



AGENDA

Ordinary Meeting of Council

to be held at

Council Administration Centre

180 Mort Street, Lithgow

on

Monday 27 July 2020

at 6:00 pm

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1. Acknowledgement of Country

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

3. Apologies

4. Declaration of Interest

5. Confirmation of Minutes

6. Commemorations and Announcements

7. Public Forum

8. Mayoral Minutes

9. Notices of Motion

9.1. Notice of Motion - Ruled Unlawful

Prepared by General Manager, Craig Butler

Authorised by General Manager, Craig Butler

Summary

A notice of motion was received by the General Manager on 16 July 2020. It has been determined that the business proposed by the notice of motion is (or the implementation of that business would be) unlawful. Pursuant to clause 3.20 of the Code of Meeting Practice the General Manager has excluded the matter from the agenda for this meeting. This requires that the exclusion be reported to the next council meeting.

Commentary

Clause 3:10 of Council's Code of Meeting Practice (the Code) provides that a councillor may give notice of any business they wish to be considered by the council at its next ordinary meeting by way of a notice of motion. A notice of motion was received.

Notices of motion are not able to be included in the business paper if they are unlawful (Clause 3:20 of the Code). It has been determined that the business proposed by the notice of motion is (or the implementation of that business would be) unlawful. Clause 3.20 is reproduced below for ease of reference.

- 3.20 The general manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the general manager, the business is, or the implementation of the business would be, unlawful. The general manager must report, without giving details of the item of business, any such exclusion to the next meeting of the council.

Policy Implications

This report ensures compliance with the adopted Code of Meeting Practice.

Recommendation

THAT Council note the decision of the General Manager to determine a notice of motion to be unlawful and exclude it from this business paper pursuant to Clause 3.20 of Council's Code of Meeting Practice.

**9.2. Notice of Motion - Road Naming – 4 and 5 Chifley Road Clarence – Lot 100
DP 1088253**

Authorised by Councillor Cassandra Coleman

Summary

Mr and Mrs Mark Langbein requested a meeting with me to discuss the possibility of naming the unnamed road running parallel to Chifley Road, Clarence, at the base of Scenic Hill. This is due to issues relating to the timely provision of emergency service to residents in this location.

This part of the city was settled by families who have a long and proud history of working in the Vale of Clwydd Coal Colliery.

Mrs Lesley Langbein's family have a close connection to the pit ponies used in mining in the Lithgow area and were kept in paddocks adjoining these properties.

As part of the naming process, this proposal would need to go on public exhibition for 28 days, however it is my understanding that there is general support to recognise the mining history in this locality by naming this road Pit Pony Lane, Clarence.

Attachments

Nil

Recommendation

THAT Council supports the naming of this road "Pit Pony Lane, Clarence", which provides access to properties off Chifley Road, Clarence. This proposal be placed on public exhibition for 28 days and then forwarded to the Geographical Names Board to complete the process of assigning the name to the unnamed road.

10. Questions with Notice

10.1. Rydal Township Unsealed Road Maintenance Schedule

Authorised by Councillor Cassandra Coleman

Attachments

Nil

Question

What is the maintenance cycle for the unsealed roads in the Rydal township?

11. Staff Reports

11.1. General Manager's Reports

11.1.1. Local Government NSW Annual Conference 22 - 24 November 2020

Prepared by Executive Assistant to the General Manager and Mayor, Trinity Newton

Authorised by General Manager, Craig Butler

Summary

The Local Government NSW's conference will be held at Cessnock in the Hunter Valley from Monday 22 November to Wednesday 24 November 2020.

Commentary

The Local Government NSW Conference is the main policy making event for the local government sector where issues are debated, and motions put forward for consideration by delegates.

As a member of Local Government NSW, Lithgow City Council is able to nominate three voting delegates to the conference and three voting delegates for the Board election.

Approximate Cost per delegated attendee is \$1,472 (early bird cost) not including general expenses.

Previous years the Mayor, Deputy Mayor and two other Councillors have been nominated to attend with the General Manager (or his delegate) and an additional observer if required.

*"Members are asked to submit their motions by **12 midnight (AEST) on Monday 28 September 2020** to allow for assessment of motions and distribution of the Business Paper before Conference. In line with the LGNSW rules, the latest date motions will be accepted for inclusion in the Conference Business Paper is 12 midnight (AEDT) on Sunday 25 October 2020."*

To ensure that Council has your proposed motions lodged by this due date please submit to Council by 16 September for collation and discussion at the Councillor Information session on 21 September 2020.

Policy Implications

Nil

Financial Implications

Conference registrations

- Budget approved - \$9,000 for Councillor conferences and seminars. As per Policy 9.5 Councillor Expenses & Facilities, a separate budget is provided for State and National Local Government conferences.
- Cost centre - 10 1059 1000 63206
- Expended to date – Nil.
- Future potential impact – Nil.

Legal and Risk Management Implications

Nil.

Attachments

1. LGNSW Annual Conference 2020 Draft program [**11.1.1.1** - 5 pages]
2. Procedures for Motions - LGNSW Conference [**11.1.1.2** - 1 page]
3. LGNSW Annual Conference Brochure 2020 [**11.1.1.3** - 11 pages]

Recommendation

THAT Council:

1. Appoint the Mayor, Deputy Mayor and another Councillor as voting delegates to the Conference.
2. Authorise the General Manager or his delegate to attend the Conference as an observer.
3. Authorise the Mayor to appoint alternate delegates or additional observers if required.

11.2. Economic Development and Environment Reports

11.2.1. DA052/20- Dual Occupancy at 12 Korra Street Marrangaroo NSW 2790

Prepared by	Jessica Ramsden - Development Planner
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Authorised by Director of Economic Development & Environment

Summary

To request variation of covenants relating to DP8135338 to allow dual occupancy under DA052/20 for 12 Korra Street Marrangaroo NSW 2790.

Commentary

Council is in receipt of a Development Application DA052/20 for a dual occupancy on land known as Lot 49 DP813538, 12 Korra Street Marrangaroo NSW 2790. Two covenants exist on the land, imposed by Council in 1990 that state:

5(a) - That no more than one (1) main building shall be erected on the land hereby burdened.

5(i) - That no dwelling shall be erected on the land hereby burdened with external wall or walls of materials other than brick, stone, concrete, glass or timber or any combination of the same provided that timber or other material shall not be used in external walls, except as infill panels in conjunction with all or any of the other materials in this clause referred to, and the proportion of other materials so used in relation to the external wall area shall not exceed 50 (fifty) percent therefore provided that nothing in this covenant contained shall preclude or prohibit a building having a liner framework or its external walls constructed of timber or other materials with an external brick face or veneer.

As a main building is already erected on the land, being the existing brick dwelling, the proposed dual occupancy would not comply with the covenant 5(a). Further the proposed dual occupancy is a manufactured dwelling with external cladding walls which does not comply with 5(i). The proposed dual occupancy would be located at the rear of the existing main building with minimal view from the street frontage. It is expected that the dwelling would have minimal impact to the character of the existing area or streetscape.

Therefore, it is requested that a variation to these covenants be considered by Council.

Notification to surrounding landowners was undertaken to allow for comment of the proposed dual occupancy for a period of 14 days with no submissions received during this time.

Proposal:

The land currently retains a dwelling and shed on the 4140m² allotment. The land slopes downwards towards Korra Street with landscaping and existing driveway. The proposed dual occupancy dwelling will include one bedroom with ensuite, kitchen, living/dining room, cupboard laundry and bathroom at approximately 60m². The proposed dwelling is a manufactured home through Hi Tech Homes being of timber frame and cladding exterior.

Lithgow Local Environmental Plan 2014 assessment:

The development being a dual occupancy (detached) defined below is permissible under the Lithgow Local Environmental Plan 2014 (LEP2014) in zone R2 Low Density Residential, subject to development consent.

Dual occupancy (detached) means 2 dwellings on one lot of land but does not include a secondary dwelling.

Clause 4.1A of LEP2014 is also applicable to a proposed dual occupancy which requires a minimum lot size of 1000m² for a dual occupancy in zone R2 Low Density Residential. As the land is 4140m² the development will comply with the provisions of Clause 4.1A.

All other provisions of LEP2014 are expected to be complied with through the proposed design or subject to proposed conditions of consent if approved. Assessment is still being undertaken on the Development Application which has not been called in and can otherwise be determined under delegated authority.

Policy Implications

Nil.

Financial Implications

- Budget approved - NA
- Cost centre - NA
- Expended to date - NA
- Future potential impact - NA

As part of assessment of the Development Application the proposal will be subject to Development Contributions under Section 7.12 of the Environmental Planning & Assessment Act 1979 (Section 94) and Section 64 of the Local Government Act for water and sewer services and will be subject to conditions of consent.

Legal and Risk Management Implications

The development application itself must be assessed in accordance with the heads of consideration under 4.15 of the Environmental Planning & Assessment Act 1979. A full assessment will be undertaken in due course by Council Officers to be determined under delegation.

Attachments

Nil

Recommendation

THAT Council varies covenant 5(a) and 5(i) relating to DP813538 to allow a dual occupancy at 12 Korra Street Marrangaroo subject to final assessment of DA052/20 under delegated authority.

11.2.2. DA182/19, Planning Agreement for a 19 Lot Subdivision, Pipers Flat Road

Prepared by Lauren Stevens: Development Assessment Planner

Authorised by Director of Economic Development & Environment

Reference

Min No 20 – 116: Ordinary Meeting of Council held on 25 May 2020 - DA182/19 - Proposed 19 Lot Subdivision & Draft Planning Agreement, Lot 20 DP 1176825, 1043 Pipers Flat Road, Pipers Flat

Summary

To advise and seek endorsement of a Voluntary Planning Agreement, relating to the approved subdivision of 1 into 19 lots on land known as Lot 20 DP 1176825, 1043 Pipers Flat Road, Pipers Flat.

Commentary

At its ordinary meeting of 25 May 2020 Council endorsed a draft Planning Agreement relating to DA182/19 for a subdivision into 19 residential lots providing \$3,300 per allotment to go towards community facilities and public open space.

The draft Voluntary Planning Agreement was placed on public exhibition for a period of 28 days with no submissions being received. Consequently, the Voluntary Planning Agreement is ready for final endorsement by Council. Once endorsed the Voluntary Planning Agreement may be finalised and notified to the Minister for Planning.

Policy Implications

Policy 7.10 – Planning Agreements

A Voluntary Planning Agreement (VPA) has been negotiated with the developer as per Section 7.4 of the Environmental Planning & Assessment Act 1979 in relation to DA182/19. The VPA has been advertised appropriately and is ready for final endorsement. The Policy states that the final endorsement of the Planning Agreement is to be reported to Council.

Financial Implications

- Budget approved - N/A
- Cost centre - N/A
- Expended to date - N/A
- Future potential impact - The endorsement of a Voluntary Planning Agreement will assist Council to provide facilities which will be of benefit towards a public purpose.

Legal and Risk Management Implications

The legislative basis for the Planning Agreement is incorporated in the Environmental Planning and Assessment Act 1979 (Sections 7.4 – 7.10) and the Environmental Planning and Assessment Regulations (clauses 25B – 25H). The Voluntary Planning Agreement has been exhibited for a period of at least 28 days pursuant to Section 7.5 of the Environmental Planning and Assessment Act 1979.

Attachments

1. DA182/19 Proposed 19 Lot Subdivision Pipers Flat Road [**11.2.2.1** - 10 pages]

Recommendation

THAT

1. Council endorse the Voluntary Planning Agreement proposed for DA182/19 to a value of \$3,300 (per residential lot) to go toward community facilities and open space.
2. The Voluntary Planning Agreement as endorsed be forwarded to the Minister for Planning.
3. A DIVISION be called in accordance with the requirements of Section 375A(3) of the Local Government Act, 1993.

11.2.3. DA094/19 Proposed 1 into 2 Torrens Title Subdivision, 3 Multi Dwellings Strata Lots Plus Concept Development for an Additional 12 Multi Dwellings and Strata Lots, Tweed Road Lithgow

Prepared by Lauren Stevens: Development Assessment Planner

Authorised by Director of Economic Development & Environment

Summary

To assess and recommend determination of Development Application DA094/19 and to seek endorsement of the Draft Voluntary Planning Agreement for a proposed subdivision of 1 into 2 Torrens title subdivision, 3 multi dwellings strata lots plus concept development for an additional 12 multi dwellings and strata lots on land known as Lot 402 DP 1155154, Tweed Road Lithgow.

Commentary

Council is in receipt of a Development Application DA094/19 for a proposed 1 into 2 Torrens title subdivision, 3 multi dwellings strata lots plus concept development for an additional 12 multi dwellings and strata lots on land known as Lot 402 DP 1155154, Tweed Road Lithgow.

Stage 1

Development Consent is sought for Stage 1 only and involves:

- Lot 1 into 2 Torrens Title subdivision creating an allotment for the proposed multi dwelling development,
- Construction of a new access road 1 and road 2 (private internal roads) including upgrade to access handle and construction of 11 visitor car spaces,
- Landscaping of communal areas,
- Erection of 3 detached dwellings and strata subdivision
- Civil works – water, sewer, stormwater and utilities for the whole of proposed Lot 1 Development Site (stage 1 and future),
- Strata subdivision of 1 into 3 with remainder of the land as a Development Lot.

Concept Development subject to separate DA's:

Stage 2: Construction of detached dwellings on Strata Lots 4-6,

Stage 3: Construction of detached dwellings on Strata Lots 7-9,

Stage 4: Construction of detached dwellings on Lots 10 & 13 and semi-detached dwellings on Lots 11, 12, 14 and 15.

The concept development application seeks consent for a two lot Torrens title subdivision and sets out the future development strategy for a multi-dwelling housing development. The application includes:

- Lot 1 to have an area 1.05ha and is proposed to contain the future (concept) 15 multi dwelling strata units.
- Lot 2 is proposed to contain an area of 6.23ha and is proposed to be undeveloped land. This lot is proposed to gain access from Tangent Street.

Access to the property (proposed Lot 1) is located opposite the intersection of Caroline Avenue and Tweed Road. The access is a battle-axe allotment with access via an 8m wide right of carriageway (to Lot 401 DP1155154; existing) and an easement for services. Proposed Lot 2 is to have an access from Tangent Street.

The 15 multi-unit dwellings would consist of a mixture of single storey detached and semi-detached dwellings (11 detached and 4 semi-detached). Each dwelling is proposed to consist of three bedrooms and off-street parking for 2 vehicles. Each dwelling would also provide private open space areas. The development proposes new internal driveways, 11 visitor parking spaces and landscaping.

The land was previously used as a quarry and contains no buildings, sparse vegetation and slopes to the west. The allotment abuts Farmers Creek to the west of the property and is lined with existing residential allotments to the east. The allotment is irregular in shape and contains a total area of 7.28ha.

The applicant has proposed an offer for a Voluntary Planning Agreement for the following:

- \$5,000.00 per dwelling/strata lot (total of \$75,000 for the 15 dwellings) for community facilities and public open space.

A Draft Planning Agreement has now been prepared for endorsement so the required public notification process may proceed.

The proposal was sent to surrounding landowners and placed on public display in Council's Administration Building for a period of 21 days. During the notification period four (4) individual submissions were received including eighteen (18) signatures and comments on a petition on one of the submissions received. Council's former notification policy in place at the time of the notification process states that petitions are classified as one submission. The concerns, applicant's response and Council Officer's response are outlined in the attached assessment report.

Policy Implications

Policy 5.1 Building Over Easements

The development is not proposed to be built over any easements on the property. The right of carriageway is proposed to be upgraded and maintained. The drainage easement will also not be impacted upon. New stormwater, sewer and water easements will be created as part of the application and not be built over via any dwellings.

Policy 7.1 Filling and Levelling of Land

The multi dwelling development requires cut and fill. Proposed dwellings numbered 13-15 (to be located closest to Outer Crescent) is proposed to be approximately between 1.5m to 3.5m. Dwellings 1-2 and 7 – 12 is proposed to have majority of fill undertaken consisting of 0.5m to 2.8m. Earthworks are also proposed to be scattered over the proposed Lot 1.

Retaining walls are proposed to be located along the northern, southern and western boundaries of the proposed multi dwelling lot. The height of the retaining walls is proposed to be varied due to the site contours. The maximum height of the retaining walls is proposed to be 1.8m.

Policy 7.2 Subdivision – Release Of Subdivision Plans

To comply with the above policy, the following condition would be included on the consent:

That a Subdivision Certificate Application, release fee, Registered Surveyors Plans (original & 11 copies) along with associated 88B instrument if applicable, be submitted to Council for finalisation following the compliance with all conditions of this consent.

Policy 7.5 Notification Of Development Applications (Now repealed but in place at the time of notification)

Council Policy 7.5 is applicable to all land within the Lithgow Local Government Area (LGA). The development is not defined as being exempt from requiring notification and therefore the following clause applies:

3.2 NOTIFICATION PERIOD

The minimum notification period is in accordance with this Policy is 14 days. The notification period commences on the date shown on the notification letter. Submissions will be received at any time within the notification period up to and including the last day as detailed in the notice given.

As the development is for future multi dwellings, and could have potential impacts to surrounding property owners, and due to numerous submissions received for previous applications for the site, Council has placed the development application on display for a period of 21 days. This timeframe is also consistent with other multi dwelling developments.

Policy 7.7 Calling In Of Development Applications By Councillors

This Application has not been called in; however, as the development does not comply with Council's Engineering Guidelines relating to the number of allotments receiving access from a Right of Carriageway (ie a maximum of 3) and a Planning Agreement proposed, the matter is reported to Council for determination.

Policy 7.10 Voluntary Planning Agreements

A Voluntary Planning Agreement (VPA) has been offered by the developer in accordance with Section 7.4 of the *Environmental Planning & Assessment Act 1979* in relation to this proposal.

The developer has agreed to contribute \$5,000.00 per dwelling/strata lot (total of \$75,000 for the 15 dwellings; Stage 1= \$15,000.00, Stage 2= \$15,000.00, Stage 3= \$15,000.00 and Stage 4= \$20,000.00) for community facilities and public open space.

Financial Implications

- Budget approved - N/A
- Cost centre - N/A
- Expended to date - N/A
- Future potential impact - The endorsement of a Voluntary Planning Agreement will assist Council to provide facilities which will be of benefit towards a public purpose.

Legal and Risk Management Implications

In determining a development application, a consent authority is required to take into consideration the matters of relevance under Section 4.15 of the Environmental Planning and Assessment Act 1979.

The legislative basis for the Planning Agreement is incorporated in the Environmental Planning and Assessment Act 1979 (EP&A Act) (Section 7.4 – 7.10) and the Environmental Planning and Assessment Regulations 2000 (Clauses 25B – 25H). Section 7.5 of the EP&A Act provides that public notice must be given of a proposed Planning Agreement for at least 28 days before it can be entered into.

Attachments

1. Planning Agreement [8H3S] [11.2.3.1 - 10 pages]
2. DA094/19 Planning Assessment Report [O8NH] [11.2.3.2 - 82 pages]

Recommendation

THAT

1. Development Application DA094/19 be APPROVED subject to conditions on the consent as shown in the attached Section 4.15 report.
2. A DIVISION be called in accordance with the requirements of Section 375A(3) of the Local Government Act, 1993.
3. Council endorse the Draft Voluntary Planning Agreement proposed for DA094/19 being for \$5,000 per dwelling/strata lot to go toward community facilities and infrastructure.
4. The Draft Voluntary Planning Agreement for DA094/19 be placed on public exhibition for a period of 28 days.

11.3. Infrastructure Services Reports

11.3.1. Review - Policy 2.1 Cemetery Operations

Prepared by Jonathon Edgecombe – Director Infrastructure Services

Authorised by Director of Infrastructure & Services

Reference

Min. No. 18-340: Ordinary Council Meeting of 26 November 2018.
Min. No. 19-342: Ordinary Council Meeting of 25 November 2019.
Min. No. 20- 47: Ordinary Council Meeting of 24 February 2020.

Summary

To provide an update to the following Council policy:

- Policy 2.1 - Cemetery Operations

The policy update will better ensure the policy's accuracy, completeness and pertinence to an evolving Council and community.

Commentary

After the Ordinary Meeting held on the 24 February 2020, Policy 2.1 Cemetery Operations was placed on public exhibition for a period of 28 days during March 2020. The period for comment closed on 31st March 2020 with only one submission received.

The comments made in the submission reflected on the new changes to internments, ornament placement and maintenance of the cemetery. Minor changes to the policy have been made to alleviate these concerns. Namely, Clause 8.2.1 and 8.2.2 have been added to provide some flexibility and clarity to the requirement for headstone or monument maintenance. No changes have been made to restrictions on ornament placement.

Policy Implications

Recommendation to Council for adoption of updates to Policy 2.1 - Cemetery Operations.

Financial Implications

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

Legal and Risk Management Implications

Nil

Attachments

1. Cemetery Operations -Community Submission [11.3.1.1 - 1 page]
2. Policy 2.1 Cemetery Operations v4 FINAL [11.3.1.2 - 9 pages]

Recommendation

THAT Council adopt and implement revised Policy 2.1 Cemetery Operations with immediate effect.

11.3.2. Request Fee Waiver - Lithgow District Football Association - 2020 Season

Prepared by Jonathon Edgecombe – Director Infrastructure Services

Authorised by Director of Infrastructure & Services

Summary

Council is in receipt of one (1) request for a reduction in sporting grounds fees from the Lithgow District Football Association.

The purpose of the report is to seek Council's determination of the association's request for a reduction of fees for the 2020 District Soccer Season.

Commentary

The Lithgow District teams utilise the Marjorie Jackson Oval as their home ground for training and competition games.

With the impact of COVID-19, most sporting games / competitions were suspended due to the government restrictions put in place to stop the spread of the virus. The Lithgow District Football Association has adhered to the restrictions, suspending competition and training for the first half of the 2020 Season.

With the NSW Government announcing the easing of restrictions, the Lithgow District Football Association have planned to restart their 2020 Season from 18 July 2020. As part of their plans to restart the season's competition, the Lithgow District Football Association has submitted their COVID19 safe plan for the use of the Marjorie Jackson Oval and have also lodged a letter requesting a fee reduction due to the shortened season.

Under Council current 2019/2020 fees and charges, below is what the association would normally be charged for the hire of the Marjorie Jackson Oval for their seasonal competition & training.

Marjorie Jackson Oval	
Refundable Bond:	\$ 326.00
Ground Rental (Per Season):	\$1249.00
Training (including lighting):	\$1249.00
TOTAL	\$2,824.00

Administration have put together two (2) options for Council's consideration for the fee reduction to assist the Lithgow District Football Association to continue the 2020 season.

OPTION 1 – 50% Reduction of Ground Rental and Training Fees

This option retains 100% fee for the bond to retain asset security

Marjorie Jackson Oval	
Refundable Bond:	\$ 326.00
Ground Rental (Per Season):	\$ 624.50
Training (including lighting):	\$ 624.50
TOTAL	\$1,575.00

OPTION 2 – Bond, Ground Rental and Training Fees reduced to 50%

This option reduces all fees to 50%

Marjorie Jackson Oval	
Refundable Bond:	\$ 163.00
Ground Rental (Per Season):	\$ 624.50

Training (including lighting):	\$ 624.50
TOTAL	\$1,412.00

Policy Implications

Nil

Financial Implications

- Budget approved – as per 2019/2020 fees and charges.
- Cost centre – sporting ground fee income.
- Expended to date – N/A
- Future potential impact – 50% loss of budgeted income for the recommenced soccer season.

Legal and Risk Management Implications

Nil

Attachments

Nil

Recommendation

THAT Council endorse Option 1 – 50% Reduction of Ground Rental Fees/ Training (includes lighting) for the 2020 Soccer season for the Lithgow District Football Association.

11.4. Water and Wastewater Reports

11.4.1. Water Report

Prepared by Daniel Buckens - Director of Water & Wastewater

Authorised by Director of Water & Wastewater

Reference

Min No 20-154: Ordinary Meeting of Council 22 June 2020

Summary

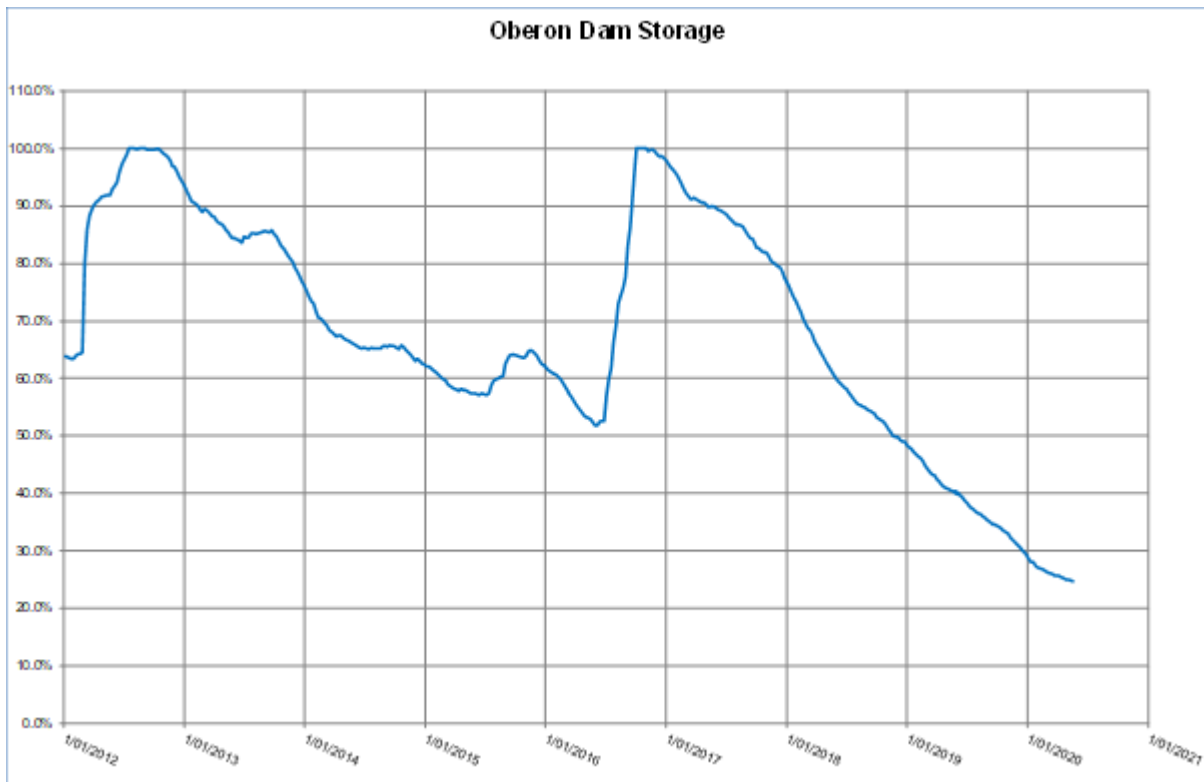
This report provides an update on various water management matters.

Commentary

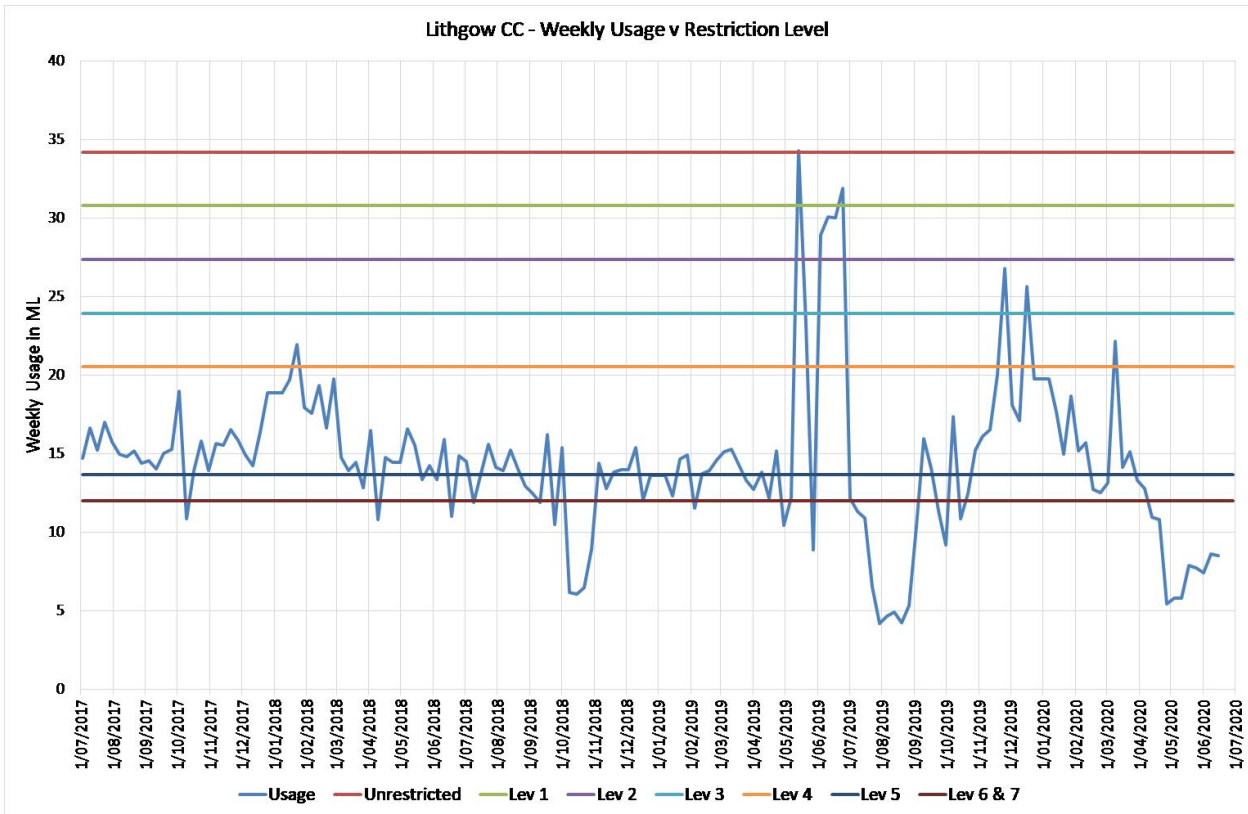
Current Dam Levels for both Farmers Creek No. 2 Dam and Oberon Dam

Farmers Creek No. 2 Dam has a capacity of 450ML. Storage volume on Monday 10th July 2020 was 69.01%. Clarence Transfer System operated until the 9th February 2020 and is currently shut down due to the level within Farmers Creek Dam.

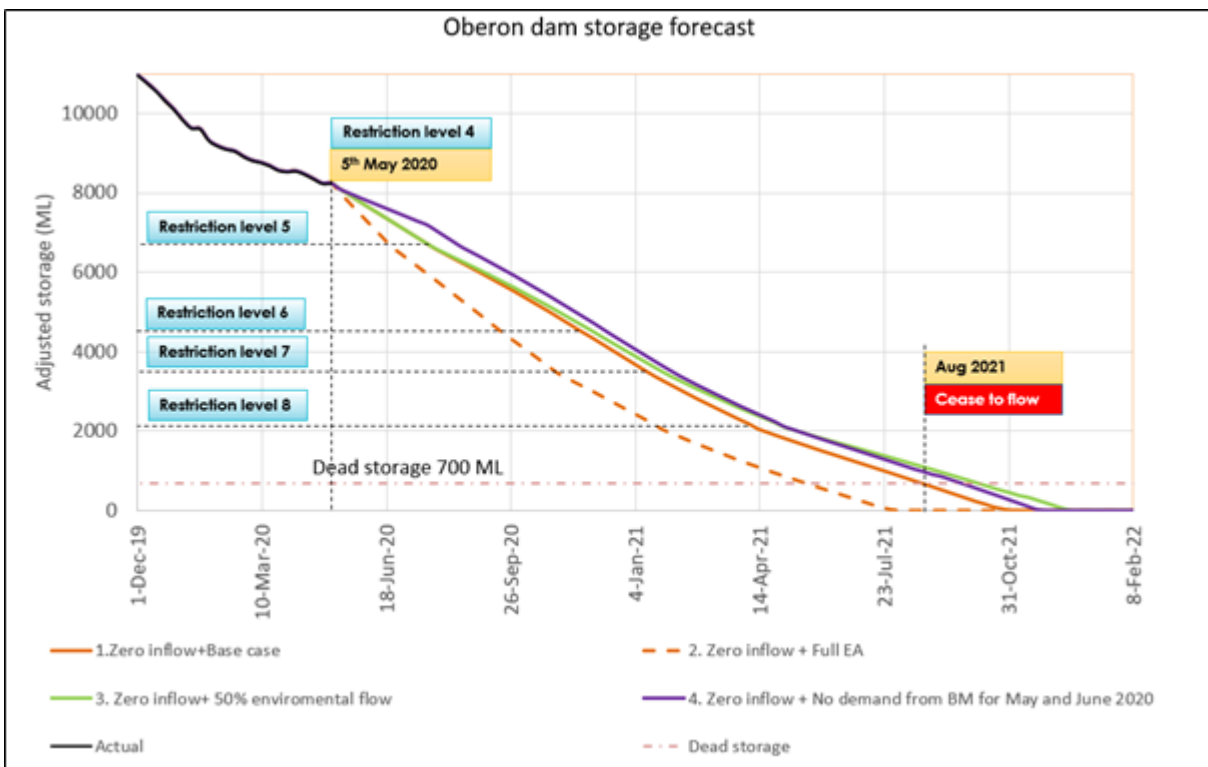
Oberon Dam has a capacity of 45000ML Storage volume on Monday 13th July 2020 was 24.4%. Total volume banked is currently approx. 6.6%, so storage adjusted for bank is 17.9%. Level 5 Restrictions come into effect when adjusted storage reaches 15%.



Level 4 restrictions on the FRWS are now in effect. Level 4 restriction trigger is 20% of adjusted storage. As can be seen in the below Usage v Restriction Level the current demands of the Council are on average lower than the current restriction level where Council exceeds the weekly usage allocation Council's banked water is reduced. Banked water is not subject to restrictions. This means that Council is managing water demand in accordance with the FRWS Drought Management Strategy.



As discussed at the May Ordinary Meeting of Council, WaterNSW have prepared depletion curves for the Oberon Dam. The depletion curves provided below are based on zero inflows to Oberon Dam and provides 4 scenarios based on assumed usage of the customers of FRWS. What this shows is the worst-case scenario of when the dam will reach a point where no water can be extracted. Zero in-flows into the dam is highly unlikely but has been used to provide the worst-case scenario to ensure management options and/or projects can be implemented prior to full drawdown of the system.



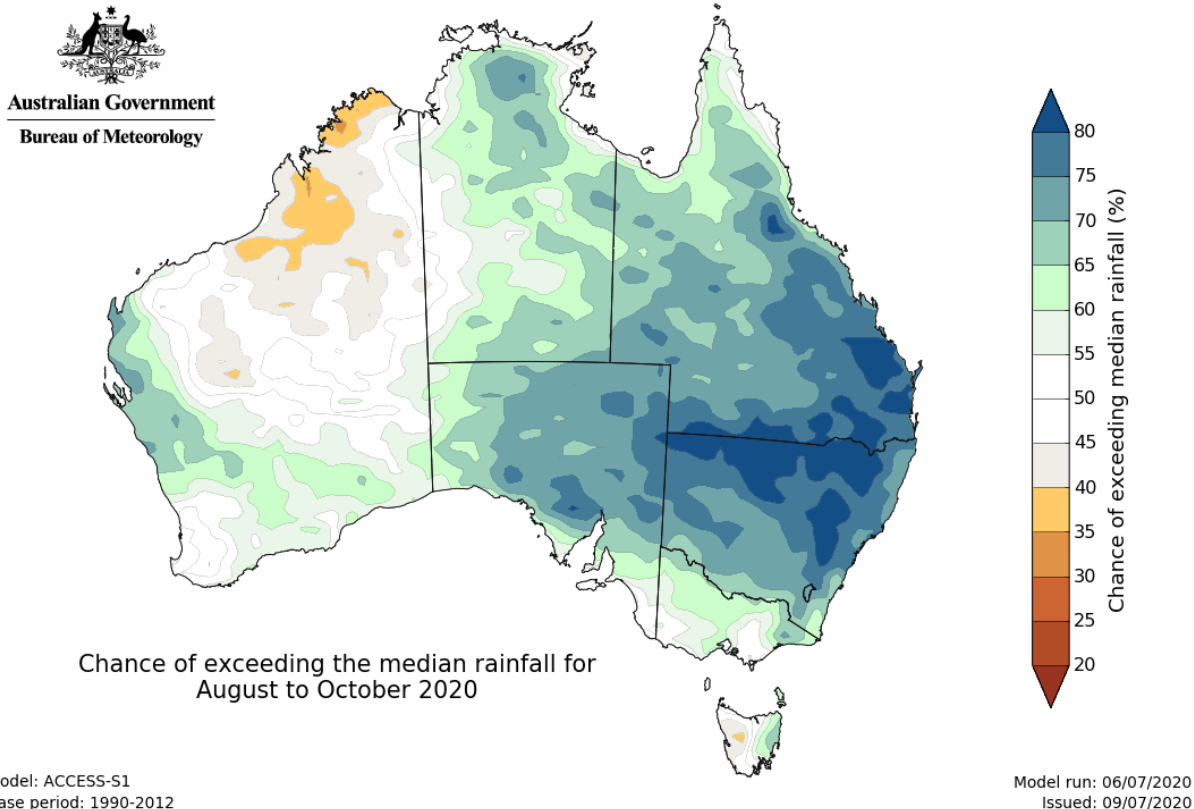
When Restriction Level 8 on the Oberon Dam is triggered Council’s access to water from the FRWS is zero (0). At this time Council will be solely reliant on water from Farmers Creek Dam and supplementary water via the Clarence Colliery Water Transfer Scheme. Based on the worst-case scenario Council’s access to water from the FRWS will cease 10 January 2021 as shown by scenario 2.

WaterNSW are continuing to refine the depletion curves and adjusting these in accordance with estimated water usage of the individual customers of the system.

Climatic and Rainfall Outlook

The following climatic and rainfall outlook is taken from the Bureau of Meteorology website.

- Winter (June to August) is likely to be wetter than average for northeast SA, western NSW, and scattered parts of southern Queensland.
- Winter days are very likely to be warmer than average across most of Australia
- Winter nights are very likely to be warmer than average almost nationwide.
- For the first half of June, most of WA, the southern NT, SA, NSW, Victoria and Tasmania are likely to be drier than average (mostly 60–75% chance).
- Winter (June to August) is likely to be wetter than average for northeast SA, western NSW, and scattered parts of southern Queensland (mostly 60–65% chance)
- Once past June, wetter conditions are established. July to September is likely to be wetter than average for the southern half of Australia (60–70% chance). However, the far southwest and southeast have slightly lower chances.



Current Water Usage from Each Supply

Table 1 below indicates total output from the Oakey Park Water treatment Plant (consumption), the volume transferred from the Clarence Water Transfer System (CWTS) and the volume of water purchased from Water NSW (Fish River Scheme) for 2017/2018 and 2018/2019 and a cumulative total by month for 2019/20.

Total for 2017/18	1,388.1	760.2	810.4
Total for 2018/19	1,318.6	318.7	762.4
Total for 2019/20	1,369.4	572.3	734.6
Licence Limit (ML/a)	1,500	1,293	1,778
Month	Oakey Park WTP (ML)	Clarence Transfer (ML)	Fish River Supply (ML)
July	44.076	134.529	58.251*
August	138.509	101.154	52.728*
September	21.471	39.166	60.926*
October	121.740	0	55.891
November	135.40	5.686	63.306
December	161.052	87.424	60.764
January	134.910	159.358	110.443#
February	42.20	45.0	56.00*
March	93.445	0	77.839
April	131.565	0	67.174
May	177.450	0	27.178
June	167.591	0	44.146
TOTAL	1,369.409	572.317	734.646

* The volume of water taken from FRWS is incorrect due to metering issues when FRWS supply the Lithgow area.

#January volume includes the last week of December 2019

System Configuration

Due to a break that occurred on the FRWS pipeline feeding into Lithgow at Wallerawang OPWTP supply is feeding Lithgow and Marrangaroo. FRWS continue to feed water to Wallerawang, Lidsdale, Portland, Rydal, Cullen Bullen and Glen Davis. This will continue until such time as the water main can be replaced via a new pipeline route to remove the failed section from under the rail corridor.

Clarence Water Transfer Scheme

Clarence Transfer System was shut down on 9 February 2020 due to the level of dam and remains off.

Oakey Park Water Quality Summary

There were no exceedances of the health guideline values of Australian Drinking Water Guideline (ADWG).

During the period there were two reports of dirty water in the areas of Academy Street and Musket Parade, Lithgow. These were isolated incidents in which only individual properties were affected. Staff flushed and sampled in these areas after the reports were made and following, no further complaints were received.

Treatment Plant Monitoring Results

Samples are taken on a monthly basis at various locations within the STPs and WTP in accordance with Environment Protection Licence requirements. There were no exceedances of the Licence Limits for all treatment plants.

It has become apparent that monitoring results for the month of May 2020 were not published on Council's website. This is inconsistent with the requirements of the Environment Protection Licences for all 4 sites. This occurred due an administrative oversight. A review of the process for publishing the data is to be reviewed and strengthened to ensure this does not re-occur.

Fish River Water Scheme Water Quality Summary

There were no exceedances of the health guideline values of Australian Drinking Water Guideline (ADWG).

Water Mains and Service Issues

Council experienced 4 breaks during the period 12 June to 16 July. The below provides the date and location of the breaks during the period.

14 June 2020 – Great Western Highway, Lithgow

28 June 2020 – Hume Avenue, Wallerawang

6 July 2020 – High Street, Portland

9 July 2020 – Cupro Street, Lithgow

Policy Implications

Nil.

Financial Implications

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

Legal and Risk Management Implications

Nil.

Attachments

Nil

Recommendation

THAT Council note the Water Report as an update on water management.

11.5. Finance and Assets Reports

11.5.1. Local Government Remuneration Tribunal Determination

Prepared by Ross Gurney - Chief Financial & Information Officer

Authorised by Chief Financial & Information Officer

Reference

Min No 19-138: Ordinary Meeting of Council of 27 May 2019 Reconvened 11 June 2019.

Summary

The Local Government Remuneration Tribunal (the Tribunal) is established under Chapter 9, Part 2, Division 4 of the Local Government Act. The Tribunal's role is to determine categories of Councils then to determine the maximum and minimum amounts of fees to be paid to Mayors and Councillors in each of the categories.

The Tribunal has now determined the Mayoral and Councillor fees for the 2020/21 financial year. In response to the COVID-19 pandemic, the time for the making of the determination was extended to no later than 1 July 2020

This report recommends the Mayoral and Councillor fees be set for the 2020/21 year as per the determination.

Commentary

At the Ordinary Meeting of Council of 27 May 2019 Reconvened 11 June 2019, Council resolved:

19-138 RESOLVED

THAT Council:

1. Set the remuneration in 2019/20 for Councillors at \$11,119 (2.5% increase on 2018/19).
2. Set the remuneration in 2019/20 for the Mayor at \$23,546 (2.5% increase on 2018/19).
3. Set the 2019/20 car lease payable by the Mayor at Nil.

Allocation of Councils into Categories

Section 239 of the Local Government Act (LG Act) requires the Tribunal to determine the categories of councils and mayoral offices at least once every 3 years. The Tribunal last undertook a significant review of the categories and the allocation of councils into each of those categories in 2017. In accordance with the LG Act, the Tribunal undertook a review of the categories and allocation of councils into each of those categories as part of the 2020 review.

In accordance with section 239 of the LG Act the categories of general purpose councils are determined as follows:

Metropolitan

- Principal CBD
- Major CBD
- Metropolitan Large
- Metropolitan Medium
- Metropolitan Small

Non-metropolitan

- Major Regional City
- Major Strategic Area
- Regional Strategic Area
- Regional Centre
- Regional Rural
- Rural

Under the revised classifications, Lithgow remains classified as Regional Rural.

Determination of Fees

The determination states that a number of factors have influenced the Tribunal’s views in regard to the annual increase. These include the impact of the bushfires and the current COVID-19 pandemic on the state and federal economies and the wellbeing of our communities.

Given the current economic and social circumstances, the Tribunal has determined that there be **no increase** in the minimum and maximum fees applicable to each existing category.

The Office of Local Government has issued Circular 20-23, to confirm that the Tribunal “has determined that there will be no increase in mayoral and councillor fees for the 2020/21 financial year.”

Minimum and maximum fees are set out in the table below:

Table 4: Fees for General Purpose and County Councils

Category		Councillor/Member Annual Fee		Mayor/Chairperson Additional Fee*	
		Minimum	Maximum	Minimum	Maximum
General Purpose Councils - Metropolitan	Principal CBD	27,640	40,530	169,100	222,510
	Major CBD	18,430	34,140	39,160	110,310
	Metropolitan Large	18,430	30,410	39,160	88,600
	Metropolitan Medium	13,820	25,790	29,360	68,530
	Metropolitan Small	9,190	20,280	19,580	44,230
General Purpose Councils - Non-metropolitan	Major Regional City	18,430	32,040	39,160	99,800
	Major Strategic Area	18,430	32,040	39,160	99,800
	Regional Strategic Area	18,430	30,410	39,160	88,600
	Regional Centre	13,820	24,320	28,750	60,080
	Regional Rural	9,190	20,280	19,580	44,250
	Rural	9,190	12,160	9,780	26,530
County Councils	Water	1,820	10,140	3,920	16,660
	Other	1,820	6,060	3,920	11,060

*This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member (s.249(2)).

Setting of Fees

The LG Act requires:

248 Fixing and payment of annual fees for councillors

- (1) A council must pay each councillor an annual fee.*
- (2) A council may fix the annual fee and, if it does so, it must fix the annual fee in accordance with the appropriate determination of the Remuneration Tribunal.*
- (3) The annual fee so fixed must be the same for each councillor.*
- (4) A council that does not fix the annual fee must pay the appropriate minimum fee determined by the Remuneration Tribunal.*

In addition to the above fees Council also provides the Mayor with a motor vehicle which is available for private use. No lease fee is currently payable for this.

Councils set Councillor and Mayoral fees for each financial year based on the Tribunal's determination. The level of fees accords with each Council's category as set by the Tribunal.

Lithgow City Council's mayoral and councillor fees have historically been set at the lower end of the annual fee range.

Policy Implications

Nil.

Financial Implications

- Draft 2020/21 budget - \$129,923
- Cost centre - PJ 800154 Governance
- Expended to date - nil for 2020/21
- Future potential impact - N/a

Legal and Risk Management Implications

Council is required under the Local Government Act 1993 to pay the remuneration in accordance with the limits set by the Tribunal.

Attachments

1. 2020- Annual Determination- LGRT [**11.5.1.1** - 24 pages]
2. OLG Circular 20-23 [**11.5.1.2** - 2 pages]

Recommendation

THAT Council:

1. Set the remuneration in 2020/21 for Councillors (2019/20 being \$11,119).
2. Set the remuneration in 2020/21 for the Mayor (2019/20 being \$23,546).
3. Set the 2020/21 car lease payable by the Mayor (2019/20 being nil).

11.5.2. Actions to Address Cashflow Issue

Prepared by Ross Gurney - Chief Financial & Information Officer

Authorised by Chief Financial & Information Officer

Reference

Min. No. 20-155 Ordinary Meeting of Council held on 22 June 2020

Summary

Information on Council's emerging cashflow issue was included in the 2019/20 Quarter Three Budget Review report which was presented to the June 2020 meeting.

The purpose of this report is to propose actions to address and mitigate the impacts of projected cash inflows being lower than usual for the 2020/21 year, particularly for the remainder of 2020.

Commentary

The 2019/20 Quarter Three Budget Review report proposed the following actions in response to Council's emerging cashflow issues and to address the expected shortfall in unrestricted cash at 30 June 2020:

- Reviewing any proposed carryovers / revotes of budgets from 2019/20 to determine projects which can be deferred until late in 2020/21 or the following year;
- Reviewing the 2020/21 draft capital works program for projects which can be deferred until late in 2020/21 or the following year; and
- Reviewing the 2020/21 draft capital works program for multi-year projects which should have budgets moved to following years.

2020/21 Capital Works Program

The 2020/21 draft Capital Works Program, as included in the draft 2020/21 Operational Plan, included projects to a total value of **\$18.758M** as summarised in the table below.

Capital Works Program 2020/21	
Bridges	156,635
Buildings	1,137,251
Cemeteries	104,628
Cultural Heritage	16,000
Drainage	383,463
Footpaths	308,147
Information Technology	262,800
Plant Replacement	800,000
Recreation	1,886,262
Roads	4,875,047
Tourism	40,000
Village Improvements	30,000
Waste	3,697,850
Wastewater	4,210,000
Water	850,000
Total Capital Program	18,758,083

It was proposed to remove a number of projects from the 2019/20 capital program at the 2019/20 Quarter Three budget review and add these projects to the 2020/21 capital works program.

The Infrastructure Services capital works program for 2020/21 will focus on maximising the number of projects which can be completed by Council staff, particularly projects in rural areas and projects funded from grant allocations. Generally, projects to be deferred would have been completed by external contractors. For the Roads Program, Council crews will be focussed on capital projects for the remainder of 2020 whilst ensuring that essential maintenance works are completed. In the second half of 2020/21, Council will engage contractors for the remaining capital projects (as programmed) with Council teams continuing with maintenance works.

Grant Approvals

Although it is proposed to defer a number of planned capital works projects from the draft 2020/21 Operational Plan, it should be noted that Council has recently been successful in obtaining over \$4M of capital grant funding for 2020/21, including:

- \$522,353 to construct a bike pump track at Endeavour Park Lithgow.
- \$2.03M allocation from the Resources for Regions Program.
- \$796,800 allocation from the Local Roads and Community Infrastructure Program.
- Showgrounds Stimulus Funding Program.
- \$1.36M from the Fixing Local Roads Program.

Council will continue to advocate for grant funding and to consider projects for relevant and appropriate grant programs as opportunities arise.

Carryovers / Revotes of Budgets from 2019/20

Any requests from budget managers to carryover / revoke budgets from 2019/20 to 2020/21 will need to be carefully considered and restricted to projects already underway or essential works. A report on recommended carryovers / revotes will be put to the August 2020 Council meeting.

2019/20 Projects to be Deferred

At the 2019/20 Quarter Three Budget Review, a number of projects were removed from the capital works program and planned to be included in 2020/21 capital program. It is proposed that the following 2019/20 projects be deferred:

- Water reservoirs project – approximately \$355K budget remaining, works to be deferred to 2021/22.
- Lake Lyell Septic Upgrade - \$768K budget remaining, works to be deferred to 2021/22.
- Adventure Playground Carpark - \$93K budget, works to be deferred to the second half of 2020/21.

2020/21 Projects to be Deferred

It is proposed that the following 2020/21 capital works projects be deferred to the 2021/22 year:

- Capital works – Eskbank House Museum - \$165K (grant & reserve funded).
- Farmers Creek Shared Pathway - \$400K (grant & revenue funded); it is proposed to carryover unused 2019/20 budget (currently \$463K remaining) to complete the current stage of the works in 2020/21.
- Cemetery capital works with the exception of the Cullen Bullen columbarium - \$99K (revenue funded); recurrent maintenance works will not be impacted.
- Plant replacement program – condition assessments of all plant are currently being conducted to create short, medium and long-term plans for plant replacement to better phase the program and understand the yearly requirements (revenue and reserve funded). Plant replacement will be deferred for as long as is practical.
- Playgrounds – Lake Lyell, Kiddle Park, Cullen Bullen - \$154K (revenue funded).
- Shade sails – Marrangaroo Playground, Lake Lyell Playground - \$42K (revenue funded).
- Reservoirs upgrade - \$100K (water revenue funded).
- Public PCs in Library upgrade - \$35K (revenue funded).

- Sewer Vent Replacement - \$60K (annual program, sewer revenue funded).

It is proposed that the following 2020/21 capital works projects be retained in the program but deferred to the second half of 2020/21:

- Lithgow Library Parapet and Awning Replacement – 390K (revenue funded).
- Replace Ceiling Tiles – Council Administration Building - \$132K (reserve funded).

Multi-year Project Phasing

The total budget proposed for the Cullen Bullen Sewerage Scheme for 2020/21 was \$4.95M (including funds moved from the 2019/20 budget). The project phasing has been reviewed and the budget proposed for the 2020/21 year has been amended to \$1.8M. The remaining budget will be included in the draft 2021/22 capital works program. Consideration may need to be given to increasing the 2020/21 budget, at a quarterly budget review, should works be able to progress at a faster rate.

Cashflow Impacts of Changes to the 2020/21 Capital Works Program

There will be lower cash requirements for the 2020/21 Capital Works Program if projects are deferred as proposed. The total cashflow impacts are:

- Projects to be deferred to the 2021/22 year - \$2,177,772
- Projects to be deferred to the second half of 2021/22 - \$614,733
- Rephasing of Cullen Bullen Sewerage Scheme – include in draft 2021/22 capital program - \$3,150,000
- **Total capital program cash outflows deferred - \$5,942,505.**

With the addition of projects moved from the 2019/20 capital works program to the 2020/21 program, Council will still have an \$18M capital works program for the 2020/21 year (after the deferral of some projects). Grant approvals will add a further \$1M to \$2M to the 2020/21 capital program. With such a substantial 2020/21 program, the progress of projects will be closely monitored to ensure on-time completion.

Recruitment for Vacant Roles

Deferral of recruitment for all currently vacant roles has been considered by Directors. Recruitment will be delayed or deferred for the following vacant roles:

- WHS Advisor (defer for 2 months);
- Casual Compliance Officer (defer for 3 months);
- Unlicensed Plumber (recruitment will not proceed in 2020/21);
- 2 x labourer roles – Infrastructure Services (defer for 6 months);
- Horticultural Technician (defer for 3 months);
- Aquatic Centre Customer Service Officer (defer for 3 months); and
- Casual Pool Lifeguards (defer up to 3 months).

The total savings / cash outflows deferred from delaying recruitment for the above roles is approximately **\$175K**. 2020/21 Quarter One budget variations will be processed to take up the savings.

2020 Local Government Award

Council budgeted for an award increase in salaries and wages of 2.5% for the 2020/21 year. The 2020 Local Government Award is now finalised and includes a 2020/21 pay increase of 1.5%. The expected saving in budgeted salaries and wages for the 2020/21 year is **\$120K**.

Finance will determine the budget savings from the lower award increase by budget area and a 2020/21 Quarter One budget variation will be prepared to take up the cost saving.

Monitoring of Cashflow

Cash inflows and outflows will be carefully monitored throughout the 2020/21 year. Further mitigating actions to increase cash receipts and/or slow cash outflows will be considered as required. Any further proposed actions will be reported to the Finance Committee and Council as appropriate.

Policy Implications

Nil.

Financial Implications

As detailed in this report.

Legal and Risk Management Implications

The purpose of this report is to address risks to Council's cashflow which are merging in the COVID-19 pandemic economic environment.

Attachments

Nil

Recommendation

THAT Council endorse the following actions to address and mitigate the impacts of the emerging cashflow issue:

1. Deferral of 2019/20 capital projects listed in the report which were planned to be added to the 2020/21 capital works program (to be considered for the 2021/22 program).
2. Deferral of 2020/21 capital projects listed in the report from the 2020/21 capital works program (to be considered for the 2021/22 program).
3. Setting the multi-year project phasing for the Cullen Bullen Sewerage Scheme and a budget of \$1.8M for the 2020/21 year.
4. Other actions proposed in this report to improve cash inflows and/or reduce or slow cash outflows and save costs for the 2020/21 year.

11.5.3. Lidsdale Rating Sub-Categories

Prepared by Ross Gurney - Chief Financial & Information Officer

Authorised by Chief Financial & Information Officer

Reference

Min. No. 20-53: Ordinary Meeting of Council 24 February 2020.

Min. No. 20-135: Ordinary Meeting of Council 25 May 2020.

Summary

Over recent months, the Finance Committee has considered a review of Council's rating categories. At the 25 May 2020 meeting, Council resolved to endorse the introduction of a power generation business rating sub-category. At the March, June and July Finance Committee meetings, the Lidsdale business and residential sub-categories were discussed.

The purpose of this report is to inform Council of the impacts of moving Lidsdale ratepayers to the rural rating sub-categories. The report recommends that the Lidsdale business and residential rating sub-categories be removed and that all Lidsdale ratepayers be moved to the Rural sub-categories from the 2021/22 year.

Commentary

Background

NSW Local Government Act 1993

Councils charge rates, categorise / sub-categorise land and choose the method for the levying of rates under the Local Government Act 1993 (sections 493 to 560).

The Act requires councils to "provide a system of local taxation, based on rates levied on property, which is simple, fair, broadly uniform"...

The Act requires that rating be on 'ad valorem's that is 'at value' based on land values. This is one of the most fundamental principles of local taxation and is believed to be the fairest and most equitable system by the Office of Local Government.

The objectives of the Local Government Act 1993 were considered by Council in its ongoing review of the rating structure.

Objectives of the Review of the Rating Structure

The objective of the rating structure review is to ensure a fair and more equitable structure overall, with all ratepayers paying their fair share. Changes to the rating structure need to be based primarily on land valuations and consider ratepayers' access to the services provided by the Council. For example, rates levied on mines are considerably more than for other businesses due to their scale of operations and the industry's impact on community infrastructure.

Rating Revenue

The Council will not receive any extra revenue from the proposed changes to the rating structure as the Council's rates revenue can only be increased by a set amount each year (the rate peg) as directed by the Independent Pricing & Regulatory Tribunal of NSW (IPART). The proposed changes only affect how rates are calculated and distributed across the LGA.

Current Lidsdale Rates

At present, there are 133 residential properties and only 4 business properties in the Lidsdale rating sub-categories. Lidsdale residential notional income for 2020/21 is \$101.6K and Lidsdale business notional income for 2020/21 is \$8.4K.

Impacts of Change – Residential Sub-categories

Moving the Lidsdale residential ratepayers into the Rural sub-category would result in a minor increase in average rates paid by Lidsdale ratepayers, to ensure that Council has no loss of rates revenue. There would be a minor decrease to the rates paid by the 2,276 Rural ratepayers. The changes are summarised below.

Lidsdale Residential Rates

2020/21 average rates – Lidsdale sub-category: \$763.61

2020/21 average rates – Lidsdale ratepayers moved to Rural sub-category: \$822.68

Increase in rates for average Lidsdale ratepayer: \$59.07 (just over \$1 per week)

Decrease in rates for average Rural ratepayer: \$33.69

Impacts of Change – Business Sub-categories

To ensure that Council has no loss of rates revenue, there would need to be a minor increase to the rates paid by the 115 Rural ratepayers. There would be a significant decrease in rates for Lidsdale businesses. The changes are summarised below.

Lidsdale Business Rates

2020/21 average rates – Lidsdale sub-category: \$2,112.82

2020/21 average rates – Lidsdale ratepayers moved to Rural sub-category: \$1,247.60

Decrease in rates for average Lidsdale ratepayer: \$855.22

Increase in rates for average Rural ratepayer: \$9.99

Case for Change

Removal of the Lidsdale rating sub-categories would simplify the structure of Council's rating system. Rating sub-categories would only be set for the largest towns and villages being Lithgow, Wallerawang and Portland with all other ratepayers being in the Rural general sub-categories.

The change would remove the anomaly of Lidsdale being the only smaller village with its own rating sub-categories.

Should Council resolve in principle to change the Lidsdale rating sub-categories, the proposed changes would be placed on public exhibition then returned to Council for consideration of submissions and the implementation of any change from 1 July 2021.

Policy Implications

Any changes to rating sub-categories will be reflected in Council's Revenue Policy.

Financial Implications

- Budget approved - N/A
- Cost centre - N/A
- Expended to date - N/A
- Future potential impact - no overall impact on Council's rating income.

Legal and Risk Management Implications

Nil.

Attachments

Nil

Recommendation

THAT Council:

1. Endorse in principle the following changes to the Lidsdale rating sub-categories from 1 July 2021:
 - a. remove the Lidsdale business rating sub-category and move Lidsdale business ratepayers to the Rural business sub-category. There will be a significant rate reduction for the 4 Lidsdale business ratepayers and a minimal rate increase for 115 Rural business rate payers.
 - b. remove the Lidsdale residential rating sub-category and move Lidsdale residential ratepayers to the Rural residential sub-category. There will be a minor rate increase for the 133 Lidsdale residential ratepayers and a minor rate reduction for 2,276 Rural residential rate payers.
2. Should Council endorse in principle the changes to the Lidsdale rating sub-categories, the proposed changes will be placed on public exhibition for 28 days before returning to Council to consider any submissions before determining whether to proceed with the changes from 1 July 2021.

11.6. People and Services Reports

11.6.1. Delivery Program 2017-2021 and Operational Plan 2020/21

Prepared by Deborah McGrath, Corporate Strategy & Communications Officer

Authorised by Director of People & Services

Reference

Min 20-127: Ordinary meeting of Council 25 May 2020
 Min 20-157: Ordinary meeting of Council 22 June 2020

Summary

This report recommends the adoption of the Delivery Program 2017-2021 and Draft Operational Plan 2020/21 with identified amendments and consideration of submissions received prior to the advertised closing time of midnight on Tuesday, 23 June 2020.

Commentary

At the Ordinary Meeting of 25 May 2020, Council resolved to place the Combined Delivery Program 2017-2021 and Draft Operational Plan 2020/21 on public exhibition for a period of 28 days from 26 May to 23 June 2020. Following the resolution, extensive advertising was conducted through the local media, on Council's Facebook pages, the Have Your Say Website and Council's eNewsletters; Council Connections (weekly) and Have Your Say (monthly). The Draft Operational Plan was made available on the Have Your Say Website; www.haveyoursay.lithgow.com. Media Releases and full-page advertisement placed in the Village Voice were designed to enable community members to make informed submissions to the Draft 2020/21 Operational Plan. 30 Submissions were received (including 3 for the Draft 2020/21 Fees & Charges).

Community Submissions

The following table provides a summary of the submissions received which are relevant to the Draft 2020/21 Operational Plan and require the consideration of Council. Matters raised in submissions which can be dealt with through the Customer Request System are not identified in the table below.

DEVELOPING OUR BUILT ENVIRONMENT

BE 1 – Our built environment blends with the natural and cultural environment.

BE1.4 – Match infrastructure with development

BE1.4.1 - Maintain and upgrade community buildings and structures to meet the needs of the community and ensure commercial viability.

Summary of Community Submission	Officers Comment
RYDAL	
Support the village of Rydal to finally build/install toilets for public use.	\$90,000 allocated in the 2019/20 financial year. However, ongoing conversation between Council and Rydal community groups is required to decide on a final location for installation. To date, agreement has not been forthcoming. A Council re-vote will be required to carry this funding forward into 2020/21, this report will be presented to the August Council meeting.

BE1.4.2 – Upgrade and maintain urban and rural roads to an acceptable standard in accordance with their level of traffic use.

Summary of Community Submission	Officers Comment
LITHGOW	
Improvements to the Triangle Parking Area at the intersection of George Coates Avenue and Barton Street that is used as parking for the JM Robson Aquatic Centre & the Tony Luchetti Sportsground	This has not been included in the 2020/21 Operational Plan. However, it is considered appropriate that it be placed on a list of priority projects for future Economic Stimulus Funding.
PORTLAND	
Sealed upgrade to Jamieson street Portland, from the corner of Roxburgh street to the northern end of Jamieson street.	261m length of currently unsealed local road serving 5 rateable properties. Currently assessed as condition 3 and not a priority for the application of seal at this time
Stormwater Drainage works to be undertaken in Scheidel Lane and between High St and Long St in Portland.	Scheidel Lane is 83m of laneway in Portland, rated at condition 5 (worn). A reseal is proposed once the underlying water main can be renewed. At that time, stormwater drainage infrastructure will be reviewed and reconstructed, as required. Regarding the stormwater infrastructure along Quarry Road between High Street and Long Street, Portland, Quarry Road is currently listed in the draft Operational Plan 2020/21 for a bitumen reseal of its 490m length, including required improvements to roadside stormwater drainage. A proposed budget of \$178,078 has been entered for this project.
RYDAL	
Regrade and Reseal all the roads/streets in Rydal: Old Western Rd, Station St, Charles St, Coach Rd, Quarry St, Market St and Pikes Road	The full length of Old Western Road, Rydal is proposed for complete reseal including associated drainage improvement works in the draft Operational Plan 2020/21 at a cost of \$397,006. Unfortunately, the road was misnamed in the draft Operational Plan as 'Rydal Hampton Road'. This needs to be corrected as it indeed refers to the reseal of Old Western Road between Pikes Lane and the Rydal township. As for the remaining roads mentioned, while Station Street, Rydal doesn't exist (presumably refers to Railway Street) they are all scheduled for maintenance mid-July.
Repair the footbridge over Solitaire Creek, Quarry St, Rydal.	Foundations and deck of footbridge are stable and in reasonable condition. Handrails and supporting beams require replacement. Proposed for action under Council's 2020/21 Timber Bridge Repair fund.
Directional signage to be erected at the right turn from Old Western Road to Pike's Lane indicating the turn to the Great Western Highway. Too many cars miss it and end up down the rough unsealed road which continues ahead. Also, this sign not to be obliterated by trees!	Agreed. Existing signage to be replaced and costs to be met as part of the reconstruction and reseal of Old Western Road from Pikes Lane to the Rydal township
SODWALLS	
Repair/rebuild the bridge over the Great Western Railway at Sodwalls.	This is not an asset under the care and maintenance of Lithgow City Council. This bridge is currently the responsibility of John Holland Country Rail Network.

	<p>Council has contacted John Holland and been advised as follows: <i>In regard to the Tarana Sodwalls Road overbridge our current plans are shown below:</i></p> <ul style="list-style-type: none"> • <i>2021 Financial Year – Overbridge Design for Major Refurbishment of the structure. (With the bridge being State Heritage listed our options for repair may be limited)</i> • <i>2022 Financial Year – Overbridge Refurbishment to complete the repairs as per the 2021 design project.</i> <p><i>Our current plans are subject to available funding supplied from the State and Federal Governments and so dates may be delayed if funding is not available or other projects become a higher priority.</i></p> <p><i>In addition, one of my colleagues will shortly be in touch regarding signage in the interim seeking to reduce the instance of long vehicles using the bridge and potentially causing further damage.</i></p>
<p>Jerry's Meadow Road issues:</p> <ul style="list-style-type: none"> • Grading • Overhanging Vegetation • Road Verge – fallen debris/rubbish sealed section – patching. 	<p>Jerrys Meadow Road gravel re-sheeting and associated vegetation removal and drainage improvements completed in June / July 2020 as part of the 2019/20 Operational Plan.</p>
WALLERAWANG/PORTLAND	
<p>Sealing of Thompsons Creek Road and Range Road.</p>	<p>This will be investigated and costed for inclusion in the 2021/22 Operational Plan.</p>

BE1.1 - We provide a respectful cemetery service

BE1.1.2 - Undertake improvements at the cemeteries.

Summary of Community Submission	Officers Comment
LITHGOW	
<p>The following improvements were suggested for Lithgow Cemetery, Great Western Highway, Bowenfels.</p> <ul style="list-style-type: none"> • Wayfinding signage at the entrance. • The sign could include a QR Code link to the list of burials in the Lithgow cemetery on the LCC website. • Repainting of the faded row numbers on the current paths • New signs to indicate the row numbers in the older sections, would enhance the 	<p>Many of the points noted in this request are in the process of being actioned. Wayfinding signage and new signs to indicate row numbers in the older sections of the cemetery is in the process of being procured. Similarly, Council has budgeted for and will repaint faded row numbers as a matter of cemetery maintenance.</p> <p>Regarding QR codes, Council is in the process of updating all the data for Lithgow cemetery to digitise the application, mapping and location information and processes. Once complete, QR codes may become a possibility.</p>

experience of users of the cemetery.	
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BE1.2 We provide cultural and recreational infrastructure that meets the needs of the community.

BE1.2.2 Develop and maintain gardens, parks, reserves, street trees and other public spaces.

Summary of Community Submission	Officers Comment
RYDAL	
We would like to perpetuate the 'floral' theme in Rydal by installing LARGE PERMANENT PLANTER BOXES, as in Lithgow town centre, to keep the village beautiful and interesting throughout the year	The intent of this project is understood however there are currently significant plantings, seating and signage in place at the Greg Featherstone Park. At this time, the resounding priority for Rydal seems to be the installation of a public toilet and resources should be focussed accordingly.

BE1.2.4 Farmers Creek be developed to encourage environmentally sustainable recreational and tourist use.

Summary of Community Submission	Officers Comment
LITHGOW	
Along the causeway from Mills Street to Island Parade has the potential for a great picnic area.	As a result of the recent EPA action at Wallerawang STP, Lithgow City Council has proposed \$100,000 to be allocated to the maintenance of Farmers Creek as part of a larger package of environmental reparation.
Objection to the current proposed works to continue the Farmers Creek Shared Pathway and request for Council to revisit <i>“the original plans for the Farmer's Creek Precinct Masterplan [which] was to construct a shared pathway adjacent to Farmer's Creek to provide a pleasant recreational avenue between the Lithgow Visitor Information Centre and Waterworks Gully, the increased costs to be met by application of grants”</i>	Council resolution in place (Min. no. 20-157) to deviate the proposed route of the Farmers Creek footpath away from Burton Street and along Laidley Street. There is insufficient space to follow the creek corridor between Burton Street and Saywell Park. A rescission motion would be required to alter this decision.

ENHANCING OUR NATURAL ENVIRONMENT

NE1 – We use our resources wisely

NE1.1 Reduce, reuse and recycle our resources

NE1.1.1 Provide garbage disposal facilities within the LGA

Summary of Community Submission	Officers Comment
Kitchen/compost weekly collection Organics processing facility	Council is looking at options to incorporate a food organics and garden organics collection service as part of the kerbside waste collection system, but any system would be introduced after 2020/21 and therefore not included in the 2020/21 Operational Plan.
Facility to exchange/swap/collect useful materials/goods (e.g. wooden pallets, bricks, concrete, domestic goods etc (inc. compost) thus reducing landfill	A 'Re-Use' area is being constructed as part of the Lithgow Resource Recovery Centre. Usable items will be made available to the public rather than landfilling. Composting will be considered as part of an organics collection service, but this will occur after 2020/21.

NE2 – We understand the environment

NE2.2 Minimise negative impacts on the environment.

NE2.2.1 Control environmental and/or noxious weeds on public land through Council and/or service provided by the Upper Macquarie County Council

Summary of Community Submission	Officers Comment
LITHGOW	
Undertake weed control along Farmers Creek, 1. New section of concrete channel between the hockey fields and Geordie Street crossing. 2. The causeway from Mill Street to Island Parade. 3. Dangerous over-hanging dead trees on the riverbanks from the Bridge in Victoria Avenue to Bragg Street Oakey Park.	As a result of the recent EPA action at Wallerawang STP, Lithgow City Council has proposed \$100,000 to be allocated to the maintenance of Farmers Creek as part of a larger package of environmental reparation.

STRENGTHENING OUR ECONOMY

SE1 – We attract new business and investment

SE1.1 Our area is an attractive place to live and invest.

SE1.1.1 Take a lead role in business investment and attraction.

Summary of Community Submission	Officers Comment
RYDAL	
A CAFE for the village. There is nowhere for residents to meet up during the day, nor for visitors on road trips through this lovely part of	The establishment of a café will be a private sector initiative via the potential establishment of a new start-up business (a café) in the village. If there is ever an approach to Council for such a venture, then the

the state to stop and have light refreshment.	Economic Development team would provide advice and referral support to appropriate support programs.
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The following comments were received as part of the community submission process in support of projects in the Draft 2020/21 Operational Plan:

- Continuation of the Museum Advisor Programme. As a committee member of the Lithgow & District Family History Society we have benefitted from this programme since its inception. Working with Tegan Anthes in the last few months has been most beneficial, and the Society is looking forward to the continuation of the partnership in the future. The benefits may not become evident to the public for some months as Covid19 restrictions have halted the work we can perform in our Resource Centre, but we are looking forward to returning to a 'new' normal and continuing our work of providing increasing access to the resources donated to our Society by members of the community over the past few years.
- Lithgow Library & Learning Centre - awning and facade. The replacement of the old awning with a new one will be a benefit to all members of the community from a practical as well as aesthetic view. Hopefully the design of the new structure will enhance the streetscape in Main Street.
- Resource Recovery Centre at Lithgow Waste Facility. This undercover Centre will be a welcome addition to the current recycling area at the Facility and I feel sure will be used by many people to access recycled products in a safe environment.

Draft 2020/21 Fees and Charges

- The 2020/21 Fees and Charges have been amended following advice from the Office of Local Government as follows:
 - In accordance with section 566(3) of the Act, it has been determined that the maximum rate of interest payable on overdue rates and charges for 2020/21 rating year will be 0.0% up to 31 December 2020 and 7.0% from the 1 January 2021.
- The Companion Animal Act was amended during the exhibition period of the Operations Plan and Fees & Charges, resulting in new registration fees, annual permits and fines. Attachments 1, 2 and 3 are updated for the Companion Animals Act changes and changes required due to submissions received during the exhibition period.

Community Submission – Aquatic Centre Fees & Charges

Service	Fee	Submission	Officer Comment
JM Robson Aquatic Centre	<ul style="list-style-type: none"> • Learn to Swim • Exercise Class • Squad Preparation Class. 	These items include entry fees as part the proposed charges. I would like to see the entry fees separated from the fees as many members of the facility are: <ul style="list-style-type: none"> • Fitness Passport holders • Multi-pass holders • Leisure Pass Holders And are already paying entry fees.	Learn to Swim, Exercise Classes and Squad Preparation Classes fees will be reduced by the amount equal to the applicable standard entry fee if patrons are in possession of a valid Membership or pass as entry fees are covered within the membership or pass.
Lithgow Solid Waste Facility	<ul style="list-style-type: none"> • Commercial waste 	<ul style="list-style-type: none"> • Object to the large rate 	Charges are set to reflect the operating

	<ul style="list-style-type: none"> • Asbestos 	<p>increase on commercial waste which will be way over the CPI</p> <ul style="list-style-type: none"> • Further to the increase to asbestos this material is merely buried in a separate hole with no other operation required yet it is being charged at over \$200 per tonne. I feel this is setting the promotion of illegal dumping which will be catastrophic. 	<p>cost of the site. These costs continue to rise over and above CPI with increased regulation. Council has kept gate fees in line with CPI over previous years, however an above CPI increase is necessary in 2020/21 to support improved landfill management including progressive rehabilitation.</p>
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Rates and Annual Charges

As per Section 535 of the Local Government Act 1993, Council, once it considers the Draft Operational Plan and Delivery Program, should resolve to make the rates and annual charges as adopted in the Operational Plan 2020/21.

Proposed Changes to the Capital Works Program and Operational Projects

The Actions to Address Cashflow Issue report found elsewhere in this Business Paper recommends that the following projects be removed from the 2020/21 capital works program and be deferred for consideration in the 2021/22 year:

- Capital works – Eskbank House Museum - \$165K (grant & reserve funded);
- Farmers Creek Shared Pathway - \$400K (grant & revenue funded); it is proposed to carryover unused 2019/20 budget (currently \$463K remaining) to complete the current stage of the works in 2020/21;
- Cemetery capital works with the exception of the Cullen Bullen columbarium - \$99K (revenue funded); recurrent maintenance works will not be impacted;
- Playgrounds – Lake Lyell, Kiddle Park, Cullen Bullen - \$154K (revenue funded);
- Shade sails – Marrangaroo Playground, Lake Lyell Playground - \$42K (revenue funded);
- Reservoirs upgrade - \$100K (water revenue funded);
- Public PCs in Library upgrade - \$35K (revenue funded);
- Sewer Vent Replacement - \$60K (annual program, sewer revenue funded); AND
- Cullen Bullen Sewer Scheme – 2020/21 budget amended to \$1.8M with the project re-phased according to the current timeline for completion of works.

The total budget of projects to be removed from the 2020/21 capital works program is **\$5.328M**.

At the 2019/20 Quarter Three Budget Review, a number of projects were removed from the capital works program and planned to be included in 2020/21 capital program. It is recommended that the following 2019/20 projects be added to the 2020/21 capital works program:

- Car Park Improvements at Lithgow VIC - \$23,000;
- Performance Appraisal Module - \$10,000;
- Upgrade of Tweed Mills Sewer Pump Station - \$800,000 (new project);
- Accessible Fishing Platform Lake Wallace - \$108,872;
- Adventure Playground Carpark - \$92,733; and
- Wolgan Road Slope Stabilisation - \$292,168

The total budget of projects to be added to the 2020/21 capital works program is **\$1.327M**.

With the addition of projects moved from the 2019/20 capital works program to the 2020/21 program, Council will still have an \$18M capital works program for the 2020/21 year (after the deferral of some projects). Grant approvals will add a further \$1M to \$2M to the 2020/21 capital program. New capital grant funded projects will be included in Quarterly Budget Reviews as budget variations once full details and the timing of projects is finalised.

It is recommended that a smaller-scale 2020 Halloween with a budget of \$20,000 be returned to the 2020/21 Operational projects. Plans for Halloween 2020 are still in development and will take into account the COVID-19 environment. Further details will be reported to Council in due course.

Proposed Changes to Revenue Policy

The following changes have been made to the Revenue Policy included in the draft 2020/21 Operational Plan:

- Updates to the Capital Works Program tables;
- Addition of the maximum rate of interest payable on overdue rates and charges; and
- Changes to the rates and charges tables for updates to estimated yields, changes to the Power Station sub-category and a change to mining rates results as a result of the implementation of an amended methodology for valuing coal mines.

Should Council resolve to adopt the recommended changes to the Capital Works Program and Operational Projects, the Revenue Policy charts and tables will be updated prior to publishing the adopted 2020/21 Operational Plan.

Financial Implications

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

Legal and Risk Management Implications

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

Attachments

1. Community Submissions 2020 2021 Draft Operational Plan final [**11.6.1.1** - 18 pages]
2. Discontinued fees and charges [**11.6.1.2** - 1 page]
3. New fees and charges 2020-21 [**11.6.1.3** - 3 pages]
4. Fees and Charges Report 2020-21 [**11.6.1.4** - 94 pages]

Recommendation

THAT Council -

1. Note the receipt of 30 submissions received prior to the closing date of the 23 June 2020.
2. Note that operational issues or general queries from the submissions have been responded to or referred to staff to action.
3. Respond to the community members advising them of action taken.
4. Make the rates and annual charges for the 2020-2021 rating year as detailed in the 2020/2021 Operational Plan.
5. Note the officer's responses to community submissions and adopts the Lithgow City Council combined Delivery Program 2017-2021 and Operational Plan 2020/21 with the following amendments where appropriate:
 - Deferral of 2020/21 capital works projects listed in the report to a total budget of \$5.328M.

- Addition of projects to the 2020/21 capital works program to a total budget of \$1.327M as transfers from the 2019/20 capital program.
 - The addition of a \$20K operational budget for Halloween 2020.
 - Changes made to the 2020/21 Revenue Policy as listed in the report.
 - A report be brought to the August meeting of Council regarding a re-vote for the \$90,000 for the Rydal Toilets.
 - Correct the naming of Rydal/Hampton Road to Old Western Road in the Operational Plan.
 - Handrails and supporting beams on the Footbridge over Solitaire Creek, Quarry Street, Rydal be replaced under the 2020/21 Timber Bridge Repair Program.
 - Directional signage be erected at the right turn from Old Western Road to Pike's Lane indicating the turn to the Great Western Highway as part of the reconstruction and reseal of Old Western Road from Pikes Lane to the Rydal township.
 - Sealing of Thompsons Creek Road and Range Road be investigated for inclusion in the 2021/2022 Operational Plan.
 - The following matters be considered as part of the Farmers Creek Maintenance and environmental reparation program.
 - Development of a Picnic Area along Farmers Creek between Mills Street & Island Parade.
 - Weed control along the new section of channel between the hockey fields and Geordie Street Crossing and the causeway from Mill Street to Island Parade.
 - Overhanging dead trees on the creek banks from the bridge in Victoria Avenue to Bragg Street, Oakey Park be removed.
6. Include the following projects on a priority listing for future Economic Stimulus Funded projects:
- Renewal of the carpark are at the intersection of George Coates Barton Avenues, Lithgow.

11.6.2. Code of Conduct Complaints Statistics 1 September 2017 to 31 August 2018

Prepared by Michael McGrath - Director People & Services
Director of Economic Development & Environment

Authorised by Director of People & Services

Reference

Min No 16-263: Ordinary Meeting of Council 12 December 2016

Min No 17-337: Ordinary Meeting of Council 27 November 2017

Min No 19-352: Ordinary Meeting of Council 25 November 2019

Summary

To advise Council of Code of Conduct Complaint Statistics as required by the Procedures for the Administration of The Model Code of Conduct for Local Councils in NSW.

The Code of Conduct Complaints statistics for the 2017/18 year were reported to the Office of Local Government as per the requirements but it has become apparent that a report was not prepared for Council.

Commentary

In accordance with *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW 2013, Part 12*, the complaints coordinator is required to report Code of Conduct details each year to Council and the Office of Local Government .

The 2017/18 statistics were reported to the OLG on 5 December 2018, however, they were not reported to Council. Advice sought from the OLG indicated that this information should be reported to Council. The required statistics for the reporting period are attached.

Policy Implications

NIL

Financial Implications

- Budget approved - costs associated with code of conduct complaints are managed within Council's operational budgets.
- Cost centre - N/A
- Expended to date - during the period 1 September 2017 to 31 August 2018 the total cost of managing the 3 Code of Conduct Complaints was \$9,500
- Future potential impact - N/A

Legal and Risk Management Implications

In accordance with the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW 2013, Part 12*, the statistics must be reported to Council within 3 months of the end of September each year and provided to the Office of Local Government.

Attachments

1. Code Conduct Statistics - A 620462 - OLG - Code of Conduct Complaints Report - Data Collection 2017- [11.6.2.1 - 3 pages]

Recommendation

THAT the report on the Code of Conduct complaints statistics for the 2017/18 period be noted.

12. Council Committee Reports

12.1. Community Development Committee Minutes 19 May 2020 & Financial Assistance Recommendations

Prepared by Matthew Johnson - Manager Community and Culture

Authorised by Director of People & Services

Reference

Min 20-98 Ordinary Meeting of Council held 20 April 2020
 Min 20-75 Ordinary Meeting of Council held 6 April 2020 (deferred from 23 March 2020)
 Min 20-57 Ordinary Meeting of Council held 24 February 2020
 Min 19-353 Ordinary Meeting of Council held 25 November 2019

Summary

The Minutes of the Community Development Committee meeting held on 19 May 2020, including 2020/21 Financial Assistance recommendations and a naming proposal, are presented for Council's consideration.

Commentary

At the Community Development Committee meeting held 19 May 2020, various matters were considered including:

- Round 1 of 2020/21 Non – Recurrent Financial Assistance Recommendations
- A recommendation that Oakey Park Oval on Bells Road Lithgow be re-named the Beryl Davis Memorial Oval in honour of well-known hockey coach Mrs Beryl Davis who recently passed away

Financial Assistance

Council's Financial Assistance Program assists not-for-profit groups that offer a significant contribution to the social, economic and/or environmental well being of the community.

Applications for Round 1 of 2020/21 Financial Assistance were open during April 2020 with 13 applications to the value of \$30,766 received. These applications were considered by the Committee which recommends that 13 projects to the value of \$29,946 be approved by Council.

	Organisation and Project	Amount requested	Amount Recommended	Comment
1.	Women's Workshops Lithgow Area Women's Shed Series of professionally led workshops to develop skills of members.	\$3,000	\$3,000	Membership subsidy for some members is approved for one year only.
2.	Digitization of Oral History Project Lithgow and District Family History Society Digitise and transcribe 65 local oral history tapes.	\$3,000	\$3,000	
3.	Costume Storage Lithgow Musical Society			

	Purchase a storage container to replace lost storage capacity in Union Theatre	\$2,875	\$2,875	
4.	NAIDOC 2020 Mingaan Wiradjuri Aboriginal Corporation Hold October 2020 Lithgow NAIDOC Event	\$3,000	\$3,000	To be paid once confirmed that event will proceed
5.	Homelessness Services Directory Lithgow Community Projects Develop a directory of services for local homeless people	\$1,760	\$1,760	
6.	Food Rescue Sustainability Lithgow Information and Neighbourhood Centre Contribution towards operating cost of food rescue services that supports local people experiencing hardship	\$3,000	\$3,000	
7.	Community Fun Days and Professional Development Lithgow Community Projects Hold 2 community fun days in Portland and Bowenfels	\$5,320	\$4,500	To be paid once confirmed that Fun Days will proceed
8.	Tanker Trailer Registration Tarana Tanker Trailers Register 13 fire fighting tanker trailers	\$1,350	\$1,350	
9.	Rate Reimbursement Lithgow District Car Club Rate reimbursement for Yvonne Martin Motor Sport Club	\$1,000	\$1,000	
10	Annual operating grant Western Region Academy of Sport	\$1,261	\$1,261	
11	Reimbursement 2019 Rates Australian Muzzle Loading Pistol Club	\$1,200	\$1,200	
12	Sponsorship Heavy Horse Section Rydal Show Rydal A H & P Society	\$1,000	\$1,000	To be paid once confirmed that event will proceed

13	Drive Program			
.	Blue Mountains Family Support Assist women who have experienced domestic violence to obtain driver's license	\$3,000	\$3,000	
	TOTAL	\$30,766	\$29,946	

Council has approved a total of \$107,677 Financial Assistance in the 2020/21 Operational Plan including \$35,000 for the Portland Pool operating subsidy and \$14,000 for Arts Outwest, leaving a remaining \$58,677.

Council normally allocates the remainder for:

Rounds 1 and 2 Non-Recurrent Financial Assistance

An amount for Tony Luchetti/Civic Ballroom Event fee waiver packages of up to \$2,500 each; \$1,000 for the approval by the General Manager of small fee waiver requests up to \$500 each \$2,500 for Sporting Related Financial Assistance as recommended by the Sports Advisory Committee. An allocation of \$50 per school for end of year academic prizes

It is recommended that the following amounts be approved for allocation in 2020/21:

\$29,946 Round 1 allocation as detailed above

\$5,000 for two (2) Tony Luchetti Showground/Civic Ballroom fee waivers of up to \$2,500 each

\$2,000 for the waiver by the General Manager of Council facility fees up to \$500 each.

\$750 for school end of year academic prizes of \$50 per school

\$2,500 for Sporting related Financial Assistance as recommended by the Sports Advisory Committee.

\$11,500 for the 2021 Lithgow Show

Total \$51,696

This will leave \$6,981 for allocation by Council during the remainder of 2020/21.

Naming Proposal

Council has received a request from residents of Oakey Park and including the members of the Zig Zag School Might Mites Hockey Team that won the State Primary Schoolgirls Hockey Championships in 1978, that Oakey Park Oval on Bells Road Lithgow be re-named the Beryl Davis Memorial Oval in honour of well-known hockey coach Mrs Beryl Davis who recently passed away.

The team's coach Mrs Beryl Davis, known to Oakey Park residents as Aunty Bub, sadly passed away on 27 April 2020. Aunty Bub was involved in both Lithgow Hockey and Zig Zag School Hockey for many years. She played an integral role in helping Mr. Ernie Johnson, Former Principal of Zig Zag School to get the oval established in Oakey Park, including getting lighting and cricket nets, so the children of the school and the community could have use of the oval to play and train for their sports, particularly Hockey.

It is recommended that Council publicly exhibit this proposal after which any submissions received will be reported to Council at a future meeting for consideration and referral to the Geographical Names Board of NSW (GNB) for approval. The GNB has responsibility for approving renaming proposals after it undertakes its own exhibition period and a period of 12 months has elapsed after Mrs Davis is deceased.

Policy Implications

Financial Assistance is provided under Policy 4.2 Financial Assistance – Section 356 of the Local Government Act.

Financial Implications

- 2020/21 budget approved – \$107,677
- Cost centre – PJ 800158
- Expended to date – nil.
- Future potential impact - \$51,696 leaving a balance of \$6,981 for allocation by Council during the remainder of 2020/21

Legal and Risk Management Implications

Local Government Act NSW 1993, Section 356

Attachments

1. Beryle Davis Renaming request [12.1.1 - 1 page]
2. CDC Minutes 19 May 2020 [12.1.2 - 6 pages]

Recommendation

THAT Council:

1. Note the minutes of the Community Development Committee meeting held 19 May 2020
2. Allocate the following amounts of Financial Assistance in 2020/21:
 - \$5,000 for two (2) Tony Luchetti Showground/Civic Ballroom fee waivers of up to \$2,500 each
 - \$2,000 for the waiver by the General Manager of Council facility fees up to \$500 each.
 - \$750 for school end of year academic prizes of \$50 per school
 - \$2,500 for Sporting related Financial Assistance as recommended by the Sports Advisory Committee.
 - \$11,500 for the 2021 Lithgow Show
 - \$29,946 for Round 1 Non-Recurrent Financial Assistance to the following 13 projects:

	Organisation and Project	Amount Recommended
1.	Women's Workshops Lithgow Area Women's Shed	\$3,000
2.	Digitization of Oral History Project Lithgow and District Family History Society	\$3,000
3.	Costume Storage Lithgow Musical Society	\$2,875
4.	NAIDOC 2020 Mingaan Wiradjuri Aboriginal Corporation	\$3,000
5.	Homelessness Services Directory Lithgow Community Projects	\$1,760

6.	Food Rescue Sustainability Lithgow Information and Neighbourhood Centre	\$3,000
7.	Community Fun Days and Professional Development Lithgow Community Projects	\$4,500
8.	Tanker Trailer Registration Tarana Tanker Trailers	\$1,350
9.	Rate Reimbursement Lithgow District Car Club	\$1,000
10.	Annual operating grant Western Region Academy of Sport	\$1,261
11.	Reimbursement 2019 Rates Australian Muzzle Loading Pistol Club	\$1,200
12.	Sponsorship Heavy Horse Section Rydal Show Rydal A H & P Society	\$1,000
13.	Drive Program Blue Mountains Family Support	\$3,000
	TOTAL	\$29,946

- Place on public exhibition for 28 days a proposal that Oakey Park Oval on Bells Road Lithgow be re-named the Beryl Davis Memorial Oval in honour of well-known hockey coach Mrs Beryl Davis who recently passed away. After the exhibition period, any submissions will be reported to Council for consideration.

12.2. Central Tablelands Alliance Audit Risk & Improvement Committee Minutes 9 June 2020

Prepared by Ross Gurney – Chief Financial and Information Officer

Authorised by Chief Financial & Information Officer

Reference

Min No. 20-130 Ordinary Meeting of Council 25 May 2020

Summary

This report summarises the minutes of the Central Tablelands Alliance Audit Risk & Improvement Committee (CTA ARIC) joint meeting held on 9 June 2020 and the Lithgow Council meeting also held on the 9 June 2020.

Commentary

At the joint Councils CTA ARIC meeting held on 9 June 2020, the following items were presented and discussed:

- CTA ARIC Annual Report – Framework – discussions are underway in relation to the development of the first Annual Report.
- 3 Year Internal Audit Plans – the committee noted the Internal Audit Plan for Lithgow City Council. Future reporting on the implementation of the internal audit plans will be made to the respective individual Council committees. The internal audit programs for both Councils will be co-ordinated with a view to joint procurement of internal audit projects where practicable.

At the Lithgow Council CTA ARIC meeting also held on 9 June 2020, the following items were presented and discussed:

- Compliance – report on legal and compliance risks – the committee noted the Compliance report. The CFIO is to determine whether a similar report can be provided from Pulse for the WHS compliance actions. A document for recommendation summaries will be provided by new Committee member Phil Ross. The CFIO will include in future reports to the committee a table showing completed and non-complete items.
- Risk Management – risk register report – the committee noted the Risk Management report including new and reassessed risks added to the register and noted the frequency off Risk Committee meetings moving forward.
- Fraud Control – the committee noted the report on fraud strategies and controls
- Financial Management report – the committee noted the Financial Management report and the details of current cashflow issues due to COVID-19 economic impacts. A special meeting of the committee will be arranged for October 2020 for the Committee to review and comment on the 2019/20 Financial Statements.
- Governance – the committee noted the Governance report. Over the past 6-12 months Lithgow Council has been working through a large number of policies that required reviewing.
- Implementation of strategies –the committee noted the Implementation of Strategies report. The Draft Operational Plan is currently on public exhibition.
- Service reviews – the committee noted the report and suggested improvements to the service review action report. The General Manager will provide an updated report to the next committee meeting detailing the way forward for service reviews, the role of the committee in the process and the resources available.
- Internal & external audit – The committee received and noted the progress towards completing the audit action lists (internal & external).

Policy Implications

NIL

Financial Implications

- Budget approved - \$25,000
- Cost centre - PJ 800167
- Expended to date - \$24,823
- Future potential impact - N/A

Legal and Risk Management Implications

The functions of the CTA ARIC assist in the management and mitigation of risk at Council.

Attachments

1. Joint Meeting Minutes - CTA ARIC Committee - 9 June 2020 - FINAL [12.2.1 - 5 pages]
2. Lithgow Draft ARIC Meeting - Minutes - 9 June 2020 - FINAL (1) [12.2.2 - 6 pages]

Recommendation

THAT Council Endorse the:

1. CTA Audit Risk & Improvement Joint Committee June 2020 minutes.
2. Lithgow Council Audit Risk & Improvement Committee June 2020 minutes.

12.3. Finance Committee Meeting - 15 June 2020

Prepared by Ross Gurney – Chief Financial and Information Officer

Authorised by Chief Financial & Information Officer

Reference

Min No. 20-132 Ordinary Meeting of Council 25 May 2020

Summary

This report provides details of the Minutes of the Finance Committee Meeting held on 15 June 2020.

Commentary

At the meeting of the Finance Committee held on 15 June 2020, the following items were discussed:

- Lidsdale Rating Sub-Categories - the Committee discussed the combined impacts of the proposed changes to the Lidsdale rating sub-categories and the addition of the power generation rating sub-category. A redrafted Lidsdale rating sub-categories report with additional details will be brought to the July Finance Committee meeting for consideration.
- Investment Report May 2020 - The Committee discussed the current cashflow issues. The CFIO has had discussions with the contract external auditors (Crowe) who are currently discussing with the Audit Office as to how best to deal with cashflow issues impacting many Councils. The CFIO updated the committee on current rates receipts in the COVID-19 economic environment.
- 2019-20 Quarter Three Budget Review - management are considering measures to increase incoming funds and reducing outgoing cash. A detailed report will be provided to the July Finance Committee meeting. The 2019-20 Quarter Three Budget Review report will be considered by Council at the June meeting.
- OLG Circular – Clarification – 2020/21 Single and First Quarter Rates Instalments – the Committee noted the proposed action to issue 2020/21 single and first quarter rates instalments in accordance with the normal timeline with a due date of 31 August 2020, as permitted under OLG guidance.
- Audit Action Lists - the Committee noted progress towards completing the internal audit and external audit actions.
- May 2020 Performance Reporting to OLG - there has been no response to Council's request for performance reporting requirements to cease. The Committee noted the May 2020 Performance Report to the OLG. The General Manager will make representations to the OLG in relation to ongoing performance reporting by Council.
- Local Government Remuneration Tribunal 2020 Determination - The CFIO presented information on the 2020 Local Government Remuneration Tribunal's determination of Mayoral and Councillor fees for the 2020/21 year. A report will be prepared for the July Council meeting.

The following business paper recommendation was endorsed by the Committee:

Council Investments Report April 2020

THAT:

1. Investments of \$27,320,000 and cash of \$646,869 for the period ending 31 May 2020 be noted.
2. The enclosed certificate of the Responsible Accounting Officer be noted.

Policy Implications

NIL

Financial Implications

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

Legal and Risk Management Implications

NIL

Attachments

1. Finance Committee - Minutes - 15 June 2020 - FINAL [12.3.1 - 7 pages]

Recommendation

THAT Council

1. Adopt the minutes of the Finance Committee meeting held on 15 June 2020 and note the items not requiring a resolution of Council
2. Endorse the recommendations proposed in the Council Investments Report for May 2020

12.4. Minutes of the Operations Committee Meeting - 1st July 2020

Prepared by Jonathon Edgecombe – Director Infrastructure Services

Authorised by Director of Water & Wastewater

Summary

This report details the Minutes of the Operations Committee Meeting held on 1st July 2020.

Commentary

At the Operations Committee Meeting held on 1 July 2020, there were numerous items discussed by the Committee including:

1. Standing Item – Capital Works Report
2. Standing Item – Water and Sewer Infrastructure
3. Disability Access – 23 Main Street Lithgow
4. Late Report – Bins & Waste – Clarence Pirie Park, Capertee

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

- Standing Item – Cullen Bullen Sewerage Scheme

RECOMMENDATION THAT

1. Council proceed to call tenders for the Low-Pressure Sewer Supply Contract
2. Council notes the budget estimates exceed the project funding and that other funding sources be investigated.
3. Calling of tenders Design and Construction for the Sewerage Treatment Plant are delayed until land matters are resolved.

- Change to Levels of Service – Water Repairs

RECOMMENDATION

THAT the Council adopts the changed Level of Service and commences community consultation with a further report to be provided to Council on the outcome of the consultation prior to final adoption.

Policy Implications

Nil

Financial Implications

As detailed in this report.

Legal and Risk Management Implications

Nil

Attachments

1. Minutes - Operations Committee Meeting - 1st July 2020 [12.4.1 - 11 pages]

Recommendation

THAT Council:

1. Note the minutes of the Operations Committee held on 1st July 2020; and
2. Proceed to call tenders for the Low-Pressure Sewer Supply Contract (Cullen Bullen Sewerage Scheme).
3. Note that the budget estimates exceed the project funding and that other funding sources be investigated (Cullen Bullen Sewerage Scheme).
4. Note that calling of tenders Design and Construction for the Sewerage Treatment Plant are delayed until land matters are resolved (Cullen Bullen Sewerage Scheme).
5. Adopts the changed Level of Service and commences community consultation with a further report to be provided to Council on the outcome of the consultation prior to final adoption (Change to Levels of Service – Water Repairs).

12.5. Finance Committee Meeting Minutes 13 July 2020

Prepared by Rhiannan Whiteley – Executive Assistant

Authorised by Chief Financial & Information Officer

Reference

Min No. 20-132 Ordinary Meeting of Council 25 May 2020

Summary

This report provides details of the Minutes of the Finance Committee Meeting held on 13 July 2020.

Commentary

At the meeting of the Finance Committee held on 13 July 2020, the following items were discussed:

- Lidsdale rating sub-categories - the Committee considered the impacts of changing the Lidsdale rating sub-categories and endorsed the report recommendation to be considered by Council at the 27 July 2020 meeting.
- June 2020 Performance Reporting to the OLG – the Committee noted the performance report to the OLG.
- Audit Action List - the Committee noted progress towards completing the internal audit and external audit actions.
- Local Government Remuneration Tribunal Determination – the Committee endorsed the report recommendation to be considered by Council at the 27 July 2020 meeting.
- Actions to Address Cashflow Issue – the Committee discussed the recommendation for deferral of certain projects and endorsed the report recommendation to be considered by Council at the 27 July 2020 meeting.
- 3 Year Internal Audit Plan – The Committee were presented with the Three Year Internal Audit plan which is based on the 2015 Grant Thornton report and with references Council's Risk Register. The Committee noted the Internal Audit Plan.
- Presentation by Crowe at November 2020 Council meeting – the Committee discussed a request from the external auditors for Council's preference on the format of the presentation to the November 2020 meeting.

The June 2020 Investment Report recommendations were also endorsed by the Committee:

Investment Report June 2020

RECOMMENDATION

THAT:

1. Investments of \$26,660,000 and cash of \$330,767 for the period ending 30 June 2020 be noted.
2. The enclosed certificate of the Responsible Accounting Officer be noted.

Policy Implications

NIL

Financial Implications

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

Legal and Risk Management Implications

NIL

Attachments

1. Minutes 13 July 2020 2 [12.5.1 - 7 pages]

Recommendation

THAT Council:

1. Adopt the minutes of the Finance Committee meeting held on 13 July 2020 and note the items not requiring a resolution of Council.
2. Endorse the recommendations proposed in the Council Investments Report for June 2020.

13. Delegates Reports

13.1. Arts Out West (AOW) – Annual Report

Report by Councillor Steve Ring

Commentary

As Councils Representative on the Arts Outwest Advisory Board I would like to tender the following reports for the information of Councillors and the Lithgow Community: AOW 2019 Annual Report; AOW 2019 Lithgow Council Report and NSW Regional Arts Development Organisations E Book.

Council's contribution of \$14,000 (plus gst) resulted in an estimated financial return to Council of approximately \$41,244 for the provision of the following services:

ARTS MEDIA PROGRAM 177 events promoted @ \$75 per event	\$13,275
CASP PROJECTS 1 CASP project funded (counted in 2018 report)	\$0
SPECIFIC PROJECTS Represents the input of AOW into projects delivered in this council area, even though the overall value of the project may have been higher	\$18,120
WORKSHOPS Calculates the direct value of workshops to 29 participants	\$5,000
SERVICES Includes time spent giving advice and support in Lithgow and time spent on regional advocacy	\$4,849

AOW are key partners with Council for the development of creative industries within our LGA consistent with Strategy 5 of the Regional Economic Development Strategy.

Attachments

1. AOW 2019 annual report - Final Version [13.1.1 - 20 pages]
2. 2019 Lithgow Council Pages Lithgow [13.1.2 - 2 pages]
3. Ebook RADO network case studies lowres [13.1.3 - 42 pages]

Recommendation

THAT Council note the following documents: AOW 2019 Annual Report; AOW 2019 Lithgow Council Rep and the NSW Regional Arts Development Organisations E Book.

14. Business of Great Urgency

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.

15. Closed Council

15.1. Confidential Council - Minutes of the Operations Committee Meeting - 1st July 2020

Prepared by Director of Infrastructure Services

Authorised by Director of Water & Wastewater

Reason for Confidentiality

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

- (a) personnel matters concerning particular individuals (other than councillors)
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

Reference

Min No 19-59: Ordinary Meeting of Council 25 February 2019

Summary

This report details the Minutes of the confidential item presented at the Operations Committee Meeting held on 1st July 2020.

15.2. Confidential Council - Cullen Bullen Sewerage Scheme - Land Acquisitions

Prepared by Acting Senior Engineer Projects and Strategy

Authorised by Director of Water & Wastewater

Reason for Confidentiality

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

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

Reference

Min No 19-59: Ordinary Meeting of Council 25 February 2019

Summary

This report outlines the current status of land acquisition for the Cullen Bullen Sewerage Treatment Plant and seeks resolution on how to proceed.

Recommendation

THAT Council Resolve to move into Closed Council to consider the confidential reports as listed in the Agenda.