



LITHGOW CITY COUNCIL

AGENDA

ORDINARY MEETING OF COUNCIL

TO BE HELD AT

THE ADMINISTRATION CENTRE, LITHGOW

ON

20 NOVEMBER 2006

AT 7.00pm

AGENDA

PRESENT

QUESTIONS FROM THE PUBLIC GALLERY

PRESENTATIONS - GEOLYSE

**CONFIRMATION OF THE MINUTES OF THE ORDINARY MEETING OF
COUNCIL HELD ON 16 OCTOBER 2006**

DECLARATION OF INTEREST - NIL

MAYORAL MINUTES - NIL

NOTICES OF MOTION - NIL

NOTICE OF RESCISSION - NIL

CORRESPONDENCE AND REPORTS

General Manager Reports
Regional Services Reports
Community and Corporate Services Reports

REPORTS FROM DELEGATES - NIL

COMMITTEE MEETINGS - NIL

QUESTIONS WITHOUT NOTICE

TABLE OF CONTENTS

<u>ITEM</u>	<u>TITLE</u>	<u>PAGE</u>
	<u>GENERAL MANAGER REPORTS</u>	<u>3</u>
<u>ITEM:1</u>	<u>GM - 06/11/06 - 2006 LOCAL GOVERNMENT CONFERENCE EXECUTIVES</u>	<u>3</u>
<u>ITEM:2</u>	<u>GM - 20/11/06 - CERTIFICATE OF OUTSTANDING SERVICE - COUNCILLOR BRIAN MORRISSEY</u>	<u>4</u>
<u>ITEM:3</u>	<u>GM - 20/11/06 - LGA CONFERENCE - RECORD OF DECISIONS</u>	<u>5</u>
	<u>REGIONAL SERVICES REPORTS</u>	<u>6</u>
<u>ITEM:4</u>	<u>REG - 20/11/06 - DA 388/05 WASTE MANAGEMENT FACILITY, BLACKMANS FLAT</u>	<u>6</u>
<u>ITEM:5</u>	<u>REG - 20/11/06 - QUESTION WITHOUT NOTICE - COUNCILLOR M J WILSON - HERITAGE ADVISOR</u>	<u>16</u>
<u>ITEM:6</u>	<u>REG - 20/11/06 - LITHGOW SEWER FLOW GAUGING ASSESSMENT OF TENDERS</u>	<u>17</u>
<u>ITEM:7</u>	<u>REG - 20/11/06 - DEDICATION OF A SMALL STRIP OF LAND - HASSAN STREET - SOUTH BOWENFELS</u>	<u>21</u>
	<u>COMMUNITY AND CORPORATE SERVICES REPORTS</u>	<u>22</u>
<u>ITEM:8</u>	<u>COMM - 20/11/06 - DRAFT SOCIAL PLAN 2006 - 2011</u>	<u>22</u>
<u>ITEM:9</u>	<u>COMM - 20/11/06 - LEASE OF 29 ESKBANK STREET LITHGOW TO DIGITAL WISDOM PTY LTD</u>	<u>24</u>
<u>ITEM:10</u>	<u>COMM - 20/11/06 - LEASE OF SUITE 1, BLAXLAND SHIRE BUILDING MAIN STREET WALLERAWANG</u>	<u>25</u>
	<u>COMMITTEE MEETINGS</u>	<u>27</u>

GENERAL MANAGER REPORTS

ITEM:1 GM - 06/11/06 - 2006 LOCAL GOVERNMENT CONFERENCE EXECUTIVES

REFERENCE

NIL

SUMMARY

This report outlines the new members of the LGA Executive.

COMMENTARY

At the 2006 Local Government Association Annual Conference in Leura recently, the members of the LGA Executive were announced. They are as follows:

President:	Cr Genia McCaffery (North Sydney)
Past President:	Cr Dr Sara Murray (Wingecarribee)
Metropolitan Vice President:	Cr Leo Kelly OAM (Blacktown)
Country Vice President:	Cr Robert Bell (Gosford)
Treasurer:	Cr Beverly Giegeri (Hurstville)

Metropolitan Executive

Cr Fran Tierney (Lane Cove)
Cr Kevin Schreiber (Sutherland)
Cr Nicholas Ritten (North Sydney)
Cr Sam Byrne (Marrickville)
Cr Ken McDonell (Sutherland)
Cr Julie Hegarty (Pittwater)
Cr Vince Badalati (Hurstville)
Cr Allan Ezzy (Holroyd)
Cr Robert Webb (Leichhardt)
Cr Paul Hawker (Campbelltown)

Country Executive

Cr Joyce Wheatley (Kiama)
Cr Daniel Myles (Blue Mountains)
Cr Brian Chetwynd (Armidale Dunmaresq)
Cr Pippa McInnes (Blue Moutnains)
Cr Janice Kershaw (Wollongong)
Cr Ben Shields (Dubbo)
Cr Allan Smith (Dubbo)
Cr Marilyn Eade (Newcastle)
Cr Alice Glachan (Albury)
Cr Rod Towney (Dubbo)

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

RECOMMENDATION

THAT the information be noted.

**ITEM:2 GM - 20/11/06 - CERTIFICATE OF OUTSTANDING SERVICE -
 COUNCILLOR BRIAN MORRISSEY**

REFERENCE

NIL

SUMMARY

This report outlines an award received by Councillor Brian Morrissey for his outstanding service to Lithgow City Council.

COMMENTARY

At the Local Government Associations Annual Conference 2006 held in Leura recently, Lithgow City Council nominated Councillor Brian Morrissey for an Outstanding Service Award.

The award was to be presented at the Opening Ceremony held on Sunday 29th October 2006 by Her Excellency, the Governor of NSW, Professor Marie Bashir AC CVO and the Minister for Local Government, the Hon. Kerry Hickey MP.

Due to work commitments, Councillor Brian Morrissey was unable to attend the ceremony.

Councillor Brian Morrissey was first elected to the Greater of Lithgow Council in 1976 and was elected Deputy Mayor in 1999. He has been on many committees through out this time and was elected to the Upper Macquarie County Council in 2002.

Councillor Morrissey has been an essential part of Lithgow City Council and has dealt with local government issues with a professional manner for 25 years.

On behalf of Lithgow City Council, we congratulate Councillor Brian Morrissey on receiving this prestigious award.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

NIL

RECOMMENDATION

THAT:

1. Council note the Long Service Award to Councillor Brian Morrissey.
2. Council formally congratulate Councillor Brian Morrissey on the Long Service Award and present the Certificate and Medal to Councillor Morrissey.

ITEM:3 GM - 20/11/06 - LGA CONFERENCE - RECORD OF DECISIONS

REFERENCE

NIL

SUMMARY

This report provides Council with a copy of the resolutions made at the recent LGA Conference held in Leura.

COMMENTARY

As council would be aware the recent Annual LGA Conference was held on Leura from 27 October 2006 to 1 November 2006.

During this conference Lithgow City Council had a number of motions before the Conference for deliberation and Consideration.

A complete set of the "record of decisions" was provided to Councillors for information. Additional copies are available at the Association website www.lgsa.org.au

POLICY IMPLICATIONS

The resolutions provided at the Conference are inline with current Association policy, however, may require Councils consideration of further polices.

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

Nil

CONCLUSION

This report provides Council with a complete list of resolutions from the LGA 2006 Conference for information.

ATTACHMENTS

NIL

RECOMMENDATION

THAT Council note the resolution of the 2006 LGA Conference.

REGIONAL SERVICES REPORTS

ITEM:4 **REG - 20/11/06 - DA 388/05 WASTE MANAGEMENT FACILITY, BLACKMANS FLAT**

REPORT BY: GROUP MANAGER REGIONAL SERVICES - ANDREW MUIR

SUMMARY

Lithgow City Council commissioned Geolyse Pty Ltd to undertake an assessment of the Development Application (DA) for the Blackman's Flat Waste Management Facility, known as DA 388-05. As Council is both the applicant and the consent authority for the DA it was considered that through transparency the assessment of the application should be undertaken by an independent person.

Council is now in receipt of the assessment and this report seeks Council's determination of the application independently assessed by Geolyse Pty Ltd for the establishment of a Waste Management Facility at Blackman's Flat.

COMMENTARY

Lithgow City Council currently operates seven landfills and three transfer stations within the Lithgow Local Government Area (LGA). Most of the landfills are nearing the end of their operational life and as a consequence, Council has identified there is a significant need for a modern, centrally located Waste Management Facility (WMF) for the future needs of waste disposal in the LGA.

The proposed location for the WMF is the old Western Main Colliery site, situated on the western side of the Castlereagh Highway approximately 16km from Lithgow at Blackman's Flat. The site occupies an area of approximately 46 hectares.

Council proposes to develop the WMF at the Blackman's Flat site utilising the present mine void of some 720,000m³ located on the site. The proposed development would include:

- Establishment of the WMF including preparation of the mine void for land filling, and construction of a waste transfer and recycling facility, weighbridge, road access and associated developments.
- Land filling of solid and inert waste within a 'dry tomb' in order of 35,000 to 40,000 tonnes per annum for a period of approximately 15 years.
- Storage and transfer of recyclable waste including scrap metal, glass and plastic, paper and cardboard, green waste and other recoverable materials,

The existing landfills in the Lithgow LGA are coming to an end of their operational life, particularly the main landfill site located in Geordie Street, Lithgow. The proposal will provide the LGA with a well managed WMF which provides for the disposal and management of waste managed in the LGA into the future. Council is seeking to reduce waste generated within the LGA, however, a modern land filling site is still required to manage waste that cannot be recovered or recycled. The proposal would also enable the existing open cut void and surrounding disturbed landscape to be rehabilitated and returned to a landform conducive with the surrounding rural landscape.

The independent assessment undertaken by Geolyse considered that the application should be approved subject to conditions outlined in their report.

POLICY IMPLICATIONS

Waste management and planning in Lithgow is guided by Council's Solid Waste Management Strategy, 2001. The aims of the Strategy are to review the current solid waste management practices within the Lithgow LGA and explore the possibilities in technology associated with waste management that may be adaptable to the current and future waste management strategy. The development application has adapted these principles as part of the application.

FINANCIAL IMPLICATIONS

The direct financial implications of the proposal arise should the application be recommended for refusal. Should the development not proceed, regardless of location, the economic cost to dispose of waste over long distances would incur significant costs to Council and the local and wider community. This could potentially lead to higher costs to dispose of waste should Council pursue options outside the area or may lead to an increase in illegal dumping with ensuing environmental consequences.

Financial '*spin offs*' arise, should the application be approved, by providing a waste transfer program whereby 'perceived wastes' can be transferred and sold. A simple example of this is by transferring green waste into mulching product which can be on-sold to the general public or otherwise used by Council, thus providing a financial benefit to Council and minimising the amount of waste being sent to the landfill.

LEGAL IMPLICATIONS

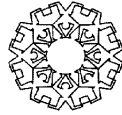
Should the application be approved all other landfills in the LGA would eventually be closed upon completion and operation of this facility. This has significant legal implications by reducing the liability on the existing seven landfills to only one.

ATTACHMENTS

1. Development Assessment Report for the Blackman's Flat Waste Management Facility and recommendations.

RECOMMENDATION

THAT Council approve Development Application 388-05 for the establishment of a Waste Management Facility at Lots 42 and Part Lot 67, DP 751636, Lot 1 DP 1049889, Part Lot 15, DP 804929, Part Lot 37, DP 827626 and Part Lot 1, DP 88503 and Crown Roads between Part Lots 67 and 37, subject to the recommendations outlined in the Development Assessment Report for the Blackman's Flat Waste Management Facility produced by Council's independent Planning Consultant and the below conditions.



GEOLYSE

DEVELOPMENT ASSESSMENT REPORT
BLACKMANS FLAT WASTE FACILITY

7.3 CONDITIONS OF CONSENT

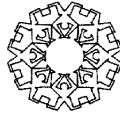
7.3.1 Preliminary

General

1. Development shall take place in accordance with:
 - *Blackmans Flat Waste Management Facility Environmental Impact Statement*, Volumes 1 - 3 (inclusive) prepared by HLA-Envirosciences Pty Limited, dated September 2005;
 - Letters from HLA-Envirosciences Pty Limited to the Department of Environment and Conservation, dated 21 October 2005 and 30 November 2005;
 - *Environmental Guidelines: Solid Waste Landfills*, prepared by the Environment Protection Authority, dated 1996;DEC/SCA
2. The applicant shall consult with, as required:
 - Integral Energy
 - A local telecommunications carrierregarding their requirements for the provision of services to the development and location of existing services that may be affected by proposed works, either on site or on the adjacent public road/s. Geolyse
3. Compliance with the Department of Environment and Conservation's General Terms of Approval for issue of a Environmental Protection Licence under the Protection of the Environment Operations Act 1997 (Notice No. 1054013). DEC
4. Compliance with the Sydney Catchment Authority's conditions of concurrence outlined in its letter dated 19 June 2006. SCA
5. All building work shall be carried out in accordance with the requirements of the Building Code of Australia. Prescribed condition

Existing Landfill Operations

6. All existing landfills within the Sydney Catchment Authority area of operations are to be closed within 6 months after the commencement of operations of the Blackmans Flat Waste Disposal Facility. The closure plans for these existing landfills are to be developed in consultation with the Sydney Catchment Authority. SCA



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DEVELOPMENT ASSESSMENT REPORT
BLACKMANS FLAT WASTE FACILITY

7.3.2 Prior to Issue of Construction Certificate

Approvals from other Authorities

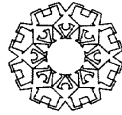
7. The proponent is to satisfy Council or the Principal Certifying Authority that all necessary permits and consents from the relevant approval bodies have been obtained before the issue of any Construction Certificate. Geolyse

Consistency with Development Consent Plans

8. The Certifying Authority must ensure that any certified plans forming part of the Construction Certificate, are in accordance with the Development Consent plans as amended by conditions of this consent. Geolyse

Required Submissions to Certifying Authority

9. A detailed Soil and Water Management Plan (SWMP) shall be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate. The plan is to be prepared consistent with Landcom's *Soils and Construction: Managing Urban Storm Water* (2004) manual - the "Blue Book", except that all sediment dams are to be sized to contain all runoff from the 90th percentile 5-day rainfall event. The SWMP is to be developed in consultation with the Sydney Catchment Authority and Department of Environment and Conservation and incorporated in the LEMP. The plan shall also address both long and short term management of all disturbed areas, and to specify methods and structures to be employed to minimise any impact. DEC/SCA/
Council
10. The Landfill Environmental Management Plan (LEMP), being Appendix D of the EIS is to be amended to include the changes to operation of the landfill set out in the SCA's concurrence conditions and the Department of Environment and Conservation's General Terms of Approval and POEO licence. A copy of the amended LEMP, as approved by the DEC and SCA, is to be forwarded to the Principal Certifying Authority prior to issue of the Construction Certificate. Geolyse
11. Details of the essential fire or other safety measures shall be submitted with the Construction Certificate Application. Council
12. All Development shall be designed and constructed in accordance with Lithgow City Councils "Subdivision and Development Code" adopted by Council on the 28 of September, 1992, Minute no.1439. In the event of a conflict with requirements of the DEC or SCA, the latter two's requirements shall take precedence. Council
13. That the external cladding and roofing of the structure are of a natural tone, non- reflective finish. Council



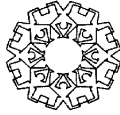
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DEVELOPMENT ASSESSMENT REPORT
BLACKMANS FLAT WASTE FACILITY

14. Disabled persons access, carparking and a WC shall be in accordance with the Building Code of Australia, with details indicating compliance shown on the Construction Certificate plans. Council

Road Works

15. All works as listed below shall be shown on the submitted drawings prior to the issue of the Construction Certificate.
16. The developer is to submit engineering construction plans as well as a pavement design for associated works. RTA
17. A formal agreement in the form of a Works Authorisation Deed (WAD) will be required between the developer and the RTA should the developer wish to undertake "private financing and construction" of the access with the Mid Western Highway. This agreement is necessary on works in which the RTA has a statutory interest. RTA
18. A Road Occupation Licence is required from the RTA. A Traffic Management Plan is to be submitted as part of this application. RTA
19. The design and construction by the developer, at its own expense and to the satisfaction of the NSW Roads and Traffic Authority and Council, the intersection of the access road and the Castlereagh Highway. Detailed construction plans of the proposed intersection shall be prepared and submitted to the NSW Roads and Traffic Authority for approval prior to the issue of the Construction Certificate. WRDC, RTA & Geolyse
- The minimum acceptable design standard for the intersection shall provide protected turns from the highway (Right turn Type CHR and Left turn Type AUL in accordance with the RTA's Road Design Guide) and treatments catering for the deceleration and storage of vehicle types and numbers accessing the site. The design of the intersection shall also give adequate consideration to the adjacent access road to the Pine Dale Coal Mine.
20. Warning signage including symbolic 'Side Road' series W2-4 and 'Truck' series W5-22 warning signs of minimum size 'B', installed approximately 200m in advance of the intersection facing approaching highway traffic; WRDC
21. Any new pavement forming part of or joining the highway to be in accordance with current RTA specifications for road pavements and to suit existing pavement and levels; WRDC



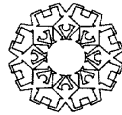
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DEVELOPMENT ASSESSMENT REPORT
BLACKMANS FLAT WASTE FACILITY

22. Accesses that intersect bitumen roads shall have a minimum 150mm compacted roadbase (DGB 20) or equivalent material, and a minimum 2 coat bitumen seal finish in accordance with Lithgow City Councils "Subdivision and Development Code". Council
23. A plan of the access from the Castlereagh Highway to the site entry (the main gate) shall be submitted to the Manager of Engineering Services and be approved prior to operation. The access shall be line marked to show turn lanes, slip lanes and holding points. Council
24. Roads within the Facility shall be a minimum of 8 metres in width (4 metres per lane) and appropriate signage shall be installed to direct users of the facility as to the safe speeds allowed on site and the route to be taken. Council

7.3.3 PRIOR TO WORKS COMMENCING

25. Prior to commencing any construction works, the following provisions of the Environmental Planning and Assessment Act 1979 are to be complied with: Council
 - (a) a Construction Certificate is to be obtained in accordance with Section 81 A(2)(a) of the Act, and
 - (b) Council is to be notified at least two days prior of the intention to commence building works, in accordance with Section 81A(2)(c) of the Act in Form 7 of Schedule 1 of the Regulations.
26. Installation of all equipment to monitor noise, air and water quality as per the Department of Environment and Conservation and Sydney Catchment Authority's requirements, prior to any works commencing on site. Geolyse
27. That documentary evidence of structural adequacy prepared by an approved practising Structural Engineer are submitted to and approved by Council prior to the commencement of the following work. (Note: any such Certificate is to set forth the extent to which the Engineer has relied on relevant specifications, rules, codes of practice or publications in respect of the construction): Council
 - (a) Sediment control measures;
 - (b) Floor;
 - (c) Fire rated ceiling construction.



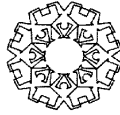
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DEVELOPMENT ASSESSMENT REPORT
BLACKMANS FLAT WASTE FACILITY

28. If an earth mound is to mitigate noise impacts emanating from operation of the development above the 925m contour, fully detailed plans shall be provided to and approved by Council for any required earth mounds. These plans shall include landscape plans demonstrating appropriate treatment of the mound to ameliorate any adverse visual impacts. The final landscaping treatment of this area shall be consistent with any rehabilitation plans associated with provision of compensatory habitat on site. Geolyse

7.3.4 DURING WORKS

29. All works to be carried out in accordance with relevant Government Acts and Regulations. WRDC
30. All works must be undertaken in accordance with the LEMP submitted with the Construction Certificate as approved by the DEC and SCA. Geolyse
31. All excavations associated with erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property. Council
32. A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out: Council
- (a) stating that unauthorised entry to the work site is prohibited, and
 - (b) showing the name of person in charge of the work site and telephone number of which that person may be contacted outside working hours.
 - (c) stating name and contact details of the Principal Certifying Authority (PCA) being, Lithgow City Council.
 - (d) stating DA 3 88/05.
33. Installation and maintenance of all required erosion and sediment control measures, pursuant to the approved Soil and Water Management Plan, for the entire construction period and until such a time as the disturbed areas are restored by turfing, paving or revegetation. Geolyse
34. For the purpose of preserving the amenity of neighbouring occupations, building work including the delivery of materials to and from the site is to be restricted to the hours of: DEC
- 7.00am to 6.00pm Mondays to Fridays;
 - 8.00am to 1.00pm Saturdays; and
 - At no time on Sundays and/or Public Holidays.



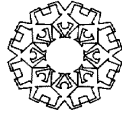
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DEVELOPMENT ASSESSMENT REPORT
BLACKMANS FLAT WASTE FACILITY

35. The building works are to be inspected during construction, by the Council and documentary evidence of compliance with the relevant terms of the approval/standards of construction detailed in the Building Code of Australia, is to be obtained prior to proceeding to the subsequent stages of construction, encompassing not less than the following key stages: (Note: copies of the stated documentary evidence are to be submitted to the Council upon completion of each specified stage of construction and prior to occupation of the building.):
- (a) Footings;
 - (b) Wall and roof frame;
 - (c) Wet area flashing;
 - (d) Stormwater drainage prior to covering connections;
 - (e) Final.
36. That all "wet area" floors, including concrete, shall be flashed to walls with approved material so as to effectively prevent moisture entering the structure. Particular attention is to be paid to the flashing of the shower recess. Any wet area flashing shall comply with AS 3740-1994 "Waterproofing of Wet Areas within Residential Buildings". Any alternative method must be approved by Council prior to installation.
37. That all plumbing and drainage work be carried out by a licensed plumber and drainer and inspected by Council officers.

7.3.5 PRIOR TO ISSUE OF OCCUPATION CERTIFICATE/USE

38. A Compliance Certificate or similar documentary evidence is to be issued by the Certifying Authority stating that all building and site works have been carried out in accordance with the Development Consent and Construction Certificate.
39. A road safety audit be conducted of the highway intersection and public access to the site before opening and any remedial works completed before opening.
40. Dedication of all required roads to Council prior to issue of occupation certificate or use of the site, whichever occurs first.
41. That upon completion and prior to occupation of the building, a Certificate from an approved practising Structural Engineer shall be submitted to Council certifying that the building has been erected in accordance with the approved structural details and is structurally adequate for the imposed loads.



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DEVELOPMENT ASSESSMENT REPORT
BLACKMANS FLAT WASTE FACILITY

7.3.6 Conditions Relating to Use

General

42. All works must be undertaken in accordance with the LEMP submitted with the Construction Certificate as approved by the DEC and SCA. Geolyse

Hours of Operation

43. For the purposes of preserving the amenity of neighbouring occupations and residents, hours of operation are to be restricted to between 8.00am to 6.00pm seven days a week. DEC

Lighting

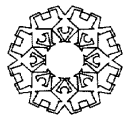
44. Any lighting on site shall be designed so as not to cause nuisance to residences in the area or to motorists on nearby roads and to ensure no adverse impact on the amenity of the surrounding area by light overspill. All lighting shall comply with the Australian Standard 4282-1997 Control of Obtrusive Effects of Outdoor Lighting. Geolyse

Landfill Closure Plan

45. When a landfill closure plan for the Blackmans Flat Waste Disposal Facility is proposed, it is to be prepared in consultation with the Sydney Catchment Authority. SCA

7.3.7 Advisory Notes

- A Section 97 of the Act provides that an applicant who is dissatisfied with the Council's determination of the Development Application may appeal to the Land and Environment Court within twelve (12) months of the date of determination, or as otherwise prescribed. Geolyse
- B Section 82A of the Act provides that an applicant may request, within twelve (12) months of the date of determination of the Development Application, that the Council review its determination (this does not apply to integrated or designated development). A fee is required for this review. Geolyse



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DEVELOPMENT ASSESSMENT REPORT
BLACKMANS FLAT WASTE FACILITY

- C The applicant and Owner are advised that the Commonwealth Disability Discrimination Act 1992 may apply to this particular proposal. Approval of this application does not imply or confer compliance with this Act. Applicants and owners should satisfy themselves as to compliance and make their own enquiries to the Human Rights and Equal Opportunity Commission. Attention is also drawn to the provisions of Parts 2, 3 and 4 of Australian Standard 1428 - Design for Access and Mobility. Council

ITEM:5 REG - 20/11/06 - QUESTION WITHOUT NOTICE - COUNCILLOR M J WILSON - HERITAGE ADVISOR

REPORT FROM: GROUP MANAGER REGIONAL SERVICES - ANDREW MUIR

SUMMARY

Report provided in response to a question without notice from Councillor MJ Wilson to advise Council's actions concerning the Heritage Advisor position. Consideration is being given to integrating the position into the structure within the Development Division of Regional Services

COMMENTARY

Council would be aware that its nominated Heritage Advisor, Barbara Hickson resigned recently. Since her resignation all heritage issues have been allocated to existing qualified staff.

It is not intended to appoint another Heritage Advisor at this stage as Council has existing staff who have the appropriate level of expertise and qualifications to undertake this role. It is the intention through reform of the structure within the Development Division to include the heritage role within existing staffing levels. This matter will also be considered as a joint initiative with the recently formed Central Tablelands Alliance.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Funded through existing budget allocations. Funding will also be pursued through the Heritage Office.

LEGAL IMPLICATIONS

Nil subjects to Council staff being qualified to perform the function.

RECOMMENDATION

THAT the information be noted.

**ITEM:6 REG - 20/11/06 - LITHGOW SEWER FLOW GAUGING ASSESSMENT
 OF TENDERS**

REPORT BY: STRATEGIC ENGINEER - LEANNE KEARNEY

REFERENCE

Nil

SUMMARY

In June 2003, the New South Wales Environment Protection Authority published its "Licensing Guidelines for Sewage Treatment Systems", which require sewerage system operating authorities to negotiate new operating licenses for their sewerage systems on a total system basis, incorporating both the collection and transport components and treatment components as a whole.

These proposed licenses now focus on the unregulated discharge of sewage from the collection and transport system in addition to controlled discharges of treated effluent, and require that the possibility of uncontrolled discharges be identified, the risks to the environment assessed and strategies prepared to manage these risks. The Environment Protection Authority guidelines call for an investigation of a sewerage system to determine its performance characteristics under current and future flow and demand conditions, identify the location and risk of any overflow points, assess options to manage these risks, and produce a strategy to implement an option agreed with the Environment Protection Authority.

Under Pollution Reduction Programmes of Council's Environmental Protection Authority Licence for the Lithgow and Wallerawang Sewerage Treatment Plants (Licence Numbers 236 and 598), Council has until 30 June 2007 to conduct an investigation into the operation of its sewerage system and develop a strategy to meet the Pollution Reduction Programme.

COMMENTARY

To undertake this investigation, Council has elected to adopt a process known as the "Rational Approach" to plan and negotiate operating licenses for its own sewerage systems. This method is currently being used throughout Australia and New Zealand to undertake studies of this nature, for both very large and very small sewerage system operating authorities with outstanding success.

The process involves two (2) separate components, the first is to measure sewer flows at a number selected sites within the collection and transport system under both dry and wet weather conditions for a continuous nominal period of thirteen (13) weeks during a period of expected rainfall events, whilst secondly, a number of continuously recording rainfall gauges are also deployed to establish relationships between rainfall and sewer flow for use in the modelling component of the process.

Historical records have shown that the best period for flow gauging has been assessed as being between December and February for the Lithgow region.

The initial stage of this process involved an overview Lithgow and Wallerawang sewerage systems to establish the most appropriate way to undertake the work required, and to locate flow gauge sites that would allow the required models of the system to be constructed and calibrated.

This overview identified locations for seventeen (17) sewer flow gauges and four (4) continuously recorded rainfall gauges to be installed to collect data on sewer system operation and the reaction of the system to a range of actual flow conditions over a period of thirteen (13) weeks. These flow gauge locations were selected to provide data required to calibrate the hydraulic and hydrologic models that would be required to simulate existing and future sewer flow conditions that that can be reasonably expected in the Lithgow and Wallerawang sewerage system catchments.

These temporary gauges are to be supplemented by the two (2) inlet works flow gauges and rainfall gauge located at both treatment plant sites (Lithgow and Wallerawang). Arrangements will be made to connect these three (3) instruments to the Councils monitoring system to collect continuous data, and to allow them to be used to monitor the system after any remedial works required were completed.

Tenders were advertised in Local Government Tender Section of the Tuesday Sydney Morning Herald on 17 and 24 October 2006, and the Lithgow Mercury on 24, 26, 28, 31 October and 2 November 2006.

Three (3) expressions of interest were received from the following:

ADS Environmental Services
AWT Australia Pty Ltd
Manly Hydraulics Laboratory

Tenders closed on 3 November 2006, and complying tenders were received from ADS Environmental Services and AWT Australia Pty Ltd.

TENDER ASSESSMENT PROCESS

Assessment of the two (2) tenders has been undertaken by Council's Strategic Engineer, Miss Leanne Kearney and Mr Robert Cadden of Cadden & Associates Pty Ltd (Project Manager).

Each tender has been reviewed independently by each member of the panel without discussion and marked on a spreadsheet that reflected the assessment criteria as contained in the contract documents. The tenders were first checked for compliance with the mandatory criteria, and then the tendered price was noted to allow culling of any tender where the price was outside a reasonable range that could allow it to be competitive on technical merit. The tenders were then assessed for technical merit and value for money, consistent with the price tendered.

Only conforming tenders were considered to ensure that all were assessed equally on their merits. Any non conforming alternatives were considered later as possible value added proposals.

Mandatory Criteria

The purpose of the mandatory criteria is to ensure that all tenders conform and are acceptable for further evaluation and to ensure that they contain the required material to allow objective assessments to be undertaken.

ADS – Met all criteria completely and was accepted

AWT - Met all criteria except provision of examples and data on equipment. It was accepted with reservations due to only two (2) tenders being received.

Tendered Price

Both tenders were within 5% of each other and it was accepted that both reflect the true market price for the work to be undertaken by this Contract.

Technical Merit

Each tender was assessed individually and marked on each of the criteria based on the individual assessment of how the tender met the requirements as expected by each individual member of the panel. Tendered price was not a consideration.

Relevant Experience

Both tenders rated extremely high in this area, as both are long established experts in this field, and can be regarded as equal in experience.

Technical Skills

Both tenders indicated that each contractor has a very broad depth of experience and technical expertise, and can be regarded as equal in the skills available to undertake the work to the required quality standard

Methodology

The methodology proposed in both tenders was similar and adequate to undertake the work to the standard required. The AWT methodology was assessed as being marginally superior as it included review of data by one (1) of its modelers as well as the conduct of draw down tests on pump stations where pump monitors are to be fitted to ensure accuracy.

It is recommended that the conforming tender received from ADS Environmental Services for Contract No WW/001/06 – Sewer Flow Gauging for \$104,115.00 (including GST) be accepted and a contract to undertake the work be offered to ADS Environmental Services.

It is also recommended that a contingency sum of \$10,000.00 (representing possible variations as noted) and no less than four (4) week extension of the contract due to lack of suitable rainfall events occurring during the thirteen (13) gauging period included in the contract.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil, as Council has received a grant of \$107,500.00 from the Sydney Catchment Authority, which represents a 50% contribution toward the flow gauging and modelling project, and Council has an allocation of \$107,500.00 in the 2006/2007 Annual Management Plan for this project.

LEGAL IMPLICATIONS

Nil

ATTACHMENTS

1. Confidential attachment detailing tenders submitted by ADS Environmental Pty Ltd and AWT Australia Pty Ltd is for Councillors information only.

RECOMMENDATION

THAT:

1. The conforming tender received from ADS Environmental Services for Contract No WW/001/06 – Sewer Flow Gauging for \$104,115.00 (including GST) be accepted and a contract to undertake the work be offered to ADS Environmental Services;
2. A contingency sum of \$10,000.00 (representing possible variations as noted) and no less than four (4) week extension of the contract due to lack of suitable rainfall events occurring during the thirteen (13) gauging period included in the contract; and
3. Council resolves to affix the common seal to Contract WW/001/06 – Sewer Flow Gauging.

**ITEM:7 REG - 20/11/06 - DEDICATION OF A SMALL STRIP OF LAND -
 HASSAN STREET - SOUTH BOWENFELS**

REPORT FROM: REGIONAL SERVICES MANAGER - ANDREW MUIR

REFERENCE

Min 06-375 Finance and Services Committee - 6 November 2006.

SUMMARY

This report seeks Council's formal resolution to apply the seal to the transfer documents for dedication to Council of an unformed street at South Bowenfels.

COMMENTARY

Council resolved to accept dedication of an extension of Hassan Street, South Bowenfels. A nominal cost of \$1.00 has been negotiated with all other costs to be met by the proponent of the Tree View Retirement Village.

The Finance and Services Committee of 6/11/06 resolved:

That Council indicate that it is willing to accept dedication of the extension strip from Hassan Street subject to:

1. All costs are borne by the proponents offering the extension of Hassan Street.
2. The Common Seal be affixed to all transfer documents.

This report now seeks Council's consent to the affixing of the common seal to the transfer documents.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

ATTACHMENTS

Nil

RECOMMENDATION

THAT Council affix the Common Seal to transfer documents for dedication to Council of an extension to Hassan Street, South Bowenfels.

COMMUNITY AND CORPORATE SERVICES REPORTS

ITEM:8 COMM - 20/11/06 - DRAFT SOCIAL PLAN 2006 - 2011

REPORT FROM: COMMUNITY DEVELOPMENT OFFICER – E WANT

REFERENCE

Min 06-347: Council Meeting 16 October 2006

SUMMARY

This report is presented to Council as the exhibition period for the draft Social Plan has now concluded and the finalised Social Plan is presented to Council for adoption.

COMMENTARY

Council resolved on 16 October 2006 to place the draft Social Plan on exhibition for 14 days. The exhibition period concluded on 2 November 2006, with no submissions being received.

During the exhibition period a review of the draft Social Plan was undertaken with the following suggested amendments being identified by:

- The Community Action Plan has been amended to include ongoing participation in the Lithgow Community Services Interagency subject to the outcome of a review of Council's participation in community forums and activities in the draft Social Plan.
- The Action Plan for Young People has been amended to include Youth Week Activities, i.e. applying for and administering annual funding of activities.
- The costing for the development of a Disability Access Plan has been revised to \$20,000.
- The Action Plan for People from culturally and linguistically diverse backgrounds has been amended to include ongoing participation in the Lithgow Multicultural Interagency subject to the recommended review of Council's involvement in community forums and activities. A further round Cultural Awareness Training has been suggested for June 2008.
- The Action Plan for Department of Housing Residents has been amended to include involvement by Council in the Lithgow Community Action Partnership Group.

POLICY IMPLICATIONS

The draft Social Plan provides recommended actions for the development of policies, standard work procedures and consideration of issues in plans such as the Strategic and Management Plans.

FINANCIAL IMPLICATIONS

The draft Social Plan contains estimated costs of each action listed. These actions are to be recalculated in each applicable management planning process for consideration by Council. Items will be considered by Council in the preparation of future Management Plans as programs reach their scheduled timetabling.

LEGAL IMPLICATIONS

The draft Social Plan complies with the requirements of the Local Government Act 1993 and Local Government Regulation 2005. It must be adopted and forwarded to the Department of Local Government by 30 November 2006.

ATTACHMENTS

1. Social Plan 2006- 2011

RECOMMENDATION

THAT the Social Plan 2006-2011 be adopted.

**ITEM:9 COMM - 20/11/06 - LEASE OF 29 ESKBANK STREET LITHGOW TO
DIGITAL WISDOM PTY LTD**

REPORT FROM: ACCOUNTING SUPPORT OFFICER – S. HALL

REFERENCE

Min 06-115 Council Meeting 18th April 2006

SUMMARY

This report seeks Council approval to attach the Common Seal to a lease with Digital Wisdom Pty Ltd for 29 Eskbank Street Lithgow from 8 September 2006 to 7 March 2007

COMMENTARY

Digital Wisdom Pty Ltd have occupied Council premises known as 29 Eskbank Street Lithgow, being a lock up shop, since 8 March 2006.

In April 2006 Council granted a lease to the occupant with the option to renew for 6 months.

This report seeks to exercise the option for renewal and to seek a further renewal option of 6 months.

PROPOSED DETAILS OF THE LEASE:

COMMENCING DATE	8 September 2006
TERMINATING DATE	7 March 2007
OPTION TO RENEW	6 Month Period – 6 September 2007
ANNUAL RENT	Annual - \$5,200.00 Exc GST (\$5,720.00 incl GST) Monthly - \$433.33 Exc GST per month (\$476.66 inc GST)
OPTION TO RENEW	N/A
PROPERTY MANAGER	LJ Hooker

POLICY IMPLICATIONS

There are no policy implications as a result of this report

FINANCIAL IMPLICATIONS

Rental income of \$5,720.00 (GST incl.) per annum.

LEGAL IMPLICATIONS

A Lease has been prepared under the Real Property Act 1900.

ATTACHMENTS

Nil

RECOMMENDATION

THAT Council affix the Common Seal to the lease with Digital Wisdom Pty Ltd for 29 Eskbank Street Lithgow covering a period from 8 September 2006 to 7 March 2007

**ITEM:10 COMM - 20/11/06 - LEASE OF SUITE 1, BLAXLAND SHIRE
BUILDING MAIN STREET WALLERAWANG**

REPORT FROM: ACCOUNTING SUPPORT OFFICER – S. HALL

REFERENCE

Nil

SUMMARY

This report is for the purpose of Council consideration in relation to a Lease of Suite 1 Blaxland Shire Building, Main Street Wallerawang between Council and Robyn Hughes for the use as a Doctor's surgery.

If approved by Council, the lease will have the Common Seal attached and be duly executed.

COMMENTARY

Previous lease of the above property was to Mr Noel Maybir for Robyn Hughes and the premises have been used as a Doctor's surgery from 23rd January 2006 to 22nd July 2006 with a six (6) month option.

Should Council approve the renewal of the lease, proposed details are as follows:

PROPOSED DETAILS OF THE LEASE:

COMMENCEMENT DATE	22nd August 2006
TERMINATION DATE	21st August 2007
OPTION TO RENEW	Twelve (12) months prior to termination
ANNUAL RENT	Annual - \$8,580.00 (GST Incl) Monthly - \$715.00 (GST Incl)
CPI INCREASE	21st August 2007
PROPERTY MANAGER	LJ Hooker

The rent quoted is market value as determined by Council's Property Manager, LJ Hooker.

POLICY IMPLICATIONS

There are no policy implications as a result of this report.

FINANCIAL IMPLICATIONS

Rent income of \$8,580.00 (GST Incl) per annum, \$715.00 (GST Incl) per month.

LEGAL IMPLICATIONS

A Lease has been prepared under the Real Property Act 1900.

ATTACHMENTS

Nil

RECOMMENDATION

THAT Council affix the Common Seal to the Lease with Dr Robyn Hughes for Suite 1, Blaxland Shire Building, Main Street Wallerawang, commencing 22nd August 2006, terminating 21st August 2007 with a twelve (12) month option

COMMITTEE MEETINGS

Nil.

QUESTIONS WITHOUT NOTICE

Nil.