenance and updating of operating practices / procedures and long term planning to meet future requirements.

It is increasingly recognised that manufacturers need to exercise some degree of responsibility for the wastes which result from the consumption of their products. This is being considered in the development and implementation of extended producer responsibilities and stewardship schemes.

The NSW Waste Avoidance and Resource Recovery Strategy 2010 provides a framework for reducing waste and making better use of resources. A number of strategies proposed in the current plan will support and assist local governments in reducing waste to landfill.

The introduction of a waste and environment levy in NSW from July 2009 under the *Protection of the Environment Operations Act 1997*, in the Metropolitan Levy Area (MLA) and Regional Levy Area (RLA) has resulted in significant financial increases to dispose of waste in Sydney, Wollongong, Newcastle and the Blue Mountains. Prices have recently increased to \$135.70 per tonne with companies now looking at ways to reduce the amount of waste to landfill or more competitive landfilling options.

An increase in the fee also has the potential to increase the likelihood of illegal dumping as people try to avoid the additional costs.

Lithgow City Council does not currently have to pay the levy for locally disposed waste; however, waste being transported for disposal from the regulated areas is subject to the fee. Council therefore needs to understand the source of materials bought for disposal, particularly privately delivered larger loads of construction and demolition materials. A tracking system needs to be in place to log such materials and then to issue payment of the levy to the NSW State Government.



# APPENDIX C – REVIEW OF 2011-2016 STRATEGY IMPLEMENTATION



Recommendation		Action	Priority	Timeframe	Status	
1	Management (9.1)	Establish tracking system to identify disposal of waste from Regulated areas and payment of the Levy to State Government and to ensure waste from outside the Local Government Area is not accepted at the Lithgow SWF.	1	2011 - 2012	No waste from outside the LGA is accepted at the Lithgow SWF	
2	Management (9.1)	Undertake a review of current contracts in line with the strategies to be implemented	1	2011 - 2012	Ongoing; current JRR contract runs from November 2013 to November 2023; HPH contractual arrangements dependant on Blackmans Flat facility becoming operational.	
3	Management (9.1)	Review of resources to be undertaken to manage new or modified waste management systems.	2	2012-2013	Ongoing as part of Council's integrated planning and reporting process.	
4	Landfills (9.2.1)	Blackmans Flat to be viewed as a best practice facility and to incorporate a range of waste technologies for a facility in 2021.		2011 (concept deign) 2015-2016 (review waste and landfilling best practice)	Construction of Blackmans Flat delayed due to the revised Lithgow landfill plan.	
5	Landfills (9.2.1)	Activate development consent for Blackman's Flat prior to December 2011.	1	2011	Has been activated.	
6	Landfills (9.2.2)	Extend the life of Lithgow SWF for at least Stage 1 and 2. Consider including the required infrastructure for improved reuse / recycling opportunities.		2011 - 2012	Lithgow SWF life extended with revised plan. Lithgow waste transfer plans	



Recommendation		Action Pr		Timeframe	Status	
					have been developed	
7	Landfills (9.2.3)	Undertake community engagement and education on the closure of the landfills and progress with Landfill closures according to closure plans		2011-2012	Some rural landfill closures have been delayed; revised target dates set. Council continuing to review wastes services for these areas. Consultation to be undertaken before any closures.	
8	Transfer Stations (9.3)	Residents of Capertee be consulted on the closure of the landfill in 2018 and their potential use of a transfer station if constructed		2015 - 2016	As per item 7 above.	
9		Develop transfer station at Glen Davis/Glen Alice to coincide with the closure of Glen Davis landfill in 2013	2	2012 - 2013	As per item 7 above.	
10		A transfer station is included in the development of Blackman's Flat and this be developed as a first stage of the facility with infrastructure constructed to be easily transferrable to the new facility when it is fully commissioned		To be determined following community consultation	This option is being considered as part of this revised waste management strategy.  Consultation to be undertaken before any development commences.	
11		Design the new transfer stations with recycling of a range of materials in mind	2	2011 - 2016	As per item 7 above.	
12		Consideration be given to the upgrade of the existing three transfer stations to provide the opportunity for	_	2011 - 2016	The City is continuing to review wastes services for these areas.	



Recommendation		Action	Priority	Timeframe Status	Status
		recycling and materials separation			
13	Kerbside Collection Services (9.4)	Include requirements within the planning for the Blackmans Flat facility measures for the management of organic materials through composting.	3	2014 - 2015	See item 10 above.
14		Prepare proposal to consolidate the current kerbside collection scheme in the short term by replacing the recycling crate with a bin. Seek costs for the provision of the service and any upgrade requirements of the MRF.	1	2011 - 2012	Under the current JRR contract, fortnightly kerbside collections in the urban and village zones of 240L MSW MGBs containing mixed recyclables
15		Prepare proposal for an ultimate upgrade to a 3 bin kerbside collection scheme in the long term. Seek costs for the provision of the service and upgrade requirements of the MRF, greenwaste operations etc.	3	2016 +	Not yet commenced.
16		Undertake community engagement on the kerbside collection services and preferred options and commitment for implementation		2011 - 2012	Not yet commenced.
17		Continue the biannual Clean up Collection service	1	2011 - 2016	Ongoing
18		Review the opportunities for the collection of organics within the kerbside collection service and new transfer stations.		2016+	Not yet commenced.
19	C&D (9.5)	Undertake a review of the C&D received to landfill sites and determine whether Council itself, can sort, crush and either sell or reuse the materials in road	3	2016+	Not yet commenced.



Recommendation		Action	Priority	Timeframe Status	Status
		base or drainage materials.			
20		Identify the opportunities to partner with C&I organisations in educating the community on waste management and minimisation. This can particularly be the case regarding plastic bag usage or in the case of larger grocery organisations the minimisation of food wastes.	3	2011 - 2016	City to comment
21	HHW (9.7)	Continue to support and utilise the annual Netwaste organised program for the collection and disposal of household hazardous waste.		2011 - 2016	Ongoing
22		Install a hazardous waste store at the Lithgow SWF to allow for the safe collection of chemicals and other items such as batteries, gas bottles, paints and mercury fluorescent tubes over the year.  A similar store should also be included in the future development for Blackmans Flat.	2	2013 - 2014	Within the design of the Waste Transfer Station for each of these sites space for a CRC is provided. This will be dependent of EPA funding. Until this time the City will provide an annual household chemical cleanout service
	Resource Recovery (9.8)				
23	E-waste	Continue to support the Netwaste organised annual program for the collection and recycling of E-waste.	3	2011 - 2016	Ongoing
24	Paper/ cardboard	Continue the current collection of paper and cardboard and recycling services. Allow for paper and cardboard collection at the Waste transfer stations	1	2011 - 2016	Ongoing; No collection at the at the waste transfer stations



Recommer	ndation	Action	Priority	Timeframe	Status
25	Greenwaste	Continue with this contract for its agreed term	2	2011 - 2016	City provides a green waste collection service during the growing season. This occurs in October, December, February and April.  This material is retained separate to the landfill but buried as part of the landfill at present.
26	Mattresses	Explore any potential opportunities for collection and recycling in the future as they become available.	3	2012 - 2016	Not yet commenced; there is not a large number of mattresses disposed of
27	Plastic bags	Council to work with retailers and food suppliers to reduce the use of plastic bags through community education		2012 - 2016	No yet implemented, could be part of future programs.
28	Tyres	Confirm the number of tyres disposed to Lithgow SWF. Investigate the disposal method for commercial tyres in the area and seek possible alliances for the disposal / reuse of all tyres.	2	2011 - 2012	The statistics indicate a total of 33 tyres landfilled in the 2015-16 financial year. No arrangements for alternative disposal methods put in place yet.
29	Steel	Continue with the arrangements already in place for the collection and recycling of scrap metal. Facilities should be provided for collection at transfer stations and Blackmans Flat.	2	2011 - 2016	Ongoing; No facilities at the transfer stations. See item 10 above.



Recommen	dation	Action	Priority	Timeframe	Status
30	Event management	Establish a policy and protocol for waste-wise events for both Council and community run events.	3	2012 - 2013	Currently has a Recycling and Public Place Recycling Program at City events such as Halloween provided through the waste education contractor.
31	Education (9.9)	Develop a long term community (residential, schools, commercial and Industrial) engagement and education plan covering waste minimisation, recycling / reuse and the future services of Council regarding closure of landfills, the development of transfer stations and new landfill sites.	2	2012 - 2013	Community consultation undertaken by Envirocom, supported by the JRR contract.  Additional community consultation will be required as the City progresses landfill closures. The communication mechanisms are in place to manage this.
32		Identify and utilise where possible education opportunities and programs offered through Netwaste, OEH and other government departments		2011 - 2016	Ongoing Through the JRR contract, ongoing education undertaken. Council does participate in media promotions of Netwaste activities although these are limited. There are possibilities for additional education with other agencies if resources allow.
33	Carbon management(9.1	Investigate the possibility of the inclusion of methane gas collection, extraction and reuse system,	_	2016+	Not yet commenced. Unlikely to be included in Blackmans Flat



Ī	Recommendation	Action	Priority	Timeframe	Status
	0)	including costs to understand the capital requirements and potential pay backs for the Blackmans Flat Facility.			Facility



# 3. WATER SUPPLY

Policy 3.3

**BACKFLOW PREVENTION - CONTAINMENT** 

Version 1

## 3. WATER SUPPLY

#### 3.3 BACKFLOW PREVENTION

#### **OBJECTIVES:**

- To assure the quality of Lithgow City Council's drinking water supply by minimising the risk of backflow contamination from connections to the supply system.
- 2. To set out Lithgow City Council's requirements for the installation and maintenance of containment backflow prevention devices on high, medium and low hazard properties.
- 3. To identify when testable backflow prevention devices are required to protect the water supply from contamination back through a customer's water service.

#### **DEFINITIONS:**

- 1. A <u>property</u>, for the purposes of this policy, includes all properties other than domestic single dwelling low hazard residential properties serviced by a 20mm or 25mm water connection.
- 2. <u>AS/NZS 3500</u> is the Australian Standard/New Zealand Standard for plumbing and drainage. AS/NZS 3500:1 refers to Part 1 (Water Services) of this standard.
- 3. Backflow is defined as:
  - a. flow in the direction contrary to the normal or intended direction of flow.
  - b. the unintended flow of water from a potentially polluted source into a potable water supply system.
- 4. A <u>backflow prevention device</u> is a mechanical device that will prevent the reverse flow of water from a potentially polluted source into the potable water supply system.
- 5. <u>Connections</u> include all connections to a Lithgow City Council water main, including those from customers' premises or from standpipes.
- 6. <u>Containment protection</u> is defined as the installation of a backflow prevention device on the water service at the property boundary, to prevent backflow from within the property entering the potable water supply system.
- 7. <u>Cross connection</u> is defined as any connection or arrangement between the potable water supply system connected to the water main or any fixture, which may under certain conditions enable non-drinking water or other substances to enter the potable water supply system.
- 8. <u>Customer</u> is defined as the property owner.
- 9. Fire drencher sprinkler systems are defined as heat activated fire suppression systems, which spray water on the outside surface of a building or structure, to prevent the spread of fire from an adjacent building or structure.

- 10. <u>Fire services</u> are defined as services comprising water pipes, fire hydrants, fire hose reels, fittings, and including water storage or pumping facilities, which are installed solely for firefighting and extinguishing purposes in and around a building or property. Under certain conditions part of a fire sprinkler system may be included.
- 11. Hazard ratings are defined in AS/NZS 3500 as follows:
  - a. High Hazard Any condition, device or practice, which in connection with the water supply system has the potential to cause death.
  - b. Medium Hazard Any condition, device or practice, which in connection with the water supply system could endanger health.

#### **POLICY:**

#### 1. General

- 1.1. All property owners must comply with the requirements of the Plumbing Code of Australia and AS/NZS 3500:1.
- 1.2. All customers with a water connection must assess the potential hazard and shall install appropriate backflow prevention at the boundary for containment purposes.
- 1.3. The installation of a backflow prevention containment device is necessary to ensure the public water supply system is protected from backflow of contaminants.
- 1.4. This policy covers only site containment backflow prevention devices. It is the responsibility of the property owner for zone and individual backflow prevention devices.

Zone protection means; Installing a backflow prevention device at the connection point of specified sections of a plumbing system within a building or facility.

Individual protection means; Installing a backflow prevention device at the point where the water pipes connect to a fixture or appliance.

#### 2. Conditions of Installation

- 2.1. The property owner is responsible for the full cost of complying with this policy.
- 2.2. All backflow prevention containment devices installed to comply with this policy are the responsibility of the property owner. This may include (but is not limited to) installation, maintenance and annual testing.
- 2.3. Lithgow City Council will maintain a register of testable device installations, annual maintenance records and will conduct sample audits of installations to ensure ongoing compliance with AS/NZS 3500:1.
- 2.4. Existing medium and high risk properties connected to the water supply must install a compliant backflow prevention containment device within 12 months of notice issued by Lithgow City Council.
- 2.5. If Lithgow City Council determines that the backflow prevention device is unsatisfactory and issues a notice requiring the customer to repair, maintain, test, replace or install a backflow prevention device, the customer shall

- comply with the notice within the time specified in the notice as per the Local Government Act 1993, Section 124 order 5 (h) Under this Act local government can take action as necessary to bring into compliance with relevant standards or requirements set or made by this act relating to a water service or meter.
- 2.6. If the customer fails to install, repair, maintain, replace or test a backflow prevention device as required by a notice issued by Lithgow City Council, Lithgow City Council may disconnect (in the case of a non-residential property) or restrict (in the case of a residential property or mixed development) the customer from the water supply system until such time as the customer has complied with the notice so to prevent contamination of the water supply. Lithgow City Council may also impose a fee or charge for administrating non-compliance with the policy.
- 2.7. Lithgow City Council reserves the right to take appropriate regulatory action against the licence plumber for any incorrect installation that does not meet the requirements of AS/NZS 3500:1.
- 2.8. All properties must comply with the requirements specified in AS/NZS 3500.1:2003 or this policy, which ever requires the highest protection level.
- 2.9. Where a change of use for a property results in a reduced hazard rating, the property owner must have an accredited backflow prevention plumber certify the change in hazard rating and then inform Lithgow City Council. Lithgow City Council may conduct a site audit to verify the new hazard rating.
- 2.10. All properties connected to Lithgow City Council's water supply system are to have appropriate backflow prevention containment devices installed.
- 2.11. The type of device installed shall be in accordance with the hazard rating of the processes conducted, or the water supply installations present on site.
- 2.12. If the hazard rating varies due to multiple processes, the highest hazard rating shall be applied.
- 2.13. Properties identified as having high or medium hazards must install a testable backflow prevention device.
- 2.14. Where hazards are unknown for a commercial, industrial or a mixed development, the hazard rating will default to high and the installation of a testable device will be required.
- 2.15. High hazard properties require the installation of a Registered Break Tank, Reduced Pressure Zone Device or Registered Air Gap.
- 2.16. Medium hazard properties require the installation of a testable double check valve.
- 2.17. Low hazard properties require the installation of a non-testable dual check value.
- 2.18. Metered standpipes require a testable double check valve.
- 2.19. Fire services require the installation of a double check detector assembly.
- 2.20. Independent fire drencher sprinkler systems require the installation of a dual check valve.
- 2.21. All backflow prevention containment devices shall be installed in accordance with AS/NZS 3500:1. A backflow prevention containment device must be

fitted to all water supplies entering the property regardless of the supply type or metering arrangement. All devices must be installed on the outlet side of the master water meter supplying the property to achieve site containment. In circumstances where there is no master water meter, the containment device shall be installed on the water supply where it enters the property boundary. There must be no connections bypassing the containment device or water meter.

- 2.22. A backflow containment device must be installed so that the underside of the valve is a minimum of 300mm above the surrounding surface unless otherwise specified in the Plumbing Code of Australia.
- 2.23. Where a fire booster service is installed, the device must be installed so that the underside of the valve is a minimum of 750mm above the surrounding surface.
- 2.24. On a metered standpipe, the device shall be integrated into the design of the standpipe.
- 2.25. On a separate hydrant and/or sprinkler fire service, the device shall be installed close to where the water service crosses the property boundary, upstream of any booster assembly on, or offtake from the fire service.

#### 3. Customer compliance and reporting requirements

- 3.1. All backflow prevention devices must be installed by a licensed plumber. Only a licensed plumber with backflow prevention accreditation may commission and test the device.
- 3.2. Registered Break Tanks and Registered Air Gaps must be installed and certified by a licensed plumber.
- 3.3. Customers are responsible for the installation, maintenance and annual testing of all backflow prevention devices in accordance with AS/NZS 3500:1 and ensuring that the associated documentation (Backflow Prevention Application, Inspection and Maintenance Report) and any prescribed fee is forwarded to Lithgow City Council.
- 3.4. The customer's licensed and backflow accredited plumber is responsible for completing the Backflow Prevention Application (required on installation of the device) and the Backflow Prevention Device Inspection and Maintenance Report (required on commissioning or testing the device).
- 3.5. For low hazard connections, Lithgow City Council requires the registration of the backflow device. Completion of the Inspection and Maintenance Report is not mandatory for low hazard connections.
- 3.6. The device installation and commissioning test must be registered with Lithgow City Council within two working days of commissioning.
- 3.7. Customers are responsible for the provision of zone and individual backflow protection from hazards within their property as specified in AS/NZS 3500:1.

#### **Table 1: Site Containment Backflow Prevention Standard**

Premise type/category	Examples (not limited to)	Hazard
Alternate Water Supply	bore water, dams, reclaimed	High

Premise type/category	Examples (not limited to)	Hazard
	stormwater or recycled waste	
	water (black or grey reuse)	
Below Ground Rainwater Tank	fully buried, partially buried, commercial, industrial, 2+ residential strata units - 25mm+ water service	High
Premise with Restricted Access	defence force, heavy industry, universities, chemical plants/processing or similar, petroleum processing plants or similar, radioactive reactor/processing or similar, major shopping centres, private network utilities, power stations and sub stations, coal mines, metal recyclers, water treatment works, prisons and corrective centres, airports	High
Water Front Facilities	piers, docks, marinas, fishing co- ops, oyster/prawn/fish farmers	High
Sewerage Treatment/Disposal/Recycling	sewerage treatment works, sewage lift stations, sewage lift stations residential (with well washers), sanitary depots, recreational vehicle sewerage dump points, effluent re- use plant	High
Automotive	petrol stations, vehicle, plant and plant equipment washing, caravan parks with sanitary dump point	High
Health Facilities	hospitals, mortuaries, funeral parlours with embalming, day surgery premises, pathology laboratories, general laboratories, dental surgeries - with direct water connection to dental chairs nursing homes with dirty utility rooms - sterilisers, pan washing, medical/dental - autoclaves, sterilisers, bidets - residential/commercial/industrial	High
Food Processing and Preparation	abattoirs, food processing (where high hazard is identified - clean in place systems) food & beverage processing plants including grease arrestors	High
Metal Finishing	galvanising, electro plating, chrome plating, zinc plating, powder coating	High

Premise type/category	Examples (not limited to)	Hazard
Agricultural	drinking troughs, crop farms, hydroponic operations, organic, veterinary surgeries, pest control facilities	High
Trade Waste	oil separator (process, wash day), prison sanitary grinder system, dilution pit, commercial laundries, industrial silt trap, Daf unit/collection tank with pH correction and/or coagulant dosing, Grease Arrestor	High
Fire Control	hydrant with chemical injection, hydrant within high hazard area, fire hose reel/s within high hazard area, sprinkler with chemical injection, below ground hydrants	High
Sporting/Recreational	golf course, irrigation with pump system or fertiliser/chemical injection, irrigation with below ground sprinklerheads ("pop up")	High
Local Government - Council, Public Utility	public swimming pool - with chemical storage, works depots, waste disposal facilities - garbage dumps	High
Development Construction	temporary construction water services for 3+ residential units, commercial and industrial developments (rpzd to be registered with Lithgow City Council upon connection and unregistered with Council upon disconnection)	High
Local Government - Council, Public Utility	public swimming pool - no chemical storage, mixed use buildings - offices etc, secondary school laboratories - dilution pit, spas, fountains	Medium
Fire Control	commercial/industrial premises with sprinkler service, commercial/industrial premises with hydrant service, commercial/industrial premises with fire hose reel/s, residential fire services identified as medium risk	Medium
Recreational	caravan parks without sanitary dump points	Medium
Trade Waste Above Ground Rainwater Tank Below Ground Rainwater Tank	silt trap 3+ strata units single residential stand-alone	Medium Medium Medium

Premise type/category	Examples (not limited to)	Hazard
* Accepting Roof Water Only	dwelling 20mm water service	20mm Vented
* Adequate Vermin Proofing		<b>Dual Check</b>
* Require inlet and outlet		Valve
Sewage Pump Station	single residential stand-alone dwelling 20mm water service (no internal well washers and with or without potable water flushing via an external air gap)	Medium 20mm Vented Dual Check Valve
Alternate Water Supply	residential bore water, residential	Medium
(Residential)	reclaimed stormwater	20mm Vented
* No interconnection with		<b>Dual Check</b>
drinking water supply		Valve
Above Ground Rainwater Tank	single stand-alone residential dwelling, strata duplex	Low
Commercial	hairdressers basins or troughs	Low

**Table 2: Minimum Site Containment Backflow Requirements** 

Connection type	Minimum requirements
32mm water meter	testable device - minimum double check valve (TDCV)
40mm water meter	
50mm water meter	
80mm water meter	
100mm water meter	
150mm water meter	
200mm water meter	
single check detector	not to be used
assembly	

Maintained by Department:	Water & Waste Water	Approved by:	Council		
Reference:	Dataworks: Policy Register	Council Policy No:		Effective Date:	
Min No:		Version No:		Reviewed Date:	
Attachments:					

Asset Number	Name	Location	Suburb	Length (m)	Ward
R0000004.100	Airly Street	Vincent Street to Turon Gully Road	Capertee	211.6	Rural
R0000013.100	Anarel Road	Honeysuckle Falls Road to Gate	Sodwalls	1288.7	Rural
R0000013.103	Anarel Road	CH 2300 to Grid	Sodwalls	674.6	Rural
R0000020.100	Bandamora Street	Castlereagh Highway to Hearne Street	Capertee	206.9	Rural
R0000020.101	Bandamora Street	Hearne Street to End	Capertee	482.2	Rural
R0000042.100	Benbow Road	Mill Creek Road to Gate	Kanimbla	351.3	Rural
R0000057.100	Blaxland Road	Cox's River Road to Unnamed Road	Kanimbla	591.4	Rural
R0000077.100	Browns Gap Road	Hassans Walls Road to CH 990	Hartley	989.2	Rural
R0000077.101	Browns Gap Road	CH 990 to CH 2144	Hartley	1154	Rural
R0000077.103	Browns Gap Road	CH 3107 to CH 4070	Hartley	963.6	Rural
R0000077.104	Browns Gap Road	CH 4070 to Joseph Morris Bridge	Hartley	913.6	Rural
R0000102.101	Cases Lane	CH 285 to Thorpes Pinch Road	Mount Lambie	1749.3	Rural
R0000125.100	Coco Street	Castlereagh Highway to Park Street	Capertee	66.2	Rural
R0000155.100	Cox's River Road	CH 167 to Morris Place	Little Hartley	711.6	Rural
R0000162.100	Crown Station Road	Glen Davis Road to CH 742	Glen Davis	742.2	Rural
R0000162.101	Crown Station Road	CH 742 to CH 1726	Glen Davis	984.6	Rural
R0000162.102	Crown Station Road	CH 1726 to CH 2072	Glen Davis	346.5	Rural
R0000178.113	Dark Corner Road	Creek Crossing to CH 1020	Palmers Oaky	1020.5	Rural
R0000178.114	Dark Corner Road	CH 1020 to CH 1997	Palmers Oaky	977.5	Rural
R0000178.115	Dark Corner Road	CH 1997 to CH 3001	Palmers Oaky	1004	Rural
R0000178.116	Dark Corner Road	CH 3001 to CH 4171	Palmers Oaky	1170.3	Rural
R0000190.100	Dowdells Road	Hampton Road to CH 593	Hampton	1178.2	Rural
R0000218.100	Farley Street	Carsons Siding Road to End	Cullen Bullen	333.6	Rural
R0000221.102	Fields Road	CH 1685 to Browns Gap Road	Hartley Vale	404.5	Rural
R0000228.102	Ford Street	High Street to End	Rydal	85.3	Rural
R0000239.100	Fregars Road	Ganbenang Road to CH 315	Kanimbla	315.7	Rural
R0000249.100	Genowlan Road	Glen Alice Road to Causeway	Glen Alice	802.7	Rural
R0000249.101	Genowlan Road	Causeway to Huntingdale Road	Glen Alice	726.3	Rural
R0000249.102	Genowlan Road	Huntingdale Road to CH 968	Glen Alice	968.5	Rural
R0000249.103	Genowlan Road	CH 968 to CH 1963	Glen Alice	995.9	Rural

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R0000249.104	Genowlan Road	CH 1963 to CH 3078	Glen Alice	1115.7	
R0000249.105	Genowlan Road	CH 3078 to CH 4050	Glen Alice	972.8	Rural
R0000249.106	Genowlan Road	CH 4050 to CH 4943	Glen Alice	893.8	Rural
R0000249.107	Genowlan Road	CH 4943 to CH 6053	Glen Alice	1110.6	Rural
R0000249.108	Genowlan Road	CH 6053 to CH 6596	Glen Alice	543.6	Rural
R0000254.126	Glen Alice Road	CH 1830 to Home Hills Road	Mount Marsden	959.2	Rural
R0000254.128	Glen Alice Road	CH 720 to CH 1830	Mount Marsden	1010.1	Rural
R0000254.130	Glen Alice Road	Home Hills Road to Dunville Loop Road	Mount Marsden	196.3	Rural
R0000254.131	Glen Alice Road	Dunville Loop Road to CH 309	Mount Marsden	309.9	Rural
R0000255.139	Glen Davis Road	CH 150 to Canobla Avenue	Capertee	264.9	Rural
R0000256.100	Glenrock Place	Mid Hartley Road to CH 400	Hartley	401.8	Rural
R0000257.100	Glencoe Road	Glen Alice Road to CH 1045	Bogee	1044.9	Rural
R0000257.101	Glencoe Road	CH 1045 to End	Bogee	769.3	Rural
R0000260.100	Goulburn Street	Hearne Street to Morundurey Street	Capertee	211.9	Rural
R0000266.100	Groves Road	Wolgan Road to Angus Place Haul Road	Lidsdale	576	Rural
R0000287.100	Hearne Street	Bandamora Street to Vincent Street	Capertee	210.3	Rural
R0000287.101	Hearne Street	Vincent Street to Vincent / Goulburn Lane	Capertee	62.9	Rural
R0000287.102	Hearne Street	Vincent / Goulburn Lane to Goulburn Street	Capertee	60.3	Rural
R0000287.103	Hearne Street	Goulburn Street to Garbage Tip	Capertee	871.8	Rural
R0000287.104	Hearne Street	Garbage Tip to End	Capertee	1144.2	Rural
R0000312.101	Hunters Road	CH 206 to End	Hartley Vale	355.3	Rural
R0000313.100	Huntingdale Road	Genowlan Road to CH 992	Glen Alice	992.2	Rural
R0000313.101	Huntingdale Road	CH 992 to Bridge	Glen Alice	991.9	Rural
R0000313.102	Huntingdale Road	Bridge to CH 952	Glen Alice	952.4	Rural
R0000313.103	Huntingdale Road	CH 952 to End	Glen Alice	553.8	Rural
R0000327.100	Irondale Road	Pipers Flat Road to CH 928	Portland	928.4	Rural
R0000327.101	Irondale Road	CH 928 to End	Portland	605	Rural
R0000380.100	Leigh Morres Road	Sodwalls Road to CH 572	Sodwalls	516	Rural
R0000404.101	Lowther Cemetery Road	Cemetery to Jenolan Caves Road (Southern End)	Lowther	742	Rural
R0000405.100	Hampton Post Office Road	Rydal / Hampton Road to Jenolan Caves Road	Hampton	773	Rural
R0000409.101	Maddox Lane	Wolgan Road to End (East)	Lidsdale	289.4	Rural

R0000434.100	McCann Way	Carsons Siding Road to End	Cullen Bullen	106.5	Rural
R0000434.101	McCann Way	McCann Way to End	Cullen Bullen	74.1	Rural
R0000465.100	Mudgee Street	Great Western Highway to CH 126	South Bowenfels	126	Rural
R0000477.100	Myalla Road	Glen Alice Road to End	Glen Alice	1077.6	Rural
R0000482.102	New Street	High Street to End	Rydal	113.6	Rural
R0000483.100	Nightingales Road	Crown Station Road to CH 297	Glen Davis	297.3	Rural
R0000483.102	Nightingales Road	CH 996 to CH 1394	Glen Davis	398	Rural
R0000483.103	Nightingales Road	CH 1394 to CH 2398	Glen Davis	1004	Rural
R0000483.104	Nightingales Road	CH 2398 to CH 3155	Glen Davis	757.7	Rural
R0000485.100	Nile Street	Castlereagh Highway to Park Street	Capertee	68.2	Rural
R0000490.101	Norman Lee Road	Rydal / Hampton Road (North) to CH 410	Hampton	409.7	Rural
R0000490.102	Norman Lee Road	Rydal / Hampton Road to CH 1012	Hampton	1012.6	Rural
R0000490.103	Norman Lee Road	CH 410 to End (North Section)	Hampton	1003.2	Rural
R0000490.104	Norman Lee Road	CH 1012 to End (Southern)	Hampton	937	Rural
R0000492.100	Numietta Road	Nile Road to CH 942	Upper Nile	941.9	Rural
R0000492.101	Numietta Road	CH 942 to End	Upper Nile	643.6	Rural
R0000493.100	Oakey Forest Road	Rail Crossing to CH 878	Marrangaroo	878.1	Rural
R0000493.101	Oakey Forest Road	CH 878 to End (Metromix)	Marrangaroo	509.4	Rural
R0000514.110	Palmers Oakey Road	CH 3969 to CH 4899	Palmers Oaky	930.6	Rural
R0000514.111	Palmers Oakey Road	CH 4899 to CH 5908	Palmers Oaky	1009.2	Rural
R0000514.112	Palmers Oakey Road	CH 5908 to CH 6974	Palmers Oaky	1066.3	Rural
R0000514.113	Palmers Oakey Road	CH 6974 to CH 7951	Palmers Oaky	977	Rural
R0000514.114	Palmers Oakey Road	CH 7951 to CH 9150	Palmers Oaky	1199.4	Rural
R0000518.101	Park Street	Glen Davis Road to Nile Street	Capertee	186.6	Rural
R0000518.102	Park Street	Nile Street to CH 119	Capertee	119.1	Rural
R0000546.100	Pitts Lane	Hartley Vale Road to Creek	Hartley Vale	753.8	Rural
R0000557.100	Purdons Road	Red Springs Road to CH 650	Cullen Bullen	649.8	Rural
R0000560.102	Quarry Road	CH 2193 to CH 3014	Ben Bullen	820.9	Rural
R0000561.100	Quarry Street	Charles Street to End	Rydal	89.5	Rural
R0000568.100	Railway Street	Clarence Pirie Park Road to Castlereagh Highway	Capertee	462.8	Rural
R0000600.100	Russells Road	Castlereagh Highway to CH 1152	Capertee	1152.3	Rural

R0000600.101	Russells Road	CH 1152 to End	Capertee	849.5	Rural
R0000602.124	Hampton Road	Kimbri Drive to CH 502	Rydal	501.6	Rural
R0000602.125	Hampton Road	CH 502 to CH 1535	Rydal	1033.3	Rural
R0000606.102	Sandham Road	CH 2104 to CH 2322	Dargan	218.5	Rural
R0000606.106	Sandham Road	CH 3880 to CH 3962	Dargan	82.6	Rural
R0000606.108	Sandham Road	CH 4367 to Clarence Colliery	Clarence	269.3	Rural
R0000618.100	Short Street	Bandamora Street to Airly Street	Capertee	158.5	Rural
R0000618.101	Short Street	Airly Street to Grange Street	Capertee	347.8	Rural
R0000633.102	Springvale Lane	Railway Overpass to End	Springvale	669.2	Rural
R0000634.102	Stacks Road	CH 1500 to End	Rydal	331.7	Rural
R0000640.102	Sunray Avenue	CH 428 to End (South)	Little Hartley	404.9	Rural
R0000648.100	Tambo Road	Glen Alice Road to CH 1000	Bogee	1000.7	Rural
R0000648.101	Tambo Road	CH 1000 to CH 2110	Bogee	1109.7	Rural
R0000672.100	Turon Gully Road	Short Street to Airly Street	Capertee	233.9	Rural
R0000672.102	Turon Gully Road	Lochaber Road to End (Private Property)	Capertee	1080.3	Rural
R0000675.100	Tyldesley Road	Portland / Cullen Bullen Road to CH 1125	Cullen Bullen	1125.6	Rural
R0000675.101	Tyldesley Road	CH 1125 to End	Cullen Bullen	840.2	Rural
R0000681.102	Upper Turon Road	CH 1452 to CH 2439	Capertee	987.7	Rural
R0000681.103	Upper Turon Road	CH 2439 to CH 3268	Capertee	829	Rural
R0000681.110	Upper Turon Road	CH 8768 to CH 9795	Capertee	1027.1	Rural
R0000681.111	Upper Turon Road	CH 9795 to CH 10763	Capertee	968	Rural
R0000681.112	Upper Turon Road	CH 10763 to CH 11783	Capertee	1020.3	Rural
R0000681.113	Upper Turon Road	CH 11783 to CH 12808	Capertee	1025.3	Rural
R0000681.114	Upper Turon Road	CH 12808 to CH 13789	Capertee	980.3	Rural
R0000681.115	Upper Turon Road	CH 13789 to CH 14810	Capertee	1021.5	Rural
R0000681.116	Upper Turon Road	CH 14810 to CH 15807	Capertee	997.3	Rural
R0000681.117	Upper Turon Road	CH 15817 to CH 16833	Capertee	1025.5	Rural
R0000681.118	Upper Turon Road	CH 16833 to CH 17322	Capertee	488.7	Rural
R0000681.119	Upper Turon Road	CH 17322 to Palmers Oakey Road	Capertee	133.7	Rural
R0000688.101	View Street	CH 589 to End	Lidsdale	194	Rural
R0000691.100	Vincent Street	Airly Street to Hearne Street	Capertee	129.8	Rural

R0000691.101	Vincent Street	Hearne Street to End	Capertee	156	Rural
R0000692.100	Vincent / Goulburn Lane	Morundurey Street to Hearne Street	Capertee	221.8	Rural
R0000694.100	Vulcan Road	Mount Vincent Road to Vulcan Siding Road	Running Stream	1312	Rural
R0000694.101	Vulcan Road	Vulcan Siding Road to End	Running Stream	761.2	Rural
R0000706.100	Watson Avenue	Castlereagh Highway to Invincible Avenue	Cullen Bullen	172.4	Rural
R0000706.101	Watson Avenue	Invincible Avenue to Carsons Siding Road	Cullen Bullen	308.2	Rural
R0000784.101	Karawatha Drive	CH 310 to CH 679	Lidsdale	369.2	Rural
R0000784.102	Karawatha Drive	CH 679 to End	Lidsdale	268.1	Rural
R0000808.100	Old Bathurst Road	Mudgee Street to CH 325	South Bowenfels	324.2	Rural
R0000808.101	Old Bathurst Road	CH 325 to Creek	South Bowenfels	462.9	Rural
R0000812.100	Lyons Street	Morrell Street to Mead Street	Meadow Flat	124.4	Rural
R0000813.100	Mead Street	Lyons Street to End	Meadow Flat	464.9	Rural
R0000814.100	Walker Street	Kelly Street to End	Hartley	169.9	Rural
R0000818.100	Blackmans Creek Road	Great Western Highway to CH 1000	Hartley	1002.7	Rural
R0000818.101	Blackmans Creek Road	CH 1000 to CH 1060	Hartley	557.4	Rural
R0000830.100	Fryer Street	JR Street to Hartley Vale Road	Hartley Vale	155.1	Rural
R0000841.100	Lawsons Long Alley	Fryer Street to CH 753	Hartley Vale	753.6	Rural
R0000872.100	Grange Street	Short Street to End	Capertee	157.1	Rural
R0000941.100	Short Street	Morrell Street to End	Meadow Flat	114.7	Rural
R0000083.100	Burton / Ridge Lane	Burton Street to CH 140	Portland	140.1	Urban
R0000083.101	Burton / Ridge Lane	CH 140 to CH 273	Portland	133.9	Urban
R0000083.102	Burton / Ridge Lane	CH 273 to Burton Street	Portland	133.7	Urban
R0000084.100	Burton Street	Ridge Street to Burton / Ridge Lane	Portland	65.3	Urban
R0000084.101	Burton Street	Burton / Ridge Lane to Haigh Street	Portland	322.6	Urban
R0000084.102	Burton Street	Burton / Ridge Lane to Reservoir Street	Portland	59.5	Urban
R0000084.103	Burton Street	Reservoir Street to Laurie Street	Portland	160.6	Urban
R0000086.100	Bush Street	Roxburgh Street to Roxburgh Street Lane	Portland	63	Urban
R0000136.101	Commonwealth Road	Dulhunty Street to End	Portland	280.8	Urban
R0000142.100	Cook Street	Lidsdale Street to End (North)	Portland	106	Urban
R0000142.101	Cook Street	Lidsdale Street to End (South)	Portland	104.9	Urban
R0000150.100	Corlette Street	Thompson Street to Russell Street	Portland	216.9	Urban

R0000150.101	Corlette Street	Russell Street to Russell / Main Lane	Portland	65.1	Urban
R0000150.102	Corlette Street	Russell / Main Lane to Main Street	Portland	73.2	Urban
R0000150.103	Corlette Street	Main Street to Main / Lawson Lane	Portland	63	Urban
R0000177.101	Dale Street	Forest Street to Roxburgh Street	Portland	164	Urban
R0000177.102	Dale Street	Roxburgh Street to End	Portland	158.1	Urban
R0000234.100	Frankfort / Thompson Lane	Purchas Street to Purchas / Rowsell Lane	Portland	64.7	Urban
R0000234.101	Frankfort / Thompson Lane	Purchas / Rowsell Lane to Rowsell Street	Portland	65.6	Urban
R0000234.102	Frankfort / Thompson Lane	Rowsell Street to Railway / Rowsell Lane	Portland	65.5	Urban
R0000235.100	Frankfort Road	Railway Avenue to Railway / Rowsell Lane	Portland	59.6	Urban
R0000235.101	Frankfort Road	Railway / Rowsell Lane to Rowsell Street	Portland	66.3	Urban
R0000238.100	Fred Burley Drive	Wylde Street to Barton Street	Lithgow	231.5	Urban
R0000271.100	Haigh Street	Kiln Street to Kiln / Burton Lane	Portland	75.4	Urban
R0000271.101	Haigh Street	Kiln / Burton Lane to Burton Street	Portland	65.8	Urban
R0000274.107	Hartley Valley Road (Gap Rd)	CH 695 to Browns Gap Road	Hartley	352.7	Urban
R0000278.100	Hassans Wall Lookout Road	Rutherford Lane to CH 340	Sheedy's Gully	340.7	Urban
R0000278.101	Hassans Wall Lookout Road	CH 340 to CH 1397	Sheedy's Gully	1057.4	Urban
R0000278.102	Hassans Wall Lookout Road	CH 1397 to CH 2397	Hassans Walls	1000.6	Urban
R0000278.103	Hassans Wall Lookout Road	CH 2397 to CH 3433	Hassans Walls	1036.1	Urban
R0000278.104	Hassans Wall Lookout Road	CH 3433 to CH 4037	Hassans Walls	604.7	Urban
R0000278.105	Hassans Wall Lookout Road	CH 4037 to Bracey's Lookout Road	Hassans Walls	401.7	Urban
R0000278.106	Hassans Wall Lookout Road	Bracey's Lookout Road to CH 1101	Hassans Walls	1101	Urban
R0000278.107	Hassans Wall Lookout Road	CH 1101 to Browns Gap Road	Hassans Walls	331.3	Urban
R0000294.100	Burton Street (West)	Haigh Street to Burton / Ridge Lane	Portland	118.9	Urban
R0000297.100	High / Roxburgh Lane	Murray Street to High / Roxburgh Lane	Portland	146.9	Urban
R0000297.101	High / Roxburgh Lane	High / Roxburgh Lane to End	Portland	38.1	Urban
R0000297.102	High / Roxburgh Lane	High Street to High / Roxburgh Lane	Portland	91.2	Urban
R0000302.100	Hill Street	Union Street to Forest Street	Portland	199.2	Urban
R0000302.101	Hill Street	Forest Street to Forest Street Lane	Portland	46.8	Urban
R0000336.100	Jamison Street	Roxburgh Street to Roxburgh / Lidsdale Lane	Portland	75.8	Urban
R0000336.101	Jamison Street	Jamison Street West to Limestone Street	Portland	76.4	Urban
R0000337.100	Jamison Street West	Roxburgh / Lidsdale Lane to Lidsdale Street	Portland	130.2	Urban

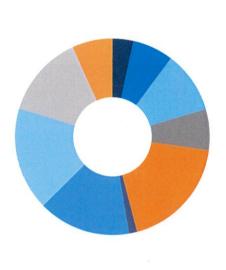
R0000337.101	Jamison Street West	Lidsdale Street to Jamison Street East	Portland	123.8	Urban
R0000339.100	Jamison Street East	Roxburgh / Lidsdale Lane (North) to Roxburgh / Lidsdale Lane (South)	Portland		Urban
R0000339.101	Jamison Street East	Roxburgh / Lidsdale Lane (South) to Lidsdale Street	Portland		Urban
R0000339.102	Jamison Street East	Lidsdale Street to Jamison Street West	Portland	128.7	Urban
R0000370.100	Langbein Lane	Union Street to Limestone Creek Road	Portland	276.6	Urban
R0000386.100	Burton Street (East)	Haigh Street to Burton / Ridge Lane	Portland	133.2	Urban
R0000388.100	Lidsdale Street	Cook Street to Cook / Jamison Lane	Portland	61.6	Urban
R0000388.101	Lidsdale Street	Cook / Jamison Lane to Jamison Street	Portland	59.4	Urban
R0000388.102	Lidsdale Street	Jamison Street to Jamison / High Lane	Portland	52	Urban
R0000388.103	Lidsdale Street	Jamison / High Lane to Jamison / High Lane	Portland	25	Urban
R0000388.104	Lidsdale Street	Jamison / High Lane to High Street	Portland	73.2	Urban
R0000394.100	Limestone Creek Road	Portland / Cullen Bullen Road to Dale Street	Portland	237.8	Urban
R0000394.101	Limestone Creek Road	Dale Street to Langbein Lane	Portland	179.3	Urban
R0000394.102	Limestone Creek Road	Langbein Lane to Creek Street	Portland	468	Urban
R0000395.100	Limestone Street	Long Street to Jamison Street	Portland	52.9	Urban
R0000395.101	Limestone Street	Jamison Street to Jamison / High Lane	Portland	57.8	Urban
R0000395.102	Limestone Street	Jamison / High Lane to Quarry Road	Portland	58.7	Urban
R0000395.103	Limestone Street	High Street to End	Portland	60.4	Urban
R0000402.100	Long Street	Limestone Street to Cook / Jamison Lane	Portland	24.1	Urban
R0000402.101	Long Street	Cook / Jamison Lane to Quarry Road	Portland	117.3	Urban
R0000402.102	Long Street	Quarry Road to Williwa Street	Portland	74.3	Urban
R0000418.100	Main Street	Corlette Street to Railway / Corlette Lane	Portland	61.2	Urban
R0000418.101	Main Street	Railway / Corlette Lane to Railway Avenue	Portland	63	Urban
R0000418.102	Main Street	Corlette Street to Humphrey Street	Portland	168	Urban
R0000419.100	Main Street	Castlereagh Highway to Railway Crossing	Wallerawang	135.6	Urban
R0000419.101	Main Street	Bridge to Railway Crossing	Wallerawang	362.7	Urban
R0000419.102	Main Street	Railway Crossing to Mulduri Street	Wallerawang	854.1	Urban
R0000419.103	Main Street	Mulduri Street to Doggett Lane	Wallerawang	499.4	Urban
R0000419.104	Main Street	Doggett Lane to Daintree Lane	Wallerawang	131.8	Urban
R0000470.100	Murray Street	Roxburgh Street to Roxburgh / High Lane	Portland	61.8	Urban
R0000481.100	Neubeck Street	Wolgan Road to CH 157	Lidsdale	157.2	Urban

R0000555.100	Purchas / Rowsell Lane	Frankfort Road to Frankfort / Thompson Lane	Portland	152	Urban
R0000555.101	Purchas / Rowsell Lane	Frankfort / Thompson Lane to Thompson Street	Portland	152.6	Urban
R0000556.100	Purchas Street	Frankfort Road to Frankfort / Thompson Lane	Portland	184.8	Urban
R0000559.100	Quarry Road	High Street to Limestone Street	Portland	96.2	Urban
R0000559.101	Quarry Road	Limestone Street to Long Street Lane	Portland	121.1	Urban
R0000559.102	Quarry Road	Long Street Lane to Long Street	Portland	81.2	Urban
R0000559.103	Quarry Road	Long Street (West) to Long Street (East)	Portland	55.9	Urban
R0000559.104	Quarry Road	Long Street (East) to End	Portland	68.3	Urban
R0000565.103	Railway Avenue	CH 184 to Frankfort Road	Portland	146.6	Urban
R0000583.100	Ridge Street Lane	Ridge Street to Burton / Ridge Lane (61/63)	Portland	35.99	Urban
R0000584.105	Ridge Street	Laurie Street to Williwa Creek Road	Portland	437.2	Urban
R0000584.106	Ridge Street	Williwa Creek Road to Burton Street	Portland	70	Urban
R0000592.100	Rowsell / Railway Lane	Frankfort / Thompson Lane to Frankfort Road	Portland	154.2	Urban
R0000592.101	Rowsell / Railway Lane	Thompson Street to Frankfort / Thompson Lane	Portland	150.6	Urban
R0000593.100	Rowsell Street	Thompson Street to Frankfort / Thompson Lane	Portland	152.4	Urban
R0000593.101	Rowsell Street	Frankfort / Thompson Lane to Frankfort Road	Portland	145.2	Urban
R0000595.100	Roxburgh Street	Jamison / Cook Lane to Jamison Street	Portland	74.1	Urban
R0000595.101	Roxburgh Street	Jamison Street to High / Jamison Lane	Portland	165.2	Urban
R0000595.102	Roxburgh Street	Jamison / High Lane to High Street	Portland	98.6	Urban
R0000595.103	Roxburgh Street	High Street to Murray Street	Portland	74.6	Urban
R0000595.104	Roxburgh Street	Murray Street to Bush Street	Portland	107.5	Urban
R0000595.105	Roxburgh Street	Bush Street to Dale Street Lane	Portland	105.4	Urban
R0000595.106	Roxburgh Street	Dale Street Lane to Dale Street	Portland	95.9	Urban
R0000677.100	Union Street	Hill Street to Langbein Lane	Portland	225.7	Urban
R0000701.100	Frankfort Road (Mt Piper Road)	Rowsell Street to Purchas / Rowsell Lane	Portland	78.3	Urban
R0000701.101	Frankfort Road (Mt Piper Road)	Purchas / Rowsell Lane to CH 246	Portland	246	Urban
R0000718.102	Williwa Creek Road	CH 540 to Creek	Portland	1174	Urban
R0000752.102	State Mine Gully Road	CH 1342 to CH 2178	State Mine Gully	836.2	Urban
R0000890.100	Creek / Hill Lane	Forest Street to Forest Street Lane	Portland	81.2	Urban
R0000890.101	Creek / Hill Lane	Forest Street Lane to End	Portland	20	Urban
R0000935.100	Forest Street Lane	Hill Street to Creek / Hill Lane	Portland	85.2	Urban

	Total Lengths (m)
Urban	20,714.39
Rural	91,557.30
Combined	112,271.69

Issuer	Market Value	Market Value % Total Value
AMP Bank Ltd	2,012,252.06	6.80%
Auswide Bank Limited	4,036,334.23	13.64%
Bank of Queensland Ltd	5,025,689.05	16.98%
Beyond Bank Australia Ltd	4,539,304.11	15.34%
Commonwealth Bank of Australia Ltd	400,000.00	1.35%
Members Equity Bank Ltd	5,529,046.58	18.68%
MyState Bank Ltd	2,019,528.77	6.82%
National Australia Bank Ltd	3,009,301.23	10.17%
Rural Bank Ltd	2,019,945.20	6.83%
St George Bank Limited	1,002,464.38	3.39%
Portfolio Total	29,593,865.61	100.00%

# Market Value by Issuer



AMP Bank Ltd

Auswide Bank Limited

Bank of Queensland Ltd

Beyond Bank Australia Ltd

Commonwealth Bank of Australia Ltd

Members Equity Bank Ltd

MyState Bank Ltd

National Australia Bank Ltd

Rural Bank Ltd

St George Bank Limited



# **Executive Summary**

The Quarterly Performance Report provides a budget review statement with a revised estimate of income and expenditure for the year. This is a requirement of the Local Government Act 1993 and Local Government (General) Regulation 2005. This Quarterly Performance Report for the period of 1 July 2017 to 30 September 2017 achieves these requirements.

From the General Manager, Graeme Faulkner

# Report by Responsible Accounting Officer

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulations 2005:

30 September 2017

It is my opinion that the Quarterly Budget review Statement for Lithgow City Council for the quarter ended 30/9/17 indicates that Council's projected position at 30 June 2018 will be unsatisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

My opinion above, that Council's projected financial position at 30 June 2018 will be unsatisfactory has been based on the following factors:

- 1. 2017/18 FAGS Grant 50% prepayment into 2016/17 financial year, Potential \$2.0m revenue impact if a prepayment of 2018/19 FAGS Grant is not made in the 2017/18 financial year.
- 2. Increased depreciation expense resulting from asset revaluations.
- 3. Increase in the electricity supply contract commencing January 2018, 2017/18 impact \$343,000.

Recommended remedial action to deal with the unsatisfactory position includes:

- a. Ongoing operating efficiencies and cost savings program.
- b. Implementing the Performance Improvement Plan from Morrison Low.
- c. Revising and refining the Fit for the Future program to include a Special Rate Variation for 2019/20.

**Neil Derwent** 

Responsible Accounting Officer

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# Summary of Financial Position

This report provides the Quarterly Performance Report on the 2017-2018 Operational Plan for the period of 1 July to 30 September 2017 with a recommendation that variations to income and expenditure estimates are voted.

2017/18 Quarterly Budget Comparison							
Budget	Expenditure \$'000	Result \$'000					
Original	45,864	41,856	4,008				
September Quarter	48,907	43,329	5,578				

2017/18 Quarterly Budget Comparison Fund – Proposed September Review								
Budget	Income \$'000	Expenditure \$'000	Result \$'000					
General	30,276	29,120	1,156					
Water	7,604	7,405	199					
Wastewater	11,025	6,803	4,222					

Please note the above tables will not balance due to rounding within income and expense types.

# Consolidated - Income and Expense Budget Review Statement

2017/18 September Quarterly Budget Review Statement											
Projected Income and Expenditure Statement	Original Budget	Carry Forwards	Other than by QBRS	Sept Review	Dec Review	Mar Review	Revised Budget	Variations for this Sept Quarter	Notes	Projected Year End Result	Actual YTD Figures
Rates and Annual Charges	25,474		(192)				25,282	2		25,284	25,967
User Fees and Charges	7,251		263				7,514	75	1	7,589	947
Interest and Investment Revenue	809						809	1		810	201
Other Revenue	811		4				815	219	2	1,034	253
Operating Grants and Contributions	7,864		(75)				7,789	12	3	7,801	998
Capital Grants and Contributions	3,655	2,545					6,200	189	4	6,389	311
Gain Sale of Assets	-										-
Total Revenue	45,864	2,545	-				48,409	498		48,907	28,677
Employee Costs	14,866	23					14,889	345	5	15,235	3,808
Borrowing Costs	931						931			931	136
Material and Contracts	10,166	572	(13)				10,725	462	6	11,187	1,679
Depreciation Expense	10,479						10,479	686	7	11,165	2,949
Other Expenses	5,414		13				5,427	(616)	8	4,811	1,594
Loss on Sale of Assets	-										-
Total Expenses	41,856	595	-				42,451	876		43,329	10,166
Operating Result (Surplus)/Deficit	4,008	1,950	N.				5,958	(378)		5,578	18,511
Operating Result before Capital Grants	353	(595)					(242)	(567)		(811)	18,200

# Income and Expense Budget Variation Notes

Notes	Details
1	Greater than expected development fee income received for the 1 <sup>st</sup> quarter and additional septic tank fees levied and inspected for the quarter.
2	Unbudgeted worker's compensation income claims received. Revised budget is total estimate of claim income for full financial year based off of current employees on worker's compensation.
3	Additional operating grant funding expected to be received this financial year. Funding is for various small projects such as Lithgow Ability Awards and Telstra Tech Savvy Seniors.
4	Capital grant funding expected to be received this financial year. Projects include the completion of RMS Blackspot works, Marjorie Jackson Oval lighting upgrade and Emora Park recreation upgrade.
5	Variations are due to salaries being increased in line with current award of 2.35% (see Council Minute 17-222). In addition a return from maternity leave position was added which was unbudgeted in original budget as well as additional worker's compensation salary and wage expenses.
6	Variation due to over recovery of internal corporate overheads within original budget.
7	Variation due to change in estimate for sewerage infrastructure depreciation based on final revaluation data for 2016/17 financial year revaluation. (See Council Minute 17-222)
8	Decrease in expenditure due to LED street lighting upgrade being removed from Morrison Low improvement plan. (See Council Minute 17-222)

Please note where there is a variation in the review table but no corresponding note, the variation is due to rounding within the asset class.

Please note as a part of budget review we have increased our internal plant charges due to the charge out rates being too high from previous years indexing of charges. This is an internal transaction and has no effect on Council's financial result for the year. Please note we have also reallocated stationary and postage budgets out to the various Cost Centre managers to allow these people to more effectively manage their budgets.

An additional \$10,000 is being requested to be transferred from the Strategic Planning cash reserve to fund variations to the Marrangaroo Masterplan project. Additional project funds required to undertake a more detailed water and wastewater infrastructure servicing report to inform the planning and feasibility of future development of the release area.

# General Fund - Income and Expenditure Review Statement

2017/18 September Quarterly Budget Review Statement										
Income and Expenditure Review Statement										
Projected Income and Expenditure Statement	Original Budget	September Review	December Review	March Review	Proposed Sept Revised Budget	Actual YTD Figures				
Rates and Annual Charges	16,656				16,658	17,131				
User Fees and Charges	1,534				1,610	451				
Interest and Investment Revenue	670				670	193				
Other Revenue	815				1,034	253				
Operating Grants and Contributions	7,597				7,610	998				
Capital Grants and Contributions	2,505				2,694	110				
Gain Sale of Assets	-									
Total Revenue	29,778				30,276	19,136				
Employee Costs	11,874				12,231	2,934				
Borrowing Costs	235				235	44				
Material and Contracts	3,525				4,278	540				
Depreciation Expense	8,252				8,252	2,141				
Other Expenses	4,740				4,124	1,473				
Loss on Sale of Assets	-					-				
Total Expenses	28,626				29,120	7,132				
Operating Result (Surplus)/Deficit	1,152				1,156	12,004				
Operating Result before Capital Grants	(1,353)				(1,538)	11,894				

# Water Fund - Income and Expenditure Review Statement

2017/18 September Quarterly Budget Review Statement										
Income and Expenditure Review Statement										
Projected Income and Expenditure Statement	Original Budget	September Review	December Review	March Review	Proposed Sept Revised Budget	Actual YTD Figures				
Rates and Annual Charges	1,478				1,478	1,875				
User Fees and Charges	5,790				5,790	499				
Interest and Investment Revenue	86				86	8				
Other Revenue	-				-	-				
Operating Grants and Contributions	100				100	-				
Capital Grants and Contributions	150				150	71				
Gain Sale of Assets	-					-				
Total Revenue	7,605				7,604	2,453				
Employee Costs	1456				1,464	474				
Borrowing Costs	130				130	6				
Material and Contracts	4260				4,444	657				
Depreciation Expense	1186				1,186	386				
Other Expenses	181				181	29				
Loss on Sale of Assets	-					-				
Total Expenses	7,215				7,405	1,552				
Operating Result (Surplus)/Deficit	390				199	901				
Operating Result before Capital Grants	240				49	830				

# Sewer Fund - Income and Expenditure Review Statement

2017/18 September Quarterly Budget Review Statement										
Income and Expenditure Review Statement										
Projected Income and Expenditure Statement	Original Budget	September Review	December Review	March Review	Proposed Sept Revised Budget	Actual YTD Figures				
Rates and Annual Charges	7,146				7,146	6,961				
User Fees and Charges	189				189	(4)				
Interest and Investment Revenue	53				53	-				
Other Revenue	-				-					
Operating Grants and Contributions	92				92	-				
Capital Grants and Contributions	1,000				3,545	130				
Gain Sale of Assets	-					-				
Total Revenue	8,481				11,025	7,087				
Employee Costs	1,534				1,539	400				
Borrowing Costs	566				566	85				
Material and Contracts	2,368				2,465	482				
Depreciation Expense	1,041				1,727	422				
Other Expenses	506				506	92				
Loss on Sale of Assets	-				-	-				
Total Expenses	6,015				6,803	1,481				
Operating Result (Surplus)/Deficit	2,466				4,222	5,606				
Operating Result before Capital Grants	1,466				677	5,476				

# Capital Budget Review Statement

# 2017/18 September Quarterly Budget Review Statement Capital Funding Review Statement

			Approved Changes					
	Original Budget	Carry Forwards	Sept Review	Dec Review	Mar Review	Revised Budget	Variations for this Sept Qtr	Projected Year End Result
Rates & other untied funding	12,838					12,838		12,838
Capital Grants & Contributions	3,655	2,545				6,200	189	6,389
Internal Restrictions	300	622				922		922
External Restrictions		6,586				6,586		6,586
Other Capital Funding Sources e.g.								
• Loans								
Income from sale of assets								
Plant & equipment								
Total Capital Funding	16,793	9,753				26,546	189	26,735

# 2017/18 September Quarterly Budget Review Statement Capital Expenditure Review Statement

				Approved	l Changes					
	Original Budget	Carry Forwards	Sept Review	Dec Review	Mar Review	Revised Budget	Variations for this Sept Qtr.	Projected Year End Result	Notes	Actual YTD Figures
Plant & Equipment	900					900	100	1,000	1	273
Land & Buildings	597	248				845		845		34
Water Network	1,570	2,719				4,289		4289		41
Sewer Network	1,560	9,356				10,917		10,917		110
Office Equipment	112					112	8	120	2	2
Furniture & Fittings	14					14		14		2
Other Structures	2,105	712				2,817	189	3,006	3	177
Stormwater Drainage	62					62		62		10
Library Books	70					70	(70)	-	4	-
Tip Assets	1,400	266				1,666		1,666		9
Roads, Bridges & Footpaths	6,482	1,365				7,847	(52)	7,795	5	1,345
Loan Repayments (principal)	1,921					1,921		1,921		344
Total Capital Expenditure	16,793	14,666				31,460	176	31,635		2,347

# Capital Budget Review Statement Budget Variation Notes

Notes	Details
1	Request for an additional \$100,000 to come from plant replacement reserve to fund all plant purchases identified for this financial year.
2	Increase Server replacement funded from PC replacement – previously there was one budget for both of these items but has now been split into two. Original split of 50/50 was not accurate to actual spend.
3	Variations are due to Emora Park upgrade, ongoing Blackspot program works and Marjorie Jackson Oval lighting upgrades. All of these projects are fully grant funded.
4	Library books are now a part of Council's operating budget. The books as individual items do not have significant value and will not be capitalised in the future.
5	CBD Revitalisation project adjusted down due to budget forecast for 2017/18 relying on total spend for 2016/17 which wasn't available at time of adoption. The additional works completed to 30/6/17 had to be taken out of 2017/18 budget to match the total value of the project as approved.

Please note where there is a variation in the review table but no corresponding note, the variation is due to rounding within the asset class.

# Capital Budget Review Statement Budget Variation Notes

Budget variations being recommended include the following material items:

Project	Original Budget	Proposed Sept Budget	Proposed Variation
Wolgan Valley Causeway – Request for additional funds to come from unspent ILP's monies to complete approaches to Bridge. Works approved to \$100,000 in previous financial year, additional \$27,880 required to complete to scope above not previously approved by Council.		100,880	100,880
Plant replacement program – Two major plant items have gone to tender to be purchased.	900,000	1,000,000	100,000
Water SCADA System – Transfer \$366,299 into telemetry upgrade due to both projects being reliant on each other and are effectively the same project once completed. Both projects are funded from carry forwards.		-	(366,299)
Water Telemetry System – Transfer of funds from SDACA system as per above.	50,000	416,299	366,299

Please note due to uncertainties and contract variations Portland STP Upgrade may change significantly in the December or March quarterly budget review. The current funding deficit may also change depending on the level of loan funding required for the project.

# Cash and Investment Budget Review Statement

2017/18 September Quarterly Budget Review Statement Income and Expenditure Review Statement					
Externally Restricted	30 June 2017 Position	Actual YTD Figures			
Developer Contributions	1,778	1,855			
Special Purpose Grants	1,709	887			
Water Supplies	2,882	3,363			
Sewerage Services	3,333	5,323			
Domestic Waste	1,968	3,096			
Unexpended Loans	2,089	2,056			
Total External Restriction	13,759	16,580			
Internally Restricted					
Land & Buildings	7,672	7,643			
Plant & Equipment	1,500	1,227			
Bonds, Deposits & Retentions	695	787			
Works in Progress	5,102	4,021			
ELE	1,056	1,056			
Election	82	82			
Total External Restriction	16,107	14,816			
Unrestricted	-	63			
Total Cash & Investments	29,867	31,460			

Due to current Council processes we do not budget based on internal and external restrictions and therefore can only provide quarterly year to date figures for these restrictions.

# Cash and Investment Review Statement

## **Investments**

Investments have been made in accordance with Council's Investment Policy.

#### Cash

The cash at Bank figure included in the Cash & Investment Statement totals \$202,401.

The Cash at Bank amount has been reconciled to Council's physical Bank Statements.

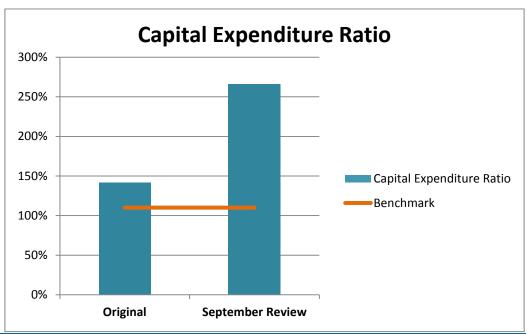
The date of completion of this bank reconciliation was 4/10/17.

## **Reconciliation Status**

The YTS Cash and Investment figures reconciles to the actual balances held as follows:

Cash at Bank Investments on Hand	<b>\$'000's</b> 202 31,350
Less: Unpresented Cheques Add: Undeposited Funds	(10)
Less: Identified Deposits Add: Identified Outflows	(27)
Less: Unidentified Deposits Ad: Unidentified Outflows	(55) -
Reconciled Cash at Bank & Investments	31,460
Balance as per Review Statement	31,460
Difference	-

# **Key Performance Indicators**



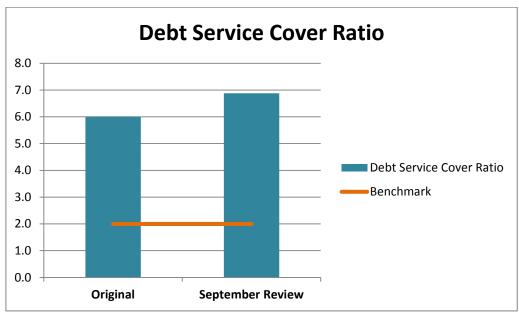
**Purpose of Capital Expenditure Ratio** 

Commentary on 2017/18 Result

**September 2017/18 Ratio 266%** 

To assess the extent to which Council is expanding its asset base through capital expenditure

A capital expenditure ratio of 2.66 times suggests that Council has a solid and expansive capital works program.



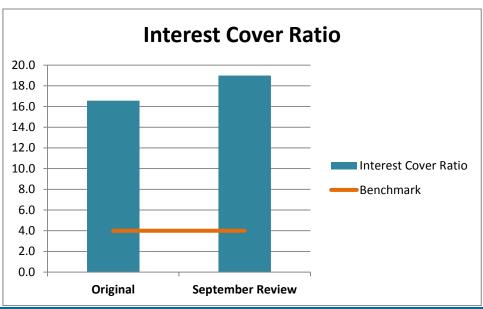
**Purpose of Debt Service Cover Ratio** 

Commentary on 2017/18 Result

September 2017/18 Ratio 6.9x

This ratio measures the availability of operating cash to service debt including principal, interest and lease payments

A debt service ratio of 6.9 times means Council has capacity to borrow more funds if required.



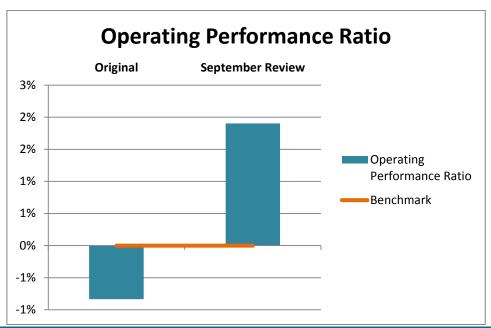
## **Purpose of Interest Cover Ratio**

## Commentary on 2017/18 Result

#### September 2017/18 Ratio 19.0x

This ratio measures the availability of operating cash to service interest payments.

An Interest Cover ratio of 19 times means Council has more than adequate cash to cover interest repayments on its debt. This suggests Council has the capacity to borrow more funds if required.



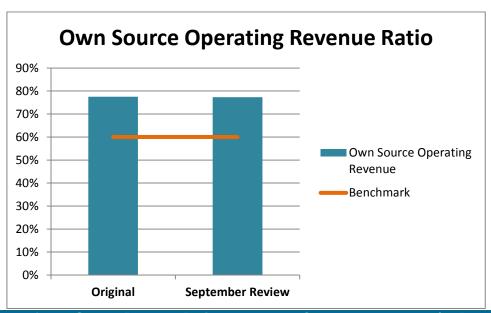
## **Purpose of Operating Performance Ratio**

## Commentary on 2017/18 Result

#### **September 2017/18 Ratio 1.9%**

This ratio measures Councils achievement if containing operating expenses within operating revenue.

Council continues to work towards the benchmark as a part of Fit for the Future. It has improved slightly to the end of September.



Purpose of Own Source Revenue Ratio

Commentary on 2017/18 Result September 2017/18 Ratio 77%

This ratio measures fiscal flexibility. It is the degree of reliance on external funding sources such as grants and contributions.

This ratio shows that Council means the benchmark and is not overly reliant on external grant funding.

### Part A: Contracts Review Statement

### 2017/18 September Quarterly Budget Review Statement

#### **Contracts Review Statement**

For the period 01July 2017 to 30 September 2017

To the police of say, 2017 to do copie liber 2017						
Contractor	Contract Detail and Purpose	Contract Value (GST Inc.)	Date	Minute No.	Length of Contract	Budgeted (Y/N)
	are those entered into during the ontracts for employment are not	•		e not been f	ully performed or o	completed of
J & E Asphalt & Civil Pty Ltd	Asphalt contract for capital works 17/18	\$504,153.25	25/09/17	17-292	3 Months	Υ
State Asphalt Services Pty Ltd	Bitumen contracts for Capital works 17/18	\$241,350.34	25/09/17	17-293	3 Months	Υ

# Part B: Consultancy and Legal Expenses Review Statement

#### 2017/18 September Quarterly Budget Review Statement

#### **Contracts Review Statement**

Actual expenditure 1 July 2017 to 30 September 2017

Expense	Year to Date	Legal Budget Allocation (Y/N)
Consultancies	91,425.71	Υ
Legal Fees	20,069.72	Υ

Note: A consultant is a person or organisation engaged under contract on a temporary basis to provide recommendations or high level specialist or professional advice to assist decision making by management. Generally it is the advisory nature of the work that differentiates a consultant from other contractors.



## Recognising Aboriginal Custodians

Lithgow City Council recognises that the Indigenous • people and communities have a special connection with the land in ways that are often not fully appreciated nor fully understood by the wider community.

Lithgow City Council will use consultative and participatory processes that are appropriate and relevant to Indigenous people in order that the views of Indigenous people are heard in relation to matters that may have an impact on their culture and heritage.

Lithgow City Council recognises the contribution that Indigenous people may make and of the damage that may be caused to Indigenous culture and heritage from planning decisions and resultant actions.

The objectives of Policy 4.8 - Consultation with Indigenous People aim to:

- Establish a policy for Council's consultation process in relation to matters that affect the Indigenous communities and groups, Indigenous heritage values and places of Indigenous significance.
- Have documented policies and procedures for managing strategic planning and development assessment processes and other community engagement processes in relation to Indigenous cultural heritage values.
- Improve the protection and management of identified Indigenous sites and cultural values within Lithgow LGA so that the relationship between the Indigenous people and those values is maintained.
- Improve the recording of Indigenous cultural heritage values within Lithgow LGA.

- Engage Indigenous people in relation to Council planning processes that have an impact on Indigenous cultural heritage values.
- Ensure communication and coordination between the Indigenous community, Council and others involved in matters that affect the Indigenous community and Indigenous cultural values.
- Improve awareness within Council of the Indigenous community and their cultural heritage and to improve awareness within the Indigenous community of Council processes and the planning process in general.

High standards of Indigenous cultural heritage assessment are established within Council.



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## Message from the Mayor



Councillor Stephen Lesslie Mayor

As Mayor of Lithgow City Council, I am pleased to present the 2016/17 Annual Report. This report highlights the challenges Council has faced over the past year, the most significant of which was being pronounced 'not fit for the future'. However, I am proud to say that we have worked together and overcome this and other obstacles and that we are working towards ensuring the long term sustainability of the Lithgow local government area.

As you read through this document you will see that projects such as the Portland Sewerage Treatment Plant are nearing completion. Once complete the plant will allow for future growth in Portland.

Planning and design have been completed for the redevelopment of Cook Street Plaza and Eskbank Square. Construction is scheduled to start on 6 November and estimated to be completed in late March 2018. Council will endeavour to ensure minimal disruption to shoppers and retailers during this time. We look forward to the opportunities that the redevelopment of these spaces offer, creating a more vibrant and attractive Main Street for Lithgow.

Furthering the tourism potential of the area, Council awarded a tender in early 2017, for the construction of board walks, viewing platforms, pathways, landscaping and carpark works which will transform the Lithgow Blast Furnace into a major cultural heritage destination and venue for events, performances and exhibitions. Construction will commence in August 2017.

Council's roles and responsibilities within the community are many faceted and diverse, yet all of our projects and programs have one important thing which links them; they are all developed to ensure that the Lithgow local government area is a wonderful place to live, work, invest and play.

## Message from the General Manager

2016/2017 saw significant change in Council's top level administration. I commenced as the General Manger of Lithgow City Council in May 2017, toward the end of the reporting period. Following the departure of the previous General Manager a number of challenges were presented to the Acting Administration that required positive and decisive action. The most pressing of these was addressing concerns of the then Minister for Local Government on Council's long term financial sustainability and its 'Fit for the Future' status. This necessitated the engagement of independent experts and the preparation of a Fit For The Future Improvement Plan, Financial Maturity Assessment and revamped Long Term Financial Plan. Significant work was also done on revaluation of Council assets. All this will be vital in establishing the long term sustainability of the organisation which will place Council in the best position to continue in providing services to the community and concentrate on economic development initiatives to secure sustainable future for the Local Government Area.

Since I have started at Council a great deal more work has been done and the Office of Local Government is appraised on a monthly basis on Council's quest to be Fit for the Future. I am excited about overcoming these challenges and feel very positive about the future of the organisation. From a position of strength, long term economic development strategies can be built that can support our current business and industries and build on transitioning to other employment generating activities that will sustain the community for future generations.

Graeme Faulkner General Manager

### Introduction

Lithgow City Council is pleased to present its Annual Report for 2016-17. This report has been developed for our community, to share our progress over the past financial year. It provides a summary of the achievements we have made in working towards the Community Strategic Plan.

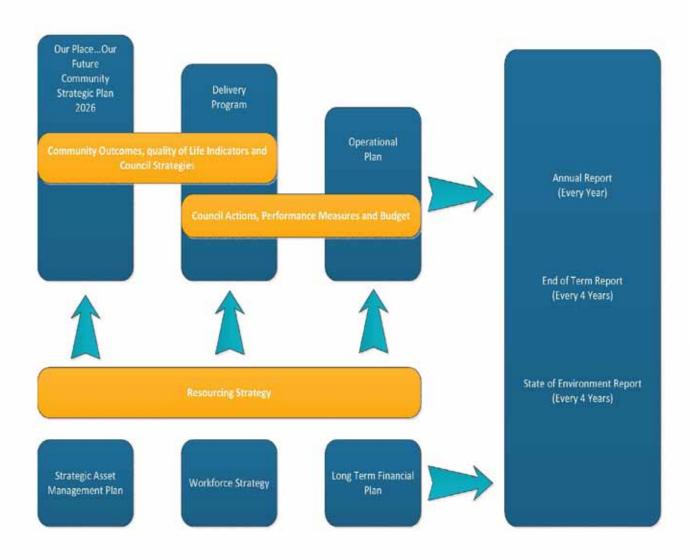
This report summarises our activities under each of our key themes:

- Caring for our Community
- Strengthening our Economy
- Developing our Built Environment
- Enhancing our Natural Environment
- Responsible Governance and Civic Leadership.

It provides an overview of Council's financial position, operations and progress, and is prepared in accordance with the *Local Government Act, 1993*.

A detailed report against our Delivery and Operational Plan and implementation of major capital and renewal projects is provided in our supplementary report in Attachment 1.

Audited financial statements are provided in Attachment 2.



# Strategic Direction

The Community Strategic Plan identifies the following shared community vision statement that the Lithgow local government area is

"A Centre of Regional Excellence that:

**Encourages community growth and development** 

Contributes to the efficient and effective management of the environment, community and economy for present and future generations."

#### **CARING FOR OUR COMMUNITY**

- To plan and provide quality community and recreational facilities and services for a healthy, vibrant and harmonious community.
- Working together to support, celebrate and expand the social and cultural diversity of our community, whilst promoting healthy, active lifestyles in a safe environment.

#### STRENGTHENING OUR ECONOMY

- Providing for sustainable and planned growth that supports a range of lifestyle choices and employment opportunities.
- Exploring and discovering the richness in our society through the pursuit of educational, creative and cultural opportunities to diversify our economy, skills base and employment opportunities.

#### **DEVELOPING OUR BUILT ENVIRONMENT**

- Planning for suitable infrastructure development to promote sustainable and planned growth, while enhancing the existing identity of the towns, villages and rural areas of the LGA.
- Ensuring sustainable and planned growth through the provision of effective public and private transport
  options and suitable entertainment and recreational facilities to enhance the lifestyle choices of the
  community.

#### **ENHANCING OUR NATURAL ENVIRONMENT**

To conserve and preserve the natural environment whilst balancing the impact of development to ensure a sustainable and healthy community.

#### RESPONSIBLE GOVERNANCE AND CIVIC LEADERSHIP

 A Council that focuses on strong civic leadership, organisational development and effective governance with an engaged community actively participating in decision making processes affecting their future.

## Lithgow Regional Profile

The Lithgow local government area is located on the western ramparts of the Blue Mountains, 140 kilometres from Sydney. The Lithgow Local Government area totals 4,551 square kilometres from the Capertee and Wolgan Valleys in the north, Little Hartley in the east, Tarana in the south and Meadow Flat in the west.

The major urban centre of Lithgow nestles in a valley of that name, overlooked by the sandstone escarpments of the Blue Mountains.

In addition to the major urban centre of Lithgow, the Lithgow local government area has 12 villages/hamlets with mining or farming backgrounds. These smaller centres have proven to be attractive rural residential areas, along with the broader rural areas.

The Lithgow LGA lies almost wholly within the Wiradjuri Aboriginal nation, with the Gundungurra nation situated to the south and the Darug nation to the east.

Until recently Lithgow was perceived to be an inland mining and industrial centre, however, recent developments have seen Lithgow recognised as an important tourism destination, heritage centre and a desirable residential area as well.

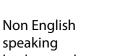
The Lithgow local government area includes World Heritage Listed National Parks and State Forests, making Lithgow an important leisure destination for Sydney residents.

Lithgow has unlimited opportunities for outdoor • activities such as bushwalking, mountaineering, camping, orienteering, hang gliding, horse riding, off road 4wd fishing, sailing and water skiing.

The estimated residential population at 30 June 2016 is 21,524.



Median Age: 45



speaking backgrounds: 4%



Median weekly household income: \$987



Couples with Children: 23%



**Unemployment:** 8.41%



Older couples without Children: 20%



University attendance: 2%



Medium and high density housing: 10%



Households with a mortgage: 27%



Median weekly rent: \$231



Households renting: 23%

Source: http://profile.id.com.au/lithgow/highlights-2016

### How satisfied are you?

In April 2016, Council engaged Micromex Research to undertake a random telephone survey of residents in the Lithgow LGA to measure community attitudes and perceptions towards current and future services and facilities provided by Council. Key objectives of the research included:

- Current community priority issues
- Satisfaction with Council's performance overall
- Drivers of community satisfaction
- Importance and satisfaction with Council provided services and facilities
- Relative importance of Council provided services and facilities
- Satisfaction with customer service levels from Council staff.

This is the first time Council has engaged a consultant to undertake a Community Satisfaction Survey. It is intended that the survey will be undertaken biannually and that this initial survey will set a benchmark for future reference. The next survey is scheduled to be undertaken in 2018/19.

The data from this survey was used to inform the End of Term Report 2012-2016 and Community Strategic Plan 2030.

## 2016 Community Satisfaction Survey



Residents were concerned about current and future opportunities in regard to local employment, as well as attracting new business to the area.

There were also concerns around renewing and maintaining the local infrastructure, the management and process of development, as well as the provision of community facilities for residents.

Overall, 83% of residents were at least 'somewhat satisfied' with Council's performance. This is in line with the NSW category benchmark. Significantly, residents living in the 'Rural North' region were palpably less satisfied with the overall performance of the Council.

Community satisfaction with Council staff and the elected members was 85% and 84% respectively.

Council is providing at least a moderate level of satisfaction for 56 out of 67 service areas.

The top 5 drivers of overall satisfaction account for just under 20% of overall satisfaction. These drivers included encouraging local business, town roads, community consultation, council responsiveness and the provision of community festivals and events.

### Our Council

### **Councillors during the report period**

Lithgow City Council is governed by nine Councillors who are elected in September every four years.

Councillor's provide leadership and establish policy and direction for the Council and the local government area (LGA). There are no wards in the Lithgow LGA. In The nine Councillors are elected by the community to represent the interests of all residents and to encourage communication between Council and the community.

From July 2016 - 11 September 2016 the following Councillors served the community of the Lithgow LGA:

- Councillor Maree Statham (Mayor)
- Councillor Ray Thompson (Deputy Mayor)
- Councillor Colin Hunter
- Councillor Wayne McAndrew
- Councillor Ross Higlett
- Councillor Frank Inzitari
- Councillor Joe McGinnes
- Councillor Peter Pilbeam
- Councillor Martin Ticehurst.

Following the 2016 local government elections, on 11 September a new Council was elected for the Lithgow Local Government Area:

- · Councillor Stephen Lesslie, Mayor
- Councillor Wayne McAndrew, Deputy Mayor (from 23 January 2017)
- Councillor Ray Thompson
- Councillor Cassandra Coleman
- Councillor Joe Smith
- Councillor Maree Statham
- Councillor Steve Ring
- Councillor Martin Ticehurst Deputy Mayor (28 September 2016 13 December 2016).
- Councillor Geoff Cox.

In 23 January, Council reported the suspension of Councillor Martin Ticehurst and disqualification for a period of 5 years as of 13 December 2016.

Councillor Geoff Cox tendered his resignation from the role on 24 January effective immediately. As such, a by-election was held on 8 April 2017 and Councillors Deanna Goodsell and Darryl Goodwin were elected.



Clr Stephen Lesslie Mayor



Clr Wayne McAndrew Deputy Mayor



Clr Steve Ring



Clr Cassandra Coleman



Clr Maree Statham



Clr Darryl Goodwin



**CIr Ray Thompson** 



Clr Joe Smith



Clr Deanna Goodsell

### **Council meetings**

During the reporting period, Lithgow Council met every three weeks on a Monday, in the Council Chambers, 180 Mort Street, Lithgow to consider matters requiring a decision by Council. A total of 15 meetings were held.

Council meetings were open to the public except on occasion when there was a discussion of confidential items such as sensitive legal or commercial matters.

Business Papers were made available on the Friday before each Council meeting at Council's Customer Service Centre and on the website at www.council.lithgow.com.

#### **Participation in Decisions**

Residents have the opportunity to address the Council at each council meeting as part of the Public Forum. This may include any matter listed for discussion at the meeting, or any other matter with appropriate notice.

Council's decisions are implemented by Council's staff under the leadership and direction of the General Manager.

#### **Section 355 Committees**

Council has a number of committees made up of Councillors, Council Officers and members of the community who act in an official capacity on behalf of Council within the confines of the charter of the committee. Advisory committees provide advice to Council on specific subjects such as environmental or youth issues.

In addition to this Council appoints or convenes temporary working parties or task forces that assist in the development of short term projects, providing professional advice and community input. During the reporting period Council had one Taskforce, the Mining Taskforce.

The Mining Taskforce is made of up Councillors, representatives of Centennial Coal, the Mining Unions and NSW Minerals Council and has been created to:

- · Promote coal mining in our region; and
- Lobby State and Federal Governments around issues confronting coal mining in the region, including but not limited to, local coal supplies to Mt Piper and planning and environment concerns restricting mining.

### Council's role

To clarify the role and relationship with government and other bodies in providing infrastructure, facilities and services, the following descriptors apply:

Leader	Providing direction through planning policy.		
Provider	Providing services and infrastructure.		
Regulator	Of development, community health and safety and the environment.		
Partner	With the community, government and private organisations.		
Facilitator	To Bring together Local, State and Federal Governments, private and community objectives to achieve the best outcomes.		
Advocator	on behalf of the local community.		
Purchaser	or buyer of services or products.		
Broker	Sourcing public or private funds to provide services or infrastructure.		

# Our Organisation

### **Organisation Structure**

#### **Lithgow City Council is structured into four Divisions:**

- Executive
- · Corporate and Community
- Environment and Development
- Operations.

#### The services we provide include:

- Asset Management
- Capital Works
- Community and cultural development
- Development assessment
- Environmental health and building control
- Recreation and open space management
- · Urban Planning.

#### **Our internal services include:**

- Customer services
- Finance and Accounts
- Human Resources and Organisational Development
- Risk Management
- Information Systems
- Document Management
- Governance.

### What we do

#### Provide and maintain facilities such as:

- · Parks and sports grounds
- Playgrounds and skate parks
- JM Robson Aquatic Centre
- Libraries in Lithgow, Wallerawang, Portland and Rydal
- Community buildings

#### We care for the environment by:

- Managing and enhancing bushland areas
- Providing environmental and waste education and recycling services
- Responding to pollution incidents and prosecuting polluters
- Monitoring the water quality of local waterways.

#### We create a safer place to live by:

- Maintaining and improving roads, footpaths and stormwater drains
- Working with emergency organisations such as the Rural Fire Service, State Emergency Service and NSW Police
- Managing the keeping of companion animals
- Treating and supplying drinking water to our community
- Treating sewage to a high standard to protect human health.

#### We enhance our community by:

- · Listening to our community views
- Holding citizenship ceremonies, Australia Day Celebrations, Seniors Week Celebrations, Halloween and more.
- Offering services for seniors, young people, new migrants and people with a disability
- Providing financial assistance to community organisations
- Supporting local community groups such as sporting clubs, arts and charities
- Encouraging and promoting volunteering in our communities.

#### We plan for the future by:

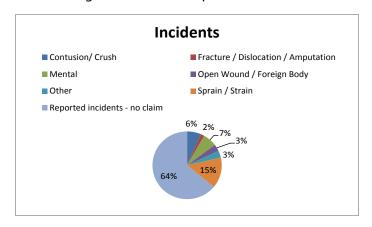
- Planning and managing the urban and rural environment
- Preserving heritage sites
- Consulting with the community about its needs
- Developing long term strategic plans for Council and the LGA.

### OurWorkplace

### **Organisational Development**

During the reporting period the following Human resource activities for were undertaken:

- The appointment of 12 people to permanent positions
- 15 people left permanent employment with Council.
- The Work Health and Safety Committee meet every 4 weeks.
- 15,101 hours of sick leave was taken by employees.
- The Consultative Committee met monthly.
- There were 61 incidents reported with 22 of these resulting in a worker's compensation claim.



The following training was undertaken during 2016/17 as per the training plan:

Course	No. of Participants		
Dignity & Respect in the Workplace	Whole of Council		
Code of Conduct	Whole of Council		
Leadership Program - 'Emerging Leaders'	6		
Confined Spaces	2		
Working at Heights	89		
Ranger Workshop - mental health, personal security & tactical disengagement	2		
Traffic Control - Stop/Slow	58		
Traffic Control - Implement Traffic Control Plans	58		
Level 3 SpraySmart Chemical - Initial Accreditation	4		
Forklift Training	1		
First Aid Training	74		
Safe Handling of Sharps - 10340NAT	17		
Safe Use ICS Diamond Chainsaw	10		

### **Equal Employment Opportunity**

The following activities were undertaken during the reporting period to implement Council's Equal Employment Opportunity Management Plan:

- The integration of equal employment opportunity principles in recruitment and selection, annual performance reviews, the development of position descriptions, the development of the Training Plan, the ongoing maintenance of Council's training database and requirements relating to progression through Council's Salary Management System.
- All new employees were inducted including training on equal employment harassment and bullying prevention.
- A review of employee work procedures continued to ensure that they conform to equal employment opportunity principles.

### Filfor the Future

On 6 December 2016, Council received a 'Notice of intention to issue a Performance Improvement Order to Lithgow City Council under Section 438A of the Local Government Act 1993" from the, then Minister for Local Government, the Hon. Paul Toole, MP.

The Minister identified the following reasons for issuing the Notice:

- 1. The reassessment of Council's Fit for the Future (FFTF) proposal by the Office of Local Government identified a failure by Council to follow the principles of sound financial management with respect to ensuring that Council's forecast spending is responsible, sustainable, aligning general revenue and expenses.
- Council had reported annual deficits in its financial statements over the past five financial years, and consistently forecasted deficits in its Long Term Financial Plan (LTFP) for the next ten years until 2024-2025.
- 3. Council's FFTF reassessment proposal forecast to meet the financial sustainability criteria relied heavily on two proposed Special Rate Variations (SRV's). Council did not have a documented strategy to meet its forecast operating performance ratio to ensure its long term financial sustainability which did not include a SRV.
- Following IPART's determination that Council is 'not fit', Council did not provide substantive evidence of strategies implemented since the IPART review to move Council towards long term financial sustainability.
- 5. Following re-assessment by the Office of Local Government against the IPART Criteria, it was identified that financial sustainability ratios forecast in Council's FFTF reassessment submission (General Fund) did not align with the ratios forecast in Council's LTFP (Consolidated Fund).

#### **Moving Forward**

In response, Council engaged the services of specialist consultants, Morrison Low at a cost of \$114,500 to develop a Performance Improvement Plan that would position Council for a sustainable future by:

- Reviewing and developing Council's Long Term Financial Plan (LTFP) to incorporate a Fit for the Future improvement plan and strategies.
- Reviewing Council's Asset Management Plan and Special Schedule 7.
- Preparing a Financial Management Maturity Assessment to understand Council's Financial Management Maturity Status and developing an Improvement Plan with specific priority actions.

This work was completed as part of Council's Integrated Planning and Reporting Framework (IPR). Following community consultation of the draft Integrated Planning and Reporting Framework suite of documents process during the exhibition period of all document in May/ June 2016, documents were reported to Council and the the Office of Local Government within the required timeframe of 30 June 2016.

The work undertaken by Morrison Low to position Council for a sustainable future provides a range of long term benefits and value for Council and the community in the form of:

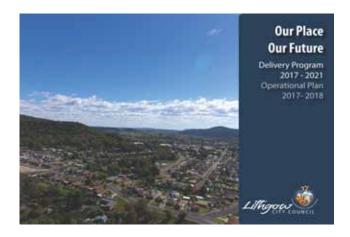
- 1. A robust financial plan with improvement options for longer term sustainability.
- 2. An opportunity for Council to provide improved services to the community.
- 3. Good practice financial management governance, procedures and process.
- 4. It satisfies the additional Integrated Planning and Reporting requirement for the Asset Management Plan and asset service levels.

- Building confidence in the community that Council is financially sustainable to deliver on the Community Strategic Plan outcomes, key programs and projects.
- 6. Meeting all statutory obligations and being in a position to maintain stewardship of the community's resources.
- 7. Ensuring transparent annual planning and quarterly reporting processes through the IPR Framework which shows the implementation of the Performance Improvement Plan.

As part of the process, Morrison Low, conducted interviews with Management and conducted an internal workshop with Council staff to identify forward planning actions for inclusion in the FFTF Improvement Plan. These actions have been interwoven into the suite of documents that make up IPR Framework for implementation.

Morrison Low identified 37 recommendations as part of the Financial Management Maturity Assessment for Council to investigate and implement. An Internal Finance Committee made up of representation from across Council meets weekly to review the Business Improvement processes identified. Progress is reported monthly to the Office of Local Government.





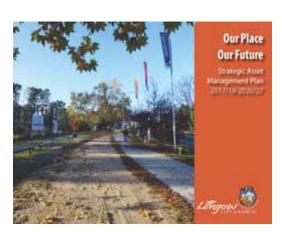






Lithgow City Council Long Term Financial Plan 2017 - 2027 May 2017





The Fit for the Future Improvement Plan has been incorporated into Council's suite of documents which make up the Integrated Planning and Reporting Framework which was adopted on 27 June 2016.

## Building strong sustainable finances

### **INFRASTRUCTURE IMPROVEMENTS**

Year	Project	Grants \$
2016/17	Portland Sewerage Treatment Plant Upgrade *	7,147,259
	Landfill Consolidation Grant - NSW Environmental Trust (EPA) *	6,493
	Community Recycling Centre (CRC) - NSW Environmental Trust *	133,706
	Community Building Partnership - All Abilities Round About	16,000
	Roads to Recovery Program *	1,585,252
	NSW War Memorial Grant Program	8,595

<sup>\*</sup> Depicts budgeted amounts pending finalisation of project/grant.

The current term of Council has continued responsible spending to deliver more on infrastructure without curtailing any Council services and also adopted a sound funding strategy to fund the Infrastructure backlog.

#### **Financial ratios**

Council's financial position can be measured by the results of the Industry Key Financial Ratios. The Key Ratios concerning Council's financial position are listed below.

Unrestricted Current Ratio	Benchmark	2014/15	2015/16	2016/17
Measures the adequacy of working capital and its ability to satisfy obligations in the short term as they fall due		3.01:1	4.08	3.10

Own Source Operating Revenue Ratio	Benchmark	2014/15	2015/16	2016/17
Measures Council's degree of reliance on external funding sources such as operating grants and contributions.		55.84%	67.23%	64.90%

Debt Service Ratio	Benchmark	2014/15	2015/16	2016/17
Measures availability of operating cash to service debt including interest, principal and lease payments.		3.53	2.91	5.45

Note: Ratios for 2016/17 are preliminary ratios and not audited ratios.

## Our Planning in Action

#### **Disability Inclusion Action Plan 2017-2021 (DIAP)**

As part of the Disability Inclusion Act 2014, Council has developed a Disability Inclusion Action Plan (DIAP). The DIAP outlines precise strategies and actions that will help Council achieve its inclusion goals over the next four years. This will allow people with disability to have better access to the services, information and facilities offered by Council.

The DIAP was developed in consultation with key stakeholders, including the clients and their families from Uniting and the Lithgow Information and Neighbourhood Centre, students from La Salle Academy and Lithgow Public School, and members of the Disability Access Committee Furthermore, a call for submissions was made to the community and a survey was distributed at the Accessible Lifestyle Expo in October 2016.

The strategies and actions were developed based on what the community told us was important. In addition, the strategies and actions in the DIAP are based on and aligned with the four key focus areas found in the NSW Disability Inclusion Plan, including:

- 1. Promoting positive attitudes and behaviours
- 2. Building liveable communities
- 3. Providing meaningful employment opportunities
- 4. Improving systems and processes

The DIAP takes a holistic approach as it includes actions for all areas of Council and is aligned with the Integrated Planning and Reporting Framework. By implementing the actions in this plan, not only will people with disability benefit, but older people, people with acute or short-term injuries, and parents with young children will also benefit.

This action is consistent with the Community Strategic Plan 2026.

- 1.1.1.1 To provide social and cultural planning that will lead to the enhancement of the quality of life of the community.
- 1.2.2.1 To respond to the needs of an ageing population.
- 1.2.4.1 To develop the Lithgow LGA as a Family Friendly Community.
- 1.2.5.1 To increase community awareness of local services and facilities.
- 1.2.6.1 To encourage equitable access to services and facilities.
- 1.2.7.1 To provide a range of health services which meet the needs of the community.
- 1.2.12.1 To improve the quality of life of the LGA's youth.
- 3.1.1.1 To provide infrastructure to ensure the sustainable growth and development of the area including the provision of quality recreational and community facilities.
- 3.2.2.1 To develop cultural and recreational infrastructure that will meet the needs of the community now and into the future.
- 3.2.3.1 To maintain community commercial and industrial buildings and structures to meet the needs of the community and service Council operations.
- 3.2.4.1 To establish a system of cycleways and pedestrian paths to provide links between major cultural and recreational facilities and town centres.
- 3.2.9.1 To develop parks and gardesn that will meet the needs of the community now and into the future.
- 3.2.10.1 To develop recreational facilities that will meet the needs of the community now and into the future.





# Our Planning in Action

#### **Farmers Creek Precinct Master Plan**

The Farmers Creek Masterplan project is an innovative and holistic approach to addressing the environmental and social challenges within the City of Lithgow and surrounds. A key feature of the plan is improving biodiversity with the restoration and revegetation of the degraded urban riparian corridor and formation of walking/cycle paths integrated with flood mitigation outcomes.

Farmers Creek is the principal waterway flowing though the Lithgow urban area. The creek is highly modified, has been largely cleared of native vegetation, and poses a flood risk to nearby population.

By developing the Farmers Creek Master Plan the Lithgow City Council has risen to the challenge of addressing considerable riparian zone issues while seamlessly assimilating opportunities to become a recreational and environmental asset for Lithgow residents and visitors alike. The full extent of the Project is roughly 18 km of Farmers Creek and associated tributaries with the majority of project objectives focused on the 10 km section within the urban area.

The plan identifies the value of the Farmers Creek area as a unifying green corridor through the Lithgow area. The implementation of the Farmers Creek Masterplan will involve 3 stages and will result in a number of attributes including:

- Connecting and expanding the existing path network which will link areas of the community and promote increased health and recreation opportunities;
- Support the construction of WSUD measures (mainly creekside filter strip plantings), and undertake appropriate stormwater quality improvement measures along sections of creek corridor; and

 To undertake environmental works including weed control and native species plantings to the creek corridor and interpretative signage. The environmental work will include the involvement of community volunteers in such activities as tree planting to promote education and awareness about the importance of riparian ecosystems.

Council does not have the capacity to undertake all of these works immediately, or even into the foreseeable future. Development and management of Farmers Creek to enhance its recreational, environmental and aesthetic values will ultimately be reliant on, and largely determined by, the funding and resources available to Council. As such the works required to upgrade the creek corridor, as guided by this masterplan, must be assessed against the other priorities of Council and determined by the budget allocations assigned in Council's rolling Delivery Programs and Operational Plan.

Hence the masterplan sets out a prioritised and staged approach to the proposed actions and works and detailed in the Implementation and Cost Estimates Schedules for each planning unit.

Full realisation of the upgrading of the Farmers Creek urban corridor, and main tributaries, as set out in this masterplan is estimated to cost in the order of \$9,005,000.

The total estimated orders of cost to implement each stage of this masterplan are as follows (rounded to the nearest \$000):

- Stage 1 \$1,996,000;
- Stage 2 \$2,205,000; and
- Stage 3 \$4,803,000.

Developing the Masterplan project is the culmination of many years of planning, preparation and consultation. The fact that the Lithgow community now has an over arching document to guide all future activities in the Farmers Creek Precinct is a huge win for the Lithgow community and a demonstration of success in its own right.

The benefits to the Lithgow City LGA, businesses and the community as a whole include environmental improvements, healthier population and encouraging further investment. There are a number of key impacts the project will have on our community:

- The project will encourage and enable residents to participate in healthy activities which are freely accessible to all.
- The project will promote the responsible management of natural resources through the control of environmental and noxious weeds and restoration of riparian corridors.
- Provide direct opportunities for the most unskilled and disadvantaged workers: by re-engagement through volunteering, community and potentially employment, this project will provide those disadvantaged workers in the region with a number of opportunities.
- Support the continued economic restructure of Lithgow – the diversification of the local industry base is important to Lithgow to ensure its growth and ongoing sustainability resulting in greater job opportunities both for locals and the greater regional area. Farmers Creek presents opportunities for tourism in particular with recreational activities and historic sites of interest within the precinct.

- Support local business growth the proximity of Farmers Creek to Lithgow's CBD provides a realistic opportunity for businesses to harness the tourist/ visitor trade which is being stimulated by a number of projects including the Restructuring of Lithgow initiative.
- Allow greater access to and support the sustainable management of an environmentally significant area.

#### **Hassans Walls Reserve Plan of Management**

Lithgow City Council, in conjunction with Gondwana Consulting, commenced preparation of a Plan of Management for Hassans Walls Reserve in June 2016. The plan was adopted by Council on the 17th July 2017.

The plan of management will provide a clear strategic direction for future management and use of Hassans Walls Reserve. The key principal objectives of the plan of management are as follows:

- Identifies a vision for Hassans Walls Reserve;
- Identifies the values of Hassans Walls Reserve;
- Sets out the strategic direction for future management of Hassans Walls Reserve;
- Outlines management actions for Hassans Walls Reserve;
- Proposes a concept masterplan for future development;
- Provides direction on the conservation and environmental management of natural resources within Hassans Walls Reserve:
- Provides direction on the conservation and protection of cultural heritage sites within Hassans Walls Reserve:
- Identifies risks within Hassans Walls Reserve:

- Consolidates information into a single document for ease of reference; and
- Identifies future studies that may be required to inform the management of the reserve and implementation of the plan.

In order to maintain momentum in developing the active management of the Hassans Walls Reserve, Council is investing a further \$55K in 17/18 to undertake a mine subsidence audit of the reserve, to quantify the risk parameters around mine subsidence to inform future actions and direction outlined in the plan.

These action are consistent with the Community Strategic Plan 2026.

- 3.1.1.1 To provide infrastructure to ensure the sustainable growth and development of the area including the provision of quality recreational and community facilities.
- 4.1.1.1 To identify, preserve and improve our natural heritage and biodiversity whilst ensuring the water security and sewerage capacity of the region for sustainable growth and development.
- 4.1.3.2 To responsibly manage natural resources through the control of environmental and noxious weeds.
- 4.1.6.1 To protect our waterways and provide safe drinking water.





Pictured:

Top - Farmers Creek Project

Bottom - Tree planting at Hassans Walls.



To provide for the long term sustainability and growth of the LGA, Council has had to continually adapt to the changing needs of an evolving community whilst retaining the unique character of our rural areas, villages and towns.

This theme is responsible for planning and providing for the needs of the community by:

- · Ensuring equity and social inclusion;
- · Health and wellbeing;
- Cultural Activities;
- Excellence in provision of facilities and services;
- The development and support of communities;
- Enhanced lifestyle opportunities.

To achieve the objectives of this key theme, council has implemented a variety of strategies, programs and services to facilitate and manage the overall health and wellbeing of the community. This theme aims to develop and support to:

- Aboriginal & Culturally Linguistically Diverse Communities
- Ageing population
- Arts and Culture
- · Children and Families
- Community Support
- Health
- Library Programs
- Regulatory/compliance Programs
- Safety
- Volunteering
- Youth



Telstra Tech Savvy Seniors Program held at the Lithgow Library Learning Centre in partnership with the Lithgow Telstra Store. Classes ranged from introduction to the internet and social media, to smart phones and online shopping and banking.

### A caring and supportive community

#### **Lithgow Mental Health Summit and Taskforce**

In December 2016, Lithgow City Council in partnership with other agencies called a Lithgow Mental Health Summit. The summit provided an opportunity for the community, those affected by mental health issues and service providers to come together to discuss this very important issue and to identify what is needed to improve people's access to and experience of mental health services

Those at the summit heard that the mental health service system is complex and people don't always know where to turn for help, especially at a time of crisis. Furthermore, some services are not physically located in Lithgow meaning that people have to travel considerable distances and they may not be open at the times they are needed.

An outcome of the Mental Health Summit has been the formation of a Mayor's Mental Health Taskforce which aims to bring together the expertise and experience of people in the mental health sphere, with the backing of Council, to develop practical and effective initiatives, both short and long term.

An early initiative of the Mayor's Mental Health Taskforce was a "Walk out of the Shadows" walk on Sunday 7 May which provided an informal opportunity to raise awareness, remember those lost to suicide and unite in a commitment to prevent further deaths by suicide. Further walks are planned.

#### Men's Sheds

Men's Sheds play a significant role in addressing isolation, loneliness and depression in men of all ages. Men's sheds help connect men with their communities and at the same time act as a catalyst in stimulating their community's activities.

Over recent years, Council has supported the development of Men's Sheds in Lithgow and Portland. Operating from the old amenities block at the Lithgow Aquatic Centre, Lithgow Men's Shed is a thriving centre of activity where local men meet each week to work on a variety of projects.

Portland Men's Shed has also operated for several years in a Council building at Kremer Park Portland.

Most recently, Council assisted the newly formed Wallerawang Men's Shed to commence operations in the Wallerawang Memorial Hall. The men have been very busy setting up, including cleaning, building storage shelves, positioning work tables and setting up an office and kitchen. The local community has been very generous with donations of benches, lathes, tools and furniture, just to name a few.





#### **Seniors Festival 2017**

The theme for the 2017 Seniors Festival was, 'Let's do more together'! This year's festival promoted inclusive communities and provided an opportunity for seniors to try new things, contribute, and remain active and engaged in their local communities.

During the 2017 Seniors Festival Council provided a rich and diverse program of events and activities for local seniors to take part in. The festival ran for 5-days from Monday 6 March to Friday 10 March in Lithgow and offered many FREE and discounted events around town.

Some of the events included belly-dancing classes, pamper days, ukulele workshops, author talks at the library, tours of Eskbank House and Museum, Tai chi classes, mindfulness colouring sessions, 'Art Tonic' classes, morning melodies at the local Workman's club, yoga and meditation classes and much more.

During the 2017 Seniors Festival, seniors in Lithgow were inspired. They got creative, socialised, shared skills and did the things they loved, together.

#### **Celebrating Our Local Volunteers**

As part of National Volunteer Week Council organised a free movie night at the local cinema to say "Thank You" to volunteers for all that they do in our community.

A free film screening of "Florence Foster Jenkins" was shown at Lithgow Valley Cinema on Main Street, followed by a sundowner, which included drinks and cheese platters.

Volunteers were warmly welcomed by the Mayor of Lithgow, Clr Stephen Lesslie, who also spoke to volunteers about their contribution and the important role they play in our community.





These actions are consistent with the Community and Strategic Plan 2026 and the Lithgow Ageing Strategy.

- 1.2.2.1 To respond to the needs of an ageing population.
- 1.2.7.1 To provide a range of health services which meet the needs of the community.
- 1.2.11.1 To celebrate and grow volunteering.
- 1.2.12.1 To improve the quality of life of the LGA's youth.
- 3.2.3.1 To maintain community commercial and industrial buildings and structures to meet the needs of the community and service council operations.
- 5.1.2.1 To provide responsible leadership for the community.
- 5.1.3.1 To ensure effective communication between Council and the community.

## A caring and supportive community

#### **White Ribbon 2016**

Lithgow Partnerships Against Domestic Violence and Family Abuse (LPADVFA) is a collaboration of agencies and individuals in the region who aim to support an active, integrated response to domestic violence, family abuse, sexual assault and child abuse in the Lithgow LGA. As a member of the LPADVFA, Council provided support to organise events for White Ribbon 2016.

As part of White Ribbon 2016, Council supported the LPADVFA to organise a march along Main street and raise awareness about domestic violence and family abuse. Over 300 local residents took part in the march and included members of Lithgow Council, Lithgow Police, Fire and Rescue, Ambulance Service and Correctional Centre.

Following the march, the community congregated at the local Workman's Club to take part in the White Ribbon Trivia Night. The trivia night was a fun and informative event, with questions designed to test participants' general knowledge and some White Ribbon related questions included as 'extra points' and awareness-raising. The money raised went towards both White Ribbon and Lithgow Partnerships Against Domestic Violence and Family Abuse.

#### **Harmony Day 2017**

To celebrate Lithgow's cultural diversity Council, in partnership with the Lithgow Information and Neighbourhood Centre, delivered an exciting and fun program at the Lithgow Library and Learning Centre.

This year, Harmony Day was celebrated on 22 March 2017 and included cultural performances, speeches, face-painting, singing, Chinese fan dancing, arts and crafts, and storytelling. New students from the local Tafe also attended and got a chance to practice their English speaking skills with staff and other community members at the library.

Amnesty International and Lithgow Asylum Seekers and Refugees Group held information stalls to assist people with any questions. To finish, guests enjoyed a multicultural cuisine in the library courtyard forging new friendships and a sense of belonging.

#### NAIDOC Week

Council in partnership with Leaving Healthy Footprints and the Aboriginal Education Consultative Group (AECG) provided an exciting program for NAIDOC 2016.

The NAIDOC Week event officially opened at 10.00am with a Welcome to Country by Uncle Owen Smith and a Smoking Ceremony by Aunty Gloria Rogers, followed by a combined school choir performance.

Celebrations took place at Queen Elizabeth Park on Friday 23 September 2016 and included a variety of Aboriginal workshops, such as traditional dance, jewellery-making, story-telling, Indigenous games, face-painting, arts and crafts and information stalls.

The event was well attended with Aboriginal and non-Aboriginal community members. In addition, most of the local school students attended with their teachers and took part in an art competition as part of the NAIDOC 2016 celebrations.





#### **Lithgow Youth Council**

Lithgow Youth Council meets monthly throughout the year to voice the needs of young and develop targeted youth programs and initiatives. Due to the local government election process the Youth Council reformed in April 2017 and has since worked on the following initiatives:

#### **Further Education Scholarship Program**

One of the most successful initiatives of the Youth Council is the Further Education Scholarship Program. This program is being developed in partnership with Western Sydney University and Tafe Western to provide young people with financial support while they study.

The program will offer up to 20 scholarships per annum and will enable young people to take part in a diverse range of studies, including, but not limited to the arts, science, carpentry, drama, music, dance, sports, hospitality, nursing, jewellery making, and online training options.

It is hoped that these scholarships will provide young people with the financial support they need to cover costs related to further study, such as, internet usage, fees, and text books, when enrolled at one of the local educational institutions.

#### Youth Week 2017

To celebrate National Youth Week 2017 two events were held in April. The first event was held at the Lithgow Skate Park and featured demonstrations and coaching by BMX and scooter professionals from Newtons Nation.

Free sandwiches and drinks were also provided and young people worked together to create new moves and then showcase them to family and friends. There were over 100 young people in attendance on the day.

The second event was a Manga workshop facilitated by the accomplished illustrator, artist and designer, Matthew Lin. Matthew worked with Manga and anime enthusiasts to hone their drawing skills and develop their style.

Participants learned new techniques such as drawing manga characters, adding colour, shading characters, instructions for creating scenes within a story, and advice on how to get published. The workshop was fully booked and a huge success with many young people on the day.





These actions are consistent with the Community and Strategic Plan 2026 and the Lithgow Ageing Strategy.

- 1.2.1.1 To support people from Aboriginal and CALD backgrounds.
- 1.2.10.1 To facilitate a safe community.
- 1.2.12.1 To improve the quality of life of the LGA's youth.

### Accessible library services

#### **Lithgow Library Refurbishment**

Lithgow Library was awarded a State Library Infrastructure Grant of \$118,027.00 towards the refurbishment of the library. The title of the project - 'Reboot, Revitalise and Re-imagine' – captured the focus of the refurbishment: to introduce new technologies, to replace worn carpet and furnishings, and to redesign the shelving layout. New technologies included a Print Magnifier, and a new Self-checking Station for customers to issue their own items. A new Print Release Station has also been installed, enabling customers to pay and release their own photocopies and printing. The new carpet features a bright and colourful design and helps delineate the new seating spaces created by our redesigned shelving layout. A welcoming and accessible Customer Service Desk is also a key feature of the refurbishment. The Children's area received particular attention, with bright colourful shelving boxes, modern curved shelving, and practical seating options. The Teen Zone too received two bright Pod Chairs, which have proven to be very popular. After a two week closure to complete the majority of the work, the library reopened with a huge community event. On 13 March, over one hundred people attended a morning of music, dancing and speeches, celebrating the refurbishment and showing their support for their local library.

#### **Portland and Wallerawang Library Branches**

Portland and Wallerawang Library branches have seen positive increases in membership in 2016/17. Portland library had 77 new members in this period, bringing the branch membership to 694; and Wallerawang library had 58 new members, bringing their membership total to 469. The branches are busy, with Portland issuing 13,787 items, and Wallerawang issuing 7,456 items. Portland library offers a range of craft sessions, storytimes, Craft'n'chat, and boardgame sessions. Portland library was also a featured stop for the NSW Library motorcycle tour group – Biblio Turismo. Both branches offer school holiday activities, and Wallerawang library offers afterschool jigsaws and boardgames.

#### **EBooks**

The Library's eBook collection continues to grow, with over 640 titles now in the collection, including 72 eAudiobooks. 60 new users signed on for the eBook service in 2016/17. There were 454 loans in this period; 372 eBooks and 82 eAudiobooks. Borrowers can enjoy a selection of classic titles, new releases, teen, and children's eBooks, in both fiction and non-fiction. The library's eBook service supplier – Axis360 – have also upgraded their access options, including a new app, to make the download process simpler. This service is free to all library members and more information can be found on the library's website.

#### These actions are consistent with the Community and Strategic Plan 2026:

• 1.2.8.1 To provide learning opportunities and quality library facilities which meet the needs of the community.







Pictured - Modern and accessible Libraries
Top: Lithgow Library

Middle: Portland Library Bottom: Wallerawang Library.

#### **Local Studies Services**

The Local Studies area provides assisted access to the library's collection relating to the local LGA. This area is open each day from 10am to 12noon. The library also receives requests for information via email and telephone from people from all over Australia and occasionally from overseas.

The most frequent enquiries are for local history such as events, industries, roads and rail. Next are enquiries relating to Family History and then those relating to House and Property history.

The collection has local and family history books, videos, oral history tapes, photographs and records on microfilm. There is also an archives collection of company records, family documents and photographs.

The Local Studies collection increases each year with regular purchases of resources such as the local newspaper Lithgow Mercury on microfilm, published and unpublished books. The collection also receives donations of items which is especially important for unpublished research and original photographs.

A major donation in this last year has been the photograph collection from the Lithgow Mercury. Library volunteer Kay Ross has been working steadily to organise and document each photo and the smaller collection of documents that accompanied them.

#### History@YourLibrary

As part of the Lithgow City Council's commitment to the celebration of our unique heritage, Lithgow Library collaborates with local history groups, historians and authors to share our history with the community. This year the Library partnered with the Lithgow & District Family History Society Inc., The Small Arms Factory Museum and The Lithgow & Hartley branch of the National Trust for exhibitions, history displays and competitions.

The library has also hosted history and author talks by historians Jan Saundercock, Tony Griffiths, John Low, Keith Painter and the also by the Bushexplorers/Authors - Michael Keats, Brian Fox and Yuri Bolotin. The topics covered ranged from 1918 visit to Australia by a French delegation, Women in War and War Horses to Hassan Walls and Gardens of Stone National Park.

Another major event for Lithgow was a Celebration of the addition of The Lithgow Mercury to the National Library of Australia's digitized newspaper website TROVE. This project was funded by the State Library of NSW at a cost to them of \$120,000. Lithgow Library Celebrated with special guest speaker Jerelynn Brown from the State Library, Len Ashworth former Editor of the Lithgow Mercury, Jan Saundercock of Lithgow & District History Society Inc.





Top: Local Studies Officer Kay Shirt looking at the collection. Bottom: Glen Davis Town Plans

## Accessible library services

#### **Home Library Service**

This year the Home Library Service has increased steadily with over 60 active clients, representing an increase of 43% on the previous year's figures.

The Home Library provides a vital service to the communities of Lithgow, Wallerawang and Portland, providing library resources to members of the community who are unable access the local branch of their library. Library resources include books, talking books, CDs, DVDs and magazines. This service ensures that, regardless of age, incapacity, illness or carer's responsibilities, every member of the community has equitable access to the library. As well as the access to library resources, the HLS also provides an important social link between the community and some of our most isolated members, ensuring that those most vulnerable are valued and included in the life of the community. A special HLS Morning Tea was held in March, with over 70 people attending. Entertainment was generously provided by the Lithgow City Band, Norm, Lenore, Leo, and the Uke'n'Sing Group; and was greatly appreciated by all in attendance.

#### **Storytime**

Every Wednesday at 10.30am parents and their preschoolers come together at Lithgow Library for a morning of stories, songs, dance, play and craft. Each Storytime session is focussed on a fun theme, specially designed to boost the development of early literacy skills. Interactive stories are a key feature, as well as songs that encouragement movement, and puppet play and felt boards to engage and support the children to participate. Storytime is also held at Portland Library every Wednesday at 11.30am. In total just on 570 preschoolers attended Storytime sessions in 2016, filling the library with singing and laughter.

#### **National Simultaneous Storytime**

On May 24th, Mayor Stephen Lesslie joined us to read 'The cow tripped over the moon' by Tony Wilson as part of National Simultaneous Storytime. This is an annual event that sees schools, libraries, playgroups and others read the same story at the same time, nationwide. This year two members of our Library team performed the story with hand puppets and props. Over 25 children attended and had a great time.

#### **LEGO Club and Pokemon TCG**

LEGO Club is in its second year at Lithgow Library and continues to grow. Started with a grant from Fundability it was created as an inclusive after school club with STEAM building challenges each week. The Club encourages creativity and imagination, with young people working individually and as a team as the challenge requires, to consider all manner of engineering and mathematical problems. The library also has a LEGO Mindstorms Robot set, which is available for booked sessions during the holidays. The LEGO Club had over 120 attendees to LEGO club in the period January-June 2017. Another new group for the library is the Pokemon Trading Card Club. This group meets every second Thursday during school term. Everyone from experts to novices are welcome.

#### **Baby Bounce & Rhyme Time**

Baby Bounce and Rhyme Time is an early literacy program, designed for babies 0-2 years of age and their carers. Now in its second year this program has proven to be very successful. Sessions feature music, instruments, stories, and puppets, making them very dynamic and engaging. Singing, reading, playing and talking to your baby is the proven best way to develop their early literacy awareness. The program is a great way for new parents to play and sing with their child, and also to meet other new parents in the area. Over 70 babies and toddlers attended Baby Bounce & Rhyme Time from January-June 2017.







#### YourTutor

In August 2016 the Library introduced a new free service YourTutor. YourTutor (http://library.lithgow.com/ your-tutor/) provides an online tutorial service for local students, where library members logon and receive 1:1 tutorial help. Students communicate with tutors via the keyboard, an interactive whiteboard and shared web browsing so that tutors can review the students' specific homework and assignment questions. Tutors are available for: Maths - General Maths for primary and lower secondary students; General, Intermediate and Specialist/Extension Maths for senior students; English - Skills and Concepts, English and literacy; Science -Science (Years 3-6), General Science, Biology, Chemistry and Physics; Assignment help for all subjects including Essay and report writing, Assignment research and Referencing and citation support; Business Studies; and Economics. YourTutor also offers 24/7 Written Work Feedback – where students submit their essay, speech, report or assignment, and within 24 hours they will receive detailed feedback from English writing experts. All tutors are qualified professionals, who ensure a safe and professional tutoring session. Over 50 local students have made use of this free service, all providing positive feedback.

#### **Uke'n'Singers Group**

In November 2016 a new project was launched at the Library - a basic beginner Ukulele Group. The library purchased 6 ukuleles and 1 book for a total of \$200 and the Uku'n'Singers Group was born.

Every week up to 30 members attend the ukulele classes each week. The group have gone from absolute beginners to seasoned performers. The Uke'n'Singers were featured artists at the grand reopening of the library as well as regularly appearing at library functions, such as the Home Library Service Morning tea, and making public performances at local aged care facilities. The ukulele class has become the highlight of the week for many of our members. It's an opportunity to engage with the community and build strong connections for local residents who are often quite isolated due to ageing, access and/or carers responsibilities. This group is free at the library, and is always open to new members.





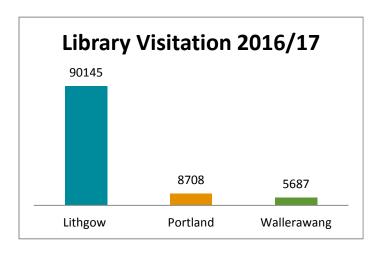
These actions are consistent with the Community and Strategic Plan 2026 and the Lithgow Ageing Strategy.

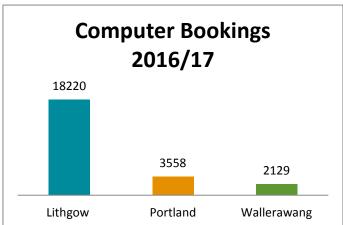
- 1.2.2.1 To respond to the needs of an ageing population.
- 1.2.4.1 To develop the Lithgow LGA as a Family Friendly Community.
- 1.2.8.1 To provide learning opportunities and quality library facilities which meet the needs of the community.
- 1.2.12.1 To improve the quality of life of the LGA's youth.

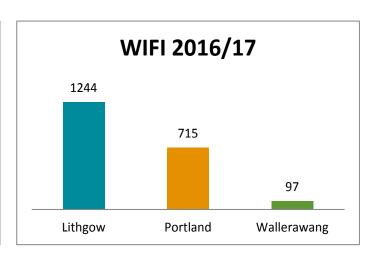
## Accessible library services

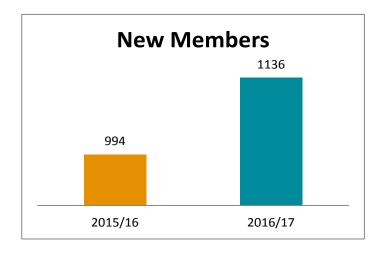
#### **Library Usage**

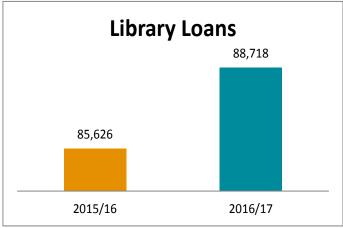
The graphs below show usage of the facility and services at the Lithgow, Wallerawang and Portland Libraries.

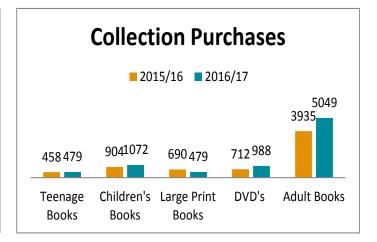












### Caring for our pets responsibly

#### **Lithgow Animal Shelter Improvements**

Another year of the Lithgow Animal Shelter Improvement Project is complete with significant improvements made with a \$30,000 budget allocation.

The Animal Shelter alterations are under guidance of the new standards required for the welfare of animals. The main aim of Council's Animal Shelter is to re-unite owners with their lost animals and find homes for surrendered or unclaimed companion animals. The shelter has been expanded to provide additional kennels, floors have all been repainted and the section of the shelter has been renovated to improve, heating and cooling.

The next stage of the project will see the Animal drop box renovated and fencing installed within the animal exercise area.



#### **Responsible Pet Ownership Grant Program**

Lithgow City Council in partnership with the NSW Government delivered the Responsible Pet Ownership Program to Companion animals of the Local Government Area. The program ran for the months of February 2017 – May 2017. The program was possible through \$8000 in funding from the NSW Government



as well as \$2000 in funding from Council.

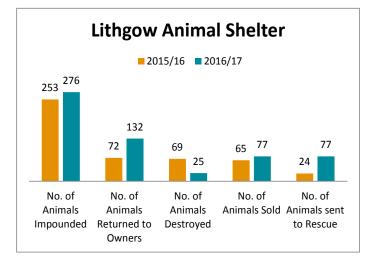
The program was delivered in three distinct components including; two free walk-up Microchipping days held at Council's Animal Shelter, Discounted Desexing program and an Education program delivered by the RSPCA.

#### **Key Facts:**

- 37 animals de-sexed (all pensioners or health care card holders); 26 Dogs & 11 Cats
- 59 animals micro-chipped (both cats & dogs)
- Education component delivered to 3 Primary Schools within the Local Government Area. Program delivered to a total of approximately 90 students.
- A strengthened relationship with Council's Rangers and the community.
- 2 successful micro-chipping open days held at Council's Animal Shelter, which led to several animals being adopted.
- Greater education on responsible pet ownership and the need for micro-chipping and de-sexing of pets. Especially lifetime traceability.

### These action are consistent with the Community Strategic Plan 2026.

- 1.2.9.1 To ensure community safety and compliance
- 3.2.3.1 To maintain community commercial and industrial buildings and structures to meet the needs of the community and service Council operations.





To support a changing and growing community, Council and the community must work together to build a sustainable, diverse and competitive economy. This Principle Activity Area focuses on creating an economy that:

- Is linked to the unique character and advantages of the Lithgow region.
- Ensures that a variety of employment and training opportunities are available.
- Has a workforce that is supportive of innovation and business excellence.
- Is skills-based.
- Provides for a broad range of formal and non-formal education services.
- Is underpinned by sound land use planning that provides a range of employment lands and lifestyle choices while protecting environmental values.

To achieve the objectives of this key theme, council has implemented a variety of strategies, programs and services to facilitate and manage economic growth and development in the Lithgow LGA. This theme aims to develop and support to:

- Arts and Culture
- Branding and Marketing
- Business and Industry Development and Support
- Leadership and Communication
- Education and Training
- Local Environment Planning and Development
- Tourism



Lithgow from the air. Drone image courtesy of Matthew Wade.

# Our place...Our future

In April 2016, Council engaged Micromex Research to undertake a random telephone survey of 407 residents in the Lithgow LGA to measure community attitudes and perceptions towards current and future services and facilities provided by Council. The survey found that:

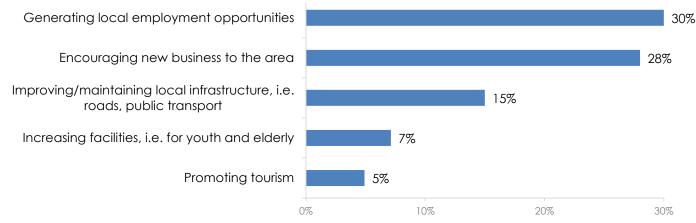
"As with may regional LGA's, there are concerns about the current and future opportunities in regard to local employment, as well as attracting new business to the area.

There are also concerns around renewing and maintaining the local infrastructure, the management and process of development, as well as the provision of community facilities for residents.

The top 5 drivers of overall satisfaction account for just under 20% of overall satisfaction. These drivers included encouraging local business, town roads, community consultation, council responsiveness and the provision of community festivals and events".

Micromex Research, June 2016





Respondents were asked what they felt were the key challenges for the Lithgow LGA in the next 5 to 10 years.

# **Key Facts:**

- There are 7,538 workers in the Lithgow LGA.
- For every 100 workers in the Lithgow LGA there are 99 jobs.
- 82% of the jobs in the LGA are held by Lithgow residents.
- Most popular places for Lithgow residents to work outside the LGA are the Blue Mountains (5.5% or 415 jobs) and Bathurst (3.8% or 286 jobs).
- Workers coming into the LGA to work come from the Blue Mountains (7.2% or 537 jobs) and Bathurst (5.3% or 398 jobs).

2011 census data

### **Population and Housing**

Population – 21,090 (Shire)

Median age of Lithgow LGA - 45, NSW - 37.7 years

Lower proportion of family households and higher proportion of single person households



Source: Centre for Economic & Regional Development - 2016 census data

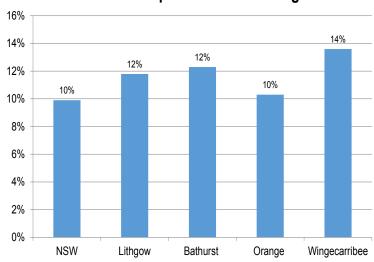
The table below indicates the Projected Population Age Distribution - Lithgow 2011 - 2031.

Age Bracket	2011	2016	2021	2026	2031	Change 2011-2031
0-14 yrs	18.7%	17.7%	17.4%	16.1%	15.8%	-2.9%
15-24 yrs	12.2%	10.7%	9.8%	9.6%	9.2%	-3.0%
25-34 yrs	10.3%	11.0%	10.5%	9.4%	8.5%	-1.8%
35-44 yrs	12.5%	11.5%	11.0%	11.5%	11.4%	-1.1%
45-54 yrs	14.9%	13.4%	12.4%	11.8%	11.4%	-3.5%
55-64 yrs	13.7%	14.6%	15.0%	13.9%	13.3%	-0.4%
65+ yrs	17.7%	21.2%	24.0%	27.6%	30.3%	+12.6%

Source: NSW Department of Planning 2014, A.P. Sheere Consulting, 2015.

2016 Census: 12% of houses in Lithgow were unoccupied compared to 10% across NSW. This has come down from 14% in 2011, and NSW remained the same at 10%.

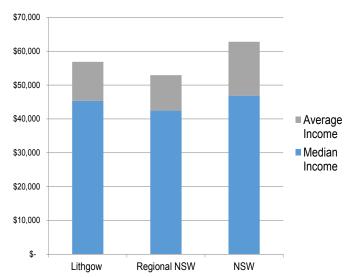
# % of Unoccupied Private Dwellings



#### Income

Median income for the Lithgow Shire was \$45,336 in 2014-2015 (with an average income of \$56,849)

Median income for NSW of \$46,879 (with an average of \$62,798)

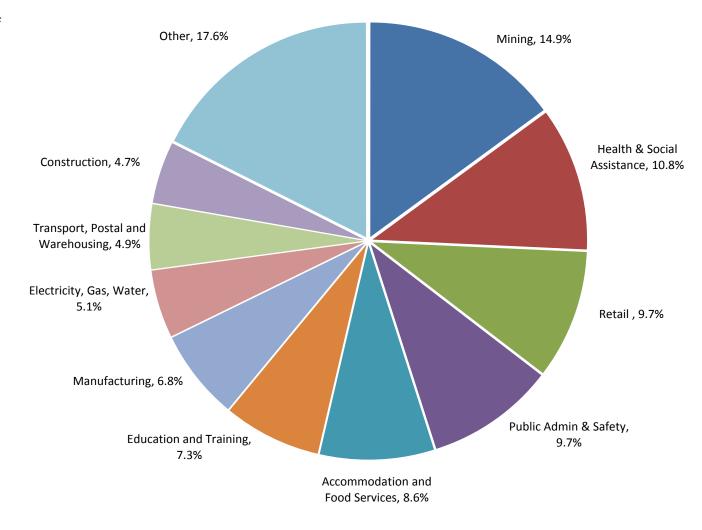


ABS 6524.0.55.002 - Estimates of Personal Income for Small Areas, 2011-2015 - TOTAL INCOME

Note: Regional NSW in this chart uses data from the ABS definition "Rest of NSW" and includes Wollongong and Newcastle, it excludes Greater Sydney

# **Employment Profile**

Top 9 employing sectors account for approximately 78% of total employment (2011 census data).



2011 Census, there were 7,476 jobs in the Lithgow LGA
Largest industries employing over 5% of the workforce

Mining (1,117)	Manufacturing (507)
Health & Social Assistance (807)	Education (549)
Retail (725)	Electricity and Utility Services (382)
Public Administration and Safety (723)	Construction (349)
Accommodation and Food Services (640)	

# Our place...Our future

Council recognises that ensuring the economic viability of the Lithgow LGA requires a multidisciplinary approach and long-term planning. Furthermore it recognises that although it has a valid and important role to play in promoting and facilitating economic development, it must work within its jurisdiction and resource limitations to support sustainable growth. It acknowledges that the support of the community, key stakeholders and partners is paramount. Council is not the principal 'driver' of local economic development. This is in fact the role of business and industry. Council however, can play an effective role in influencing what is termed the 'drivers of economic development'. (EDS 2015 p. 12)

In 2016/17, the following actions have been undertaken to ensure sustainable growth and development.

# **Long Term Planning**

The following Plans and Strategies have been developed and implemented:

- Community Strategic Plan 2026
- Disability Inclusion Action Plan
- Farmers Creek Precinct Master Plan
- Hassans Walls Reserve Management Plan

Progressed the development of the following Plans & Strategies:

- Lithgow City Rural and Rural Residential Strategy
   Review
- Masterplan and Development Control Plan for the Marrangaroo Urban Release Area
- Comprehensive Development Control Plan
- Cullen Bullen Village Improvements Plan
- Farmers Creek Precinct Master Plan.
- Marketing Strategy for Lithgow.

# **Infrastructure Upgrade and Renewal**

The development of long-term plans ensures that Council is positioned to successfully seek state and federal grant funding to assist in infrastructure development and upgrades. The table below shows the annual grants and contributions for infrastructure upgrade and renewal.

Year	Grants and Contributions \$000
2013/2014	3,682
2014/2015	5,240
2015/2016	6,958
2016/2017	9,561

Note: Grants and Contributions includes Loans. Figures are from Financial Statements.

In 2016/17 the following works commenced:

- Construction of the Portland Sewage Treatment Plant.
- Design and tender for the Refurbishment of Cook Street Plaza and the Eskbank Street Precinct; Stage 1 of the CBD Revitalisation Program.

Works scheduled to commence in 2017/18 are:

- Refurbishment of Cook Street Plaza and the Eskbank Street Precinct; Stage 1 of the CBD Revitalisation Program.
- Cullen Bullen Sewerage Treatment Plant

# Creating a place to live, work and invest

Each year, Council develops and implements a suite of programs designed to support local businesses. These programs include a range of educational and shop-local initiatives that aim to ensure the longevity of small businesses and promote the Lithgow LGA as a vibrant, 'up and coming' location for businesses looking to relocate from other areas.

These initiatives include:

- The development and promotion of iconic local events such as Halloween and LithGlo.
- Attraction of new events to the region.
- Actively marketed the LGA through tourism and economic trade shows.
- Provided funding to local businesses to upgrade their facades in the Main Street Program.

# Strengthening our local tourism industry

# **Marketing the Region**

A number of Key marketing initiatives were employed to promote and encourage visitation to the Lithgow LGA including taking reference from the Destination

Management Plan – a Tourism Strategy for Lithgow.

- Attendance at the South Coast Caravan, Camping and 4WD Show
- Canberra Home, Leisure and 4WD Show
- Newcastle Caravan, Camping and 4WD Show
- Rose Hill Caravan and Camping Super-show.
- Continual promotion of the Lithgow Visitors Guide which is placed in all level 1 Visitor Information Centres around NSW.
- Continual promotion of the Lithgow smart phone app.
- Advertising in regional publications and Sydney Newspapers as well as local media outlets.
- Promotion via Social Media including Facebook, Instagram and Twitter.

# **Wallerawang Information Bay**

Another key action to be identified by the Tourism Advisory Committee was the completion of the Wallerawang Information Bay. The key action was taken from the Destination Management Plan and involved liaison between Lithgow City Council and Wallerawang Lidsdale Progress Association.

A local graphic designer was engaged to tie the design of the information bay to the same theme as other tourism signs in the Lithgow LGA. Wallerawang Lidsdale Progress Association then provided historical and contemporary information for the sign and after tripled checking that everything was correct the information bay sign went into production.

The information bay now provides visitors to Wallerawang with an all encompassing narrative on the history of the area with what to see and do and how to get there. The project is a great example of the co-operation between Lithgow City Council and local community organisations and has led to a vital piece of tourism infrastructure being installed in Wallerawang.

# **Town Entry Signage**

A key action from the Destination Management Plan – A Tourism Strategy for Lithgow, identified the need for new Town Entry and Local Government Area signage. After extensive community consultation including a survey to find the most preferred design, tenders were sought and the manufacture of the signs began.

Lithgow Tourism staff liaised with the Roads and Maritime Service to ascertain where the signs could be placed and what rules and regulations had to be adhered to. Lithgow City Council Operations department surveyed the identified sites for the placement of the signs and in co-operation with the sign manufacturers the signs were installed over a 3 week period in March 2017.

Since being installed, the LGA entry and Town entry signs have received much praise from the community and now sit resplendent in their vibrant and warm colours as welcoming beacons that send out a message of positivity about the future direction of Lithgow.

The signs are still a work in progress, and over the winter months some issues have been identified with cracks appearing in the signs. The manufacturers of the signs will be revisiting Lithgow to rectify any issues. There will also be investigations into the possibility of landscaping and lighting the signs.



### **Lithgow Halloween 2016**

Lithgow Halloween is family friendly Tourism event aimed at increasing visitation to the region and to drive business into the tourism sector.

Lithgow Halloween is staged in the centre of Lithgow's main shopping and dining precinct.

Local businesses including cafes and restaurants actively engaged in the event offering safe trickle treat along with themed Halloween window displays and special menus for the event.

Cafes, restaurants and Hotels reported a big increase in revenue and extended their regular trading hours due to the increase in demand.

Many of the restaurants were booked out in advance of the event with some of the cafes and restaurants along Main Street trading out into the street offering special quick food options for the night. Lithgow Tourism provided additional seating and tables for street dinning along the event site. New activities for the 2016 included a cake decoration competition ran by Sweety's Cake House in Main Street, although the number of entries was low the business reported a good increase in revenue and awareness of the business.

Accommodation in Lithgow over the weekend of Lithgow Halloween was sold out with some of the event contractors needing to seek accommodation in Katoomba and the Blue Mountains.

Lithgow Visitor Information Centre staff monitored accommodation booking enquires leading up to the event with bookings for the event weekend made as early as February 2016.

Accommodation demand also increased with over 60 contractors including security, traffic control and event production crew over the event weekend.

Lithgow Halloween offered craft and food markets stalls trading from 2.00pm on Saturday with over 80 stalls including craft and produce from the region. The stalls created at festive atmosphere and provided an economic boost to regional traders.



#### These actions are consistent with the:

- Community Strategic Plan 2026
  - 1.2.4.1 To develop the Lithgow LGA as a Family Friendly Community.
  - 1.2.12.1 To improve the quality of life of the LGA's youth.
  - 2.2.7.1 To create a strong tourism industry that maximises benefits from visitors to the LGA.
- Tourism Destination Management Plan
- Festival and Events Strategy







# Interpreting our heritage

### **Eskbank House & Museum**

2016/17 was a very important year for Eskbank House and Museum.

The 50th Anniversary of Eskbank House opening to the community as a public museum was celebrated in November 2016. Audiences enjoyed music by the Mitchell Conservatorium, a talk on house museums by Toner Stevenson, Curator at Sydney Living Museums, and Dr. Naomi Parry, Historian and previous Manager of Eskbank House.

In 2017, the Eskbank House reached another significant milestone – 175 years since the house was built by Alexander Binning for Thomas and Mary Brown. As part of this special anniversary, Eskbank House and Museum received a significant Heritage Near Me grant from the NSW Government to deliver a series of engagement outcomes. This has involved constructing new garden paths and fencing as the first stage to developing an historic garden and a new publication capturing key historical information and oral histories. The grant will also cover the development of digital interpretation platforms, a new website, an exhibition, and an event celebrating the anniversary to be delivered at a later stage of 2017.

Many other activities took place at Eskbank House and Museum throughout the year.

Seven exhibitions were held, including:

- The historical survey Masters of Iron and Steel,
- The outcomes of workshops held with local schools as part of the inaugural Subliminal Festival, and
- Waste 2 Art returned for another successful year with entries spilling out into the Garden Pavilion, Pottery Pavilion and gardens.

A number of special events and programs were also delivered engaging with different audiences and encouraging increased visitation to the museum. These included art workshops, children's programs, music and theatre performances, and themed garden events such as Steampunk held on a beautiful Winter's afternoon in July. Australia Day was also hosted in the gardens of Eskbank House, with the over 200 attendees entertained with music performed by the Mitchell Conservatorium.

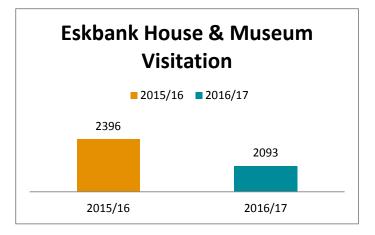
#### **Museums Advisor Program**

After six years of providing dedicated support and expert advice to the museum and cultural sector across the Lithgow region, Lynn Collins retired from his role as Museums Advisor. The Museums Advisor Program is co-funded by Museums & Galleries of NSW to provide experienced support to cultural workers in regional areas. Lynn was instrumental in establishing the Museums Network, coordinating Museums Standards training, and has provided outstanding support to the volunteers who care for the regions important cultural institutions and assets.

In 2017, the Museums Advisor Program took on a new focus. Michael Huxley was appointed as the Museums Advisor bringing a wealth of experience in strategic cultural planning. Michael commenced initial consultations with key stakeholders in early 2017, leading towards a concise Cultural Heritage Report making recommendations for Council's future planning involving the museums sector in local tourism and economic development initiatives.

#### These actions are consistent with the:

- Community Strategic Plan 2026
  - 1.2.4.1 To develop the Lithgow LGA as a Family Friendly Community.
  - 1.2.12.1 To improve the quality of life of the LGA's youth.
  - 2.2.7.1 To create a strong tourism industry that maximises benefits from visitors to the LGA.
- Cultural Plan
- Cultural Precinct Study



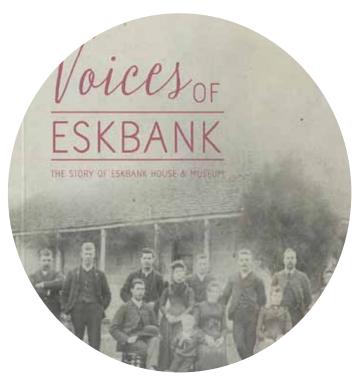
Photographs:

Top left: Voices of Eskbank book cover

Bottom left: Eskbank Steampunk 2016 Photograph courtesy of Brigitte Grant Photography

Top right: fun Crafty Noons - children's school holiday craft workshop

Bottom right: School Holiday young writers workshop with local author Kim Kelly.











Adapting to the changing needs of an evolving community whilst retaining the unique character of our rural areas, villages and towns will enable Council to provide for the growth and sustainability of the local government area. This Principle Activity Area is responsible for:

- · Providing for future community needs.
- Ensuring equity and social inclusion.
- Health and wellbeing.
- Cultural activities.
- Excellence in provision of facilities and services.
- The development and support of communities.
- Enhanced lifestyle opportunities.

To achieve the objectives of this key theme, council has implemented a variety of strategies, programs and services to upgrade and maintain our community assets. This theme aims to develop and support:

- Community cultural facilities
- · Community commercial and industrial buildings
- Cycleways and walkways
- Environmental health
- Heritage
- · On-site sewage management
- Parks and gardens
- Recreational facilities
- Road safety and compliance
- Transport
- Sewage infrastructure
- Stormwater
- Trade waste
- Water infrastructure
- Waste and recycling



Telstra Tech Savvy Seniors Program held at the Lithgow Library Learning Centre in partnership with the Lithgow Telstra Store. Classes ranged from introduction to the internet and social media, to smart phones and online shopping and banking.

# Connecting our community

### **Key Facts:**

### **Lithgow City Council is responsible for:**

- 956km of urban, rural sealed, regional and rural unsealed roads.
   Glen Davis and Glen Alice Roads
  - Unsealed = 12,530m
  - Sealed = 68,120m
- 32 Concrete bridges
- 10 Timber Bridges

# Changing how we do things

In 2016/17 Council undertook a review of its works program with the aim of Reducing Council's ongoing asset depreciation costs. Percentages of maintenance funding were reallocated to renewals projects. The allocation is based on the expected percentages of renewal works required over a 12 month period based on analysis of the previous 5 years of maintenance expenditure data. Included in this analysis is a breakdown of salary, plant and materials expenses to more accurately break down the requirements.

The purpose of this renewal budgeting in addition to maintenance funding is to ensure allocation of recurrent maintenance funds to works that extend the life of an asset rather than simply maintain an asset to its expected end-of-life. Typically, these works would be conducted based on best practice intervention points, ensuring works are performed prior to capital reconstruction being required. This process comes with two main benefits, the first being a reduction in capital expenditure over time due to extended asset lifespans and the second a reduction in ongoing asset depreciation rates if intervention points are followed.

It is worth noting that this process is still in its infancy and renewals projects are identified based on inspection then budgeted accordingly. Intervention points, criteria for renewals funding and typical remedial solutions will be included as part of the Roads Asset Management Plan. The first draft of this plan is currently being written and will be completed in 2017/18.

# 2016/17 Roads & Ancillary Facilities Works Program

Project/Program	Total \$
Urban drainage improvements	16,173
Kerb & gutter construction - Thornton Avenue, Lithgow	11,340
Footpath construction - James O'Donnell Drive, Lithgow	9,756
Footpath Construction - Kirkley Street to Magpie Hollow	22,412
Road, South Bowenfels	
Farmers Creek Cycleway, Lithgow	35,451
Gravel resheeting:	
Wolgan Road, Wolgan Valley	87,236
Cullenbenbong Road, Kanimbla	53,360
Roads to Recovery Program:	
Glen Alice Road	346,674
Glen Davis Road	256,744
Curly Dick Road	108,173
Rydal-Hampton Road	299,145
Cox's River Road	257,889
Mckanes Falls Road	149,274
Main Street, Wallerawang	58,946
Williwa Street, Portland	64,348
Infrastructure Levy Program:	
Inch Street Lane	25,681
Bells Road	125,607
Cullenbenbong Road	53,360
Wolgan Valley Bridge	93,852
Urban roads improvements program - Hotmix reseal of a section of Methven Street, Lithgow	137,442
Improvements to timber bridges on Glen Davis Road, Capertee Valley	86,171
Repair grant improvements to Wallerawang Road	362,450
Line marking of rural and urban roads throughout the Local Government Area.	23,643

### **Wallerawang Road, Portland Reseal**

In 2016/17, Lithgow City Council completed large-scale capital resealing works on Wallerawang Road, Portland between Bell Street and Wolgan Street, Portland.

This project was joint funded by the Roads and Maritime Services and Lithgow City Council in a 50:50 ratio. The total cost of this project was just over \$400,000.00.

This project included the stabilisation of the existing concrete slaps through the sealing of all joints using a flexible crack sealant that consists of a hot polymer rubberised bitumen. Council performed this work in order to minimise or completely eliminate future degradation of this important asset as a result of crack reflection resulting from the movement of the concrete slabs over time.

Once these works were complete, the asphalt shoulders adjacent to the concrete carriageway were milled and replaced with a 20mm aggregate rubberised asphalt

to a depth of 60mm. This was performed to ensure the longevity of the road shoulder taking into account the potential for the long-term parking of medium to heavy vehicles in this location. Council undertook these preliminary works to guarantee that residents can utilise this asset for on-street parking into the future with little expectation of asset failure.

Upon completion of this work, works commenced on the overlay of the entire asset (including shoulders) with a 14mm aggregate rubberised asphalt at a depth of 50mm. By placing this overlay of the pre-prepared asphalt shoulders and existing concrete carriageway, this asset has the characteristics of a deeply stabilised pavement. This is of great benefit to the Portland community as the stability of this asset will continue to provide the required capacity to serve road users that frequently move heavy vehicles in and out of Portland, without the expectation of resultant surface defects.

Upon completion of these works, the increased levels necessitated the raising of the shoulders and manholes for the length of these works. This works ensures the safety of motorists travelling through the area.

Ultimately, Council acknowledges the high level of traffic through the area and the importance of providing assets to the community that are fit for purpose in terms of rideability, vehicular safety, visual amenity and asset stability and strength. It is strongly believed by Council that by providing high quality road assets that achieve these standards, localities will see associated social and economic benefits. Council spared no expense in ensuring that this asset was renewed to the highest possible standard to ensure that Wallerawang Road continues to benefit not just the residents of Portland but the entire community of Lithgow and its surrounds.







# Connecting our community

### Reconstruction of the Wolgan Causeway, Wolgan Valley

In 2016/17, while completing a large-scale gravel resheeting of Wolgan Road, Wolgan Valley, the causeway traversing Barton Creek, Wolgan Valley collapsed. A thorough inspection after the incident has indicated that the inclement weather experienced at the time resulted in increased flow through and over the existing structure. Combined with the advanced age of the asset, major erosion of the foundation of the causeway occurred and resulted in complete failure of the asset once loaded with trucks fully laden with gravel.

This complete loss of structural integrity and resultant collapse posed a major issue as the causeway was the primary access and egress for a number of landowners, including the township of Newnes and its camping facilities. This potential lack of access and safety resulted in this project becoming an immediate priority for Lithgow City Council to ensure that the economic and social benefits that the Wolgan Valley impart on our community were not disrupted.

The old causeway was constructed of a low-level concrete deck above an array of six 300mm pipes. Due to the age of the asset and a lack of regular maintenance over the years, the pipes were blocked and due to the increased rainfall, the creek bed below the causeway has eroded. At no point was this structure intended to be unsupported and for this reason, over 50% of the causeway failed and collapsed into the creek. Immediately after the failure, Council managed to temporarily mitigate any further damage by clearing the pipes and stabilizing and supporting the concrete deck with clean ballast. However, the rectification works performed by Council were temporary at best and as such, traffic could not travel over half the bridge as the total usable deck width had reduced to less than 4.0m total.

In order to rectify the situation, Council engineers organized and prioritised what was expected to be the cheapest possible solution to repair the Wolgan causeway, maintain compliance with DPI Fisheries and ensure that the public had adequate access and egress into Newnes into the future. This solution required a complete replacement of the existing causeway with a single span bridge. The new design featured a 150mm thick concrete deck that was cast in-situ above a steel I-beam frame at intervals of 4 metres by length and 1.5 metres by width for a total length of 12 metres and a total width of 4.5 metres. The frame is supported by spread footings anchored to bedrock at a depth of 2 metres. This option was chosen over traditional piles in order to reduce the total cost of the bridge. The footings achieved a height of 1 meter over the water level of the creek. This design achieves greater than a T44 load rating (44 tonne) and as such is in excess of what is considered necessary for a rural, single lane bridge.

The new bridge needed to be constructed in the same location as the old causeway in order to utilise the current alignment of Wolgan Road. For this reason, Council arranged for the installation of a temporary timber bridge directly adjacent to the causeway to allow traffic flow during the construction process. This required a slight, temporary realignment of Wolgan Road during this time.

The majority of the construction was completed over eight days with some extra time being required to cure the concrete deck. As it stands, the bridge is complete however the approaches remain to be completed before traffic is transferred to the new asset. It is expected that this work will be completed prior to Christmas break, subject to contractor availability. This asset was constructed at a cost of \$93,500.00 including GST.











- 3.2.4.1 To establish a system of cycleways and pedestrian paths to provide links between major cultural and recreational facilities and town centres.
- 3.2.13.1 To provide road infrastructure that meets the needs of the residents.
- 5.1.4.1 To ensure the operations of the Council are managed to achieve identified outcomes.





#### Pictured

Top and bottom left: Bridge failure
Middle top: Stabilisation of the bridge
Middle bottom: Temporary bridge

Top right: Temporary bridge plus frame for new bridge

Bottom right: New bridge installed.

# Quality Open Spaces catering to all recreational needs

#### **New Amenities for Endeavour Park**

In 2016/17 following public consultation Council resolved to construct a new toilet block in Endeavour Park adjacent to the Great Western Highway Lithgow. The existing toilets were demolished and replaced with new automatic self cleansing Exeloo amenities similar to the facility installed in Cook Plaza which has been very popular with the residents and visitors.

The amenities building has been located to allow easy public access from the carpark and to complement the Adventure Playground proposed for future development within the park.

The facility is fully compliant for accessibility for persons with disabilities, which continues Council's program of improvements identified in its recently adopted Disability Inclusion Action Plan.

The Endeavour Park toilet facility was fully funded by Council at a total project cost of \$200,000. The final stage of this project will be to screen print the building with historical photographs similar to the Cook Street facility.



#### **All Abilities Roundabout**

During the year, Council installed an All-Abilities Children's Roundabout in the Queen Elizabeth Park Playground.

Inclusive play spaces breakdown barriers between different groups and are important for developing an understanding of diversity amongst children, their families and the wider community.

The roundabout was 50% funded by the NSW Government's Community Building Partnership Program 2016 and 50% by Lithgow City Council. Queen Elizabeth Park Lithgow was chosen as the location as it is a major recreational facility for both the local community and visitors to the town and is right next to a child care centre.

Playgrounds are a place for play and learning - where kids develop physical and cognitive skills and build social relationships. The roundabout will enable children of varying abilities to engage in these play, social and educational processes.



# **Emora Park Playground**

Council received a \$50,000 grant during the year from the NSW Government's Social Housing Community Improvement Fund to install playground equipment in Emora Park, Landa Street Lithgow.

Until the equipment was installed, there was no playground equipment nor other facilities in this park which is centrally located in the Landa Street social housing community. It is the only park in this community. This community is located on the western side of the Great Western Highway and separated from playgrounds and other social and recreational facilities on the eastern side of the highway.

The grant enabled Council to install new playground equipment and seating. Children and families in this community now have access to creative play spaces to foster their physical and cognitive development.



# **Blast Furnace Upgrade Works**

Council awarded a tender in early 2017 for the construction of board walks, viewing platforms, pathways, landscaping and carpark works which will transform the Lithgow Blast Furnace into a major cultural heritage destination and venue for events, performance and exhibitions.

Construction works are due to start in August 2017 and completed before Christmas 2017.

The works will also include new interpretative signage, lighting and park furniture to enhance safety, walkability and the visitor experience.

Council has been successful in obtaining funding from the Commonwealth and NSW governments to undertake this important project which aims to attract a greater number of visitors to the Lithgow region, promote the economic diversification of the Lithgow economy and create jobs.

With the completion of Blast Furnace works, Lithgow will have a greatly enhanced offering of cultural and heritage destinations.

# **Key Facts:**

# **Lithgow City Council is responsible for:**

- 11 Sports fields
- 44 Parks and reserves
- 3 Picnic & BBQ areas
- 4 Skateparks
- One 32 hectare Golf Course
- Garden maintenance and weekly mowing of 213 hectares (that's 213 soccer fields).

#### These actions are consistent with the:

- Community Strategic Plan 2026
  - 1.2.2.1 To respond to the needs of an ageing population.
  - 1.2.7.1 To provide a range of health services which meet the needs of the community.
  - 1.2.4.1 To develop the Lithgow LGA as a Family Friendly Community.
  - 1.2.12.1 To improve the quality of life of the LGA's youth.
  - 2.2.7.1 To create a strong tourism industry that maximises benefits from visitors to the LGA.
  - To develop cultural and recreational infrastructure that will meet the needs of the community now and intro the future.
  - 3.2.3.1 To maintain community commercial and industrial buildings and structures to meet the needs of the community and service council operations.
  - 3.2.6.1 To identify, preserve, improve and promote the LGA's indigenous built and natural heritage.
- Tourism Destination Management Plan
- Cultural Plan
- Cultural Precinct Plan
- Blast Furnace Park Management Plan
- Open Space and Recreation Needs Study
- Lithgow Ageing Strategy





# A healthy, vibrant community

### **JM Robson Aquatic Centre**

This state of the art facility is now open for year round use with a 25m heated indoor pool for winter months and fully refurbished 50m outdoor pool.

The final stage of this project incorporated a complete redevelopment of the 50m Olympic Pool, including a new pool liner, wet deck, concourse, shade sails, plant and pipework, as well as refurbished filtration. Completed in early 2016, the pool still has 9 lines and complies with FINA requirements.

An Open Day was held on 6 November 2016, to celebrate the completion of the upgrade to the 50m pool. Activities included:

- An inflatable on the 50m pool.
- Free learn to swim assessment for Term 1, 2017.

- Free trial Aqua classes throughout the day.
- Information sessions by the Lithgow Swimming Club.

The Aquatic Centre now has the ability to provide year-round activities for the community and has seen an increase in patronage with residents taking advantage of:

- Learn to Swim Classes
- Agua-Aerobics Classes
- Reduced rates for Seniors (75+).

In July 2016, the Aquatic Centre implement party packages for kids birthday parties. This has been

extremely successful with 42 party bookings in 2016/17.

Parties in the Centre include a decorated party room and qualified instructor(s) that facilitate structured games for children to participate in.

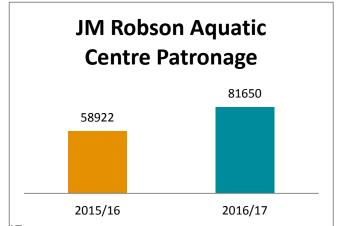
Parties run for 2 hours, with the first hour and a half dedicated to pool time fun and the last half hour for food and cake. At the end of the party all children will leave with a lolly bag.

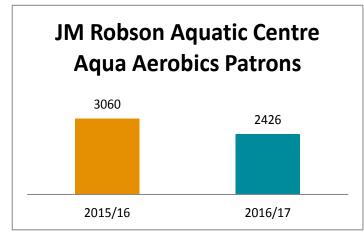
In addition to Learn to Swim Classes run during school term. The Centre runs intensive Learn to Swim School Holiday programs which provide 10 days of beginner classes or School Carnival Workshops designed to focus competitive swimmers training.

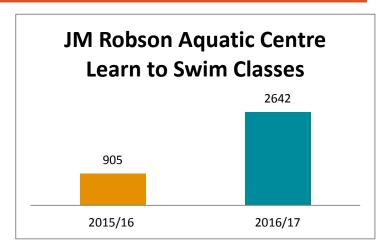
These actions are consistent with the Community Strategic Plan 2026 and the Lithgow Ageing Strategy.

- 1.2.2.1 To respond to the needs of an ageing population
- 1.2.4.1 To develop the Lithgow LGA as a Family Friendly Community

- 1.2.12.1 To improve the quality of life of the LGA's youth.
- 3.2.10.1 To develop recreational facilities that will meet the needs of the community now and into the future







# CBDREVITALISATION

### **Cook Street Plaza and Eskbank Square**

Following the completion of the Lithgow CBD Revitalisation Action Plan in 2015/16, Council received \$1,304,550 in funding from the Australian Government's National Stronger Regions Fund to commence the implementation of the Action Plan. Council committed a further \$1,594,450 of its own funds to the project for a total Stage 1 project cost of \$2,899,000.

During 2016/17 Council commenced the first stage of the implementation of the Action Plan. Turf Design and Environmental Partnership were engaged to coordinate a multi-disciplinary team to prepare designs and technical specifications for the

redevelopment of Cook Street Plaza and Eskbank Street Square.

Following a competitive tender process CA&I were awarded the construction tender with works to be completed in 2017/18. Council will also commence planning Stage 2 in the implementation of the Action Plan in 2017/18 which will largely involve the replacement of the aging footpath surfaces on Main Street.

Community events such as Halloween have been highly successful in bringing large gatherings to the town centre, and developing community character and connections.

Creating vibrant and engaging public spaces will provide an opportunity for this role to be expanded and developed as a key aspect of the town's identity.

The redevelopment of Cook Street Plaza and Eskbank Street Square will enable these spaces to be better utlised for both large and small events designed to encourage tourism and shop local initiatives which will in turn attract and retain retailers in the CBD.

Works are scheduled to commence on 6 November following the annual 2017 Halloween festivities on 28 October.

This action is consistent with the Community Strategic Plan 2026.

- 2.2.3.1 To expand Lithgow's economic base and encourage local employment opportunities through the promotion and facilitation of business and industry development and services.
- 2.2.7.1 To create a strong tourism industry that maximises benefits from visitors to the LGA.
- 3.1.1.1 To provide infrastructure to ensure the sustainable growth and development of the area including the privision of quality recreational and community facilities.
- 3.2.2.1 To develop cultural and recreational infrastructure that will meet the needs of the community now and into the future.







# Protecting our waterways

# **Oakey Park Water Treatment Plant Filter Upgrade**

Oakey Park Water Treatment Plant was commissioned in 1985 and the existing sand media filters were at the end of their useful life. Council engaged Xylem Water Solutions to undertake an underdrain and media filter replacement.

The works schedule was created to limit the potential impacts to the residents of Lithgow supplied by the Oakey Park Water Treatment Plant. This ensure that the plants capability to supply water was not reduced to levels that would impact on the ability of council to supply water to the community.

The upgrade works were internally funded by council at a cost of \$699,942. This project was completed under budget and on time with no interruptions to the supply of water to the community.

This upgrade was able to increase flow rates through each of the 6 media filters by 25% while decreasing the turbidity of water treated by 75%. The media replacement

is able to achieve a cost saving of \$100,000 per annum on backwash water as well as saving 30,000 KI of water per year.

This upgrade will ensure the water supplied to the residents of Lithgow is of the highest quality and will meet the Australian drinking water guidelines for many years to come. The quality of water able to be produced now that the filters have been upgraded is 0.05ntu. this equates to a 75% increase in relative clarity.

These works have increased the useful life of the existing facility by 25 years. This increase also allows council to be better manage the supply of water to the whole of the LGA during times of limited supply off the Fish River water supply scheme.

The reduction in frequency and volume of backwashing of the filter media will also have a positive effect on the environment by reducing the amount of sludge by producing a more concentrated sludge volume and reducing the amount of by product needing to be disposed of at landfill.

# **Key Facts:**

- Project cost \$699,942
- Increase flow rates to 6 media filters by 25% each.
- Decreased turbidity of water treated by 75%.
- Media replace will achieve a cost saving of \$100,000 per annum.
- 30,000Kl of water will be saved per annum.
- Water quality is 0.05ntu = 75% increase in relative clarity.
- Increased the useful life of the facility by 25 years.

This action is consistent with the Community Strategic Plan 2026.

- 3.2.15.1 To provide water infrastructure to allow for the sustainable growth and development of the area.
- 3.2.17.1 To implement the waste management hierarchy of avoidance, reuse, recycle and dispose.
- 4.2.4.1 To provide environmental leadership through responsible natural resource management, legislative compliance and working cooperatively with the community, relevant environmental authorities and alliances.
- 5.1.4.1 To ensure the operations of the Council are managed to achieve identified outcomes.





## **Portland Sewerage Treatment Plant Augmentation**

Stage 1 construction Portland Sewerage Treatment Plant (STP) Augmentation is commenced during 2016/17. These works will upgrade the existing 2,000 EP (equivalent Persons) STP to a 3,000 EP STP.

The New STP will treat the Sewerage to a much higher standard which will have a beneficial effect on the environment downstream by reducing the levels of potential pollutants released into the environment compared to the current STP. The increased size of the new STP will also allow enough capacity in the system for the growth of the township of Portland.

This project is co-funded by the NSW governments Resources for Regions project through Infrastructure NSW and Lithgow City Council. The funding was received on a basis of 2/3 Funded by Resources for Regions of \$10.05m and 1/3 by Lithgow City Council of \$4.950m. This significant investment in the Portland Community will allow for Growth in all areas of the town.

The new STP is designed to be the same system as Council's existing Wallerawang STP. This design being the same will reduce stores costs for council to have an inventory of critical spares for both plants which are interchangeable. This also means that the Effluent quality will be at the same standards required for the Sydney Catchment area. Which is a vast improvement on the current standards.

This Project is being undertaken By Gongues Constructions PTY LTD, The head contractor is utilising as many local subcontractors and suppliers as possible to increase the economic benefits to the local community. Local trades utilised include electricians, builders bricklayers and earthmoving contractors.

### **Key Facts:**

- Project cost \$15,000,000
- Increase from 2,000 equivalent persons to 3,000 equivalent persons allowing for future growth of Portland.
- Will reduced the levels of potential pollutants released into the environment.
- Cost savings for Council will be achieved through alignment of parts with Lithgow and Wallerawang STP.

This action is consistent with the Community Strategic Plan 2026.

- 2.2.3.1 To expand Lithgow's economic base and encourage local employment opportunities through the promotion and facilitation of business and industry development and services.
- 3.2.12.1 To provide sewerage infrastructure to allow for the sustainable growth and development of the area.
- 4.2.4.1 To provide environmental leadership through responsible natural resource management, legislative compliance and working cooperatively with the community, relevant environmental authorities and alliances.
- 5.1.4.1 To ensure the operations of the Council are managed to achieve identified outcomes.







# Encouraging a reduction in landfill

#### **Waste Education**

Waste Education Program (WEP) has been rolled out throughout local primary schools and early education centres throughout the LGA. To help improve the community's knowledge of environmental issues.

The Lithgow City Council Waste Collection Contract is now into the fourth year with J.R.Richards & Sons. The contract includes a fortnightly collection of the 240 litre yellow lidded household recycling bins available to all residents. To encourage and endorse sustainable waste and resource behaviours, attitudes and practices, an education component (WEP 2016-17) has been included within the contract for ongoing community education and awareness. The education component has been developed and delivered by Council's waste education contractor.

Council's Primary School Education Outreach Program was delivered in May to several schools around the LGA. The program was a resounding success with 335 students provided programs including; 'Wonderful Wriggly Worms', 'Food Glorious Food, Litter, Litter Everywhere' & 'Better Get It Sorted'. This year we also undertook a Recycling Bin Inspection Program (BIP) in Portland, Lithgow, Wallerawang and Bowenfels as a snapshot of current recycling behaviours.

Contamination levels of recycling bins were recorded during the inspections and bins with no visible contamination received a 'Thank You' bin tag. Bins with contaminants received a 'Contamination' bin tag with the offending materials identified on the tag. The tags provided direct feedback to households about the contents of their recycling bin and 'recapped' what can and cannot be accepted to assist residents with their household recycling.

69% of recycling bins inspected contained no or low contamination, which is a fantastic effort. Central Lithgow had the lowest contamination with Portland and Wallerawang performing equally well. Bowenfels have some catching up to do but I'm sure residents are up to the challenge.

The most commonly observed recycling contaminants were 'Plastic packets/film' and 'Recycling in plastic bags', with other common contaminants such as 'Polystyrene' and 'General Rubbish'.

Overall Lithgow residents are doing a great job with 80-90% of recycling bins inspected only having up to three minor contaminants in them in three of the four areas! There is always room for improvement, and all it takes is a moment to think before placing a contaminant in the recycling bin.

This program is in line with Council's Community Strategic Plan 2026:

• 3.2.17.1 To implement the waste management hierarchy of avoidance, reuse, recycle and dispose.

Waste & Recycling Strategy 2011-2016:

- To encourage community growth and development
- To contribute to the efficient and effective management of the environment community and economy for present and future generations
- Development of education programs to encourage reusing and recycling waste.







## **Angus Place Rehabilitation Transfer Station Waste/Recycling**

Following the closure of the Angus Place Waste Deport, Lithgow Council has rehabilitated the site with the aim of achieving the most environmentally beneficial outcomes. The rehabilitation installed site capping and revegetation to ensure the final surface provides a barrier to the migration of water into the waste, controls emissions to water and atmosphere, promotes sound land management and conservation, and prevents hazards and protects amenity.

In addition, a Waste Transfer Station (WTS) has been constructed onsite to continue to provide waste collection service to the residence of the area. The new WTS allows residents in all weather to waste and recycling disposal options. Back to Base security camera has also been installed to ensure the facility is only frequented by local residents.

#### **Tarana Transfer Station**

The primary objective of the new waste transfer station is to provide a facility for the Tarana community that can be used to store and allow waste transfer safely in an environmental manner that complies with the guidelines recommended by Waste Services NSW.

The following considerations have been made to design a new facility:

- Waste storage in skips and bins
- Access road that would allow easy transfer of waste from vehicles
- Enclose storage area
- Improve road conditions that allow safety for traffic
- Secure the area to minimise vandalism

These actions are consistent with the Lithgow Council Waste & Recycling Strategy 2011-2016 and the Community Strategic Plan 2026.

- 3.2.16.1 To provide a waste and recycling collection service that encourages a reduction in land filling.
- 3.2.17.1 To implement the waste management hierarchy of avoidance, reuse, recycle and dispose.
- 4.2.4.1 To provide environmental leadership through responsible natural resource management, legislative compliance and working cooperatively with the community, relevant environmental authorities and alliances.
- 4.1.4.1 To significantly reduce carbon emissions within the LGA.







The Lithgow local government area contains a unique and diverse environment that is a significant lifestyle, community and economy asset for the area. This Principle Activity Area focuses on enhancing, managing and maintaining the Lithgow region's district and exceptional natural environment by:

- Supporting biodiversity.
- Planning for future impacts of climate change and population expansion.
- Pursuing innovative and ecologically sustainable policies and approaches to development and community living.

To achieve the objectives of this key theme, council has implemented a variety of strategies, programs and services to protect, monitor and maintain our environmental assets. This theme aims to develop and support to:

- Air
- Biodiversity
- Climate Change
- Environmental Protection and Leadership
- Natural Heritage
- Water



# Helping the community to help our environment

### **Key Achievements:**

- 10 events with 235 community volunteers/ members attending.
- 1500 native plants planted by volunteers.
- 4ha of degraded land re vegetated.
- 2000ha of land with improved management practice.
- Support for threatened species and ecosystems through key partnerships.
- 15 Landcare groups supported.

Lithgow City Council has been fortunate to have the opportunity to host a fully funded Landcare Coordinator position to support the community in helping to look after and learn about their local environment.

The Local Landcare Coordinator Initiative is funded by the NSW Government as a component of their plan to renew the government-community relationship and unlock the full potential of the thousands of volunteers in the Landcare network.

Lithgow Oberon Landcare Association (LOLA) applied to be a host organisation in October 2015 as part of a Regional bid with the four other Landcare Networks in the Central Tablelands region. The LOLA Committee agreed that the most effective and long-term sustainable fit would be to devolve the funds to Lithgow City Council to house and manage the position.

Landcare is a community-based approach to managing and restoring Australia's natural environment, improving the sustainability of agricultural activities, and building the resilience of communities. Landcare refers to any community-based groups operating in the sphere of natural resource management and sustainable 55

agriculture in NSW and includes but is not limited to groups that describe themselves as Landcare, Bushcare, friends of groups, and producer groups.

Rechelle Fisher was appointed to the position in May 2016 and brings a wealth experience with industry and as a Landcare Facilitator assisting environmental programs for schools and the broader Landcare community.

It has been a very busy first year for Rechelle who, working with council, LOLA and various project partners, has supported Community and Landcare Groups through coordinating 10 events with 235 community members attending. These include:

- Threatened Species Day- Hyde Park
- Lake Pillans Community Planting Day
- Vale of Clwydd Community Planting day
- Rydal/Tarana Grazier Group Pasture walk and Workshop
- Rydal Show Landcare Info Stall and plant giveaway
- Hyde Park Fauna Survey techniques- Community spotlighting evening
- Hassans Walls Community Planting Day
- Farmers Creek Community Planting Day
- Acid soil workshop Tarana
- Swamped by Threats Information and working day at Browns Swamp

These activities have resulted in community volunteers planting 1500 locally occurring native plants which have been established to revegetate 1 ha of degraded reserve and 3ha of degraded riparian area. As a result of sustainable agriculture workshops and awareness raising activities; improved management practices have been implemented on 2000ha of land. In total, 15 Landcare groups in the region have been provided with support.

Other achievements include working in partnership with

agencies and programs including:

- Local Land Services to ensure projects are developed and implemented in line with regional priorities and funding opportunities. We have also partnered on community events, shared resources and developed a combined what's on newsletter for our region which is updated and distributed regularly to ensure good communication and minimise overlap.
- Swamped by Threats- we have worked with a consortium of project partners and coordinated the community engagement aspects in the Browns Swamp area.
- Save Our Species program partners OEH, Sydney Royal Botanic Gardens - helped support coordinated translocation planting trials for Threatened Species Asterolasia buxifolia within Hyde Park Reserve and organised a community awareness event to mark Threatened Species day.
- Worked with NSW Health to host a 'learn and grow' community planting day at Lake Pillans to raise awareness for Metal Health Month.

These actions are consistent with the Community Strategic Plan 2026

- 1.2.4.1 To provide a range of health services which meet the needs of the community.
- 4.1.3.2 To responsibly manage natural resources through the control of environmental and noxious weeds.
- 4.1.5.1 To provide environmental leadership through responsible natural resource management, legislative compliance and working cooperatively with the community, relevant environmental authorities and alliances.
- To protect our waterways and provide safe drinking water.

#### **Learn and Grow**

# A community tree planting that just makes you feel better.

#### The issue

Many of us within the community are affected by mental health issues. It's a fundamental truth for most of us that getting out and into the fresh air and sunshine makes you feel pretty good. Combine this with getting your hands into the soil and contributing to your environment and community by planting native plants and you have a recipe for a great day out.

The personal, social and environmental benefits of working with likeminded people to improve and restore habitats are well known within the Landcare community. It is therefore really not a huge leap to see how Landcare could have a lot to offer those affected by mental health issues – a supportive environment where people can make a real difference.

#### The solution

As part of Mental Health Month and Year of the Family, the NSW Western Area Health Service decided to think outside the box – literally getting people outside and into the environment – by collaborating with the Lithgow City Council and Lithgow Oberon Landcare Association to host the 'Learn and Grow' family fun and tree planting day.

All community members were invited to come along to show they care about those affected by mental health issues in our community and to plant some native plants. The event was held at Lake Pillans wetland an important site for birds and wildlife within the Lithgow area. The area around Lake Pillans is also an important place for the local aboriginal community and the event included a welcome to country and traditional smoking ceremony conducted by Wiradjuri elder, Uncle Owen.

# The Impact

Volunteers planted 500 native plants to improve bank stability, downstream water quality and improve habitat values. Many of the volunteers on the day had never planted a tree or had forgotten how good it feels to get their hands in the 'dirt'.

The event provided an opportunity for us all to feel positive about ourselves, learn something about traditional connections to country, and interact in a positive and hands-on way with our local natural landscapes. The day also reached out to those in the community who may never have considered joining a Landcare group or volunteering for Landcare activities.

# **Key Facts:**

- The day highlighted the important connection between our environment and our wellbeing
- Participating in Landcare projects has the potential to provide a meaningful and worthwhile experience to those affected by mental health issues.
- 500 native species were planted to improve the Lake Pillans habitat by people who may have never been involved in Landcare before.





Pictured

Top: A traditional Smoking Ceremony was conducted by Wiradjuri Elder, Uncle Owen.

Bottom: A budding young conservationist.

# ttelping the community to help our environment

**Threatened Species Day - Hyde Park** 

#### **Key Facts**

- Reserves are often the last foothold of many threatened species.
- Managing the threats to these reserves is the responsibility of the whole community.
- Reaching out to the Community to let them know how important these reserves are is essential in order to make sure they are looked after into the future.
- 31 people attended the day

#### The issue

Hyde Park Reserve, located near Hartley on the western edge of the Blue Mountains, is home to the only known population of Asterolasia buxifolia which was presumed extinct in the wild until being re-discovered within the boundaries of the reserve.

This threatened species is reduced to a population size estimated to be in the order of only a few hundred plants. The reserve is the site of a Save Our Species (SOS) recovery plan.

#### The solution

Lithgow City Council in partnership with the Lithgow Oberon Landcare Association (LOLA), The Office of Environment and Heritage and Sydney Royal Botanic Gardens, held an awareness raising event at Hyde Park to mark Threatened Species Day along with an ex-situ planting of Asterolasia. The day included a tour of the reserve guided by national experts and provided an opportunity to highlight the importance of the reserve to the survival of a number of species.

On Friday, 9 September 2016, national experts from the Australian Network for Plant Conservation a former senior ecologist at the Sydney Royal Botanic Gardens were amongst those who discussed and presented the unique biodiversity values within the reserve to a rapt audience and described the specific works being undertaken to help the threatened species Asterolasia buxifolia as part of NSW Government's 'Saving Our Species' Program.

These actions are consistent with the Community Strategic Plan 2026

- 1.2.4.1 To provide a range of health services which meet the needs of the community.
- 4.1.3.2 To responsibly manage natural resources through the control of environmental and noxious weeds.
- 4.1.5.1 To provide environmental leadership through responsible natural resource management, legislative compliance and working cooperatively with the community, relevant environmental authorities and alliances.
- To protect our waterways and provide safe drinking water.





Pictured

Top: Bob Maskinson addressing the audience. Bottom: River Lett at Hvde Park.

# Vale of Clwydd Creek Project

# Communities looking after their creeks

#### The Issue

The Vale of Clwydd Creek is an urban tributary of the upper Coxs River catchment, eventually feeding into Sydney's drinking water supply.

The area has long been infested with Willows and other woody weeds which has resulted in decreased aquatic and terrestrial biodiversity as well as changing the instream flows and temperatures and significantly. In 2012, an integrated program of woody weed control works commenced.

#### The Solution

Collaboration between Lithgow Oberon Landcare, Central Tablelands Local Land Services and Lithgow City Council has been supported by volunteers within the wider community.

In addition to the contracted Willow control works, a number of planting days were facilitated to assist with the re-establishment of suitable riparian species along the Vale of Clwydd Creek. Local neighbours that border the Reserve were invited along, in addition to the broader community.

# The Impact

A staged approach to removing the woody weeds and reestablishing native vegetation has provided the system time for gradual and progressive recovery, in-filling with a variety of species and engaging locals numerous times for planting events.

Engaging and interacting with the local community has been vital to the success of the program of works; by creating a sense of stewardship and ownership neighbours can assist with the longer-term management and maintenance of the site.

#### Learnings

Creek and tributary corridors provide valuable connections for wildlife, providing important resources for a range of animals.

Targeting source-point weeds in the upper catchment will substantially improve the aquatic health and biodiversity of the downstream environment.

Working together and linking people to the environment helps make the community stronger.

# **Key Facts:**

- 9 volunteers helped plant 300 native plants in their 'bush backyard'.
- Developing a strategic catchment-based approach to woody weed management and subsequent native species plantings are necessary for the success of any weed management program (i.e. start from the top and work down.
- This approach has aided in securing funding and support from project partners.





# Helping the community to help our environment

# **Lithgow Green Army**

The Lithgow Council Green Army Program has been running over the last 24 months within the Lithgow Local Government Area (LGA). This project valued at over \$800,000 over 24 months provided employment, increasing skills and experience to local youth while increase the biodiversity, restoring threatened species habitat and improve condition of native vegetation throughout the LGA. The program has been highly productive and rewarding to all involved.

In association with a number of the listed grant funded projects the Green Army participants had the opportunity to work with contractors and other government and nongovernment organisations such as Central Tablelands Local Land Service (CTLLS) Lithgow Oberon Landcare Association and Lithgow & District Community Native Plant Nursery providing invaluable professional support and future employment opportunities for participants.

40 participants were employed over the duration of the project fostering some bright young youths of our area looking for hands on experience. An average of 93% of each team's graduates found employment or when on to follow further studies through education and experiences delivered during this rewarding program.

The Green Army initiative has been a great success in the Lithgow LGA. It was fabulous to see that the Lithgow community has produced such enthusiastic, bright youth who have made a real difference to our natural environment through hours of dedication. The projects addressed revegetation, trail/site maintenance, weed invasion and erosion control. This in turn has improved recreational opportunities, enhanced habitat value and ecosystem services as well as improving the visual amenity of our environmental assets.

Lithgow City Council Green Army supports Council's Community Strategic Plan 2026, and further supports

environmental protection and community partnership targets enhancing our natural environment.

These actions are consistent with the Community and Strategic Plan 2026.

- 1.2.12.1 To improve the quality of life of the LGA's youth.
- 2.2.5.1 To encourage and support learning opportunities in the LGA that align with our needs for skilled workers and retention of young people and families.
- 4.1.3.2 To responsibly manage natural resources through the control of environmental and noxious weeds.
- 4.1.6.1 To protect our waterways and provide safe drinking water.

# **Key Facts**

- Employed 40 participants over the duration of the project
- Over 16,000 plants planted (4000 per project across 4 projects)
- 28 kg of native seed collected
- 14 community events hosted
- 308 Hectares of weed control treatment
- 100 m³ of debris removed
- 9065 plants propagated at the Community Nursery
- 49.5 hectares of erosion management.





Top: Green Army Team at Farmers Creek.

Bottom: Mayor Lesslie with the Green Army participants at their graduation.

#### **Hill Crest Reserve**

This two year \$45,000 grant funded project which commenced in 2015 in partnership with Central Tablelands Local Land Service for the treatment and control of noxious weeds, planting trees, erosion control and community engagement at Hillcrest Reserve.

Protecting and enhancing biodiversity through consultation with the community and the development of partnerships with the Central Tablelands Local Land Service have achieved real environmental outcomes at Hillcrest reserve.

Hillcrest Reserve now has potential to be a high quality bushland reserve. The Reserve contains important remnant native vegetation consistent with the Lithgow Abercrombie Grassy Woodland which presented some unique challenges. Past land use caused isolation of the reserve from the boarder landscape, while continued future challenges include threats from environmental weeds and the impacts of urban development.

Council will continue to manage threats to the reserve through projects such as this, which has achieved significant reduction in noxious weeds such as Blackberry and Hawthorn as well as other environmental weeds. Council also aim to undertake works to increase the linkages and condition of native vegetation within the reserve.

Protection and enhancement of biodiversity through weed control and supplementary planting will assist in enhancing biodiversity, reduce erosion and improve habitat value. It is hoped improved visual amenity of the area, together with increasing public perception and awareness of this environmental asset will provide long-term environmental outcomes through community support and ownership.

#### **Hassans Walls Reserve**

Through the management of natural resources within Hassan's Walls reserve the control of environmental and noxious weeds continues through the implementation of successful \$30,000 grant funding from Public Reserve Management Fund Program.

This project enhanced biodiversity, reduced erosion, improved habitat value and controlled noxious weeds within the reserve. All of these works improved recreational opportunities, visual amenity of the area and increased public perception and awareness of the environmental asset.

The project has treated a number of the high value areas within the reserve while also identifying other point source of weeds within the reserve, which requires additional works to contain and will be targeted in future works. This project compliments and builds on previous works currently active within the reserve by increasing community participation for lasting environmental outcomes. Including a successful community-planting day where participants managed to plant 250 native tube stock.

These actions are consistent with the Community Strategic Plan 2026.

- 1.2.11.1 To celebrate and grow volunteering.
- 4.1.3.2 To responsibly manage natural resources through the control of environmental and noxious weeds.
- 4.1.5.1 To provide environmental leadership through responsible natural resource management, legislative compliance and working cooperatively with the community, relevant environmental authorities and alliances.





Top: Hill Crest Reserve prior to works being undertaken. Bottom: Tree Planting at Hassans Walls Reserve.

# Helping the community to help our environment

# **Farmers Creek Rehabilitation & Revegetation Project**

Lithgow City Council received \$38,000 of grant funding to improve biodiversity within Farmers Creek from the Blue Mountains Biodiversity fund implemented by the Central Tablelands Local Land Service.

This facilitated the implementation of works outlined within the Farmers Creek Precinct Master Plan such as, strategic woody weed control and to establish 3000 native plants to improve connectivity of existing native vegetation along Farmers Creek between Guy St and Tank St.

Furthermore, upstream of the water treatment plant along Farmers Creek to Ida Falls Creek was treated for weeds to enhance the condition of current native vegetation and reduce the downstream impact of weed species. Target weeds in this area include Ivy, Blackberry, Large and Small-leaf Privet, Japanese Honeysuckle, and Buddleja. Priority will be given to controlling vines that are a threat to native trees and shrubs.



### Stay warm, breath easy

Council's Alternate Fuel Rebate Program provides incentive for the conversion of Coal Burning Appliances to clean energy alternative. The program aims to help residents get the most out of their heating, while protecting the environment and their health. The program involves the following components:

- Community education
- Smoky chimney surveys
- Cleaner Heating Cash Incentives

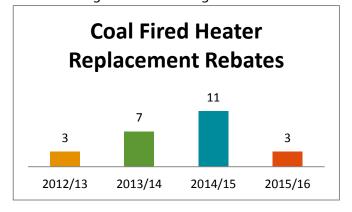
Rebates are available to householders to replace their coal burning appliance. In 2016/17 Council issued \$6,400 in rebates to eligible ratepayers in the areas of Lithgow, Portland, Wallerawang, Lidsdale and Rydal who currently use a coal heater to heat their home or business.

The incentives being offered include the following.

- \$1000 rebate (\$1400 for pensioners)
- \$2000 for Commercial Premises

The following replacement heating systems are eligible for the program:

- Fixed electric heaters with thermostatic controls
- Fixed flued gas heaters
- Reverse-cycle air conditioners
- Ducted gas central heating



# Rainwater Tank and Domestic Appliances Rebate Scheme

This is one of the many ways Council is working with the community to create sensible solutions for people and the environment to ensure that clean, fresh drinking water doesn't become a luxury item. Council has implemented a rebate scheme for:

The installation of Rainwater Tanks connected to domestic appliances and for garden watering; And The purchase of energy and water efficient domestic appliances.

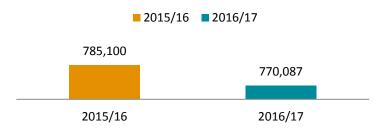
In addition to this, Council has developed 'A Guide to Rainwater Tanks' to assist residents in selecting and installing a rainwater tank which includes information on Council's planning and building requirements. Furthermore, Council's rebate scheme which previously covered tanks 5,000 litres or more has recently been extended to cover 2,000 litre tanks.

## **Environmental Monitoring**

In 2011, the New South Wales Government passed legislation (The Protection of the Environment Legislation Amendment Act 2011, or PEOLA Act), which requires Lithgow City Council to monitor its discharges to the environment (land, water or air) as part of its Environment Protection License conditions and publish that monitoring data within 14 days of receipt. Results are published on Council's website for the following locations:

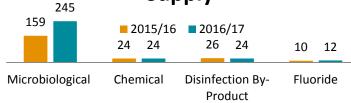
- Oakey Park Water Treatment Plant
- Lithgow Sewage Treatment Plant
- Portland Sewage Treatment Plant
- Wallerawang Sewage Treatment Plant
- Lithgow Solid Waste Facility
- Portland Garbage Depot.

# Water Purchased from Fish River Water Supply (kL)



The areas of Wallerawang, Portland, Cullen Bullen, Blackmans Flat, Pipers Flat, Lidsdale, Rydal and Glen Davis are supplied with water purchased from the Fish River Water Supply. In recent years, the amount of water purchased has decreased as Council is able to supplement the supply to the villages when needed thus reducing demand on the Fish River system.

# Routine Samples of the Reticulated Drinking Water Supply



The drinking water monitoring program enables regional rural water utilities to monitor their water in line with the Australian Drinking Water Guidelines 2004. Representative samples are taken by local water utilities and provided to NSW Health for analysis and recording to ensure water provided to consumers complies with the Guidelines.

# Blue Green Algae Sampling in Partnership with Delta Electricity



The increase shown in 2014/15 represents a prolonged period of hot weather combined with very little rainfall, which is conducive to increased chances of Blue Green Algae outbreaks. Therefore increased testing was undertaken during this period.



Leadership in practice must involve engagement and can involve making hard decisions, often balancing a number of different interests, including the role of the local government area in the wider regional and international communities. This Principal Activity Area focuses on:

- Excellence in leadership.
- Governance.
- · Community engagement.
- · Asset and resource management.

In offering optimistic, united leadership, Council acknowledges the financial and legislative limitations within which it works.

To achieve the objectives of this key theme, council has implemented a variety of strategies, programs and services to ensure an inclusive and responsible approach to governance. This theme aims to develop and support to:

- Civic Leadership
- Communication
- Corporate Management
- Customer Service
- Employer of Choice
- Information Systems Management
- Local Environmental Planning and Development
- Plant and Equipment



# Working Together with our Community

### **Improving Communication with the Community**

Council uses all media platforms to ensure the community is kept up-to-date with Council activities and the information on services and facilities is current.

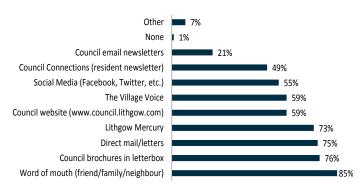
- Media Releases
- Weekly Council Column in the Mercury.
- Lithgow and Waste Apps
- Websites for Council, Tourism, Library, Economic
   Development and Eskbank House Museum
- 5 Facebook pages targeting different audiences
- Media interviews
- Community forums

- Lithgow City Council Twitter site
- Lithgow Tourism Instagram site
- Council Connections newsletter
- Year in Review Annual Report
- · Information flyers and brochures.
- Waste education programs delivered in schools and pre-schools
- · Community Noticeboards.

Despite all of these avenues being used to provide information to the community, in the recent Community Satisfaction Survey (a random telephone survey of 407 residents across the LGA) the third highest barrier to community satisfaction remains "Consultation with the Community by Council".

In response to the questions "where do you source information on Council services and facilities?" Respondents to the survey replied as follows:

# **Sources of Council Information**



Other Specified	Count
Council Chambers	13
Radio	12
Community organisations	4
Meetings	2
Community Notice Boards	1
Lithgow Neighbourhood Centre	1
TV	1

Source: Community Satisfaction Survey - Micromex Research, June 2016 Survey n = 407

Council acknowledges that many residents in the rural areas of the LGA do not receive the local paper, radio or regional television stations. It also acknowledges that there are communications blackspots within the area for internet and mobile phone reception. However, in order to ensure that information is communicated as broadly as possible throughout the Lithgow LGA, council will continue to adapt to new forms of communication.

In 2016/17, Council implemented two weekly e-Bulletins for email subscribers; Council Connections e-News and Schools eNews distributed via MailChimp.

Council Connections eNews commenced in October 2016, has 244 subscribers (July 2017) and is distributed weekly. The newsletter provides information on Council activities and events, opportunities for the community to 'Have their say', positions vacant and links to media releases on Council's website.

The Schools e-News has 52 subscribers (July 2017) and is emailed to all schools/preschools in the Lithgow Region plus Schools in Bathurst, the Blue Mountains, Kandos, Rylstone and Illford. The newsletter is distributed monthly during school term providing information on activities and opportunities for youth at the Libraries, Aquatic Centre and Eskbank House Museum as well as School Holiday programs.

### **Engaging our Community**

During the reporting period Council sought community input into the development of a wide range of strategies, policies and plans including:

- Draft Policies
  - Draft Event Attraction Policy
  - Excessive Water Usage Allowance for Breakages
  - Financial Assistance.
- Road naming
- Locality naming
- Strategies and Plans
  - Integrated Planning and Reporting Framework
  - Draft Lithgow Flood Study
  - Draft Youth Strategy
  - Draft Disability Inclusion Action Plan
- Planning agreements
- Proposed installation of a Rotunda in Saville Park Portland by the Portland Community Group.
- Proposed use of Wallerawang Memorial Hall by the Wallerawang Men's Shed.

A Mental Health Summit was held in December to provide the community with an opportunity to raise its concerns about living with or being affected by mental illness. The summit enabled the community, in partnership with local services to identify local needs and future strategies to assist people affected by mental illness. In response to the summit the Mayor's Mental Health Taskforce was convened.

Council undertook a Councillor Visioning Session and random telephone survey to identify the community's and Council's priorities for the future of the Lithgow Local Government Area as part of the community engagement process for the development of the Community Strategic Plan 2036.

Six Community Information Sessions were conducted throughout the LGA and a dedicated website 'Have your say' was set up during the exhibition period for the Integrated Planning and Reporting Framework.

A dedicated website was developed for the Marrangaroo Masterplan/Development Control Plan Project. The website provided residents with information on the consultation processes and managed bookings for community sessions including:

- Project briefing session
- Visioning consultation session
- Landowner consultation
- Structure Plan consultation.

The community was invited to 'Have your Say on the Farmers Creek Precinct Masterplan and an information portal was set up to keep the community informed of the project.

In October, Council called for comment on the Issues and Options Discussion Paper which was prepared as part of the planning process for the Hassans Walls Reserve Plan of Management. Comments were used to help confirm the values and issues, determine the reserve's future character and usage, and assist in setting and prioritising management directions for the

area. In March, Council invited public submissions on the Draft Hassans Walls Reserve Plan of Management and a public hearing into the categorisation of "community" land within the reserve to be included in the draft plan was held on 4 April.

These actions are consistent with the Community Strategic Plan 2026.

- 1.1.1.1 To provide social and cultural planning that will lead to the enhancement of the quality of life of the community.
- 2.1.1.1 To plan and manage growth in a sustainable manner with emphasis on creating a diversified economy underpinned by sound local environmental planning.
- 3.1.1.1 To provide infrastructure to ensure the sustainable growth and development of the area including the provision of quality recreational and community facilities.
- 4.1.1.1 To identify, preserve and improve our natural heritage and biodiversity whilst ensuring the water security and sewerage capacity of the region for sustainable growth and development.
- 5.1.1.1 To ensure integrated corporate plans set the long term direction for the LGA and Council.
- 5.1.2.1 To provide leadership for the community
- 5.1.2.1 To ensure effective communication between Lithgow City Council and the community.

# Local and regional collaboration

#### **Customer Service Postage Initiative**

To aid in the continual improvement of liaising with external customer a local postage initiative was undertaken. This project was implemented due to

- Rising cost of postage to Council
- Improving delivery time to local solicitors and conveyances as postage was taking up to 7 days
- Provide information that delivered quality improvements in our services.

Correspondence was sent to all local solicitor and conveyances to seek interest in an opportunity to have a pickup service for their mail to save delays and money. The onus was on them to pick up the mail from Council.

All staff at Council were informed of the new process and were asked to deliver mail to Customer Service to be distributed by individual pick up boxes for those external customers.

All solicitors were very quick to respond to this efficient service that Council could provide and therefore the implementation of this service began.

This has now be an ongoing service for over 12 months with the results being

- Receipt of all certificates on the same day as completion
- Reduced cost to Council with postage for 2016/2017 budget remaining static even with increases in cost of postage
- Greatly improved service and relationships with local solicitors and conveyances.

These actions are consistent with the Community Strategic Plan 2026.

 5.1.5.1 To ensure efficient customer service standards

#### **Customer Service Charter**

Council's Customer Service Charter sets out the standard of customer service Council will offer you as we aim to deliver a range of quality services to meet your needs.

As Council's friendly Customer Service Team handles approximately 18,000 face-to-face enquiries and 50,0000 telephone calls each year it is important to set out a standard of service that identifies:

- Council's Service Commitment;
- How face to face and telephone enquiries will be dealt with;
- · A service standard for written responses; and
- Council's Complaints Policy.

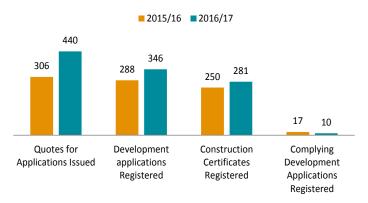
A copy of the Customer Service Charter is available for viewing on Council's website council.lithgow.com.

# 2015/16 2016/17 199 102 39 65 53 59 48 68 48 48 48 17 27

**Customer Service** 

Solid Fuel On Site Water Sewer S96 Certificate
Heater Sewer Applications Applications Modification Linen Release
Applications Management
Applications

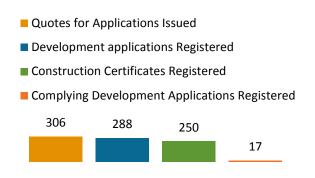
#### **Customer Service**



#### **Customer Service**



#### **Customer Service**



#### **VendorPanel**

In late 2016, Council began rolling out a web-based quotation system named VendorPanel. The system is used as a central point for staff to seek quotations from local and national suppliers. It is also utilised by Council's contractors to upload their insurance and compliance information.

Information sessions were held for local suppliers in the lead up to the system going live and so far, over 200 suppliers have registered.

All local suppliers are encouraged to register their business in the system in order to receive potential opportunities to quote. Information on how to register can be found on Council's website at http://council.lithgow.com/doing-business-with-council/

#### **Regional Contracts**

Council participated in two joint tender processes with the Central NSW Region of Councils during the 2016/17 financial year.

One was for the bulk supply of fuel and member Councils benefitted by approaching the market as a group, resulting in lower pricing through greater purchasing power.

The second process involved selecting a mailing house to supply rates notice printing and mailing. The provider chosen as a result of this process will provide significant financial savings for Council over the next financial year. Through this provider, Council will also be giving ratepayers the opportunity to pay and manage their rate notices via an electronic platform. This initiative will make management of rates notices more efficient for ratepayers and will save paper. Please note however that 'going electronic' will be optional and ratepayers will still have the option to receive hard-copy notices via the post if they wish.

#### **Working with CENTROC**

Council is an Executive Member of Centroc and a valued Board member.

Council is also a member of the Centroc Water Utilities Alliance (CWUA). The CWUA supports member Councils by advocating for water and sewer infrastructure management and ownership to be retained by Local Government. It demonstrates the benefits of Councils working collaboratively to share resources and deliver cost savings while ensuring increased efficiencies and best practice in delivering critical infrastructure and services to their communities.

The CWUA has attracted over \$3M of State and Federal funding to supplement programming since its inception in 2009 and collectively saved members in excess of \$700k through regional procurement alone.

Centroc is working collaboratively to deliver Best Practice to all member Councils including compliance with the DPI Water's Best Practice Management of Water Supply and Sewerage Framework and assure eligibility for funding through the State Government for its water and sewer business. Through this program Council has procured:

- an Integrated Water Cycle Management Plan Evaluation Study;
- a Drought Management Plan;
- a Strategic Business Plan; and
- a Developer Services Plan (currently in development)

The CWUA delivers cost savings and other efficiencies through regional procurement of asset management contracts with Council participating in the following regional contracts in 2016-2017: Dam surveillance, CCTV Condition Assessment of Gravity Sewer Mains, Smoke Testing and Asset Valuation Services.

Council has also worked towards achieving full compliance with Best Practice participating in a regional Audit of Performance Reporting for Water Supply and Sewerage and demonstrated commitment to its Drinking Water Quality Policy through engagement in a Microbial Improvement Program for Drinking Water Quality.

Participation in the Centroc HR Group and Training Service that Centroc offers Lithgow as a member Council throughout 2016-2017 has resulted in significant savings for training with:

- 32 courses delivered by the Service
- 310 staff trained via the Service
- Total spend with the Training Service (including online training) is \$84,048
- Cost of training using alternate training providers would have been \$74,443
- Savings on course costs is \$2,945
- Savings on travel and accommodation costs is \$6,611
- Savings on coordination and research time is \$1,462
- Total savings for Lithgow City Council is \$11,019

For the past 5 years, Council was part of the regional online training program, which allowed access to 6 online training modules to staff. The training modules available to staff under this program include:

- Bullying & Harassment
- Privacy
- Equal Employment Opportunity
- Code of Conduct
- Workplace Health & Safety
- Alcohol & Other Drugs

# Regional collaboration

This online training contract will cease in mid-2017 and a new online training program will commence for a period of 3 years. Council is participating in the new online training program which will give staff access to 340 courses online.

Council has also benefitted from a number of regional contracts including:

- Pre-employment Screening
- Online Training
- Road Signs
- Bitumen Emulsion
- Bulk Fuel and Fuel Cards
- Internal Audit
- Water & Sewer Strategic Business Plans
- CCTV/Smoke testing of sewer lines
- Dam Surveillance
- Pipe Relining
- Traffic Control Training
- Employee Assistance Program
- Developer Servicing Plans
- Linemarking Services
- WHS Compliance Training
- SCOUT E-Recruitment
- Asset Valuation Services for Water and Sewer
- Auditing of Performance Reporting for Water and Sewer
- Electricity for Small sites

Lithgow City Council saved a total of \$24,800 by participating in the regional procurement processes for Regional electricity contract for small sites over a 12 month period.

Lithgow City Council is a participating Council in the Centroc WHS Induction Program. This Program enables contractors working for multiple councils within the Centroc region to undertake a WHS Induction once – and be able to work at any other participating Council without needing to do the induction again. To date, Council has inducted 448 contractors under this Program and 228 of these contractors were inducted this past financial year.

Beyond the Range – Lithgow City Council is participating in this project which is recognising health workforce shortages in the region, the Centroc Health Workforce Group has worked with key stakeholders to develop a matrix of what we do well in this region and what we can do better to attract health workforce to Central NSW. https://www.facebook.com/BeyondTheRangeNSW/

In 2016/17, Centroc made the following Submissions on behalf of its region:

- Discussion Paper for the Inquiry into National Freight and Supply Chain Priorities
- Inquiry into Regional Development and a global Sydney
- Inquiry into the augmentation of water supply for rural and regional New South Wales Post Hearing Response - Questions on Notice
- Inquiry into the augmentation of water supply for rural and regional New South Wales Post Hearing Response- Supplementary
- Productivity Commission National Water Reform Inquiry

- Independent Pricing and Regulatory Tribunal WaterNSW operating licences review
- The operation, effectiveness, and consequences of the Public Governance, Performance and Accountability (Location of Corporate Commonwealth Entities) Order 2016
- Environmental Planning & Assessment Act 1979
   Planning Legislation updates
- NSW Review of Regional Infrastructure
- Assessment of the Distribution of Medical Places and Training
- Lachlan Water Resource Plan
- Macquarie-Castlereagh Water Resource Plan
- Draft Climate Change Strategic Plan and A Draft Plan to Save NSW Energy and Money
- Australian Drinking Water Guidelines: Draft framework on microbial health based targets
- Bells Line of Road/Chifley Road proposed upgrade
- RDA Independent Review
- Joint Organisations Getting the boundaries right
- Review of the Local Government Rating System Local Government — Draft Report
- Response to the Draft Central West and Orana Regional Plan
- Inquiry into the augmentation of water supply for rural and regional New South Wales
- Crown Lands Inquiry
- Feedback to the Joint Organisation reform process (Background Paper)

Five separate Regional Priority Infrastructure Plans are Project teams Lithgow participate in include: being developed;

- Water completed
- Transport Infrastructure (freight, logistics and transport) - completed
- Community underway
- Communication
- Energy

Operational Support - Project Teams are an important component of Centroc's operation and vital to its success. Project Teams are formed to allow cross collaboration and the sharing of knowledge, expertise and resources.

- **Directors of Corporate Services**
- ΙT
- **Best Practice in Stores Management**
- **Transport Technical Committee**
- HR Managers' Group & Centroc Training Service
- WHS and Risk Management
- Directors of Engineering
- The Centroc Water Utilities Alliance
- Planners workgroup

These actions are consistent with the Community Strategic Plan 2026.

- 5.12.1 To provide responsible leadership for the community.
- 5.1.4.1 To ensure the operations of the Council are managed to achieve identified outcomes.
- 5.1.6.1 To build and develop a high quality staff base so that Council is an employer of choice in Lithgow.
- 5.1.7.1 To ensure effective management of information systems that comply with legislative requirements.

	Savings on Regional Procurement from 14 December 2009 - 30 June 2017								
Completed Programs (Telephony Audit, Diesel Tax Rebate and Corporate Express	Training Service (includes funding from water training)	WHS Contract (Load shifting, traffic control training, compliance training	HR Contracts (Online Training, Pre- Employment, EAP and SCOUT e-Recruitment)	Electricity (2017 small sites contract	IT contracts (unified communications solution)	CWUA *does not yet include savings for current CCTV and Smoke Testing contract	Participation in Regional Tenders (billable)	Participation in Regional Tenders (unbillable)	Total Savings
· ·	Ć100.676	£15.674	¢5.005	¢24002	<u> </u>		<u> </u>	¢120.000	6250405
\$39,603	\$100,676	\$15,674	\$5,225	\$24,802	\$7,627	\$15,499	\$30,000	\$120,000	\$359,105

# Statements Against Reporting Requirements

#### **Condition of Public Works**

A condition index has been used to describe the condition of each type of asset. The condition description is based on the following condition index:

Condition Rating	Condition	Description of Asset
0	New	New asset commissioned in current financial year. Rating used for depreciation reporting only.
1	Excellent	Asset is physically sound, is likely to perform adequately with low/regular maintenance, and extremely low short term risk of failure.
2	Good	Asset is in acceptable physical condition, is likely to perform adequately with minor maintenance and repairs, and minimal short term risk of failure.
3	Satisfactory	Asset is in acceptable physical condition although aging and deterioration is evident. Asset is still functioning safely, minor components require replacement/repair, with failure in the short term unlikely.
4	Worn	Asset is showing signs of moderate deterioration and possibility of assets failing to perform in the short term is possible, with no immediate risk to health and safety.
5	Poor	Asset has failed or failure is imminent with significant signs of deterioration of the asset and hazards present a possible risk to public safety.

Further details of the condition of particular assets are provided in Special Schedule 7 of the Financial Statements provided under separate cover to this Report. The following should be noted:

- The estimate of cost to bring public works up to a satisfactory standard is based on the condition of the asset and an adjustment for the Consumer Price Index.
- Council has adopted a strategic approach to the management of its varied and extensive assets. During 2016/17 Council continued to identify value and develop works programs for all its assets.

#### **Asset Management Improvement Plan**

To ensure the Strategic Asset Management Plan is implemented effectively and efficiently, an Asset Management Improvement Plan has been prepared. On 26 June 2017 Council adopted the Strategic Asset Management Plan 2017-2026.

The actions required to undertake improvement of Council's asset management capabilities are impacted by both internal and external influences and require resources or enablers. These enablers can be in the areas of people, processes, technology and information and data.

The Asset Management Improvement Plan, which will be reviewed annually, prioritises specific capability areas which were identified through a gap analysis process, and where action is required to raise Council's asset management capacity to the desired level of maturity. Implementation of these improvements requires resourcing and monitoring. The actions have been integrated into Council's Delivery Program to ensure ongoing resourcing, implementation and performance monitoring.

Although the Assets Improvement Plan was adopted on 26 June 2017, Council has been progressively implementing improvements identified as part of the Plan, including:

- Reviewing and auditing asset register information (including category, hierarchy, useful lives and unit rates)
- Preparation of draft Asset Management Plans for Water Supply and Sewerage Supply
- Investigating more effective Asset Management Systems to streamline technical and financial data
- Reviewing organisational structure to ensure appropriate resources are utilised for asset management
- Commencing a review on current levels of service provided by Council's infrastructure assets
- Commencing preparation of formally documenting and implementing asset inspection and monitoring programs

#### **Legal Proceedings**

The following table provides a summary of legal proceedings in which Council was a party to in 2016/17:

Matter	Amount	Progress or Outcome
McKinnon v LCC	\$4,500	Successful prosecution
Roger Bailey v LCC and others	Subject to a Dead of Release including confidentiality provisions.	The matter was settled and subject to a dead of release with confidentiality provisions.

#### Fees, Expenses and Facilities Provided to the Mayor and Councillors

Council at its meeting of 16 April 2007 adopted a policy regarding the payment of expenses and provision of facilities to Councillors. A copy of the Policy is available on Council's website www.council.lithgow.com

Fee, Expense or Facility	Amount \$
Mayoral Allowance	28,882.12
Councillor fees	76,676.81
Provision of a mobile phone for the Mayor	528.00
Provision of iPads for Councillors (including hardware)	18,573.10
Telephone calls	625.53 (GST inc)
Mayoral Vehicle	Nil
NOTE: The Mayor paid nil lease fees for private use during the reporting period which is the amount applicable from the date Council adopted its policy on the payment of expenses and provision of facilities to Councillors.	
Attendance of councillors at conferences and seminars	4,691.76(GST excl)
Training and skill development	14,665.27 (GST excl)
Interstate visits	Nil
Overseas visits	Nil
Expenses of any spouse, partner or other person who accompanied a councillor	Nil
Provision of care for a child or an immediate family member	Nil

NOTE: Includes service award, board membership, parking and meals

#### **Overseas Visits**

There were no overseas visits undertaken during 2016/17.

# Statements Against Reporting Requirements

#### **Senior Staff**

Council had one senior staff position throughout the year although it was held by 3 incumbents; Roger Bailey, Andrew Muir (Acting) and Graeme Faulkner. The total remuneration package of the senior staff are provided in the table below:

General Manager	Amount \$
Total value of salary component of package	253,501
Total amount of any bonus payments, performance or other payments that do not form part of salary component	Nil
Employer compulsory superannuation or salary sacrifice	18,473
Total value of non-cash benefits	Nil
Total payable fringe benefits tax	7,705

#### **Bushfire Hazard Reduction Activities**

Council participated in several committees and provided support through the Service Level Agreement with the Rural Fire Service.

### Summary of Resolutions Concerning Work Carried Out on Private Land and any Subsidies Related to the Work

There were no resolutions passed during 2016-2017 in accordance with the provisions of section 67(2)(b) of the Local Government Act 1993 relating to Council subsidising the cost of any works carried out on private lands.

#### **External Bodies Exercising Functions Delegated by Council**

There were no functions delegated by Council to external bodies during 2016/17.

#### Companies in which Council held a Controlling Interest

Council did not hold the controlling interest in any one company.

#### **Contracts Awarded over \$150,000**

Council resolved to award the following contacts in 2016/17 which were over \$150,000:

Contract Description	Contractor	Amount \$
Construction of the Blast Furnace Improvements Masterplan	Coordinated Landscapes	1,122,500
Upgrade of Council's Telemetry System	Elpro Technologies	875,436
Supply of electricity to Small Sites - Less than 100MWh p.a.	Origin Energy	870,000 (value is approximate as energy usage fluctuates)
Supply of Bulk Fuel	Oilsplus Holdings Pty Ltd/Lowes Petroleum/Park Pty Ltd	840,000 (value is approximate as fuel purchases/used fluctuates
Construction of Cleanwater Diversion Drain - Lithgow Landfill	Henry Plant & Equipment Hire	174,382

#### Categorisation of Council Business and the Implementation of Competitive Neutrality Principles

Council operates the following businesses:

Category 1

- Wastewater
- Water

#### Category 2

Land Development

Council has complied with the principles of competitive neutrality in relation to pricing, taxation equivalents, Council rates and charges and corporate taxation equivalents. No complaints have been received in relation to competitive neutrality and Council on 16 October 2006 resolved to adopt a policy to ensure that competitive neutrality complaints are dealt with in an efficient manner (Min No. 06-349). A copy of the Policy is provided on Council's website www.council.lithgow.com.

The Financial Statements for the Category 1 and 2 businesses are disclosed in the Financial Statements and Auditors Report 2016/17 and are available on Council's website www. council.lithgow.com.

# Statements Against Reporting Requirements

#### **Grants and Donations**

During 2016/17, Council provided Financial Assistance under section 356 of the Local Government Act 1993 to the value of \$99,491.10. The organisations who received Financial Assistance included the following:

	Non Recurrent Financial Assistance		Recurrent Financial Assistance
Shaqkyra Quinn - Sporting Representation	EmilyThompson-SportingRepresentation	Portland Film Society	Western Region Academy of Sport
Barton Park Giant Trees Arboretum	Lithgow District Car Club	National Trust	White Ribbon Day
Lithgow High School	Lithgow City Band	Gorrie-Ban	Portland Golf Club
Cullen Bullen Progress Association	Life Education	Lithgow Pony Club	Lithgow Golf Club
Josephite Foundation	Lithgow Theatre Group	Zig Zag Public School	Ironfest
Wallerawang Kids Club	Lithgow Grey Hound Racing Club	Portland Community Group	Arts Out West
Lithgow District Garden Club	Lithgow Athletic Club	Uniting Church Lithgow Parish	Local School Presentations
Hampton Reserve Trust	Portland Men's Shed	Tarana Tanker Trailers	Lithgow District Chamber of Commerce
Rydal Village Association	Hartley District Progress Association	PCYC Lithgow	Lithgow Show
Mitchell Conservatorium - Student Scholarship	Lithgow Croquet Club	Sydney Legacy - Lithgow Branch	Lithgow, Portland, Wallerawang & Cullen Bullen Tidy Towns
Blast Furnace Theatre Company	Lithgow WWI Commemorative Plaque Project	State Mine Heritage Park & Railway	
Kanimbla Valley Sports & Recreation Club	Parkrun International	220 Army Cadet Unit	
Fusion Australia	Pied Piper Association Wallerawang	Rydal A H & P Association	
Leukaemia Foundation			

#### Partnerships, Co-operatives or Joint Ventures to which Council was a Party

Council was a party to the following partnerships, co-operatives or joint ventures:

Name	Purpose
Central West Regional Councils (CENTROC) Central West (Pilot) Joint Organisation of Council's	An organisation of councils for the sharing of knowledge, bulk purchasing, and provision of human resource services such as training, promotion of the area for filming and driver for improvements to the region.
Lithgow Community Health and Centrelink	Books for Babies Program which provides literacy material for each newborn.
NetWaste	An organisation of council's for the purpose of sharing resources and knowledge, and co-ordinating the planning of waste issues at regional and sub-regional levels.
State Library of NSW	Provision of support service for the Lithgow Library Service.
Sydney Catchment Authority	Council entered into and agreement for the ongoing costs for the UV Disinfection Units at the Lithgow and Wallerawang Sewerage Treatment Plants.

#### **Stormwater Management Services**

The following table details the amount of income received from the stormwater charge and expenditure on stormwater management services in 2016/17:

Details	Amount \$
Income from stormwater charges	240,142.88
Expenditure on stormwater management services	127,690.27

Further information on stormwater works is provided in the section of this report details Council's performance in terms of the functions listed in the Delivery and Operational Plan - Supplementary Report - Attachment 1

# Statements Against Reporting Requirements

#### **Planning Agreements**

Below is a list of planning agreements approved by Council in 2016/17:

D/A No. and Approval Date	Description	Names of Parties	Amount \$	Land	Contribution Objectives
DA234/14 22 Mar 2016	For the provision of the upgrade of Glen Alice Road.	Lithgow Council & Don Saville (Director) Glen Alice Pty Ltd.	\$40,000		To provide upgrade works to the existing Glen Alice Road to a sealed surface due to increase in development
DA3508 28 Oct 2008	For public community facilities.	Lithgow Council & Vision Property Holdings Pty Ltd		Lot 2 DP 1198292, Hoskins Avenue Lithgow NSW 2790	To provide community facility funds as a result of development.
SSD-6084 Hy-Tec 15 Jul 2015	For Public Facilities and Infrastructure	Lithgow Council & Hy-Tec Industries Pty Ltd	Per tonne of quarry		To provide public facilities and infrastructure funds as a result of development.
SSD 07_0127 MOD 5 Invincible Colliery Yet to be approved by State Government.	For community facilities and infrastructure for Cullen Bullen and surrounds	Lithgow Council & Castlereagh Coal (Shoalhaven Coal)	tonne of product coal each financial		infrastructure funds as a result of development of a mine for the Cullen Bullen community.

#### **Companion Animals**

The following information is provided on Council's activities during 2016/17 in relation to enforcing and ensuring compliance with the provisions of the Companion Animals Act 1998 and the Companion Animals Regulation 1999:

Activity	Achievement
Lodgement of pound data collection returns with the Office of Local Government.	The pound data collection return for 2016/17 has been provided to the Office of Local Government.
Lodgement of data relating to dog attacks with the Office of Local Government.	All dog attacks were reported on the Companion animal Register website.
Companion animal community education programs	During 2016-17, community awareness and education around individual's responsibilities for care of companion animals was achieved through the delivery of a Companion Animals education program. The program engaged participating primary schools within the Lithgow LGA providing students with skills and techniques for caring and ensuring personal safety around Companion Animals.
	This program was part of a broader grant funded Responsible Pet Ownership Program part funded by the Office of Local Government to improve desexing, microchipping and registration of Companion Animals across the LGA (see page 28 for details).
Strategies to promote and assist the de-sexing of dogs and cats	Promotion and participation in the Responsible Pet Ownership Program.
Strategies to see alternatives to euthanasia for unclaimed animals	Council has rehoused and fostered unclaimed animals
Off leash areas provided	A total of 4 off leash area are provided in the Local Government Area, being 2 in Lithgow and 1 in each of Portland and Wallerawang.

The following table shows income received in relation to companion animals and the amount of money expended on companion animal management and activities during 2016/17:

Budget Item		Amount \$	
	Inco	ome	
Office of Government	Local	15,546.15	
Impounding, surrender and fines	sale,	10,878.00	
	Expen	diture	
Employee costs		64,669.34	
Pound Expenses		61,125.29	

Council collects income during the year from the Microchipping and registration of companion animals and forwards this to the Department of Local Government which in turn reimburses council a proportion of these fees. Council uses this income and income derived from the impounding, sale, surrender and fines to undertake companion animal management activities.



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Welcome to the 2016/17 Annual Report – Supplementary Report. This report provides progress against the actions in the 2016/17 Operational Plan which implements the 2017-2021 Delivery Program.

This Supplementary Report should be read in conjunction with the 2016/17 Year in Review – Annual Report and the 2016/17 Audited Financial Statements.

These documents are all available for viewing on Councils website <a href="www.council.lithgow.com">www.council.lithgow.com</a>



### **Caring For Our Community**

Planning and providing quality community and recreational facilities and services for a healthy, vibrant and harmonious community.

#### 1.1.1 Planning Our Community

1.1.1.1 To provide social and cultural planning that will lead to the enhancement of the quality of life of the community.

01 Identify and develop new plans and strategies in line with the community's needs.

Action 2.1 Progressing 75%

Village Improvements Plans developed and adopted by the Executive Management Team.

KPI	Target	Notes
Cullen Bullen Village Improvements Plan developed and adopted by the Executive Management Team.	100% complete	The draft Cullen Bullen Village Improvement Plan was completed in the first quarter and is awaiting adoption.

Working together to support, celebrate and expand the social and cultural diversity of our community. Whilst promoting healthy, active lifestyles in a safe environment.

#### 1.2.01 Aboriginal, Cultural and Linguistically Diverse Communities

1.2.1.1 To support people from Aboriginal and CALD backgrounds.

#### Provide support to the activities of local aboriginal organisations.

Action 1.1 Completed 100%
Assistance provided to support the activities of local aboriginal

#### **Annual Comment**

organisations.

KPI	Target	Notes
Community Development Officer to provide assistance to Mingaan Aboriginal Corporation as required.	100% complete	The Community Development Officer provided consistent support to Mingaan Wiradjuri Aboriginal Corporation over the last 12 months.
NAIDOC Day held each year with participation of Council and other organisations.	100% complete	NAIDOC Week – "Songlines" - was celebrated at Queen Elizabeth Park on 23 September 2016. A unique celebration took place that highlighted the living narrative of Aboriginal culture with songs, stories, dance, traditional Aboriginal workshops, a school flag competition, a sausage sizzle and a variety of stallholders showcasing Aboriginal arts, crafts and information.

#### Promote and support the activities of the local CALD community.

Action 2.1 Completed 100%

Assistance provided to support the activities of local Cultural and Linguistically Diverse organisations.

KPI	Target	Notes
Harmony Day held each year with participation of Council and other organisations	100% complete	Council worked with the Library and LINC Multicultural Group to host an event at the Library as part of Harmony Day 2017. The event was based on a cultural exchange and included songs, stories and dances from diverse cultures including Chinese, Indonesian, Middle Eastern and Siamese. The day ended with a shared lunch.

Action 2.2 Completed 100%

**Conduct and celebrate Naturalisation Ceremonies as required.** 

#### **Annual Comment**

KPI	Target	Notes
Naturalisation Ceremony/s conducted.	100% complete	1 Citizenship Ceremony was conducted in 2016/17.

#### 1.2.02 Ageing Population

#### 1.2.2.1 To respond to the needs of an ageing population.

#### Number of actions successfully implemented from the Ageing Strategy.

Action 1.2 Completed 100%

Celebrate the contribution to the community by our senior residents.

KPI	Target	Notes
Coordinate activities to celebrate Seniors Week.	100% complete	The Community Development Officer worked with the Library to organise celebrations for Seniors Week 2017 from 6 - 10 March.  Numerous activities were held including:
		Yoga classes
		<ul> <li>Tours of Eskbank House and the Library</li> </ul>
		Mindfulness drawing sessions
		<ul> <li>Ukulele workshops</li> </ul>
		Belly dancing classes
		<ul> <li>Presentations by the NSW Trustee and Guardianship</li> </ul>
		Knitting classes
		<ul> <li>Morning Melodies at the Workies</li> </ul>
		<ul> <li>Technology classes</li> </ul>
		Tai chi
		<ul> <li>ArtTonic workshops</li> </ul>
		Story-time sessions and morning teas.

Action 1.2	Completed	100%
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Conduct the Mayors Appeal to provide residents in Local Nursing Homes with Christmas Gifts.

#### **Annual Comment**

KPI	Target	Notes
Gifts sourced and distributed to residents at the Nursing Homes.	100% complete	Gifts were sourced and distributed to residents at the four nursing homes during December.

#### 1.2.03 Arts and Culture

1.2.3.1 To provide a range of programs celebrating the cultural diversity and rich heritage of our local government area.

O1 Celebrate the cultural heritage of the LGA through the development of cultural/heritage programs.

Action 1.1 Completed 100% Eskbank House and its connections with other heritage sites promoted.

#### **Annual Comment**

KPI	Target	Notes
	100% participation	Programs at Eskbank House and Museum were promoted through local media and tourism avenues. The Cultural Development Officer facilitated the Lithgow regions inclusion in a cultural tourism trail in partnership with the Blue Mountains Association of Cultural Heritage Organisations, inclusion in Heritage newsletters, and event listings through Arts OutWest.

### Action 1.2 Promote Lithgow History Avenue Project.

#### **Annual Comment**

KPI	Target	Notes
History Avenue Website updated and maintained as required.	100% complete	The History Avenue website has been maintained. In order to ensure the sculpture walk remains an exciting resource for engaging with art and the history of the region, a marketing strategy will be developed and a clearer link between the walk and website will be established.

100%

Completed

Action 1.3 Completed 100%

Develop and Establish School Excursion Programs to Eskbank House Museum and other Heritage Sites.

#### **Annual Comment**

KPI	Target	Notes
Number of school visits to Eskbank House Museum per annum.	100% complete	School visits to Eskbank House and Museum take place throughout the year. Personalised tours provided by Eskbank Guides and the
Number of Students per visit to Eskbank House Museum per annum.	100% complete	development of education kits that link with the curriculum would encourage an increase in visitation and depth of engagement. Funding will be sought to support the development of education kits.

Action 1.4 Completed 100%

Develop the Oral History Program to capture the 'collective memories' of the area.

#### **Annual Comment**

KPI	Target	Notes
Oral History equipment available for loan.	100%	The Oral History equipment is currently on loan to Eskbank House to contribute to the collection of oral histories. The Local Studies Officer continues to work on developing a project to interview prominent locals for their oral histories.

Provide support for cultural organisations in the development and promotion of cultural activities.

Action 2.1 Completed 100%

Museums Advisory Program continuing to work with Eskbank House and other museums to preserve and promote local history collections.

KPI	Target	Notes
Number of visits to Lithgow by the Museums Advisor per annum.	100% complete	The Museums Advisor program, in partnership with Museums & Galleries NSW, provided expert advice and support to cultural organisations across the region in key areas of operations and audience engagement. This involved:
		<ul> <li>Encouraging and assisting cultural organisations to develop strategic plans and to review and develop collection policies.</li> </ul>
		<ul> <li>Providing advice on undertaking significance assessments for collections.</li> </ul>
		<ul> <li>Supporting organisations to advance their projects.</li> </ul>

#### Develop temporary programs and events within the Cultural Precinct.

### Action 3.1 Progressing 75% Program of temporary programs and events developed in the Cultural

#### **Annual Comment**

Precinct.

A number of events were held across the Cultural Precinct throughout the year, ranging from Council managed activations to events and programs run by independent cultural groups:

- The Musical Society delivered two popular productions, Chitty Chitty Bang Bang and Pirates of Penzance.
- The film society offered an extensive program for members, and supported a Council run event to recognise the contribution volunteers make to the region.
- Lithgow Halloween 2016 saw the precinct come alive with music and performances.
- Whilst Blast Furnace has been undergoing development work, Eskbank House has remained an active cultural venue within the Precinct delivering diverse events such as exhibitions, talks and workshops.

KPI	Target	Notes
Two events and/or programs held in the Cultural Precinct per annum.	100% complete	The Following activities were conducted at Eskbank House:
		<ul> <li>A commercial exhibition by local sculptor, Antony Symons was held in October</li> </ul>
		<ul> <li>A major celebration was held in November 2016 for the 50<sup>th</sup> Birthday of Eskbank House.</li> </ul>
		<ul> <li>An exhibition as part of Subliminal Festival was held at Eskbank House in March 2017.</li> </ul>
		An exhibition by Annie Joseph was held in the Lithgow Creatives Pop Up Gallery.
Develop a plan for regular cultural activities to be undertaken on completion of the upgrade to Blast Furnace Park inclusive of an Outdoor Sculpture Competition.	0% complete	Blast Furnace upgrades are still in progress

#### 1.2.04 Children and Families

#### 1.2.4.1 To develop the Lithgow LGA as a Family Friendly Community.

#### Develop and promote activities for children and families in the Lithgow LGA.

Action 1.1 Not Progressing

Implement priority actions from the Family Friendly Strategy.

#### **Annual Comment**

KPI	Target	Notes
Priority actions from the Family Friendly Strategy implemented as resources allow.	Number of priority actions implemented	Family Friendly strategy has not yet been adopted by the Executive Management Team.

Action 1.1 Completed 100%

Regular attendance by the Community Development Officer at meetings of the Child Protection Interagency and participation in community events.

#### **Annual Comment**

KPI	Target	Notes
Community Development Officer to attend meetings of the Child Protection InterAgency.	100% of meetings attended	The Community Development Officer regularly attended meetings of the Child Protection Interagency during 2016/17 and provided assistance with organising the Family Fun Day
Assistance provided to conduct Community Fun Days.	Number of Community Fun Days held	event and Child Protection Week in September 2016.

#### 1.2.05 Community Information

#### 1.2.5.1 To increase community awareness of local services and facilities

Pacilitate improvements to networking and communication between agencies and with the community.

Action 1.1 Completed 100% Information placed on community noticeboards weekly.

#### **Annual Comment**

KPI	Target	Notes
Community noticeboards updated and maintained weekly at:  Council Administration Centre  Cook Street Plaza  All branch Libraries	100% complete	The Community Development Officer consistently updated and maintained Council's community notice boards during the reporting period.

0%

Action 1.2 Completed 100%

Maintain the online directory of children's Services on Council's website.

#### **Annual Comment**

KPI	Target	Notes
Directory maintained on Council's website.	100% complete	No updates were received from services in relation to the Children's Services Directory over 2016/17. The directory will be updated in the first quarter of 201718.

#### 1.2.06 Community Support

#### 1.2.6.1 To encourage equitable access to services and facilities

Provide support to community organisations through Council's financial assistance program.

Action 1.1 Completed 100%

Promote and Administer the Financial Assistance Program to community organisations.

#### **Annual Comment**

KPI	Target	Achieved
Number of non-recurrent financial assistance applications processed.	≤ 100	45
Number of non-recurrent financial assistance applications processed.	≤ \$87000	\$62,130
Number of recurrent financial assistance applications processed.	≤ 20	13
Number of recurrent financial assistance applications processed.	≤ \$69844	\$37,660

Lobby Governments for equitable access to public transport, health, education, housing, recreational and other essential community services projects.

Action 2.1 Completed 100%

Use census and other need data to advocate for equitable access by Lithgow residents to community infrastructure and essential services.

KPI	Target	Notes
Census and other data used in Council funding applications, development of plans and strategies and other submissions.	100% complete	Census data was used throughout the year to support a number of successful grant submissions. The online ID Census profile and Atlas continued to be available to Council staff and the community.

#### Promote and support Men's Shed projects and programs.

Action 3.2 Completed 100%

Provide support for Men's Shed organisations in the promotion and development of activities.

#### **Annual Comment**

KPI	Target	Notes
Community Development Officer to attend meetings of the Lithgow and Portland Men's Shed Groups as required.	100% of meetings attended	Council continued to support Lithgow and Portland Men's Shed and also assisted with the establishment of the new Wallerawang Men's Shed in the Wallerawang Memorial Hall.

#### 1.2.07 Health

1.2.7.1 To provide a range of health services which meet the needs of the community.

#### Participate in the Community Services Interagency.

Action 2.1 Completed 100%

Regular attendance by the Community Development Officer at meetings and participation in events.

KPI	Target	Notes
Community Development Officer to attend meetings of the Community Services Interagency	100% of meetings attended	The Community Development Officer attended a total of 4 Community Interagency meetings during 2016/17.

#### 1.2.08 Library Programs

### 1.2.8.1 To provide learning opportunities and quality library facilities which meet the needs of the community

### Operate the Lithgow Library Learning Centre, Portland, Rydal and Wallerawang Libraries

Action 1.1 Completed 100%

Continue to provide relevant and engaging Library services and

Continue to provide relevant and engaging Library services and resources that meet community need.

#### **Annual Comment**

Due to refurbishment Lithgow Library was closed for two weeks in January 2017.

KPI	Target	Notes
Children's story time activities held twice weekly during school term.	100%	123 sessions were held at Lithgow, Wallerawang and Portland Libraries with 749 children attending across the 12 month period.
Number of new members compared to 2015/16.	5% increase	2015/16 – 962 new members 2016/17 – 1136 new members
Number of Library loans compared to 2015/16.	5% increase	2015/16 – 85,626 Library loans 2016/17 – 88,718 Library loans
Children's vacation activity programs held 2 days per week during school holidays.	100%	A program of school holiday programs was developed at Lithgow, Wallerawang and Portland Libraries throughout 2016/17.

Library Visitation 2016/17			
Month	Lithgow	Wallerawang	Portland
July	9,111	545	818
August	9,250	590	856
September	7,034	527	806
October	10,892	470	654
November	7,039	554	813
December	5,637	331	630
January	3,959	389	638
February	7,410	347	687
March	9,079	350	809
April	6,602	507	579
May	7,281	549	715
June	6,851	528	703

Computer Bookings 2016/17			
Month	Lithgow	Wallerawang	Portland
July	1,743	238	339
August	1,931	201	370
September	1,785	154	370
October	1,636	73	328
November	1,702	247	342
December	1,264	173	264
January	0	203	295
February	1,531	111	243
March	1,863	126	268
April	1,312	230	222
May	1,846	205	270
June	1,607	168	247

WIFI Bookings 2016/17				
Month	Lithgow	Wallerawang	Portland	
July	127	8	86	
August	168	19	43	
September	145	16	36	
October	124	4	32	
November	101	7	35	
December	53	0	30	
January	31	3	54	
February	94	2	61	
March	121	16	116	
April	102	6	46	
May	78	5	88	
June	100	11	88	

Action 1.2 Completed 100% Enhance the physical space of the Library to meet changing need.

#### **Annual Comment**

The library was awarded a \$118,063 grant from the State Library NSW Infrastructure Program. This grant, along with Council contributions, provided the library with new carpet, new furnishings, new children's furniture and new technology. This enabled Council to continue to provide quality library facilities to the Lithgow community.

КРІ	Target	Notes
Replace furnishings, fittings and shelving at all branch Libraries as required.	100% complete	New furniture for the courtyard was a specific focus of this budget.
Purchase and replace new library blinds.	100% complete	This project was deferred and funds redirected to the State Library Infrastructure Grant project.
Provide new technology and replace, carpet, furnishings and air conditioning units.	100% complete	This project is on track to be completed by the end of 2017.

Action 1.3 Completed 100%

Maintain membership of the Australian Learning Community Network.

KPI	Target	Notes
Annual membership paid.	100% complete	The library has maintained membership of the Australian Learning Community Network.

Action 1.4 Completed 100%

Enhance the adult, children, DVD, talking book, large print, language and teenage sections of the Library collection and provide kits for the Books for Babies program.

#### **Annual Comment**

The Library monitors community usage of the collections to determine purchasing strategies. This year has seen a focus on building our Teen and Talking Book Collections. A large purchase of bright colourful board books has enhanced the early literacy choices for young babies; and Award Lists, such as the Australian Children's Book Awards, help guide our purchasing of quality titles.

KPI	Target	Achieved	Notes
Number of adult books purchased	≥ 1400	5049	These include adult fiction and non-fiction.
Number of children's books purchased	≥ 1400	1072	These include children's fiction, non-fiction, board books, picture books and junior literacy titles.
Number of large print books purchased	≥ 550	1056	This includes Large Print fiction, non-fiction, and talking books.
number of teenage books purchased	≥ 500	479	This includes teen fiction, non-fiction, and graphic novels.
Number of DVD's purchased	≥ 1000	988	This includes purchased and donated DVDs added to the collection
Number of Books for Babies purchased	≥ 350	360	Books for Babies are delivered to child care nurses for distribution to newborn babies.
Number of eBooks purchased.	≥ 200	159	eBook purchasing includes eBooks and eAudiobooks.

Action 1.5 Completed 100%

#### **Share Library resources with other communities.**

#### **Annual Comment**

The Library is an active member of the Inter Library Loan system. This enables us to access titles for our borrowers that we do not hold; as well as share our items with other libraries in Australia. We are also able to access books in Community Languages for the Lithgow community, as well as bulk loans of talking books and large print books to enhance our collections.

KPI	Target	Notes
Number of Reciprocal Borrowers	≥ 400	2015/16 – 406 2016/17 – 428
Number of Inter-Library Loans.	≥ 400	442 Inter-Library loans.

Action 1.6 Completed 100% Conduct exhibitions and displays.

KPI	Target	Notes
Number of exhibitions conducted per annum.	≥ 4	The following exhibitions were held during 2016/17:
		<ul> <li>Paper Folding at Portland Library.</li> </ul>
		<ul> <li>Family History Month exhibition in partnership with the Lithgow Family History Society (Aug/Sept).</li> </ul>
		<ul> <li>Exhibition of student essays for the John Wellings Award.</li> </ul>
		Waste to Art Exhibition
		An exhibition by 3 local artists
		"Homages" by local artists Zavazoa
		<ul> <li>An exhibition by the Create 4 Wellbeing Art Group.</li> </ul>
		<ul> <li>A photographic exhibition titled 'Ancient Natural Gardens' featuring photographs by Julie Favell. The launch for the exhibition had over 70 attendees.</li> </ul>

KPI	Target	Notes
Number of displays conducted per annum.	Target	The following displays were held during 2016/17:  Staff Recommends display  Winter and spring themed displays in the window  Library Resource Promotion Display  Westerns and Education  LGBTIQ Resources  Bridal Magazines & Resources  Health related resources supporting Stroke Awareness Week  School holiday activities promotional display  Books supporting the 'Girls Night In' Event  Halloween  Spring Project  Men's Health in Movember  Christmas around the World.  Celebrating International Women's Day; Harmony Day and Library Lovers Day.  Books from the collection on: Aromatherapy, Gardening and Knitting.  The Hassans Walls Quilt was displayed above the new Customer Service Desk  Items in the collection themed around the Midwives television series.  Chinese Willow Pattern display;  A display featuring Local Studies items;
		<ul> <li>Men's Health display.</li> <li>A display for Refugee Week. The LASAR group supplied artworks by students at local schools as well as providing informative</li> </ul>
		posters and static displays.

Action 1.7 Completed 100%

#### **Develop the Local History Collection.**

#### **Annual Comment**

The Local History Collection continues to grow, with purchases of local books and donations of significant photographs, documents and items of relevance to the local area. A particularly significant donation this year came from the Lithgow Mercury - a large collection of photographs of our local area.

КРІ	Target	Notes
Incorporate digitised photographs in the Library collections.	Number of digitised photographs added to the catalogue	Digitising of photographs is a large project that is ongoing.
Improved storage and access to the Local Studies Collection.	100% complete	Improvements have been made in the stack for the storage of the Local Studies Collections.
Catalogue and store donated items.	Number of donated items catalogued	Cataloguing of Local Studies materials ensures ease of access for researchers and the local community.
Indexing of Lithgow Mercury	100% complete	The indexing of Births Deaths and Marriages from the Lithgow Mercury is up-to-date.

Action 1.8 Completed 100%

Provide a community and education information service through events, displays and the Learning Shop.

KPI	Target	Notes
Community and education information areas updated.	100% complete	The Library has hosted many interesting and informative events across the year including the Official Reopening of the Lithgow Library after refurbishment; various author visits; a Home Library Service concert and morning tea; and several Local History themed guest speaker events.

Action 2.1 Completed

Community programs developed to promote the facilities and services offered by the Library.

#### **Annual Comment**

KPI	Notes
Number of events for teenagers held	The following activities were held for Teens during 2017/18:
	1 Session of the Young Writers Group
	1 Tarot for Teens Workshop
	<ul> <li>5 sessions of the Teen Writers group were held this month</li> </ul>
	John Wellings Award Presentation
	Headstone Painting Workshop
	<ul> <li>Weekly Afternoon Activities Group (Wallerawang Library)</li> </ul>
	Father's Day Card Making (Portland Library)
	Craft sessions at Portland Library attracted teenage attendees. These included Christmas craft sessions on making baubles, angels and cards.
	A partnership with the local Adolescent and Family Counsellor has also enabled us to offer a Teen Journaling Group during this year.
	Four sessions of the Teen Journaling program were offered to youth through partnership the LINC Adolescent & Family Counsellor and the Art Therapy trainee at THRIVE.

# Action 2.2 Collaborate with community and other partners in building connections and improved access to Library services.

#### **Annual Comment**

KPI	Target	Notes			
Participate in Local Schools Network.	100% of meetings attended	100% of meetings scheduled were attended by the Children's Officer.  The Library has developed many strong partnerships in the community, including working with LINC and with the Lithgow and District Family History Society.  A new partnership with the local Adolescent as			
		A Library representative attends the Lithgow Services Interagency meeting; and by hosting an Adult Learners Week event this year the Library strengthened connections with local education service providers.			

100%

Completed

100%

### Provide outreach programs for housebound and isolated residents within the LGA.

Home Library Service 2016/17					
Month	Total Participants	Nursing Homes	Private Homes	Borrowings	
July	55	46	9	495	
August	53	44	9	512	
September	57	45	12	436	
October	57	46	11	418	
November	59	46	13	472	
December	54	42	12	534	
January	54	40	14	738	
February	53	38	15	614	
March	55	39	16	675	
April	60	39	21	708	
May	59	36	23	806	
June	59	34	25	682	

#### 1.2.09 Regulatory/Compliance Programs

#### 1.2.9.1 To ensure community safety and compliance

#### 01 Maintain animal control in accordance with legislation and policy.

Action 1.1 Completed 100%

Responsible care of animal welfare and maintenance of the pound complex.

#### **Annual Comment**

Council ensures community safety and compliance in animal control in accordance with the provisions of the Companion Animals Act 1998, and the Companion Animals Regulation 1999. Furthermore, Council works hard with local rescue organisations to rehome and rescue as many animals as possible.

2016/17					
Month	No. of animals Impounded	No. of animals returned to owners	No. of animals sold or released to rescue	No. of animals destroyed	No. of animals retained at end of month
July	13	5	3	1	2
August	23	14	4	5	0
September	24	9	3	3	9
October	27	18	8	2	3
November	18	13	2	1	2
December	6	5	0	1	3
January	31	18	2	3	2
February	23	21	1	0	2
March	17	7	4	2	0
April	18	4	4	0	5
May	32	7	3	4	8
June	44	11	43	3	5

Undertake community education on the care of and responsibility of companion animals.

Action 2.1 Completed 100% Undertake community education program.

KPI	Target	Notes
Responsible Companion Animal ownership educational activities undertaken.	100% complete	Council delivered a Companion Animals education program with participating primary schools within the Lithgow LGA. This program provided students with skills and techniques to care for and ensure personal safety around Companion Animals.  This program was part of a broader grant funded Responsible Pet Ownership Program part funded by the Department of Local Government to improve desexing, microchipping and registration of Companion Animals across the LGA.

#### 1.2.10 Safety

#### 1.2.10.1 To facilitate a safe community.

#### Develop programs to combat anti-social behaviours.

Action 1.1 Completed

Remove graffiti from public places and liaise with Police.

#### **Annual Comment**

KPI	Target	Notes
All graffiti removed within 5 working days.	100% removed	Graffiti is removed within 5 working days of notification.

Action 1.2 Participate in the Local Liquor Accord.

Not Progressing

0%

100%

#### **Annual Comment**

KPI	Target	Notes
Manager Community & Culture to attend meetings of the Local Liquor Accord.	100% of meetings attended	The Local Liquor Accord did not convene during 2016/17.

Action 1.3 Completed 100% CCTV System managed to ensure monitoring of the CBD.

KPI	Target	Notes
CCTV System services maintained.	100% maintained	Management system was upgraded to allow for comparability with new digital camera technologies.
Requests from Police for CCTV footage processed.	100% processed	All requests for CCTV footage from the Police were processed.

Action 1.4 Completed 100%

Impound abandoned articles from public places in accordance with the Impounding Act.

#### **Annual Comment**

KPI	Target	Notes
Number of abandoned articles impounded.	100% processed	Council continues to facilitate a safe community in public places through the removal and impounding of abandoned articles including
Number of abandoned articles impounded	≥ 5	vehicles in accordance with the Impounding Act. There were 42 articles impounded over the 2016/17 reporting period.

Action 1.5 Completed 100% Conduct regular meetings of the Crime Prevention Committee.

#### **Annual Comment**

KPI	Target	Notes
Meetings of the Crime Prevention Committee to be conducted in accordance with the Terms of Reference.	100% of meetings attended	Due to the local government elections and a review of Council Committees only 2 meetings of the Crime Prevention Committee were held in 2016/17.

Action 1.6 Completed 100%

Priority crime prevention strategies identified by the Crime Prevention Committee.

KPI	Target	Notes
Priority crime prevention actions implemented in accordance with available funding.	100% complete	During the year Council upgraded the CCTV system in Queen Elizabeth Park and at the Woolworths end of the laneway to Main Street Lithgow.  New CCTV cameras were located at the rotunda and near the children's playground in Queen Elizabeth Park. These and the 3 existing digital CCTV cameras in the park can now be viewed directly by the Police.

### 02 Continue participation and support for the Domestic Violence Liaison Committee.

Action 3.1 Completed 100% Regular attendance by the Community Development Officer at meetings

Regular attendance by the Community Development Officer at meetings and participation in its events.

#### **Annual Comment**

КРІ	Target	Notes
Assistance provided to conduct White Ribbon Day activities and domestic violence awareness programs.	100% complete	Over the last twelve months, the Community Development Officer attended 4 meetings of the Lithgow Partnerships Against Domestic Violence and Family Abuse Committee (LPADVFA).
Community Development Officer to attend meetings of the Lithgow Partnerships Against Domestic Violence and Family Abuse Committee (LPADVFA).	100% of meetings attended.	During that time assistance was provided in the form of advice, events organisation, grant applications, promotional activity, and fundraisers.

Action 3.2 Completed 100% Address violence against women in the community.

#### **Annual Comment**

KPI	Target	Notes
Assistance provided to conduct International Women's Day Activities with the Domestic Violence Liaison Committee.	100% complete	As part of International Women's Day, the Community Development Officer hosted an inhouse morning tea to raise funds for the local Domestic Violence Committee. The Committee was able to print further copies of a Referral Card with the raised funds and distribute it to services to assist people experiencing domestic violence.

03 Participate in emergency services committees including the Bushfire Advisory Committee and Local Emergency Management Committee in accordance with their terms of reference.

Action 4.1 Completed 100% Attend meetings regularly.

KPI	Target	Notes
Group Manager Operations to attend meetings of the Local Emergency Management Committee.	100% of meetings attended.	Group Manger Operations attended all meetings that were scheduled throughout the year.
Group Manager Operations to attend meetings of the Bush Fire Advisory Committee.	100% of meetings attended.	

#### 1.2.11 Volunteering

### 1.2.11.1 To celebrate and grow volunteering

### Encourage, promote and recognise the role of volunteering to the area.

Action 1.1 Completed 100%

Assistance provided to support the activities of the Lithgow Volunteering Network.

#### **Annual Comment**

KPI	Target	Notes
Community Development Officer to attend meetings of the Lithgow Volunteering Network.	100% of meetings attended	The Lithgow Volunteering Network disbanded in 2016 due to very low attendance. An online distribution list has been formed to support members with the circulation of relevant resources and information.

Action 1.2 Completed 100%

Implement a recognition program for volunteering in association with National Volunteers Week.

#### **Annual Comment**

KPI	Target	Notes
National Volunteers Week held each year with participation of Council and other organisations to recognise volunteers in Lithgow.	100% complete	The Community Development Officer worked with Lithgow Valley Cinema to organise a free film screen of Florence Foster Jenkins on Wednesday 10 May 2017 as part of National Volunteer Week.

Action 1.3 Completed 100% Identify and promote volunteering opportunities to local youth.

KPI	Target	Notes
Recognition and promotion of volunteering undertaken through:  • Youth Council	100% complete	Throughout 2016/17 updates about volunteering opportunities were provided on the Youth Council Facebook page.
Youth Networks     Media		Nominations for the Young Volunteer Award were sought as part of Australia Day 2017.
Social Media     Website		Nominations were also sought in June 2017 for the reconstituted Youth Council which currently has a total of 9 young volunteer members
		Council is also supporting the work of the Museums Network Group which is developing a shared volunteering program to attract and retain volunteers, including young people.  Council is also working with local high schools to provide volunteering opportunities to young people during Halloween.

### 1.2.12 Youth

### 1.2.12.1 To improve the quality of life of the LGA's youth.

Continue to support Lithgow Youth Council to provide a voice for young people to Council.

Action 1.1 Completed 100%

Meetings of the Youth Council to be conducted in accordance with the Committee Terms of Reference.

#### **Annual Comment**

KPI	Target	Notes
Meetings held 8 times per year.	100% of meetings held	The Youth Council formed in the 4th quarter and held its first meeting on 6 June 2017.

D2 Engage with young people to plan activities and cultural programs to meet their needs.

Action 2.1 Implement priority actions from the Youth Strategy.

**Annual Comment** 

Completed

100%

		Notes
implemented within available resources.	Number of Priority actions mplemented	Overall, a total of 16 priority actions were implemented from the Youth Strategy during 2016/17. Some of the main highlights include:  Council employed 2 apprentices 2 trainees.  Council supported family programs that enhance the relationship between young people and their parents. For eg, Circle of Security and the Lithgow Cares Campaign.

### O3 Continue to provide the homework centre at the Lithgow Library Learning Centre.

Action 3.1 Completed 100% Homework Zone to operate 3 days per week during school term.

#### **Annual Comment**

KPI	Target	Notes
Number of children attending Homework Zone per week.	≥ 30	Your Tutor has replaced the Homework Zone at Lithgow Library. The aim was to increase access to a quality tutoring service to all students in the LGA. Outreach promotion, media releases, and talks & presentations at local schools have all been used to promote this service. To date, over 50 tutorials have been held through Your Tutor, with the majority being Year 12 students.

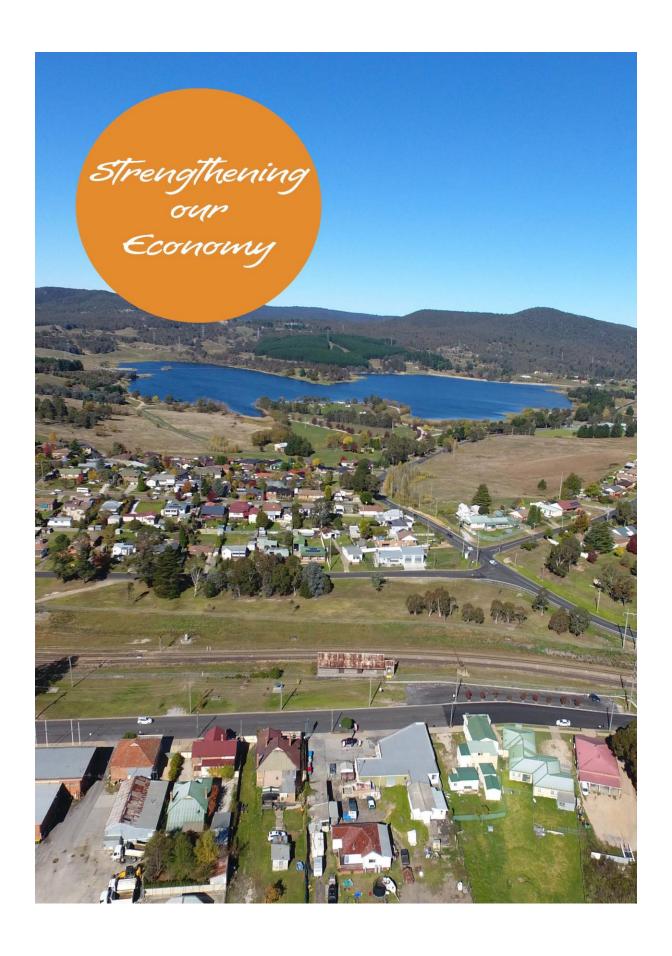
# O4 Sports/Cultural Scholarship developed for youth from low income/disadvantaged families.

Completed

100%

Action 4.1
Continue to provide the Youth Scholarships

КРІ	Target	Achieved this quarter	Notes
Number of students received Sports/Cultural Scholarships	≤ 20	0	Research is being undertaken, and consultation continues with
Cost of Sports/Cultural Scholarships funded per annum	≤ \$5000	\$0	the Youth Council to support alternative Youth projects, as the PCYC Youth Scholarship Program was not being utlised efficiently.



### **Strengthening Our Economy**

Providing for sustainable and planned growth that supports a range of lifestyle choices and employment opportunities.

### 2.1.1 Planning for Economic Growth

2.1.1.1 To plan and manage growth in a sustainable manner with emphasis on creating a diversified economy underpinned by sound local environmental planning.

01 Identify and develop new plans and strategies in line with the community's needs.

Action 2.1

Prepare a Development Control Plan.

**Annual Comment** 

Not Progressing 50%

KPI	Target	Notes
Plan prepared, consulted upon and adopted by Council.	100% complete	Deferred due to resourcing priorities.

Action 2.2 Progressing 50%

Preparation of a Master Plan/DCP for the Marrangaroo Urban Release Area and the adjacent new industrial precinct.

KPI	Target	Notes
Plans prepared, consulted upon and adopted.	100% complete	The Structure plan for the Urban Release Area and Employment Lands Guidelines was submitted for review. Council is awaiting the infrastructure report prior to public consultation for the Structure Plan.

Exploring and discovering the richness in our society through the pursuit of educational, creative and cultural opportunities to diversify our economy, skills base and employment opportunities.

#### 2.2.1 Arts and Culture

2.2.1.1 To promote, develop and utilise the creative talents of the Lithgow region.

O1 Encourage a whole of community approach to supporting the growth of cultural industries.

Action 1.1 Completed 100%

Participate in local and regional cultural networking groups.

#### **Annual Comment**

KPI	Target	Notes
Participate in Lithgow Museums Network, Arts OutWest, Blue Mountains Association of cultural Heritage Organisations and other networking groups.	ciation meetings	The Cultural Development Officer participated in cultural networks such as Blue Mountains Association of Cultural Heritage Organisations, Arts OutWest, the Lithgow Museums Network, and liaised with the Tidy Towns Laneways Project group.
		An outcome of developing these networks was a printed trail to link cultural tourism between the Blue Mountains and Lithgow, encouraging visitation to local cultural sites.

Action 1.2 Completed 100% Maintain and improve the Lithgow Creative's website.

KPI	Target	Notes
Website maintained and updated monthly.	100% complete	The Lithgow Creative's website was updated throughout the year, with a focus on promoting local artists exhibitions and sharing opportunities for funding.

Action 1.3	Completed	100%
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#### Host exhibitions at Eskbank House for cultural industries

#### **Annual Comment**

KPI	Target	Notes
Number of exhibitions hosted at Eskbank House Museum per annum.		A number of exhibitions and programs were held at Eskbank House and Museum celebrating local creatives and offering the community opportunities for engaging in cultural activities, such as Waste 2 Art, Lithgow Contemporary Arts Prize, Subliminal and the Primary By Design exhibition which engaged local schools. A major retrospective of local artist Chris Johnson's work was also held with the Lithgow City Band performing at the opening event.

### 2.2.2 Branding and Marketing

2.2.2.1 To establish an effective integrated branding and marketing identity to promote Council, Tourism, Economic Development and the LGA.

Develop and implement an integrated and effective marketing and branding strategy for the Council, Tourism, Economic Development and the Local Government Area.

Action 1.1 Progressing 75%

**Economic Development Advisory Committee to identify priority actions to undertake a three year Regional Promotion and Marketing Campaign.** 

KPI	Target	Notes
Priority actions implemented in accordance with available funding.	100% complete	Leonards Advertising was engaged to develop a brand and marketing strategy. Community consultation commenced in 3rd quarter with a proposal to be developed and provided to Council Officers for review in July.

#### **Annual Comment**

KPI	Target	Notes
Welcome banners replaced annually.	100% complete	Welcome banners were not replaced. Waiting repairs to the flag poles.
Investigate locations for additional billboard signs within available funding.	100% complete	Quotes were requested from Ooh media in regards to billboards located west of Lithgow.
Upgrade and install brown and white tourism signs in accordance with the Interpretive Signage Program.	100% complete	No signs installed in 2016/17.
Town entry signage installed within available funding throughout the LGA.	100% complete	Town entry signs were installed. However there were issues with cracking and damage on installation which is being resolved.

### 2.2.3 Business and Industry Development and Support

2.2.3.1 To expand Lithgow's economic base and encourage local employment opportunities through the promotion and facilitation of business and industry development and services.

Encourage the increase of business activities in the CBDs of Lithgow, Wallerawang and Portland.

Action 1.1 Deferred

Develop and implement a Lithgow CBD Business Attractions and

# Retention Program Annual Comment

KPI	Target	Achieved this quarter	Notes
Coordinate Business Training and Development activities for local businesses.	≤ 6	0	Due to resourcing this project did not proceed during 2016/17 and is deferred to 2017/18.

Action 1.2 Completed
Promote the Main Street Facade Program

#### **Annual Comment**

KPI	Target	Achieved	Notes
Number of applications processed for the Main Street Façade Program.	≤ 10	4	During 2016/17 applications for the upgrade of Main Street Facades were processed
Number of applications processed for the Main Street Façade Program.	≤ \$20000	\$4,772.13	accordingly.

0%

100%

### 2.2.4 Leadership and Communication

# 2.2.4.1 To provide leadership and communications that foster collaboration to maximise Lithgow economic potential

Ensure sound communications across the community and with Council to assist with encouraging growth.

Action 1.1 Not Progressing 0%

Regularly meet with and coordinate economic programs with the Economic Development Advisory Committee and other stakeholders as required.

#### **Annual Comment**

KPI	Target	Notes
Economic Development Advisory Committee meetings held 3 monthly	100% of meetings held	Following the elections in September 2016, the reforming of Council committees was delayed with committees being finalised in 4th quarter.
Economic Development Officer to attend meetings of Lithgow business associations.	100% of meetings attended	Due to resourcing this program will commence on the appointment of a new Economic Development Officer.

#### Market and promote Lithgow as a place to do business, work, live and recreate.

Action 3.1 Progressing 75%

Develop promotional material to attract investors and residents and participate in relevant exhibitions.

KPI	Target	Notes
Investment prospectus kept updated.	100% complete	During 2016/17 the Economic Website was maintained and Council continued to monitor
Continue to update the Economic Development Website.	100% complete	and update Economic Development pages on Facebook.  However, due to resourcing the Investment
Continue to monitor, maintain and update Revitalising Lithgow and Lithgow; Our Place, Our Future Facebook pages.	100% complete	Prospectus was not updated.

#### Encourage expansion and attraction of businesses.

# Action 4.1 Completed 100% Appropriate conferences attended to encourage investment.

#### **Annual Comment**

KPI	Target	Notes
Attend local and regional economic and tourism forums to promote and advocate for development and business opportunities within the Lithgow LGA.	100% complete	Tourism staff attended the Newcastle Caravan, Camping and 4WD show from 9th -12th February.

Action 4.2 Completed 100%

Regular assistance provided to potential investors.

#### **Annual Comment**

KPI	Target	Notes
Respond to enquiries and coordinate with other departments as required.	100% of enquiries responded to in accordance with Policy 4.6	During 2016/17 all enquiries were responded to by the Development Department in lieu of the appointment of an Economic Development Officer

### 2.2.5 Education and Training

2.2.5.1 To encourage and support learning opportunities in the LGA that aligns with our needs for skilled workers and retention of your people and families.

Promote to attract occupations and industries where skills shortages have been identified.

Action 1.1 Deferred 0%

Continue to liaise with tertiary education providers and employment agencies to facilitate delivery of training courses that target business needs.

KPI	Target	Notes
Identify gaps in response to economic conditions and advice provided by business stakeholder groups.	100% complete	Due to resourcing this project did not proceed during 2016/17 and is deferred to 2017/18.

### 2.2.6 Local Environmental Planning and Development

2.2.6.1 To ensure the long-term sustainability of infrastructure and land that underpins and supports the growth of the Local Government Area.

O1 Issue certificates including: Section 149 Certificates, Building Certificates and Subdivision Certificates.

Action 1.4 Completed 100%

Process and issue Building and Blanning Cortificates in accordance with

Process and issue Building and Planning Certificates in accordance with regulatory requirements.

#### **Annual Comment**

KPI	Target	Achieved	Notes
Processing days	90% processed within 7 working days.	Completed	90% are processed within 7 working days.

#### 2.2.7 Tourism

2.2.7.1 To create a strong tourism industry that maximises benefits from visitors to the LGA.

O1 Act upon the recommendations contained in the Tourism Strategy/Destination Management Plan

Action 1.1 Progressing 25%

Priority actions from the Plan are identified by the Tourism Advisory Committee.

KPI	Target	Notes
Priority actions implemented in accordance with available funding.	100% complete	Priority actions have not been determined awaiting new Tourism Advisory Committee
6 meetings held per year in accordance with the terms of reference.	100% of meetings held	2 meetings were held; 1 in August prior to the Local Government Elections and 1 in June following reformation of the committee.
Provide input into community tourism development initiatives.	100% complete	Meetings held with Wallerawang Progress Association in regards to Information Bay Signage and Lake Wallace fireworks
Seek opportunities to increase funding for tourism activities.	100% complete	<ul> <li>Council staff submitted an application for Destination NSW Regional Flagship funding for the 2017 Lithgow Halloween Festival – this was unsuccessful.</li> </ul>
		<ul> <li>Council received an additional \$350,000 funding from NSW TDDI program for the upgrade of Blast Furnace Park.</li> </ul>

### 02 Identify and support the delivery of a diverse range of quality festivals and events.

# Action 2.1 Completed 100% Organise and stage LithGlo

- Sponsorship levels
- Participation
- Visitation

#### **Annual Comment**

KPI	Target	Notes
Event delivered.	100% complete	Lithglo 2016 was held in Queen Elizabeth Park in December and featured food and craft stalls offering a range of products and locally made craft items for sale. The event had a family friendly atmosphere with live entertainment from the mid-afternoon and continuing through to the evening.  Once the sun set special effect lighting created a magical atmosphere along with roving entertainment and a Santa's grotto for family photos with Santa.

### Action 2.2 Completed 100%

**Organise and stage Halloween** 

- Sponsorship levels
- Participation
- Visitation

KPI	Target	Notes
Continue sponsorship funding agreements for the event.	20% of Council funding is matched by Corporate Sponsorship.	Sponsors McDonalds, Energy Australia, Centennial Coal and Lithgow Workies contributed \$32,000 in sponsorship to the event.
Event delivered	100% complete	Lithgow Halloween is a family friendly Tourism event aimed at increasing visitation to the region and to drive business into the tourism sector.  The event is staged in the centre of Lithgow's main shopping and dining precinct.  Local businesses including cafes and restaurants actively engaged in the event offering safe 'trick or treat' along with themed Halloween window displays and special menus for the event. Many of the restaurants were booked out in advance of the event with some of the cafes and restaurants along Main Street trading out into the street offering special quick food options for the night.  Creative and skill based opportunities are one of the key objectives of the event with engagement of creative talent and school age students from the region. Invitation to schools, bands, theatre groups and dance schools to perform at Lithgow Halloween was taken up with over 80 individual talented people performing and showcasing their skills at the event.

Action 2.3	Completed	100%
Identify and support local tourism events.		

#### **Annual Comment**

KPI	Target	Notes
Support provided to local tourism events.	100% of enquiries assisted	Local events were promoted through print and electronic platforms including regional tourism magazines, street posters, Destination NSW and Lithgow Tourism websites. Information was provided on local events to regional radio stations including ABC Radio, Bathurst and local radio stations. Local events were promoted on the LED sign at Lithgow Visitor Information Centre. Lease agreements were prepared for the Lithgow Show and Ironfest.
Number of promotional displays developed in VIC to promote major events to visitors per annum	100%	There were no displays in July and August due to renovation of the interior of the Visitors Centre.  The following displays were held at the VIC to promote local events:  Ironfest Daffodils at Rydal Capertee Train Trip Promotion Halloween Light the Night Walk in Queen Elizabeth Park Christmas.

# Action 2.4 Completed 100% Coordinate the Official Australia Day Ceremony and provide support to other events and activities in the LGA.

КРІ	Target	Notes
Promote Australia Day events to the community.	100% complete	Promoted all Australia Day events in the region.
Official Ceremony coordinated and promoted to official guests and the	100% complete	Australia Day celebrations were held at Eskbank House and Museum on 26th January 2017.
community.		The official Australia Day speech was given by the Australia Day Ambassador, Mr Jeremy Jones AM. Mr Jones received the 2016 Stepan Kerkyasharian Medal for promoting Community Harmony and has been widely recognised for his contribution to multiculturalism and inter-faith movements. The Lions Club provided refreshments, and the Lithgow Highland Pipe Band entertained over two hundred guests as they gathered for the ceremony.

Action 2.5 Completed 100%

Develop an Events Attraction Package to target/sponsor events to the Lithgow Region.

#### **Annual Comment**

KPI	Target	Notes
Number of applications processed for the Events Attraction Package program.	≥ 5	The policy was adopted by Council in 4 <sup>th</sup> quarter. One request was received from Rocky
Number of successful applications	≥ 5	Trail Entertainment for \$2,200. This was forwarded to the Tourism Advisory Committee
Cost of financial assistance provide per successful application.	≥ \$2000	for review and recommendation to Council.
Economic Benefit per event	≥ \$50000	
Number of participants per event	≥ 50	
Number of visitors per event	≥ 1000	

### Operate the Visitor Information Centre.

Action 3.1 Completed 100%

Operate the Visitor Information Centre to provide information and services to visitors.

КРІ	Target	Achieved	Notes
Total value of souvenir sales	100%	\$63,003.10	2015-2016 the Visitor
Number of visitors to the Visitor Information Centre	100%	40,638	Information Centre had 40 members.
Number of members	100%	44	Since the advent of bookings websites and the proliferation of
Total value of accommodation bookings	100%	\$0	smart phones we have been unsuccessful in achieving any walk-in bookings for either tours or accommodation.
Commission on accommodation bookings	100%	\$0	
Total value of tour bookings	100%	\$0	
Commission on tour bookings	100%	\$0	

Action 3.2	Completed	100%
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Increase local awareness of the role of the Visitor Information Centre in the Lithgow community.

#### **Annual Comment**

KPI	Target	Notes
Monitor and update social media.	3 Facebook posts per week	The Facebook page was updated and monitored regularly throughout 2016/17.

Action 3.3 Progressing 30%

Provide quality visitor information services.

#### **Annual Comment**

KPI	Target	Notes
Identify increased customer satisfaction through visitor comments and surveys.	1 survey per annum	2 surveys were held during 2016-2017. One survey about the service in the Visitor Information Centre and the other about Halloween 2016.

### O4 Strengthen Lithgow's brand identity.

Action 4.1 Progressing 50%

Promotion and marketing of the LGA in a range of media and within budget

KPI	Target	Notes
Monthly advertisements in the Blue Mountains Imag.	12 per annum	12 adverts were placed during 2016/17.
6 advertisements in other promotional media per year.	6 per annum	6 adverts were placed during 2016/17.
Monthly advertisements in Discover Blue Mountains.	12 per annum	12 adverts were placed during 2016/17.
Monthly advertisement in Discover Central West.	12 per annum	12 adverts were placed during 2016/17.
Quarterly advertisements in the Blue Mountains Tourist Newspaper.	4 per annum	4 adverts were placed during 2016/17.
Monthly press releases/advertisements in the Lithgow Mercury.	12 per annum	Tourism media releases were produced throughout 2016/17.

Action 4.2 Not Due To Start 0%

Develop and update Recreational Activity Guides to increase greater visitation of areas listed and address the pressing need for more interpretive information on bush tracts from 4WD and trail bike riders.

#### **Annual Comment**

KPI	Target	Notes
Develop a guide to promote 4WDing, bushwalking, mountain biking and camping in the LGA.	100% complete	Not due to start until a draft is received from Lithgow 4WD Club.

Action 4.3 Not Due To Start 0%

Promotion of the LGA through the development of combined marketing with Bathurst and other neighbouring Local Government Areas.

#### **Annual Comment**

KPI	Target	Notes
Combined marketing strategy developed and implemented.	100% complete	Due to issues regarding the proposed amalgamation of Bathurst and Oberon Council's this matter has been deferred until 2017-2018.

Action 4.4 Progressing 25% Support filming opportunities in the LGA.

KPI	Target	Notes
Maintain a web presence.	100% complete	5 short films, photo shoots and commercials were made in the Lithgow LGA during 2016-2017 including:
Number of film enquiries processed.		<ul> <li>Wall to Wall Media, Long Lost Family in the Capertee Valley – Sept 2016</li> </ul>
		Soap Creative – Nutella Commercial – Feb 2017
		<ul> <li>Westfund – Commercial in Queen Elizabeth Park – Feb 2017</li> </ul>
		<ul> <li>Vogue Magazine – Photo Shoot at Blast Furnace Park – May 2017</li> </ul>
		<ul> <li>Spinnaker Films – James O'Donnell Drive Lithgow – June 2017.</li> </ul>

### Operate Eskbank House Museum

Action 5.1 Completed 100%

Eskbank House Museum open and operational 5 days per week.

#### **Annual Comment**

Eskbank House and Museum was opened and operational for 5 days per week throughout the year, excluding the Christmas period and Good Friday. Eskbank House and Museum also opened at additional times to accommodate special events and group bookings.

KPI	Target	Notes
Number of visitors to Eskbank House Museum compared to 2015/16.	Increase on visitation	2015/16 – 2,396 2016/17 – 2,093.

Action 5.2 Completed 100%

**Events and activities developed to promote Eskbank House Museum and its collections.** 

KPI	Target	Notes
Number of exhibitions and events held per annum	100%	Exhibitions, workshops, school visits, and public programs took place throughout the year, including:
Number of travelling exhibitions and events held per annum	100%	Scarecrow workshops for Halloween with local artist Ludwina Roebuck,
Number of public program events held per annum.	100%	<ul> <li>Subliminal exhibition as part of the inaugural mental health arts festival</li> <li>Waste 2 Art,</li> <li>Lithgow Contemporary Arts Prize</li> <li>A special event celebrating the 50th anniversary of Eskbank House opening to the public as a museum.</li> </ul>

### Upgrade display and exhibition equipment at Eskbank House Museum

Action 6.1 Completed 100% Collection cataloguing and interpretation undertaken.

#### **Annual Comment**

KPI	Target	Notes
Collection systematically catalogued and interpretive materials developed.	100% complete	Two volunteers dedicated one day a week each to cataloguing and interpreting the collection, including consolidating records across different cataloguing approaches.
		Research was undertaken to inform an integrated interpretation strategy to be designed and installed in the 2017/18 financial year.
		The plan for assessing and condition checking the object collection has commenced.

Action 6.2 Display and exhibition equipment upgraded.

**Annual Comment** 

Completed 100%

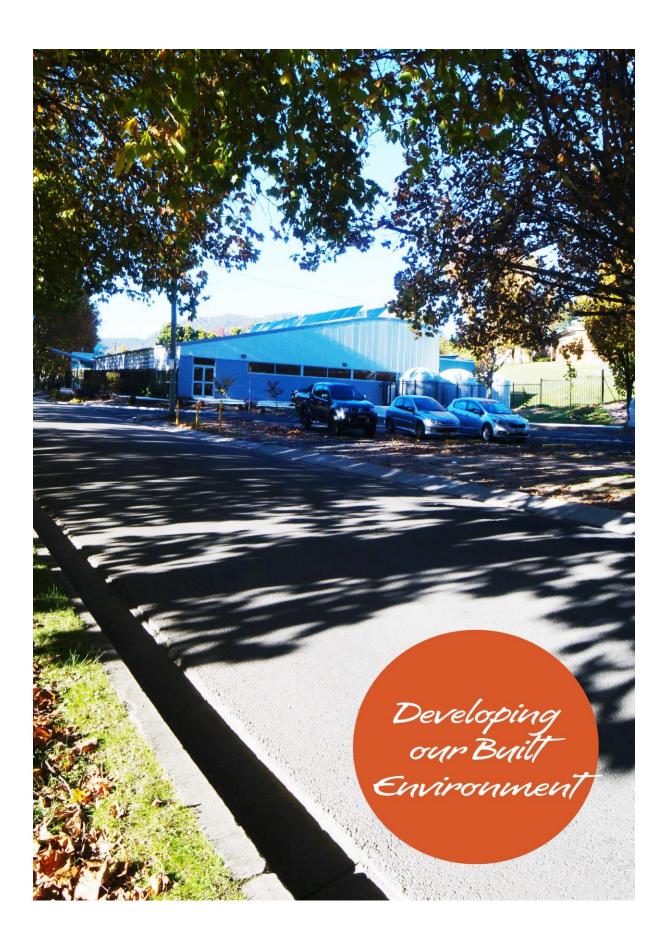
KPI	Target	Notes
Display and exhibition equipment upgraded within budget allocation.	100% complete	Research and planning was undertaken for display requirements, with design and production to take place in the 2017/18 financial year. This will address gallery lighting and purpose-built cases for identified objects.

#### 08 Develop marketing for Eskbank House Museum

Action 8.1 Completed 100%

New signage and marketing collateral developed in accordance with Council's Branding and Marketing Strategies.

KPI	Target	Notes
Brochures developed and updated as required.	100% complete	Communication materials were produced to engage audiences and participants in programs delivered at Eskbank House and Museum
Develop the Eskbank House Outdoor Interpretation project to include:	100% complete	throughout the year, including exhibitions, workshops and special events.
<ul><li>Interpretive signage in the grounds</li><li>Interpretive booklet</li><li>Website upgrade</li></ul>		Research was undertaken and a strategy developed for an integrated interpretation plan to be designed and installed in the 2017/18 financial year.



### **Developing Our Built Environment**

Planning for suitable infrastructure development to promote sustainable and planned growth, while enhancing the existing identity of the towns, villages and rural areas of the LGA.

### 3.1.1 Planning for Our Built Environment

3.1.1.1 To provide infrastructure to ensure the sustainable growth and development of the area including the provision of quality recreational and community facilities.

O1 Identify and develop new plans and strategies in line with the community's needs

Action 1.1 Progressing 85% Complete the Hassans Walls Management Plan.

Annual Comment

KPI	Target	Notes
Plan prepared, consulted upon and adopted by Council.	100% complete	The Hassans Walls Reserve Plan of Management was completed and was scheduled to be reported to Council for adoption on 17th July 2017.

Action 1.2 Progressing 85%
Prepare a Rural Lands Study

KPI	Target	Notes
Plan prepared, consulted upon and adopted by Council.	100% complete	The Draft Strategy was referred to the Strategic Land Use Planning Projects Steering Committee on 2nd May 2017 for consideration. It was found to be deficient and was referred back to Edge Land Planning for revision.

Ensuring sustainable and planned growth through the provision of effective public and private transport options and suitable entertainment and recreational facilities to enhance the lifestyle choices of the community.

#### 3.2.01 Cemeteries

#### 3.2.1.1 To provide a respectful cemetery service

#### O1 Maintain and operate cemeteries

Action 1.1 Completed 100%

Monitor and report on number of complaints received

**Annual Comment** 

KPI	Target	Notes
Number of complaints received per annum	< 5	Three complaints received over the four quarters. All dealt with in a timely matter.

### 02 Implement 10-year Cemetery Improvements Program

Action 2.1 Completed 100%

**Undertake improvements at Lithgow Cemetery.** 

#### **Annual Comment**

KPI	Target	Notes
Install Footpath	100% complete	Footpath Installation Completed.
Tree removal	100% complete	Tree Removal Complete.

Action 2.2 Completed 100%

**Undertake improvements at Portland Cemetery.** 

KPI	Target	Notes
Construct new fencing	100% complete	Complete.  2 new beams were installed during second quarter in the lawn cemetery.
Tree removal	100% complete	Completed in second quarter.

Action 2.3	Completed	100%
Action 2.3	Completed	100%

**Undertake improvements at Glen Alice Cemetery.** 

#### **Annual Comment**

KPI	Target	Notes
Install columbarium	100% complete	Completed in second quarter

#### 3.2.02 Community Cultural Facilities

3.2.2.1 To develop cultural and recreational infrastructure that will meet the needs of the community now and into the future.

O1 Enhancement of Civic Spaces and Public Places within the Lithgow LGA through the development and promotion of public art and amenity.

Action 1.1 Progressing 20% Implement the CBD Revitalisation Action Plan.

Annual Comment

КРІ	Target	Notes
Redevelopment of Cook Street Plaza and Eskbank Street Precinct.	Annual Program 100% complete	<ul> <li>During 2016/17:</li> <li>Landscape Design and Detail Design was Completed.</li> <li>Tender documentation was completed.</li> <li>Tender process was nearing completion (report to be tabled at Council in August 2017).</li> </ul>

Action 1.1 Completed 100%

Work with the Lithgow Tidy Towns to develop the Lithgow Laneways Project.

KPI	Target	Notes
Develop and promote a series of art installation programs in the lane ways linking Main Street with the back lanes and car parks.	100% complete	The Cultural Development Officer liaised with Tidy Towns in support of the Laneways Projects. During the year Ludwina Roebuck's, Kristina Swoboda's and Tim Johnman's installations were completed, contributing to the cultural experiences available in the region.

### 3.2.03 Community Commercial/Industrial Buildings

3.2.3.1 Maintain community commercial and industrial buildings and structures to meet the needs of the community and service Council operations.

Maintain and upgrade community buildings and structures to meet the needs of the community and ensure commercial viability.

Action 1.1 Deferred 30%

**General asset building maintenance (including Special Rate Variation Program)** 

#### **Annual Comment**

KPI	Target	Notes
Upgrade the Administration Centre:  • Customer Service Area  • Internal Office Layout - 1st floor  • Roof safety system.	100% complete	Project deferred
Replace the existing air conditioning unit in the Centrelink Building.	100% complete	Completed
Install a lift in the Hartley Building.	100% complete	Project deferred
Install accessible toilets in the Hartley Building.	100% complete	Project deferred.

Action 1.2 Completed 100%

**Upgrade toilet facilities in the Lithgow Local Government Area.** 

#### **Annual Comment**

KPI	Target	Notes
Construct new toilet facilities in Endeavour Park.	100% complete	Completed

Action 1.3 Completed 100%

Provide assistance to the Portland Unit NSW SES to upgrade the Emergency Services Building.

KPI	Target	Notes
Funding provided to install motors to the manual doors.	100% complete	Funding was provided to the Portland SES unit in the third quarter to install motors to the manual doors.

#### Manage those community halls and theatres with advisory/management 02 committees in conjunction with the community.

Action 2.1 Completed 100%

Hold meetings of hall and theatre advisory/management committees in accordance with the Terms of Reference

#### **Annual Comment**

KPI	Target	Notes
2 meetings of the Union Theatre Management Committee per annum.	100% complete	Council resolved on 10 October 2016 to not reform the Management Committees for Union Theatre, Meadow Flat Hall and Crystal Theatre.
2 meetings of Meadow Flat Hall per annum.	100% complete	meane, meadow riat riali and orystal meane.
2 meetings of the Crystal Theatre Management Committee per annum.	100% complete	

Action 2.2 **Operate the Community Halls** 

**Annual Comment** 

Completed 100%

KPI	Target	Achieved	Notes
Number of bookings for Wallerawang Memorial Hall Processed.	> 1	1	This hall is no longer available for rent as it is now being utilised by the Wallerawang Men's Shed.
Number of bookings for Civic Ballroom Processed.	>1	29	Bookings processed.
Number of bookings for Union Theatre Processed.	>1	21	Bookings processed.

#### Maintain the Pound facilities. 03

**Upgrade the Pound.** 

Action 3.1	Completed	100%
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KPI	Target	Notes
Install sliding doors on new enclosures.	100% complete	The Animal Shelter alterations are under guidance of the new standards required for the welfare of animals. The main aim of Council's
Resurface concrete floors	100% complete	Animal Shelter is to re-unite owners with their lost animals and find homes for surrendered or unclaimed companion animals. The shelter has been expanded to provide additional kennels, floors have all been repainted and a section of the shelter has been renovated to improve, heating and cooling.

# Undertake capital improvements to Eskbank House Museum from the Eskbank House Trust Reserves.

Action 4.1 Progressing 50%

Program of capital improvements based on the Conservation Management Plan and Landscape Strategy progressively implemented.

#### **Annual Comment**

Eskbank House and Museum was awarded a Heritage Near Me grant which supported the development of a historic garden in the style that Mary Brown may have tended when she lived at Eskbank House in the mid to late 1800's. Other maintenance works were undertaken to ensure the adequate care and preservation of the building and grounds.

KPI	Target	Notes
Gravel skirt to all buildings installed	100% complete	To be carried out in next financial year
External painting of Eskbank House	100% complete	Quotes have been secured with a delivery plan developed in consultation with the Heritage Advisor. Works will be carried out in warmer months in the next financial year.
Exhibition lighting in the Enclosed Courtyard installed	100% complete	To be carried out next financial year
Kitchen garden installed and fenced.	100% complete	Garden fencing and paths were completed which also enhances disability access to the House and collections.
Weather proofing of traction steam engines.	100% complete	Action put on hold.

#### 3.2.04 Cycleways and Walkways

3.2.4.1 To establish a system of cycleways and pedestrian paths to provide links between major cultural and recreational facilities and town centres.

#### 01 Undertake footpath construction as per 10 year program.

Action 1.1 Completed 100% Footpath construction

КРІ	Target	Notes
Construct a footpath from Kirkley Street to Magpie Hollow Road on the Great Western Highway, South Bowenfels.	100% complete	The footpath from Kirkley Street to Magpie Hollow Road on the Great Western Highway, South Bowenfels was completed in its entirety in 2 <sup>nd</sup> quarter.
Construct a footpath from Forest Ridge drive to Wallerawang Public School on Barton Avenue, Wallerawang.	100% complete	The footpath from Forest Ridge Drive to Wallerawang Public School on Barton Avenue, Wallerawang was determined to have an insufficient budget and therefore the budget for this project was reallocated to the construction of a pedestrian refuge on Barton Avenue, Wallerawang to be constructed during 1 <sup>st</sup> quarter 2017/18.

#### 3.2.05 Environmental Health

#### 3.2.5.1 To provide an Environmental Health Inspection Program

#### O1 Conduct public health and food inspections.

Action 1.1 Completed 100%

All food premises inspected annually in accordance with the food regulatory partnership.

#### **Annual Comment**

A record number (137) of food premises inspections were undertaken in 2016/17 within the Lithgow Local Government Area. All inspections were conducted in accordance with the Food Regulation Partnership with the NSW Food Authority.

Action 1.2 Completed 100%

Investigate complaints made in relation to food premises.

#### **Annual Comment**

KPI	Target	Notes
Complaints investigated, actions resolved or determined within 24 hours.	100% investigated	Inspection of food premises is undertaken to ensure compliance with the Public Health Act and NSW Food Authority Food Regulation Partnership. These inspections are ongoing and all complaints are investigated and reported investigated in a timely manner to ensure compliance with relevant Acts.

Action 1.3 Completed 100%

All skin penetration premises inspected once per year.

#### **Annual Comment**

KPI	Target	Notes
1 inspection per premises per annum.	100% complete	All skin penetration premises are inspected annually to ensure compliance with the Public Health Act.

Action 1.4 Completed 100% Conduct commercial swimming pool and spa inspections and provided

ongoing education.

#### **Annual Comment**

Inspections of swimming pools and spas open to the public are conducted to assess compliance with the public health requirements. This ensures the operations and surrounds are satisfactory and concurrent with the Public Health Act 2010, and Public Health Regulation 2012

KPI	Target	Notes
1 inspection of each pool/spa per annum.	100% complete	7 swimming pools inspected.

Action 1.5 Completed 100%

Conduct inspections of cooling towers and associated systems and respond to complaints.

#### **Annual Comment**

Cooling towers are inspected in response to complaints and inspected annually to ensure compliance with the Public Health (Microbial Control) Regulation 2010.

KPI	Target	Notes
Complaints investigated, actions resolved or determined within 24 hours.	100% investigated	4 sites with 13 cooling towers were inspected over the reporting period. In accordance with the Public Health (Microbial Control) Regulation 2010, Council conducts inspections of cooling towers to maintain an up to date register of all cooling towers within our Local Government Area.

Action 1.6 Completed 100%

**Undertake inspections of Caravan Parks.** 

#### **Annual Comment**

КРІ	Target	Notes
2 inspections per Caravan Park annually.	100% complete	Inspections of caravan parks were completed to ensure compliance with the Public Health Act 2003, with only 2 caravan parks within the LGA

### 3.2.06 Heritage

# 3.2.6.1 To identify, preserve, improve and promote the LGA's indigenous built and natural heritage

#### O1 Assist with appropriate development of heritage items.

Action 1.1 Completed 100%

Provide heritage advice to residents on development matters.

KPI	Target	Notes
Number of residents utilising the Heritage Advisory Service.	100%	This service was utilised by 100 residents and developers during 2016/17.

Action 1.2	Not Progressing	60%
Action 1.2	Not Progressing	60%

Finalise and implement the heritage provisions of the new comprehensive Development Control Plan

#### **Annual Comment**

KPI	Target	Notes
Adoption of Comprehensive Development Control Plan	100% complete	Deferred due to resourcing priorities.

Action 1.3 Progressing 20%

Implement works at Blast Furnace Park and nearby precinct in relation to safety and interpretive signage.

#### **Annual Comment**

KPI	Target	Notes
Completion of works including construction of raised walkways, viewing platforms, fenced pathways and interpretive sign	100% complete	Final design work was completed during the year and grant funds secured for Masterplan works which will start early in the new financial year and be completed by late 2017.

Action 1.4 Completed 100%

Install new heritage and interpretive signage across the Local Government Area.

KPI	Target	Notes
Install interpretive signage as required.	100% complete	A 'points of interest' panorama sign was installed at Hassans Walls Lookout and signage commemorating Max and Molly Kiddle was installed in Kiddle Park Lithgow.

### 3.2.07 Housing and Development

3.2.7.1 To provide a range of housing opportunities to meet the diverse needs of the community.

Provide for quality residential development through the provision of guidance and standards to developers.

Action 1.1 Not Progressing 50%

Prepare a Comprehensive Development Control Plan which includes provisions for residential development of varying densities.

**Annual Comment** 

КРІ	Target	Notes
Completion of Development Control Plan.	100% complete	Deferred due to resourcing priorities

#### 3.2.08 On-site Sewage Management

3.2.8.1 To ensure that on-site sewage management systems comply with environmental and health requirements.

Undertake inspections of Septic Systems and Aerated Waste Water Systems.

Action 1.1 Completed 100%

Undertake an inspection regime of systems and take appropriate action where systems are failing.

KPI	Target	Notes
Undertake inspections of septic systems.	100%	166 annual inspections undertaken.  Annual inspections and approval of on-site sewerage systems is ongoing for all un-sewered properties in the Local Government Area to ensure compliance with environmental and public health performance standards and the Local Government Act S.68 Part C, Items 5 & 6.
Monitor service records for aerated waste water systems.	100%	513 service records monitored.  Monitoring of service records occurs to ensure systems comply with environmental and public health performance standards and the Local Government Act S.68 Part C, Items 5 & 6

#### 3.2.09 Parks and Gardens

3.2.9.1 To develop parks and gardens that will meet the needs of the community now and into the future.

### 01 Develop and maintain gardens, parks, reserves, street trees and other public space.

Action 1.1 Completed 100% Undertake streetscape improvements to enhance public amenity.

**Annual Comment** 

KPI	Target	Notes
Plant new street trees	100% complete	There has been removal of some dead and dangerous street trees. These have been replaced with new trees that will enhance the
Remove dangerous trees	100% complete	streetscape.

Action 1.2 Completed 100%

Upgrade playground equipment in local parks.

KPI	Target	Notes
Install or replace playground equipment in local parks:	100% complete	Undertaken throughout the year as required.
Install or replace shaded seating in Queen Elizabeth Park:	100% complete	Completed.
Install or replace shade structures in local parks.	100% complete	Undertaken throughout the year as required.
Install or replace park furniture in local parks	100% complete	Undertaken throughout the year as required.
Install or replace soft fall in local parks	100% complete	Undertaken throughout the year as required.
Install shade sails and replace playground equipment in Clarence Pirie Park, Capertee.	100% complete	New playground equipment has been installed at one of our rural parks in Capertee. This has been a very well received addition to the Capertee area.

#### 3.2.10 Recreational Facilities

# 3.2.10.1 To develop recreational facilities that will meet the needs of the community now and into the future

Develop and operate the Lithgow Aquatic Centre using Council resources and associated oncosts.

Action 1.1 Completed 100% Number of patrons utilsing the Aquatic Centre facilities.

**Annual Comment** 

KPI	Target	Achieved
Number of patrons	100%	81,650
Number of bookings for the Kids Party Package.	100%	42
Number of children using the Learn to Swim Program	100%	2,642
Number of patrons using the exercise programs.	100%	2,429

Manage and prepare playing fields using Council resources and associated oncosts.

Action 2.1 Completed 100%

All sporting fields available for use except in exceptional wet weather conditions.

#### **Annual Comment**

All sporting fields throughout the Local Government Area have been well maintained and have been utilized throughout the summer and winter sporting seasons.

KPI	Target	Notes
Undertake the following works:  • Synthetic wicket replacement  • Top dressing various ovals.	100% complete	Complete
Undertake the following works at Wallerawang Oval:  • Water Cannon Replacement  • Goal post replacement  • Top dressing of oval	100% complete	Complete
Undertake the following works at Tony Luchetti Show Ground: • Flood lights	100% complete	Complete
Undertake the following works at Glanmire Oval:  Replace synthetic wickets Renew fencing.	100% complete	Complete
Undertake top dressing at Kremer Park, Portland.	100% complete	Complete
Undertake the following improvements at Marjorie Jackson Oval:  • Upgrade Fencing  • Upgrade seating  • Upgrade lighting (dependent upon matching grant funding)	100% complete	Complete

To provide support and a forum for sporting, recreational and community groups to discuss matters relating to local sport and recreational facilities and advise Council.

Action 3.1 Completed 100%

Organise the Sports Advisory Committee meetings in accordance with the Committee terms of reference.

#### **Annual Comment**

All Sports Advisory Committee meetings organised and held throughout the year in accordance with the Committees terms of reference.

КРІ	Target	Achieved this quarter	Notes
Meetings to be held monthly.	100% of meetings held	100%	All Sports Advisory Committee meetings organised and held throughout the year in accordance with the Committees terms of reference. However, during the period of the Council elections, all Committees were suspended.

Action 4.2 Completed 100%

Provide support to recreational activities and organisations in accordance with Council's Financial Assistance Policy.

KPI	Target	Notes
Number of financial assistance to attend special sporting events applications processed.	≤ 20	Two local sporting talents Emily Thompson & Shakaya Bott received assistance to represent Lithgow in Hockey; Emily represented the Under
Number of financial assistance to attend special sporting events applications processed.	≤ \$2000	15 State Blue Girls Hockey Team in Moorebank and Shakaya participated in the National Under 13 Championships in Perth.  Both applicants received \$300.00 each in accordance with Council's Financial Assistance Policy.

#### 3.2.11 Road Safety and Compliance

#### 3.2.11.1 To promote the road safety message and enforce legislative requirements

#### O1 Ensure available parking for residents and visitors.

Action 1.1 Completed 100%

Conduct on-street parking enforcement in the Central Business District of Lithgow and School Zones.

#### **Annual Comment**

KPI	Target	Notes
Number of Parking Patrols per annum	100%	On street parking patrols were completed in a timely manner, over 200 parking patrols have
Number of School Zone Patrols per annum	100%	been undertaken over this reporting period.
		School zone safety and educational patrols were conducted on a regular basis with over 50 patrols complete over the reporting period. Patrol targets were met with positive outcomes and all targets exceeded.

#### 02 Enforce legislative requirements

Action 2.1 Completed 100%

Organise the Traffic Authority Local Committee in accordance with the committee terms of reference.

#### **Annual Comment**

КРІ	Target	Notes
Meetings to be held every 4 weeks.	100% of meetings attended	Meetings were held as required throughout 2016/17.

#### 3.2.12 Sewage Infrastructure

3.2.12.1 To provide sewage infrastructure to allow for the sustainable growth and development of the area.

Provide a secure and reliable sewage reticulation system to residents of Lithgow, Lidsdale, Marrangaroo, Portland and Wallerawang.

Action 1.1 Progressing 75% Undertake improvements to Portland Sewerage Treatment Plant.

КРІ	Target	Notes
1 smoke test conducted in Portland.	100% complete	Areas of Portland tested and improvement notices sent out to affected residents.
Construct the new Portland Sewerage Treatment Plant.	100% complete	Project progressing with stage one works ready for commissioning. Power Supply upgrade underway.

Action 1.2	Completed	100%
Action 1.2	Completed	100%

**Undertake improvements at Wallerawang Sewerage Treatment Plant.** 

#### **Annual Comment**

KPI	Target	Notes
Desludging at Wallerawang Sewerage Treatment Plant.	100% complete	One lagoon emptied and sludge taken to Lithgow STP for processing

Action 1.3 Not Progressing 75%

**Undertake improvements at Lithgow Sewerage Treatment Plant.** 

#### **Annual Comment**

Sludge dewatering contractor onsite and 2 lagoons emptied. Feasibility study completed on sedimentation tanks with the preferred option to construct a new inlet closer to the flow divider and bypass old works.

KPI	Target	Notes
Desludging at Lithgow Sewerage Treatment Plant.	100% complete	2 lagoons emptied with the ongoing trial for earth sludge management system.
Bypass of Sedimentation Tanks	100% complete	Options study completed. Scope of works to include a new inlet.
Lining of fourth sludge lagoon	100% complete	Deferred not due to commence until 2020/21.

Action 1.4 Deferred 0% Undertake a renewal program of shared sewer mains.

**Annual Comment** 

KPI	Target	Notes
Reline Trunk Mains	100% complete	Deferred due to other capital works ongoing and staff availability.

Action 1.5 Completed 100% Upgrade the sewer pumping stations.

KPI	Target	Achieved this quarter	Notes
Replace old pumps	100% complete	50%	Pump station audits undertaken by independent contractor to prioritise program of replacement of pumps.
Telemetry upgrade	100% complete	50%	Telemetry tender awarded with meeting held to schedule on site works for upgrade program.

Action 1.6	Completed	100%

# Undertake replacement of sewer vents.

#### **Annual Comment**

KPI	Target	Notes
Replace old sewer vents	100% complete	4 vents were replaced in second quarter.

Action 1.7 Completed 100% Undertake CCTV inspections of sewer mains.

#### **Annual Comment**

KPI	Target	Notes
CCTV inspections and condition assessments undertaken and recorded in Council's Asset Management System.	100% complete	Inspections and condition assessments were undertaken in Lithgow, Extension Estate and the Vale of Clwydd, Wallerawang and Portland.

## 3.2.13 Transport

## 3.2.13.1 To provide road infrastructure that meets the needs of the residents.

Upgrade and maintain urban and rural roads to an acceptable standard in accordance with their level of traffic use.

Action 1.1 Completed 100%

Undertake timber bridge improvements on rural roads as per the 10-year program at selected locations.

#### **Annual Comment**

KPI	Target	Notes
Coco Creek Bridge, Glen Davis Road	100% complete	Installed headstocks and girders on Coco Creek Bridge, new pile cap and headstock to Airlie Bridge and a new wing wall on Crown Creek
Crown Creek Bridge, Glen Davis Road.	100% complete	bridge.

Action 1.2 Completed 100% Urban Roads Improvement Program.

KPI	Target	Notes
Ordnance Avenue, Lithgow	100% complete	Ordnance Avenue, Lithgow was hotmix resealed with AC14 to a depth of 50mm from Malvern Street to Methven Street, Lithgow. Methven
Methvan Street, Lithgow	100% complete	Street was hotmix resealed with AC14 to a depth of 50mm from Musket Parade to Martini Parade, Lithgow.

Action 1.3	Completed	100%
Implement the Special Rate Variation - Four Year Works Program.		

## **Annual Comment**

KPI	Target	Notes
Inch Street Lane, Lithgow	100% complete	Inch Street Lane, Lithgow was entirely sealed with a 14/7 two-coat bitumen seal.
Bells Road, Lithgow	100% complete	Bells Road, Lithgow was hotmix resealed with AC14 50mm asphalt from Zig Zag Oval to the Bells Road bridge.
Vale Street, Portland	100% complete	Vale Street, Portland funds were reallocated to the reconstruction of sections of Cullenbenbong Road, Kanimbla (from Glen Chee Road to the Six-Foot Track Gate) and the construction of a bridge within the Wolgan Valley to replace a collapsed causeway. This work was entirely completed.

# Action 1.4 Rural Roads Gravel Re-sheeting Program

Progressing

65%

KPI	Target	Notes
Gravel re-sheeting and drainage improvements to Wattle Mount Road.	100% complete	Wattlemount Road re-sheeting works are continuing with Council finalising the required Review of Environmental Factors and
Grave re-sheeting and drainage improvements to Hartley Vale Road, Lithgow	100% complete	associated ecological and geographical surveys. Construction works scheduled to be completed in 1 <sup>st</sup> quarter 2017/18.
		The budget for Hartley Vale Road, Hartley was reallocated by Council to the resheeting of the last 10 kilometres of Wolgan Road, Wolgan Valley. This project was entirely completed.

# O2 Continue to seek funding to upgrade and maintain state and regional roads within the LGA

Action 2.1 Progressing
Roads to Recovery Program Upgrades:

60%

**Annual Comment** 

KPI	Target	Notes
Rydal Hampton Road	100% complete	Works on Glen Davis Road, Capertee (20/10 two-coat bitumen seal of selected sections between:
Glen Davis Road	100% complete	Castlereagh Highway and Glen Alice Road),
Glen Alice Road	100% complete	Glen Alice Road, Bogee (20/10 two- coat bitumen seal between Glencoe
Main Street, Wallerawang	100% complete	Road and Port Macquarie Road, Bogee).
Cox's River Road	100% complete	Main Street, Wallerawang (AC14 asphalt reseal from the Wallerawang Rail Overbridge to Daintree Lane, Wallerawang).
Wiliwa Street, Portland	100% complete	Williwa Street, Portland (AC14 asphalt reseal of failed shoulders between High Street and Saville
Curly Dick Road	100% complete	Street, Portland). Curly Dick Road, Meadow Flat (continuation of
McKanes Falls Road	100% complete	20/10 two-coat bitumen seal for a 700m length) have been completed in their entirety.
	33p.310	Works on Rydal-Hampton Road, Rydal, Coxs River Road, Little Hartley and McKanes Falls Road, Good Forest to be completed in Q1 2017/18.

# 3.2.13.2 To have improved transport linkages with Sydney

# O1 Support the Bells Line and M2 Extension.

Action 1.1 Completed 100% Attend meetings of the Bells Line Expressway Group.

KPI	Target	Notes
Meetings attended as required.	100% of meetings attended	Nil meetings attended. Meetings that were scheduled were cancelled.

#### 3.2.14 Trade Waste

## 3.2.14.1 To provide a trade waste program

## 01 Undertake activities identified in the Trade Waste Policy.

Action 1.1 Completed 100%

Prepare and undertake an inspection regime of systems.

#### **Annual Comment**

KPI	Achieved	Notes
Number of applications assessed and processed within 7 working days.	19	Liquid Trade Waste program continued in accordance with Council's Liquid Trade Waste Policy to ensure compliance with Best- Practice
Number of properties inspected for non-compliance.	5	Management of Water Supply and Sewerage Guidelines, and the Liquid Trade Waste
Number of inspections per annum.	110	Regulation Guidelines.

#### 3.2.15 Water Infrastructure

3.2.15.1 To provide water infrastructure to allow for the sustainable growth and development of the area.

Provide a secure and reliable water reticulation system to residents of the Lithgow LGA.

Action 1.1 Completed 100%

**Upgrade the Oakey Park Water Treatment Plant.** 

#### **Annual Comment**

KPI	Target	Notes
Upgrade of SCADA system	100% complete	Filter upgrade works installed and commissioned. Scada works being scoped.

Action 1.2 Completed 100%

Undertake water mains renewal/relining in accordance with program.

КРІ	Target	Notes
Water mains renewed predominantly in Portland and Wallerawang.	100% complete	Water mains replaced along Cooerwull Rd to Fullagar Avenue, investigation under way for Bridge street from Read Ave to Mort St upgrade.

Action 1.3	Completed	100%

Undertake safety works to Farmers Creek No. 2 Dam.

#### **Annual Comment**

KPI	Target	Notes
Safety works undertaken.	100% complete	Trunnion upgrade completed.  Access upgrades to top of Dam 2, Peer review of stability and Geotech assessments completed.  Dam Safety Emergency Plan completed

Action 1.4 Progressing 30%

Upgrade telemetry between Water Treatment Plants, reservoirs and Pump Stations.

## **Annual Comment**

KPI	Target	Notes
Telemetry upgraded.	100% complete	Tender Awarded and project inception meeting held with successful tenderer to schedule works onsite.

Action 1.5 Completed 50%

Undertake a Water Loss Management Program and implementation of its actions to achieve a reduction in Unaccounted for Water to less than 25%

### **Annual Comment**

KPI	Target	Notes
Priority actions from the Water Loss Management Program implemented.	25% reduction achieved	Identification of council assets which need to have water meters installed including sporting fields completed with meters to be installed.

Action 1.7 Deferred 0%

Upgrade the water pumping stations.

KPI	Target	Notes
Water pipes renewed.	100% complete	Deferred due to resourcing.

## 3.2.16 Waste Infrastructure

# 3.2.16.1 To provide a waste and recycling collection service that encourages a reduction in land filling.

# O1 Provide garbage disposal facilities within the LGA.

Action 1.1 Completed 100%

Report on volume of landfill recorded at Council facilities.

#### **Annual Comment**

KPI	Target	Achieved	Notes
Capertee	Tonnes per landfill	396	Waste and recycling collection service throughout all landfills
Cullen Bullen	Tonnes per landfill	612	across the LGA continues with the aim to decrease the volume of waste deposited into landfill.
Glen Davis	Tonnes per landfill	180	Work on more accurate volume assessment at these sites
Lithgow	Tonnes per landfill	44,000	without a weighbridge has been undertaken with surveys resulting in a reduction in waste
Portland	Tonnes per landfill	2,100	volume recorded at a number of sites.
Wallerawang	Tonnes per landfill	2,016	

Action 1.2 Completed 100% Upgrade the Lithgow Solid Waste Facility.

KPI Ta	Target	Notes
· · · · · · · · · · · · · · · · · · ·	00% complete	Large scale rehabilitation has been deferred. Rehabilitation will be undertaken progressively following landfilling of each section of the landfill.

Action 1.3	Completed	100%
Provide waste services to rural communities		

#### **Annual Comment**

КРІ	Target	Notes
New trenches installed at rural landfill sites.	100% complete	New trenches constructed as required
Design and construct a Transfer Station at Cullen Bullen.	100% complete	New filling plans for both Cullen Bullen and Wallerawang Landfills have differed the start of
Design a Transfer Station for Wallerawang.	100% complete	these projects.

## 3.2.17 Waste and Recycling

3.2.17.1 To implement the waste management hierarchy of avoidance, reuse, recycle and dispose.

Provide a waste and recycling service to meet the needs of the residents in the LGA.

Action 1.1 Completed 100%

Provide kerbside garbage and recycling collection service to all residents within the collection service area.

#### **Annual Comment**

Council has implemented a number of additional recycling services at the Lithgow waste facility in the last 12 months including E-Waste, Waste Oil Collection and Cardboard Collection.

- E-Waste 11 tonnes
- Waste Oil Collection 3 tonnes
- Cardboard Collection 43 tonnes
- Recycling Steel 550 tonnes

Diverting these products from landfill has ensured over 600 tonnes waste has been recycled. Council will soon be introducing a Drum Muster collection point for the disposal of agricultural chemical drums.

KPI	Target	Notes
Achieve a 5% increase in recycling material collected from 2015/16	> 1400	There has been a 29% increase in recycling recorded in June 2017 when compared to the same time last year.

Action 1.2 Completed 100%

Provide a green waste collection service to residents in Lithgow, Lidsdale, Marrangaroo, Portland, Rydal and Wallerawang.

КРІ	Target	Notes
4 Green waste collections per year.	100% complete	There were over 160 bookings for green waste collection within this reporting period with 10 tonnes of green waste collected and processed at the Lithgow Waste Facility.

Action 1.3	Completed	100%
Provide a clean-up collection service to residents.		

## **Annual Comment**

КРІ	Target	Achieved this quarter	Notes
2 Clean-Up Collection Services per year.	100% complete	100	Over 400 residents booked a bulky waste collection service over this reporting period collection over 45 tonnes of waste.

Action 1.4 Completed 100% Assist in the provision of the chemical collection service.

## **Annual Comment**

KPI	Target	Notes
Provide agreed assistance to NetWaste and/or Sydney Catchment authority with inkind contributions.	100% completed	A household chemical collection service funded by the NSW Environmental Protection Authority and supported by Netwaste was provided on the 30th October 2016. This project was well supported by the Lithgow LGA with over 130 residences attending the one day event. Over 7,700 kg of hazardous household chemicals were collected on the day for safe disposal and/or recycling.

Action 1.5 Completed 100% Attend meetings and participate in Netwaste activities.

KPI Target	Notes
Attend meetings as resources allow.  100% of meeting attended	1 01

Action 1.6 Completed 100%

Undertake an Environmental Education Program targeting school aged children.

## **Annual Comment**

KPI	Target	Notes
Environmental Education Program undertaken.	100% complete	A number of Schools across the LGA participated in a waste and environmental education program facilitated by Council. Through the month of June 2016 over 330 students participated in the program over 5 days. The education program continues to be delivered throughout the LGA promoting the hierarchy of avoidance, reuse, recycle and dispose. Other subjects include Wonderful Wriggly Worms', 'Food Glorious Food, Litter, Litter Everywhere' & 'Better Get It Sorted'. Lithgow Council also completed a Recycling Bin Inspection Program (BIP). The BIP aimed to assess recycling bins in Portland, Lithgow, Wallerawang and Bowenfels as a snapshot of current recycling behaviours.

## 3.2.18 Stormwater Infrastructure

3.2.18.1 To provide stormwater infrastructure to allow for the sustainable growth and development of the area.

## 01 Undertake drainage improvements.

Action 1.1 Completed 100% Drainage improvements undertaken in accordance with priority program.

KPI	Target	Notes
Upgrade the Vale of Clwydd drainage network.	100% complete	Funding was reallocated to the reconstruction of Council stormwater infrastructure within 77 Williwa Street, Portland. This project is complete and has increased the capacity of the infrastructure in this area.



# **Enhancing Our Natural Environment**

To conserve and preserve the natural environment whilst balancing the impact of development to ensure a sustainable and health community.

## 4.1.1 Planning for Our Natural Environment

4.1.1.1 To identify, preserve and improve our natural heritage and biodiversity whilst ensuring the water security and sewerage capacity of the regional for sustainable growth and development.

## O1 Review and monitor current plans and strategies

Action 1.1 Deferred 0%

Review and update the 1998 Lithgow Bike Plan.

**Annual Comment** 

KPI	Target	Notes
Lithgow Bike Plan reviewed and updated.	100% complete	Project deferred for completion in the 2017/18 financial year due to a lack of resources.

## O2 Review and monitor current plans and strategies.

Action 2.1 Completed 100%

Priority actions from the Farmers Creek Precinct master Plan are identified by the Environmental Advisory Committee.

KPI	Target	Notes
Priority actions implemented in accordance with available funding.	100% complete	The Environmental Advisory Committee participated in guiding the development of the Farmers Creek Master Plan for the improved biodiversity and natural heritage of the creek.  The Draft Farmers Creek Precinct Master Plan was adopted for public exhibition in April.

## 4.1.2 Air

## 4.1.2.1 To improve local air quality

Provide the Alternate Fuel Rebate for the replacement of coal heaters with cleaner alternatives to Lithgow, Wallerawang, Portland and villages.

Action 1.1 Completed 100%

Provide the Alternate Fuel Relate for the replacement of seal heaters.

Provide the Alternate Fuel Rebate for the replacement of coal heaters with cleaner heating alternatives to Lithgow, Wallerawang, Portland and Villages.

#### **Annual Comment**

KPI	Target	Achieved	Notes
Number of Alternative fuel Rebates processed.	10	6	Council provides the Alternate Fuel Rebate for the replacement of coal heaters
Number of Alternative fuel Rebates processed.	\$10,455	\$6400	with cleaner heating alternatives to residents in Lithgow, Wallerawang, Portland and Villages.

## 4.1.3 Biodiversity

4.1.3.2 To responsibly manage natural resources through the control of environmental and noxious weeds.

O1 Control environmental and/or noxious weeds on public land through Council and/or service provided by the Upper Macquarie County Council.

Action 1.1 Completed 100% Weed control of natural water courses – Farmers Creek

Weed Control of Hatural water Courses – Farmers Or

KPI	Target	Notes
Weed control undertaken at Farmers Creek.	100% complete	Control of Blackberries and other noxious weeds to keep the creek in a clean and weed free state was completed.

## 4.1.4 Climate Change

4.1.4.1 To significantly reduce carbon emissions within the LGA.

Undertake energy audits of Council buildings and consider recommendations in the Delivery Program.

Action 1.1 Completed 100%

**Staff Sustainability Team to:** 

- Identify energy and water saving initiatives.
- Promote project activities to highlight the 'green credentials' of Council

#### **Annual Comment**

KPI	Target	Notes
Staff Sustainability Team to meet as required.	100% of meetings attended	The staff sustainability committee met throughout the year. Initiatives included:  • Installation of a new air-conditioning system in the Council owned Centrelink building to replace old units that used non-compliant gas. This will reduce greenhouse gas emissions.  The Centrelink air conditioning units were also connected to Council's computer controlled Building Management System (BMS) which will reduce power consumption and subsequently reduce our CO2 footprint.

#### 4.1.5 Environmental Protection and Leadership

4.1.5.1 To provide environmental leadership through responsible natural resource management, legislative compliance and working cooperatively with the community, relevant environmental authorities and alliances.

O1 Comply with the environment protection licences for: Lithgow Sewerage Treatment Plant, Lithgow Water Treatment Plant, Portland Sewerage Treatment Plant and Wallerawang Sewerage Treatment Plant.

Action 1.1 Completed 100%

Compliance with licence conditions.

#### **Annual Comment**

100% compliance, all samples taken and results published. All incidents reported to EPA within required timeframes.

# O2 Comply with the environment protection licences for Lithgow Solid Waste Facility and Portland Garbage Depot

Action 1.1 Completed 100% Compliance with licence conditions.

#### **Annual Comment**

Details of non-compliances are made available to the public on Council's website.

KPI	Target	Notes
Number of incidences of non-compliance identified in relation to Sewerage Treatment Plant Facilities.	100% compliance	<ul> <li>21 non-compliances were recorded as follows:         <ul> <li>Due to the upgrade of the Portland STP non-compliance for Faecal Coliforms was recorded monthly.</li> <li>Wallerawang STP                 <ul> <li>2 Ammonia</li> <li>1 Faecal Coliforms</li> </ul> </li> <li>Lithgow STP                 <ul> <li>3 Faecal Coliforms</li> <li>2 Ammonia</li> <li>1 TSS</li> </ul> </li> </ul> </li> </ul>
Number of incidences of non-compliance identified in relation to Waste Management Facilities.	100% compliance	There has been one instance of non-compliance with the EPA license at the Lithgow Solid Waste Facility this year on the 22 July 2016. During a heavy rain event the sediment basin overflowed to the environment before treatment. This resulted in a high TSS reading of 118 mg/L on one occasion this reporting period.

# To fulfil Council's appropriate regulatory authority responsibilities under the Protection of the Environment Operations Act.

Action 3.1 Completed 100%

Respond to pollution incidents within 24 hours where Council is the appropriate Regulatory Authority.

KPI	Target	Notes
Number of pollution incidents responded to within 24 hours.	Responded to within 24 hours.	Pollution incidents were responded to within the 24 hour timeframe.

Action 3.2 Completed 100%

To ensure compliance with Council's Environmental Management System for:

- Sewage Management
- Water Treatment and Distribution.

#### **Annual Comment**

EPL licence requirements adhered to with all samples taken and results published as required. All incidents reported to EPA within timeframes

KPI	Target	Notes
Number of pollution incidents responded to within 24 hours.	Responded to within 24 hours.	<ul> <li>2 Pollution incidents were responded to within the</li> <li>24 hour timeframe as follows:</li> <li>Oakey Park Water Treatment Plan –</li> <li>Backwash Overflow.</li> </ul>
		<ul> <li>Overflow at Lithgow Hospital Sewer Pumping Station.</li> </ul>

## 04 Work together to share information.

Action 4.1 Completed 100%

Participate in the activities of the Centroc Water Utilities Alliance.

#### **Annual Comment**

KPI	Target	Notes
Carry out activities in association with the Centroc Water Utilities Alliance.	2 per annum	Attended all alliance meetings and participated in many Centroc region procurements.

# Provide a forum for environmental groups to discuss matters relating to the environment and advise Council.

Action 5.1 Completed 100%

Conduct the Environmental Advisory Committee meetings in accordance with the terms of reference.

KPI	Target	Notes
Meetings of the Environmental Advisory Committee to be held quarterly.	4 meetings per annum	1 meeting was held prior to the Council elections in September 2016.
		Due to the change of Council all advisory committees where dissolved over this reporting period. Following the formation of the new Council the EAC has had one meeting.

# 06 Improve the community's knowledge of environmental issues.

Action 6.1 Completed 100% Conduct waste education in accordance with annual program.

#### **Annual Comment**

KPI	Target	Notes
Carry out educational activities in association with the Waste Contractor.	2 per annum	A number of schools across the LGA participated in a waste and environmental education program facilitated by Council.
		Through the month of June 2016 335 students attended sessions over 5 days at various schools in the LGA.
		Education programs were delivered throughout the LGA promoting the hierarchy of avoidance, reuse, recycle and dispose. Other subjects include Wonderful Wriggly Worms', 'Food Glorious Food, Litter, Litter Everywhere' & 'Better Get It Sorted'. Lithgow City Council also completed a Recycling Bin Inspection Program (BIP). The BIP aimed to assess recycling bins in Portland, Lithgow, Wallerawang and Bowenfels as a snapshot of current recycling behaviours with a media release detailing the outcomes.

## 4.1.6 Water

## 4.1.6.1 To protect our waterways and provide safe drinking water

## Protect the catchment around Farmers Creek Dam.

Action 1.1 Completed 100%

Provide drinking water to residents within the Farmers creek reticulated supply system.

KPI	Target	Notes
Comply with the Australian Drinking Water Guidelines.	100% compliance	The Australian Drinking Water Guidelines were complied with during the reporting period

# Conduct routine monitoring of Council's reticulated drinking water supplies.

Action 2.1 Undertake water sampling

**Annual Comment** 

Completed 100%

Completed

100%

KPI	Target	Achieved	Notes
Disinfection By-Product samples	100% complete	24	Council has continued to supply drinking water to residents within the Farmers Creek and
Chemical samples	100% complete	24	State Water Reticulated Supply System in accordance with the
Microbiological Bacterial samples	100% complete	245	Australian Drinking Water Guidelines.
Fluoride samples	100% complete	12	

Undertake routine monitoring of Farmers Creek, Lake Lyell, Pipers Flat Creek and Lake Wallace for blue green algae.

Action 3.1
Samples taken in partnership with Energy Australia

**Annual Comment** 

KPI	Target	Notes
Samples taken upon trigger of Red Alert.	100% complete	3 samples were undertaken by Council in partnership with Energy Australia conduct sampling of recreational waters to monitor the presence and concentration Blue Green Algae.

Purchase water from State Water to supply Cullen Bullen, Glen Davis, Lidsdale, Portland, Wallerawang and Marrangaroo.

Action 4.1 Completed 100%

Maintenance of supply to residents and payments made.

KPI	Target	Notes
Water purchased from Fish River Water Supply	100% complete	770,087kL of water purchased from Fish River Water Supply.



# Responsible Governance and Civic Leadership

A Council that focuses on strong civic leadership, organisational development and effective governance with an engaged community actively participating in decision making processes affecting their future.

## 5.1.1 Planning for Our Council

- 5.1.1.1 To ensure integrated corporate plans set the long term direction for the LGA and Council
- O1 Prepare the Delivery Program 2017-2021 and Operations Plan 2017-2018 in accordance with the requirements of the Local Government Act and Regulations.

Action 2.1 Completed 100%

Delivery Program 2017-2021 and Operations Plan 2017-2018 adopted by 30 June.

#### **Annual Comment**

The Combined Delivery Program 2017-2021 and Operations Plan 2017/18 was adopted on 26 June as part of the Integrated Planning and Reporting Framework. The documents were placed on the website and the Office of Local Government was advised in accordance with the Local Government Act and Regulations.

O2 Review the 10 Year Long-Term Financial Plan and include strategies to improve Council's current financial ratios. Implement the 10 Year Asset Management Strategy.

Action 3.1 Progressing 95%

Prepare, review and implement Asset Management Plans and Policies in accordance with the Asset Management Strategy for Water and Sewer.

#### **Annual Comment**

The Strategic Asset Management Plan was completed and adopted as part of the Integrated Planning & Reporting Framework on 26 June 2017.

The Final Draft of the Asset Management Strategy for Water and Sewer was being reviewed by Council Officers prior to being reported to Council for adoption in 2017/18.

## 03 Develop and monitor Risk Management Plans.

Action 3.1 Completed 100%

Risk Management Plans developed to comply with legislative requirements.

#### **Annual Comment**

During 2016/17 the Corporate Risk Management Module was developed in PULSE. The first Corporate Risk Committee Meeting was scheduled for 20/07/2017 to enable all Directors to identify:

- Risk actions
- Responsible Council officer
- · Timeframes.

# Report the outcome of a quarterly performance review of the Delivery Program, Operational Plan and provide a budget review statement.

Action 4.1 Completed 100%

Corporate performance and Financial Reports to Council prior to 30 November, 29 February and 31 May.

#### **Annual Comment**

KPI	Target	Notes
July to September Quarterly Report	30 November	Completed and Reported to Council 21 November 2016
October to December Quarterly Report	29 February	Completed and reported to Council 27 February 2017
January to March Quarterly Report	31 May	Completed and reported to Council 29 May 2017.

## OF Prepare the annual report for 2014-2015.

Action 5.1 Completed 100%

Annual Report adopted by Council.

#### **Annual Comment**

KPI	Target	Notes
Report submitted to the Department of Local Government by 30 November.	100% complete	Reported to Council, placed on Council's website and provided to the Office of Local Government as per legislative requirements.

## 5.1.2 Civic Leadership

## 5.1.2.1 To provide responsible leadership for the community

## O1 Conduct the business of Council in an open and democratic manner.

#### Action 1.1 Completed 100%

Business papers, minutes for Council Meetings, Committee Meetings and Extraordinary Meetings produced and delivered in accordance with the Local Government Act and Regulations and the Code of Meeting Practice.

KPI	Target	Notes
Business papers, minutes for Council Meetings, Committee Meetings and Extraordinary Meetings produced.	100% complete	All Business Papers and Minutes were processed in accordance with the Local Government Act and Regulation and the Code of Meeting Practices.

Council Meetings are conducted regularly in accordance with the meeting scheduled.

## **Annual Comment**

KPI	1 <sup>st</sup> quarter	2 <sup>nd</sup> quarter	3 <sup>rd</sup> quarter	4 <sup>th</sup> quarter
Number of Ordinary Meetings of council held.	3	4	3	4
Number of Extra-Ordinary Meetings of council held.	2	3	1	3
Number of Councillor Information Sessions held	1	3	5	4

# 02 Support Councillors in their role.

## Action 2.1 Completed 100%

Provide information to Councillors regularly in the form of briefing sessions, memos, email and meetings.

#### **Annual Comment**

KPI	Target	Notes
Information provided to Council on a regular basis.	100% complete	Information was provided to Councillors in the form of briefing sessions, memos, circulars, emails and meetings. Councillors were provided with circulars prior to each of the Council Meetings.

## Action 2.2 Completed 100%

Provide Councillors with the payment of fees, expenses and the provision of facilities and support in relation to discharging the functions of civic office.

KPI	Target	Notes
Payments made monthly.	12 payments per annum	Provided in accordance with Council's policy. The Policy was adopted by Council in the 2nd Quarter following a public exhibition period.

Action 2.3 Progressing 100%

Identify Councillor's training requirement in the Training Plan and complete training.

#### **Annual Comment**

Councillors were provided with Information regarding upcoming training on offer by the Office of Local Government and attended Hit the Ground Running workshops and Finance for Local Government Councillors. 'Dignity & Respect in the Workplace' training was undertaken by both staff and Councillors.

Work together to interweave and optimise the sharing and coordination of resources and information.

Action 3.1 Completed 100% Contribute to CENTROC and participate in its activities.

**Annual Comment** 

KPI	Target	Achieved	Notes
CENTROC Board Meetings attended quarterly.	Number of Meetings attended.	2	2 Centroc Board Meetings were not attended due to a conflict of meetings.
GMAC Meetings attended quarterly.	4 meetings per annum	3	One GMAC meeting was missed due to a conflict of meetings.

Action 3.2 Completed 100%

Participate in the activities of the Local Government NSW.

KPI	Target	Notes
Subscription paid.	100% complete	The General Manager and Councillors attended the Local Government Conference
Participation and attendance at annual conference.	1 conference attended	

#### 5.1.3 Communication

# 5.1.3.1 To ensure effective communication between Lithgow City Council and the community.

Disseminate concise and effective information to the community about Council's programs, policies and activities.

Action 1.1 Completed 100%

Produce and deliver community news and information to residents.

#### **Annual Comment**

During 2016/17 the following activities were undertaken:

- Council produced a Winter Edition of Council Connections which was delivered to the community via the first instalment Rate Notices.
- Following completion of the Community Satisfaction Survey a weekly eNewsletter was developed for residents and ratepayers. A second eNewsletter was developed for local education and childcare providers which is distributed monthly during school term.
- In 2016/17 a Year in Review was not produced as Council was required to produce the End of Term Report 2012-2016 which showcased the activities undertaken during the Council Term of Office. This is available for viewing on Council's website under publications and Strategic Plans and Reports.
- Council columns were produced weekly in the Lithgow Mercury and Media Releases were distributed to local and regional media.

Action 1.2 Completed 100%

Produce and deliver community news and information tor residents.

## **Annual Comment**

Council's Websites were maintained and regularly updated throughout 2016/17.

#### 02 Celebrate Local Government Week

Action 2.1 Completed 100%

Undertake activities focusing on Council in the community.

#### **Annual Comment**

Council didn't participate in Local Government Week activities in 2016/17.

## **5.1.4** Corporate Management

# 5.1.4.1 To ensure the Operations of the Council are managed to achieve identified outcomes.

Implement the Long-Term Financial Plan to provide sound financial advice and management of Council's finances.

Action 1.1 Completed 100% Manage and monitor Council's Finances.

**Annual Comment** 

KPI	Target	Notes
Financial Statements audited	31 October	Financial Statements audited, reported to
Financial Statements lodged with Division of Local Government	7 November	Council and lodged with the Office of Local Government 11 November 2016.

# Provide insurance coverage of Council's activities and assets.

Action 2.1 Completed 100%

Secure adequate and cost effective insurance coverage which is current at all times.

KPI	Target	Notes
Insurance policy in place.	100% complete	Renewal reports were lodged with insurer in June and paid in July.

Action 2.2	Completed	100%

Liaise with the insurance company and process claims within 14 days of receipt.

## **Annual Comment**

KPI	Target	Notes
Claims processed within 14 days.	100% processed	Potential claims notified to Council's Insurer's within 14 days. Incidents investigated and results reported promptly.

## 03 Implement internal auditing programs.

Action 3.1 Deferred 0%

Undertake activities identified in the Internal Audit Plan and ensure completed by due date.

#### **Annual Comment**

KPI	Target	Notes
Internal Audit Plan milestones achieved for the financial year.	100% complete	Due to resourcing constraints the Internal plan was not implemented.

## 04 Manage Council's statutory responsibilities.

Action 4.2 Completed 100%

Perform Council's legal responsibilities under applicable Acts and Regulations and ensure compliance.

## **Annual Comment**

KPI	Target	Notes
Review of recent legislative decisions.	100% complete	All Finance Staff undertake regular tax training online to keep abreast of changes.

## 05 Manage Council's risk.

Action 5.1 Completed 100%

Develop and implement risk management strategies in areas of corporate management to improve the annual score by 3% over 2014-2015.

KPI	Target	Notes
Risk management strategies developed and implemented.	3% increase in annual score	Risk Management Action Plan 2017 was not adopted by the Executive Management Team in 2016/17.
		The Corporate Risk Management Framework and Register was developed in PULSE.

## Maintain an adequate level of stock for internal supply to operational programs.

Action 6.1 Progressing 75%

Implement a barcoding system at the Depots for tracking and maintaining stock.

#### **Annual Comment**

KPI	Target	Notes
System implemented.	100% complete	Investigation of stores systems commenced. This project will be completed in 2017/18.

## 07 Provide quotations and/or undertake private works on request.

Action 7.1 Completed 100%

A profit is made, in accordance with Council's Work at Owners Cost Policy, on private works and the customer is satisfied with the work.

**Annual Comment** 

KPI	Target	Notes
Annual review complete.	100% complete	Profit is monitored through the quarterly financial statements

## 08 Ensure the integrity and security of Council's records.

Action 8.1 Progressing 75%

Register, collate, archive and dispose of Council's records in accordance with legislation, policies and procedures.

#### **Annual Comment**

KPI	Target	Notes
All requests responded to within customer time frames.	100% complete	Due to staff resourcing issues, Council has not archived or disposed of records in accordance with the legislation.

# 09 Ensure information which Council collects is used lawfully and for the purpose it was collected.

Action 9.1 Completed 100%

Provide regular training to staff at induction sessions.

KPI	Target	Notes
Training delivered	100% complete	Training on Council's financial systems is provided as required to new starters.

Action 9.2	Completed	100%

Assess, determine and respond to complaints in accordance with legislation, policies and procedures.

## **Annual Comment**

KPI	1 <sup>st</sup> quarter	2 <sup>nd</sup> quarter	3 <sup>rd</sup> quarter	4 <sup>th</sup> quarter
Number of formal GIPA requests responded to within legislative deadlines.	3	1	4	5

# 10 Manage Council's Public Land Portfolio

Action 10.1 Progressing 100%

Ensure legal compliance and transparency of the administration of Council's Public Land Portfolio.

КРІ	Target	Notes
Land Register is updated and maintained quarterly.	100% complete	Maintenance work on the Land Register and communication of the Land Register to all relevant parties was undertaken as required.

## 5.1.5 Customer Service

## 5.1.5.1 To ensure efficient customer service standards

## Operate the one stop customer service counter.

# Action 1.1

- Internal and external customer feedback.
- Completion of all certificates in 14 days.
- Register all applications in 2 days.
- Monthly reporting completed within 7 days.

## **Annual Comment**

KPI	Target	Achieved	Notes
Number of Section 68 Solid Fuel Heater applications registered within 2 days	100% processed	65	All applications/requests are processed within the relevant
Number of On-site Sewer Management Applications registered within 2 days.	100% processed	59	time frames.
Number of Water Applications registered within 2 days.	100% processed	68	
Number of Complying Development applications registered within 2 days.	100% processed	10	
Number of Section 96 Modifications of Consent applications registered within 2 days.	100% processed	102	
Number of Community Hall Bookings processed within 14 days.	100% processed	161	
Number of Quotes for applications issued on request.	100% processed	440	
Number of Certificate Linen Releases requests registered within 2 days.	100% processed	27	
Number of Action Requests registered daily.	100% processed	4,704	
Number of certificates processed within 14 days.	100% processed	2,494	
Number of Development Applications registered within 2 Days.	100% processed	346	
Number of Construction Certificates registered within 2 days.	100% processed	281	
Number of Sewer Applications registered within 2 days.	100% processed	199	

Completed

100%

## O2 Provide responses to correspondence.

Action 2.1 Completed 100%

Correspondence responded to in accordance with Policy 4.6 - Customer Services.

#### **Annual Comment**

KPI	Target	Notes
A response provided within 14 days for written correspondence.	100% of enquiries responded to in 14 days	Correspondence was responded to in accordance with the service level agreement

## Review and monitor the level of service provided to internal and external customers.

Action 3.1 Completed 100%

Undertake a survey of community satisfaction with Council services, facilities and programs throughout the Local Government Area.

#### **Annual Comment**

KPI	Target	Notes
Results reported to Council and used to inform the review of the Integrated Planning and Reporting Framework.	100% complete	Telephone and online survey was undertaken in December and a report was provided to Council in January.

## 5.1.6 Employer of Choice

# 5.1.6.1 To build and develop a high quality staff base so that Council is an employer of choice in Lithgow

## 01 Implement procedures and practices which foster a desirable place to work.

Action 1.1 Progressing 90%

Enhance employee engagement.

#### **Annual Comment**

The Employee Opinion survey was conducted. Analysis was undertaken and areas for improvement were identified in consultation with employees and employee representatives as follows in the areas of

- · Leadership;
- · resources; and
- Reward & recognition.

Areas of strength include teamwork, role clarity, and commitment to safety.

Progress was made towards the development of a Rewards and Recognition Program however resources for such a program are limited.

Action 1.2								Progressing	80%
	_	_		_					

## Conduct annual performance appraisals of staff by 31 October.

#### **Annual Comment**

KPI	Target	Notes
Performance Appraisals completed by 31 October.	100% complete	102 Appraisals were completed.  A number of appraisals were not completed and this will be addressed as part of the next round of appraisals.

Action 1.3 Completed 100%

Recognise longer serving employees through the recognition of service procedure.

## **Annual Comment**

KPI	Target	Notes
Annual Presentation Day held in December.	100% complete	Long serving employees were recognised at the annual service recognition event held in December.

Provide a workplace that promotes the principles of equal employment and is free of discrimination.

Action 2.1 Completed 100%

Implement the Equal Employment Opportunity Management Plan through communication of policies and programs.

KPI	Target	Notes
<ul> <li>Collection and recording of appropriate information.</li> <li>Review of personnel practices.</li> <li>Evaluate and review.</li> </ul>	100% complete	A new Dignity and Respect guideline and procedure was introduced in the workplace. This was supported by further 'Dignity and Respect at Work' workshops for all staff and elected councillors.  A Health and Wellbeing Working Party was implemented to develop a Standard Working Procedure and programs for promoting Health and Wellbeing within the workplace.

Action 2.2	Completed	100%

Attract and recruit staff on merit in accordance with relevant legislation, procedures and principles of equal employment and opportunity.

## **Annual Comment**

KPI	Target	Notes
Implement improvements to recruitment practices that enhance equal employment opportunity.	1 significant improvement per annum.	Improvements were introduced to the on-line recruitment system and candidate checking and validation process.

## Action 2.3 Completed 100%

Ensure that all harassment and discrimination complaints are resolved in corrective actions.

## **Annual Comment**

KPI	Target	Notes
All corrective actions are closed out within 3 months of complaint.	100% complete	All harassment and unlawful discrimination complaints investigated and corrective actions implemented. Where applicable a number of these complaints were investigated by external investigators

# O3 Provide a safe and healthy workplace.

Action 3.1 Completed 100%

Implement, monitor and review the Work Health and Safety Rehabilitation and Environment Management System.

KPI	Target	Notes
Audit undertaken annually by State Cover.	1 Audit	Completed in August 2016.
Implement WHS Action Plan 2015-2017 as per priority program.	50%	The following draft Standard Working Procedures were developed as part of the WHS Action Plan:
		<ul> <li>WHS Training SWP</li> </ul>
		<ul> <li>WHS Records Management SWP</li> </ul>
		<ul> <li>WHS Workplace Inspection and Audit SWP</li> </ul>
		<ul> <li>WHS Health Monitoring SWP</li> </ul>
		<ul> <li>WHS Risk Management SWP</li> </ul>
		<ul> <li>WHS Emergency Preparedness SWP</li> </ul>
		<ul> <li>WHS Document and Data Control SWP.</li> </ul>

Action 3.2 Completed 100%

Provide relevant immunisations to appropriate staff against:

- Hepatitis A and B
- The Flu

#### **Annual Comment**

КРІ	Target	Notes
Immunisations provided annually.	100% complete	All relevant immunisations provided where required. Influenza immunisations provided to all staff when requested.

Action 3.3 Completed
Conduct the Work Health Safety Committee meetings.

#### 9

#### **Annual Comment**

KPI	Target	Notes
8 meetings of the Work Heath Safety Committee conducted each year.	100% complete	6 meetings of the Work Health and Safety Committee were conducted during 2017/18.

Action 3.4 Not Due To Start 0%

Undertake noise monitoring and hearing tests for employees.

## **Annual Comment**

No testing was undertaken due to legislative compliance being reviewed.

Action 3.5 Progressing 60%

Promote WHS within the workplace through Committee initiatives and staff newsletter.

### **Annual Comment**

KPI	Target	Notes
1 promotional activity per year.	100% complete	<ul> <li>The following activities were undertaken:</li> <li>2 additional frost resistant Safety Showers.</li> <li>K9 Cube for rangers installed.</li> </ul>
Safety Day conducted in October every two years.	100% complete	Deferred until 2017-2018 financial year.
WHS activities promoted in the Staff Newsletter.	100% complete	No staff newsletters were produced. However, information was promoted through minutes of meetings.

100%

# 04 Enhance the skills and knowledge of the workforce.

Action 4.1 Implement the training plan.

**Annual Comment** 

КРІ	Target	Notes
All identified training completed by 30 June.	100% complete	All mandatory work health and safety training identified and scheduled. Corporate/strategic based training completed. All trainees training implemented. Some employee development

Action 4.2 Progressing 90%

Prepare the draft Training Plan for 2016-2017 from training objectives identified in the annual performance appraisals of staff by 30 November.

#### **Annual Comment**

KPI	Target	Notes
Draft Training Plan completed by 30 November each year.	100% complete	Draft training plan not completed by 30 November for Employee Development training items.

## 5.1.7 Information Systems Management

5.1.7.1 To ensure effective management of information systems that complies with legislative requirements.

## 01 Ensure high service levels of Council's information and communications network.

Action 1.1 Completed 100%

Manage and maintain the communications networks ensuring they are operational and accessible greater than 98% of the year.

#### **Annual Comment**

КРІ	Target	Notes
All software revisions implemented as recommended.	100% complete	Software systems were updated and maintained.
Network equipment is maintained and functional.	98%	Networks were managed and maintained with no major outages to report.

90%

Progressing

training not implemented due to resourcing.

Action 1.2	
Replace PC/Servers as required.	

100%

Completed

## **Annual Comment**

KPI	Target	Notes
PC's and Servers replaced in accordance with priority program.	100% complete	Increased storage added to network and PCs replaced as required.

Action 1.3 Completed 100% Upgrade telecommunications equipment to a Unified

Telecommunications System.

## **Annual Comment**

KPI	Target	Notes
Replace PABX system at Council and Library.	100% complete	New VOIP phone system implemented
Replace Customnet services at Main Depot and Lithgow VIC.	100% complete	
Upgrade network cabling and switches downstairs in preparation of VIOP telephone network.	100% complete	

# Action 1.4 Upgrade Council's fleet of Multi-Function Printers

Completed 100%

KPI	Target	Notes
Service Agreements Reviewed	100% complete	New MFP copiers were deployed at Council, Visitor Centre and Libraries
Printing audit software incorporated.	100% complete	
Printers replaced.	100% complete	

## 02 Comply with current Information Technology licensing requirements.

Action 2.1 Completed 100%

**Ensure all software licensing is current:** 

- Property System
- Finance/Payroll System
- Dataworks/ECM
- Microsoft
- Map Info/Exponaire
- Spydus Library System
- ID Profile/Atlas
- Confirm Asset Management System

#### **Annual Comment**

KPI	Target	Notes
Licences paid.	100% complete	All software licencing is current.

## D3 Ensure the integrity and security of Council records.

Action 3.1 Completed 100%

**Upgrade the Electronic Document Management System (Dataworks).** 

#### **Annual Comment**

КРІ	Target	Notes
System upgraded and fully operational.	100% complete	A major upgrade of Council's document management system was implemented.

## 5.1.8 Local Environmental Planning and Development

5.1.8.1 To ensure the long-term sustainability of infrastructure and land that underpins and supports LGA growth

## 01 Seek developer contributions

Action 1.1 Completed 100%

Planning agreements are negotiated and administered according to the adopted Policy.

КРІ	Target	Notes
Development Contributions are collected and administered in accordance with the adopted Contributions Plan and Planning Agreements.	100% complete	Completed

# 5.1.9 Plant and Equipment

# 5.1.9.1 To provide plant and equipment to undertaken works.

# 01 Maintain Council's fleet of plant and equipment.

Action 1.1 Completed 100%

Maintained in accordance with manufacturer's specifications to the satisfaction of internal and external customers.

KPI	Target	Notes
Fleet maintained to ensure maximum availability of plant and equipment.	100% complete	Council's fleet was maintained to ensure maximum availability during 2016/17.



# **MINUTES**

Youth Council
Wednesday 20 September 2017
Lithgow City Council
Committee Room
4.30 – 5.30 pm

Youth Council		
Item Number	Agenda	
1	Welcome, Present & apologies	
2	Confirmation of Minutes	
3	Business Arising	
4	Work Program	
5	Youth Scholarships	
6	New members	
7	Skate Parks Update	
8	General Business	
9	Next Meeting	

#### ITEM: 1 WELCOME, PRESENT AND APOLOGIES

**Present**: Clr Cassandra Coleman (Chairperson), Clr Stephen Lesslie, Lauren Corney (Deputy Chairperson), Oliva Corney (Member), Jessica Alexander (Member), Katie Coleman (Guest).

Apologies: Chloe Hosa (Member), Meg Benson (Organisational Rep).

**Officers:** Viktoria Gulabovski (Executive Officer and representing the General Manager).

**Declaration of Interests:** None

#### ITEM: 2 CONFIRMATION OF THE PREVIOUS MINUTES

#### **SUMMARY**

Confirmation of the minutes for the meeting held on 19 July 2017.

#### **COMMENTARY**

The minutes for the 19 July 2017 Youth Council meeting were ratified by members and endorsed at the 27 August 2017 Council meeting.

#### **ACTION**

**THAT** the reporting of the 19 July 2017 Youth Council minutes to Council be noted.

MOVED: Olivia Corney SECONDED: Lauren Corney

Carried

ITEM: 3 BUSINESS ARISING

#### **SUMMARY**

An update on the Batyr Youth Mental Health Group was provided.

#### **COMMENTARY**

Batyr Youth Mental Health Group works with young people in schools to break down the stigma that surrounds mental health. Batyr aims to engage, educate and empower young people by fostering an environment where talking about mental health issues and getting help is not only accepted, but is encouraged and supported. The Youth Council agreed to support Batyr to work with local high school students. A letter of endorsement will be drafted and sent to the local high schools promoting and supporting the program.

#### **ACTION**

Draft and send letter of endorsement to local high schools supporting and promoting Batyr Youth Mental Health Group.

**THAT** The discussion on Batyr Youth Mental Group be noted.

MOVED: Olivia Corney SECONDED: Clr Coleman

Carried

#### ITEM: 4 DRAFT WORK PROGRAM

#### **SUMMARY**

A draft work program for the Youth Council has been developed.

#### **COMMENTARY**

The Draft Work Program 2017/18 for the Youth Council has been developed. It includes the following tasks:

- Youth Week 2018
- Further Education Scholarship Program/ Youth Scholarships
- Youth Grants for additional activities for young people
- Volunteering for Young People
- Youth Council Facebook Page
- Youth Programs and activities at the library

#### **ACTION**

Members to review the Draft Work Program and provide feedback at the next meeting.

**THAT** The discussion on the Draft Work Program be noted.

MOVED: Lauren Corney SECONDED: Clr Lesslie

Carried

#### ITEM: 5 YOUTH SCHOLARSHIP PROGRAM

#### **SUMMARY**

Youth Council discussed the administration of the Further Education Scholarship Program.

#### **COMMENTARY**

Youth Council has a budget of \$8,500 for a Youth Scholarship Program. It was agreed at the last meeting that applicants would receive a maximum of \$500 each to support them with costs related to further study, for example, financial support for internet usage, books, travel and other materials. There was discussion around the administrative infrastructure for the scholarship program. Council staff will meet with WSU, Notre Dame and Lithgow Tafe to discuss possible approaches to administer the program. Another alternative is to develop an application form and promote it on the Council website. Youth

Council will assess applications and successful applicants will be advised in writing.

#### **ACTION**

Council staff to meet with WSU, Notre Dame and Lithgow Tafe to set up administrative infrastructure for the Youth Scholarship Program.

**THAT** the discussion on the Youth Scholarship Program be noted.

**MOVED:** Lauren Corney **SECONDED:** Olivia Corney

Carried

#### ITEM: 6 NEW MEMBERS

#### **SUMMARY**

A discussion regarding membership of the Youth Council.

#### **COMMENTARY**

Chloe Hosa's membership with Youth Council has now been endorsed by Council. Katie Coleman attended the Youth Council meeting as a guest and expressed her interest in being a member of Youth Council.

#### **ACTION**

Make a recommendation to Council to officially endorse Katie Coleman's membership with Youth Council.

**THAT** The discussion around new members be noted.

MOVED: Cir Lesslie SECONDED: Lauren Corney

Carried

#### ITEM: 7 SKATE PARKS

#### SUMMARY

An update was provided on the skate park/s development at Wallerawang and Portland.

#### **COMMENTARY**

The Skate Park Survey is now closed. Over 100 surveys were received. Council staff will now host a community forum on 4 October 2017 in Wallerawang and Portland to go over the survey results with the community and listen to further ideas concerning the development of the skate parks.

**THAT** the discussion under Skate Parks be noted.

MOVED: Clr Coleman SECONDED: Olivia Corney

Carried

#### ITEM: 8 GENERAL BUSINESS

#### **SUMMARY**

Youth Council discussed possible activities that could be undertaken as part of Youth Week 2018.

#### **COMMENTARY**

Youth Council would like to host a "Big Sleepout" event as part of Youth Week 2018. The event will include an outdoor cinema experience featuring a family friendly new release film, DJ music, food and drink. The event is designed to focus on raising vital funds and awareness for young people experiencing homelessness. It will also provide a unique recreational opportunity for young people in Lithgow.

**THAT** the discussion under general business be noted.

MOVED: Clr Coleman SECONDED: Olivia Corney

Carried

Meeting Closed 5.20pm

NEXT MEETING
18 October 2017
Upstairs Council Committee Room, 180 Mort St, Lithgow.



# **Minutes**

Community Development
Committee
Tuesday 10 October 2017
Lithgow City Council
Committee Room
4.00 – 5.00 pm

Community Development Committee		
Item Number	Agenda	
1	Procedural Motion	
2	Welcome, Present & apologies	
3	Previous Minutes	
4	Business Arising from Previous Minutes	
5	Lithgow Ability Awards	
6	Update on Current projects	
7	General Business	

#### ITEM: 1 PROCEDURAL MOTION

The Mayor moved a procedural motion, that due to his time constraints, Councillor Coleman be appointed Chair of the Committee.

#### **ACTION**

#### **THAT**

Councillor Coleman be appointed Chair of the Committee.

MOVED: Mayor Lesslie SECONDED: Glenda Anthes

Carried

#### ITEM: 2 WELCOME, PRESENT AND APOLOGIES

Present: Mayor, Councillor Lesslie; Councillor Coleman; Glenda Anthes;

Bryan Williamson; Annette Staines; Rachael Young.

**Apologies**: Councillor Statham, Paul Phillips and Leanne Walding

Officers: Matthew Johnson and Kristy Lenon

Declaration of Interests: NIL

Annette Staines was welcomed as a new member of the Committee.

#### **ACTION**

#### **THAT**

The welcome and apologies and declarations of Interest be noted.

**MOVED:** Bryan Williamson **SECONDED:** Mayor Lesslie

Carried

#### **ITEM 3 PREVIOUS MINUTES**

The minutes of the previous meeting were endorsed by three members present and reported to Council on 25 September 2017.

#### **ACTION**

#### **THAT**

The endorsement of the previous minutes by three members present and their reporting to Council on 25 September 2017 be noted.

**MOVED:** Bryan Williamson **SECONDED:** Mayor Lesslie

Carried

#### ITEM: 4 BUSINESS ARISING FROM PREVIOUS MINUTES

**NIL** 

#### ITEM: 5 LITHGOW ABILITY AWARDS

#### SUMMARY

An update was provided on the Lithgow Ability Awards nomination process.

#### COMMENTARY

The Committee discussed progress with the awards, including nominations received and ceremony plans. Councillor Coleman and Glenda Anthes were appointed judges. The CDO to distribute nominees and judging criteria to judges for their consideration.

#### **ACTION**

**THAT** The discussion on the Lithgow Ability Awards nomination process be noted.

MOVED: Annette Staines SECONDED: Rachael Young

Carried

#### ITEM: 6 UPDATE ON CURRENT PROJECTS

#### **SUMMARY**

An update was provided on projects currently underway in Community and Culture including Blast Furnace Masterplan works, Financial Assistance and the Adventure Playground.

#### COMMENTARY

#### **Blast Furnace**

Construction works have commenced at Blast Furnace including commenced installation of steel walkways. Works scheduled to be completed by end November 2017. An official opening will then be held sometime in new year. A light show event is scheduled to occur at Blast Furnace as part of the LithGlo 2018 Heritage Festival.

#### **Financial Assistance**

Applications are currently open during October for Round 2 Financial Assistance. These will be reported to the Committee for its consideration at the December meeting.

#### **Adventure Playground**

Detailed design work and tender specifications are underway and Council has submitted a Stronger Country Communities grant application for its construction.

#### **ACTION**

**THAT** the discussion on current projects be noted.

MOVED: Bryan Williamson SECONDED: Glenda Anthes

Carried

ITEM: 7 GENERAL BUSINESS

#### 1. Australia Day Awards

The Committee asked that last year's Australia Day Citizenship Award categories be circulated for consideration. Committee members to advise by return email if happy or not with these, so nominations for 2018 can be sought through media releases etc.

#### 2. Pigeon Droppings

Concern was raised about pigeon droppings in Whispering Lane and around town generally.

#### MOVED THAT

- 1. The discussion on the Australia Day Awards be noted.
- 2. A report be sent to Council's Operations Committee asking that it consider how to address pigeon droppings in town.

MOVED: Annette Staines SECONDED: Rachael Young

Carried

**Meeting Closed 4.25pm** 

**NEXT MEETING Tuesday 12 December 4:00-5:00pm** 



# **MINUTES**

Youth Council
Wednesday 18 October 2017
Lithgow City Council
Committee Room
4.30 – 5.30 pm

Youth Council		
I tem Number	Agenda	
1	Welcome, Present & apologies	
2	Confirmation of Minutes	
3	Business Arising	
4	Work Program	
5	Youth Scholarships	
6	Youth Mental Health	
7	Youth Week 2018	
8	General Business	
9	Next Meeting	

#### Minutes Youth Council 18 October 2017

#### ITEM: 1 WELCOME, PRESENT AND APOLOGIES

**Present**: Clr Cassandra Coleman (Chairperson), Jessica Alexander (Youth Member), Katie Coleman (Youth Member), Chloe Hosa, (Youth Member), Leanne Walding (Organisational Rep).

**Apologies**: Clr Stephen Lesslie, Lauren Corney, Olivia Corney, Meg Benson (Organisational Rep).

**Officers:** Viktoria Gulabovski (Executive Officer, representing the General Manager).

**Declaration of Interests**: None

#### ITEM: 2 CONFIRMATION OF THE PREVIOUS MINUTES

#### **SUMMARY**

Ratification of the 20 September 2017 meeting minutes.

#### COMMENTARY

The minutes for the 20 September 2017 Youth Council meeting were ratified by members and endorsed at the 23 October 2017 Council meeting.

#### **ACTION**

#### **THAT**

That the reporting of the 20 September 2017 Youth Council minutes to Council be noted.

MOVED: Katie Coleman SECONDED: Jess Alexander

Carried

#### ITEM: 3 BUSINESS ARISING

#### **SUMMARY**

A letter of endorsement was drafted and sent to Lithgow High School and La Salle Academy supporting the Batyr Mental Health Group.

#### **COMMENTARY**

Batyr Youth Mental Health Group works with young people in schools to break down the stigma that surrounds mental health. Batyr aims to engage, educate and empower young people by fostering an environment where talking about mental health issues and getting help is not only accepted, but is encouraged and supported. The Youth Council agreed to support Batyr to work with local high school students. A letter of endorsement was drafted and sent to Lithgow High School and La Salle Academy promoting and supporting the program.

#### **ACTION**

#### THAT

The letter of endorsement for the Batyr mental health group was mailed to Lithgow High School and La Salle Academy.

**MOVED:** Leanne Walding **SECONDED:** Jess Alexander

Carried

#### Minutes Youth Council 18 October 2017

#### ITEM: 4 DRAFT WORK PROGRAM

#### SUMMARY

A draft work program has been finalised and needs to be adopted by the Youth Council.

#### **COMMENTARY**

The Draft Work Program 2017/18 for the Youth Council has been finalised and adopted by the Youth Council. It includes the following tasks:

- Youth Week 2018
- Further Education Scholarship Program/ Youth Scholarships
- Youth Grants for additional activities for young people
- Volunteering for Young People
- Youth Council Facebook Page
- Youth Programs and activities at the library

#### **ACTION**

#### THAT:

The adoption of the Youth Council Work Program be noted.

**MOVED:** Leanne Walding **SECONDED:** Chloe Hosa

Carried

#### ITEM: 5 YOUTH SCHOLARSHIP PROGRAM

#### **SUMMARY**

Youth Council discussed the administration of the Youth Scholarship Program.

#### **COMMENTARY**

The draft application form for the Youth Scholarship Program was tabled at the September Youth Council meeting. Youth Council decided it would be best for applications to open in November 2017 and be provided throughout 2018 to eligible students until the fund is expended.

#### **ACTION**

Council staff to finalise application form, upload on website and promote.

#### THAT:

That the discussion on the Youth Scholarship Program be noted.

**MOVED:** Lauren Corney **SECONDED:** Olivia Corney

Carried

#### Minutes Youth Council 18 October 2017

#### ITEM: 6 YOUTH WEEK 2018

#### SUMMARY

A discussion regarding Youth Week 2018.

#### **COMMENTARY**

As part of Youth Week 2018 celebrations, Youth Council decided to host a sleep-out fundraising event. The event will include an outdoor cinema experience at Blast Furnace Park on 14 April 2018. There will also be food and drinks on site, as well as a DJ and portable toilets. Funds raised will go towards Lithgow Community Projects who work with and support homeless youth.

#### **ACTION**

THAT:

The discussion around Youth Week 2018 be noted.

**MOVED:** Jess Alexander **SECONDED:** Chloe Hosa

Carried

#### ITEM: 8 GENERAL BUSINESS

#### SUMMARY

There were no items raised under general business.

#### **COMMENTARY**

THAT:

MOVED: SECONDED:

Carri

Meeting Closed 5.30pm

NEXT MEETING
15 November 2017
Upstairs Council Committee Room, 180 Mort St, Lithgow.



# **Minutes**

## Sports Advisory Committee 31<sup>st</sup> October 2017 5.00pm

Item	Minutes		
1	Welcome/Present/Apologies		
2	Confirmation of Minutes		
3	Business Arising From The Minutes		
4	Financial Assistance Requests		
5	2017 LJ Hooker Reg Cowden Sports Star Of The Year Awards		
6	Booking Requests		
7	New Members		
8	General Business		
9	Next Meeting		

#### MINUTES - SPORTS ADVISORY COMMITTEE- 31/10/2017



ITEM: 1 PRESENT AND APOLOGIES

PRESENT: Clr J Smith, D Fardell, T Della Bosca, P Hughes, M Wren, P Glasson, A

Magus, G Healey, L Stevens, S Morris

**APOLOGIES**: D Whitty, R Whitty, R Marjoram, O Kay

OFFICERS: I Stewart, T Nolan, E Trudgett

**DECLARATION OF INTERESTS:** 

ITEM: 2 CONFIRMATION OF MINUTES FROM THE PREVIOUS

**MEETING** 

The minutes of the meeting of 26<sup>th</sup> September were presented to the Council on 23<sup>rd</sup> October 2017.

MOVED: P Glasson SECONDED: D Fardell

ITEM: 3 BUSINESS ARISING FROM THE MINUTES

NIL

ITEM: 4 FINANCIAL ASSISTANCE REQUESTS

SUMMARY

There were no complying financial assistance requests received in October 2017.

**ACTION** 

**THAT** that the information regarding financial assistance be noted.

MOVED: T Della Bosca SECONDED: P Glasson

ITEM: 5 2017 LJ HOOKER REG COWDEN MEMORIAL SPORTS STAR OF

THE YEAR AWARDS

#### **SUMMARY**

Junior nominations for the month of September 2017 were received from:

 Emily Watts (Running/Cycling) - In preparation for cycling season and representing the Scots School, Emily competed in the Bathurst Edgell Jog and was the first female across the line. Emily then competed in the NSW Time Trial Championship in Goulburn and came with the fastest time overall. This was her third back to back NSW Time Trial Championship title.

Senior nominations for the month of September 2017 were received from:

 Alysha Anderson (Umpiring) – Alysha was selected to umpire at the National Under 13 Girls Championships held in Perth. This selection came from a solid umpiring performance at the NSW Under 18 Women and Open Women State Championships earlier this year.

MONTH	JUNIOR RECIPIENT(S)	SENIOR RECIPIENT(S)	
December/January	Ethan Corney	Richard Forbes (Table Tennis,	
	(Downhill) & Emmerson	Lawn Bowls, Darts, Petanque	
	Banning (Tennis)	and Archery) & Roxanne Van Veen (Cricket)	
February	Lucy Green (Tennis)	Cheryl Schram (Bowls) &	
		Lesley Townsend (Bowls)	
March	Morgan Watts	Lithgow Lightning (Cricket)	
	(Triathlon)		
April	Brenna Crocker	Andrew Burton (Golf)	
	(Hockey)		
	Rylee Miller ( Hockey)		
May	Sara Lane (Baseball)	No Nominations Received	
	Lithgow U15 Girls		
	Hockey Team (Hockey)		
June	Ryan O'Donnell	Lithgow Open Women's Hockey	
	(Boxing)	Team (Hockey)	
July	Alice Kingston	No Nominations Received	
	(Goalball)		
August	Holly Beecroft (Futsal)	Cheryl Rutherford (Hockey)	
September	Emily Watts	Alysha Anderson (Umpiring)	
	(Running/Cycling)		
October			
November			

#### **ACTION**

#### **THAT**

- 1. The 2017 LJ Hooker Reg Cowden Memorial Junior Sports Star of the Year Award for August 2017 be awarded to Emily Watts(Running/Cycling);
- 2. The 2017 LJ Hooker Reg Cowden Memorial Senior Sports Star of the Year Award for August 2017 be awarded to Alysha Anderson (Umpiring); and
- 3. Merit certificates to be awarded to all other nominees.

MOVED: P Hughes SECONDED: G Healey

#### ITEM: 6 BOOKING REQUESTS

\_\_\_\_\_

#### SUMMARY

The following bookings were received between 26<sup>th</sup> September 2017 and 31<sup>st</sup> October 2017, and do not conflict with any other approved bookings.

Jim Monaghan Athletics Oval, Lithgow			
User	Dates / Times	Purpose	Comments
Lithgow Public School	Between 8.30am and 3pm on Friday, 10 <sup>th</sup>	2018 District Athletics	Approved subject to standard
Christine Wren	August 2018.	Carnival	condition.
JM Robson Aquatic Ce	ntre, Lithgow		
User	Dates / Times	Purpose	Comments
Go4Fun Nepean Health District	Between 4pm and 7pm every Thursday from 1st February 2018 to 1st March 2018	Go4Fun Lessons	Approved subject to standard conditions.
Watsford Oval, Lithgow	1		
User	Dates / Times	Purpose	Comments
La Salle Academy Wes Gibson	Between 9.00am and 3.30pm on Friday 27 <sup>th</sup> October 2017	La Salle Cricket Game	Approved subject to standard condition.
Tony Luchetti Sportsgr	ound, Lithgow		
User	Dates / Times	Purpose	Comments
Lithgow Show Society Inc.	Between 6am and 6pm on Friday, 26 <sup>th</sup> January 2018.	Annual Summer Horse Show	Approved subject to standard condition.
Lithgow Show Society	Between various times from 8 <sup>th</sup> March to 20 <sup>th</sup> March 2018.  8 <sup>th</sup> : 8am-6pm 15 <sup>th</sup> : 8am-9pm 9 <sup>th</sup> : 6am-6pm 16 <sup>th</sup> : 6am-midnight (show) 10 <sup>th</sup> : 6am-6pm 17 <sup>th</sup> : 6am-midnight (show) 11 <sup>th</sup> : 6am-6pm 18 <sup>th</sup> : 6am-6pm (equestrian) 12 <sup>th</sup> : 9am-6pm 19 <sup>th</sup> : 9am-6pm 13 <sup>th</sup> : 9am-6pm 20 <sup>th</sup> : 9am-6pm 14 <sup>th</sup> : 8am-9pm	Annual Agricultural Show March 2018	Approved subject to standard condition.

La Salle Academy Wes Gibson	Between 8.30am and 4.30pm on Wednesday, 25 <sup>th</sup> October 2017	La Salle Cricket Game	Approved subject to standard condition.
La Salle Academy Wes Gibson	Between 8.30am and 4.00pm on Thursday 26 <sup>th</sup> October 2017	La Salle Cricket Game	Approved subject to standard condition.
Storm JRLFC	Between 8am and 3pm every Saturday from 1st April 2018 to 30th September 2018	2018 Season Competition	Tentative booking until satisfactory arrangement with other football teams
Storm JRLFC	Between 3.30pm and 6pm, Monday to Friday from 1st February 2018 to 30th September 2018	2018 Training	Tentative booking until satisfactory arrangement with other football teams

The approved bookings calendars are updated after each Sports Advisory Committee meeting, and can be viewed and / or downloaded from Council's website http://www.council.lithgow.com/recreationFacilities.html

### CANCELLATIONS NIL

#### **FINANCIAL IMPLICATIONS**

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

#### **ACTION**

#### **THAT**

- 1. All bookings detailed in Item 7 be approved and;
- 2. Lithgow Cricket liaise with the Lithgow Show Society for the dates of 10<sup>th</sup> & 11<sup>th</sup> March 2018.

MOVED: D Fardell SECONDED: S Morris

ITEM 7: NEW MEMBERS

NIL

ITEM 8: GENERAL BUSINESS

#### **SUMMARY**

#### Reg Cowden Memorial Sports Star of the Year Awards Presentation Night

Council has received one written recommendation for the revitalization of the Awards Presentation Night.

It was advised that 2LT has been contacted to help promote the event, a response is yet to be received.

#### 2. Training Facilities

It was advised that there will be approx. 6 senior football teams next season which all require a field for training. The issue surrounding availability of fields was discussed and it was noted that the Glanmire Oval has been set up for preseason training. The oval currently has a training field pegged out that will not interfere with cricket or hockey. It was reiterated that there will be no training permitted on No.1 Field at TLS.

#### 3. Tony Luchetti Sportsground

It was noted that the lights at the TLS are to be fixed this year and a contractor has been engaged to replace three broken circuit breakers.

#### 4. Grants

It was advised that all grants submitted have been sent to Mr Paul Toole for consideration, no further correspondence has been received by Council on the outcomes.

#### 5. Sporting Representations

Both Western Wildfires and Lithqow Croquet Club's recent achievements were noted.

#### 6. Kremer Park Improvements

A thankyou was extended to Council for the replacement of the synthetic wicket at Kremer Park. Concrete drainage and replacement of the nets will be completed in early November.

#### 7. Tony Luchetti Sportsground Vandalism

It was advised that the kiosk door at TLS was kicked in, but did not allow access to those responsible. Council has inspected the damage and will replace the door. It was then discussed that security cameras may need to be installed after all the recent incidents that have occurred.

#### **RECOMMENDATION**

**THAT** Council investigate the availability of funds so that security cameras can be installed and upgraded at Tony Luchetti Sportsground, Skate Park.

#### 8. Booking Request

It was advised that a U'13s football team require a field to train on 25<sup>th</sup> November 2017. It was resolved that due to the training being undertaken before the next meeting that the use of Wallerawang Baseball diamond at Lake Wallace be approved.

#### 9. Top Dressing and Playing Fields

A thankyou was extended to Council's Parks & Rec department for the top dressing of fields in Lithgow, Wallerawang and Portland.

#### 10. Sportman of the Year 2017

On Saturday 25<sup>th</sup> November 2017, Wallerawang Community & Sports Club will be holding the 2017 Sportman's Dinner. All welcome, tickets can be purchased at the club for \$60pp.

#### **FINANCIAL IMPLICATIONS**

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

#### **ACTION**

**THAT** appropriate actions and reporting be undertaken in relation to the items raised during general business.

MOVED: C Healey SECONDED: P Glasson

ITEM 9: NEXT MEETING:

**Next Meeting:** Tuesday 28<sup>th</sup> November 2017 at 5:00pm

Council Chambers, Administration Building 180 Mort Street LITHGOW NSW 2790

There being no further business the meeting closed at 5.36pm



# **Minutes**

## Operations Committee 6<sup>th</sup> November 2017 4.00pm

Operations Committee				
Item Number	Agenda			
1	Welcome/Present/Apologies			
2	Confirmation of Minutes			
3	Business Arising From The Minutes			
4	Great Western Highway Vegetation Control – Median Strip from Marrangaroo to Wallerawang			
5	Vegetation Planting between 40 Bends and Hartley Valley Improvement Works on Great Western Highway			
6	Falnash Street Kerb & Guttering Account – 33 Falnash Street, Portland			
7	Clarence Transfer System Update			
8	Bells Line of Road Corridor – Chifley Road Upgrade			
9	General Business			
10	Next Meeting			

#### MINUTES - OPERATIONS COMMITTEE - 6/11/17



ITEM: 1 PRESENT AND APOLOGIES

PRESENT: Clr S Ring, Clr R Thompson, Clr W McAndrew, Clr S Lesslie, G Faulkner

APOLOGIES:

OFFICERS: R Brownlow, J Edgecombe, I Stewart, E Trudgett

**DECLARATION OF INTERESTS: NIL** 

ITEM: 2 CONFIRMATION OF MINUTES FROM THE PREVIOUS

MEETING

The minutes were presented to Council on 23<sup>rd</sup> October 2017

#### **ACTION**

**THAT** the Minutes of the meeting of 3<sup>rd</sup> October 2017 be taken as read and confirmed.

MOVED: Clr R Thompson SECONDED: Clr S Ring

#### ITEM: 3 BUSINESS ARISING FROM THE MINUTES

#### - Curtin Place Sewerage Problem

Problems have been experience with sewer surcharge from a manhole located at the intersection of Enfield Ave and Curtin Place. Smoke testing has been undertaken in the area upstream of this location and a significant number of illegal stormwater connections have been identified and notified to the responsible owners. It should be noted that a number of these faults have been rectified and this has significantly reduced pressure on Curtin Place. Council advised the resident that the sewerage issue is still under investigation. Council is looking to remove loading from the line to help alleviate the issue but long-term solutions are still being reviewed.

#### - Remediation Works at Mobil Depot

It was noted that works have not commenced at the Mobil Depot in Main Street, Lithgow. It was advised that Operations have relocated the storm water and work has been completed on Council's part. The Economic Development and Environment department is to address the remediation works and Operations will report at the next Operations meeting in relation to any plans to build on the land.

#### - Willow Vale Lane

Following a complaint regarding the need to complete the last section of Willowvale Lane, provision to seal the last section will be included in the 2018/19 draft works program for consideration.

#### - Drainage at La Salle Academy

Following notification of concerning drainage issues at the rear of properties adjacent to La Salle Academy, improvement works have been completed. A rubble drain has been installed and Council is consistently monitoring this area.

#### - McKanes Falls Road and Cox's River Road Upgrades

A complaint was received regarding the loose sealing metal following the contract roadworks on McKanes Falls Road and Cox's River Road. The brooming of the loose material has been undertaken and this has rectified the issue.

#### - Roadkill on Highways

The problems associated with the cleanup of roadkill along the Great Western Highway and other arterial roads was presented to the RMS as it was not deemed Council's responsibility to collect on these roads. RMS has advised that they will move roadkill into the gutters along the highways but Council is to collect.

#### **ACTION/RECOMMENDATION**

#### **THAT**

1. The General Manager write to Mr. Paul Toole or the Hon. Melinda Pavey to clarify ownership and responsibility of the roadkill along the Great Western Highway and other arterial roads.

MOVED: Clr R Thompson SECONDED: Clr S Ring

ITEM: 4 GREAT WESTERN HIGHWAY VEGETATION CONTROL – MEDIAN STRIP FROM MARRANGAROO TO WALLERAWANG TURNOFF

SUMMARY

Following representations to the RMS through Mr. Paul Tool MP, advice has been received from RMS that they are aware of the issue relating to the appearance of the stretch of median strip on the Great Western Highway between Lithgow 70km zone and the Wallerawang turnoff. Meetings have been held with RMS representatives regarding the frequency and extent of the agreed mowing. At this stage the median will be mowed three times per year, a winter mow, prior to Bathurst Car Races and late summer. Mowing outside these times would be at an 'as needs basis' and would be to maintain good visibility of guide posts and signs and maintain good sight distance at the intersections. It is noted that the trees in the median strip were planted by Lithgow City Council and this has been an ongoing agreement with the RMS.

The RMS have indicated that they are happy to meet with Council to ensure that the median strip and trees are maintained more effectively ad that an improved maintenance program be implemented to improve the appearance.

#### FINANCIAL IMPLICATIONS

- Budget approved N/A
- Cost centre N/A
- Expended to date N/A

#### Future potential impact – N/A

#### **ACTION/RECOMMENDATION**

#### **THAT**

- 1. The information be noted and Mr Toole be thanked for his representations on behalf of Lithgow City Council;
- 2. The General Manager engage with the RMS to help develop a relationship and organise to meet to further discuss frequency of mowing.

MOVED: Clr R Thompson SECONDED: Clr S Ring

### ITEM: 5 VEGETATION PLANTING BETWEEN 40 BENDS AND HARTLEY VALLEY IMPROVEMENT WORKS ON GWH

#### SUMMARY

Representations were made to Mr. Paul Toole MP to the Hon. Melinda Pavey MP, Minister for Roads, Maritime and Freight concerning the selection of vegetation that was used as the landscaping at the new roadworks.

Information has been received from the Hon. Melinda Pavey advising that the majority of the plants supplied for the project were provided through local sourced species where possible in line with Roads and Maritime Biodiversity Guidelines. It is understood that some non-local plants were used in two isolated previously impacted areas of the road corridor and this was due to safety and community consideration as local plants of sufficient size were not available at the time.

Photinias have been used as a hedge to shield residents from the impacts of heavy vehicles stopping outside of their properties and the RMS have received no advice that this plant is a weed and is not included on NSW Department of Industries Weed List.

It should be noted that this issue was raised in the Public Forum by members of the local Lithgow Community Nursery and discussions have taken place between RMS and Community Nursery Representatives.

It was advised that representatives from the local Lithgow Community Nursery have resolved all issues with RMS representatives.

#### **FINANCIAL IMPLICATIONS**

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

#### **ACTION/RECOMMENDATION**

#### THAT

- 1. The information be noted and;
- 2. The matter be followed up by Council.

MOVED: Clr S Lesslie SECONDED: Clr R Thompson

ITEM: 6 FALNASH STREET KERB & GUTTERING ACCOUNT - 33

**FALNASH STREET, PORTLAND** 

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#### **SUMMARY**

Correspondence was sent on 18<sup>th</sup> May 2017 to the home owner of 33 Falnash Street, Portland regarding the payment of an outstanding account for kerb & guttering work completed in mid-2014. An inspection was carried out in May 2017 by Council, after which it was determined that the work done was satisfactory and the amount of \$855.00 was required to be paid.

Correspondence was then received 19<sup>th</sup> June 2017 from the property owner advising that in 2014 when they first received the account, they contacted Council and was told that the account was to be voided. The owner had contact Council after received the account to advise that the workmanship of the concreting was of a very low standard and that the front yard was left untidy, requiring the owner to order new topsoil and grass seed for the area.

It should be noted that the kerb and guttering work affected approximately 6 properties in Falnash Street, all of which have either paid their account in full or have contacted Council to advise they will pay off the outstanding amount.

Further correspondence was sent from Council offering a payment plan commencing 1<sup>st</sup> August 2017, to which there was no response received from the owner. The owner has since contacted Council again after receiving another account reminder.

#### FINANCIAL IMPLICATIONS

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

#### **ACTION/RECOMMENDATION**

**THAT** the owner of the property be notified that the amount outstanding of \$855 is required to be paid and if failure to make payment, the amount will be sent to SR Law as a property debt against 33 Falnash Street, Portland.

MOVED: Clr S Lesslie SECONDED: Clr R Thompson

ITEM: 7 CLARENCE TRANSFER SYSTEM UPDATE

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SUMMARY

This report is to update the Operations Committee on the Clarence Water Transfer System.

#### FINANCIAL IMPLICATIONS

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

#### **ACTION/RECOMMENDATION**

#### **THAT**

- 1. Note the report and;
- 2. The Council continue to negotiate with Centennial Coal for the future upgrades and operation of the Clarence Water Transfer Scheme.

MOVED: Clr S Lesslie SECONDED: Clr R Thompson

ITEM 8: GENERAL BUSINESS

#### SUMMARY

#### 1. Cullen Bullen Sewerage Upgrade

Please see attached timeline.

#### 2. Old Forty Bends Road

A complaint was received that the condition of Old Forty Bends Road needs to be repaired after contractor use. Council acknowledges that the road surface does require renewal however, the contractors carried out repairs where damage did occur and have not left the road in a damaged state. Dilapidation reports of the road were completed before works were undertaken and it was noted that it has improved in areas due to the contractors.

#### 3. Wattlemount Road

Council advises that the re-alignment of Wattlemount Road has been completed with minimal environmental feedback.

#### 4. Bitumen/Asphalt Capital Works

It should be noted that the completion of Cox's River Road, the seal of Curly Dick Road and the 2km of the Glen Alice Road is scheduled for the end of November 2017. All projects are running on budget and will be completed finished by the 2018/19 budget.

#### 5. Wolgan Road, Wolgan Valley

Council advised that a section of the Wolgan Road has failed. Slumping of an embankment has occurred and resulted in the closure of one lane. Currently a one-way road is in place and the affected lane will be closed over the Christmas period

while the tendor process is undertaken. Further reports on progress will be brought back to the next meeting.

#### 6. Water Connection - Magpie Hollow Road

Council has advised the residents that water can be connected to 132 Magpie Hollow Road but they may experience low water pressure. The property owner has still agreed to proceed with a water connection.

#### FINANCIAL IMPLICATIONS

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

#### **ACTION/RECOMMENDATION**

**THAT** appropriate actions and reporting be undertaken in relation to the items raised during general business

MOVED: Clr R Thompson SECONDED: Clr S Lesslie

ITEM 9: NEXT MEETING:

Next Meeting: Monday 11th December 2017 at 4:00pm

Committee Room, Administration Building, 180 Mort Street LITHGOW NSW 2790

There being no further business the meeting closed at 5.10pm

#### ITEM OPER – 6/11/17 – CLARENCE TRANSFER SYSTEM UPDATE

#### **REPORT BY: DIRECTOR OPERATIONS**

#### **REFERENCE**

17 – 308 Water Report - Ordinary Meeting of Council held 23<sup>rd</sup> October 2017

#### **SUMMARY**

This report is to update the Operations Committee on the Clarence Water Transfer System.

#### **COMMENTARY**

The Clarence Water Transfer Scheme has been supplementing the Lithgow Number 2 Dam since Wednesday 4 October 2017 until Monday 23 October 2017. The scheme was suspended for a period of 1 week to enable Clarence Colliery to undertake maintenance works on their Water Treatment Plant. During this period there was 95M/L transferred to Lithgow No 2 Dam.

The Transfer Scheme was re started on Monday 30 October and will continue to operate for the foreseeable future and has transferred 13.2 M/L until Monday 1 November 2017. During the operation of the Scheme the water quality has been monitored and there have been no exceedances of the Australian Drinking Water Guidelines. The water transferred is still classed as raw water and there are no guideline values for the quality of raw water but as this exceeds the ADWG requirements for treated water there is no issues with the quality of this water.

The scheme is currently capable of transferring 7-8 M/L a day with the current infrastructure. The pipeline form the top pumping station to the disused settling lagoons is currently an A/C pipeline and the operating pressure is currently 1100kPa. This pipe material has a safe operating design of 1400kPa. Therefore to ensure the ongoing operation of the scheme it is proposed to continue operation in the current state until further upgrades are completed in the future to reach the full potential of 14M/L Day as per the original scheme design. The original upgrade works did not include upgrade of the Pipe line between the existing top pump station to the settling lagoons. This being the reason there were two different pump impellor sizes specified in the design.

The No. 2 Dam level has increased from 39.39% on Monday 4<sup>th</sup> October to 55.22% on Wednesday November 1 2017, and during this time Oakey Park Water Treatment Plant supplied Lithgow and the Villages for a period of 6 days whilst major repairs were carried out on the Stage 2 WaterNSW pipeline.

Clarence Colliery has initiated discussions with Council Officers in regards to the long term future of the transfer scheme. These initial discussions are extremely positive with both parties committed to the drought proofing of the Lithgow LGA, There has been some talks in regards to the future discharge point for Clarence and potential impacts any changes may have. There are 2 options currently being investigated and both have positive benefits to the drought proofing of the Lithgow LGA. These discussions have also included the potential arrangements for the scheme after mining operations cease at Clarence Colliery.

The future changes to the Clarence Water Transfer scheme will require close collaboration of Clarence Colliery and Lithgow City Council as was the case with the previous upgrade.

#### **POLICY IMPLICATIONS**

NIL

#### FINANCIAL IMPLICATIONS

- Budget approved N/A
- Cost centre N/A
- Expended to date N/A
- Future potential impact Additional costs associated with extra pumping.

#### **LEGAL IMPLICATIONS**

NIL

#### **RECOMMENDATION**

#### **THAT**

- 1. Note the report and;
- 2. The Council continue to negotiate with Centennial Coal for the future upgrades and operation of the Clarence Water Transfer Scheme.



### **Minutes**

### Economic Development Committee Monday 20 November 2017 4.30pm

Item	Agenda	
1	Welcome/Present/ Apologies	
2	Confirmation of Minutes	
3	Economic Development Strategy	
4	Terms of Reference – Working Parties	
5	Verbal Report on REDS Workshop	
6	Working Party Members	
7	General Business	
8	Next Meeting & Meeting Schedule	

#### MINUTES - ECONOMIC DEVELPOMENT COMMITTEE - 20 NOVEMBER 2017



ITEM: 1 PRESENT AND APOLOGIES

**PRESENT:** CIr Lesslie, CIr Goodwin, CIr Statham, CIr Ring, CIr McAndrew, CIr Coleman, CIr Smith and CIr Thompson, Mr Graeme Faulkner, Mr Andrew Muir, Mr Ross Gurney, Mr Rhys Brownlow, Mr Matthew Trapp and Melanie Jones (Minutes).

APOLOGIES: Clr Goodsell.

#### **DECLARATION OF INTERESTS: NIL**

Recommended that Mr Andrew Muir and Mr Graeme Faulkner be appointed as members of the Committee.

MOVED: Clr McAndrew SECONDED: Clr Ring

Carried

ITEM: 2 CONFIRMATION OF MINUTES FROM THE PREVIOUS

**MEETING** 

This being the inaugural meeting of the Economic Development Committee there are no minutes to confirm at this meeting.

ITEM: 3 LITHGOW ECONOMIC DEVELOPMENT STRATEGY 2015 – PRIORITY ACTIONS REVIEWED OCTOBER 2017

#### SUMMARY

To advise Council of the recent project undertaken to review the actions within Council's Economic Development Strategy and propose a streamlined priority action list. The Lithgow Economic Development Strategy was adopted in 2015. It is a comprehensive document that examines the role of Council in Economic Development; includes population profile – Social and Economic Analysis; explores issues and opportunities; and provides a Strategy and Priority actions. The plan contains five (5) Economic Development priority areas and sixteen (16) objectives. Within the priority areas there are over two hundred (200) separate actions. Upon review of the actions it was considered that this needed to be streamlined down to something that was realistically achievable. With this in mind an internal working party was set up under the direction of the General Manager. The Consultant who worked on the original Economic Development Strategy, AP Sheere Consulting was engaged to work with the Working Party with the aim of streamlining the priority actions.

The review resulted in a number of changes including the reduction in the number of Economic Development priority areas from five (5) to four (4) and a reduction in the number of objectives down to twelve (12). The number of actions have been reduced

down to thirty six (36), with seventeen (17) high priority actions identified. Copies of the original action plan and revised action plan are separately appended to the business papers for Councillors information.

Councillors are encouraged to review the revised priority action plan and comment as they feel appropriate. It will be the intention to adopt the reviewed priority action plan which can then provide the road map for Economic Development activities for the next three years.

Overview was provided and questions asked and answered.

#### FINANCIAL IMPLICATIONS

- Budget approved \$102,864.00 across the entire cost centre for various economic development expenses, materials and services.
- Cost centre 1619
- Expended to date \$3,762.00 on this project.
- Future potential impact The actions within the reviewed priority action plan
  will become the prime responsibility of the Economic Development Manager,
  once appointed. The salary for this position is in the operating budget. Other
  activities may or may not be able to be funded in the operating budget and
  there may be future needs for Project funding or funding from external
  sources.

#### **RECOMMENDATION**

**THAT** Council endorse the Lithgow Economic Development Strategy 2015 – Priority Actions reviewed October 2017 as its road map on Economic Development Activities for the following three year period.

MOVED: Clr Coleman SECONDED: Clr Thompson

Carried

ITEM: 4 ECONOMIC DEVELOPMENT COMMITTEE WORKING PARTY TERMS OF REFERENCE

#### **SUMMARY**

The Committee approval is sought for the following Draft Terms of Reference for the working parties listed below:

- Tourism Bureau Model Working Party
- Tourism Events Working Party

Mr Faulkner and Mr Muir met with working party group informally last week and explained how they will be split, they are designed to be a resource to Council, they will work on projects for three months and at the end of this period a report will go to Council. Clr McAndrew asked whether the projects will just specifically focus on Tourism or will we look at business development. Mr Faulkner explained that staff will

work on Terms of reference for other projects in the future and they will be put to the next Economic Development Committee including areas such as business and industry, development and acquisition of land etc.

An error in the Terms of Reference was noted, and was corrected to state that the working party will be made up of volunteers.

#### FINANCIAL IMPLICATIONS

- Budget approved \$102864.00
- Cost centre 1619
- Expended to date Nil on this initiative
- Future potential impact NIL

#### RECOMMENDATION

#### **THAT** Council:

- Endorse the Tourism Bureau Model Working Party & the Tourism Events Working Party Terms of Reference
- 2. Note the Economic Development Committee Working Parties will be engaged over the next three months to undertake work on projects determined by the committee.

MOVED: Clr McAndrew SECONDED: Clr Smith

Carried

#### ITEM: 5 VERBAL REPORT ON REDS WORKSHOP

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#### **SUMMARY**

Mr Muir provided an overview and discussed the workshop last week, the next session will be held 6 December 2017 and all Councillors are invited to attend.

#### **RECOMMENDATION**

**THAT** the verbal report be noted on the initial Regional Economic Development Strategy Workshop

MOVED: Clr Smith SECONDED: Clr Goodwin

Carried

#### ITEM: 6 WORKING PARTY MEMBERS

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#### **SUMMARY**

To consider the expressions of interest from those who expressed an interest in participating in Economic Development Working Parties.

Attached to the agenda are expressions of interest from a number of community members interested in becoming members of the economic development working parties to work on projects and report back to the Economic Development Committee. An initial informal meeting has been held with a number of parties to brief them on the scope of their potential contribution and glean their areas of interest and expertise.

#### RECOMMENDATION

#### **THAT** Council:

- 1. Note the Working Party Members
- 2. Delegate authority to the General Manager to allocate members to the working parties after discussions as to their preferences.

MOVED: Clr Thompson SECONDED: Clr Ring

Carried

ITEM 7: GENERAL BUSINESS

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#### 7.1 WATER & SEWER DSP INFORMATION -

Mr Brownlow distributed information and provided an overview for the Committee.

#### **RECOMMENDATION**

**THAT** Council approve the draft DSP and developer charges per equivalent tenant as outlined in the table below for the purpose of audit and subject to review after public consultation.

DSP Area	Calculated Developer Charge	Adopted Developer Charge	
	(\$/ET) 2	(\$/ET) 2017/18	
Water Supply			
Lithgow	3,001	3,001	
Portland	Nil	Nil	
Wallerawang	Nil	Nil	
Sewerage			
Lithgow	4,481	4,481	
Portland	7,240	7,240	
South Bowenfels			
Wallerawang	14,829	9,829	

MOVED: Clr Thompson SECONDED: Clr Smith

Carried

#### ITEM 8: NEXT MEETING

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#### **SUMMARY**

It is proposed for the Economic Committee to meet every three months on the first Monday of the month.

Therefore the next meeting will be scheduled for Monday 5 March 2018 at 5pm at Crystal Theatre Portland.

The following meeting will be Monday 4 June 2018 at 5pm at the Wallerawang Library Conference room.

#### **ACTION**

**THAT** the General Manager determine when the next meeting will be held on a needs basis.

MOVED: Clr Thompson SECONDED: Clr Smith

Carried

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There being no further business the meeting closed at 6.00pm



# **Minutes**

## Sports Advisory Committee 21<sup>st</sup> November 2017 5.00pm

Item	Minutes		
1	Welcome/Present/Apologies		
2	Confirmation of Minutes		
3	Business Arising From The Minutes		
4	Financial Assistance Requests		
5	2017 LJ Hooker Reg Cowden Sports Star Of The Year Awards		
6	Booking Requests		
7	New Members		
8	General Business		
9	Next Meeting		

#### MINUTES - SPORTS ADVISORY COMMITTEE- 21/11/2017



ITEM: 1 PRESENT AND APOLOGIES

**PRESENT:** Clr J Smith, Clr D Goodwin, C Hawkins, R Marjoram, R Whitty, D Whitty, T Della Bosca, M Dean, G Ryan, P Glasson, P Hughes, S Morris, J Kearney, L Stevens, O Kay, D Fardell

**APOLOGIES**: D Fardell

OFFICERS: J Edgecombe, T Nolan, E Trudgett

**DECLARATION OF INTERESTS:** 

ITEM: 2 CONFIRMATION OF MINUTES FROM THE PREVIOUS MEETING

The minutes are proposed to be presented to the Council on 27<sup>th</sup> November 2017.

#### **ACTION**

**THAT** the Minutes of the meeting of 31st October 2017 be taken as read and confirmed.

MOVED: P Hughes SECONDED: P Glasson

ITEM: 3 BUSINESS ARISING FROM THE MINUTES

NIL

ITEM: 4 FINANCIAL ASSISTANCE REQUESTS

#### **SUMMARY**

A request for financial assistance has been received from Ryan Wells after his selection in the Combined National Championships and Pacific School Games for U/10's High Jump. It is recommended that Council provide Ryan with \$300.00 toward the cost of participating in the National Championships and Pacific School Games, as participation will see him representing Lithgow in Adelaide during his involvement in High Jump.

#### **RECOMMENDATION**

**THAT** Council provide Ryan Wells with \$300.00 toward the cost of participating in Combined National Championships and Pacific School Games.

A request for financial assistance has been received from Blake Fittler after his selection in the NSW State PSSA U/10s team for Shotput. It is recommended that Council provide Blake with \$300.00 toward the cost of participating in the Pacific Games, as participation will see him representing Lithgow in Adelaide during his involvement in Pacific Games.

#### **FINANCIAL IMPLICATIONS**

- Budget approved Yes
- Cost centre 600059
- Expended to date N/A
- Future potential impact N/A

#### RECOMMENDATION

**THAT** Council provide Blake Fittler with \$300.00 toward the cost of participating in the Pacific Games.

MOVED: T Della Bosca SECONDED: G Ryan

ITEM: 5 2017 LJ HOOKER REG COWDEN MEMORIAL SPORTS STAR OF

THE YEAR AWARDS

#### **SUMMARY**

Junior nominations for the month of October 2017 were received from:

 Ryan Wells (Athletics) – Ryan achieved 3<sup>rd</sup> in U10's high jump at the NSW State Athletics Championships. This qualifies him to attend the Combined National Championships and Pacific School Games in Adelaide in Dec 2017.

Junior nominations for the month of **November 2017** were received from:

Lithgow High School 15 & Under Girls Basketball Team (Basketball) – The 15 & Under Girls Basketball team were winners of the 15 & Under CHS Basketball Knockout State Finals in Terrigal.

There were no written Senior nominations for the month of October or November 2017 received.

MONTH	JUNIOR RECIPIENT(S)	SENIOR RECIPIENT(S)
December/January	Ethan Corney	Richard Forbes (Table Tennis,
	(Downhill) & Emmerson	Lawn Bowls, Darts, Petanque
	Banning (Tennis)	and Archery) & Roxanne Van
		Veen (Cricket)
February	Lucy Green (Tennis)	Cheryl Schram (Bowls) &
		Lesley Townsend (Bowls)
March	Morgan Watts	Lithgow Lightning (Cricket)
	(Triathlon)	

April	Brenna Crocker (Hockey) Rylee Miller ( Hockey)	Andrew Burton (Golf)
May	Sara Lane (Baseball) Lithgow U15 Girls Hockey Team (Hockey)	No Nominations Received
June	Ryan O'Donnell (Boxing)	Lithgow Open Women's Hockey Team (Hockey)
July	Alice Kingston (Goalball)	No Nominations Received
August	Holly Beecroft (Futsal)	Cheryl Rutherford (Hockey)
September	Emily Watts (Running/Cycling)	Alysha Anderson (Umpiring)
October	Ryan Wells (Athletics)	No Nominations Received
November	Lithgow High School U15 Basketball Team (Basketball)	No Nominations Received

#### **ACTION**

#### **THAT**

- 1. The 2017 LJ Hooker Reg Cowden Memorial Junior Sports Star of the Year Award for October 2017 be awarded to Ryan Wells (Athletics);
- 2. The 2017 LJ Hooker Reg Cowden Memorial Junior Sports Star of the Year Award for November 2017 be awarded to Lithgow High School U15 Basketball Team (Basketball); and
- 3. Merit certificates to be awarded to all other nominees.

MOVED: T Della Bosca SECONDED: J Kearney

#### ITEM: 6 BOOKING REQUESTS

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#### SUMMARY

The following bookings were received between 26<sup>th</sup> September 2017 and 31<sup>st</sup> October 2017, and do not conflict with any other approved bookings.

JM Robson Aquatic Centre, Lithgow					
User	Dates / Times	Purpose	Comments		
Lithgow Swim School	Between 8.30am and 10am, Monday to	Lithgow Swim School Intensive	Approved subject to standard		
Maree Curran	Friday from 8th-19th January 2018.	Swimming Lessons	condition.		
Tony Luchetti Sportsground, Lithgow					
User	Dates / Times	Purpose	Comments		
Western Wildfires Senior	Between 9.30am and 4.30pm on	Veterans Cricket Match	Approved subject to standard		
Cricket Club	Thursday 15 <sup>th</sup> February 2018.		condition.		
Western Wildfires Senior	Between 9.30am and 4.30pm on Sunday	Veterans Cricket Match	Approved subject to standard		
Cricket Club	25 <sup>th</sup> February 2018.		condition.		
Western Wildfires Senior	Between 9.30am and 4.30pm on Sunday	Veterans Cricket Match	Approved subject to standard		
Cricket Club	4 <sup>th</sup> March 2018.		condition.		
MET Mount Victoria	Between 7.30am and 12 noon on	2017 Cultural Day	Approved subject to standard		
	Friday,1st December 2017		condition.		
Jim Monaghan Athletics Oval, Lithgow					
User	Dates / Times	Purpose	Comments		
Club Revive	Between 8am and 12pm on Saturday, 2 <sup>nd</sup>	Crossfit Uplift	Approved subject to standard		
Linda Kable	December 2017		condition.		
La Salle Academy	Between 7.30am and 4pm on Friday, 4th	Athletics Carnival	Approved subject to standard		
Wes Gibson	May 2018		condition.		
	Backup: 7 <sup>th</sup> May 2018				
Kremer Park, Portland					
User	Dates / Times	Purpose	Comments		

Michael Armstrong	Between 8.30am and 3pm on Tuesday,	David Peachey Shield and	Approved subject to standard
NRL	20 <sup>th</sup> March 2018.	Russell Richardson Cup	condition.

The approved bookings calendars are updated after each Sports Advisory Committee meeting, and can be viewed and / or downloaded from Council's website http://www.council.lithgow.com/recreationFacilities.html

### CANCELLATIONS NIL

#### FINANCIAL IMPLICATIONS

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

#### **ACTION**

#### **THAT**

1. All bookings detailed in Item 7 be approved.

MOVED: R Marjoram SECONDED: S Morris

ITEM 7: NEW MEMBERS

NIL

ITEM 8: GENERAL BUSINESS

#### **SUMMARY**

#### 1. Reg Cowden Awards

It has been proposed to split the 2017 Reg Cowden Awards over a presentation with the Merit Certificate winners and Australia Day.

The awards that will be presented at the Australia Day Ceremony will be:

- · Junior Sports Star of the Year
- · Senior Sports Star of the Year
- Senior Team of the Year
- Junior Team of the Year
- International Sports Star of the Year

The remaining awards will be announced at an 'afternoon tea' presentation held at Council with the Merit Certificate winners.

#### 2. Glanmire Oval

It was advised that for training purposes the lines for the proposed field at the Glanmire Oval will be mowed in after the Christmas break.

It was then advised that the old nets are being removed and it is a possibility for the number 3 wicket to be removed and the number 4 wicket be pushed back to help create more space between the fields.

#### 3. Congratulations/ Thank you

It was advised that the St Pats Senior Boys Basketball team came second in the combined high schools championship.

Thanks was extended to Council from the Swimming Club for the use of the JM Robson Aquatic Centre.

#### 4. Sportsman Dinner

On Saturday 25th November 2017, Wallerawang Community & Sports Club will be holding the 2017 Sportman's Dinner. All welcome, tickets can be purchased at the club for \$60pp.

#### 5. White Ribbon Walk

Clr D Goodwin asked the local sporting bodies for their support for the annual White Ribbon Walk which raises awareness about domestic violence and asks men to stand up and say no to violence against women. The walk will be held on Friday 24th November 2017 commencing at 4:00pm and will start from the Queen Elizabeth Park through the Main Street to the Workmen's Club.

#### FINANCIAL IMPLICATIONS

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

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

#### **ACTION**

**THAT** appropriate actions and reporting be undertaken in relation to the items raised during general business.

MOVED: T Della Bosca SECONDED: G Ryan

ITEM 9: NEXT MEETING:

**Next Meeting:** TBA

There being no further business the meeting closed at 5.40pm

#### **AGENDA & MINUTE - COUNCIL MEETING OF 31 OCTOBER 2016**

## ITEM CORP – 31/10/16 - REQUEST FOR RELIEF FROM EXCESS WATER USAGE CHARGES

#### REPORT BY: M JOHNSON - ACTING GROUP MANAGER CORPORATE & COMMUNITY

#### SUMMARY

This report discusses a request from a ratepayer for a reduction in water usage charges and recommends that Council approve a partial reduction.

#### COMMENTARY

Council has received correspondence from a ratepayer seeking relief from excess water usage charges due to a water leakage on a recently purchased residential property. The property was purchased on 5 May 2016 and the 3<sup>rd</sup> quarter meter reading was made approximately two weeks later on 18 May 2016 with the ratepayer subsequently receiving a 3<sup>rd</sup> quarter water account of \$1,117.53.

Upon investigation by the property owner's plumber, a water leak was found between the water meter and house. Council staff have calculated that the new property owner would have been entitled to approximately \$462.33 in property settlement funds from the previous owner for 3<sup>rd</sup> quarter water usage charges based on the daily average consumption of the 2<sup>nd</sup> quarter account. The new owner elected to use the 2<sup>nd</sup> quarter daily usage rate of the previous property owner for the purposes of calculating water charges at settlement rather than requesting that Council undertake a special meter read on settlement day at a cost of \$60. It appears however that the water leak occurred after the 2<sup>nd</sup> quarter meter reading and was therefore unknown and not factored into the property settlement.

In accordance with Council Policy 8.1, *Excessive Water Usage Allowance For Breakages*, Council is able to offer a maximum \$200 one-off concession for excessive water usage on the first occurrence that a breakage occurs beyond their control. This concession has been offered to the ratepayer and would reduce the amount payable to Council to \$917.53, less the estimated \$462.33 he would have received from the previous owner at property settlement for 3<sup>rd</sup> quarter water charges. This will still leave the ratepayer liable for approximately \$455 for a two week usage period. Nonetheless the water leakage was on private property and is the responsibility of the property owner, not Council.

Further, however, the high 3<sup>rd</sup> quarter water usage resulted in the property owner being charged a T2 tariff of \$4.67 per kilolitre for all water consumed in the 4<sup>th</sup> quarter rather than the T1 tariff of \$3.11 per kilolitre. The T2 tariff takes effect once water usage exceeds 250 kilolitres in any billing year and resets after the 4<sup>th</sup> quarter to T1. This has resulted in 4<sup>th</sup> quarter charges of \$429.64 rather than \$286.12, a difference of \$143.52.

It is recommended that in view of the unforeseen nature of the water leakage, that Council apply the T1 tariff to the 4<sup>th</sup> quarter account, resulting in a reduction of \$143.52.

#### **POLICY IMPLICATIONS**

Council Policy 8.1, Excessive Water Usage Allowance For Breakage.

#### FINANCIAL IMPLICATIONS

A \$200 one-off concession has already been provided to the ratepayer for excessive water usage in accordance with Council Policy 8.1, Excessive Water Usage Allowance For Breakage.

It is further recommended that the T1 tariff be applied to the 4<sup>th</sup> quarter account, resulting in a further reduction of \$143.52.

### LEGAL IMPLICATIONS Nil

#### **ATTACHMENTS**

1. Correspondence from property owner

#### RECOMMENDATION

**THAT** Council amend the water usage tariff applied in the 4<sup>th</sup> quarter 2015/16 to residential property 95000 from T2 to T1 reducing the amount payable by \$143.52.

#### **MINUTE**

ITEM-13 CORP - 31/10/16 - REQUEST FOR RELIEF FROM EXCESS WATER USAGE CHARGES

#### 16 - 298 RESOLVED

**THAT** Council amend the water usage tariff applied in the 3rd and 4th quarter 2015/16 to residential property 95000 from T2 to T1 reducing the amount payable by \$468.00.

MOVED: Councillor W McAndrew SECONDED: Councillor C Coleman.

#### **CARRIED**