



LITHGOW CITY COUNCIL

AGENDA

FINANCE AND SERVICES COMMITTEE
MEETING OF COUNCIL

TO BE HELD AT

THE ADMINISTRATION CENTRE, LITHGOW

ON

03 MARCH 2008

AT 7.00pm

AGENDA

PRESENT

CONFIRMATION OF THE MINUTES OF THE FINANCE AND SERVICES COMMITTEE MEETING OF COUNCIL HELD ON 4 FEBRUARY 2008

QUESTIONS FROM THE PUBLIC GALLERY - NIL

PRESENTATIONS - NIL

DECLARATION OF INTEREST

NOTICE OF MOTION - Councillor Ticehurst - Questions Without Notice

NOTICE OF RECISION MOTION - NIL

MAYORAL MINUTES - NIL

CORRESPONDENCE AND REPORTS

General Managers Reports
Regional Services Report
Community and Corporate Reports

COMMITTEE MEETINGS

Sports Advisory
Environmental Advisory

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NOTICES OF MOTION

ITEM:1 NOTICE OF MOTION - 03/03/08 - COUNCILLOR M F TICEHURST

Lithgow City Council
Submitted

NOTICE OF MOTION

26 FEB 2008

MOTION TITLE/TOPIC:

Questions with Notice submitted by Councillor Martin Ticehurst.

Doc No
GDA Ref.
Years

Listed by Councillor Martin Ticehurst

Date: 25 February 2008.

BACKGROUND

1. Could the Mayor provide the Council, Councillors and ratepayers with an update on the current status of the land and building ownership of the CWA Hall in Portland?
2. Could the Mayor provide the Council, Councillors and ratepayers with an update on the current status of the Councils land acquisition of Rydal Road involving the Stacks at Rydal?
3. Could the Mayor provide the Council, Councillors and ratepayers with an update on the current status of the next construction stage of Farmers Creek in Lithgow, including full financials for the project?
4. Could the Mayor provide the Council, Councillors and ratepayers if they are aware of a community proposal to establish an Indoor Tennis Centre in Lithgow?
5. Could the Mayor provide the Council, Councillor and ratepayers with any information on the Council's future intentions for Christmas decorations and lights in the Lithgow, Portland and Wallerawang Central Business Districts?
6. Could the Mayor provide the Council, Councillor and ratepayers with an update on the number of Infringement Notices issued by the Council, the offences, the amount of fines, Council income from Infringement Notices and separately, a similar individual breakdown for the Lithgow CBD?
7. Could the Mayor provide the Council, Councillor and ratepayers with an update on the recent sewerage failures on Tweed Road, the final costings for both the maintenance and replacements of three pump stations?
8. Could the Mayor provide the Council, Councillor and ratepayers with an update on the Councils apparent acquisition of substantial quantities of rail ballast from Railcorp following their recent trackwork upgrade in Lithgow and how will the Council be using or disposing of the contaminated rail ballast?
9. Could the Mayor provide the Council, Councillor and ratepayers with advice if relatives of the late Thomas Hope Knox, the previous owner of the \$85,000 land upon which the Meadow Flat Hall is located and which Council recently acquired, have lodged a claim for compensation?
10. Could the Mayor provide the Council, Councillor and ratepayers with an update on when the previously Council approved development for a Bulky Goods facility and the Four Cinema Complex on the Pottery Estate (near Warehouse /Aldi) is proposed to begin?

RECOMMENDATION

THAT Council provide appropriate written responses to the Questions without Notice.

Signed: _____

MF Ticehurst

GENERAL MANAGER REPORTS

ITEM:2 GM - 03/03/08 - ADMINISTRATION BUILDING UPGRADING

SUMMARY

To advise Council of the appointment of Architects Figgis & Jefferson for the preparation of an architectural brief for the Administration Building improvements, and of the preparation by Citywide Electrical Services of a Masterplan for improving energy efficiency through a substantial reduction in electrical energy usage in the building.

COMMENTARY

A meeting was held with Architects Figgis & Jefferson on 11/1/08 to discuss their expressed interest in assisting Council in the preparation of architectural documentation for improvements to the Administration and Hartley Buildings. Figgis & Jefferson were the original architects for the Administration Building and the Centrelink office.

This meeting resolved to engage Figgis & Jefferson to prepare a brief for building improvements based on the following aims and objectives that could be then used by council to call for expressions of interest for detailed architectural services. Aims:

- To accommodate present staff numbers with appropriate provisions for growth.
- To provide the divisions and teams with effective and efficient working relationships.
- To provide public access to those divisions and personnel that require it and privacy for those that do not.
- To provide an appropriate presentation to the public that facilitates communication and understanding.
- To provide an efficient building working environment for the staff.
- To provide flexibility with design in order that the plan can adapt to future use and community needs.
- To make good use of eco-sustainable design principles where practicable.

The focus will be on customer service and relocation of records and must address the options for a connection between the two buildings. This will allow relocation of meeting facilities and some offices to the ground floor of the Hartley Building and installation of a lift for upstairs long term government tenants. This will also allow better utilisation of the space on both levels of the Administration Building. Building and staff security and provision of appropriate office facilities for Divisional Managers will also be given priority.

An integral part of the building improvements is the development of a Masterplan by Citywide Electrical Services to provide a program for reducing electricity usage in the Administration Building. As part of improvements carried out to the air conditioning system some years ago a comprehensive Honeywell Building Management Control System (BMCS) was installed at very low cost by Citywide. The system currently runs the air conditioning but has the capacity to operate as a control system for all building electrical services.

At the time of installation of the BMCS it was anticipated that when funding became available the system would be expanded to meet councils obligation to reduce energy usage. The objectives of this project are:

- To ensure the efficient operation of all lighting throughout the entire building.
- To reduce the buildings energy consumption by automating the lighting operation.
- To schedule periods of operation aligning with staff working hours.
- To ensure effective after hours use of lighting by restricting areas of use by having staff request after hours lighting.
- To interlock with the security alarm system so that once the alarm is armed all building lighting is turned off.
- To install movement detectors in small offices and meeting rooms.

It is also proposed to insulate the ceiling on the top floor to reduce heat loss through the roof. The conditioned air which is costly to produce is lost to the roof void resulting in reduced comfort levels to staff on that floor. This would increase comfort levels and reduce energy consumption.

Citywide will develop the Masterplan at no cost to Council. This will allow them to provide detailed costing on their part of the project which is currently estimated at \$20,000 but will reduce with council staff providing the electrical installation component. Once this work is completed Lithgow City Council will be the benchmark for other councils throughout the state for these energy efficiency initiatives. Council is one of very few smaller organisations that has a fully operable BMCS system installed in its building. Such systems usually control buildings such as major retail shopping centres and hospitals.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Funding has been provided in the current budget.

LEGAL IMPLICATIONS

Nil

RECOMMENDATION

THAT the appointment of Figgis & Jefferson to prepare an architectural brief and Citywide Electrical Services for the preparation of an energy usage Masterplan for the Administration Buildings be noted.

REGIONAL SERVICES REPORTS

ITEM:3 REG - 03/03/2008 - INSTALLATION OF DRIVEWAY CROSSING AT 12 GIRRAWEE DRIVE MARRANGAROO

REPORT FROM: GROUP MANAGER REGIONAL SERVICES - ANDREW MUIR

REFERENCE

Nil.

SUMMARY

To advise of a request from a Marrangaroo resident to install a concrete driveway crossing.

COMMENTARY

When Council developed the Marrangaroo Fields Estate it provided an undertaking that it would construct a concrete invert crossing between the bitumen seal of the road and the private property boundary. This undertaking was between Council (the vendor) and the purchaser of the land. Legal advice has confirmed that this arrangement did not apply to any subsequent purchaser of the land. Therefore, if the first purchaser of the land did not take up the opportunity then the offer lapsed.

Towards the end of 2007, Council Officers observed the construction of an internal driveway and concrete crossing. Form work had been prepared and a small pipe placed in the crossing that immediately raised concerns that potential inundation of neighbouring properties would occur in a heavy rainfall event. The property owner was immediately advised to cease construction of the crossing component of construction and advise of the more appropriate "swale" design.

The owner subsequently proceeded with the construction of the internal driveway and has since been making representations for Council to construct the crossing. Legal advice was obtained which confirmed that as the current owner of the land was not the first purchaser of the land, Council had no obligation to construct the crossing. He now contends that three other properties have been provided with crossings even though the property owners were not the first purchaser of the property. Whilst it has been confirmed that Council constructed the crossings in question several years ago, it has not been possible to determine the timing and ownership at the time. However, it appears likely that this was the case.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Should Council choose to construct the driveway crossing it has been estimated to cost in the vicinity of \$600.

LEGAL IMPLICATIONS

Council is under no legal obligation to construct the driveway crossing. Council should be aware that the internal driveway appears to have been constructed at a level that may cause the bottom of vehicles to scrape and that if it chooses to assist by constructing a driveway crossing it would be of the provision that no responsibility is taken for vehicle damage.

CONCLUSION

Whilst Council has no legal responsibility to construct the driveway crossing, it does appear as though construction of three other crossings may have been undertaken which has set an unfortunate precedent. If Council does decide to construct the crossing it would only be for a basic concrete finish. Any colour treatment would be at the expense of the property owner.

ATTACHMENTS

Nil

RECOMMENDATION

THAT:

1. Council not construct a concrete invert crossing at 12 Girraween Drive Marrangaroo however will consider as Works at Owners Cost.
2. The owner be advised that due to the level of the internal crossing, Council will take no responsibility for vehicles scraping at the entrance.

**ITEM:4 REG - 03/03/08 - WALLERAWANG QUARRY COMMUNITY
CONSULTATIVE COMMITTEE****REPORT BY: ANDREW MUIR – GROUP MANAGER REGIONAL SERVICES**

SUMMARY

This report is to inform Council of a request from the owners of the Wallerawang Quarry to seek Council representation on the Community Consultative Committee.

COMMENTARY

As part of the State Government approval of the Wallerawang Quarry, Condition 3.13 requires one representative of Council to be a part of the Community Consultative Committee (CCC). Other members of the Committee are to be two representatives of the proponent, three representatives from the local community and an independent Chairperson.

It is recommended that one Councillor be nominated for the committee.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

Conditions of consent that must be satisfied are the prime legal implication although being a State Government approval they will not necessarily be enforced by Council.

ATTACHMENTS

1. Conditions of consent pertaining to the approved Wallerawang Quarry.

RECOMMENDATION

THAT Council elect a Councillor to sit together with the General Manager or nominee on the Community Consultative Committee for the Wallerawang Quarry operations in accordance with Condition 3.13 of the consent document.

ITEM:5 REG - 03/03/08 - DEVELOPMENT AND CONSTRUCTION APPROVALS

REPORT FROM: GROUP MANAGER REGIONAL SERVICES – ANDREW MUIR

SUMMARY

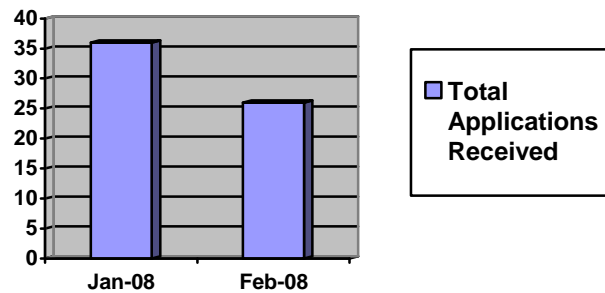
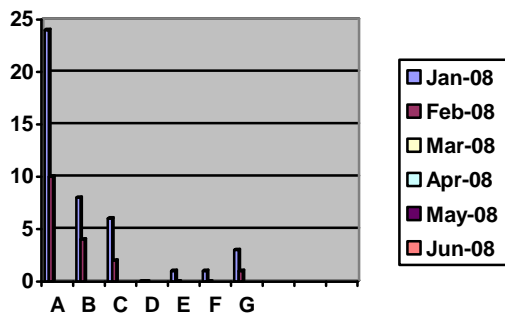
To provide statistical information on Development Applications and Construction Certificates processed.

COMMENTARY

The following table indicates Development Applications and Construction Certificates approved in the period between Finance and Services Committee Meetings. A full list of individual applications received and approved is made available to Councillors and the press.

	Minor Development Approvals (including carports, garages and patios) A	Dwelling Approvals B	Dwelling Addition Approvals C	Other Residential Applications (including Dual Occupancies, Flats) D	Rural Subdivision Approvals E	Residential Subdivision Approvals F	Commercial/Industrial Approvals G	Total Applications Received
Jan 2008	24	8	6	0	1	1	3	36
Feb 2008	10	4	2	0	0	0	1	26

* includes Approvals from 26/01/2008 TO 22/02/2008



APPROVALS

Total Estimated Cost:	\$812,248
Average Approval Time	18 days
Total Cost of Approvals from 10/12/2007	\$74,133,560
No. of Applications from 10/12/2007 to 25/01/08	62

RECOMMENDATION

THAT the information be received.

ITEM:6 REG - 03/03/08 - PROPOSED MODIFICATION OF CONSENT PINE DALE COLLIERY**REPORT BY: GROUP MANAGER REGIONAL SERVICES - ANDREW MUIR**

REFERENCE

DA 461/04

Finance and Services Committee – 3 September 2007

Ordinary Meeting - 17 December 2007

SUMMARY

To advise Council of the progress of a modification application relating to coal transportation for Pine Dale Colliery.

COMMENTARY

Further to representations from the Principals of Enhance Place, a Modification of Consent Application has been lodged seeking to modify the existing coal transportation conditions for Pine Dale Coal Mine. The proposed modifications sought are to enable the transport of coal via the public road network for a period of six (6) years following the date of approval (if approved) of the proposed modification. This action is necessary as it had not been possible to gain access to the nearby private haul road. Additionally, the modification application seeks to increase annual production of the mine from 200,000tpa to 350,000tpa.

The application was placed on display for the minimum allowable period up until 26 February 2008. Submissions have been received, but at the time of the close of the business paper agenda for this meeting, no response had been received from government authorities. It is hoped that authority submissions will be forthcoming to allow submission of the matter for determination to Council's ordinary meeting of 17 March 2008. Council officers will endeavor to obtain responses from the relevant Departments/Authorities to allow the matter to be determined at that meeting. However, in accordance with the legislative provisions this cannot be guaranteed.

Whilst it is appreciated that some angst exists for the Colliery operators and contractors, the matter has been processed as expeditiously as possible from Council's perspective and cannot proceed to determination without receipt of the remainder of the information. Council will recall from its refusal of a previous application that it resolved as follows:

“Council indicate to the applicant that it will provide a period of three months from 3 September 2007 for it to arrange alternative transport measures by means other than public roads. However, if such is not in place within this timeframe, Council will commence enforcement proceedings.”

Then on 17 December 2007 Council resolved:

“Council indicate to the applicant that no further extensions will be granted for and enforcement proceedings will commence if transportation of coal by means other than public roads is not in place by 14 March 2008.”

As a modification application has been submitted, it would provide some assistance to the company and contractors if Council resolved to stay any enforcement proceedings until the application is determined. If the application is approved (which cannot be pre-empted) then enforcement action would no longer be an issue.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

The matter must proceed in accordance with the requirements of the Environmental Planning and Assessment Act and associated Regulations.

ATTACHMENTS

Nil

RECOMMENDATION

THAT the information be noted and Council indicate that it will not take any enforcement action until the modification application is determined.

ITEM:7 REG - 03/03/08 - PROPOSED ROAD NAMING - 335/05DA - SWEETBRIAR ESTATE**REPORT FROM: ANDREW MUIR – GROUP MANAGER REGIONAL SERVICES**

SUMMARY

To advise Council of a request to name roads in a 160 lot subdivision of Lot 252 DP 1045308 Great Western Highway, Bowenfels.

COMMENTARY

Council has received a proposal from Civil & Forensic Pty Ltd on behalf of the owners of a 160 lot subdivision off the Great Western Highway, Bowenfels behind the Lithgow District Hospital to create 10 new roads within the development area. The proposed names of the new roads are 'Three Tree Drive', which is the well established known local name of the small hill that the road passes along; 'Sweetbriar Drive', which is named after the historic homestead of the original property; 'Coulahan Drive', 'Shanny Close', 'Reardon Crescent', 'McCormack Close', 'Sheppard Way', 'Sutton Place', 'Jack Baxter Drive' and 'Josephine Crescent' which are taken from names of prior owners of the adjacent historic homestead 'Sweetbriar' and surrounding farm land on which the subdivision is located.

POLICY IMPLICATIONS

That this road naming be carried out in accordance with Council's Road Naming Policy.

FINANCIAL IMPLICATIONS

The applicant pay all advertising costs and for the acquisition and erection of signage.

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Plan showing the subdivision.

RECOMMENDATION

THAT Council advertise the road names as indicated on the attached plan in the Lithgow Mercury calling for submissions to be made for the statutory period of twenty-eight (28) days.

COMMUNITY AND CORPORATE SERVICES REPORTS

ITEM:8 COMM - 03/03/08 - COUNCIL INVESTMENTS TO 31 JANUARY 2008

REPORT FROM - INTERNAL SERVICES MANAGER - C FARNSWORTH

REFERENCE

Min 07-401: Finance & Services Committee Meeting 3 September 2007 (July 2007)
 Min 07-425: Council Meeting 17 September 2007 (August 2007)
 Min 07-480: Finance & Services Committee Meeting 5 November 2007 (15 Oct 2007)
 Min 07-528: Finance & Services Committee Meeting 3 December 2007 (31 Oct 2007)
 Min 07-554: Finance & Services Committee Meeting 17 Dec 2007 (30 Nov 2007)
 Min 07- : Ordinary Meeting 18 February 2008 (31 Dec 2007)

SUMMARY

To advise Council of 2007/08 investments held for the period ending 31 December 2008.

COMMENTARY

The amount invested as at 31 January 2008 when compared to 31 December 2007 has decreased by \$445,037.53. The third rate instalment of the 2007/08 rate levy is due for payment on the 29 February 2007 in addition to the third payment of the Financial Assistance Grant on 16 February 2008.

INVESTMENT REGISTER 2007/08

INSTITUTION	INV TYPE	DATE LODGED	DATE DUE	DAYS	INT	VALUE 31.01.08	VALUE 31.12.07	% OF TOTAL
ANZ	TD	01.11.07	30.01.08	93	6.97	584,376.71	584,376.71	3.84%
BANKWEST	TD	29.11.07	29.02.08	63	7.28	506,213.70	500,000.00	3.33%
	TD	05.12.07	04.03.08	90	7.35	500,000.00	500,000.00	3.29%
CBA	CMS Nt	20.06.06	20.06.11	1,825	7.31	500,000.00	500,000.00	3.29%
	On Call				6.70	701,969.84	695,716.40	4.62%
	Ethical	06.11.06	06.11.11	1,825	9.25	500,000.00	500,000.00	3.29%
	TD	14.12.07	11.02.08	30	6.93	522,841.59	519,910.15	3.44%
	TD	21.11.07	05.06.09	547	16.0	750,000.00	750,000.00	4.93%
CITIBANK	TD	10.12.07	11.02.08	60	7.18	543,510.02	543,510.02	3.57%
LG FINANCIAL	On Call				7.55	756,462.81	750,000.00	4.97%
	TD	06.11.07	06.11.08	365	7.55	306,524.05	306,524.05	2.02%
	TD	07.11.07	07.02.08	92	7.13	527,761.01	527,761.01	3.47%
	On Call				6.55	4,714.43	4,714.43	0.03%
	TD	10.12.07	10.03.08	90	7.28	511,817.36	511,817.36	3.37%
	TD	15.10.07	16.04.08	91	7.00	2,516,457.34	2,472,361.25	16.55%
IMBS	On Call				6.50	26,573.78	26,573.78	0.17%
	TD	07.11.07	06.02.08	91	7.22	1,095,058.06	1,095,058.06	7.20%
	TD	15.10.07	15.02.08	30	7.01	496,631.22	488,044.84	3.27%
	TD	06.12.07	05.03.07	90	7.37	801,250.09	801,250.09	5.27%
	TD	23.11.07	22.04.08	90	7.24	250,000.00	775,734.68	1.64%
ALLIANCE	Managed	01.04.02	28.02.08	365		1,000,000.00	1,000,000.00	6.58%
ST GEORGE	TD	17.10.07	17.04.08	180	7.05	508,461.37	508,461.37	3.34%
	TD	19.11.07	22.02.08	30	7.01	506,153.29	500,000.00	3.33%
	TD	15.10.07	15.04.08	90	7.15	792,208.60	792,208.60	5.21%
			TOTAL			15,208,985.27	15,654,022.80	100.00%

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

POLICY IMPLICATIONS

All Council's investments are held in accordance with Lithgow City Council's Investment Policy.

FINANCIAL IMPLICATIONS

Investment income to date 31 January 2008 is \$487,531.27. Interest is paid on the maturity date of the investment and managed funds report earnings quarterly.

LEGAL IMPLICATIONS

Investments are held in accordance with the Lithgow City Council's Investment Policy which accords with the requirements of the:

- Local Government Act 1993 - Section 625
- Local Government Act 1993 - Order dated 17 March 2000
- Local Government (General) Regulation 2005
- Trustee Amendment (Discretionary Investments) Act 1997- Section 14A(2), 14c(1) & (2)

RECOMMENDATION

THAT Council's 2007/08 investments for the period ending 31 January 2008 be received.

ITEM:9 COMM - 03/03/08 - DECEMBER STOCKTAKE LITHGOW STORE**REPORT FROM - INTERNAL SERVICES MANAGER: C FARNSWORTH****REFERENCE**

Nil - 2007/08 financial year.

SUMMARY

To advise Council of the December stocktake at the Lithgow store with a recommendation for minor adjustment of \$42.34 write on be made.

COMMENTARY

The interim stocktake for the 2007/08 financial year was conducted at Lithgow on January 24 2008.

Details of the variations request a write on of \$42.34 and considering the value of the adjustment required compared to the value of stock held, \$336,761.86 the minor adjustment is considered acceptable.

DESCRIPTION	ADJ QUANTITY	ADJUST VALUE
Repair Clamp 25mm x 80mm	-1	-15.37
Tee Gal - 50mm	-1	-5.05
Gloves Pigskin	-2	-6.57
Lid kerb inlet	1	68.38
Uvex Glass Case 1000	-3	-6.45
Pipe Piece - Gal	1	3.62
Malco Coupling	-2	-43.76
Nipple Brass 13mm	1	1.14
Nut Brass 20mm	2	1.08
Masking Tape -5	-5	-20.53
Gap Sealer	-1	-2.72
Scouring Pad	-2	-3.46
Hose Nozzle	1	4.35
Gloves Candy Strip	6	5.65
Measuring Tape	-1	-15.06
Truck Marker Plate Plain	5	48.11
Barrier Mesh	1	28.98
TOTAL		42.34

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Adjustment to Council stores ledger by a write on of \$42.34 for the 07/08 December stocktake.

LEGAL IMPLICATIONS

Nil

RECOMMENDATION

THAT Council authorise an adjustment to the Council stores by a write on of \$42.34 for the December 2007/08 stock take.

COMMITTEE MEETINGS

**ITEM:10 REG - 03/03/08 - SPORTS ADVISORY COMMITTEE - MINUTES 25
 FEBRUARY 2008**

REPORT BY: STRATEGIC ENGINEER – LEANNE KEARNEY

SUMMARY

Details of the Minutes of the Sports Advisory Committee Meeting held on Monday, 25 February 2008 for Council adoption.

COMMENTARY

At the Sports Advisory Committee Meeting held on Monday, 25 February 2008, there were fifteen (15) items discussed by the Committee, and it is considered that all these items be adopted by Council as per the Committee's recommendations.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Item 15.2 - The Committee recommended Council place funding in the 2008/2009 budget for replacement of the Swimming Club's outdated lane ropes tension release mechanisms due to safety concerns, at a cost of approximately \$1,035.00.

LEGAL IMPLICATIONS

Nil.

ATTACHMENTS

- 1.Minutes of the Sports Advisory Committee Meeting held on Monday, 25 February 2008.

RECOMMENDATION

THAT Council note the recommendations of the Sports Advisory Committee for the meeting held on Monday, 25 February 2008.

ITEM:11 COMM - 03/03/08 - S355 ENVIRONMENTAL ADVISORY COMMITTEE MEETING MINUTES

REPORT FROM: COMMUNITY AND CULTURE MANAGER P.HALL

REFERENCE

Min No 07-389: Policy and Strategy Committee Meeting 3 September 2007
Min No 07-483: Finance and Services Committee Meeting 5 November 2007

SUMMARY

Minutes of the Environmental Advisory Committee meeting held on 16 January 2008 the first meeting of the group as a Section 355 Committee of Council.

COMMENTARY

Trish Kidd of Lithgow Oberon Landcare Association was elected Chair of the Committee and Wayne Levi of Lithgow Environment Group Deputy Chair.

A number of items were presented including: Delta Environmental Projects, Greening Lithgow and an update on the Environmental Projects including Hyde Park, Hartley reserve, Hassans Walls and Londonderry was provided.

An extraordinary meeting was organized for 13th February 2008 to consider environmental issues that the Committee believes Council should be focusing on.

POLICY IMPLICATIONS

In accordance with the terms of reference of S355 Committees of Council.

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

ATTACHMENTS

1. Environmental Advisory Committee Meeting Minutes 16 January 2008 (Doc: 37092)

RECOMMENDATION

THAT the information be received.

ITEM: 12 REG – 03/03/08 – TRAFFIC AUTHORITY LOCAL COMMITTEE MEETING – MINUTES - 7 FEBRUARY 2008

REPORT BY: GROUP MANAGER REGIONAL SERVICES – ANDREW MUIR

SUMMARY

Details of the Minutes of the Traffic Authority Local Committee Meeting held on 7 February 2008.

COMMENTARY

At the Traffic Authority Local Committee Meeting held on 7 February 2008, there were a number of items discussed by the Committee's recommendations.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

ATTACHMENTS

1. Copy of Minutes of Meeting 7 February, 2008

RECOMMENDATION

THAT the Minutes of the Traffic Authority Local Committee Meeting be noted.

QUESTIONS OF AN URGENT NATURE

ATTACHMENTS**ITEM:10 REG - 03/03/08 - SPORTS ADVISORY COMMITTEE - MINUTES 25
FEBRUARY 2008**

PRESENT

Councillor Neville Castle (Chairman), Mr John Craig, Mrs Robyn Whitty, Mr Danny Whitty, Mr Eric Arnold, Mrs Nerryl Wood, Mr Glen Ryan, Mr Bob Martin, Mr Wayne Vought, Mr Mark Cronin, Mr John Boyd, Mr Russell Blanchard, Mr Neil Gambrill, and Miss Leanne Kearney (Strategic Engineer).

APOLOGIES

Mr Maurie Weekes (Recreation Supervisor), Ms Deb Martin, Mr Barry Dorrough, and Mr Ray Stoneley.

REPORT

Councillor Neville Castle opened the meeting by welcoming the Committee back for 2008, and noting the number of successful sporting events conducted in the district over the past few weeks, commencing with the Western Region Academy of Sport's Rookie camps, and being followed by Friday night's Sportsman's dinner, Saturday's Lithgow Flash Gift and Sporting Hall of Fame Inductions, as well as the Lithgow Premier League Bowls Team defeating a team consisting of seven (7) international players yesterday in Sydney, all great sporting events which are to be followed by the annual Reg Cowden Awards night in the upcoming weeks.

ITEM 1 - DECLARATION OF INTEREST

Nil.

ITEM 2 - MINUTES OF THE PREVIOUS MEETING

The minutes of the previous meeting held on Monday, 10 December 2007 were taken as read and confirmed as a true and correct record of the meeting.

MOVED: Neil Gambrill

SECONDED: Wayne Vought

ITEM 3 - BUSINESS ARISING FROM THE MINUTES

- The Lithgow District Show Society advised Council that the proposed Summer Horse Show scheduled on 26 January 2008 was cancelled due to implications from the Equine Influenza outbreak, and therefore, did not conflict with the booking by the Lithgow District Cricket Association. Danny Whitty advised that the Show Society did not liaise with the Lithgow District Cricket Association, and enquired what measures can be put in place if this event is to proceed next year, and Neville Castle advised that the Show Society will be contacted personally to ensure that appropriate liaison is undertaken between users.
- Council's Risk and Safety Officer is currently undertaking an audit of the existing fence at Glanmire Oval, Lithgow, and actions as deemed appropriate by the results of this audit will be undertaken in due course.

- Council is of the understanding that all outstanding works at the clubhouse at Jim Monaghan Oval, Lithgow have been undertaken, however, if there are additional issues, Council will rectify them as soon as possible. Council's staff will contact Eric Arnold to meet him on site to determine any outstanding maintenance works.
- Neil Gambrill advised that the hole in the playing surface at Glanmire Oval, Lithgow requires rectification works including topsoiling and seeding urgently as this is a safety issue.

MOVED: Eric Arnold

SECONDED: Neil Gambrill

ITEM 4 – 2008 REG COWDEN MEMORIAL SPORTS STAR AWARDS

Unfortunately, there were no junior nominations received for the month of January 2008. The Committee resolved to have two (2) February awards should the amount of nominations for February be excessive.

MONTH	RECIPIENT
January	Nil.
February	
March	
April	
May	

Only one (1) senior nominations for the month of January 2008 was received from the following:

- Dale Ryan (Wood Chopping) – Dale won two (2) state titles in Tasmania in the 325mm Standing Block and the 375mm Standing Bock events in January 2008.

The Committee selected Dale Ryan (Wood Chopping) to be the Senior Sports Star winner for the month of January 2008.

MONTH	RECIPIENT
January	Dale Ryan
February	
March	
April	
May	

The Committee resolved to have two (2) February junior sports star awards should the amount of nominations for February be excessive, and to award the Senior Sports Star Award to Dale Ryan (Wood Chopping) for the month of January 2008.

MOVED: Neil Gambrill

SECONDED: Danny Whitty

ITEM 5 – BOOKING REQUEST – LITHGOW WAR MEMORIAL OLYMPIC SWIMMING POOL, LITHGOW – AUSTRALIAN ARMY CADETS

Correspondence has been received from the Australian Army Cadets requesting permission to use the Lithgow War Memorial Olympic Swimming Pool, Lithgow between 6.00pm and 7.00pm on Thursday, 6 March 2008 to conduct a swimming test for cadets.

This will involve approximately thirty (30) cadets using two (2) lanes of the Pool to swim and tread water. The unit will be providing safety personnel, who are trained in first aid, the Royal Life Saving Society's Bronze Medallion, medics and SES volunteers.

It is noted that the Swimming Club use three (3) lanes of the Pool during this time period, as well as having one (1) lane available for public lap swimmers, and this booking may restrict the space available for public swimmers.

Whilst the Pool Manager has indicated that due to the unseasonable weather, patronage has been less than average during this time, however, advised that until the day of the event, public patronage will be unknown.

Due to the limited timeframe, Council has approved this booking, and if patronage is increased on this date, the Swimming Club be restricted to using two (2) lanes, allowing adequate space for both users and the public.

John Boyd advised that the Swimming Club will be finished with one (1) lane at 6.00pm, so this booking will not conflict with their approved use.

The Committee recommends that the information be received.

MOVED: John Boyd

SECONDED: Wayne Vought

ITEM 6 – BOOKING REQUEST – JIM MONAGHAN ATHLETICS OVAL AND TONY LUCHETTI SPORTSGROUND, LITHGOW – WALLERAWANG PUBLIC SCHOOL

Correspondence has been received from Wallerawang Public School requesting permission to use Jim Monaghan Athletics Oval and Tony Luchetti Sportsground, Lithgow between 9.30am and 2.30pm on Thursday, 1 May 2008 to conduct their annual athletics carnival (with an alternative date of Thursday, 22 May 2008).

This booking does not conflict with any other approved booking.

The Committee recommends that permission be granted to Wallerawang Public School to use Jim Monaghan Athletics Oval and Tony Luchetti Sportsground, Lithgow between 9.30am and 2.30pm on Thursday, 1 May 2008 to conduct their annual athletics carnival (with an alternative date of Thursday, 22 May 2008).

MOVED: Mark Cronin

SECONDED: Eric Arnold

ITEM 7 – BOOKING REQUEST – KREMER PARK, PORTLAND – PORTLAND COLTS RLFC

Correspondence has been received from the Portland Colts RLFC requesting permission to use Kremer Park, Portland to conduct training and competition games for the 2008 Mid West Rugby League season.

Training is requested on Tuesdays and Thursdays between 6.00pm and 7.30pm, from February 2008 until September 2008, with home games to be conducted on Sundays from 12.00pm until 4.30pm. The grounds may also be required for the semi final, final and grand final depending upon the teams success.

A draw has been provided, and this booking does not conflict with any other approved bookings.

The Committee recommends that permission be granted to Portland Colts RLFC requesting permission to use Kremer Park, Portland to conduct training on Tuesdays and Thursdays between 6.00pm and 7.30pm and competition games on Sundays from 1 April to 14 September 2008.

MOVED: Wayne Vought

SECONDED: Glen Ryan

ITEM 8 – BOOKING REQUEST – LITHGOW WAR MEMORIAL OLYMPIC SWIMMING POOL, LITHGOW – LITHGOW HIGH SCHOOL

Correspondence has been received from Lithgow High School requesting permission to use Lithgow War Memorial Olympic Swimming Pool, Lithgow between 9.00am and 3.00pm on Monday, 1 December, Tuesday, 2 December, Thursday, 4 December and Friday, 5 December 2008 to conduct their annual Lifesaving School.

This booking does not conflict with any other approved booking.

The Committee recommends that permission be granted to Lithgow High School to use Lithgow War Memorial Olympic Swimming Pool, Lithgow between 9.00am and 3.00pm on Monday, 1 December, Tuesday, 2 December, Thursday, 4 December and Friday, 5 December 2008 to conduct their annual Lifesaving School.

MOVED: John Boyd

SECONDED: Bob Martin

ITEM 9 – BOOKING REQUEST – JIM MONAGHAN ATHLETICS OVAL AND TONY LUCHETTI SPORTSGROUND, LITHGOW – LITHGOW ATHLETICS CLUB

Correspondence has been received from the Lithgow Athletics Club requesting permission to use Jim Monaghan Athletics Oval and Tony Luchetti Sportsground, Lithgow on 13 and 14 December 2008 to host the 2008/2009 Blue Mountains Zone athletics championships.

The club will also need access to the canteen and the public address system for this event, and are seeking approval to commence marking of the fields from 10 December 2008.

An alternative date due to inclement weather is proposed for 20 and 21 December 2008.

This booking does not conflict with any other approved booking, however, Council is expecting the grounds to be requested by the Lithgow District Cricket Association and Lithgow District Junior Cricket Association once their draw has been finalised for the 2008/2009 season.

Eric Arnold advised that a large number of participants and spectators are expected for this event. Mark Cronin advised that this booking will not conflict with the junior cricket draw, as alternative grounds can be used to allow this booking to proceed. Danny Whitty advised that the senior cricket may be able to commence their season early to accommodate this booking, however, will have to determine whether there will be insurance coverage to commence their season earlier. Eric Arnold advised that the grounds will be marked exactly as they were for the Lithgow Flash Gift, and will not interfere with the cricket wickets. Neil Gambrill enquired if there would be any issues with the booking requiring the canteen and public address system, and Neville Castle advised there are no issues with this request.

The Committee recommends that permission be granted to the Lithgow Athletics Club to use Jim Monaghan Athletics Oval and Tony Luchetti Sportsground, Lithgow on 13 and 14 December 2008 (alternative dates 20 and 21 December 2008) to host the 2008/2009 Blue Mountains Zone athletics championships, with marking to commence on 10 December 2008, subject to successful liaison with the Lithgow District Cricket Association and Lithgow District Junior Cricket Association.

MOVED: Neil Gambrill

SECONDED: Mark Cronin

ITEM 10 – BOOKING REQUEST – JIM MONAGHAN ATHLETICS OVAL, LITHGOW – ST PATRICK’S PRIMARY SCHOOL

Correspondence has been received from St Patrick’s Primary School requesting permission to use Jim Monaghan Athletics Oval, Lithgow between 9.00am and 3.00pm on Thursday, 3 April 2008 to conduct their athletics trials and on Thursday, 8 May 2008 to conduct their athletics carnival.

These bookings do not conflict with any other approved bookings.

The Committee recommends that permission be granted to St Patrick’s Primary School to use Jim Monaghan Athletics Oval, Lithgow between 9.00am and 3.00pm on Thursday, 3 April 2008 to conduct their athletics trials and on Thursday, 8 May 2008 to conduct their athletics carnival.

MOVED: Bob Martin

SECONDED: Nerryl Wood

ITEM 11 – BOOKING REQUEST – TONY LUCHETTI SPORTSGROUND, LITHGOW – LITHGOW STORM JUNIOR RLFC (GROUP 10 FINALS)

Correspondence has been received from the Lithgow Storm Junior RLFC requesting permission to have exclusive use of Tony Luchetti Sportsground, Lithgow on Saturday, 13 September 2008 to host the Group 10 Junior finals.

It should be noted that the Mid West Cup’s Grand Final is also proposed for the same date, and could conflict should the Lithgow Bears be successful in qualifying for a home grand final in 2008.

Bob Martin advised that this will need to be negotiated closer to the date, and will be dependant upon the Lithgow Bears success during 2008, and possibly other teams may be required to use Tony Luchetti Sportsground, Lithgow for the grand final should their home grounds be deemed unsuitable. Leanne Kearney advised that alternatively, the grounds will be available on Sunday, 14 September 2008, as Group 10 senior competition concludes the week prior.

The Committee recommends that approval be granted to the Lithgow Storm Junior RLFC to have exclusive use of Tony Luchetti Sportsground, Lithgow on Saturday, 13 September 2008 to host the Group 10 Junior finals, subject to successful liaison with the Lithgow Bears at a future date.

MOVED: Neil Gambrill

SECONDED: Wayne Vought

ITEM 12 – BOOKING REQUEST – TONY LUCHETTI SPORTSGROUND, LITHGOW – LITHGOW STORM JUNIOR RLFC

Correspondence has been received from the Lithgow Storm Junior RLFC requesting permission to use Tony Luchetti Sportsground, Lithgow for training and competition for the 2008 Group 10 junior rugby league season.

Game times will commence at 9.00am, and generally be finished by 2.30pm on Saturdays.

This booking will conflict with some Saturdays booked by the Lithgow Bears RLFC, however, as in previous seasons, liaison will be undertaken between the two (2) teams to arrange for appropriate shared use. Bob Martin raised concerns regarding the juniors not completing games until 2.30pm, as the Lithgow Bears need to undertake a risk inspection and audit of the grounds prior to play, as well as get into the change rooms etc, and this then shifts the starting time for the Bears games to 3.30pm. A draw will be provided to Council once finalised, and Leanne Kearney will liaise with Bob Martin to address any issues with games crossing over.

It should be noted that due to previously approved bookings by the Lithgow District Cricket Association and the Lithgow Show Society, training will not be able to commence until 19 March 2008.

The grounds will also be unavailable between 18 and 29 April 2008 due to exclusive use for the Ironfest Event.

The Lithgow Little Athletics Club also have approval to use the western end of Tony Luchetti Sportsground on Friday afternoons between 4.00pm and 5.00pm to conduct weekly training and competition, and use will have be conducted to ensure that the area used by this booking does not conflict with the Lithgow Little Athletics Club's approved booking.

The Committee recommends that permission be granted to the Lithgow Storm Junior RLFC to use Tony Luchetti Sportsground, Lithgow for training and competition for the 2008 Group 10 junior rugby league season, with the following conditions:

- subject to successful liaison with the Lithgow Bears,
- provision of a draw when finalised,

- training not to commence until 19 March 2008 due to previous approved booking by the Lithgow Cricket Association,
- Grounds are unavailable between 18 and 29 April 2008 due to exclusive use for the Ironfest Event.

MOVED: Russell Blanchard

SECONDED: Danny Whitty

ITEM 13 – BOOKING REQUEST – LITHGOW WAR MEMORIAL OLYMPIC SWIMMING POOL, LITHGOW – LITHGOW SWIMMING CLUB

Correspondence has been received from the Lithgow Swimming Club, requesting permission to use the Lithgow War Memorial Olympic Swimming Pool, Lithgow on Saturday, 29 March 2008 to conduct their annual swimming club championships between 12.00pm and 7.00pm.

This booking does not conflict with any other approved booking.

The Committee recommends that permission be granted to the Lithgow Swimming Club to use the Lithgow War Memorial Olympic Swimming Pool, Lithgow on Saturday, 29 March 2008 to conduct their annual swimming club championships between 12.00pm and 7.00pm.

MOVED: John Boyd

SECONDED: Robyn Whitty

ITEM 14 – BOOKING REQUEST – TONY LUCHETTI SPORTSGROUND, LITHGOW – LITHGOW BEARS RLFC

Correspondence has been received from the Lithgow Bears RLFC requesting permission to use Tony Luchetti Sportsground, Lithgow to conduct training and competition games for the 2008 Mid West Rugby League season.

Training is requested on Tuesdays and Thursdays between 6.00pm and 7.30pm, from 4 February 2008 until 8 September 2008, with home games to be conducted on Saturdays from 1.00pm until 5.30pm. The grounds may also be required for the semi final, final and grand final depending upon the teams success.

A draw has been provided, and it should be noted that the Lithgow Storm Junior RLFC have requested exclusive use of Tony Luchetti Sportsground, Lithgow on Saturday, 13 September 2008 to host the Group 10 Junior Finals, which is scheduled to be the Mid West Cup's Grand Final, and could conflict should the Lithgow Bears be successful in qualifying for a home grand final in 2008.

The Committee recommends that approval be granted to the Lithgow Bears RLFC to use Tony Luchetti Sportsground, Lithgow subject to the following conditions:

- Use on Tuesdays and Thursdays between 6.00pm and 7.30pm, from 4 February 2008 until 8 September 2008,
- Use on Saturdays for home games between 1.00pm until 5.30pm (as per 2008 Mid West Cup draw); and
- Subject to successful liaison with the Lithgow Storm Junior RLFC at a future date regarding possible conflicting use on 13 September 2008.

MOVED: Danny Whitty

SECONDED: Russell Blanchard

ITEM 15 – GENERAL BUSINESS

- Neville Castle reminded the Committee that the 2007 Reg Cowden Awards are to be held on Friday, 7 March 2008, at the Workmen's Club, and tickets are still on sale from Council's Administration Building.
- John Boyd advised that the Swimming Club possess outdated lane ropes, and the tension release mechanisms are posing a safety problem, particularly when they are hired to other users such as local schools. The Club have investigated the cost of updating the equipment and found two (2) products which are adequate, with one (1) costing \$85.00 (excluding GST) per unit, and the other costing \$115.00 (excluding GST) per unit, and the Club requires nine (9) units. The Committee resolved for Council to place funding in the upcoming budget for replacement of this equipment, and for the equipment to be installed prior to the commencement of the 2008/2009 swimming season.
- John Boyd advised that there was a recent break in at the Swimming Club, and raised concerns regarding the after hours safety of the facility. Neville Castle advised that Council will investigate increased security measures for the site, and a report will be provided to the next Committee meeting.
- Danny Whitty advised of concerns the Portland Touch Football Association have regarding the installation of irrigation equipment at Saville Park, Portland interfering with their season, and Neville Castle advised that this issue has been resolved by Council staff and the Portland Touch Football Association.
- Danny Whitty advised that there is a metal spike which needs removing at Saville Park, Portland, located where the old grand stand use to be. Neville Castle advised that Council staff will remove this as soon as possible.
- Danny Whitty commented on the success of the Lithgow Flash Gift, however, advised that the male athletes were observed setting up their starting blocks and practicing starts on the cricket wickets, and were arrogant when requested to move off the wickets, as well as driving over the wickets in their vehicles. Neville Castle advised that this can be included in the Committee's submission to the debrief to ensure this doesn't happen during any future events.
- Nerryl Wood and Wayne Vought congratulated Council's staff, the Lithgow Athletics Club, the local school children and the girl guides for their participation and support of the Lithgow Flash Gift, and would like the Committee to show support for future events.
- John Craig suggested that the Committee have more input into the next Lithgow Flash Gift, in particular the local celebrity event to get more community support and participation if possible. Neville advised that this will be included in the Committee's submission to the debrief.
- Danny Whitty advised that the debrief for the Lithgow Flash Gift will be held in a fortnight, and Neville Castle requested that the debrief for the Lithgow Flash Gift be publicly advertised allowing the community to make suggestions and comments for the next event, and that any ideas from the Committee be compiled into one (1) submission.
- Neil Gambrill advised that in relation to the 2008 Great Escapade, the residents in Sandford Avenue, Lithgow have had no contact from Council or the organisers regarding the proposed event. Neville Castle advised that Council's Tourism Manager, Ms Jodie Rayner will be advised to undertake appropriate consultation with the residents.

Neil requested that the sewerage lid in the old caravan park be replaced urgently before the 2008 Great Escapade for safety reasons, and further suggested that Council act now to clean up the leaves, fix and/or replace the fencing, and regularly mow the grounds of the old caravan park to ensure that the grounds are in excellent condition and are a pleasing reminder to the participants and supporters to encourage future events to come to the Lithgow area. Neville advised that these requests would be forwarded to Council's Operations Manager for investigation and action.

The meeting closed at 6.05pm.

RECOMMENDATION

THAT the minutes of the Sports Advisory Committee be adopted.

ATTACHMENTS

FINANCE AND SERVICES COMMITTEE MEETING 3 MARCH 2008



Department of
Infrastructure, Planning and Natural Resources

Henry Deane Building
20 Lee Street Sydney NSW 2000
GPO Box 3927 Sydney NSW 2001
T 02 9762 8000
www.planning.nsw.gov.au

Phone (02) 9762-8029
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Our ref S03/02385
Your ref:

19 October 2004

2004

Mr Iain Stewart
General Manager
Council of the City of Lithgow
PO Box 195
LITHGOW NSW 2790

Doc. No.
CDs Ref.
Years

Att Mr Andrew Muir

Dear Mr Stewart

Notice of Determination - DA 344-11-2001 Wallerawang Quarry

I refer to your letter of 15 October 2004 about the proposed Wallerawang Quarry. I wish to advise that on 19 October 2004 the Minister for Infrastructure and Planning approved the development application (DA-344-11-2001) subject to conditions.

All the issues raised in Council's submission and resolution of 13 April 2004 were brought to the Minister's attention and fully considered in the Department's Assessment Report on the proposed development. A copy of the Department's Assessment Report is available on the Department's website, under "Notices of Determination" in the "Assessing Development Proposals" section (www.dipnr.nsw.gov.au).

I have attached two copies of the conditions of consent and would appreciate if you would place the conditions of consent on display in your offices.

If you have any questions in relation to this development, please contact David Kitto, Manager Mining and Extractive Industries on (02) 9762 8162.

Yours sincerely

12/11/04

Chris Wilson
Director
Major Development Assessment

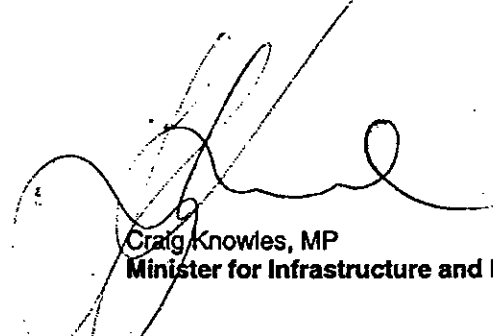
Development Consent

Section 80 of the *Environmental Planning and Assessment Act 1979*

I, the Minister for Infrastructure and Planning, approve the Development Application referred to in Schedule 1, subject to the conditions in Schedule 2.

These conditions are required to:

- prevent, minimise, and/or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the on-going environmental management of the development.



Craig Knowles, MP
Minister for Infrastructure and Planning

Sydney, 19th October 2004

File No. S03/02385

SCHEDULE 1

Development Application:	DA No. 344-11-2001
Applicant:	Sitegoal Pty Ltd (A.C.N. 052 317 503)
Consent Authority:	Minister for Infrastructure and Planning
Land:	Lot 6, DP 872230, Part Lot 194, DP 751651 Lidsdale State Forest No 707
Proposed Development:	To develop and operate a hard rock quarry and associated infrastructure with access from the Great Western Highway, including crushing and transport of product.
State Significant Development:	The proposal is classified as State significant development, under Section 76A(7) of the <i>Environmental Planning and Assessment Act 1979</i> , because it is an extractive industry where the proposed extraction rate is greater than 200,000 tonnes per annum, and consequently satisfies the criteria in the declaration made by the then Minister for Urban Affairs and Planning on 3 August 1999.

Integrated Development:

The proposal is classified as integrated development, under Section 91 of the *Environmental Planning and Assessment Act 1979*, because it requires additional approvals under the:

- *Protection of the Environment Operations Act 1997*; and
- *Roads Act 1993*.

Designated Development:

The proposal is classified as designated development, under Section 77A of the *Environmental Planning and Assessment Act 1979*, because it is for an extractive industry that would "obtain or process for sale, or lease, more than 30,000 cubic metres of extractive material per year", and consequently meets the criteria for designated development in Schedule 3 of the *Environmental Planning and Assessment Regulation 2000*.

BCA Classification:

Class	5	Office/amenities building
Class	8	Workshop/storage building

Notes:

- To find out when this consent becomes effective, see Section 83 of the *Environmental Planning and Assessment Act 1979*;
- To find out when this consent is liable to lapse, see Section 95 of the *Environmental Planning and Assessment Act 1979*; and
- To find out about appeal rights, see Section 97 of the *Environmental Planning and Assessment Act 1979*.

SCHEDULE 2

DEFINITIONS

AEMR	Annual Environmental Management Report
Applicant	Sitegoal Pty Ltd
BCA	Building Code of Australia
CCC	Community Consultative Committee
Council	Council of the City of Lithgow
DA	Development Application
Day	Day is defined as the period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
DEC	Department of Environment and Conservation (includes the former Environment Protection Authority and the National Parks and Wildlife Service)
Department Director-General	Department of Infrastructure, Planning and Natural Resources Director-General of the Department of Infrastructure, Planning and Natural Resources, or delegate
DPI	Department of Primary Industries (includes the former Department of Mineral Resources)
EIS	Environmental Impact Statement
EMP	Environmental Management Plan
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
Evening	Evening is defined as the period from 6pm to 10pm
GTA	General Term of Approval
Land	Land means the whole of a lot in a current plan registered at the Land Titles Office at the date of this consent
Material	Quartzite, rock aggregate and any other product won by the development
Minister	Minister for Infrastructure and Planning, or delegate
Night	Night is defined as the period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
PCA	Principal Certifying Authority appointed under Section 109E of the EP&A Act
Privately-owned land	Land for which a private agreement does not exist between the Applicant and the land owner
RTA	NSW Roads and Traffic Authority
SCA	Sydney Catchment Authority
Site	Land to which the DA applies
Work	The development and operation of the proposed hard rock quarry, including associated infrastructure and access, which is the subject of this Development Consent

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CONDITIONS

1. ADMINISTRATIVE CONDITIONS

Obligation to Minimise Harm to the Environment

- 1.1 The Applicant shall implement all practicable measures to prevent and/or minimise any harm to the environment that may result from the construction, operation, and/or rehabilitation of the development.

Scope of Approval

- 1.2 The Applicant shall carry out the development generally in accordance with the:
- a) DA No. 344-11-2001;
 - b) EIS titled *Proposed Wallerawang Quarry*, Report 01/206.1, dated November 2001, and prepared by Pacrim Environmental;
 - c) Report titled *Supplementary Report to the EIS for the Proposed Wallerawang Quarry*, Report 02/206.1, dated July 2002, and prepared by Pacrim Environmental; and
 - d) Conditions of this consent.
- 1.3 If there is any inconsistency between the above, the conditions of this consent shall prevail to the extent of the inconsistency.
- 1.4 The Applicant shall comply with any reasonable requirement/s of the Director-General arising from the Department's assessment of:
- a) Any reports, plans or correspondence that are submitted by the Applicant in accordance with this consent; and
 - b) The implementation of any actions or measures contained in these reports, plans or correspondence.

Mining Lease

- 1.5 Before commencing any work on the site, the Applicant shall obtain a Mining Lease for the site from the DPI.

Period of Approval

- 1.6 This consent lapses 10 years from the date that the Applicant obtains a Mining Lease for the site.

Limits on Production

- 1.7 The Applicant shall not extract and/or transport more than 500,000 tonnes of material from the development site in any year.

Structural Adequacy

- 1.8 The Applicant shall ensure that all new buildings and structures are constructed in accordance with the relevant requirements of the BCA.

Notes:

- Under Part 4A of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.
- Part 8 of the EP&A Regulation sets out the detailed requirements for the certification of development.

Demolition

1.9 The Applicant shall ensure that all demolition work is carried out in accordance with AS 2601-2001: *The Demolition of Structures*.

Protection of Public Infrastructure

1.10 The Applicant shall:

- a) Repair, or pay the full costs associated with repairing any public infrastructure that is damaged by the development; and
- b) Relocate, or pay the full costs associated with relocating any public infrastructure that needs to be relocated as a result of the development.

Operation of Plant and Equipment

1.11 The Applicant shall ensure that all plant and equipment at the site, or used in connection with the development are:

- a) Maintained in a proper and efficient condition; and
- b) Operated in a proper and efficient manner.

Compliance

1.12 Prior to commencement of any construction work, the Applicant shall commission an independent person(s) or organisation(s), approved by the Director-General, to certify in writing to the satisfaction of the Director-General, that the Applicant has complied with the relevant conditions of this consent.

2. SPECIFIC ENVIRONMENTAL CONDITIONS

NOISE

Limits

2.1 ¹The Applicant shall ensure that the noise generated by the development does not exceed the limits in Table 2.1 at any privately-owned land.

Table 2.1: Noise limits

Day/Evening	Night $L_{Aeq}(15\text{ minute})$
43 dB(A)	39 dB(A)

Notes:

- a) Noise from the development is to be measured at the most affected point on or within the residential boundary, or at the most affected point within 30 metres of a dwelling (rural situations) where the dwelling is more than 30 metres from the boundary, to determine compliance with the $L_{Aeq}(15\text{ minute})$ noise limits (i.e. the equivalent continuous noise level when measured over a 15 minute period) in the above table. 5 dBA must be added to the above limits if the noise is substantially tonal or impulsive in character.
- b) If it can be demonstrated that direct measurement of noise from the development is impractical, the DEC may accept alternative means of determining compliance (see Chapter 11 of the NSW Industrial Noise Policy - EPA, 2000). The modification factors in Section 4 of the NSW Industrial Noise Policy shall also be applied to the measured noise levels where applicable.

¹ Incorporates DEC GTA

- c) *The noise emission limits identified in the above table apply under meteorological conditions of:*
 - *Wind speeds of up to 3 m/s at 10 metres above ground level; and*
 - *Temperature inversion conditions of up to 3°C/100m*
- d) *Noise impacts that may be enhanced by temperature inversions must be addressed by quantifying the enhanced impacts and developing and implementing measures to ameliorate the impacts.*

Hours of Operation

- 2.2 ²The Applicant shall ensure that all development at the site, except for the loading and dispatch of vehicles, is carried out between 7am and 6pm on weekdays, and between 8am and 1pm on Saturdays, and at no time on Sundays or Public Holidays. However, maintenance of equipment may occur at any time provided it is inaudible at all residential premises surrounding the site, and the loading and dispatch of vehicles may be carried out at any time on any day provided it complies with the noise limits in Condition 2.1.
- 2.3 ³Material may be delivered to the site outside of the hours of operation in Condition 2.2 if required by police or other authorities for safety reasons; and/or the operation or personnel or equipment are endangered. In such circumstances prior notification shall be provided to the DEC and affected residents as soon as possible, or within a reasonable period in the case of emergency.

Reactive Noise Management Plan

- 2.4 The Applicant shall prepare and implement a Reactive Noise Management Plan for the development. This plan must:
- a) Describe what measures would be implemented to ensure that the development complies with the noise limits in Condition 2.1 at all times;
 - b) Establish a detailed protocol for regulating the use of the hydraulic hammer drill on the site, which clearly defines the adverse weather conditions during which the drill would not be used; and
 - c) Include a reactive operational noise monitoring program to identify adverse weather conditions and potential exceedances of the noise limits in Condition 2.1, and outline how this program would be integrated into the day to day management of the development.

The Applicant shall not carry out any development on the site before the Director-General has approved this plan.

Monitoring

- 2.5 The Applicant shall carry out attended noise monitoring of the noise generated by the development to the satisfaction of the Director-General, in general accordance with the *NSW Industrial Noise Policy* and *AS 1055: Acoustics – Description and Measurement of Environmental Noise*.
- 2.6 The Applicant shall prepare a detailed Noise Monitoring Program for the development in consultation with the DEC, which includes a detailed noise monitoring protocol for evaluating compliance with the noise limits in Condition 2.1. The Applicant shall not carry out any development on the site before the Director-General has approved this program.

² Incorporates DEC GTA

³ Incorporates DEC GTA

BLASTING AND VIBRATION

Airblast Overpressure Impact Assessment Criteria

2.7 ⁴The Applicant shall ensure that the airblast overpressure level from blasting at the development does not exceed the criteria in Table 2.2 at any residence on privately-owned land or noise-sensitive building (such as a school or hospital).

Table 2.2: Airblast overpressure impact assessment criteria

Airblast overpressure level (dB(Lin Peak))	Allowable exceedance
115	5% of the total number of blasts over a period of 12 months
120	0%

Note: The airblast overpressure values in Table 2.2 apply when measurements are performed with equipment having a lower cut-off frequency of 2Hz or less. If the instrumentation has a higher cut-off frequency then a correction of 5dB should be added to the measured value. Equipment with a lower cut-off frequency exceeding 10Hz should not be used for the purpose of measuring airblast overpressure.

Ground Vibration Impact Assessment Criteria

2.8 ⁵The Applicant shall ensure that the ground vibration level from blasting at the development does not exceed the criteria in Table 2.3 when measured at any point within 1 metre of any affected residence on privately-owned land or other noise-sensitive location (such as a school or hospital).

Table 2.3: Ground vibration impact assessment criteria

Peak particle velocity (mm/s)	Allowable exceedance
5	5% of the total number of blasts over a period of 12 months
10	0%

Operating Conditions

2.9 The Applicant shall carry out blasting at the site using procedures to:

- a) Prevent and/or minimise the airblast overpressure, ground vibration and air pollution generated by the development; and
- b) Ensure that no people, property and/or livestock are injured or damaged as a result of blasting operations.

2.10 ⁶The Applicant shall only carry out blasting at the site between 9am and 5pm on weekdays, between 9am and 1pm on Saturdays, and at no time on Sundays or Public Holidays.

⁴ Incorporates DEC GTA
⁵ Incorporates DEC GTA
⁶ Incorporates DEC GTA

- 2.11 The Applicant shall not carry out any blasting within 100 metres of any Telstra infrastructure without the written permission of Telstra, and within 30 metres of any Transgrid infrastructure without the written agreement of Transgrid.
- 2.12 The Applicant shall not use electronic detonators for blasting at the site at any time.
- 2.13 The Applicant shall ensure that no flyrock leaves the site as a result of blasting for the development.

Public Notice

- 2.14 During the life of the development, the Applicant shall notify occupants of any land within 2 kilometres of the site of future blasting operations on at least a monthly basis, and of any changes to the proposed blast schedules.

Note: The distance of 2 kilometres referred to in this and any other Condition in this development consent is to be measured from the centre of the land from which material is to be removed over the life of the development (that is, the centre of the land identified as "Proposed hardrock quarry" in Figure 1.1 of the EIS).

Property Inspection

- 2.15 Before commencing any blasting, the Applicant shall advise all landowners within 2 kilometres of the site in writing that they are entitled to a property inspection at the Applicant's expense.
- 2.16 If the Applicant receives a written request for a property inspection from any landowner within 2 kilometres of the site, the Applicant shall at its own expense:
- Commission a suitably qualified person within 14 days of receiving the request – whose appointment is acceptable to both parties – to inspect and document in a written report, supported by photographs, the condition of any building or structure on the land; and
 - Give the landowner a copy of this property inspection report within 14 days of receiving the report.

If the Applicant or the landowner disagree with the findings of the property inspection report, either party may refer the matter to the Director-General for resolution.

If the matter cannot be resolved within 21 days, the Director-General shall refer the matter to an Independent Dispute Resolution Process (See Condition 3.10).

Monitoring

- 2.17 ⁷The Applicant shall prepare and implement a program to monitor airblast overpressure and ground vibration at the:
- Nearest and most-affected residence; and
 - At least 2 other representative locations within 2 kilometres of the development site.
- 2.18 ⁸The Applicant shall monitor the parameters in Table 2.4, using the specified units of measure, frequency, sampling method, and location in the table, relative to a particular building or structure.

⁷ Incorporates DEC GTA

⁸ Incorporates DEC GTA

Table 2.4: Airblast overpressure and ground vibration monitoring

Parameter	Units of Measure	Frequency	Sampling Method	Location
Airblast overpressure	dB(Lin Peak)	During every blast	AS2187.2-1993 ¹	Not less than 3.5m or more than 30m from a building or structure
Peak particle velocity	mm/s	During every blast	AS2187.2-1993	Not more than 30m from a building or structure

¹Standards Australia, 1993, AS2187.2-1993: Explosives - Storage, Transport and Use - Use of Explosives.

- 2.19 The Applicant shall prepare and implement a detailed Blasting Monitoring Program for the development in consultation with the DEC. The Applicant shall not carry out any development on the site before the Director-General has approved this program.

Property Investigations

- 2.20 If any landowner within 2 kilometres of the development site claims that his/her property has been damaged as a result of blasting at the development, the Applicant shall at its own expense:

- (a) Commission a suitably qualified person within 14 days of receiving this claim in writing – whose appointment is acceptable to both parties - to investigate the claim in detail, including consideration of any report prepared as provided for in Condition 2.16; and
- (b) Give the landowner a copy of the property investigation report within 14 days of receiving the report.

If this independent investigation confirms the landowner's claim, and both parties agree with these findings, then the Applicant shall at its own expense repair the damages to the satisfaction of the Director-General.

If the Applicant or landowner disagrees with the findings of the independent property investigation, then either party may refer the matter to the Director-General for resolution.

If the matter cannot be resolved within 21 days, the Director-General shall refer the matter to an Independent Dispute Resolution Process (See Condition 3.10).

Blasting/Vibration Management Protocol

- 2.21 ⁹The Applicant shall prepare and implement a Blasting/Vibration Management Protocol for the development to the satisfaction of the DEC. This Protocol must include, but need not be limited to the following matters:

- a) Compliance standards;
- b) Mitigation measures;
- c) Remedial action;
- d) Monitoring methods and program;
- e) Measures to protect underground utilities;
- f) Notification procedures for neighbours prior to detonation of each blast;
- g) Measures to ensure no damage by flyrock to people, property, livestock and powerlines; and
- h) Investigating and responding to complaints from neighbours or other sources.

⁹ Incorporates DEC GTA

SURFACE WATER

Pollution of Waters

2.22 ¹⁰Except as may be expressly provided by a DEC licence, the Applicant shall comply with Section 120 of the *Protection of the Environment Operations Act 1997* during the carrying out of the development.

Stormwater Discharge Limits

2.23 ¹¹Except as may be expressly provided by a DEC licence, the Applicant shall ensure that stormwater discharges from the development comply with the limits in Table 2.5 under normal conditions:

Table 2.5: Discharge Limits

Pollutant	Units of measure	100 percentile concentration limit
TSS	mg/L	30
Sulfate	mg/L	250
G & O	mg/L	5
EC	MS/cm	1500
pH	pH Units	6.5 – 8.5 [‡]

Note: This Condition does not authorise the pollution of waters by any other pollutants.

Operating Conditions

2.24 The Applicant shall carry out the development in a way that prevents and/or minimises the potential surface water impacts of the development.

2.25 ¹²The Applicant shall prepare and implement a Soil and Water Management Plan for the construction of the development, in accordance with the relevant requirements in the Department of Housing's publication *Managing Urban Stormwater: Soils and Construction*.

2.26 ¹³The Applicant shall prepare and implement a Stormwater Management Scheme for the operation of the development, in accordance with the Stormwater Management Plan for the catchment, and if this has not been prepared yet, the guidance contained in the DEC's publication *Managing Urban Stormwater: Council Handbook*.

2.27 ¹⁴The Applicant shall only apply wastewater to the wastewater use area in accordance with an approved Water Management Plan (see Condition 2.29).

2.28 ¹⁵The Applicant shall ensure that spray from wastewater application to the wastewater use area does not drift beyond the boundary of the wastewater use area.

¹⁰ Incorporates DEC GTA
¹¹ Incorporates DEC GTA
¹² Incorporates DEC GTA
¹³ Incorporates DEC GTA
¹⁴ Incorporates DEC GTA
¹⁵ Incorporates DEC GTA

Water Management Plan

2.29 ¹⁶ Before carrying out any development on the site, the Applicant must prepare a Water Management Plan in consultation with the SCA, and to the satisfaction of the DEC. This Plan must include the following protocols:

- a) Wastewater management for beneficial use;
- b) Monitoring wastewater;
- c) Soil and water management plan (see Condition 2.25);
- d) Stormwater management scheme (see Condition 2.26);
- e) Monitoring stormwater discharges; and
- f) Beneficial reuse.

Monitoring

2.30 ¹⁷ The Applicant shall carry out water monitoring of the development to determine any surface water impacts on land or receiving waters to the satisfaction of the DEC.

BUNDING AND SPILL MANAGEMENT

2.31. The Applicant shall store and handle all hazardous chemicals, dangerous goods, fuels and oils, strictly in accordance with:

- a) All relevant Australian Standards; and
- b) The EPA's Environment Protection Manual Technical Bulletin *Bunding and Spill Management*.

In the event of an inconsistency between the requirements listed in a) and b) above, the most stringent requirement shall prevail to the extent of the inconsistency.

TRAFFIC AND TRANSPORT

Road Works

2.32 ¹⁸ Before carrying out any road works, the Applicant shall:

- (a) Prepare and implement plans for an appropriate entry to the proposed development; and
- (b) Install an appropriate warning system to advise approaching motorists of heavy vehicle slowing, stopping and turning manoeuvres to the satisfaction of the RTA.

Note: The RTA requires a full set of drawings for the proposed turnout and access works. These drawings will comprise a plan, longitudinal sections, cross sections, full drainage design, line-marking details, and signposting details, as well as a sedimentation control plan and traffic management plan. In addition, these drawings must be accompanied by a full pavement assessment for the works that form the turnout to the development.

2.33 The Applicant shall ensure that all the road works associated with the development in the road reserve comply with current RTA and Austroads Design Standards, and the RTA's Quality Assurance Specifications.

2.34 The Applicant shall bear all the costs associated with the design, survey, construction, maintenance, and removal of any development in the road reserve.

¹⁶ Incorporates DEC GTA

¹⁷ Incorporates DEC GTA

¹⁸ Incorporates RTA GTA

Operating Conditions

- 2.35 ¹⁹The Applicant shall not permit road haulage vehicles to leave the development site during adverse weather conditions, which can include snow, fog or low cloud, if a sign appropriately placed by the Applicant for use in testing visibility cannot be clearly seen from a designated reference point.
- 2.36 The Applicant shall ensure that all vehicles, before they are allowed to leave the site, are cleaned of materials that may fall on the road.
- 2.37 ²⁰The Applicant shall ensure that trucks entering and leaving the site that are carrying loads are covered at all times, except during loading and unloading.

FAUNA AND FLORA

Flora and Fauna Management Plan

- 2.38 The Applicant shall prepare and implement a Flora and Fauna Management Plan for the development. This plan must:
- a) Incorporate a protocol for effectively identifying any threatened species of flora and fauna and avoiding or minimizing the potential impact of the development on these species, including but not limited to the Yellow-bellied Sheath-tail Bat and the Bathurst Copper Butterfly.
 - b) Describe the actions, measures and operating conditions to be implemented in order to:
 - Ensure that the existing vegetation on the development site is properly identified and documented before the development commences;
 - Ensure that all natural bushland directly adjoining the development site and bushland to be conserved within the development site is not damaged or disturbed by its operations;
 - Protect, conserve, and where feasible improve the quality of existing vegetation on the development site, including land not actually disturbed by the development;
 - Re-vegetate land on the development site; and
 - Minimise the potential impacts of the development on flora and fauna.
 - c) Describe the intended procedures to:
 - Salvage, store and reuse material from the development site such as soil, seeds, tree hollows, rocks, logs etc ;
 - Clear vegetation on-site;
 - Control erosion and sediment flows;
 - Collect and propagate seeds from the local area;
 - Control weeds on the development site;
 - Control access to undisturbed land; and
 - Monitor the performance of the proposed actions, measures and operating conditions.
 - d) Identify who would be responsible for monitoring, reviewing, and implementing the plan.

The Applicant shall not carry out any development on the site before the Director-General has approved this plan.

¹⁹ Incorporates RTA GTA

²⁰ Incorporates DEC GTA

AIR QUALITY

Impact Assessment Criteria

2.39 The Applicant shall ensure that the air pollution generated by the development does not exceed the criteria listed in Tables 2.6, 2.7 and 2.8 at any privately-owned land.

Table 2.6: Long term impact assessment criteria for particulate matter

Pollutant	Averaging period	Criterion
Total suspended particulate (TSP) matter	Annual	90 µg/m ³
Particulate matter < 10 µm (PM ₁₀)	Annual	30 µg/m ³

Table 2.7: Short term impact assessment criterion for particulate matter

Pollutant	Averaging period	Criterion
Particulate matter < 10 µm (PM ₁₀)	24 hour	50 µg/m ³

Table 2.8: Long term impact assessment criteria for deposited dust

Pollutant	Averaging period	Maximum increase in deposited dust level	Maximum total deposited dust level
Deposited dust	Annual	2 g/m ² /month	4 g/m ² /month

Note: Deposited dust is assessed as insoluble solids as defined by Standards Australia, 1991, AS 3580.10.1-1991: Methods for Sampling and Analysis of Ambient Air - Determination of Particulates - Deposited Matter - Gravimetric Method.

Operating Condition

2.40 ²¹The Applicant shall carry out the development in a way that prevents and/or minimises the air pollution generated by the development.

Monitoring

2.41 The Applicant shall monitor (by sampling and obtaining results by analysis) air pollution at the most-affected residence, using the specified units of measure, averaging period, frequency, and sampling method (Table 2.9).

Table 2.9: Air quality monitoring

Pollutant	Units of measure	Averaging period	Frequency	Sampling method
Deposited dust	g/m ² /month	Month, annual	Continuous	AM-19

²¹ Incorporates DEC GTA

Note: For more information refer to NSW EPA, 2001, Approved Methods for the Sampling and Analysis of Air Pollutants in NSW.

- 2.42 The Applicant shall prepare and implement a detailed Air Quality Monitoring Program for the development. The Applicant shall not carry out any development on the site before the Director-General has approved this program.

Meteorological Monitoring

- 2.43 The Applicant shall establish a permanent meteorological station to the satisfaction of the Director-General. The meteorological station shall continuously measure and record wind speed, wind direction, and temperature, at 2m and 10m, and rainfall.

ABORIGINAL HERITAGE

- 2.44 The Applicant shall not disturb the area marked "potential site area" on Figure 3 in Attachment 1.
- 2.45 Throughout the life of the development, the Applicant shall protect and conserve the area subject to Condition 2.44, in consultation with the Bathurst Local Aboriginal Land Council, and to the satisfaction of the Director-General.

WASTE MANAGEMENT

- 2.46 ²² Except as expressly permitted by a DEC licence, the Applicant shall not cause, permit or allow any waste generated outside the development site to be received at the development site for storage, treatment, processing, reprocessing or disposal, or any waste generated at the development site to be disposed of at the development site.

Note: This Condition only applies to the storage, treatment, processing, reprocessing, or disposal of waste that requires a licence under the Protection of the Environment Operations Act 1997.

VISUAL IMPACT

Visual Amenity

- 2.47 The Applicant shall carry out the development in a way that prevents and/or minimises the visual impacts of the development.
- 2.48 The Applicant shall install bunds at strategic locations around the development site, and plant additional trees along the boundary of the development site to the satisfaction of the Director-General in order to screen the development, as far as is practicable, from external viewers.
- 2.49 If an owner of any dwelling located to the west or north-west of the development requests the Applicant in writing to investigate ways to minimise the visual impact of the development at his/her dwelling, the Applicant shall:
- a) Refer the written request to the Director-General, who will decide whether the investigation is warranted and advise the Applicant accordingly;
 - b) If the Director-General decides that the investigation is warranted, commission, at the Applicant's expense, a suitably qualified person, within 14 days of receiving this request, to investigate ways to minimise the visual impacts of the development at the dwelling and for this purpose prepare a visual impact mitigation report; and
 - c) Give the owner of the dwelling a copy of the visual impact mitigation report within 14 days of receiving this report.

²² Incorporates DEC GTA

If both parties agree on the measures that should be implemented to minimise the visual impact of the development, then the Applicant shall implement these measures to the satisfaction of the Director-General.

If the Applicant and the owner of the dwelling disagree on the measures that should be implemented to minimise the visual impact of the development, then either party may refer the matter to the Director-General for resolution. If the matter cannot be resolved within 21 days, the Director-General shall refer the matter to an Independent Dispute Resolution Process (see Condition 3.10).

Lighting Emissions

2.50 The Applicant shall take all practicable measures to prevent and/or minimise any off-site lighting impacts from the development.

2.51 All external lighting associated with the development shall comply with *Australian Standard AS4282(INT) 1995 – Control of Obtrusive Effects of Outdoor Lighting*.

HAZARDS MANAGEMENT

2.52 The Applicant shall ensure that the storage, handling, and transport of:

- (a) Dangerous goods is done in accordance with the relevant *Australian Standards*, particularly *AS1940* and *AS1596*, and the *Dangerous Goods Code*; and
- (b) Explosives are carried out in accordance with the requirements of the DMR.

BUSHFIRE MANAGEMENT

2.53 The Applicant shall:

- (a) Ensure that the development is suitably equipped to respond to any fires on-site;
- (b) Assist the Rural Fire Service and emergency services as much as possible if there is a fire on-site.

2.54 Before carrying out any development on the site, the Applicant shall prepare a Bushfire Management Plan for the development site, to the satisfaction of Council and the Rural Fire Service.

REHABILITATION

2.55 The Applicant shall rehabilitate the development site in accordance with the requirements of any Mining Lease granted by the Minister for Mineral Resources.

Note: Condition 1.5 requires that, before carrying out any development, the Applicant shall obtain a Mining Lease for the development site from the DMR.

3. ENVIRONMENTAL MANAGEMENT, MONITORING, AUDITING AND REPORTING

ENVIRONMENTAL MANAGEMENT STRATEGY

3.1 The Applicant shall prepare and implement an Environmental Management Strategy for the development. This strategy must:

- a) Provide the overall strategic context for environmental management of the development, including for the environmental monitoring program and the various management plans required by this development consent;
- b) Identify the statutory requirements that apply to the development;
- c) Describe in general how the environmental performance of the development would be monitored and managed;
- d) Describe the detailed procedures that would be implemented to:

- Keep the local community and relevant agencies informed about the operation and environmental performance of the development;
 - Receive, handle, respond to, and record complaints;
 - Resolve any disputes that may arise during the course of the development;
 - Respond to any non-compliance;
 - Manage cumulative impacts; and
 - Respond to emergencies; and
- e) Describe the roles, responsibility, authority, and accountability of all the key personnel involved in environmental management of the development.
- 3.2 The Applicant shall not carry out any development at the development site before the Director-General has approved the strategy referred to in Condition 3.1.
- 3.3 Within 14 days of receiving the Director-General's approval for the environmental management strategy, the Applicant shall:
- a) Send copies of the approved environmental management strategy to the relevant agencies, Council, and the CCC; and
 - b) Ensure the approved environmental management strategy is publicly available.

ENVIRONMENTAL MONITORING PROGRAM

- 3.4 The Applicant shall prepare a detailed Environmental Monitoring Program for the development, in consultation with the relevant agencies. This program must be consistent with the environmental management strategy required by Condition 3.1 and consolidate the various monitoring requirements in this development consent into a single document.
- 3.5 The Applicant shall not carry out any work at the development site before the Director-General has approved the environmental monitoring program.
- 3.6 The Applicant shall regularly review, and if necessary update the environmental monitoring program in consultation with the Director-General, and notify the relevant agencies, Council, CCC, and general public of any changes to the strategy.

ANNUAL REPORTING

- 3.7 The Applicant shall submit an Annual Environmental Management Report to the Director-General and the relevant agencies. This report must:
- a) Identify the standards and performance measures that apply to the development;
 - b) Include a detailed summary of the complaints received during the past year, and over time compare this to the complaints received in previous years since the development commenced;
 - c) Include a detailed summary of the monitoring results on the development during the past year,
 - d) Include a detailed analysis of these monitoring results against the relevant:
 - Impact assessment criteria;
 - Monitoring results from previous years; and
 - Predictions in the EIS;
 - e) Identify any trends in the performance of the development shown by monitoring over the life of the development;
 - f) Identify any non-compliance during the previous year; and
 - g) Describe what actions were, or are being taken to ensure compliance.

INDEPENDENT ENVIRONMENTAL AUDIT

- 3.8 At the end of years 1 and 2 after construction work commences, and every year thereafter, unless the Director-General directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the development. The audits must:

- a) Be conducted by a suitably qualified, experienced, and independent person whose appointment has been endorsed by the Director-General;
- b) Be consistent with *ISO 14010 – Guidelines and General Principles for Environmental Auditing*, and *ISO 14011 – Procedures for Environmental Auditing*, or updated versions of these guidelines/manuals;
- c) Assess the environmental performance of the development, and its effects on the surrounding environment;
- d) Assess whether the development is complying with the relevant standards, performance measures, and statutory requirements;
- e) Review the adequacy of the Applicant's Environmental Management Strategy and Environmental Monitoring Program; and, if necessary,
- f) Recommend measures or actions to improve the environmental performance of the development, and/or the environmental management and monitoring systems.

Note: Subject to the Applicant being able to demonstrate full compliance with conditions, the Director-General, in consultation with Council, may review the frequency of subsequent audits after years 1 and 2.

- 3.9 Within 3 months of commissioning this audit, the Applicant shall submit a copy of the audit report to the Director-General, with a detailed response to any of the recommendations contained in the audit report.

INDEPENDENT DISPUTE RESOLUTION PROCESS

- 3.10 The Independent Dispute Resolution Process referred to in any other Condition of this development consent will be undertaken by an Independent Dispute Resolution Facilitator appointed by the Director-General and will be subject to:

- a) A procedural protocol to ensure the process is transparent and consistent; and
- b) Terms of reference, based on appropriate qualitative and quantitative criteria against which judgements can be made.

COMPLAINTS PROCEDURE

- 3.11 Throughout the life of the development, the Applicant shall ensure that the following contacts are available for community complaints:

- a) A telephone number on which complaints about the development may be registered;
- b) A postal address to which written complaints may be sent; and
- c) An email address to which electronic complaints may be transmitted.

The telephone number, the postal address and the email address shall be advertised in at least one appropriate local newspaper prior to the commencement of work at the development site. These details shall also be provided on the Applicant's internet site.

- 3.12 The Applicant shall record details of all complaints received in a Complaints Register. The Register shall record, but not necessarily be limited to:

- a) The date and time, where relevant, of the complaint;
- b) The means by which the complaint was made (telephone, mail or email);
- c) Any personal details of the complainant that were provided, or if no details were provided, a note to that effect;
- d) The nature of the complaint;
- e) Any action(s) taken by the Applicant in relation to the complaint, including any follow-up contact with the complainant; and
- f) If no action was taken by the Applicant in relation to the complaint, the reason(s) for no action being taken.

The Complaints Register shall be made available for inspection by the DEC or the Director-General upon request. The Applicant shall also make summaries of the Register, without details of the complainants, available for public inspection.

COMMUNITY CONSULTATIVE COMMITTEE

- 3.13 The Applicant shall ensure that there is a Community Consultative Committee to oversee the environmental performance of the development. This committee shall:
- a) Be comprised of:
 - 2 representatives from the Applicant, including the person responsible for environmental management at the development site;
 - 1 representative from Council; and
 - 3 representatives from the local community, whose appointment has been approved by the Director-General in consultation with Council;
 - b) Be chaired by an independent Chairperson, whose appointment has been approved by the Director-General in consultation with Council;
 - c) Meet at least twice a year; and
 - d) Review and provide advice on the environmental performance of the development, including any construction or environmental management plans, monitoring results, audit reports, or complaints.
- 3.14 The Applicant shall, at its own expense:
- (a) Ensure that at least 2 of its representatives attend the Committee's meetings;
 - (b) Provide the Committee with regular information on the environmental performance and management of the development;
 - (c) Provide meeting facilities for the Committee;
 - (d) Notify Committee members of the date and time of meetings;
 - (e) Distribute meeting agendas to reach Committee members at least 7 days prior to each meeting
 - (f) Arrange site inspections for the Committee, if necessary;
 - (g) Take minutes of the Committee's meetings;
 - (h) Make these minutes available to the public for inspection within 14 days of the Committee meeting, or as agreed to by the Committee;
 - (i) Respond to any advice or recommendations the Committee may have in relation to the environmental management or performance of the development or the conduct of Committee meetings; and
 - (j) Forward a copy of the minutes of each Committee meeting, and any responses to the Committee's recommendations to the Director-General within a month of the Committee meeting.
- 3.15 The Applicant shall ensure that the Committee has its first meeting before the Environmental Management Strategy (see Condition 3.1) is submitted to the Director-General for approval.

ATTACHMENT 1

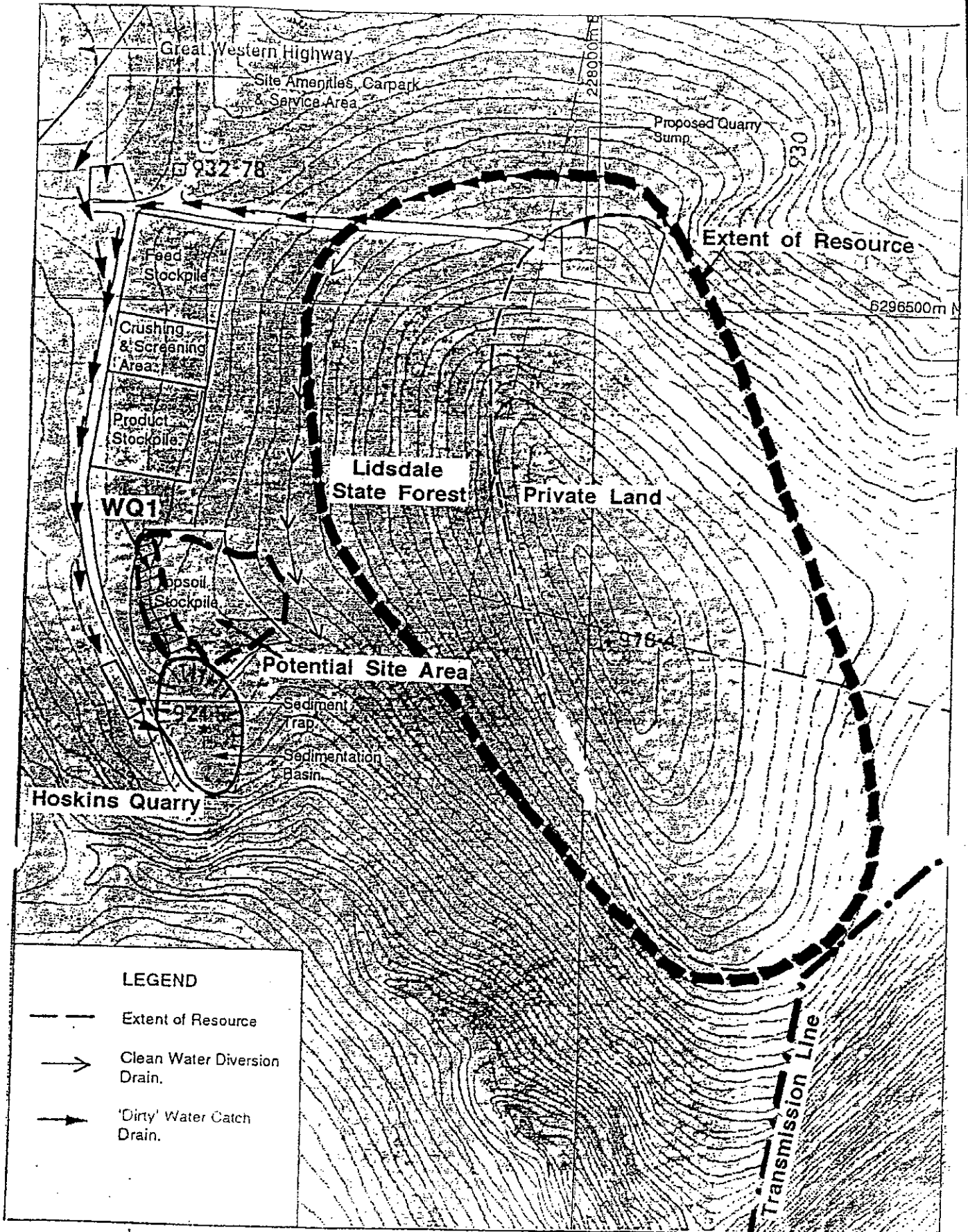



FIGURE 3: PLAN OF PROPOSED QUARRY OPERATION
 Scale 1:2,500

* Base Map Source: CMA-Wallerawang U/I
 PROCURAT 1:200 slope class

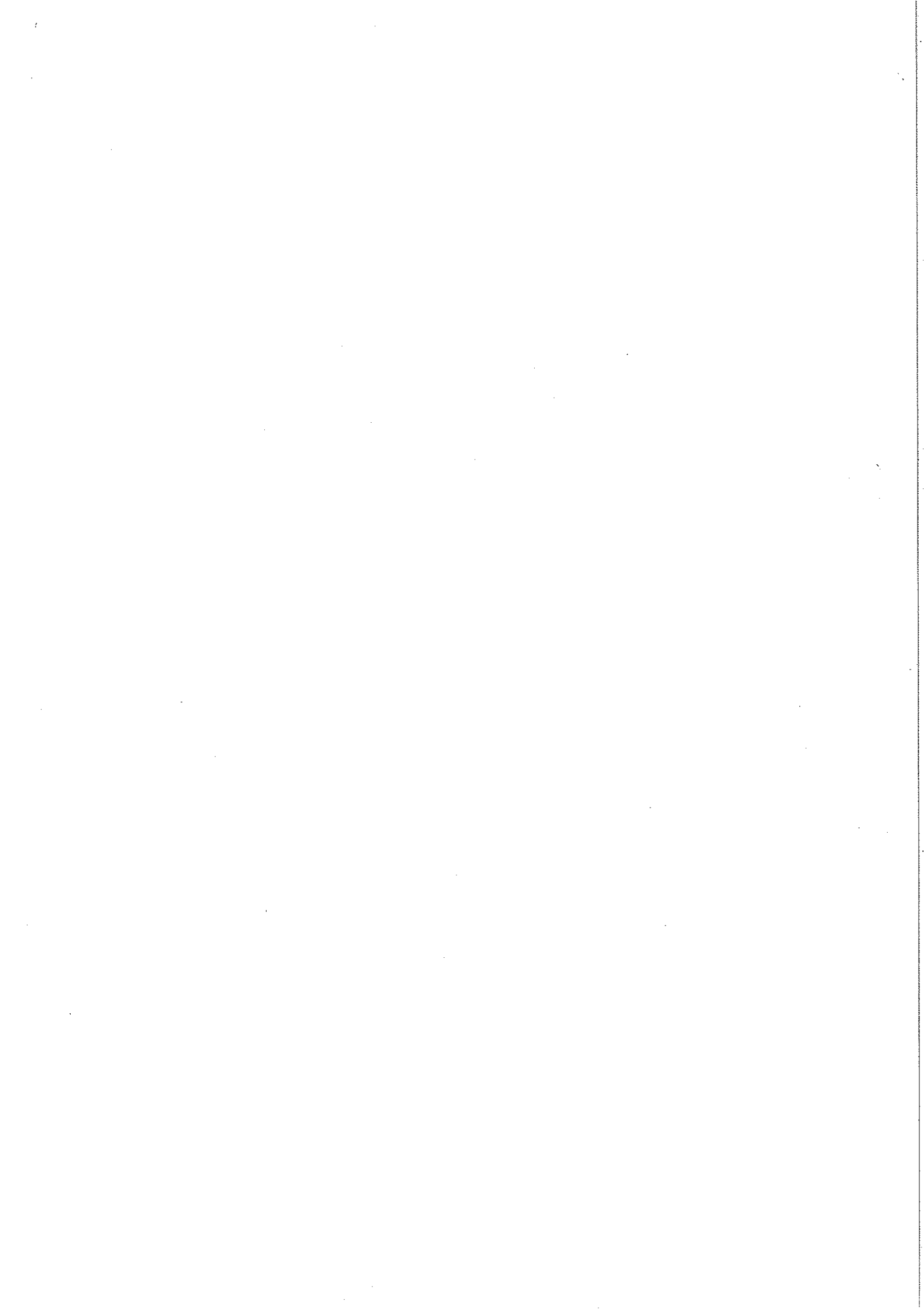
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 Department of
Infrastructure, Planning and Natural Resources
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Henry Deane Building
20 Lee St
Sydney NSW 2000

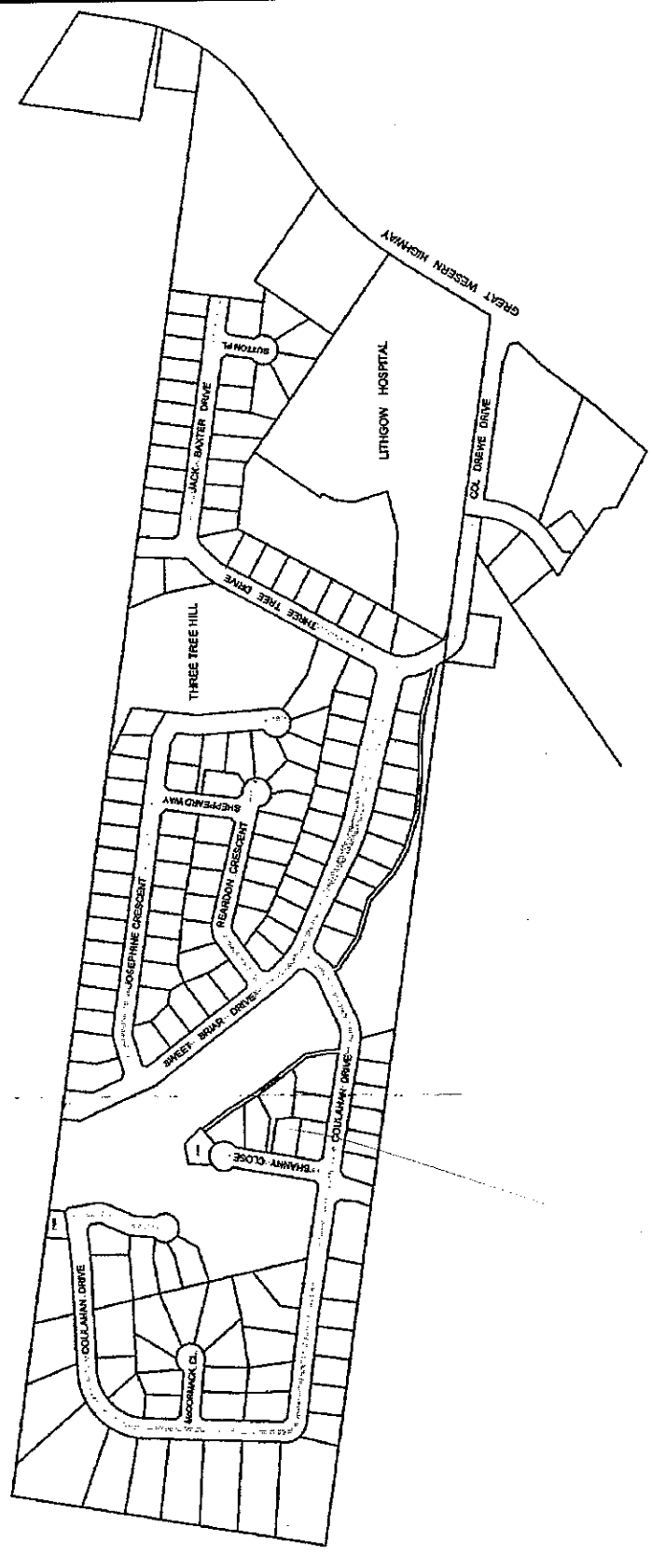
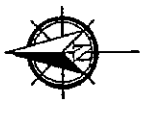
Andrew Muir
Lithgow City Council
PO Box 195
Lithgow NSW 2790

Wrong postal address.
Provided to Council 18/11/02

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Item 7.



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	1:4000 Scale: 1:4000 Date: 20/06/2014 Drawn: JMB Checked: JMB Certified: JMB Project: 160 Lot Residential Subdivision Lot 1 DP 1082148 5th Bowenfels Revised Master Plan Regional Project Management Pty Ltd		
CIVIL & FORENSIC Pty Ltd CONSULTING ENGINEERS 50 GREAT WESTERN HIGHWAY LITHGOW NSW 2880 Phone: (02) 8333 5500 Fax: (02) 8333 5501 Email: info@civillandforensic.com.au Website: www.civillandforensic.com.au			
Sweet Briar Estate 160 Lot Residential Subdivision Lot 1 DP 1082148 5th Bowenfels Revised Master Plan Regional Project Management Pty Ltd		CIVIL & FORENSIC Pty Ltd CONSULTING ENGINEERS 50 GREAT WESTERN HIGHWAY LITHGOW NSW 2880 Phone: (02) 8333 5500 Fax: (02) 8333 5501 Email: info@civillandforensic.com.au Website: www.civillandforensic.com.au	
6/07/07 Revised Road Terms for submission to Council 27/06/08 Lot 129 and 307 claimed for RSE compliance 08/07/08 Lot 138 added to Lot 307		SHEET NO. 1 OF 1	

**ENVIRONMENTAL ADVISORY COMMITTEE MEETING
MINUTES
16th of January 2008
LITHGOW CITY COUNCIL MORT STREET, LITHGOW**

ITEM 1 IN ATTENDANCE

Sarah Childs, Helen Drewe, Tiffany Mason, Sue Graves, Neville Castle, Trish Kidd, Nino DiFalco, Wayne Levi, David Durie, Melissa DaCosta.

ITEM 2 INTRODUCTIONS

The Mayor, Neville Castle, officially welcomed members of the committee to the first meeting of the Environmental Advisory Committee as a section 355 Committee under the *Local Government Act 1993*. Members then introduced themselves and the organisations in which they represented.

ITEM 3 APOLGIES

George Quinell, Debbie-Lee Reilly, Trevor Flewin, Michael Rodda

ITEM 4 TERMS OF REFERENCE

Council Officer David Durie went through the Terms of Reference with the committee outlining the role and responsibilities of the committee.

ITEM 5 CALL FOR NOMINATION OF CHAIR AND DEPUTY CHAIR

Trish Kidd of Lithgow Oberon Landcare Association was elected Chair of the committee and Wayne Levi of Lithgow Environment Group Deputy Chair.

ITEM 6 - DELTA ENVIRONMENTAL PROJECTS

Delta's Environmental Manager, Nino Di Falco, presented to the committee a summary of Delta's community sponsorships and environmental projects, including:

- Lithgow District Community Nursery
- Lithgow and Oberon Landcare Association
- Tidy Towns – Lithgow, Wallerawang, Portland, Cullen Bullen and Rydal
- Delta e-schools
- An arboretum in conjunction with LCC at Lake Wallace is currently under consideration
- Department of Water and Energy - River Health Monitoring and Geomorphic studies

ITEM 7. SCHOOL REPRESENTATIVES

Four nominations were received by Council for the two senior student nominations including two nominations from Lithgow High School, and one each from La Salle and Blue Mountains Grammar.

The committee agreed that all representatives should be accepted on an alternating basis.

ITEM EIGHT. GREENING LITHGOW

Sue Graves presented the committee with the Lithgow Tidy Towns Presentation on "Greening Lithgow." The proposed project includes greening the entrance ways to Lithgow, an arboretum, cycle ways, street tree plantings, riparian corridor works, and community/productive gardens.

The Environmental Advisory Committee agreed that Council should be asked to consider the Lithgow Tidy Towns Proposal and that all Tidy Town Committees within the LGA be asked for their ideas.

ITEM NINE. UPDATE ON ENVIRONMENTAL PROJECTS INCLUDING HYDE PARK, HARTLEY RESERVE, HASSANS WALLS AND LONDONDERRY RESERVE

Hyde Park: A Draft Plan of Management for Hyde Park has been completed by Council and placed on public display. As part of the consultation process a public meeting, that was well attended, was held at Hyde Park. The Australian Museum has been engaged to complete an Aboriginal Archaeological and Cultural Heritage Survey of the reserve. The process is being completed to allow Council to engage in urgently needed conservation earth works and to better manage the reserve. This is a joint project between Lithgow City Council and the Hawkesbury Nepean Catchment Management Authority.

The committee agreed that M/s Trish Kidd and Council should be congratulated on the completion of the community consultation and the Draft Plan of Management for Hyde Park and the high quality of the report. The plan is believed to be Council's first formal Plan of Management for a bushland reserve under the *Crown Lands Act 1989*.

Londonderry and Hartley Reserves: Considerable weed eradication works and bush regeneration works have occurred at these reserves. Greencorps have planted 1000 native plants and trees and Soil Services have completed conservation earth works addressing soil erosion problems. Large granites boulders have been placed at the reserves to protect riparian zones and to define car parking and picnic areas.

Hassans Walls: Weed eradication works have been completed at the entrances and lookouts at Hassans Walls.

ITEM 10 PLANNING/FOCUS MEETING

The committee agreed to a planning and focus meeting as an "extraordinary meeting" so the group can focus on what it would like to achieve into the future. A meeting date was set for the 13th of February.

ITEM 11 HISTORIC ITEMS FROM PREVIOUS COMMITTEE

Agreement between Council and Community Nursery: The Nursery has been advised that Council will be in a better position to discuss its planting needs into the future once it has completed closure plans for some of the Council Tips.

Council Reserves: There is not a definitive list of reserves outlining ownership, usage, and management responsibilities. A priority for Council is to develop Plans of Management for its own land.

Indian Myna Birds: Council has committed to purchase an Indian Myna Trap and to trap Indian Mynas at Lake Pillans should they become problematic again.

Upgrade of Lake Pillans: Gym equipment has been installed and the track has now been completed. Two seats have been installed and one remains to be installed as is signage.

Noxious and Environmental Weeds: The "Weeds of the Lithgow District" brochure has been placed on Council's website in addition to links to other sites where useful information can be obtained.

ITEM 12 NEXT MEETING

The next meeting will be an extraordinary meeting that will be held between 4.00 to 6.00pm in the Committee Room at Lithgow City Council on the 13th of February 2008.

TRAFFIC AUTHORITY LOCAL COMMITTEE MEETING
MINUTES 7 February, 2008

PRESENT- Bob Walker, George Shurr, Sgt Mark Brown, Kym Snow, Bob Willison and Paul Creelman

APOLOGIES- Howard Fisher

REPORT

ITEM 1 - DECLARATION OF INTEREST- Nil

ITEM 2 - MINUTES OF THE PREVIOUS MEETING

The Minutes of the Traffic Authority Local Committee Meeting held on 6 December, 2007, were read and confirmed.

The Committee recommends that the Minutes be taken as read and confirmed

VOTE: Unanimous

ITEM 3 - BUSINESS ARISING FROM THE MINUTES

- 40kmh Precinct process continuing
- Lights on in Daytime program process continuing
- Plans for the load limit zone continuing
- Westfund- application for Handicap Zone, they have a staff member requiring the spot.

TALC feels that as the area around the Westfund building has more than sufficient parking for the demand and if the time limits were removed from the 2 bays of parking opposite and in front of the Westfund building there would be enough space for the disabled employee to park. TALC recommends that the parking in the two bays opposite and the area in front of the Westfund building have the time limit removed.

- 80kmh speed limit on the Castlereagh Highway – response from the RTA, traffic counters are currently in operation in the area and the assessment is under way.
- A proposal for loading zones within the Lithgow CBD will be tabled at the next meeting.

The Committee recommends the above items be tabled and the Westfund item be adopted.

VOTE: Unanimous

ITEM 4 – A request for the closure of Hassans Walls Road from 10.30am to 1.00pm on Friday the 2 May, 2008 for the purposes of publicity for the Rally of Lithgow the following day.

The Committee recommends that approval be granted for the closure of 500metres at either end of the dirt section of Hassans Walls Road. For the section of road being used for the promotion of the Rally of Lithgow, all vehicles shall adhere to Section 40 of the Road Transport (Safety and Traffic Management Act, 1999).

VOTE: Unanimous

ITEM 5 – A letter noting the parking issues at Lithgow Hospital. TALC to note

The Committee recommends that the concerns be noted and No Stopping signs be installed as per Traffic Regulations.

VOTE: Unanimous

ITEM 6 – A request that TALC and Council have no objections to a Rally, the 1st Round of the Aussieduct Southern Cross Rally Series, in the Hampton and Jenolan State Forest on Saturday the 26 April, 2008.

The Committee recommends that Council have no objections to event

VOTE: Unanimous

ITEM 7 – A request that TALC and Council have no objections to a Rally, the 2008 Hampton Rally Sprint, being held in the Hampton State Forest on Sunday the 6 of April, 2008

The Committee recommends that Council has no objections to the event

VOTE Unanimous:

ITEM 8 – A request for bus zone to be put in Col Drewe Drive outside the Australia Post Depot. A bus shelter has already been installed and the kerb indented.

The committee recommends that a Bus Zone be installed aligned to the new bus shelter

VOTE:

ITEM 9- The intersection of Portland Road and Dulhunty Road has no signage and requires the through road to be distinguished.

The committee recommends that a plan of the options available for this intersection be tabled at the next TALC meeting.

VOTE: Unanimous

ITEM 10 – GENERAL BUSINESS

- A request has been made to the General Manager from the Lithgow Business Association to further look at have marked parking spaces in Main Street Lithgow. It is the committee's opinion that due to previous testing and experience that marked parking spaces in Lithgow Main Street would have no benefit unless Main Street was redesigned.
- It has been brought to the committee's attention that the line marking and general traffic facilities within the Lithgow Valley Shopping Centre fall short of Australian Standards. It is recommended that Council writes to Centre management requesting an upgrading of their traffic facilities to at least Australian Standards.

The Committee recommends that appropriate actions be undertaken.

VOTE: Unanimous

The next meeting will be on **Thursday 3 April, 2008, at 2.00pm** in the Committee Room, Administration Building, 180 Mort Street, Lithgow.

The meeting closed at 3.15pm.

RECOMMENDATION

THAT the minutes of the Traffic Authority Local Committee be adopted.