



## AGENDA

Extra Ordinary Meeting of Council

to be held at

Council Administration Centre

180 Mort Street, Lithgow

on

Monday 13 January 2020

at 6:00 pm

# ORDER OF BUSINESS

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## **1. Acknowledgement of Country**

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### **Acknowledgement of Country**

I would like to acknowledge the traditional custodians of this land we are on here today, and pay respect to their elders both past, present and emerging.

### **Declaration of Webcasting**

I inform all those in attendance at this meeting, that the meeting is being webcast and that those in attendance should refrain from making any defamatory statements concerning any person, Councillor or employee, and refrain from discussing those matters subject to Closed Council proceedings as indicated in clause 14.1 of the code of meeting practice.

## **2. Present**

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## **3. Apologies**

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## **4. Declaration of Interest**

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## **5. Commemorations and Announcements**

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## **6. Public Forum**

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## **7. Notices of Motion**

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### **7.1. NOTICE OF MOTION - 13/01/2020 - Request an Extra Ordinary Meeting regarding Recent Bush Fire Crisis**

**Report by** Councillor Cassandra Coleman  
Councillor Stephen Lesslie

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#### **Attachments**

1. Call for Extra Ordinary Meeting [7.1.1 - 1 page]

#### **Recommendation**

1. THAT Public Forum be held so that Councillors can hear firsthand about the problems and concerns of Lithgow Local Government Area residents and ratepayers arising from the current bush fire crisis.
2. THAT a report be given by the General Manager, or in his absence the Acting General Manager, or a person delegated by him, detailing Lithgow City Council's response to the current bush fire crisis.

## 8. Mayoral Minutes

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## 9. Staff Reports

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### 9.1. General Manager's Reports

#### 9.1.1. GM - 13/01/20 - Response to the Bushfires

<b>Report by</b>	Acting General Manager / Chief Financial & Information Officer
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#### Reference

Councillors Lesslie and Coleman requested that an Extraordinary Meeting be called, in part to consider the following motion:

“That a report be given by the General Manager, or in his absence the Acting General Manager, or a person delegated by him, detailing Lithgow City Council’s response to the current bush fire crisis.”

#### Summary

This report provides details of Council’s response to the recent bushfires. The report provides information on the utilisation of Council resources to assist with the fire fighting effort, to clean up affected areas after fire has passed through and Council’s role in the co-ordination of bushfire recovery. The report also provides recommendations on bushfire recovery relief measures which can be offered by Council.

#### Commentary

##### Background

The Gospers Mountain fire was detected on 26 October 2019 and was ignited from a lightning strike. The fire has spread to affect a large area of the Lithgow Council LGA, from Capertee in the north to Glen Alice / Glen Davis in the west and south to Lithgow. As at 1 January 2020, the Gospers Mountain fire is over 500,000 hectares in size.

In recent weeks, fires have also ignited in the Palmers Oakey area (Turon Road fire) and the Hartley Vale area (Grose Valley fire). Fire activity has passed through some areas (including Lithgow, Clarence and Dargan), however, fire is still active in other areas throughout the LGA (including Capertee and Glen Davis) with containment lines in place.

On Saturday 21 December 2019, extremely destructive fires struck Lithgow, Clarence and Dargan, destroying homes, business and many out buildings.

#### Council’s Response

##### Local Roads (November to Present and Ongoing)

From November 2019, Lithgow City Council staff have been organising the closure of many Council road assets, as they become threatened or affected by bushfire. Road closures have occurred in direct consultation with the Rural Fire Service, the agency responsible for the coordination of the bushfire effort. Many of the road closures required 24/7 manned closures to best ensure the safety of the public.

To date, the roads periodically closed since November include:

- Glen Davis Road, Capertee;
- Wolgan Road, Lidsdale / Wolgan Valley;
- Hartley Valley Road / Browns Gap Road, Vale of Clwydd;
- State Mine Gully Road, Lithgow;

- Hartley Vale Road, Hartley Vale;
- Fields Road, Hartley Vale;
- Clarence (Sawmill) Road, Clarence;
- Atkinson Street, Lithgow;
- Inch Street, Lithgow;
- Macauley Street, Lithgow;
- Crane Road, Lithgow;
- Bells Road, Lithgow;
- Palmers Oakey Road, Lithgow (**remains closed**);
- Crown Station Road, Capertee;
- Excelsior Road, Ben Bullen (**remains closed**); and
- Blackfellows Hands Fire Trail, Lidsdale.

Each of these road closures required Council staff, plant and machinery to effect. Once the RFS indicates that the fire threat has lessened and that the road can be re-opened, Council staff inspect to ascertain the condition of the asset. This includes an assessment of tree health, road condition as well as the condition of nearby assets such as rockfaces. Such as for Wolgan Road, if risk is high but access is a dire need, Council escort vehicles have been organised. Else, the priority of works are assessed and Council has arranged for required works to be completed by internal labour or contractor, as required.

In addition to road closures, Council staff and equipment have assisted with other RFS requirements. Backhoes have assisted with fallen tree removal; water trucks continue to assist with on-site refilling as well as ember and dust suppression. Lastly, graders and rollers have worked continuously to reform and maintain critical firefighting efforts and to construct fire breaks in strategic locations.

Overall, staff have been rostered into day and night shifts to ensure our ability to act on RFS requirements which have been constant and around the clock. Where it was even remotely possible for Council to assist, no request made by the Police or RFS regarding the fire effort has been denied. The objective has always been to assist the RFS and community in the first instance, with all other obligations being sidelined excepting issues of public safety. This has impacted Council's operating and capital program. Works on the fire effort commenced in late December and noting this, it is believed that there may be up to 2 months of delays to Council's works program. External contracts may be required to alleviate this delay.

#### **Fleet Maintenance (November to Present and Ongoing)**

Like the above situation regarding roads, Council's mechanics have been working day and night shifts on a rotating basis. Council's has been able to respond quickly to RFS vehicle repairs / maintenance around the clock. While there are isolated examples of plant requiring extensive repairs, these have resulted from a difficulty in procuring foreign, old parts or difficult differential repairs.

Additional to the requirements of Lithgow's own RFS fleet, as is the case with other declared disasters, other state RFS districts have sent their vehicles to Lithgow to assist with the fire effort. Due to the nature of the work, this has resulted in many non-local RFS vehicles requiring repairs. In every instance, staff have complied with requests, returning the vehicle promptly or communicating problems if this can't occur.

It is also worth noting that there are some ongoing matters affecting Council's ability to maintain RFS fleets to external expectations. Many trucks are old, affecting the ability to repair them promptly. Secondly, due to the nature of the work and the urgency required of these recent fires, vehicles were subject to failures associated with abuse and inconsideration. This is not to blame the RFS; they have done and continue to do incredible work for Lithgow. However, it is information required to be considered given recent public criticism to this effect.

#### **Council's Bushfire Response on Saturday 21 December 2019**

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Extreme weather conditions (high temperatures and strong winds) exacerbated the fire situation on 21 December 2019. Houses were lost in Clarence and Dargan. Houses were also lost in the Lithgow area and there were sustained ember attacks which caused further damage around Lithgow.

The Mayor provided regular updates via interview on ABC radio (emergency broadcaster) which kept residents informed of the situation in the Lithgow, Hartley Vale and Palmers Oakey areas. The Rural Fire Service provided alerts on the Fires Near Me app and emergency warnings via telephone. Staff responded to residents' urgent requests for assistance, in some cases taking calls whilst actively protecting their own homes.

Council water staff opened a hydrant to fill residents' water tankers near the Barton St, Lithgow filling station at no cost to residents.

With assistance from Council staff, NSW Family and Community Services established an Evacuation Centre at the Lithgow Workies Club. Additionally, Council staff opened a Community Safe Place during the peak of the fires for those not formally requested to evacuate but were concerned for their short-term safety. Local Land Services opened a large animal Evacuation Centre initially at the Lithgow Greyhound Track and later at Bathurst's Showground.

Lastly, on the morning of the 21 December, the Local Emergency Operations Controller stood up the Emergency Operations Centre. Council staff attended the facility on a daily basis until it was put in standby mode the following Tuesday. This allowed Council to liaise closely and directly with the RFS as well as all other affected service providers and agencies such as Endeavour Energy, RMS, Family and Community Services, Local Land Services, NSW Police, NSW Fire and Rescue, Department of Health and many others.

Below is a summary table of bushfire impacts, with information provided by the Office of Emergency Management (as at 23 December 2019).

Impacts (as at 23/12/19)	
 <b>Fatalities</b>	Nil
 <b>Homes</b>	17 destroyed, 8 damaged <ul style="list-style-type: none"> <li>• Bowenfels, 1 destroyed</li> <li>• Clarence, 7 destroyed</li> <li>• Cobar park, 1 destroyed</li> <li>• <u>Corney</u> Town, 4 damaged</li> <li>• Dargan 6 destroyed, 2 damaged</li> <li>• <u>McKellars</u> park, 1 damaged</li> <li>• <u>Morts</u> Estate 1 destroyed</li> <li>• <u>Newnes</u>, 1 destroyed</li> <li>• Oakey Park, 1 damaged</li> </ul>
 <b>Outbuildings</b>	37 destroyed, 12 damaged <ul style="list-style-type: none"> <li>• Lidsdale, 3 destroyed</li> <li>• Bowenfels, 1 damaged</li> <li>• Clarence, 9 destroyed</li> <li>• Cobar park, destroyed</li> <li>• <u>Corney</u> Town, 1 damaged</li> <li>• Dargan 19 Destroyed, 10 damaged</li> <li>• <u>McKellars</u> Park, 2 destroyed</li> <li>• <u>Morts</u> Estate, 1 destroyed</li> <li>• <u>Newnes</u>, 1 destroyed</li> </ul>

### Councillor Visits to Bushfire Affected Areas

On 27 December 2019, the Mayor, Deputy Mayor, Cr McAndrew and Council's executive team toured the fire devastated areas of Clarence and Dargan, listening to the concerns of local residents. Some Councillors have visited other fire affected communities, including Capertee, the Wolgan Valley and Newnes.

### Emergency Operations Centre

On the morning of 21 December 2019, an Emergency Operations Centre (EOC) was established for Lithgow. All stakeholder agencies (including Council, RFS, Fire & Rescue and Police) were involved and the Centre operated each day during the bushfire crisis from 8am to 5pm. All agencies were present to ensure a quick response to changes in the disaster situation and were able to allocate resources and expend funds as required.

The Mayor and the Director Infrastructure Services were key members of the Local Emergency Management Committee during the bushfire crisis. Council administration staff assisted at the EOC during the immediate crisis period. Council staff voluntarily worked extended hours to ensure the smooth operations of the EOC.

### **Water (December 2019)**

Staff working at the Oakey Park Water Treatment Plant were evacuated as fire neared on 19 December 2019. In addition, the Clarence Transfer System infrastructure was damaged by the fire over the weekend of 21-22 December 2019. Centennial Coal – Clarence Colliery were able to undertake repairs on the Transfer System Pipeline on pit top on 23 December 2019 and the system was operational again on 24 December 2019.

Over the weekend of 21-22 December 2019, demand on the water system was high due to firefighting efforts in the Lithgow area which placed increased pressure on the network and resulted in a number of water breaks and leaking hydrants. On the morning of 23 December 2019, the main supply to the reservoirs from the Oakey Park Water Treatment Plant burst which resulted in a large loss of water and drained the 2 major service reservoirs. Council drew water from the Fish River Water Supply to maintain supplies. Over the next 24 hours, the system refilled and the water service was resumed to all customers.

Supplies were also affected to the Glen Davis area on a number of occasions when heavy machinery assisting in the fire fighting effort damaged the Fish River Water Supply pipeline.

The Director Water and Wastewater returned from approved leave to take control of the situation and to instigate immediate repair work and to initiate regular communications to customers.

There may be longer term issues which could impact Council's water supplies should a significant rain event wash ash and debris into Council's water reserves.

The Council made available a potable water tanker to refill the water tanks of rural residents who had depleted their water supplies fighting fires or protecting their properties. Approximately 25 households have utilised the water tank refill service. Limited cost recovery is available through the Office of Emergency Management.

### **Waste Services**

Financial assistance is available to councils to cover any extraordinary costs incurred in the disposal of residential bushfire waste at council waste facilities. Following a request from Blue Mountains City Council (BMCC), Lithgow Council should be able to assist with disposal of bushfire clean-up waste from destroyed properties in the Blue Mountains City Council area. BMCC has indicated that it should be able to provide staff assistance to Lithgow in tracking loads for asbestos material.

In relation to landfill space from bushfire damaged properties, Waste staff have carried out calculations and identified a site for disposal at the Lithgow landfill. This is roughly based on knowledge of damaged / destroyed properties in the Lithgow Council LGA, as well as Bell, Mt Tomah and Mt Wilson in the Blue Mountains City Council area. The plan will be to engage Council's contracted landfill operators to prepare the area. There will be additional costs of cell preparation, cover, additional plant etc. The contractors will invoice Council and Council would make a claim accordingly.

From what is known of property addresses thus far and the information provided by initial assessments, Council staff are making assumptions on the likelihood of asbestos. Discussions are ongoing with the Office of Emergency Management to arrange for contractors to spray the site and surrounds of suspected asbestos buildings with PVA until clean-up can take place.

Domestic waste collection services have resumed and bins have been replaced in Clarence and Dargan. Properties where dwellings have been destroyed will be able to receive a credit on domestic waste charges from the date of destruction until the dwelling is re-constructed and a full service reinstated.

### **Liaison with NSW Office of Emergency Management (OEM)**

The Lithgow LGA bushfires have been formally declared a natural disaster. As such, a range of assistance measures are available to Councils, small businesses primary producers and not-for-profit organisations.

The NSW Office of Emergency Management (OEM) is the agency responsible for coordinating disaster relief and recovery operations in NSW, and provides leadership, operational expertise, and support to impacted Councils across NSW.

Working in close partnership with Councils, OEM establishes Evacuation Centres, Recovery Centres and Recovery Committees, and coordinates the analysis of impact assessment data.

OEM liaises with the Commonwealth Government in order to coordinate Commonwealth support.

Council's Executive Leadership Team has joined regular teleconferences convened by the State Emergency Recovery Coordinator (SERCON). Other affected nearby Councils also joined the teleconferences. The teleconferences have discussed available assistance measures and communication with the community. From the week of 6 January 2020, the OEM will commence one-on-one discussions with Councils. This will provide an opportunity for Lithgow Council to seek specific assistance, e.g. the availability of water rebates for customers who have used significant volumes of water for fire-fighting and / or protecting property. The OEM is also reviewing the impact of the bushfires on the tourism industry.

A copy of the most recent OEM Bushfire Recovery Assistance Newsletter is included as an attachment to this report.

### **Recovery Centre**

On 24 December 2019, the Lithgow Workies Club agreed to host a Bushfire Recovery Centre from 30 December 2019 to 3 January 2020.

The Recovery Centre was staffed by Council's Customer Service Supervisor and the NSW Office of Emergency Management. The Recovery Centre provided residents with advice on bushfire disaster welfare, disaster recovery, available grants and assistance with Council services related to bushfire recovery.

### **Council Services During the Christmas Shutdown Period**

Council had planned a shutdown for the period from 24 December 2019 to 5 January 2020. Council staff had approved leave during this period.

Due to the bushfire crisis and to meet the needs of affected residents, Council operated the following services during the shutdown period:

- Recovery Centre - at Lithgow Workies Club from 30 December to 3 January.
- Call Centre - for bushfire related queries from 30 December to 3 January.
- Wallerawang Library - to assist people who require access to computers and the internet over the Christmas holiday period, the Wallerawang Library opened for limited hours from 27 December to 3 January.

A number of staff cancelled their leave plans to assist with providing services to our community following the bushfires.

### **Ongoing and Future Responses**

- Initial discussions have been held with the OEM and neighbouring Councils with regard to establishing a regional centre to provide ongoing support for residents and to provide advice on replacement building construction standards.
- The OEM has convened a Regional Recovery Committee (Lithgow, Blue Mountains, Hawkesbury and Wollondilly Councils) to co-ordinate prompt resolution of issues common to all Councils including waste and environment, infrastructure, welfare & wellbeing, business, tourism & industry, agriculture and animals.
- Council is negotiating with the OEM on a plan to make safe trees on private property in cases where this work is not covered by residents' insurance.
- Repair / replacement of Council owned infrastructure will be ongoing, e.g. damaged/destroyed timber bridges and a picnic table at Lake Pillans.
- Consideration of hardship rates relief to extend the due date for payment without incurring interest. Extended payment terms can be offered to bushfire affected residents, self-employed RFS volunteers and affected small businesses upon written application.
- Consideration of the waiver of fees for Development Applications and associated charges for replacement dwellings if such costs are not covered by insurance or properties were not insured.
- Community meeting to be held in Lithgow on 9 January 2020.
- Other recovery packages (coordinated/funded by the OEM) may become available following community consultation such as: ongoing recovery support services, rural landholder's assistance, and small business assistance.
- Wolgan Gap Road stability is to be addressed.
- Water rebates are proposed for excess usage incurred on the weekend of 21-22 December 2019. The rebate will be calculated using the data provided by the smart meter were a meter has been installed and data has been received. The calculation of the rebate amount will be the total water used during the period 21-22 December 2019 minus the average daily consumption for the 2 week period prior. Rebates will be considered upon application. Based on preliminary assessment of those currently seeking a rebate, the rebate amounts have not exceeded \$20 or approx. 6kL for each water account.
- Non affected Councils have offered support (eg Blacktown Council, Bathurst Council) and this is being coordinated by Local Government NSW.

### **Policy Implications**

Nil.

### **Financial Implications**

- Budget approved - N/A
- Cost centre - various
- Expended to date – final costs yet to be determined.
- Future potential impact - funding available through S44 declaration and National Disaster Relief Arrangements although Council will bear some costs.

### **Legal and Risk Management Implications**

Risk management was considered as part of the process of determining actions during the bushfire crisis.

### **Attachments**

Nil

## Recommendation

THAT Council:

1. Note the information provided on the response to the current bushfire crisis.
2. Authorise domestic waste charges relief for properties where dwellings have been destroyed.
3. Authorise a rebate for water usage charges on the weekend of 21-22 December 2019, rebated on application. Assistance will be sought from the Office of Emergency Management to cover the cost of rebates.
4. Authorise the waiver of fees for Development Applications and associated charges for replacement dwellings if such costs are not covered by insurance or properties were not insured.
5. Authorise hardship rates relief to extend the due date for payment without incurring interest. Extended payment terms to be offered to bushfire affected residents, self-employed RFS volunteers and affected small businesses upon written application.
6. Continually provide updated bushfire recovery information from the OEM on Council's website.

## **10. Business of Great Urgency**

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

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