



AGENDA

Ordinary Meeting of Council

to be held at

Council Administration Centre

180 Mort Street, Lithgow

on

Monday 24 August 2020

at 7:00 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 13 August 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 by the General Manager that the business proposed by the notice of motion is (or the implementation of that business would be) unlawful. Clause 3.20 is below.

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 - Renaming of Upper Turon Road and Turon River Road

Report by Councillor Maree Statham

Commentary by Councillor Statham in support of the motion

During the December / January Palmers Oakey / Turon horrific fires confusion regarding naming of roads created unwarranted worries and delays for fire fighters and Emergency Services.

It has been requested by the Captain of Palmers Oakey Brigade with support of the community and fire fighters that the Upper Turon Road be renamed either Capertee Road as it was historically originally known or Turon Gates Road.

This road has never been known as Upper Turon Road by the locals or Emergency Services. Palmers Oakey Road starts at the junction of the Mount Horrible Road and Dark Corner Road. This road travels north over 9 kms where it hits the Turon River. Official maps have the Palmers Oakey Road continuing west adjacent to the Turon River for further 10 kms at the junction of Red Hill Road. Upper Turon Road comments as Sofala and joins the junction of Red Hill Road and Palmers Oakey Road.

Turon River Road

It is requested that the "Turon River Road" section should be RENAMED to Palmers Oakey Road when in the Palmers Oakey locality and Upper Turon Road when in the Upper Turon locality.

This will ensure no renumbering of street addresses will be required only the renaming of the Upper Turon Road section. This should be renamed the Capertee or Turon Gates Road.

These changes are needed to avoid confusion for Emergency Services, Police, Ambulance and Fire Brigades.

A recent Upper Turon / Palmers Oakey Fire highlighted the confusion with the Upper Turon Road, brigades were delayed not knowing if access was via Robyn Hill Road or Mount Horrible Road.

The delays in crews attending the fire may have contributed to the fire escaping control lines and resulting in a far more serious fire than otherwise could have been.

Recently two Police Officers from Chifley Area Command could not locate 1620 Upper Turon Road, they had to retrace their journey and had to ask a local for directions. This could have created a disastrous situation if the call out was a medical emergency. The extra delay could have resulted in a fatality.

Attachments

Nil

Recommendation

THAT:

1. Upper Turon Road be renamed to Capertee Road as it was historically known or if Council Staff recommend Turon Gates Road.
2. Turon River Road be renamed to Palmers Oakey Road when in the locality of Palmers Oakey and Upper Turon Road when in the Upper Turon locality.

10. Notices of Rescission

10.1. Notice of Rescission - Farmers Creek Shared Pathway

Report by	Councillor Stephen Lesslie Councillor Deanna Goodsell Councillor Cassandra Coleman
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Commentary

Rescission Motion

We the undersigned move that Council resolution 20 - 157.

1. Council adopts option 3.
2. Future funding and grant application with regard to the Farmers Creek Master Plan be concentrated on the creek rather than the pathway.
be rescinded.

Should this rescission motion be successful we will then move that –

1. Council adopts option 1. with the following minor amendments
 - a. That the bridge over Farmers Creek be positioned as far East as is practicable.
 - b. That the bicycle component of the shared pathway be on the roadway in Burton Street.
2. Future funding and grant application with regard to the Farmers Creek Master Plan be concentrated on the creek rather than the pathway.

Cr Stephen Lesslie
Cr Deanna Goodsell
Cr Cassandra Coleman

Attachments

Nil

Recommendation

That Council resolution 20 – 157:

1. *Council adopts option 3.*
2. *Future funding and grant application with regard to the Farmers Creek Master Plan be concentrated on the creek rather than the pathway.*
be rescinded.

11. Staff Reports

11.1. Economic Development and Environment Reports

11.1.1. DA104/20 Demolition and Replacement of Amenities Block, Kremer Park, Lime Street, Portland

Prepared by Lachlan Sims – Acting Team Leader Development

Department Economic Development & Environment

Authorised by Director of Economic Development & Environment

Summary

To assess and recommend determination of Development Application DA104/20 for the demolition of an existing public amenities block and the installation of a replacement facility adjacent to the children’s playground in Kremer Park, off Lime Street, Portland. The existing facility is located partially within Lot 531 DP 902158 and partially within Lot 7002 DP 1075853. Details of the site and the location of the proposal are contained within the attached planning assessment report.

Commentary

This application has been submitted by Council’s Community and Culture Manager to facilitate the upgrade of public amenities at Kremer Park, Portland which is a Crown reserve under the care, control and management of Lithgow City Council. In accordance with Council Policy 7.6 *Development Applications by Councillors and Staff or on Council Owned Land* the application is reported to this Ordinary Meeting for determination.

Typically, development involving the demolition and construction of public amenities in public reserves can be undertaken without development consent when undertaken by Council in accordance with the provisions of *State Environmental Planning Policy (Infrastructure) 2007*. However, because Kremer Park is listed in the *Lithgow Local Environmental Plan 2014* (LEP) as an item of local heritage, the proposed demolition works require development consent under the LEP provisions. The application seeks consent for both the demolition of the existing amenities block and the installation of a replacement facility that better meets current standards. Although Kremer Park is listed as a heritage item in the LEP, the building to be demolished was constructed in the 1970s or 1980s, has no inherent heritage values and is well separated from the identified buildings of heritage significance on the land.

Policy Implications

Lithgow Community Participation Plan 2019

The development application was placed on public exhibition in accordance with the Lithgow Community Participation Plan 2019. This included written notification to adjoining and adjacent landowners as well as being placed on public exhibition in Council’s Administration Building for a period of 14 days. No submissions in response to the public exhibition were received.

Policy 7.6 Development Applications by Councillors and Staff or on Council Owned Land

This policy requires that a development application relating to Crown land managed by Council be referred to an Ordinary Meeting for the consideration and determination by Council. Because Kremer Park is a Crown reserve under the care, control and management of Lithgow City Council, the application is reported to this Ordinary Meeting for determination in accordance with this policy.

Financial Implications

- Budget approved - N/A for the assessment of the development application.
- Cost centre - N/A

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

Legal and Risk Management Implications

Environmental Planning and Assessment Act 1979

In determining a development application, Council as the consent authority is required to take into consideration the matters of relevance under Section 4.15 of the *Environmental Planning and Assessment Act 1979*. These are outlined in the attached Planning Assessment Report.

Crown Land Management Act 2016

Lithgow City Council is the appointed Crown Land Manager of Kremer Park, being Crown Reserve No. 40982. As the authority responsible for the care, control and maintenance of Kremer Park, Council is empowered under this Act to undertake the proposed works on the reserve.

The approval of the demolition of the existing toilet block and its replacement with a contemporary facility that meets current standards is supported from a land use planning perspective and can be undertaken with consent for the reasons outlined in the attached planning assessment report. Based on this, the application is recommended for approval.

Native Title rights and interests over Crown land

Kremer Park, and indeed most of the Crown land in the Lithgow LGA, is presently subject to a native title claim in the Federal Court.

Section 8.7 of the *Crown Land Management Act 2016* requires Crown Land Managers to obtain native title advice in relation to dealings and activities on Crown land, unless the land is excluded land (as defined in section 8.1 of the *Crown Land Management Act 2016*). Kremer Park is not excluded land, and therefore native title advice must be obtained.

Native title advice was obtained by Council in respect of the demolition of an old toilet block and installation of new Exeloo toilet facilities at Kremer Park, referred to as the 'future act'. A copy of the native title advice is attached. In summary, the advice provides that the 'future act' is a valid future act within the meaning of section 24JA(1) of the *Native Title Act 1993*, and therefore the 'future act' could proceed, subject to any procedural rights that apply.

As the 'future act' involves the construction of a public work there is a procedural right for any registered native title bodies corporate and native title claimants to be notified of the 'future act', and to be afforded an opportunity to comment (section 24JB(6) of *Native Title Act 1993*).

A notice and opportunity to comment was sent to the appropriate bodies on 21 May 2020, inviting comment by 22 June 2020. No submissions in respect of the 'future act' were received, and Council has fulfilled its obligations under the *Crown Land Management Act 2016* and the *Native Title Act 1993* in respect of this development.

Attachments

1. DA104/20 Demolition and Reconstruction of Toilet Block Kremer Park Port [DVL]T [11.1.1.1 - 12 pages]
2. Native title advice 25/5/2020 (Kremer Park upgrade toilet facilities) [11.1.1.2 - 14 pages]

Recommendation

THAT

1. Development Application DA104/20 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.

11.1.2. Transfer to Council of Musket Laneway, Lithgow (Lot B in DP9370)

Prepared by Sandra Politi - Land Use & Property Officer

Department Economic Development & Environment

Authorised by Director of Economic Development & Environment

Summary

The purpose of this report is to seek Council's approval of the transfer to Council of Lot B in DP9370, being Musket Laneway, Lithgow (**'Lot B'**) and to classify Lot B as operational.

Commentary

Ownership discrepancy

Council maintains a land register comprising a list of land vested in or under the control of Council (as required by section 53 of the *Local Government Act 1993*). Lot B is included in Council's land register as land owned by Council.

During an internal audit of the land register in December 2018, Council staff noticed an anomaly regarding the ownership of Lot B. A title search revealed that Lot B was in fact owned by a company known as Macquarie Gardens Pty Ltd. This information was contrary to Council's understanding that it was the owner of Lot B since 1985.

Council staff sought to understand this anomaly by obtaining historical searches and enquiring with NSW Land Registry Services and the Office of the Registrar General. The Office of the Registrar General confirmed that the purported transfer to Council in 1985 contained drafting errors, which invalidated the transfer. The specific drafting errors were a reference to certificate of title volume 2160 folio 81 and a reference to the transferor as Perpetual Trustee Company Limited. When in fact, in 1985, Lot B formed part of certificate of title volume 11783 folio 158 and the owner was Macquarie Gardens Pty Ltd.

It appears that Council was not informed by the Land Titles Office of the invalidity and de-registration of the transfer, and consequently Council was unaware of this discrepancy until recently. As Council paid only \$10 for the purported transfer in 1985, the consideration is not of concern. However, Lot B is a laneway and it is appropriate that the lane way be in Council's ownership.

Certificate of title volume 11783 folio 158 remains the current title and is still in the name of Macquarie Gardens Pty Ltd, despite the company having been de-registered in 2002.

Once a company is de-registered, it ceases to exist as a legal entity and can no longer do anything in its own right. Any property the company owns (other than trust property) vests in the Australian Securities & Investments Commission (**'ASIC'**) and ASIC has the power to transfer that property in certain circumstances.

Proposed transfer to Council

Council staff wrote to ASIC enquiring as to whether it would agree to transfer Lot B to Council. ASIC has agreed to transfer Lot B to Council for nil consideration on the following conditions:

1. Written confirmation from Council that:
 - a. the property is used as a laneway,
 - b. the property is not rated by Council, and
 - c. Council maintains the property.

2. An indemnity protecting ASIC against claims brought against ASIC due to it transferring the property; and

3. Council to prepare and submit to ASIC an original transfer for ASIC to sign, and Council to attend to registration and pay applicable lodgement fees.

These conditions are reasonable and achievable. Therefore, it is recommended that Council agree to them.

Classification of land

Before a council acquires land, or within 3 months after it acquires land, a council may resolve that the land be classified community land or operational land (*section 31(2) of the Local Government Act 1993*).

Land should be classified community if it falls within one of the ten community categories and core objectives and is generally available for public access and use or is subject to a lease or license. The categories are natural area, sportsground, park, cultural significance, general community use, bushland, wetland, escarpment, watercourse and foreshore (*sections 36E to 36N of the Local Government Act 1993*).

If land does not fall within one of the ten categories applicable to community land, the land should be classified operational.

Lot B is a laneway and does not fall within one of the ten categories for community land. Therefore, it is recommended that Lot B is classified as operational land.

In due course, it would be appropriate to dedicate the land as public road. However, the priority is to obtain title to the land.

Policy Implications

Compliance Policy 9.16.

Financial Implications

- Budget approved – 2019/20 budget available for minimal costs.
- Cost centre – 10-4009-8013-63405
- Expended to date – N/A
- Future potential impact - \$250

Legal and Risk Management Implications

Nil.

Attachments

1. Six maps image Lot B in D P 9370 [**11.1.2.1** - 1 page]
2. Letter from ORG responding to review [**11.1.2.2** - 6 pages]
3. Letter from ASIC agree transfer [**11.1.2.3** - 4 pages]

Recommendation

THAT Council:

1. Agree to the transfer of Lot B DP 9370 from ASIC to Lithgow City Council.
2. Agree to ASIC's conditions of transfer as outlined in the report.
3. Classify Lot B DP 9370 as operational land.
4. Authorise the General Manager to sign all documents and attend to all matters necessary to facilitate the transfer of Lot B DP 9370 to Lithgow City Council.

11.1.3. Road naming- DA269/17 Bowen Vista Estate, South Bowenfels & 066/08DA Moyne Farm, Little Hartley

Prepared by Jessica Ramsden - Development Planner

Department Development

Authorised by Director of Economic Development & Environment

Reference

MIN 20-120 Ordinary Meeting dated 25 May 2020

MIN 20-144 Ordinary Meeting dated 22 June 2020

Summary

To seek Council's resolution on the naming of a new road within a subdivision (DA269/17) at Bowen Vista Estate, South Bowenfels and the renaming of part of a road within a subdivision (066/08DA) at Moyne Farm, Little Hartley.

Commentary

At Council's Ordinary Meetings of 25 May 2020 and 22 June 2020 it was resolved to advertise and notify surrounding landowners of the proposed road naming below (see maps attached).

Proposed Name	Road Location
Heritage Close	New road off Bowen Chase in Bowen Vista Estate South Bowenfels. The extent is approximately 170 in length from the intersection with Bowen Chase travelling east to northeast.
Moyne View	Renaming of part of Delaney Drive being a new road within subdivision 066/08DA for Moyne Farm Little Hartley. The original naming of Delaney Drive includes the access road into the subdivision travelling east to west and extends over the river to then branch north and south forming a t-intersection. It is requested that the north – south section be renamed for emergency services purposed and addressing clarification.

As a result of this notification and advertising of these roads as per the resolutions, two submission were received for each proposed road name as summarised below:

Heritage Close:

1. *It is believed this road should reflect on the nearby gun emplacements and suggest the name be Emplacement Place.*
2. *There are many roads in the greater Lithgow region which could be designated 'Heritage' as there are a wealth of heritage properties and historical remains in our area. Please use the appropriate icon near the close at Bowenfels and use the name Emplacement i.e. Emplacement Place, Close etc. National Trust has prepared a brochure about the gun emplacements which will be printed by Visitor Information Centre with a map. This name would lead people in the general direction of the remains.*

Comment: Both submissions suggest the naming 'Emplacement Close' which may be more suitable to this area. However, there is an approved subdivision under DA225/16 including a new road which directly adjoins and will provide public access to the gun emplacements. Attached is a map showing the location of the two roads in comparison to the location of the gun emplacements and a site plan showing the subdivision layout for DA225/16.

It is suggested that 'Emplacement Close' should be reserved for a road within subdivision DA225/16 rather than the current proposed road under DA269/17 which is the subject of this report. Naming the current road 'Emplacement Close' which does not lead to the Gun Emplacements may cause

confusion in the future once subdivision DA225/16 was completed. Therefore, it is recommended that Council proceed with the gazettal of 'Heritage Close' for the new road name within subdivision DA269/17.

Moyne View:

1. *It is believed that the road should remain as Delaney Drive as the Delaney family had a very long association with the locality.*
2. *The Delaney family have a long history living at Moyne Farm after John Grant. There are many descendants here and through NSW with the Delaney's having substantial agricultural input into the area. There is a brief history you can read on-line for the Delaney Family who lived there in the late 1800s. Please retain Delaney Drive.*

Comment: The name Delaney Drive is being retained within the subdivision as the main access road within the subdivision 066/08DA for Moyne Farm. As such the history and significance of the name will not be lost with the proposed renaming of the north south section of the road as per the attached map. Therefore, it is recommended that Council proceed with the gazettal of 'Moyne View' for the north – south section of Delaney Drive within subdivision 066/08DA.

Policy Implications

Council's Policy 10.10 Addressing, Road Naming and Locality Naming is applicable for this road naming process and will be followed appropriately.

Financial Implications

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

Legal and Risk Management Implications

Nil.

Attachments

1. Heritage Close Map [11.1.3.1 - 1 page]
2. Moyne View Map [11.1.3.2 - 1 page]
3. Location of subdivisions in relation to location of Gun Emplacement [11.1.3.3 - 1 page]
4. DA225/16 Site Plan showing lot layout and proposed road locations [11.1.3.4 - 1 page]

Recommendation

THAT Council:

1. Proceed with the gazettal and online road naming process including the notification to emergency services and submitters for the road names 'Heritage Close' in subdivision DA269/17 Bowen Vista Estate, South Bowenfels and 'Moyne View' in subdivision 066/08DA Moyne Farm, Little Hartley.
2. Council reserve the road name 'Emplacement Close' to be utilised for the road accessing the Gun Emplacements at South Bowenfels within approved subdivision DA225/16.

11.1.4. Tourism COVID-19 Membership Fees Discount 2019/2020

Prepared by Andrew Powrie - Senior Economic Development and Destination Manager

Department Economic Development

Authorised by Director of Economic Development & Environment

Summary

This report recommends that Council endorse a 50% reduction in Lithgow Tourism and Events membership fees for 2020/2021 as a means of showing support for disadvantaged local tourism industry businesses.

Commentary

The Lithgow tourism industry has been hit hard by drought, bushfires, floods and COVID-19. The decline in business confidence is reflected in falling membership numbers, dropping from a high of 82 members in 2019 to 50 in August 2020.

A one off 50% discount on 2020/2021 fees would be an acknowledgement of the hardships felt in the industry, and an encouragement to re-join in a year where industry wide participation will be especially critical.

Policy Implications

Nil

Financial Implications

- Budget approved - Revenue. A nominal \$5,000 budgeted.
- Cost centre - 800084
- Expended to date - Nil
- Future potential impact - 2020/21 Fees and Charges Adopted - \$141.40. If Council endorses the recommendation, the 2020/21 Fees and Charges will be amended. A 50% reduction in the membership fees would see the membership fee reduce from \$141.40 to \$70.75. If membership was lifted back up to 80 businesses, then forecast revenue would be \$5,660. If membership stayed the same at 50 businesses, then revenue would be \$7,075.

Legal and Risk Management Implications

Nil

Attachments

Nil

Recommendation

THAT

1. Council endorse a 50% reduction in Lithgow Tourism and Events membership fees for the 2020-21 financial year.
2. The reduced membership fees be advertised for a period of 28 days and if no submissions are received the fee of \$70.75 be formally adopted for 2020/2021.

11.1.5. Lithgow Destination Marketing Campaign Progress Report

Prepared by Andrew Powrie - Senior Economic Development and Destination Manager

Department Economic Development

Authorised by Director of Economic Development & Environment

Summary

A Lithgow Destination digital marketing campaign has been in the market since early June 2020. This report informs Council of the campaign's performance for June and July 2020.

Commentary

Using a combination of digital media channels, a marketing campaign was launched in early June 2020 with the goal being to obtain a 25% increase in visitation to the Lithgow Tourism and Events Website. Search Engine Marketing, Search Engine Optimisation, Google searches targeting, Facebook Ads, Instagram, and website visitors re-marketing have been the elements of the campaign. The 3-hour drive market was targeted and the call to action was to either call the Lithgow VIC or visit the website.

Samples Google/Facebook Ads

Lithgow | Boutique Accommodation | A Weekend Away
 [Ad] tourism.lithgow.com/Places_to_stay 1 300 760 276
 Welcome to an unrushed pace; a vibrant, diverse historical place. an unrushed town with a pride in local community.
 Bush Walks · Horse Riding · National Parks · Heritage

Things To See & Do	Places To Stay
Events	Getting Here

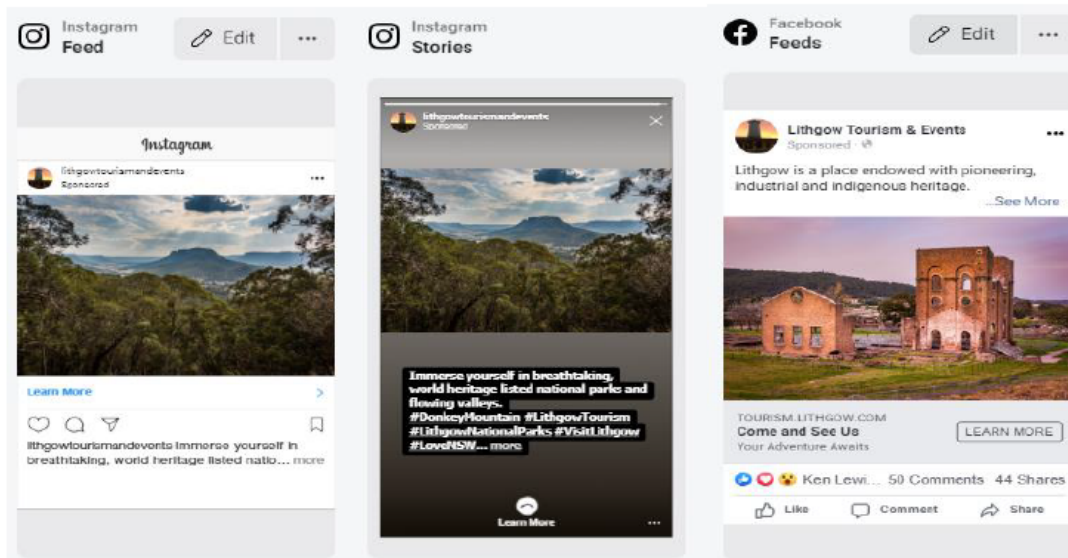
Lithgow | Sydney's Out West | Adventure Playground
 [Ad] tourism.lithgow.com/adventure 1 300 760 276
 Events, adventures and experiences around every corner. Plan your post iso adventure today.
 Bush Walks · Horse Riding · National Parks · Heritage

Things To See & Do	Places To Stay
Events	Getting Here

Lithgow | Sydney's Out West
 [Ad] tourism.lithgow.com/more_about_us 1 300 760 276
 A short drive away from Sydney CBD you'll be able to make it a day trip or stay longer. With breathtaking, world heritage listed national parks and flowing valleys to be explored
 Bush Walks · Horse Riding · National Parks · Heritage

Things To See & Do	Places To Stay
Events	Getting Here

Samples Instagram Ads



Campaign results have been excellent. In summary:

- Viewing of Google/Facebook Ads – 46,000 people.
- Remarketing – 25,000 reach.
- Instagram – 14,000 people reached.
- Website – over 26,000 new visitors – a 200% increase on previous months!

Breakdown Lithgow Tourism Website – YTD 2020:

	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20	% Increase/ Decrease	Jul-19
Users	2,506	2,860	2,531	1,224	3,506	13,316	13,156	193.07%	4,489
New Users	2,432	2,780	2,434	1,169	3,426	13,097	12,483	189.83%	4,307
Sessions	2,960	3,376	3,081	1,499	4,176	15,964	15,902	194.15%	5,406
Number of Sessions	1.18	1.18	1.22	1.22	1.19	1.2	1.21	0.83%	1.2
Page Views	5,624	6,286	5,626	3	7,616	37,433	51,049	370.80%	10,843
Pages / Sessions	1.9	1.86	3.77	1.71	1.82	3.94	3.21	59.70%	2.01
Avg. Session Duration	1 min 18 secs	1 min 27 secs	2 min 23 secs	1 min 33 secs	1 min 29 secs	2 min 34 secs	1 min 30 secs	1.00%	1 min 40 secs
Bounce Rate	72.03%	72.07%	69.39%	67.31%	72.77%	62.84%	37.09%	30.74%	67.83%

Destination Movies

Along with the digital campaign the last two months has seen the production and launch of 3 new Destination “Welcome Back” Movies. Each of the movies were promoted by Facebook boosts and the penetration and viewing of each of the movies has been extremely high:

1. Lithgow’s Towns and Villages – 53,367 Reach, 222 Shares, 28,000 Views.
2. Lithgow’s Industrial Heritage and History – Reach 61,726, 73 Shares, 35,000 Views.
3. Lithgow’s Recreational Environment – Reach 31,926, 31 Shares, 17,000 Views.

Across all 3 movies Reach was 147,019 and Views were 80,000.

Policy Implications

Nil

Financial Implications

- Budget approved - \$25,000 (Bushfire Recovery Grant Funding).
- Cost centre - PJ 600230.
- Expended to date - nil actuals spent, grant funding to be carried over to the 2020/21 budget.
- Future potential impact - a second amount of \$50,000 of Bushfire Recovery Grant Funding has been approved by Council for a Spring/Summer destination marketing campaign from mid-September through to December 2020.

Legal and Risk Management Implications

Nil

Attachments

Nil

Recommendation

THAT Council note the update report on the Lithgow Destination Marketing Campaign.

11.2. Infrastructure Services Reports

11.2.1. Review of Policies 10.11 and 10.16

Prepared by Kaitlin Cibulka – Executive Assistant

Department Infrastructure Services

Authorised by Director of Infrastructure & Services

Summary

The purpose of this report is to provide an update to the following Council policies:

- Policy 10.11 - Crown and Private Roads - Maintenance
- Policy 10.16 – Roadworks – Provision of Unusable Materials to Property Owners

To better ensure their accuracy, completeness and pertinence to an evolving community.

Commentary

Changes to Policy 10.16 can be summarised as follows:

- Inclusion of definitions of a Crown road and a private road.
- While the policy still notes that Council will not perform maintenance on Crown and private roads, it clarifies that a private entity may engage Council on a fee-for-service basis to perform improvement work on a non-Council asset. This is referred to as a 'Work at Owners Cost'.
- Should a 'Work at Owners Cost be requested for a Crown road, written permission must be sought from the Department of Crown Lands, along with agreement that such works are a 'one-off' and do not constitute Council's acceptance of any ongoing liability, responsibility or an asset transfer at any point.
- Should a 'Work at Owners Cost be requested for a Crown or private road, an agreement will be entered based on a predetermined quote of reasonable costs. The costs of work will be billed to the recipient once complete.
- Detail indicating requests for exemption or deviation from this policy may only be determined by Council.

Changes to Policy 10.16 can be summarised as follows:

- Clarification on the definition of 'spoil material'.
- Provision for equitable distribution if more than one owner requests spoil material.
- Clarification that spoil may only be provided at Council's discretion and that other uses may be identified which take priority.
- Written agreement must be procured prior to any access to private property, or provision of spoil material to any individual. A template agreement has been drafted to simplify the process. This template spells out that:
 - Council will enter private property to transport the spoil material.
 - Council will act to ensure any damage is mitigated, but Council is not liable for minor damage caused while providing the spoil material.
 - It must be agreed that if multiple people request material, it is to be equitably shared.
 - Only a visual inspection must occur to determine that the material is free from contaminants. If additional contaminant testing is required, it must be performed by the resident seeking benefit.
 - The property owner is entirely responsible for spreading or working the material and appropriate sediment control and
 - Council may rescind the offer at any time.

Where it is economical and efficient to do so, from time to time Council does provide spoil material to property owners rather than dispose of it elsewhere. This policy has been revised to reflect a clearer process as such.

The changes to the two policies above are major as changes affect the purpose of the policy and its potential effect on members of the public. As such, both policies require a public exhibition period of 28 days.

Policy Implications

Nil - recommendation for public exhibition of amended policies.

Financial Implications

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

Legal and Risk Management Implications

Nil

Attachments

1. Policy 10.11 Crown and Private Roads Maintenance Responsibility [11.2.1.1 - 3 pages]
2. Policy 10.16 Road Works Provision Of Unusable Materials To Property Owners [11.2.1.2 - 4 pages]

Recommendation

THAT Council endorse the amended Policy 10.11 - Crown and Private Roads - Maintenance and Policy 10.16 – Roadworks – Provision of Unusable Materials to Property Owners for public exhibition for a period of 28 days, prior to consideration of any submissions and adoption of the policies.

11.3. Water and Wastewater Reports

11.3.1. Water and Waste Water Report

Prepared by Daniel Buckens - Director of Water & Wastewater

Department Water and Wastewater

Authorised by Director of Water & Wastewater

Reference

Min No 20-173 Ordinary Meeting of Council 27 July 2020.

Min No.18-175 Ordinary Meeting of Council 25 June 2018.

Summary

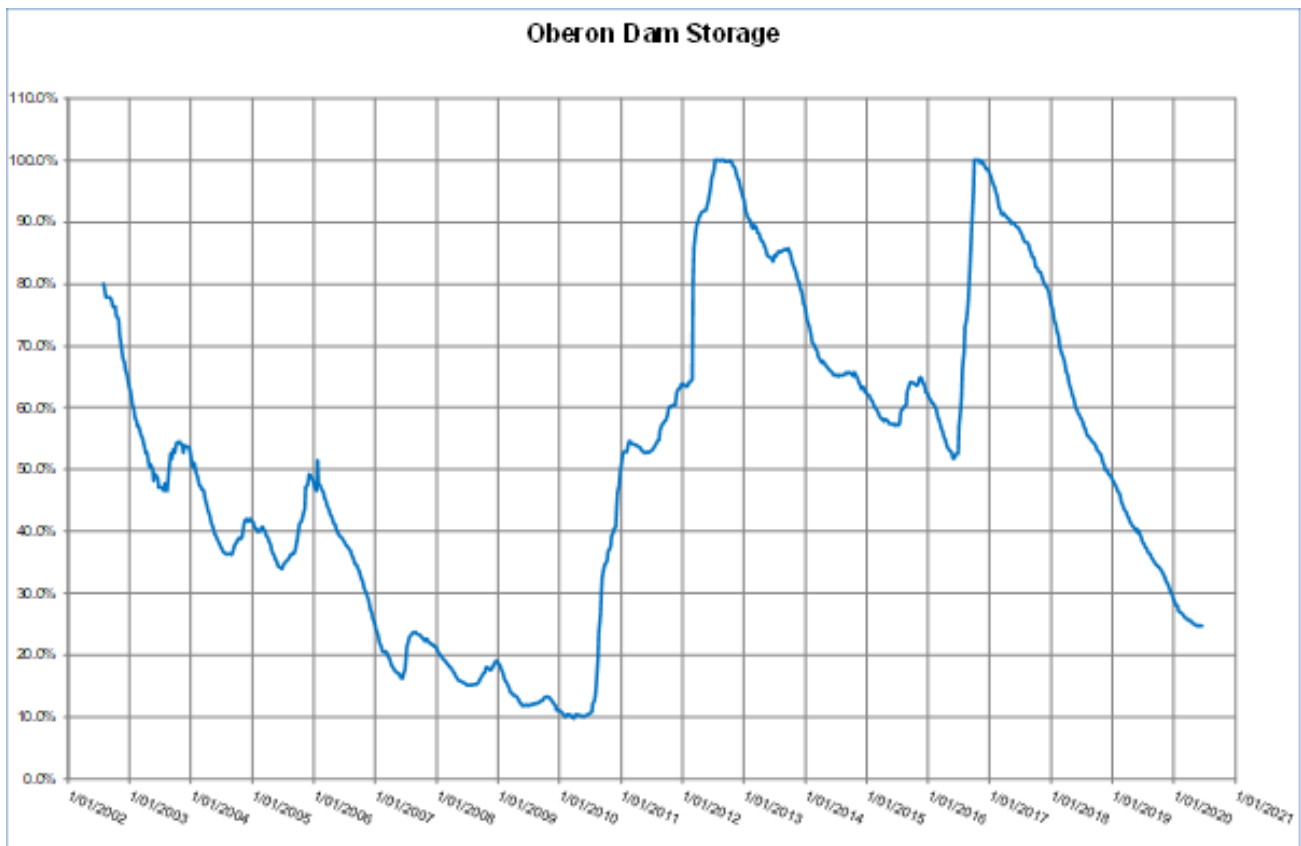
This report provides an update on various water and wastewater management matters.

Commentary

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

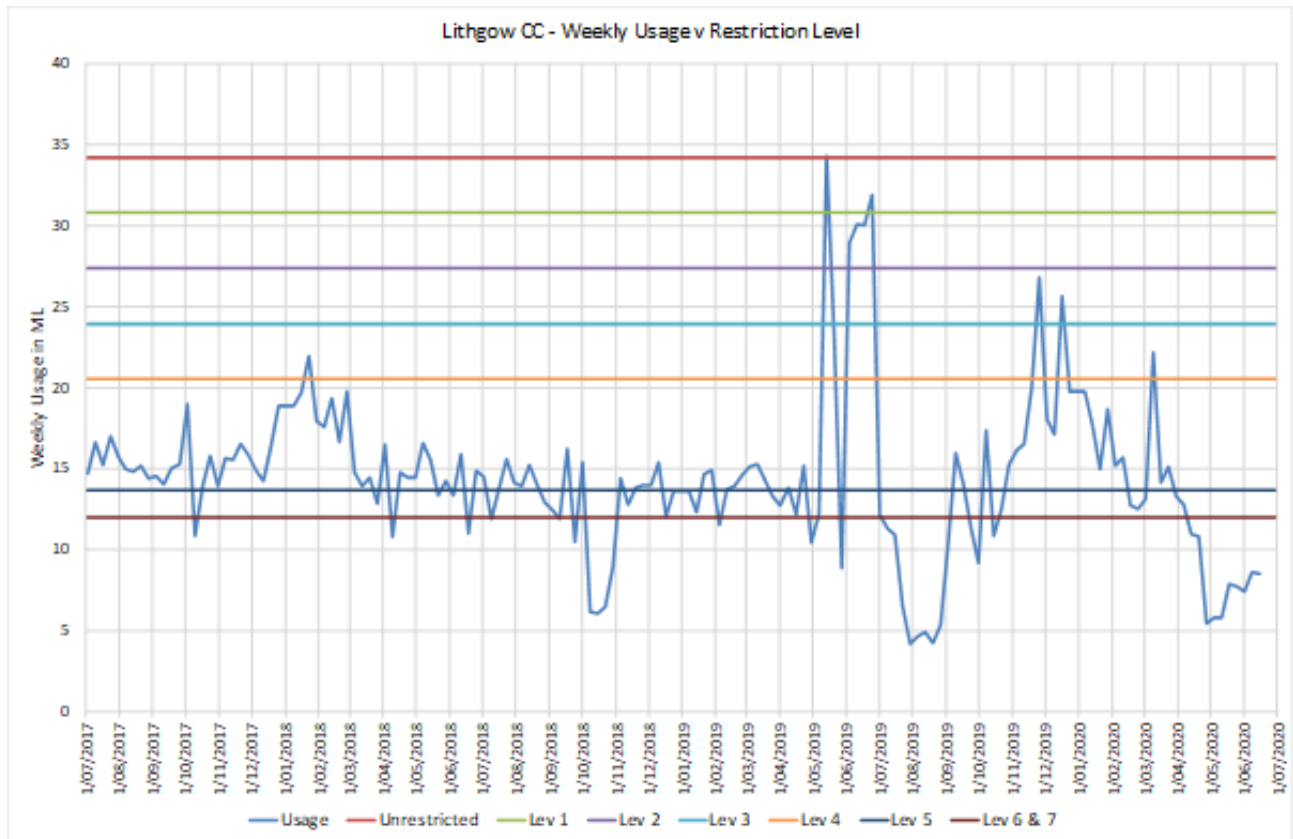
Farmers Creek No.2 Dam has a capacity of 450ML. Storage volume on Thursday 13th August 2020 was 100.00%. Clarence Transfer System remains shut down.

Oberon Dam has a capacity of 45000ML. Storage volume on Monday 10th August 2020 was 25.0%. Total volume banked is currently approx. 6.6%, so storage adjusted for bank is 18.4%. Level 5 restrictions come into effect when adjusted storage reaches 15%.



Level 4 restrictions on the FRWS are now in effect. Level 4 restrictions trigger is 20% of adjusted storage. As can be seen in the below Usage v Restriction Level graph, the current demands of the Council are on average lower than the current restriction level where Council exceeds the weekly

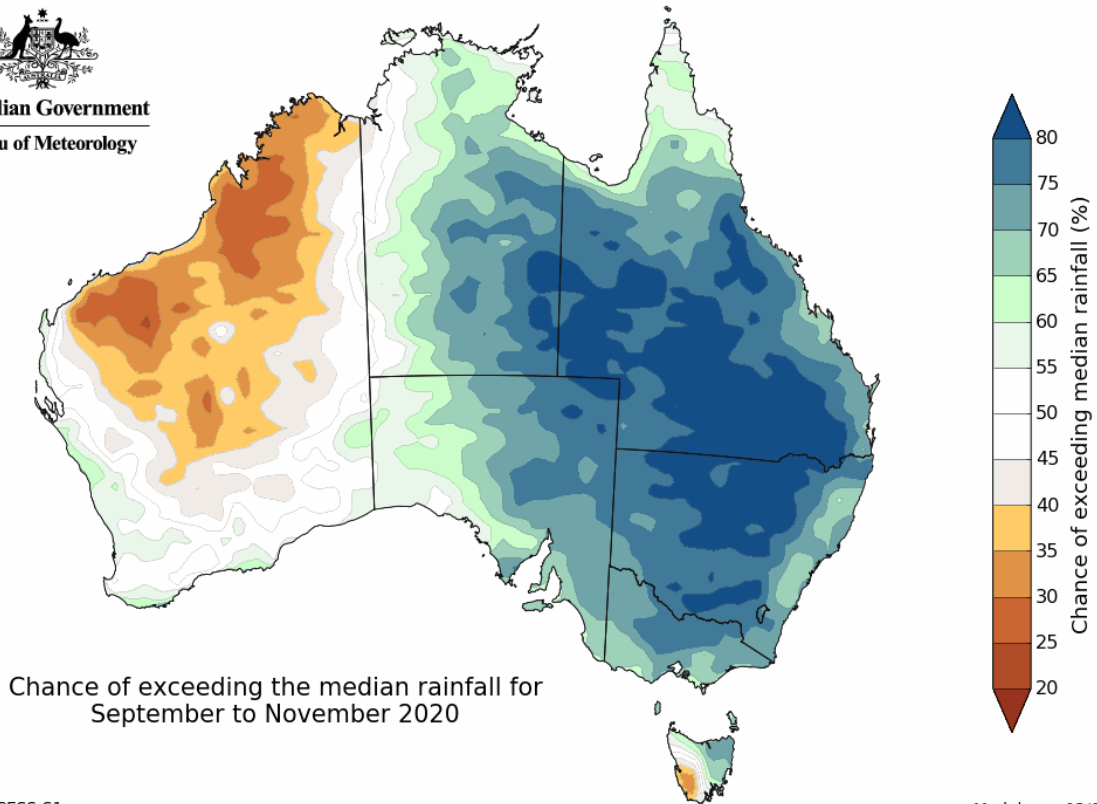
usage allocation, Council's banked water is reduced. Banked water is not subject to restrictions. This means that Council is managing water demand in accordance with the FRWS Drought Management Strategy.



Climatic and Rainfall Outlook

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

- The September to November period is likely to be wetter than average across the eastern half of the mainland (greater than 65% chance in most areas), wetter than average in northern-eastern Tasmania and drier than average in parts of south-west Tasmania, and also drier than average (greater than 65% chance) over much of northern to central WA.
- Days during September to November are likely to be warmer than average for most of northern Australia (greater than 80% chance) and for Tasmania and southern Victoria (65-80% chance). Across the remainder of the southern half of the mainland, chances of warmer or cooler than average days are close to the average.
- Night-time temperatures for September to November are very likely to be warmer than average for most of Australia (greater than 80% chance in most areas), although chances are close to equal for much of south-west WA.
- The tropical Pacific Ocean is expected to approach La Niña levels over the coming months, while warmer than average waters are likely in much of the central and eastern Indian Ocean. The Pacific influence is strongest in the wetter September to November outlook for eastern Australia.



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 2017/18, 2018/19, 2019/20, and a cumulative total by month for 2020/21.

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	157.514	0.00	38.239
August			
September			
October			
November			
December			
January			
February			
March			
April			
May			
June			
TOTAL	157.514	0.00	38.239

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 9th February 2020 due to the level of the dam and remains off.

Oakey Park Water Quality Summary

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

During the period there were four reports of dirty water in the following areas:

- Shaft Street, Lithgow
- Lett Street, Lithgow
- Fullagar Avenue, Lithgow
- Finlay Avenue, 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 Sewage Treatment Plants and Water Treatment Plant, in accordance with the Environment Protection Licence requirements. There were three exceedances recorded for the month of July 2020.

The report indicated the following exceedances. Total Suspended Solids result at Lithgow STP was 67mg/L, exceeding the 100-percentile licence limit of 30mg/L. High inflows into the Treatment Plant from 83mm of rainfall recorded at the Bureau of Metrology weather station at Coerwull in the proceeding days resulted in carryover of the Intermittently Decanted Extended Aeration (IDEA) Tank. Average dry weather flows through the plant are 3500kL/d, flows at the time of sampling 29,128kL/d.

Total Suspended Solids at Portland STP was 40mg/L, exceeding the 100-percentile licence limit of 30mg/L. High inflows into the Treatment Plant from 83mm of rainfall recorded at the Bureau of Metrology weather station at Coerwull and 47mm recording on the rain gauge located at the STP in the proceeding days resulted in carryover of the IDEA process.

Faecal Coliforms at Portland STP was ~4000cfu/100mL, exceeding the 100-percentile licence limit of 600cfu/100mL. As per the above high inflows exceeded the design capacity of the UV disinfection system and subsequently the excess flows by-pass the disinfection system. Average dry weather flows through the plant are 350kL/d, flows at the time of sampling 6893kL/d.

To provide some context to the amount of inflow/infiltration the industry standard is to design a system to accommodate 8 times the average dry weather flow. The flows received through the Portland STP during these wet weather events were almost 20 times the design capacity of the system and subsequently this affected the treatment process.

In the case of the Lithgow STP the capacity of the pumping infrastructure is limited to 8 times the average dry weather flow, and anything above this surcharges from the maintenance holes surrounding the pump station. High flow rates into the plant over a prolonged period result in operational issues due to insufficient settling of sludge which is carried through the process until discharge to the environment.

The correct samples were not collected at the Wallerawang STP for analysis, so no results are available for the month of July. This is a non-compliance with the Environment Protection Licence and the NSW EPA have been advised. The matter is being investigated to determine the

cause/reason and appropriate actions will be taken to ensure this does not occur again. As soon as this was identified samples were collected and sent for analysis. At the time of this report the results for these samples have not been received.

Fish River Water Scheme Water Quality Summary

There was one exceedance of the health guideline values of the Australian Drinking Water Guidelines (ADWG). An exceedance of 12 MPN/100mL was recorded for Total Coliforms at site 225 in Glen Davis. As a result, Council implemented the Drinking Water Management System and responded in accordance with the protocols provided by NSW Health.

WaterNSW were advised of the failed sample and staff from WaterNSW attended the site to undertake a sanitary survey to confirm the integrity of the system and increase chlorination.

Council staff attended Glen Davis the following day and conducted sampling of the reticulation network. Results confirmed residual chlorine levels were sufficient to achieve adequate disinfection.

In accordance with the protocols Council resampled at the site on the 11th August 2020, the results for this sample had not been received at the time of this report.

Water Mains and Service Issues

Council experienced 6 breaks during the period, 16 July to 13 August 2020. The below provides the date and location of the breaks

- Ferro Street, Lithgow – 16/07/2020
- Longworth Street, Lithgow – 19/07/2020
- Cullen Street, Portland – 22/07/2020
- Lane Street, Wallerawang – 29/07/2020
- Fred Burley Drive, Lithgow – 13/08/2020
- Ian Holt Drive, Lidsdale – 13/08/2020

Sewer Mains and Service Issues

Council experienced 6 sewer chokes/blockage during the period, 16 July to 13 August 2020. The below provides the date and location of the chokes:

- Rifle Parade, Lithgow – 23/07/2020
- Kiln Street, Portland – 28/07/2020
- Roy Street, Lithgow – 05/08/2020
- Bragg Street, Lithgow – 06/08/2020
- Inch Street, Lithgow – 10/08/2020
- Hartley Valley Road, Lithgow – 10/08/2020

As a result of the recent wet weather there were several reported or observed overflows/surcharge from maintenance holes. There were no reported or observed overflows from pump stations although the surcharge at the maintenance holes is as a direct outcome of overloading of the pump station. Council has been consulting with the NSW EPA on this matter and has supplied information and records as required.

Council has had an ongoing program of works to address the issues associated with inflow/infiltration since 2006. In 2006 Council was required, along with most other utilities in NSW, to undertake a Sewer Overflow Investigation as part of a Pollution Reduction Program applied to the Environment Protection Licence by the NSW EPA. The report included;

- a. identification of the location of all designed overflow points and other frequent overflow points within the reticulation system and an assessment of the likelihood of overflows from these points;
- b. assessment of the significance of impacts on the environment and public health resulting from these overflows;
- c. evaluation and ranking of the resultant risk to the environment and public health from these overflows; and
- d. identification of management priorities and actions to reduce the risk of harm to the environment and public health.

Since the completion of the report there has been a considerable amount of work undertaken to reduce inflow/infiltration into the sewer system. These actions include sewer relining and sealing of manholes on the trunk mains that run parallel to Farmers Creek and other major stormwater channels, plus sewer relining in sections of the catchment prone to inflow/infiltration. Council has undertaken Smoke Testing and identified illegal connections and worked with residents and businesses to correct these issues. An emergency detention basin was constructed next to Pump Station 1 (the pump station that collects all flow and transfers to the Lithgow STP). New pump stations have been constructed in the South Littleton/South Bowenfels area and a new rising/gravity main to Pump Station 1. Council also has a Sewer Strategy to replace and upgrade existing stations and rising mains to provide further additional capacity.

Cessation of Drought Assistance Measures

At the 25 June 2018 meeting, Council resolved to implement a number of drought assistance measures (Min. No. 18-175). The measures included a reduced metered standpipe water usage charge:

2. Initiate a program from 1 July 2018 whereby, subject to a registration process, drought affected farmers within the Lithgow Local Government Area (LGA) are eligible for a free standpipe access card and access to the Barton St, Lithgow water standpipe with a 50% reduction on the 2018/19 metered standpipe water usage charge.
3. Note that the registration process proposed in No 2 above will require details of the location of the rural producer; details of their rural enterprise; where the water will be utilised; and details of how their rural enterprise comprises their primary source of income. 4. Note that parties afforded access to water through the program as outlined in No 2 and 3 above will be responsible for the cartage of the water.

Based on the current climatic and rainfall outlook, it is recommended that the drought assistance measures endorsed in June 2018 now cease. There have no recent applications for the reduced metered standpipe water usage charge:

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:

1. Note the Water Report as an update on water and wastewater management.
2. Cease the drought assistance measures endorsed at the 25 June 2018 meeting (Min. No. 18-175) with immediate effect due to the change in climate conditions and outlook.

11.4. Finance and Assets Reports

11.4.1. Carryovers / Revotes for Inclusion in the 2020/21 Budget

Prepared by	Ross Gurney - Chief Financial & Information Officer
Department	Finance & Assets
Authorised by	Chief Financial & Information Officer

Summary

For a variety of reasons (e.g. COVID-19, construction delays) a number of 2019/20 projects were either not able to be delivered or completed before 30 June 2020. This report provides details of incomplete 2019/20 projects and proposes the revoting of specified 2019/20 project budgets into the 2020/21 budget and Operational Plan.

The report also provides details of works in progress or carryover project budgets which will also be added to the 2020/21 budget. The regulation does not require carryovers to be revoted, however, details of carryover requests are included in the attachment to the report for Council's consideration.

For works in progress where a Purchase Order has been issued, a carryover of budget is considered only when there are insufficient funds or no budget in the following year.

Commentary

Capital Revotes and Carryovers

The total amount of recommended capital revotes and carryovers is \$3.565M. The breakdown by fund is:

- General Fund \$1.467M
- Water Fund \$540K
- Sewer Fund \$1.558M

The recommended capital revotes and carryovers include the following projects:

- Rydal Toilet Block - \$90,000 revote;
- Pioneer Park Toilets - \$212,579 carryover;
- Solar Panels – Aquatic Centre - \$126,500 revote;
- Hartley Vale Bridge - \$120,215 carryover;
- Farmers Creek Pathway - \$444,970 carryover;
- Oakey Park WTP - \$268,725 carryover - upgrade of Oakey Park WTP, including replacement of all 6 filters, upgrade of SCADA system and installation of online monitoring
- Smart Water Meters - \$271,331 carryover; and
- Lithgow STP - \$1,558,344 carryover - bypass of Sedimentation Tanks and lining of fourth sludge lagoon

The addition of the capital revotes and carryovers to the original 2020/21 capital program results in a total capital program of \$21.9M of works. This is a larger program than has been completed in recent years. Progress towards completing the capital program will be closely monitored.

All recommended capital revotes and carryovers are included in the attachment, with the reason/s for each project not being completed in the 2019/20 year and a revised completion date.

Operational Revotes and Carryovers

At the 27 July 2020 meeting, Council endorsed the 2019/20 Delivery Program – Operational Plan (Minute No. 20-176) with a consolidated budget operating surplus (before capital) of \$1.069M.

Approved operational revotes and carryovers will have a negative impact on Council's planned operating position for 2020/21.

The total amount of recommended operational revotes and carryovers is \$537K. Management has thoroughly reviewed the operational revoke and carryover requests to minimise the impact on Council's planned operating position for 2020/21. Revenue funded revotes and carryovers total only \$38K for the General Fund, \$98K for the Water Fund and \$119K for the Sewer Fund. All other operational carryovers and revotes are funded from grants.

The recommended operational revotes and carryovers include the following projects:

- Floodplain Risk Management Plan - \$101K revoke – project not commenced, grant funded;
- Integrated Water Cycle Management Strategy - \$98K carryover; and
- Wallerawang STP Pollution Incident - \$119K carryover.

The Wallerawang STP Pollution Incident carryover is required to fund the outstanding actions required by the Clean-up Notice issued by the NSW EPA. The budget also includes the list of required works and actions which were only confirmed on 7 July 2020 when the Enforceable Undertaking (EU) was finalised. All actions are on track for completion in accordance with the EU's schedule.

All recommended operational revotes and carryovers are included in the attachment, with the reason/s for each project not being completed in the 2019/20 year and a revised completion date.

Policy Implications

Nil.

Financial Implications

As detailed in this report.

Legal and Risk Management Implications

Expenditure by Council must be approved and voted in accordance with Section 211 of the Local Government (General) Regulation 2005.

Attachments

1. Report LCC - PROJECT REPORT - Capital Carryovers 2019-20 - ELT Endorsed - 4 Aug 2020 [11.4.1.1 - 3 pages]
2. Report LCC - PROJECT REPORT - Operational Carryovers 2019-20 - ELT Endorsed - 4 Aug 2020 [11.4.1.2 - 2 pages]

Recommendation

THAT Council:

1. Revoke the amount of \$3,565,351 for 2019/20 capital revotes and carryovers (as detailed in the attachment) for inclusion in the 2020/.21 budget.
2. Revoke the amount of \$536,865 for 2019/20 operational revotes and carryovers (as detailed in the attachment) for inclusion in the 2020/21 budget.

11.4.2. Referral of Financial Reports for External Audit - Year Ended 30 June 2020

Prepared by Rhiannan Whiteley – Executive Assistant

Department Finance & Assets

Authorised by Chief Financial & Information Officer

Summary

Section 413 of the Local Government Act 1993 (the Act) requires Council to refer its financial reports for audit prior to the commencement of the external audit.

Commentary

Financial Statements Timeline

Council officers and the external auditors work to an agreed timeline to ensure that the financial reports are completed and lodged with the Office of Local Government (OLG) by the legislative deadline of 31 October of each year.

The OLG has modified the statutory requirements in response to the COVID-19 pandemic providing Councils with the following one-month extensions:

- to adopt their 2020-21 Operational Plan by 31 July 2020;
- to submit audited financial reports by 30 November 2020; and
- for the preparation and publishing of annual reports by 31 December 2020.

Although draft 2019/20 financial reports will not be finalised before the end of August 2020, it is a requirement of the Act that the financial reports be referred for audit by resolution of Council prior to the audit commencing in September 2020. Council is planning to lodge the financial statements with the OLG by 31 October 2020.

The audit is in late September this year, delayed a little due to COVID-19. Completing the audit in early October will still allow plenty of time to resolve any queries arising from the audit.

The key dates agreed between Council and the Audit Office of NSW which are included in the 2019/20 Annual Engagement Plan are as follows:

- 24 August 2020: Council resolves to refer the financial reports for audit.
- 14 September 2020: Council provides draft financial reports and supporting workpapers to the audit team.
- 28 September – 2 October 2020: on-site audit (Crowe).
- 26 October 2020: Audit Office issues the Auditors' Reports.
- 26 October 2020: Council resolves to approve the financial reports for lodgement to the OLG and for public exhibition and the Mayor, a Councillor, the General Manager and the Responsible Accounting Officer sign the Statements.
- 30 October 2020: Audit Office issues final Management Letter.
- 31 October 2020: Council lodges financial statements with OLG.
- 23 November 2020: Council presents its audited financial statements and the Auditors' Reports.

According to Section 413 (2) of the Act, Council must make a statement as to its opinion on the preparation of the general purpose financial report (and by extension the special purpose financial report). The signing of these statements is an administrative function that is required at the completion of the audit.

Format of Financial Reports The financial reports comprise the following:

1. General purpose financial reports consisting of an Income Statement, a Statement of Financial Position, a Statement of Changes in Equity, and a Statement of Cash Flows along with a number of explanatory notes. These are presented for audit by the Audit Office;
2. Special purpose financial reports consisting of an Income Statement by Business Activity, a Statement of Financial Position by Business Activity and appropriate explanatory notes. These financial reports are also presented for audit by the Audit Office; and
3. Special schedules which present financial information specifically required by the OLG, the Department of Public Works, the Department of Planning and Infrastructure, the Australian Bureau of Statistics.

As required by the Act, the financial reports are prepared in accordance with the Australian Accounting Standards, Local Government Code of Accounting Practice and Financial Reporting and the Local Government Asset Accounting Manual.

Policy Implications

NIL

Financial Implications

The audit of Council's financial reports by the Audit Office is a legislative requirement and provides assurance that Council's finances are managed prudently and in accordance with accounting standards.

The adoption of the recommendation of this report has no direct financial impact upon the Council's adopted budgets or forward estimates.

Legal and Risk Management Implications

The forwarding of the financial statements to the Council's external auditor for audit supports the Council in ensuring care and compliance is exercised in financial reporting.

Attachments

Nil

Recommendation

THAT Council refers the draft 2019/20 General Purpose and Special Purpose Financial Reports for audit in accordance with S413 of the Local Government Act 1993.

11.5. People and Services Reports

11.5.1. Planet Youth - Local Drug Action Team

Prepared by Ali Kim - Community Development Officer

Department Community and Culture

Authorised by Director People and Services

Summary

This report informs Council of the work of the Lithgow Drug Action Team and the Planet Youth Program.

Commentary

Since 2017, Lithgow's Local Drug Action Team (LDAT), comprising local community and health organisations and Council, has been working on developing primary prevention strategies in Lithgow to address the misuse of alcohol and other drugs.

The LDAT Memorandum of Understanding is attached for Council's information.

In 2019, Lithgow was selected to be one of 5 Planet Youth pilot sites in Australia.

Planet Youth is an evidence-based program from Iceland that has significantly reduced alcohol and other drug use rates in young people.

Since the introduction of Planet Youth in Iceland in the nineties, youth alcohol and other drug use rates have transformed from some of the highest in Europe, to amongst the lowest. The country has also seen increased time spent by adolescents with parents, and reductions in bullying, juvenile crime and youth entering drug treatment.

Between 1998 and 2018, the percentage of Iceland's year ten students who had been drunk in the past 30 days fell from 42% to 5%; daily cigarette smokers in the same age group dropped from 23% to 2%; and the number of year ten students who used cannabis once or more in their lifetime declined from 17% to 6%.

Planet Youth has now been adopted in 20 countries including Ireland, Chile, Spain, France, Italy, Russia, Sweden and Norway.

The Alcohol and Drug Foundation is working with the Planet Youth team to trial this approach in Lithgow through the Local Drug Action Team Program.

An initial Lithgow survey of Year 10 high school students' attitudes and behaviours in relation to alcohol and other drugs took place in late 2019 with the results presented to the community in February 2020. The Local Drug Action Team in partnership with the Alcohol and Drug Foundation, Planet Youth and local schools will be developing strategies to address the issues identified in the year 10 student survey.

Policy Implications

Nil

Financial Implications

Nil

Legal and Risk Management Implications

Nil

Attachments

1. Lithgow Drug Action Team MOU [11.5.1.1 - 5 pages]

Recommendation

THAT Council note the ongoing work of the Local Drug Action Team and the Planet Youth Pilot Project.

11.5.2. Review of Policies 4.1 and 9.10

Prepared by	Rhiannan Whiteley - Executive Assistant to the Director People & Services and the CFIO
Department	People & Services / Finance & Assets
Authorised by	Director of People & Services

Summary

The purpose of this report is to provide two policies to Council for approval.

Commentary

As part of the regular policy review process, the following policies have been reviewed by management and are recommended for approval:

- Policy 4.1 - Community Representatives – Appointment to Committees or Working Groups; and
- Policy 9.10 - Council Workshops and Information Sessions.

Policy 4.1 – Community Representatives – *Appointment to Committees or Working Groups* has been reviewed and no changes have been made.

Policy 9.10 Council Workshops and Information Sessions has been reviewed and the format of workshops and information sessions has been amended as follows:

- The workshops are to be chaired by the Mayor.
- There will be no standing orders or formal meeting procedures.
- Those attending the workshop should be respectful and show courtesy for the person who is talking.
- Audio or audio-visual recording of workshops and information sessions is strictly not permitted.
- Staff will prepare a written report for each topic of discussion. However, verbal information may be provided in the General Business section of the meetings where circumstances have not allowed for a written report to be prepared prior.

Copies of the policies are attached to the Business Paper with proposed changes shown as “track changes” within Policy 9.10 Council Workshops and Information Sessions.

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

Policy Implications

Primarily the subject of this report.

Financial Implications

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

Legal and Risk Management Implications

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

Attachments

1. Policy 4.1 Community Representatives - Appointment To Committees Or Working Groups [11.5.2.1 - 2 pages]
2. Policy 9 10 Council Workshop Information Session Review July 2020 [J3PO] [11.5.2.2 - 4 pages]

Recommendation

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

- Policy 4.1 - Community Representatives – Appointment to Committees or Working Groups.
- Policy 9.10 - Council Workshops and Information Sessions.

13. Council Committee Reports

13.1. Community Development Committee Minutes 14 July 2020

Prepared by Matthew Johnson - Community and Culture Manager

Department Community and Culture

Authorised by Director of People & Services

Reference

Min 20-179 Ordinary Meeting of Council held 27 July 2020
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 14 July 2020 are presented for Council's consideration and clarification is provided on the Financial Assistance application from Lithgow Women's Shed that was deferred at Council's 27 July 2020 meeting.

Commentary

At the Community Development Committee meeting held 14 July 2020 various matters were discussed including:

1. A recommendation that commemorative signage be installed on Main Street Lithgow recognising the late Hugh Doherty and the late Ralph and Ettie Halloway.

The Committee considered a request that a plaque be installed outside Doherty's Chemist on Main Street Lithgow honouring the late Hugh Doherty who was much loved and respected within the community as a pharmacist and tireless worker for his community.

The committee also discussed the installation of signage recognising the late Ralph and Ettie Halloway who operated a Main Street woolshop and toyshop from 1959.

Officer Comment: Over a number of years, Council has installed signage in and near Main Street recognising the achievements of prominent local people including Sir Joseph Cook, Jim Robson, HES Bracey and David Palmer. Council may wish to consider the development of a policy to guide future recognition initiatives in a planned and coherent way.

2. Discussion on Council's Village Improvement Plans being updated in the current year together with 6 monthly report cards on the implementation of Action Plans being provided to the community and to Council
3. The upcoming appointment of a Community Bushfire Recovery Officer within Council.
4. That Council, in collaboration with the National Bushfire Recovery Agency, is presenting a season of Live'n'Local community live-streamed music events around Lithgow LGA to support community and business recovery.

In addition to these matters, clarification is provided on the budget of the Financial Assistance application from Lithgow Women's Shed that was deferred at Council's 27 July 2020 meeting. The \$3,000 budget is comprised of \$2,000 for a paid trainer and associated materials and tools to

increase the skills of members; \$250 for First Aid training and equipment, and; \$750 to subsidise Women's Shed membership fees due to the financial hardship faced by many local women from the 2019 bushfires and subsequent COVID-19 pandemic, together with a high number being socio-economically disadvantaged and living on fixed incomes. The Community Development Committee recommended that the \$3,000 Financial Assistance be approved with the proviso that membership fee subsidies will not be recommended for approval in future Financial Assistance applications from Lithgow Women's Shed.

Policy Implications

Council may wish to consider the development of a policy to guide future recognition initiatives in a planned and coherent way.

Financial Implications

Heritage Signage

- Budget approved – \$16,000
- Cost centre - 600104
- Expended to date – nil
- Future potential impact – minor to install two signs

Financial Assistance

- Budget approved – \$107,677
- Cost centre - 800158
- Approved to date – \$97,696 leaving \$9,981 for further allocation
- Future potential impact – \$3,000

Legal and Risk Management Implications

Nil

Attachments

1. Community Development Committee Minutes 14 July 2020 [**13.1.1** - 5 pages]

Recommendation

THAT Council:

1. Note the Minutes of the Community Development Committee meeting held 14 July 2020.
2. Consider requests to install commemorative signage in Main Street Lithgow recognising the late Hugh Doherty and the late Ralph and Ettie Halloway.
3. Develop a policy to guide future recognition initiatives in a planned and coherent way.
4. Approve \$3,000 Round 1 Non-Recurrent Financial Assistance to Lithgow Women's Shed for training workshops, first aid courses, and one-off subsidised membership fees.

13.2. Youth Advisory Committee - 20 July 2020

Prepared by Ali Kim - Community Development Officer

Department Community and Culture

Authorised by Director People and Services

Summary

The Youth Council met on 20 July 2020 to discuss various issues relating to the youth in our region.

Commentary

Youth Council discussed a number of matters including:

- The recently successful Youth Week virtual projects including Battle of the Bands, Art Prize and Writing prize.
- Hopes that a live event will be possible closer to the end of 2020 depending on Covid restrictions.
- Potential for collaboration with Headspace's community officer.

Policy Implications

Nil

Financial Implications

- Budget approved - \$48,000
- Cost centre - 600071
- Expended to date - \$1,836
- Future potential impact – nil.

Legal and Risk Management Implications

Nil

Attachments

1. Minutes Youth Advisory committee - 20 July 2020 [13.2.1 - 4 pages]

Recommendation

THAT Council note the minutes of the Youth Council meeting held 20 July 2020 including the successful virtual Youth Week project designed and implemented by the Youth Council.

13.3. Women's Advisory Committee - 4 August 2020

Prepared by Ali Kim - Community Development Officer

Department Community and Culture

Authorised by Director of People & Services

Summary

The Women's Advisory Committee (WAC) met on 4 August 2020 and discussed various items including current projects of The Safe Haven and Volunteer Week celebrations.

The Committee raised the issue of women feeling isolated in male dominated industries in our communities and its wish to design ways to acknowledge and support these women.

Commentary

Many women in our region are working in male dominated industries including mining, manufacturing, engineering and others. Members of the WAC have been approached to provide support and encouragement for these women. The Committee's discussion centred around ways that support can be provided.

It was determined that a project to interview women in these positions and share short videos and extended cuts of these videos on social media would be a good way to celebrate their achievements, build solidarity among women and raise visibility around career options for young women.

The WAC proposes to collaborate with council's Community and Culture Division on a project leading up to the celebration of International Women's Day in March 2021.

Policy Implications

Nil.

Financial Implications

- Budget approved -NA
- Cost centre – NA
- Expended to date - 0
- Future potential impact -NA

Legal and Risk Management Implications

Nil.

Attachments

1. Women's Advisory Committee Minutes 4 August 2020 [13.3.1 - 4 pages]

Recommendation

THAT Council endorse the minutes of the Women's Advisory Committee meeting held 4 August 2020.

13.4. Operations Committee Meeting Minutes - 5 August 2020

Prepared by	Kaitlin Cibulka
Department	Infrastructure Services
Authorised by	Director of Infrastructure & Services

Summary

This report provides details of the Minutes of the Operations Committee Meeting held on 5 August 2020.

Commentary

At the Operations Committee Meeting held on 5 August 2020, there were numerous items discussed by the Committee including:

1. Standing Item – Water and Sewer Infrastructure Update

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

- ITEM 6.1 - Standing Item – Cullen Bullen Sewerage Scheme Update
RECOMMENDATION: That
 1. Council note the report on the Cullen Bullen Sewerage Scheme
 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.
- ITEM 6.3 - Policy Review - Policy 10.11 Crown and Private Roads – Maintenance and Responsibilities & 10.16 - Roadworks - Provision of Unusable Materials to Property Owners
RECOMMENDATION: That Council review and endorse the amended Policy 10.11 - Crown and Private Roads - Maintenance and Policy 10.16 – Roadworks – Provision of Unusable Materials to Property Owners for public exhibition for a period of 28 days, prior to consideration of its adoption.

(Please note there is a separate report for Council consideration in relation to the above matter.)

- ITEM 6.4 - Dangerous Tree Policy
RECOMMENDATION: That Council considers the development of a Dangerous Tree Policy.
- ITEM 6.5 - Union Theatre Contract Management
RECOMMENDATION: That Council notes the report on the Union Theatre.

Policy Implications

Nil

Financial Implications

As detailed in this report.

Legal and Risk Management Implications

Nil

Attachments

1. Draft Minutes - Operations Committee Meeting - 5 th August 2020 [13.4.1 - 8 pages]

Recommendation

THAT Council:

1. Adopt the minutes of the Operations Committee Meeting held on 5 August 2020.
2. Note the report on the Cullen Bullen Sewerage Scheme.
3. Note that the budget estimates exceed the project funding for the Cullen Bullen Sewerage Scheme and that other funding sources will be investigated.
4. Note that the calling of tenders for design and construction of the Cullen Bullen Sewerage Treatment Plant is delayed until land matters are resolved.
5. Note that Policy 10.11 - Crown and Private Roads - Maintenance and Policy 10.16 – Roadworks – Provision of Unusable Materials to Property Owners have been reviewed and are the subject of a separate report to the August meeting.
6. Determines the need for development of a Dangerous Tree Policy.
7. Notes the report on the Union Theatre contract management.

13.5. TALC Committee Meeting Minutes - 6th August 2020

Prepared by Kaitlin Cibulka – Executive Assistant

Department Infrastructure Services

Authorised by Director of Infrastructure & Services

Summary

This report provides details of the Minutes of the TALC Committee Meeting held on 6th August 2020.

Commentary

At the TALC Committee Meeting held on the 6th August 2020, there were numerous items discussed by the Committee including:

1. TALC Actions Update

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

- ITEM 5.2 - Event – Blue Mountains Grammar School – 45km Charity Walk – 10th October 2020
RECOMMENDATION: That Council administration requests the event organiser to provide further information such as TCP plans and COVID-19 Safe plans for this event.
- ITEM 5.3 - Request for Stop Signage – Intersection of Sunny Corner Road & Great Western Highway, Meadow Flat
RECOMMENDATION: That Council re paints the lines on Sunny Corner Road in accordance with Give Way standards and does not pursue the installation of stop signage.

Policy Implications

Nil

Financial Implications

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

Legal and Risk Management Implications

Nil

Attachments

1. DRAFT Minutes TALC Committee Meeting 6th August 2020 [2JLD] [**13.5.1** - 6 pages]

Recommendation

That Council:

1. Adopt the minutes of the TALC Committee Meeting held on 6th August 2020; and
2. Request the event organiser to provide further information such as TCP plans and COVID-19 Safe plans for the Blue Mountains Grammar School – 45km Charity Walk event; and
3. Council re paints the lines on Sunny Corner Road in accordance with Give Way standards and does not pursue the installation of stop signage.

13.6. Finance Committee Meeting - 10 August 2020

Prepared by Rhiannan Whiteley – Executive Assistant

Department Finance & Assets

Authorised by Chief Financial & Information Officer

Reference

Min No 20-183 Ordinary Meeting of Council 27 July 2020

Summary

This report provides details of the Minutes of the Finance Committee Meeting held on 10 August 2020.

Commentary

At the meeting of the Finance Committee held on 10 August 2020, the following items were discussed:

- Presentation of rates and revenue projects by the Revenue Manager - The Committee was briefed on a number of revenue projects that have commenced, are ongoing or are proposed for the future.
- Investment Report July 2020 - The July report shows a decrease in investments. There has been a recent slight increase in receipts for rates and water charges which has improved cash inflows.
- Carryovers/Revotes for inclusion in the 2020/21 Budget - the Committee endorsed the report recommendations to be considered by Council at the 24 August 2020 meeting.
- Referral of Financial Reports for External Audit – Year Ended 30 June 2020 – this is a standard annual report and a compliance requirement under the Local Government Act 1993. The committee endorsed the recommendation that Council refers the reports for audit in accordance with S413 of the Local Government Act.
- July 2020 Performance Reporting to the OLG - The Committee noted the July 2020 Performance Report to the OLG.
- Audit Action Lists - the Committee noted progress towards completing the internal audit and external audit actions.

The following business paper recommendation was endorsed by the Committee:

Council Investments Report July 2020

THAT:

1. Investments of \$24,240,000 and cash of \$219,884 for the period ending 30 July 2020 be noted.
2. The enclosed certificate of the Responsible Accounting Officer be noted.

Policy Implications

NIL

Financial Implications

As detailed in the Finance Committee meeting minutes.

Legal and Risk Management Implications

NIL

Attachments

1. Minutes Finance Committee 10 August 2020 [13.6.1 - 6 pages]

Recommendation

THAT Council

1. Adopt the minutes of the Finance Committee meeting held on 10 August 2020 and note the items not requiring a resolution of Council
2. Endorse the recommendations proposed in the Council Investments Report for July 2020.

13.7. Sports Advisory Committee Meeting Minutes - 12th August 2020

Prepared by Kaitlin Cibulka – Executive Assistant

Department Infrastructure Services

Authorised by Director of Infrastructure & Services

Summary

This report provides details of the Minutes of the Sports Advisory Committee Meeting held on 12 August 2020.

Commentary

At the Sports Advisory Committee Meeting held on 12 August 2020, there were numerous items discussed by the Committee including:

1. Financial Assistance Requests.
2. LJ Hooker Reg Cowden Memorial Sports Star of the Year Awards.
3. Booking Requests.

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

- ITEM 8 – New Members

RECOMMENDATION - That Council accepts Mark Fordham and Jeff Kemp as the Sports Advisory Committee representatives from Lithgow District Football Inc.

Policy Implications

Nil

Financial Implications

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

Legal and Risk Management Implications

Nil

Attachments

1. DRAFT Minutes Sports Advisory Committee Meeting 12th August 2020 [13.7.1 - 9 pages]

Recommendation

That Council

1. Adopt the minutes of the Sports Advisory Committee Meeting held on 12 August 2020.
2. Accept Mark Fordham and Jeff Kemp as the Sports Advisory Committee representatives from Lithgow District Football Inc.

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.