



LITHGOW CITY COUNCIL

“A Centre of Regional Excellence”

AGENDA

ORDINARY MEETING OF COUNCIL

TO BE HELD AT

THE ADMINISTRATION CENTRE, LITHGOW

ON

22 JUNE 2009

AT 7.00pm

AGENDA

PRESENT / APOLOGIES

CONFIRMATION OF THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 1ST JUNE 2009

PUBLIC FORUM

DECLARATION OF INTEREST

MAYORAL MINUTES - NIL

NOTICES OF RESCISSIONS - NIL

NOTICES OF MOTION

Councillor M F Ticehurst -	Internal Audit - Question With Notice
Councillor M F Ticehurst -	Gas Works Site - Question With Notice
Councillor M F Ticehurst -	Fiscal Star Report - Question With Notice

REPORTS

General Manager Reports
Regional Services Reports
Operations Department Services Reports
Internal Services Reports
Community and Corporate Services Report

REPORTS FROM DELEGATES - NIL

COMMITTEE MEETINGS

Lithgow Indoor Aquatic Centre Committee
Sports Advisory Committee
Council Health Committee
Lithgow Youth Advisory Committee

BUSINESS OF GREAT URGENCY (as identified by Clause 241 of the Local Government (General) Regulations 2005)

CLOSED MEETING - Centroc Electricity Supply Tender

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NOTICES OF MOTION

ITEM:1 NOTICE OF MOTION - 22/06/09 - INTERNAL AUDIT - QUESTION WITH NOTICE SUBMITTED BY COUNCILLOR M F TICEHURST

NOTICE OF MOTION

MOTION TITLE/TOPIC:

Question with Notice submitted by Lithgow Councillor Martin Ticehurst.

Listed by: Councillor Martin Ticehurst

Date: 14 June 2009.

BACKGROUND

Could Council's General Manager provide a report to the Council, Councillors and ratepayers on Council Resolution P08-133 made at the Policy & Strategy Committee Meeting of Lithgow City Council on 4 November 2008 regarding the establishment of a Lithgow City Council Internal Audit and Compliance Committee to satisfy the Department of Local Government vide DLG Circular 08/64.

P08-133 RESOLVED THAT:

3. The General Manager and his Officers provide all Councillors and the Council with a report on establishing a Lithgow City Council Internal Audit and Compliance Committee to satisfy DLG Circular 08/64.

MOVED: Cr M F Ticehurst

SECONDED: Cr W Marshall.

ATTACHMENTS

Council Minutes relating to Council Resolution P08-133 made at the Policy and Strategy Committee Meeting of the Lithgow City Council on 4 November 2008.

RECOMMENDATION

THAT the Council's General Manager, after seven months provides an appropriate written response to the above Question without Notice.

Signed: _____

MF Ticehurst

04 November 2008
MINUTES – POLICY AND STRATEGY COMMITTEE MEETING OF COUNCIL

ITEM:5 NOTICE OF MOTION - 04/11/08 - COUNCILLOR M F TICEHURST - MORE QUESTIONS WITHOUT NOTICE

This is A Reprint Of A Scanned Image

NOTICE OF MOTION

Lithgow City Council
Scanned

28 OCT 2008

MOTION TITLE/TOPIC:

Questions with Notice submitted by Councillor Martin Ticehurst to the Lithgow City Council Committee Meetings on Tuesday 4 November 2008.

Doc. No
Lithgow City Council
Years

Listed by: Councillor Martin Ticehurst

Date: 27 October 2008.

BACKGROUND

1. Could the General Manager and his Officers indicate if they are aware of the DLG Circular 08-67 which indicates that State Government Grants are currently available to apply for the upgrade of NSW Local Government Playgrounds and if so, will the Lithgow City Council be making an application? If so, what will be the priority for Playgrounds in the Lithgow LGA, particularly the one in Andrew Street, Lithgow?
2. Could the General Manager and his Officers provide all Councillors and the Council with a report on all of the urban and rural road patching, road maintenance and road upgrades to be carried out by Lithgow City Council in the current 08/09 budget?
3. Could the General Manager and his Officers provide all Councillors and the Council with a report on establishing a Lithgow City Council Internal Audit and Compliance Committee to satisfy DLG Circular 08-64 'Internal Audit Guidelines for Councils' and Recommendations 8 and 9 arising out of the ICAC Wollongong Council Inquiry?
Recommendation 8 - That Wollongong City Council's internal audit or administrative staff be given responsibility for monitoring compliance with Council resolutions and reporting on non-compliance.
Recommendation 9 - That Wollongong City Council receives regular reports on compliance with its resolutions and that the Council have regard to these reports when evaluating the performance of the General Manager.
4. Could the General Manager and his Officers provide all Councillors and the Council with a detailed report on any currently outstanding resolutions that were made prior to the 13 September 2008 by the Lithgow City Council?

RECOMMENDATION

THAT Council provides appropriate written reports or responses to the above Questions with Notice.

Signed: _____



DataWorks Document Number: 458053

04 November 2008
MINUTES – POLICY AND STRATEGY COMMITTEE MEETING OF COUNCIL

P08-131 RESOLVED

THAT:

1. The General Manager and his Officers indicate if they are aware of the DLG Circular 08-67 which indicates that State Government Grants are currently available to apply for the upgrade of NSW Local Government Playgrounds.

MOVED: Councillor M F Ticehurst
CARRIED

SECONDED: Councillor J J McGinnes

P08-132 RESOLVED

THAT:

2. The General Manager and his Officers provide all Councillors and the Council with a report on all of the urban and rural road patching, road maintenance and road upgrades that will be carried out by Lithgow City Council in the 2008/09 budget.

MOVED: Councillor M F Ticehurst
CARRIED

SECONDED: Councillor H K Fisher.

P08-133 RESOLVED

THAT:

3. The General Manager and his Officers provide all Councillors and the Council with a report on establishing a Lithgow City Council Internal Audit and Compliance Committee to satisfy DLG Circular 08/64.

MOVED: Councillor M F Ticehurst

SECONDED: Councillor W Marshall.

P08-134 RESOLVED

THAT:

4. The General Manager and his Officers provide all Councillors and the Council with a detailed report on the resolutions that are outstanding prior to the 13th September 2008 election.

MOVED: Councillor M F Ticehurst
CARRIED

SECONDED: Councillor H K Fisher

ITEM:2 NOTICE OF MOTION - 22/06/09 - GAS WORKS SITE - QUESTION WITH NOTICE - COUNCILLOR M F TICHURST

NOTICE OF MOTION

MOTION TITLE/TOPIC:

Question with Notice submitted by Lithgow Councillor Martin Ticehurst.

Listed by: Councillor Martin Ticehurst

Date: 14 June 2009.

BACKGROUND

Could Council's General Manager provide a report to the Council, Councillors and ratepayers on Council Resolution O08-161 made at the Ordinary Meeting of the Lithgow City Council on Monday 21 October 2008 regarding the (then) proposed sale of the Lithgow Gasworks Site in Mort St, Lithgow.

O08-161 RESOLVED THAT

1. Council make application to the Environmental Trust for further investigation and validation for Precinct 1 and further investigation and characterisation of Precincts 2, 3 and 4 of the former Gasworks Site in Mort Street Lithgow.
2. Council not proceed with the sale at this time but at the time of sale offer the first option to purchase the land after all investigation works are complete and any further recommended remediation carried out to the proposed purchaser (Ultra Services) at the assessed market value.

MOVED: Cr H K Fisher **SECONDED:** Cr R Thompson. **CARRIED**

ATTACHMENTS

Council Minutes relating to Council Resolution O08-161 made at the Ordinary Meeting of the Lithgow City Council on Monday 21 October 2008.

RECOMMENDATION

THAT the Council's General Manager, after nearly eight months, provide an appropriate written response to the above Question without Notice.

Signed: _____



REGIONAL SERVICES REPORTS

ITEM:6 REG - 21/10/08 - GASWORKS SITE

REPORT FROM: GROUP MANAGER REGIONAL SERVICES - A MUIR

REFERENCE

- 06-143 - Ordinary Council Meeting held on 15/05/06
- 07-06 - Policy and Strategy Committee Meeting held on 5/2/07
- 07-57 - Ordinary Council Meeting held on 19/02/07
- 07-161 - Policy and Strategy Committee Meeting held on 7/5/07
- 07-347 - Policy and Strategy Committee Meeting held on 6/8/07
- 07-429 - Ordinary Council Meeting held on 17-9/07
- P08-23 - Policy and Strategy Committee Meeting held on 03/03/08
- P08-39 - Policy and Strategy Committee Meeting held on 07/04/08
- P08-54 - Policy and Strategy Committee held on 6 May 2008
- P08-99 - Policy and Strategy Committee held on 2 September 2008

SUMMARY

This report details the results of discussions with officers of the Department of Environment and Climate Change (DECC) in relation to the Gasworks Site in Mort Street Lithgow.

COMMENTARY

On 30 September 2008, the General Manager and Group Manager Regional Services travelled to Sydney to meet with officers of DECC to discuss issues that have been recently raised in relation to groundwater monitoring and remediation of the gasworks site. To assist in discussions, one of the principal's of Site Remediation Consultancy, the firm that managed the demolition and remediation work for site also attended. This was particularly helpful in understanding specific aspects of the demolition of the gas holder and the remediation strategy as key staff who worked on the project are no longer employed at Council.

To assist Council in understanding the issues a plan entitled Proposed Subdivision of Land According to Levels of Contamination is attached. This plan shows the various precincts of the site based on the level of known contamination (*it should be noted that this relates to the types of contamination associated with old gas works sites and there is no cause for any wider public concern*). The key to the remediation project was that precincts 1 and 4 would be fully remediated to a level that could accommodate any use permissible in the industrial land use zone. Precincts 2 and 3 could not be economically remediated to the same level but could be available for lighter uses, for example car parking. Precinct 5 is the current works depot and precinct 6 was set aside in the event that contaminated groundwater required collection and treatment. Precinct 1 was subsequently remediated and a validation report was provided. It is believed that each firm which has held an option for the site has been provided all the information regarding site constraints or offered access to all reports that outline the constraints.

21 October 2008
MINUTES – ORDINARY MEETING OF COUNCIL

As part of ongoing monitoring of the site a groundwater management plan was being prepared. The overall purpose of the plan was to monitor groundwater conditions and particularly verify previous results that the site was not contributing to groundwater contamination off site. As a result of this process DECC became involved and initially expressed concern as to the methodology of groundwater sampling, particularly in relation to the location and depth of groundwater monitoring bores. DECC was then provided with all reports pertaining to the entire site to assist them in their understanding and the meeting of 30 September was held. The meeting was helpful in assisting DECC's understanding of the site but concern was still raised as to the methodology of groundwater sampling for Precinct 1 and maintain the position that additional bores to a greater depth will be required and they also raised concerns as to the methodology used in the Precinct 1 validation report. There is also a preference that further work should be done to properly characterise the remainder of the site (ie. precincts 2, 3 and 4). This would assist in understanding up front what range of uses could occur and what level of site disturbance is acceptable. It appears as though the options open to Council are:

1. With the assistance of DECC in preparing a scope of works, proceed immediately with locating and drilling further monitoring bores for precinct 1; undertake monitoring; prepare reports and management plan; verify validation and have the work audited by an accredited site auditor. Should Council proceed with this option then it would be responsible for all costs with a rough estimate of between \$20,000 and \$50,000.
2. Apply through DECC for a grant from the Environmental Trust under their former gasworks program to undertake the works (basically as per No 1) and also conduct further investigation to properly characterise the remaining precincts. Funding is available up to \$200,000 for this purpose and the next meeting of the trust is March 2009. Up to \$500,000 is then potentially available should any remediation works be proposed.

Whilst there is no doubt that Option 2 is the best option, Council should be aware that it will require DECC support and to this end there is a vital relationship to an Environmental Management Audit of Council's licensed premises and activities which is currently under preparation. DECC require this audit to be completed on Schedule by 1 November 2008 before their support can be offered. The audit is required as a result of previous prosecutions and delays in projects, in particular the Lithgow Sewerage Treatment Plant Upgrade which was first proposed for completion several years ago. The Audit is running on schedule for completion by 1 November 2008.

Note: Council previously agreed to sell this land, however to date there has been no exchange to contracts. Under the circumstances it is recommended the sale not proceed.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Depending on the option chosen Council could expend an estimated maximum of \$50,000. Should Council agree to seek funding for further investigation then it would be recommended that the proposed sale not proceed.

21 October 2008
MINUTES – ORDINARY MEETING OF COUNCIL

LEGAL IMPLICATIONS

Whilst the DECC has not 'declared' the site in terms of the Contaminated Lands Management Act it would need to be 'declared' should Council seek future funding for remediation. In relation to the proposed sale of the land, no contract has yet been exchanged.

O08-161 RESOLVED

THAT

1. Council make application to the Environmental Trust for further investigation and validation for Precinct 1 and further investigation and characterisation of Precincts 2, 3 and 4 of the former Gasworks Site in Mort Street Lithgow.
2. Council not proceed with the sale at this time but at the time of sale offer the first option to purchase the land after all investigation works are complete and any further recommended remediation carried out to the proposed purchaser (Ultra Services) at the assessed market value.

MOVED: Councillor H K Fisher
CARRIED

SECONDED: Councillor R Thompson.

ITEM:7 REG - 21/10/08 - DA 035-08 DEMOLITION OF EXISTING SPORTING FACILITIES & CONSTRUCTION OF 24 MEDIUM DENSITY UNITS WITH COMMUNITY TITLE

REPORT BY: ANDREW MUIR GROUP MANAGER REGIONAL SERVICES

REFERENCE

Councils Finance & Services Committee Meeting date 5 August 2008 being minute F08-90, calling in of the development application by Councillor M F Ticehurst.

SUMMARY

To assess and recommend determination of DA 035/08. The recommendation will be for approval subject to conditions.

COMMENTARY

Council is in receipt of Development Application 035-08 from Jonathan Investment Holdings for the demolition of existing sporting facilities including bowling greens and a dilapidated tennis court (previously utilised by the Lithgow RSL Club) and erection 24 medium density units which will additionally involve a community title subdivision. It is considered that the community title subdivision will require further investigation thus can be conditioned (should approval be given) that further information be submitted and approved by Council prior to the release of any community title subdivision.

**ITEM:3 NOTICE OF MOTION - 22/06/09 - FISCAL STAR REPORT -
QUESTION WITH NOTICE COUNCILLOR M F TICEHURST**

NOTICE OF MOTION

MOTION TITLE/TOPIC:

Question with Notice submitted by Lithgow Councillor Martin Ticehurst.

Listed by: Councillor Martin Ticehurst

Date: 14 June 2009.

BACKGROUND

Could the Council's General Manager provide a report to the Council, Councillors and ratepayers on the recent media release and publication of the Independent Fiscal Star Report which listed the Lithgow City Council as financially 'Vulnerable'?

ATTACHMENTS

Two Fiscal Star Reports on the Lithgow City Council – 3 pages.

RECOMMENDATION

THAT the Council provide an appropriate written response to the above Question without Notice.

Signed: _____



General Managers Comment

Fiscal Star is a consulting organisation that provides comments and if required advice on the financial position of local councils. Its assessments are carried out using Councils financial statements and the applying formula's to come to the conclusion. For actual advice on Council financial statements one should conduct a full and proper assessment. A mission of Fiscal Star is to generate discussion between external monitors and local government.

It should be noted that the following Councils from the Central West have been identified as "unsustainable";

- Bathurst Regional
- Dubbo City
- Cabonne
- Blue Mountains City

Mid Western Regional Council has its assessment upgraded to sustainable following corrections to the methodology adopted by Fiscal Star, as was Wagga Wagga City.



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Lithgow

City Council

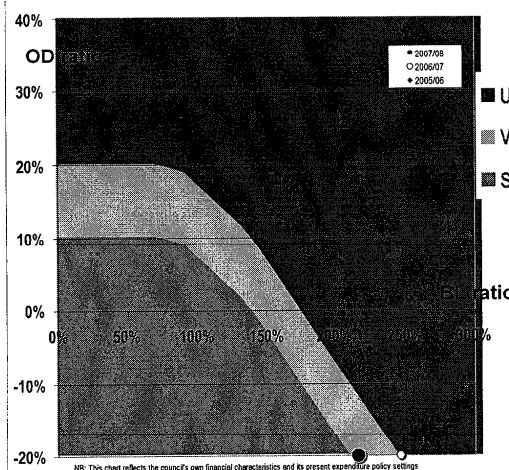
New South Wales



Ratings description:

The council's existing policies are assessed as financially 'vulnerable'. While the council's financial viability is certainly not in doubt, any operating deficit, infrastructure backlog or excessive debt that presently exists are together sizeable enough to mean that the corrective adjustments which are necessary to existing revenue-raising and/or expenditure policy settings run the risk of becoming 'substantial' were unfavourable developments to occur.

Financial Sustainability Map (a)



NB: This chart reflects the council's own financial characteristics and its present expenditure policy settings

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Explanation:

FiscalStar's estimates of the latest OD and BL ratios (see Table below) put the council in the amber (or financially vulnerable) zone.

Footnote (a):

This chart summarises FiscalStar's estimates of the various operating deficit (OD) ratio and broad liabilities (BL) ratio combinations for a council that fall into each of the financial sustainability categories. Where a council's latest OD and BL ratios puts it in the green (or S) zone, the council's existing policies are assessed as being financially 'sustainable'; if these ratios put the council in the amber (or V) zone, the assessment is financially 'vulnerable'; and if these ratios put the council in the red (or U) zone, the assessment is financially 'unsustainable'.

Lithgow City Council

	2005/06 actual	2006/07 actual	2007/08 actual
OPERATING DEFICIT RATIO ("OD ratio") (NB: excl water & sewerage)	-5%	-39%	-22%
Net operating result for the year as published. (But with sign reversed)	\$M -0.959	\$M -3.347	\$M -4.859
plus Below-the-line revenue	\$M 1.060	\$M 2.067	\$M 2.691
less Below-the-line expenses	\$M 0.046	\$M 0.220	\$M 0.000
plus Estimated water & sewerage operating surplus/(deficit) retained in water & sewerage ops	\$M -0.575	\$M -2.659	\$M -0.255
equals Underlying operating deficit/(surplus) (excluding water & sewerage)	\$M -0.519	\$M -4.159	\$M -2.423
comparisons:			
Underlying expenses (excluding water & sewerage)	\$M 17.024	\$M 13.991	\$M 17.298
less Revenue from rates, fees & charges (excluding water & sewerage)	\$M 9.972	\$M 10.598	\$M 10.888
less Own-source income other than rates, fees & charges (excluding water & sewerage)	\$M 2.080	\$M 2.415	\$M 2.845
less Above-the-line grants from other governments	\$M 5.491	\$M 5.137	\$M 6.190
divided by Revenue from rates, fees & charges (excluding water & sewerage)	\$M 9.972	\$M 10.598	\$M 10.888
BROAD LIABILITIES RATIO ("BL ratio") (NB: excl water & sewerage)	225%	247%	216%
Net financial liabilities ratio	46%	38%	31%
Net financial liabilities (\$M)	\$M 11.099	\$M 9.729	\$M 6.522
Liabilities	\$M 15.088	\$M 18.383	\$M 16.607
less Financial assets (constrained to amount of total liabilities)	\$M 3.989	\$M 8.660	\$M 10.085
divided by Total operating revenue (includes water & sewerage)	\$M 23.811	\$M 25.546	\$M 27.578
plus Infrastructure backlog as % of operating revenue	179%	209%	185%
Estimated total infrastructure backlog amount (excluding water & sewerage)	\$M 31.320	\$M 37.847	\$M 36.543
comparisons:			
Buildings	\$M 5.630	\$M 5.777	\$M 5.138
Roads	\$M 24.350	\$M 31.550	\$M 30.870
Other infrastructure (excluding water & sewerage)	\$M 1.340	\$M 0.520	\$M 0.535
divided by Total operating revenue (excluding water & sewerage)	\$M 17.543	\$M 18.150	\$M 19.721

The operating deficit ratio is excluding any relevant water & sewerage amounts. A negative value implies an operating surplus. Financial assets for the purpose of calculating net financial liabilities are current asset plus non-current investments less restricted cash and investments. Use of the overall net financial liabilities ratio effectively allocates a council's liabilities across its water & sewerage activities on the one hand and its non-water & sewerage activities on the other in proportion to the total annual operating revenue attributable to each of these activities. The infrastructure backlog is the estimated total cost, at the end of the year in question, of clearing any infrastructure backlog; excludes any relevant water & sewerage amounts; sourced from the council's Special Schedule No. 7 (unless advised otherwise by the council).



The 2009 Financial Sustainability review has been sponsored by Dextra Credit Local Asia Pacific Pty Ltd. Dextra Credit Local Asia Pacific Pty Ltd is the Australian wholly-owned subsidiary of the European bank Dextra (www.dextra.com), which specialises in local government public finance and supports research into local government best practices around the world. The assessments made by FiscalStar in this report are completely independent of Dextra as the report's sponsor. Dextra's main interest is to raise public awareness about the key drivers of council sustainability by encouraging genuine debate about the findings and the methodology being used. Dextra had no involvement in either the methodology or its application.

Dashboard Model (NSW)

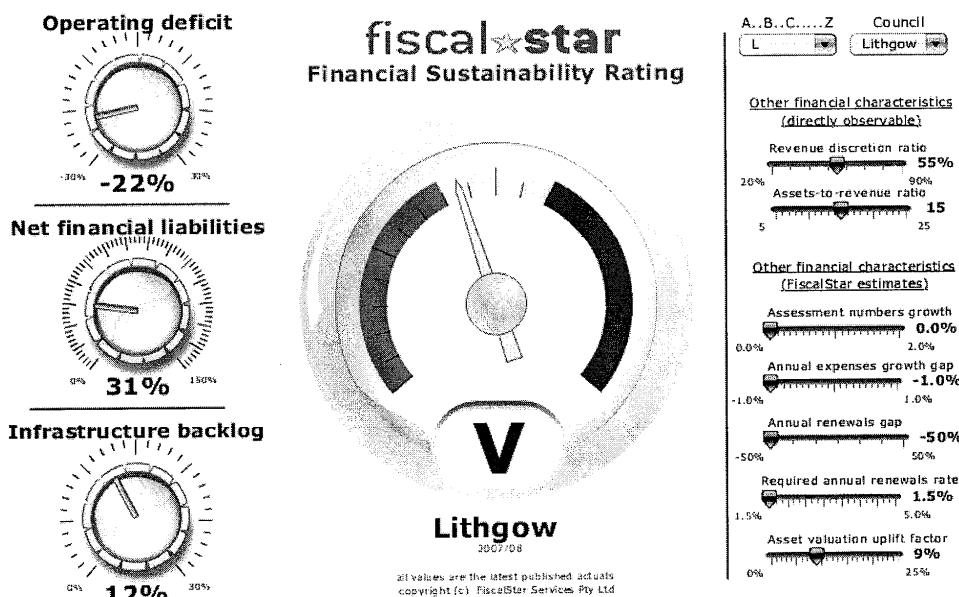


FiscalStar now operationalises its algorithms via an interactive dashboard model.

Until 30 June 2009, a fully-functioning website version of this dashboard is available for use exclusively on Review Today's website at <http://www.reviewtoday.com.au/dashboard.html>

The output of this dashboard for the 2009 review is shown below. To display an individual council's results (from the 100 NSW councils assessed by FiscalStar), use the drop-down menus at the top right-hand corner of the dashboard. The dials and sliders are disabled on the version below. Go to Review Today's website for a fully-functioning version.

Before the dashboard can work properly on your computer, you need to have **Adobe Flash Player** installed. If it's not already on your system, it's available as a free download by using the following link: <http://get.adobe.com/flashplayer/?promoid=BUIGP>



This dashboard relates only to NSW councils.

The dashboard comprises three components, namely:

- (in the centre) the **Gauge** – which outputs the financial sustainability assessment;
- (at the left) the **Dials** – which input the values for each of the three key financial ratios; and
- (at the right) the **Sliders** – which input the values for each of the seven 'other' financial characteristics.

The dials and sliders on the dashboard can be turned or moved by left-clicking your mouse as you move the cursor over them. You can see the assessment gauge change in response to a dial or slider being moved. The dials and sliders are disabled on the version above. Go to Review Today's website for a fully-functioning version.

Until 30 June 2009, fully-functional stand-alone versions of the above dashboard model **customised** to a particular council can only be purchased exclusively through Review Today. Contact Bob Gausson

http://www.fiscalstar.com.au/index2.php?option=com_content&task=view&id=251&... 14/06/2009

(Gausse@ReviewToday.com.au) for details. This offer to "customise" the dashboard for a particular council involves (i) replacing "NSW councils" with the council's own name, (ii) setting the default values for the 3 dials and 7 sliders to the council's own ratio values as published in by FiscalStar – unless the council requests that some alternative ratio value(s) which they nominate be used instead, and (iii) providing the dashboard in the form (only) of a Adobe Flash (.swf) file. The software will be supplied with (a) a short User's Guide, and (b) an End-User Licence Agreement (EULA).

Using this "dashboard" version of FiscalStar's assessment model, anyone can:

- **confirm** FiscalStar's assessment for a council by adjusting the dials and sliders (by moving the cursor over them with your mouse) to reflect the council's own ratio values as published by FiscalStar (for NSW councils, see Appendix A of the 2009 review undertaken for Review Today);
- **test** the effect of different operating deficit or net financial liabilities or infrastructure backlog ratio values, by turning these dials with the cursor – for example, a ratio can be chosen which the user thinks better reflects the current picture; and
- **check** the effect which slightly different ratio values for some of the 'other' financial characteristics may have, by moving the relevant slider left or right with the cursor – in particular, the final five 'other' characteristics can be problematic; not being directly observable, they may reflect FiscalStar estimates which differ from a council's own.

This process may also enable councils to get a general feel for what they need over time to do to get their finances in order. However, this version of FiscalStar's dashboard model focuses solely on the three key financial outcomes, and does not address the specific policy adjustments needed to achieve these outcomes. As such, this version of the dashboard is not intended to provide answers to questions such as: how should my council go about achieving the necessary changes to these key financial outcomes? how painful will that be? and which among the policy adjustment options available may be the more effective?

FiscalStar has also developed a more elaborate version of the dashboard model incorporating a council's eight **major policy settings** as the dials, with the council's operating deficit, net financial liabilities and infrastructure backlog shown instead as an outcome of the selected combination of policy settings. FiscalStar plans to publish more details about the availability of this extended dashboard model in July 2009.

Close Window

GENERAL MANAGER REPORTS

ITEM:4 GM - 22/06/09 - COMMUNITY CABINET MEETING

REFERENCE

NIL

SUMMARY

This report provides a summary of the meetings held during the recent Community Cabinet Meeting held in Bathurst.

COMMENTARY

The NSW Government regularly holds Community cabinet functions across NSW. The Premier invites individuals and community groups to attend these functions to meet Ministers and Department heads. This provides the opportunity to discuss ideas, issues and concerns about important local matters.

One such Community Cabinet meeting was held in Bathurst on Wednesday June 10, 2009. Representatives of Lithgow City Council used this opportunity to attend this meeting and make representations on various issues. Representations were made to the following during the appointment session:

- The Hon. Kristina Keneally MP, Minister for Planning, on:
 - Blackman's Flat – an invitation was made to visit the area and look at how the Department of Planning may assist with overcoming the dilemma of multiple industry developments and its effect on villages.
 - Local Environmental Planning Process – seeking the support of the Minister.
 - Wolgan Road – seeking assistance from the State Government for the works required to improve the safety of the rock face at the Wolgan Gap.

- The Hon Phillip Costa MP, Minister for Water and Minister for Regional Development, on:
 - Drought funding for those Lithgow communities on the Fish River Water Supply Scheme. The Minister was thanked for providing funding quickly to carry out the necessary works.
 - Wolgan Road – seeking assistance from the State Government for the works required to improve the safety of the rock face at the Wolgan Gap.
 - Bell's Line of Road – that following the Minister's attendance at the CENTROC Summit seeking the support of the Minister to preserve the Bell's Line of Road from Marangaroo to Dean Park.

- The Hon. Ian McDonald, Minister for Primary Industries, Minister for Energy, Minister for Mineral Resources and Minister for State Development, on:
 - Rail Unloader – making representations on Council’s position on the matter.
 - Mount Piper Power Station – making representations for a further two units for the facility.
 - Minerals Processing Park – seeking access to land for industrial development.
 - Coal Transport Royalties – making representations seeking the reinstatement of ‘allowable deductions’ for the calculation of coal royalties for western areas of NSW.
 - Bell’s Line of Road – seeking the support of the Minister to preserve the Bell’s Line of Road from Marangaroo to Dean Park.

- Representatives of the Department of Local Government, on:
 - Pension rebates – seeking a review of the maximum amount of pension rebate and pointing out that this has been unchanged for many years.
 - Council’s Application for Special Rate Variation – enquiring of the progress of the Council’s application.

A less formal session followed this whereby persons who had not made prior appointments could meet me with Ministers and departmental staff on various issues. Here the opportunity was taken to speak with:

- The Hon. Michael Daley, Minister for Roads, on:
 - Bell’s Line of Road – seeking the support of the Minister to preserve the Bell’s Line of Road from Marangaroo to Dean Park. The Minister indicated that the Premier had made favourable comments on preserving the corridor that morning.

- The Hon. Steve Whan, Minister for Emergency Services and Minister for Small Business, on:
 - Changes to the design of Cat 9 fire fighting units – that the amount of water that can be carried on these units has been reduced with the new model of vehicle.

Following this session the Premier and Cabinet held a community question and answer session.

Overall this was a function that was well worth attending and gave a very good opportunity to hold meetings with Ministers and advisors on a range of issues.

The event was then finalised with a dinner with a small number of representatives from across the region where further opportunities were taken to raise issues with ministers.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

NIL

RECOMMENDATION

THAT Council:

1. Note the representations made at the New South Community Cabinet Meeting held in Bathurst on June 10, 2009; and
2. Through the Member for Bathurst, congratulate Premier Nathan Rees on the Community Cabinet meetings.

ITEM:5 GM - 22/06/09 - INTERNAL AUDIT COMMITTEE

REFERENCE

NIL

SUMMARY

This report provides advice on developing an internal audit function for Council. It makes recommendations in three key areas:

1. The establishment of an Internal Audit Committee
2. Council joining with other members of CENTROC in seeking internal audit services regionally where an Expression of Interest undertaken has identified that an aggregated purchase will provide benefits in terms of information sharing and cheaper prices
3. Jointly conducting the Internal Audit Committee with the other councils of the Central Tablelands Alliance (CTA).

COMMENTARY

The Department of Local Government has been encouraging councils to establish Internal Audit Committees. Internal audit is widely used in corporate Australia as a key mechanism to assist in managing risk and improving efficiency and effectiveness.

The Department has stated that there is growing acceptance of the importance of internal audit and risk management in local government. The Promoting Better Practice Program has highlighted that while progress is being made, there is still opportunity for improvement. Effective internal audit and risk management processes should become part of the 'business as usual' operations of councils.

The Internal Audit Guidelines propose oversight of council systems and processes through an audit committee. The combination of an effective audit committee and internal audit function provide a formal means by which councillors can obtain assurance that risk management and internal controls are working effectively.

CENTROC has considered a regional approach to the introduction of internal audit to Councils.

CENTROC represents members include Bathurst Regional, Blayney, Boorowa, Cabonne, Cowra, Forbes, Harden, Lachlan, Lithgow City, Oberon, Orange City, Parkes, Upper Lachlan, Weddin, Wellington and Young Councils and Central Tablelands County Council.

One of the organisation's aims is to develop programming to reduce costs to Councils.

Consequently, CENTROC was asked to issue an Expression of Interest where General Managers of the region sought information on whether there:

- were companies who were prepared to provide internal audit services in the region
- was benefit to undertake internal audit across a number of Councils

Accordingly the brief for the Eol was developed that sought maximum flexibility in service delivery across a number of Councils. The brief is available upon request.

Ten responses were received from:

- AECIA
- BDO Kendall
- Deloitte
- IAB Services
- Morse Group
- Oakton
- Pitcher Partners
- RSM Bird Cameron
- Stamfords
- Water Turnbull

Of these eight were strong with sound experience in the government sector.

These responses were given a brief assessment where the purpose of the assessment was to ascertain if it was possible to deliver flexible, affordable and professional internal audit services to members, rather than to undergo a selection process of an expression of interest with a view to appointment. Responses are available upon request.

The General Managers Advisory Committee of CENTROC requested member councils to identify their commitment to a full tender process.

The balance of this report provides advice regarding the nature and cost benefit of this commitment.

About Internal Audit

- **What is Internal Audit?**

Internal Audit examines the way an organisation does business and provides advice accordingly. As an audit function it needs to be separate from the rest of the organisation either through being a separate function within Council or brought in as a service from outside Council, similarly to the external auditors who sign off on our annual accounts each year.

In the first instance, an internal audit committee and internal auditor are appointed. The Department of Local Government provides guidelines for how this is to occur and this is outlined further into the report.

An Internal Audit Plan is then developed. Processes within Council are then examined and advice is provided back through the internal audit committee to Council. Examples of processes are fleet management, procurement processes, the use of contractors and debt recovery.

The internal audit can help with identifying fraud, ensure compliance and outline ways to do things more cheaply and efficiently. The Council must then put into place the processes to ensure the improvements suggested. The internal audit function can then review how the improved processes are tracking.

- **Why Should Council engage in Internal Audit?**

Firstly, internal audit helps protect the organisation from fraud, ensure compliance and identify ways to do things more cheaply and efficiently.

Secondly, a consequence of the Department of Local Government periodic reviews of councils is a list of expectations for organisational improvement. The inclusion of internal audit appears as a consistent feature in recommendations to councils and follow-up by the Department of Local Government has been the circular on internal audit that is paraphrased below.

Meeting the recommendation of the Department of Local Government (DLG) for Internal Audit functions to be incorporated into Council business

Two key recommendations of the DLG circular are:

1. the inclusion by Councils of an internal audit function which can be either purchased as a staff member or bought in as consultancies, some councils around the State are employing staff across a number of councils
2. the implementation of an internal audit committee whose membership includes one to two elected representatives, independent community members and attendance by the General Manager or nominee in observer status

Appointing an internal auditor

The Department of Local Government provides the following advice regarding the appointment of a full time or part time internal auditor:

2.4.1. Appointment of Full-Time or Part-Time Internal Auditor

Ideally the internal auditor should be an independent position reporting directly to the Audit Committee and administratively to the General Manager, with no other operational or management responsibilities. The role and duties and a sample position description are described in more detail in the appendices.

Depending upon the size and complexity of the organisation, councils may consider appointing an internal auditor or internal audit team. The appointment could be full-time or part-time personnel and may be staffed by more than one auditor if the size of the council demands.

Position descriptions should be set for internal audit staff and should identify required qualifications and competencies, including:

- *Proficiency in applying internal audit standards, procedures and techniques*
- *Proficiency in accounting principles and techniques*
- *An understanding of management principles required recognising and evaluating the significance of deviations from good business practices*
- *An appreciation of fundamental concepts in areas such as accounting, economics, commercial law, taxation, finance, quantitative methods and IT*
- *Effective interpersonal skills*
- *Skills in oral and written communication*
- *Ability to identify key issues in any area under review*
- *Ability to influence senior management as and when required.*

2.4.2 Outsourced or co-sourced function

Providing that independence requirements are adhered to, councils can contract their internal audit function to private sector accounting firms or internal audit service providers. If this is the preferred option, then councils need to ensure that the service provided is for a professional internal audit service and not an extension of the financial assurance based external audit.

Councils should note that outsourcing or co-sourcing the internal audit function does not abrogate the council's responsibility to oversee and manage the internal audit function.

In monitoring the performance of the internal audit services provided by accounting firms, councils need to ensure that an appropriately qualified auditor is conducting the internal audit. To ensure an effective and comprehensive internal audit program, contracted internal auditors should have authority to independently set an ongoing audit program, which is not constrained by a narrow scope of audit coverage pre-determined by management.

A co-sourced function is one where a staff internal auditor supplements audit services with an outsourced internal audit service provider. An outsourced internal audit function is one where the service provider assumes all the responsibilities of the internal audit function.

Several options are set out below:

- *Private sector accounting firms – most large accounting firms have specialist internal audit divisions, which provide a good service. Internal audit is a specialised skill and hence councils are advised to only use firms who have a specialised internal audit division.*
- *Boutique firms – a number of boutique firms exist that specialise in internal audit services.*
- *Internal audit contractors – there a range of experienced internal audit contractors available for this sort of work.*

- *NSW GTE - IAB Services is a State Government agency that provides internal audit services to the public sector.*
- *Each of these options will have their advantages and can be appropriate for different circumstances. The advantages of using external providers include: flexibility; access to a wide range of expertise; ability to access the service as and when required. Disadvantages include loss of corporate knowledge and possible increased costs.*

The NSW State Contracts Control Board has compiled a panel of qualified internal audit service providers at competitive rates through a competitive tender process. Councils are able to access this panel to save them time and effort in the procurement process and are encouraged to do so.

2.4.3 Regional or Inter-Council Sharing of Internal Audit Resources

Councils are also encouraged to consider resourcing their internal audit function via collaborative arrangements with other councils or through a regional organisation of councils (ROC).

A ROC or some other body (such as a strategic council alliance) could agree to jointly employ or contract an appropriately qualified internal auditor. This may have benefits in terms of cross-council benchmarking, reduction in travel costs and access to a bigger resource pool than would be available to a single council.

Each council should nevertheless establish its own independent audit committee and the internal auditor would need to report separately to each council, maintaining confidentiality. A funding model could be established that shares the costs on a user-pays basis between participating councils, with internal audit costs based on an agreed cost sharing basis.

Under this model, the appointed internal auditor would prepare an audit plan for each council, based on individual council requirements. There will be some common systems and shared knowledge and tools, such as audit planning, risk assessment, audit programs and procedures.

A small team of internal auditors directed by a suitably qualified and experienced auditor could be appropriate for serving several smaller councils in adjacent local government areas. This model should result in lower audit costs compared to councils employing separate internal auditors or consultants at various management levels.

Risk assessments and annual audit plans need to be designed with input from senior management of each of the participating councils. The internal audit team will need to retain a high degree of independence from management in the planning and conduct of audits. The reporting framework will need to ensure the independence of the audits and confidentiality of findings. The internal auditor should report directly to the General Manager and the Audit Committee of each council.

As can be seen from this advice, there are options for Council to consider regarding internal audit services and the Department of Local Government recognises that through CENTROC providing the architecture for the initiative that “*This may have benefits in terms of cross-council benchmarking, reduction in travel costs and access to a bigger resource pool than would be available to a single council.*”

As also advised above, councils can tackle internal audit support either through:

- employing staff
- bringing in specialist consultant support
- a combination of both

General Managers from Forbes, Cowra and Harden gave consideration to these options and thought it best to go for the provision of services from an accredited expert because:

1. commitment to employing an individual full time at this stage is seen as a risk as councils are in the “learning phase” and may not benefit from staffing
2. there were concerns regarding suitably qualified staff availability turnover
3. it would be a challenge to structure a shared employee across councils where there is insufficient knowledge about how internal audit will work
4. independent, expert advice from established internal audit services is seen as beneficial as the project gets on its feet

5. as independence is a key feature of this initiative this can be best achieved by buying in specialist services
6. review of this approach in three years at the end of the contract period may show a better way forward

As advised earlier, CENTROC has taken this on board and undergone an Expression of Interest process.

Advice regarding the Expression of Interest (Eoi) proffered by CENTROC

Costings for various combinations of councils ranging from stand alone to support for the full suite of all members were requested, as was an hourly and daily rate. Where all figures are inclusive of GST:

- blended rates (blending the hourly rate of the senior and junior personnel in the percentages assumed for the service delivery) for service come in at between \$1500-\$2000 per day
- strategic work would cost a minimum of \$7,500 per Council
- the **minimum** for a quarterly internal audit program that assumes a number of Councils working consecutively on similar programming is \$20,000
- tenderers typically noted councils having limited capacity to pay, cited regional deals and suggested lower levels of service, for example only two audits per year

From the above it is clear that these services are available, can be purchased at an hourly rate and members wishing to be involved should be prepared for about \$20,000pa. **Based on Eol advice, it is hoped this expenditure will buy the strategic work, attendance at audit committees and three to four audits per year.** With greater work undertaken to design programming better advice on price can be provided. Advice from respondents to the Eol suggest that the more councils involved the lower the price to each will be.

It is suggested the “buy in” be for three years to get Council internal audit well established.

Further, the benchmarking and shared opportunities of working across a number of councils are recognised by companies providing internal audit services and should be realised in a regional approach.

It is to be recommended that Council advise CENTROC it is prepared to commit to a three year internal audit process at a ‘buy in’ of \$20,000 per year.

Setting up the internal audit committee

The DLG is looking for internal audit committees that are independent from the operational side of Council. As can be seen from the quote below, a balance between councillors and independent members is sought.

To assist in this process discussions have been held with the Central Tablelands Alliance (consisting of Mid Western Regional, Oberon and Lithgow councils) where a view has been expressed that one Internal Audit Committee be appointed between the three councils with each council providing one representative. This would increase the expertise and capacity of the independent members and provide information sharing possibilities for the committee.

Hence the Internal Audit Committee for Lithgow City Council is proposed to be:

- The Mayor of Lithgow City Council with the Deputy Mayor as an alternate
- A councillor from Mid Western Regional Council
- A Councillor from Oberon Council

The internal auditor and general managers from each council or their nominees are also attend.

4.3. Structure and Membership

The structure and membership of an audit committee in the NSW local government environment will depend on the size of the council. Membership should have a balance of independent members and councillors, with between 3 and 7 members. Good practice in governance is for council staff not to be members of the committee. However, this may not be practical for some councils. The chair should be an independent member. A suggested membership is:

- 1 or 2 councillors
- 2 or 3 independent members, at least one with financial expertise and one of whom should be the chair.

The internal auditor should attend all meetings, as should the General Manager and the Chief Financial Officer. The external auditor should also be invited to attend as an independent advisor. A suggested structure for smaller councils is as follows:

- *1 councillor – eg, Mayor or Deputy Mayor*
- *2 independents – at least one with financial expertise and one of whom could be from a nearby council*
- *2 staff members with observer status – eg, the General Manager or representative and the Chief Financial Officer.*

A structure for bigger councils could be:

- *1 or 2 councillors – eg, Mayor or Deputy Mayor and perhaps one other*
- *2 or 3 independents – at least one with financial expertise and/or one with financial, legal or business expertise*
- *2 staff members with observer status – eg, the General Manager or representative and the Chief Financial Officer.*

The audit committee should also have its own charter that sets out the roles and responsibilities of the audit committee and its oversight of the internal and external audit functions, including any statutory duties. The elected council should approve the audit committee charter.

An example charter for audit committees is included in Appendix 2. Councils should not use this example verbatim but should tailor it according to their specific circumstances.

Generally, the audit committee should meet at least four times a year. It is also appropriate to have meetings dedicated to considering the annual external audit plan, external management letters and council's audited annual financial reports. Where significant issues arise during the year, committees should consider the need to schedule additional meetings.

4.4.2. Functions

Clear roles and responsibilities should be given to an audit committee, and documented in the audit committee charter (see Appendix 2 for a model charter). The broad responsibilities for best practice include the following:

- *Risk management*
- *The control framework*
- *External accountability (including the council's annual audited financial reports)*
- *Legislative compliance*
- *Internal audit*
- *External audit*
- *Approving the internal audit charter that will guide the activities of an internal audit group*

- *Having input into and approving an internal audit's long-term strategic plan and annual audit plan*
- *Having input into the appointment and remuneration of the internal auditor*
- *Making enquiries of management and the internal audit to determine if there are scope or budgetary limitations that impede an internal auditor's ability to function properly*
- *Approving the scope of an external assessment or equivalent internal assessment of internal audit to be undertaken every 5 years.*

An audit committee, as a crucial component of corporate governance, is fundamental to assisting the General Manager and council with their oversight function to:

- *Ensure all key controls are operating effectively*
- *Ensure all key controls are appropriate for achieving corporate goals and objectives*
- *Meet their statutory and fiduciary duties*
- *Provide a forum for discussing problems and issues that may affect the operations of the internal audit group and acting as a forum for discussion*
- *Provide a forum for discussion to identify areas worthy of examination by an internal audit group*
- *Review the implementation of the annual audit plan and implementation of audit recommendations.*

The engagement of the internal audit services through the regional deal suggested above buys the strategic work necessary to progress internal audit as well as internal audits themselves.

For more information, the DLG Guidelines can be requested, as they are 53 pages long, viewing them on the web is an option at <http://www.dlg.nsw.gov.au/dlg/dlghome/documents/Information/08-64%20Internal%20Audit%20Guidelines.pdf>

Conflicts of interest

Given that independent members being sought may have connections with the internal audit company engaged to provide services, care should be taken to ensure no conflicts of interest.

Monitoring this throughout the process with advice provided back to Council is recommended.

Financial and resourcing impacts

As advised above, \$20,000 per annum for three years is the commitment to progress a regional internal audit program.

All administrative and tendering support for this project is provided by CENTROC staff and the compliance and cost savings team of General Managers or their nominees.

There will be further resourcing impacts on staff time to provide support material and advice to the internal audit function.

Options

There are a number of options at Council's disposal for progressing internal audit. Council could:

1. Employ a staff member part time or full time.
2. Collaborate with nearby councils and employ a full time or part time employee.
3. Engage the services of specialist internal auditors through tender "going alone".

The WBC Alliance has provided advice that they are looking at auditing each other. This is another possibility. Staff training will need to occur such that Council can have confidence when reporting on its internal audit function. This will come at a cost both in terms of training and taking staff away from their usual role. This approach also does not offer the level of independence bringing these services in should assure. The risks here are that staff move on, it takes time achieve a level of competency to assure the internal audit function where the DLG makes the following commentary:

Position descriptions should be set for internal audit staff and should identify required qualifications and competencies, including:

- *Proficiency in applying internal audit standards, procedures and techniques*
- *Proficiency in accounting principles and techniques*
- *An understanding of management principles required recognising and evaluating the significance of deviations from good business practices*
- *An appreciation of fundamental concepts in areas such as accounting, economics, commercial law, taxation, finance, quantitative methods and IT*

Given that a professional and truly independent service will provide a sound basis for developing internal audit services in the first instance, it is recommended that Council take part in the regional tender to engage internal audit services from established service providers in this sector.

CONCLUSION

The DLG have provided a recommendation that Council develop an internal audit function. While compliance with this is expected, there are ways in which Council can benefit from internal audit and tackle it in as inexpensive a way as possible.

Central NSW Councils (CENTROC) has offered support to engage professional service through a regional tender and provide assistance with setting up internal audit committee.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

Buy into the CENTROC proposal is \$20,000. Funding has been identified for this proposal. This shall be for an annual 'buy in' with additional services available.

Further costs may be incurred if additional services are required. This shall be at the contracted rate.

LEGAL IMPLICATIONS

Provides compliance with the expectations of the Department of Local Government.

ATTACHMENTS

1. Department of Local Government Circular 08/64.

RECOMMENDATION

THAT Council:

1. Note the report on Internal Audit;
2. Take part in the three year internal audit tender through CENTROC;
3. Request CENTROC seek a tender that provides advice on costings for a 'buy-in' approach, a service that provides up to four audits per year and the cost of 'extra services';
4. Establish an Internal Audit Committee as part of the Central Tablelands Alliance with each council (Mid Western Regional, Oberon and Lithgow) appointing one delegate to the Committee;
5. Nominate the Mayor, Cr Neville Castle, as the Lithgow City Council committee member with the Deputy Mayor, Cr Grahame Danaher, as the alternate; and
6. Advise CENTROC of this decision.

ITEM:6 GM - 22/06/09 - REQUEST FOR COMMUNITY MEETING

REFERENCE

NIL

SUMMARY

Council has received a request for a request for a Community Meeting in the Capertee Valley in relation to road matters.

COMMENTARY

Many roads in the Capertee Valley area, like in other areas of the Council area, have been adversely affected by rains at the end of May 2009. This has caused some concern for the residents of the area and they are seeking a meeting with councillors through a Citizen's Access Meeting to discuss their concerns.

On completion of existing jobs Council staff and plant were reprioritised to work in the Capertee Valley commencing on the Upper Nile Road and were scheduled to commence work in this area early in the week of June 15th.

Council has allocated funding in the coming year to gravel resheeting of roads in the Capertee Valley. Council has also identified additional funding under the Roads to Special Rate Variation to be spent in the area. The works are to include:

- Gravel Resheeting - \$120,000 Capertee Valley
- Roads to Recovery
 - Glen Alice Rd (Reconst & initial seal from Glen Alice towards Kandos)
\$160,000 (2009/10); \$170,000 (2010/11); \$160,000 (2011/12)
 - Glen Davis Rd (Reconst & initial seal from end of bit towards Capertee River)
\$210,000 (2009/10); \$90,000 (2010/11)
- Special Rate Variation
 - Glen Davis Road \$105,000 (2012/13); \$105,000 (2017/18)
 - Glen Alice Road \$70,000 (2013/14); \$70,000 (2018/19)

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

RECOMMENDATION

THAT Council arrange a Citizen's Access Meeting at Glen Alice with residents of the local area in relation to their concerns for the maintenance of the roads in the Capertee Valley.

REGIONAL SERVICES REPORTS

ITEM:7 REG - 22/06/09 - UPPER MACQUARIE COUNTY COUNCIL - CHIEF WEEDS OFFICERS REPORT FOR MAY 2009

REFERENCE

Nil.

SUMMARY

To advise of the most recent Upper Macquarie County Council Weeds Report.

COMMENTARY

Attached is the Upper Macquarie County Council Chief Weeds Officer Report for May 2009.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

Nil.

ATTACHMENTS

1. Upper Macquarie County Council Chief Weeds Officer's Report for May 2009 (Doc:507698).

RECOMMENDATION

THAT the Upper Macquarie County Council Chief Weeds Officer's Report for May 2009 be received.

**ITEM:8 REG - 22/06/09 - CREATION OF A RIGHT OF CARRIAGEWAY OFF
 JOHN MACKEY DRIVE, PORTLAND**

REPORT FROM: ACTING GROUP MANAGER OPERATIONS – CHRIS SCHUMACHER

SUMMARY

Council has received a request to create a Right of Carriageway over Council owned land off John Mackey Drive, Portland.

COMMENTARY

Council has received a request from an applicant for the creation of a Right of Carriageway (ROC) over Lot 41 DP871882, which is owned by Lithgow City Council. The purpose of the ROC is to provide legal and physical access to Lot 1 DP562815, being the adjoining property.

The applicant's original access to their property was off Old Slaughterhouse Rd, prior to the creation of John Mackey Drive. In the early 1980's, a major realignment and reconstruction of the Wallerawang – Portland Rd took place. This also involved reconfiguring the intersection of Old Slaughterhouse Road, thus creating John Mackey Drive as we now know it today.

Various resumptions, acquisitions and road closures took place during and after the realignment of the road and intersection. During this process, Lithgow Council acquired the land which was left between the Old Slaughterhouse Rd and the new John Mackey Drive, known as Lot 4 DP854929. Old Slaughterhouse Rd was then subsequently closed and consolidated with Lot 4 DP854929 to become Lot 41 DP871882.

At the time of the closure and consolidation of Old Slaughterhouse Rd, Council records indicate that there was no notification to, or consultation with, the adjoining landowner. The effect of the road closure at that time was to deny the applicant legal access to their sheds and cattle yards. The applicant has however continued to use the old road formation as physical access.

This situation has only come to light recently when council has been requested to carry out maintenance on the old road. Investigations revealed that the road was not in fact a legal road.

It has been requested by the adjoining landowner that a ROC be created over that section of the Old Slaughterhouse Rd, as depicted on the attached plan of Lot 41 DP871882, being a distance of approximately 190metres. This will provide legal access over the existing road formation to the applicants shed and cattle yards.

The applicant has offered to pay for half (50%) of the legal expenses associated with the creation of the ROC.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

The estimated cost of the creation of the ROC is \$2000 with the applicant contributing 50%. Council's contribution can be sourced from Regional Roads maintenance funds (The original realignment and reconstruction was carried out under the then Main Roads Construction Programme)

LEGAL IMPLICATIONS

Council's solicitor will be engaged to prepare formal legal documentation to create the ROC

ATTACHMENTS

1. DP 871882 is attached which shows the extent of the proposed ROC

RECOMMENDATION

THAT:

1. Council create a Right of Carriageway over Lot 41 DP 871882, being a section of approximately 190m of Old Slaughterhouse Rd, to provide a means of legal access to the adjoining property Lot 1 DP562815, owned by the applicant.
2. That the Common Seal of Council be affixed to documents in relation to the creating the Right of Carriageway in 1 above.

ITEM:9 REG - 22/06/09 - REAPPOINTMENT OF ACTING STATE EMERGENCY SERVICE CONTROLLERS

REPORT FROM: STRATEGIC ENGINEER – LEANNE KEARNEY

REFERENCE

Nil.

SUMMARY

This report is to advise Council of a letter of support provided to Craig Ronan, SES Divisional Controller supporting his recommendation to the Director General of the NSW State Emergency Service, for the reappointment for a further two (2) years of the current acting controllers of the Lithgow and Portland State Emergency Service Units.

COMMENTARY

Regulations under the State Emergency Services Act of 1989 requires the appointment of all volunteer Unit and Local Controllers across NSW to be renewed every two (2) years with 1 August 2009 being the date for the next renewal. The appointment made by the Director General of the NSW State Emergency Service is undertaken with the support and views of the relevant local Council being considered.

In February 2009, Ms Ellen Davis, the appointed Local Controller for Lithgow SES and Controller for the Portland SES requested an extended leave of absence from the SES, and as such, Mr Michael Sharwood was appointed as the Acting Lithgow SES Local Controller, and Mr Gary Wilcox was appointed as the Acting Portland SES Unit Controller.

Following recent reviews Mr Craig Ronan, Division Controller for the Central West Division has recommended the following appointments:

1. Mr Michael Sharwood – Acting Lithgow SES Local Controller; and
2. Mr Gary Wilcox – Acting Portland SES Unit Controller.

Correspondence has been provided to Mr Ronan, to enable the recommendation of these appointments to the NSW State Emergency Service Director General, Mr Murray Kear for a further period of two (2) years commencing on 1 August 2009.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

Nil.

ATTACHMENTS

Nil.

RECOMMENDATION

THAT Council note the information received in relation to the reappointment of the Acting State Emergency Service Controllers.

ITEM:10 REG - 22/06/09 - 030/08DA - 4 UNIT DEVELOPMENT - 9 PARK AVENUE, PORTLAND

REPORT BY: GROUP MANAGER REGIONAL SERVICES – ANDREW MUIR

REFERENCE

Council 15/12/08

SUMMARY

To assess and recommend determination of 030-08DA. Recommendation will be for approval subject to conditions of consent.

COMMENTARY

Council is in receipt of Development Application 030/08, for the construction of 4 residential townhouses/units in two stages. The proposal is for 4 single storey 2 bedroom townhouses, with underground parking facilities to conform with the undulating terrain. All units will obtain access off a Park Avenue. The proposal seeks to utilise the sloping site by stepping down the four townhouses as part of the development.

The land is known as Lot 22 DP 842893, being known as 9 Park Avenue, Portland. The site is currently vacant and scattered with local grasses. The proposal is permissible in the zone subject to development consent being obtained.

As a result of the initial notification process, 16 submissions were received, all objecting to the development. A summary of those submissions are outlined below :

- The number of units proposed on the site will dramatically affect the outlook and privacy of existing residences.
- The proposed development could be considered an overdevelopment of the site given the slope and proposed use of the site.
- It is considered that property values could be affected by the development.
- It appears that there is insufficient visitor parking.
- The development is not compatible with the surrounding development.
- The application does not comply with provisions placed on the land previously subdivided by Boral indicating that the land must contain single dwellings of not less than 80% brick.
- The development has the potential to have an impact on traffic congestion in a small “dead end” street. This in turn increases the potential for accidents and in turn increases safety concerns.
- Aesthetically, the unit development is not in keeping with the existing heritage dwellings in the area.
- No statement indicating that the development complies with the covenants placed on the subdivision by Blue Circle Southern Cement Ltd.
- The current application will be detrimental to the area and will be additional development to that which has been approved (3 unit development across the road).

- Current sewer and stormwater systems cannot support such an application.
- Privacy issues are of a concern as the development will overlook many residents.
- Water and drainage will be of a concern to adjoining residents.
- We have been told by Council that these will be for 'low rental use'.
- Issues are current within the street that garbage and emergency vehicles cannot turn..

Council forwarded a summary of the submissions to the applicant who responded to the concerns, as outlined below:

- The four units proposed on the site are single storey, stepped down design that follow the slope of the land, blending perfectly with existing residences and streetscape and will have no negative affect on the outlook or privacy of the neighbouring properties. The landscaping will take care of any necessary 'screening' to satisfy Council's requirements.
- The area of the allotment (1193m²) is sufficient for five units, according to Council's Policy and Guidelines for Residential Unit Development. Accordingly, it is underdeveloped and the natural slope has been utilised to achieve a pleasing design.
- Serious consideration has been given to values in the proximity and if anything the development will enhance the value of surrounding properties, particularly those older style houses ready for redevelopment.
- Parking facilities are in accordance with Council's Policy and Guidelines, with one garage and one visitor parking per unit, plus one additional.
- The project is compatible with the surrounding development. It is single-storey, it is not bulky, will not cause any overshadowing, will retain and enhance existing streetscape and will not cause any loss of privacy or scenic amenity to neighbouring properties. The materials and colours used will reflect the general character of the area.
- Borals provisions (covenants) on the subdivision have not been breached.
- The development will have no significant impact on traffic congestion on the 'dead-end' which is actually a continuation of Park Avenue, the same in width and construction. The units have two bedrooms and are targeted at working couples and older retired people. It is hard to see how they are likely to cause traffic congestion and increase traffic hazards in the area, given adequate parking facilities and the usage patterns of this demographic.
- The development is designed to aesthetically blend with existing dwellings in the area, none of which have been declared of heritage significance. Blending allows for diversity and does not require the monotonous repetition of stereotypes. This is already the case with the existing harmonious blend of old and new architecture in the street and this development follows the existing trend.
- Finally, the project conforms with the Blue Circle Southern Cement Ltd covenants and construction is in sympathy with existing dwellings in the area.

Council at its meeting of the 15 December 2008 resolved to hold a Citizens Access Committee Meeting to allow the community to view their concerns and give the applicant an opportunity to justify the application.

Minutes of that meeting and submissions that followed that meeting are detailed within the attached Section 79(c) report.

As a result of that meeting the applicant met with Council officers and indicated that an amended plan would be submitted in an effort to try and address the concerns of objectors. Amended plans were received and placed on public exhibition until 27 March 2009. Upon closing Council received a further 8 submissions and a petition from residents all objecting to the application.

A summary of the submissions highlighted the following:

- **Privacy** - The added 600mm lattice extension on the 1.8m fence and reduced roof height does not minimise the likely invasion of privacy from veranda's, doors and windows of the development (plan attached). 16 bedroom windows still look out over neighbouring properties.
- **Bulk & Scale** - The reduction in height of the units is negligible and does nothing to reduce the overall bulk, height and scale of the building.
- **Traffic & Access**
 - One driveway for 4 units is dangerous.
 - Visitor parking and planting on Park Avenue will create blind spots making it difficult for drivers to see pedestrians.
 - Stack parking in the access will make the driveway unsafe.
 - Park Avenue is not currently constructed with an adequate turning circle, which makes turning around difficult for vehicles. Additional parking in this area will compound the issue.
 - The development will increase traffic on the laneway which has not been designed for cars to pass. The lane will require extensive excavation to enable it to connect with Park Avenue.
 - Potential for 16 resident's vehicles to be sharing end of the street (including existing and approved development) plus visitor's vehicles. The additional traffic will be hazardous and will create extra noise.
- **Cumulative Impacts** - The development will be creating cumulative impacts when considered in conjunction with the existing units approved in the street.
- **Noise** - A gravel driveway would create a noise impact.
- **Landscaping** - Ongoing maintenance of trees on 7 Park Avenue cannot be guaranteed as this land could be sold.
- The proposed landscaping will not reduce the intrusiveness of the development.
- **Density** - The density of the development is not suitable for the area.
- **Heritage** - The development is not in keeping with the heritage nature of the area.

- **Infrastructure** - The current sewerage system cannot cope with the existing dwelling load and will not cope with the additional load proposed.
- The development will impact upon social amenity.

POLICY IMPLICATIONS

The application has been 'called in' by Council in accordance with Section 7.7 of Councils current Policy Register.

FINANCIAL IMPLICATIONS (eg Section 94)

Should approval be recommended conditions of consent indicating the applicant be required to meet the requirements of the Water Management Act 2000, would be conditioned.

LEGAL IMPLICATIONS

In determining a development application, a consent authority is required to take into consideration the matters of relevance under Section 79C of the Environmental Planning and Assessment Act 1979. This assessment has been undertaken as part of attachment 1.

ATTACHMENTS

1. Full Section 79C assessment

RECOMMENDATION

THAT:

1. Council approve development application 030/08DA subject to the conditions outlined in the attached section 79C report.
2. A **DIVISION** be called in accordance with the requirements of S375A of the Local Government Act 1993.

ITEM:11 REG - 22/06/09 - JOINT REGIONAL PLANNING PANELS

REPORT FROM: GROUP MANAGER REGIONAL SERVICES - ANDREW MUIR

SUMMARY

To inform Council of the establishment of Joint Regional Planning Panels by the Department of Planning from 1 July 2009 and the implications to Council in the development assessment process.

COMMENTARY

The Minister for Planning has legislated for the introduction of Joint Regional Planning Panels (JRPPs) throughout the State whose prime role will be to determine regionally significant development applications. The Regional Panels will also perform other functions such as providing independent advice to the Minister on request. Further details are provided in attachments to the business paper.

JRPPs in each of the designated regions comprise three State members selected by the Minister and two council representatives and one alternative from each council area in which the panel operates. One of the council representatives must be qualified in planning or a related discipline. The council representatives will sit on the panel for development applications referred to the panel in that particular council area.

The elected council will have no role in the process other than to provide its representatives to the panel, although a council may make representations on a development application that is to be determined by a JRPP. The JRPP will determine the following level of “regional development” as defined in the State Environmental Planning Policy referred to it after the application has been assessed by a council officer.

- Designated development
- Development that has a capital investment value of more than \$10 million
- Subdivisions over 250 lots
- Certain coastal development and coastal subdivisions that were previously Part 3A projects
- The following development if it has a capital investment value of more than \$5 million:
 - Public and private infrastructure
 - Crown development
 - Eco-tourism development
 - Where council is the proponent or has a conflict of interest.

The above classes of development are not regional development if the development proposal is:

- A project to which Part 3A applies
- Complying development
- Exempt development or Part 5 activities
- Development within the City of Sydney
- Development where the Minister is the consent authority under Part 4.

It is necessary for Council to nominate two representatives and one alternative representative on the JRPP to operate in the Western Region for developments in the Lithgow area. One representative and the alternative representative should be Councillors and it is considered that the Mayor would be the most appropriate representative and the Deputy Mayor the alternate representative.

The second council representative is required to have expertise in one or more of planning, heritage, the environment, urban design, land economics, traffic and transport, law, engineering, tourism or government and public administration. It would appear that a council officer qualified in one of these areas would be the appropriate person as the second nominee. Unfortunately this is in conflict with the draft Code of Conduct and draft Procedures for the Operation of JRPP's which states that "as a general rule it is not appropriate for council staff to be members of a JRPP, as it would be difficult for them to appropriately manage the conflicts of interest between being a council staff member and fulfilling the obligations of a JRPP member."

The advice from the Minister and the draft Code of Conduct is that council staff are not precluded from being nominees on the JRPP's, but it is made clear that in selecting members councils should have regard to the conflict of interest that would be created for a person nominated to the Regional Panel if they were in any way responsible for or involved in the assessment and recommendation of a matter to be determined by the Regional Panel.

Clause 5.9 of the draft Code of Conduct states that "Council employees (including general managers and other senior staff) who are nominated to sit as a member of the JRPP should carefully consider what measures must be put in place to ensure they will be able to comply with the requirements of this code.

There is a further complication to this process in the Western Region in which Lithgow is located. It was only advised on 3 June 2009 that JRPP would be established in the Western Region. The other regions had been notified some time ago that they would need to prepare for the establishment of JRPP's. Prior to this notification for the Western Region it was proposed that any development applications falling within the above criteria would need to be referred to the State Government Planning Assessment Commission (PAC) for assessment and determination.

Council should be aware that it may receive a number of applications that will require submission to the JRPP. Any designated development which is development that requires an Environmental Impact Statement will need to be referred to the Panel. An example could be a crushing plant or a development application for the redevelopment of a pyrotechnics facility. It should also be aware that the balance of power on the JRPP will be held by the State government with three members.

Council now needs to advise the Department of Planning of its nominees for the JRPP by 1 July 2009 with documentation on the qualifications of the "expert" nominee. It is also appropriate for council to express its general concerns about the implementation and operation of JRPP's. Although the implementation is inevitable, it is important to lobby for the most functional and realistic model.

POLICY IMPLICATIONS

Policy 7.6 - DEVELOPMENT APPLICATIONS BY COUNCILLORS AND STAFF AND RELATIVES OR ON COUNCIL OWNED LAND And Policy 7.7 - CALLING IN OF DEVELOPMENT APPLICATIONS BY COUNCILLORS are the most likely to be affected by the introduction of Joint Regional Planning Panels.

FINANCIAL IMPLICATIONS

Whilst the State will fund the operation of Joint Regional Planning Panels Council will be required to fund its representatives on the JRPP.

LEGAL IMPLICATIONS

The implementation of Joint Regional Planning Panels has been implemented through amendments to the Environmental Planning and Assessment Act.

ATTACHMENTS

1. Minister for Planning advice to Council of 3 June 2009 and 5 June 2009 with attached Information Package for Council Nominees.
2. Draft Procedures for the Operation of Joint Regional Planning Panels.
3. Draft Code of Conduct for Joint Regional Planning Panels.

RECOMMENDATION

THAT:

1. The Mayor, Councillor Neville Castle be nominated as one council representative on the Western Region Joint Regional Planning Panel and the Deputy Mayor, Councillor Grahame Danaher be nominated as the alternate representative.
2. Councils Group Manager Regional Services, Mr Andrew Muir be nominated to the Joint Regional Planning Panel.
3. A submission be made on the Draft Procedures for the Operation of Joint Regional Planning Panels and Draft Code of Conduct for Joint Regional Planning Panels
4. Due to the late announcement of a Joint Regional Planning Panel in the Western Region, Council request an extension of time for nominations for State appointed representatives.
5. Council express its concern to the Minister for Planning through the local member at the continued erosion of council planning controls through the establishment of Joint Regional Planning Panels.

ITEM: 12 REG – 22/06/09 – DROUGHT MANAGEMENT UPDATE

REPORT FROM: GROUP MANAGER REGIONAL SERVICES – ANDREW MUIR

REFERENCE

Min 09-06 Council Meeting 9 March 2009
Min 09-20 Council Meeting 30 March 2009
Min 09-136 Council Meeting 30 March 2009
Min 09-160 Council Meeting 20 April 2009
Min 09-185 Council Meeting 11 May 2009
Min 09-220 Council Meeting 1 June 2009

SUMMARY

This report provides an update to Council on drought management issues.

COMMENTARY

The following report provides an update on drought management issues:

Application for Drought Relief Funding

On Tuesday 9 June 2009, NSW Water Minister, the Hon. Phillip Costa announced that Council's application for drought relief funding was successful offering \$400,000 to allow the drought relief project to proceed. The project is based on a feasibility study previously commissioned by State Water as part of drought management strategy. The study recommended:

- Construction of a new 300mm pipeline approximately 550 metres long adjacent to an existing Fish River Water Supply 100mm pipeline within an existing easement that runs at the rear of properties in Bent Street.
- Upgrading the Cook Street booster pumping station so a standby pump can be incorporated.

In anticipation of a positive response from Minister Costa for funding, pre-planning for the project has been underway for several weeks. Inspections with State Water staff and Council Plumbers have indicated that a 300mm pipeline already exists adjacent to the 100mm Fish River pipeline. It has not been used for some time and its condition to be used for such an important project is questionable. At the time of writing this report some further investigations were being undertaken by Fish River staff to confirm this position, however pending this outcome the best options would be to replace the pipeline or 'pipe burst' it. Pipe bursting involves introducing an expanding device called an expander head into the pipeline through a launching pit. As it travels through the pipeline toward the receiving pit it breaks the pipe and new pipe is attached to the back of the expander head, replacing the line immediately. This would be the quickest manner to get the pipeline operational, but irrespective of what final method is chosen to make the pipeline operational it is suggested that, pending final investigations by Fish River Water Supply staff, quotations and/or tenders be called immediately for the rehabilitation of the pipeline.

If the cost of rehabilitating the pipeline is in excess of \$150,000 then a tender process appears necessary. There are provisions in the Local Government Act where the process may be bypassed for an 'emergency' or because of 'extenuating circumstances a satisfactory result would not be achieved', however there is some doubt as to whether these provisions would be applicable in these circumstances. Therefore, it is suggested that a tender process occur and that the tender process be conducted under the open tendering method by which tenders for the proposed contract are invited by public advertisement in accordance with clause 167 of the Local Government (General) Regulation 2005 and Council's Policy No. 1.4 – Tendering. Only one exception is suggested being the tender period. Both clause 167 and Council's Policy No. 1.4 require that the deadline must be a specified time on a date that is at least 21 days after the date of the publication of the advertisement. However, clause 171 of the Regulations and Policy No. 1.4 provide that if Council is of the belief that exceptional circumstances exist which would render the 21 day deadline period inappropriate then an earlier deadline can be specified on a date that is at least 7 days after the date of the publication of the advertisement. Therefore, having regard to the urgency of this project due to the current drought situation and its subsequent impacts on the Oberon Dam, Council should consider an earlier deadline date i.e. being 14 days from the date of the publication of the advertisement.

In relation to the pumping station, the study indicated that the existing pumps are suitable to meet the new demands on short term basis. However, for longer term operation it recommended that these pumps be replaced by new pumps which would deliver the required flow rates efficiently. The hydraulic modelling indicated that the duty/standby pumps at Cook Street booster pumping station are capable of meeting the new demand requirement when operating in parallel. However this operation does not allow for a standby pump in the event of pump failure. For this reason it recommended investigation into the upgrade of the pumping station.

In summary, to get the drought relief project operational, the following actions are required:

1. Pipe burst or replace (rehabilitate) 300mm pipeline
2. Tap into reservoir outlet main and connect to 300mm pipeline

These first two items will allow water to be back fed as far as Glen Davis. Council staff are organising item number 2. It is suggested that Council go to tender for item number 1 if the cost is to exceed \$150,000. The less urgent actions can then take place. These are:

3. Commence design of pump station upgrade and aim to commission before summer
4. Investigate need for additional treatment at Oakey Park WTP. This was identified as an issue in the study due to the increased use of the Clarence Transfer System. However, it is believed the study authors may not have been aware of additional treatment that is now undertaken at Clarence Colliery. Therefore, this may not be required but needs to be further investigated.

Clarence Water Transfer Scheme

The Draft Feasibility/Options Report on the Clarence Water Transfer Scheme has been received and reviewed. Three options have been identified with capital costs varying considerably. A meeting was held with Centennial Coal and it was decided that the best way forward was to hold a briefing of mine operations staff; undertake further scoping and a risk review. This briefing is to be undertaken on 16 June 2009 with Federal Government representatives also to attend. In summary, there needs to be further work done on the feasibility/options study which means that any 'fast tracking' is not possible. However, the drought relief project being otherwise undertaken should provide the results in the short term to allow the upgrade of the Clarence Transfer System to be properly planned and implemented.

State Water – Peer Review of the Fish River Water Supply Drought Management Strategy

At the time of preparation of this report, the draft version of the peer review of the Fish River Water Supply had been prepared and presented to the Customer Council. Subsequently, State Water issued the following press release on 12 June 2009:

“The drought management strategy for securing Oberon and Lithgow water supplies will continue to be followed after the Fish River Customer Council met on Tuesday, 9 June 2009.

State Water Corporation CEO George Warne attended the meeting and said the Customer Council’s existing drought management strategy was assessed by State Water staff and by an independent reviewer as being sound.

“The drought management strategy developed by the Customer Council considers a number of measures to reduce usage from Oberon Dam and to ensure the supply of water to the Lithgow and Oberon Villages,” Mr Warne said.

“The plan will continue to be adhered to as we head into the traditionally wetter winter months.

“Each of the customer council members is implementing water saving measures and other actions have been or are being implemented as directed by the plan.”

Back feeding of Lithgow City Council’s filtered water sourced from Farmers Creek Dam and the existing Clarence Colliery transfer system into Fish River Water Supply pipelines to deliver water to Marrangaroo is one of the measures now being undertaken.

“We are also increasing the amount of water used from Duckmaloi Weir to reduce the daily use from Oberon Dam,” Mr Warne said.

“The strategy also included the measure to connect Lithgow Villages of Portland, Wallerawang, Cullen Bullen and Glen Davis to the alternate town water supply which will now be funded by the NSW Government, meaning implementation can be fast-tracked.”

If the drought continues to limit inflows into Oberon Dam the FRCC will meet on a more frequent basis to assess the water supply situation and to consider options to best maintain industrial and commercial customers’ supplies for as long as sensibly possible.

State Water will continue to take the necessary measures to ensure supply of high-quality drinking water to the Lithgow and Oberon communities”.

POLICY IMPLICATIONS

Policy No. 1.4 –Tendering is discussed in the Commentary section of this report as it relates to the drought relief funding project.

Policy No. 12.2 - Water Restrictions sets out Council’s response to non-compliance with water restrictions.

FINANCIAL IMPLICATIONS

The financial implications in terms of the drought relief funding are discussed in the Commentary section of this report. Council needs to ensure this project and its budget of \$400,000 is included in the Management Plans relevant to 2008/09 and 2009/10.

LEGAL IMPLICATIONS

The legal implications are discussed in the Commentary section of this report as they relate to the drought relief funding project.

ATTACHMENTS

1. Letter from Minister Costa

RECOMMENDATION

THAT

1. The report on drought management be accepted.
2. Council formally accept the offer of NSW Water Minister, the Hon. Phillip Costa for \$400,000 toward drought relief works.
3. The General Manager and the Mayor be provided authority to execute any documentation in relation to the funding and the use of the common seal be authorised.
4. Minister Costa be thanked for the swift action taken on this issue and Member for Bathurst, Gerard Martin, be thanked for his representations.
5. Should the cost be determined to be in excess of \$150,000, tenders be called for the pipeline rehabilitation using the open tendering method with the deadline date being 14 days from the date of the publication of the advertisement due to the urgency of this project because of the drought situation and its impacts on the Oberon Dam.
6. The budgets and Management Plans relevant to 2008/2009 and 2009/2010 be amended as appropriate to reflect the revenue, projected expenditure and the activity.

OPERATIONS DEPARTMENT SERVICES REPORTS

ITEM:13 OPER - 22/06/09 - GLEN ALICE ROAD, LAND ACQUISITION

REPORT FROM: ACTING GROUP MANAGER OPERATIONS – CHRIS SCHUMACHER

SUMMARY

This report provides details of a proposed acquisition of land on the Glen Alice Rd

COMMENTARY

In December 2001, the property owner of Lot 1 DP 1006109 commenced negotiations with the then Rylstone Council for the realignment of a corner on the Glen Alice Rd, approximately 2km west of the village of Glen Alice. The road construction was completed but the acquisition process was not finalized by Rylstone Council.

Further negotiations have been held by this Council with the affected landowner and, as a result, the survey for road widening under the Public Roads Act 1993 has been completed. The plan is now ready for lodgement with the Lands Dept. A total area of 7320m² is to be acquired by Council and dedicated as public road. All fencing had been previously completed.

Compensation is yet to be paid and further negotiations with the property owner will be necessary.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

Lodgement and solicitors expenses are estimated to cost in the order of \$1500 - \$2000. Funds are available within the Operations budget in 2009/10

LEGAL IMPLICATIONS

The road widening acquisition is being carried out pursuant to the Roads Act 1993.

ATTACHMENTS

1. Plan of affected road is attached

RECOMMENDATION

THAT:

1. Council proceed with the lodgement of the road widening acquisition plan, affecting the adjoining landowner of Lot 1 DP 1006109, at Glen Davis Road to the Land Department.
2. The Common Seal of Council be affixed to all necessary documentation.

ITEM:14 OPER- 22/06/09 - RANGE ROAD, LAND ACQUISITION - LOT 3 DP 1000257

REPORT FROM: ACTING GROUP MANAGER OPERATIONS – CHRIS SCHUMACHER

SUMMARY

This report provides details of a proposed acquisition of land on the Range Road, Portland.

COMMENTARY

In conjunction with the Regional Roads Repair Program, September 2007, Lithgow City Council commenced negotiations with the adjoining land owner of Lot 3 DP 1000257 for the realignment of five sections of Range Road, approximately 800m from the Thompsons Creek Road intersection due north along Range Road.

Further negotiations have been held by this Council with property owners and, as a result, the survey for land acquisition under the Public Roads Act 1993 has been completed. The plan is now ready for lodgement with the Lands Dept.

As part of the land acquisition Council will also be closing part of the existing road and proposes to incorporate the parcel of land back into Lot 3 DP 1000257. Find below an outline of the proposed area of road closure and land acquisition/s sought for the purpose of road realignment.

- Area of road to be closed and given back to adjoining landowner Lot 1 – 2353m²

- Area of land to be acquired for road from Cummins from Lot 3 DP1000257 is
- Lot 2 – 701m²
- Lot 3 – 487m²
- Lot 4 - 1855m²
- Lot 5 – 3299m²

- Total.....6342m²

The difference between land acquisition and the road closure is $6342\text{m}^2 - 2353\text{m}^2 = 3989\text{m}^2$. A total area of 3989m² is to be acquired by Council and dedicated as public road. All fencing had been previously completed.

The adjoining land owner has sought compensation of \$3000/acre which is \$3000/4047m². Therefore it is appropriate to offer \$3000 in compensation plus all legal expenses associated with the acquisition.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Lodgement and solicitors expenses are estimated to cost in the order of \$1500 - \$2000. Funds are available within the Operations budget in 2009/10

LEGAL IMPLICATIONS

The road widening acquisition is being carried out pursuant to the Roads Act 1993.

ATTACHMENTS

1. Plan of affected road is attached

RECOMMENDATION

THAT:

1. Council proceed with the lodgement of the road closure and acquisition of land, pursuant to the Roads Act 1993, affecting the property of Lot 3 DP 1000257 and that compensation in the sum of \$ 3000 plus all legal expenses be offered.
2. That the Common Seal of Council be affixed to all necessary documentation.

ITEM:15 OPER - 22/06/09 - SCHOOL ZONES FLASHING LIGHTS

REPORT FROM: ACTING GROUP MANAGER OPERATIONS – CHRIS SCHUMACHER

SUMMARY

This report provides details of the announcement by the NSW Government of the installation of flashing lights at school zones.

COMMENTARY

Council has received advice from the Roads and Traffic Authority that the following school zones within the Lithgow LGA have been included in the next 50 sites to receive school zone flashing lights in 2009.

- Capertee Public School – Castlereagh Hwy, Capertee
- Cullen Bullen Public School – Castlereagh Hwy, Cullen Bullen

The RTA advises that these installations will be progressively installed between May and September 2009. Now in its second year, the roll out of the school zone flashing lights initiative follows an evaluation, which found that the technology is proving to be reliable and is working to slow down drivers in school zones.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

NIL

RECOMMENDATION

THAT Council note the two locations on School Zone Flashing Lights;

1. Capertee Public School – Castlereagh Highway, Capertee.
2. Cullen Bullen Public School – Castlereagh Highway, Cullen Bullen.

ITEM:16 OPER - 22/06/09 - ROAD RESERVE STATUS, WOLGAN ROAD

REPORT FROM: ACTING GROUP MANAGER OPERATIONS – CHRIS SCHUMACHER

SUMMARY

This report provides details of investigations undertaken by the Dept Lands into the legal status of the road reserve on a section of the Wolgan Gap, through Reserve No 42350, being Lot 1 DP1055080

COMMENTARY

The Orange Office of the Lands Dept has advised Council that an investigation into the legal status of a section of the Wolgan Rd has been completed. The investigation has revealed that a section of the Wolgan Rd, being a length of approximately 1300m (subject to survey) passes through Crown Reserve 42350, and as such has no legal status. The legal public road, under Council's control, traverses the eastern boundary of this reserve. A plan is attached which these details.

The road formation, in its present location as it descends into the valley, has been in this location for many decades. Council is not aware of any previous advice from the Lands Dept that has questioned the legal status of this road.

The Lands Dept is now requesting Council to rectify the situation, by formally surveying and acquiring the land known as the Wolgan Rd (through Reserve 42350), and dedicating the land as public road. They are also suggesting that compensation would need to be paid to the crown and further that the existing public road reserve on the eastern boundary should be closed. Some costs associated with this, including compensation, could be minimised if both the road closure and opening be undertaken simultaneously.

The Lands Dept has provided the following table of costs associated with the acquisition and closure.

1. Application to consent to closure: \$487.70
2. Native Title searches: \$274.00 (for first three hours)
3. Survey and registration of plan required to acquire road: Council's cost plus LPI fees.
4. Plan endorsement by Dept lands: \$151.00
5. Compensation: TBD
6. Council will also need to carry out all necessary action to gain the consent of the Governor to the acquisition.
7. Application to close the public road: \$767.30
8. Survey and plan lodgement of plan of road closure: Council's expense
9. Plan endorsement by the Dept of Lands: \$151.00

Some costs associated with this, including compensation, could be minimised if both the road closure and opening be undertaken simultaneously.

The major cost is the physical surveying the road. It is be expected that the cost of survey to create a public road reserve along the existing alignment from an estimate received surveying could be in the order \$45,000, given the extremely steep and vegetated terrain will make the survey difficult and expensive.

It is recommended that Council obtain quotes for the necessary survey work and, after receipt of the quotes, arrange a meeting with the Regional Manager, Dept of Lands to discuss possible alternate arrangements to the provision of a legal access across Reserve 42350. Such discussions could include, but not be limited to, financial assistance from the Minister to proceed with the survey and acquisition and alternate options such as a lease, licence, permissive occupancy or right of carriageway over the existing road to satisfy the legal requirements

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

No funds have been specifically allocated for survey and acquisition costs associated with legalising the section of the Wolgan Rd. Survey costs are likely to be significant.

LEGAL IMPLICATIONS

The current alignment of a section of Wolgan Rd traverses Crown land and as such is not a legal public road.

ATTACHMENTS

1. Plan of affected road is attached

RECOMMENDATION

THAT:

1. Council authorise the General Manager to hold discussions with the Department of Lands on possible alternate arrangements to the provision of a legal access across Reserve 42350 and proceed with the necessary actions

ITEM:17 OPER - 22/06/09 - ROADS TO RECOVERY PROGRAM

REPORT BY: ACTING GROUP MANAGER OPERATIONS – CHRIS SCHUMACHER

REFERENCE

Nil

SUMMARY

This report provides details of the Roads to Recovery Funding for the period 2009/10 to 2013/14 and proposes a program of works.

COMMENTARY

Council has received advice from the Department of Infrastructure, Transport, Regional Development and Local Government of funding for the Roads to Recovery Programme (RTR) for the five year period 2009/10 to 2013/14

Councils funding allocation is \$2,801,687 over the 5 years, which equates to an annual allocation of \$560,337. The previous RTR funding amounted to \$1,813,556 over 4 years, which equated to \$453,389 pa.

Although the RTR program is a five year program it is proposed at this stage to lock in a 3 year program, providing the flexibility to adjust the program in year 3 for the final two years to allow for cost of construction increases and changing circumstances that may alter construction priorities.

There are two types of works proposed, these being:

1. Rehabilitation of failed sealed pavements and
2. Reconstruction and bitumen sealing of unsealed pavements

Depending on the location of the works and the haul distance of suitable roadbase material, the current indicative cost for this type of work is in the range of \$160,000 - \$170,000 per kilometre. Future fluctuations in the price of oil may impact on these figures.

The development of the RTR program has been based on asset management principles whereby factors considered in the allocation of funds include:

- Current pavement conditions – in all cases, the proposed rehabilitation works are necessary because of the age of the pavement, the lack of an effective reseal programme and, more importantly, the fact that there is little or no pavement thickness.
- Traffic volumes – the nominated roads are of the highest trafficked local roads in the Lithgow Council area.
- Safety and risk management – all of the nominated roads are now beyond maintenance by routine methods and potentially provide an increased risk to

The program has also been prepared in conjunction with other Council programs, including the Infrastructure Levy and Council funded works from the FAG program (Roads component of the Financial Assistance Grant).

The initial programme, as it appears in the Draft Management Plan was based on the anticipated value of the annual allocation of \$470,000. This value is now confirmed as \$560,337.

The proposed program, for the first 3 years of the RTR program, is tabled below.

PROJECT DESCRIPTION	2009/10	2010/11	2011/12
Sodwalls – Tarana Rd (Rehab)	\$70000 + IL		
Browns Gap Rd (Rehab from GWH north)	\$120000	\$130000	
Glen Alice Rd (Reconst & initial seal from Glen Alice towards Kandos)	\$160000	\$170000	\$160000
Glen Davis Rd (Reconst & initial seal from end of bit towards Capertee River)	\$210000	\$90000	
Rydal Hampton Rd (Rehab)		\$170000	\$150000
Cuthill Rd (Rehab)			\$160000
Ivatt St (Rehab from 0.2-0.8km nth of Busby St)			\$90000
TOTAL	\$560000	\$560000	\$560000

NOTE: It should be noted that some of the above projects have been allocated funds under the proposed Infrastructure Levy Program. This will in effect accelerate the completion of works on the above roads. The affected roads are noted above with the letters “IL”. Separately attached to this report is a table which summarises the combined programs as proposed for the next three years. This table needs to be read in conjunction with this report.

Projects which have been identified for inclusion in the final 2 years of the RTR Programme include, in priority order

- Continuation of reconstruction of Glen Davis Rd over the next two year period
- Commence rehabilitation of sections of Mid Hartley Rd
- Dark Corner Rd – provide seal over the next two year period
- Commence rehabilitation of Curly Dick Rd

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

RTR funding of \$2801687 over the 5 years 2009/10 – 2013/14 has been announced.

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Combined proposed roads program for the period 2009/10 to 2011/12

RECOMMENDATION

THAT Council adopt the Roads to Recovery Program for the three year period 2009/10 to 2011/12 as presented.

INTERNAL SERVICES REPORTS

ITEM:18 INTE - 22/06/09 - COUNCIL INVESTMENTS TO 31ST MAY 2009

REPORT FROM - INTERNAL SERVICES MANAGER - C FARNSWORTH

REFERENCE

Min O08-136 - 19 August 2008 (July 2008)
Min F08-125 - 07 October 2008 (Aug 2008)
Min O08-167 - 21 October 2008 (Sept 2008)
Min O08-192 - 18 November 2008 (Oct 2008)
Min O08-233 - 15 December 2008 (Nov 2008)
Min 09-15 - 27 January 2009 (Dec 2008)
Min 09-51 - 16 February 2009 (Jan 2009)
Min 09-95 - 09 March 2009 (Feb2009)
Min 09-149 - 20 April 2009 (March 2009)
Min 09- 215 - 01 June 2009 (April 2009)

SUMMARY

To advise Council of investments held to 31 May 2009 for the 2008/09 financial year.

COMMENTARY

Council's total investment portfolio, as at 31 May 2009 when compared to 30 April 2009, has increased by \$2,593,184.02. The increase is mainly attributed to income received from the fourth rate instalment which was due on the 31 May 2009 and the final payment of the 2008/09 Financial Assistance Grant received on 16 May 2009.

INVESTMENT REGISTER 2008/09								
INSTITUTION	INV TYPE	DATE LODGED	DATE DUE	DAYS	INT	VALUE 31.05.09	VALUE 30.04.09	% OF TOTAL
ANZ	TD	14.05.09	15.06.09	32	3.41	508,894.08	1,018,101.41	3.12%
	TD	12.03.09	14.05.09	63	3.28	0.00	506,029.26	0.00%
	TD	18.04.09	18.05.09	32	3.37	0.00	508,523.94	0.00%
BANKWEST	TD	04.05.09	04.08.09	92	4.00	500,000.00	0.00	3.06%
	TD	14.05.09	12.08.09	90	4.00	530,910.27	525,429.96	3.25%
	TD	12.03.09	10.07.09	120	4.15	500,000.00	500,000.00	3.06%
CBA	On Call				2.95	1,019,179.81	814,216.78	6.24%
	Ethical Nt	06.11.06	06.11.11	1,825	9.25	220,000.00	220,000.00	1.35%
	TD Shield	21.11.07	05.06.09	547	***	750,000.00	750,000.00	4.59%
CITIBANK	TD	16.04.09	16.07.09	90	4.60	595,022.87	595,022.87	3.64%
	TD	09.04.09	11.06.09	64	3.90	527,785.01	527,785.01	3.23%
	TD	18.05.09	17.08.09	91	4.50	500,000.00	0.00	3.06%
	TD	09.03.09	15.05.09	66	4.00	0.00	1,019,977.83	0.00%
LGFS	On Call				2.90	7,159.79	7,159.79	0.04%
IMBS	TD	05.03.09	06.06.09	91	4.05	1,457,606.50	1,457,606.50	8.93%
	TD	07.05.09	05.08.09	90	4.00	911,476.94	905,304.75	5.58%
NAB	TD	14.05.09	14.08.09	90	4.33	1,000,000.00	0.00	6.12%
	TD	19.05.09	19.08.09	90	4.20	750,000.00	0.00	4.59%
WESTPAC	TD	15.05.09	15.09.09	120	4.00	1,000,000.00	0.00	6.12%
	TD	29.05.09	29.09.09	120	4.33	750,000.00	0.00	4.59%
MACQUARIE	TD	19.05.09	19.11.09	180	4.10	2,000,000.00	2,079,693.15	12.25%
ST GEORGE	TD	19.05.09	19.11.09	180	4.10	750,000.00	750,000.00	4.59%
	TD	04.05.09	04.08.09	92	3.75	500,000.00	0.00	3.06%
	On Call				3.20	542,651.15	542,651.15	3.32%
SUNCORP	TD	04.03.09	04.06.09	90	4.00	500,000.00	500,000.00	3.06%
	TD	19.03.09	18.06.09	91	3.81	506,625.54	506,625.54	3.10%
			TOTAL			16,327,311.96	13,734,127.94	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.

*****CBA TD Shield \$750,000:**

Council's CBA TD Shield of \$750,000 matured on the 5th June 2009 and the full value of the principal was deposited into Councils General Fund bank account on that date. The transaction will be reflected in the June investment summary which will reported to the meeting of 13 July 2009.

As previously stated the principal from the deposit was protected to maturity and interest was estimated on the 2006 prospectus as a return of 16% which had been based on historical investment performance over prior years. As expected, and attributed to the current financial turmoil, the interest on the investment has not been achieved and a nil interest return is shown on maturity.

POLICY IMPLICATIONS

Investments are held in accordance with the Lithgow City Council's Investment Policy at the date of investing the funds. On 21 October 2008 Council adopted the current version of the Investment Policy as Policy 8.2.

FINANCIAL IMPLICATIONS

Interest received to 31 May 2009 is \$636,125.11 of a revised estimate of \$735,000 included in the March quarter of the 2008/09 Management Plan. Interest is paid on the maturity date of the investment.

LEGAL IMPLICATIONS

Investments are held in accordance with the Lithgow City Council's Investment Policy at the date of investing the funds. On 21 October 2008 Council adopted the current version of the Investment Policy as Policy 8.2 and all future investments will comply with this Policy which accords with the requirements of the:

- Local Government Act 1993 - Section 625
- Local Government Act 1993 - Order dated 31 July 2008
- Local Government (General) Regulation 2005
- Trustee Amendment (Discretionary Investments) Act 1997- Section 14A(2), 14c(1) & (2)

RECOMMENDATION

THAT Investments of \$16,327,311.96 for the period ending 31 May 2009 be noted.

ITEM:19 INTE - 22/06/09 - 2008/09 AND 2009/10 LOAN BORROWING PROGRAMS AND THE MINISTERS BORROWING ORDER OF 13TH MAY 2009

REPORT FROM - INTERNAL SERVICES MANAGER - C FARNSWORTH

REFERENCE

Min No O08-72 - Ordinary Council Meeting 10 June 2008 - Adoption of the 2008/09 Management Plan

Min No 09-299 - Ordinary Council Meeting 1 June 2009 - Adoption of the 2009/10 Management Plan

SUMMARY

To advise Council that no new loans will be drawn down for the 2008/09 financial year, provide information on the proposed 2009/10 loan borrowing program and advise Council of the Ministers Revised Borrowing Order of 13 May 2009.

COMMENTARY

The Department of Local Government, in Circular 09-21, has advised that the Minister for Local Government has handed down revised orders for Council loan borrowings.

The Minister for Local Government, Barbara Perry MP, pursuant to Section 624 of the Local Government Act 1993, has released new restrictions on borrowings by a Council. From the date of the Order, 13 May 2009, Councils may not borrow from any source outside the Commonwealth of Australia nor in any other currency other than Australia currency.

Transitional arrangements exist for borrowings made before the date of the Order on 13 May 2009 in compliance with the previous Ministerial Order dated 27 September 1993.

Circular 09-21 also reminds Councils that under their Charter they must have regard to the long term and cumulative effects of their decisions, and accordingly must exercise reasonable care and diligence that a prudent person would exercise when borrowing funds. The borrowing of money is not a function that Council can delegate and it is expected that Councillors would have a full understanding of the terms and conditions of borrowing arrangements before entering into a contract.

2008/09 LOAN BORROWING PROGRAM:

The 2008/09 Management Plan provided for \$3,920,000 new borrowings for the following infrastructure programs:

2008/09 PURPOSE	AMOUNT
WASTEWATER FUND:	
STP Lithgow	\$2,500,000
Mains Extensions	\$370,000
Sth Littleton Pumping Station	\$400,000
WATER FUND:	
St Littleton Reservoir	\$650,000
TOTAL	\$3,920,000

As Councillors are aware major Water and Wastewater projects have been investigated and voted in the 2009/10 Management Plan and accordingly no new loan funds are required in the 2008/09 financial year.

PROPOSED 2009/10 LOAN BORROWING PROGRAM:

The 2009/10 - 2011/12 Management Plan adopted by Minute No: 09-229 on the 1 June 2009 includes new loan borrowings for 2009/10 of \$6,930,000 for the following infrastructure improvements:

2009/10 PURPOSE	AMOUNT
WASTEWATER FUND:	
STP Lithgow	\$5,450,000
STP Wallerawang	\$1,480,000
TOTAL	\$6,930,000

POLICY IMPLICATIONS

Loan funds are borrowed in accordance with:

- Local Government Act 1993 - Section 624
- Local Government Act 1993 – Borrowing Order dated 13 May 2009
- Local Government (General) Regulation 2005

FINANCIAL IMPLICATIONS

2009/10 Loan borrowing program of \$6,930,000 included in the 2009/10 - 2011/12 Management Plan

LEGAL IMPLICATIONS

Nil

ATTACHMENTS

1. Circular 09-21
2. Ministers Borrowing Order: 13 May 2009

RECOMMENDATION

THAT:

1. Council acknowledge the Ministers Borrowing Order of 13 May 2009
2. Council acknowledge that no new loans will be drawn down in the 2008/09 financial year
3. Council note the 2009/10 loan program of \$6,930,000 as adopted by Min No 09-229 at the meeting of 1 June 2009, included in the 2009/10 -2011/12 Management Plan

ITEM:20 INTE - 22/06/09 - SECOND INTERIM AUDIT VISIT FOR THE 2008/09 FINANCIAL YEAR

REPORT FROM: CAROL FARNSWORTH - INTERNAL SERVICES MANAGER

REFERENCE

Min No O08-72 - Ordinary Meeting 10 June 2008: Adoption of 2008/09 Management Plan

Min No 09-176 - Ordinary Meeting 1 June 2009: 2008/09 First Interim Audit Visit

SUMMARY

To advise Council of the completion of the second interim audit visit by the Morse Group for the 2008/09 financial year with a recommendation that the report be received.

COMMENTARY

During the first week of May 2009 Auditors, the Morse Group, completed the second interim audit of Council's records.

The audit covered, but was not limited to, the period 1 March to 30 April 2009 and a report in relation to this was received on 1 June 2009. A copy of the report is attached for information.

Ms Leanne Smith, Audit Partner advises that the purpose of the visit was to obtain sufficient, appropriate audit evidence to enable the Morse Group to express an opinion on Council's annual financial report. The procedures adopted achieve this purpose in a cost effective and efficient manner while concentrating on areas of materiality and high risk.

The scope of the audit did not include a comprehensive review of all procedures and systems and comments are limited to the operational areas examined which include:

- Purchase & general expenditure transactions
- Receipting system and cashier processes
- Councils reconciliations and sub ledger accounts
- Payroll system
- Journals
- Plant
- Water Billing
- Council's minutes
- Sec 94 contributions

The audit has taken into account the extent of Council's internal control measures which consisted of:

- The control environment, incorporating managements policies and procedures
- The information systems, incorporating the final reporting process used to prepare the Council's financial reports: and
- Internal control, being those policies and procedures which management has established to provide reasonable assurance that specific organisation objectives will be achieved

The audit established that the financial management procedures and systems have been controlled effectively in a manner appropriate for Council's structure and resources.

The first interim audit report was reported to Council at the meeting of 11 May 2009 and raised an issue in relation to the amounts charged to developers under Section 94 contributions which had not been indexed by CPI as required. To rectify the situation Council commenced the indexation of the contributions from 1 May 2009, but due to the timing of the May audit visit the auditors were unable to review this matter but will do so on subsequent visits. Council Officers can substantiate all contributions levied since the 1 May 2009 have been increased by CPI.

Policy Implications

Nil

Financial Implications

Nil

Legal Implications

Nil

ATTACHMENTS

1. Letter from The Morse Group dated 1 June 2009. Dataworks Document 508906

RECOMMENDATION

THAT:

1. Council note receipt of the 2008/09 financial year second interim audit report, dated 1 June 2009, from the Morse Group.
2. The audit established that the financial management procedures and systems have been controlled effectively in a manner appropriate for Council's structure and resources and no issues arose.

COMMITTEE MEETINGS

ITEM:21 REG - 22/06/09 - INDOOR AQUATIC CENTRE ADVISORY
COMMITTEE MINUTES

REPORT BY: ACTING GROUP MANAGER OPERATIONS – CHRIS SCHUMACHER

SUMMARY

Details of the Minutes of the Indoor Aquatic Centre Advisory Committee Meeting held on Thursday, 04 June 2009 for Council adoption.

COMMENTARY

Attached for Council's adoption are the minutes of the meeting held on 04 June 2009.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

Nil.

ATTACHMENTS

1. Minutes of the Indoor Aquatic Centre Advisory Committee Meeting held on Thursday, 04 June 2009 for Council adoption.

RECOMMENDATION

THAT Council:

1. Adopt the minutes of the Indoor Aquatic Centre Advisory Committee Meeting held on Thursday, 04 June 2009.
2. Engage Facility Design Group to review the current concept design report and to modify the concept to include an 8 lane 25 pool, leisure/program pool, gym and office etc, and as a second option to include all the above plus an indoor sporting area that could accommodate activities such as tennis, indoor cricket etc. The review is to include full costings for both options as above
3. Fund the review study in 2 above from the available grant funding once funding has been confirmed.

**ITEM:22 REG - 22/06/09 - SPORTS ADVISORY COMMITTEE MINUTES 25TH
 MAY 2009**

REPORT BY: STRATEGIC ENGINEER – LEANNE KEARNEY

SUMMARY

Details of the Minutes of the Sports Advisory Committee Meeting held on Monday, 25 May 2009 for Council's information.

COMMENTARY

At the Sports Advisory Committee Meeting held on Monday, 25 May 2009, there were twelve (12) items discussed by the Committee. It is considered that all actions resolved by the Sports Advisory Committee be noted in accordance with the Committee's adopted Terms of Reference and Delegations.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Item 5 will require \$100.00 to be expended from the current allocation for Financial Assistance for Sporting Representations (approved financial assistance to Claire Rodgers - \$100.00).

LEGAL IMPLICATIONS

Nil.

ATTACHMENTS

1. Minutes of the Sports Advisory Committee Meeting held on Monday, 25 May 2009.

RECOMMENDATION

THAT Council:

1. Note the actions of the Sports Advisory Committee from the meeting held on Monday, 25 May 2009; and
2. Approve financial assistance of \$100.00 to Claire Rodgers after her recent selection in the Western Region Academy of Sport Netball Team.

ITEM:23 COMM - 22/06/09 - COUNCIL HEALTH COMMITTEE

REPORT BY: MANAGER COMMUNITY AND CULTURE – MATTHEW JOHNSON

REFERENCE

Min 07-543 - Ordinary Meeting of Council 17 December 2007
Min F08-117 - Finance and Services Committee Meeting 7 October 2008
Min 18-09 - Ordinary Meeting of Council 27 January 2009.
Min 09-72 and 09-73 - Ordinary Meeting of Council 16 February 2009

SUMMARY

Following advertising for membership to the Health Advisory Committee, no nominations were received. This report recommends that the Council does not proceed with this committee and that should any health related issues arise, the Council makes contact and advocate directly with relevant authorities.

COMMENTARY

At the Ordinary Meeting of Council held on 27 January 2009 (Item 16), the Council adopted the Terms of Reference for the Health Advisory Committee. Council further resolved at the Ordinary Meeting of Council held on 16 February 2009 that Councillors Marshall and McAndrew be appointed as Council representatives to the Committee with Councillor Fisher as the alternative.

Membership of the Committee was to include two Councillors; Lithgow City Council General Manager or his nominee; Department of Health/Sydney West Area Health Service; General Practitioner; General Manager Lithgow District Hospital; community representatives from the Aged Care, Disability and Youth sectors. Nominations were subsequently sought from these organisations and sectors by way of letter and newspaper advertisement. The closing date for nominations was 8 May 2009. No nominations have been received.

The Council previously advertised for membership to a Health Committee in late 2007, with the result of insufficient interest shown to form a Committee at that time.

The principal responsibilities of the Committee are to:

- Provide advice to the Council in determining the long term health services and infrastructure needs for the Lithgow LGA.
- Provide input that assists with the securing of appropriate health services and infrastructure for the Lithgow LGA.
- Provide input that assists with the recruitment of health services professionals to the Lithgow LGA.
- Provide input into securing appropriate primary, secondary and tertiary health programs that may stimulate improved health outcomes for Lithgow LGA.
- In conjunction with the Council identify, seek out and advocate for health services and infrastructure that may contribute to improved health outcomes for the LGA.
- Provide advice on other initiatives that Council and other agencies can undertake for promoting a healthy Lithgow community.

It would appear that the Terms of Reference present difficulties for Health Service staff to become members of the Committee as the Terms of Reference include advocacy activities which Health Service staff would not be able to participate in.

Sydney West Area Health Service has an Advisory Council with community representation that has been established to:

- Listen to community concerns and ideas as to how to improve health services in Sydney West Area Health Service (SWAHS).
- Provide information to the Chief Executive of SWAHS on how best to support, encourage and facilitate community, consumer and clinician involvement in planning health services.
- Consult the community in relation to plans, policies and strategies for delivery of health services in SWAHS.

The Advisory Council covers the entire Area Health Service region and not only Lithgow however it includes Mr Stan Williams as a Lithgow representative.

In view of the lack of response from the community and health services, it is recommended that Council not form the Health Advisory Committee and that should any health related issues arise, the Council makes contact and advocates directly with relevant health authorities.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

RECOMMENDATION

THAT:

1. Council not proceed form the Health Advisory Committee.
2. Should any health related issues arise, the Council makes contact and advocates directly with relevant health authorities.

ITEM:24 COMM - 22/06/09 - COUNCIL YOUTH ADVISORY COMMITTEE

REPORT BY: COMMUNITY DEVELOPMENT OFFICER – JASON HOPKINS

REFERENCE

Min 18-09 - Ordinary Meeting of Council 27 January 2009

SUMMARY

This report recommends that Council adopts the attached Terms of Reference for the Youth Advisory Committee and appoints two councillors to the committee.

COMMENTARY

The Lithgow Social Plan 2006 - 2011 recommended that Council adopt a Youth Committee that would oversee youth projects in the Lithgow area. Lithgow City Council previously had a Youth Council that was dissolved in early 2007.

Council resolved in June 2008 as part of the 2009/10 - 2011/12 Management Plan that a Youth Committee be established. The primary purpose of this committee is to enable young people to have a voice to Council.

The purpose of the Committee will be to:

- Advise Council on a strategic direction for youth services in the local government area.
- Assist in the development of a positive image of youth in the community.
- Be a voice for youth to community leaders.
- Raise awareness of youth issues in the community.
- Help the Council address youth issues and work towards a better community for youth by working directly with youth representatives.
- Promote youth in a positive way through community and youth events.
- Represent youth and promote youth leadership opportunities to schools and service clubs such as Lions Club, Rotary and Quota.
- Develop leadership skills among young people in the Lithgow LGA.

Possible future projects for this committee will be:

- Managing the new skate park
- Youth week events
- Music events
- Sports events

Draft terms of reference for the Lithgow City Council Youth Committee are attached. It is recommended that these be adopted by Council and that the Council appoints two councillors to the committee.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Youth Committee Terms of Reference

RECOMMENDATION

THAT Council:

1. Adopts the Youth Advisory Committee Terms of Reference.
2. Appoints two councillors to the Committee.

BUSINESS OF GREAT URGENCY

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

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

CLOSED REPORTS

ITEM:25 REG - 22/06/09 - CONFIDENTIAL REPORT - CENTROC ELECTRICITY SUPPLY TENDER

REPORT FROM: GROUP MANAGER REGIONAL SERVICES - ANDREW MUIR

Reason for Confidentiality

In accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the following business is of a kind as referred to in section 10A(2) of the Act, and should be dealt with in a part of the meeting closed to the media and public.

Set out below is section 10A(2) of the *Local Government Act 1993* in relation to matters which can be dealt with in the closed part of a meeting.

The matters and information are the following:

- (a) personnel matters concerning particular individuals (other than councilors)
- (b) the personal hardship of any resident or ratepayer
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business
- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret
- (e) information that would, if disclosed, prejudice the maintenance of law
- (f) matters affecting the security of the council, councilors, council staff or council property
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege
- (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land.

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

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

REFERENCE

Nil

SUMMARY

This report details the results of the Electricity Supply Tender conducted on behalf of the CENTROC group of Councils.

RECOMMENDATION

THAT Council consider this report in closed Council pursuant to Section 10A(2)(c) of the Local Government Act 1993.

ATTACHMENTS

ITEM:22 REG - 22/06/09 - SPORTS ADVISORY COMMITTEE MINUTES 25TH MAY 2009

PRESENT

Councillor Neville Castle (Chairman), Councillor Ray Thompson, Mr Neil Gambrill, Mr Neil Hutchinson, Mr Wayne Vought, Mr Mark Cronin, Mr Danny Whitty, Mrs Robyn Whitty, Mr Eric Arnold, Mrs Nerryl Wood, Mr Murray Besley, Ms Gaylene Maumill, Mr Ray Hamment, Mr Kevin Hanrahan, Ms Deborah Williams, Mr Bill Ranse (arrived at 5.45pm), and Miss Leanne Kearney (Strategic Engineer).

APOLOGIES

Mr Ray Stoneley, Ms Deb Edwards, Mr Glen Ryan, and Mr Russell Blanchard.

REPORT

ITEM 1 - DECLARATION OF INTEREST

Councillor Neville Castle declared an interest in Item 11 of tonight's agenda (booking by Portland Central School).

The Committee resolved to accept Councillor Castle's declaration of interest.

MOVED: Ray Thompson

SECONDED: Neil Gambrill

ITEM 2 - MINUTES OF THE PREVIOUS MEETING

The Minutes of the Sports Advisory Committee Meeting held on Monday, 27 April 2009, were confirmed as a true and correct record of the meeting.

MOVED: Neil Gambrill

SECONDED: Wayne Vought

ITEM 3 - BUSINESS ARISING FROM THE MINUTES

- Council has placed \$15,000 in the draft estimate budget for replacement of the synthetic cricket wicket at Kremer Park, Portland.
- Council has received a written request from the Lithgow Hockey Association Inc for use of Glanmire Oval, Lithgow for the 2009 season, and formal approval has been given as per Council's previous resolution.
- Councillor Neville Castle advised that Council was successful in its grant application for funding under the Regional and Local Communities Infrastructure Program, as detailed in Item 9 of tonight's agenda. Mr Neil Gambrill on behalf of the Lithgow Hockey Association thanked Council's staff, General Manager, Councillors and the Federal Member Mr Bob Debus for this funding, adding that these works will be a vast improvement once completed.

The Committee resolved for the information in relation to Business Arising from the Minutes be accepted.

MOVED: Neil Gambrill

SECONDED: Ray Thompson

ITEM 4 – 2009 REG COWDEN MEMORIAL SPORTS STAR AWARDS

Junior Nominations for the month of April 2009 were received from the following:

- Claire Rodgers (Swimming) – Claire competed at the NSW Swimming Championships in five (5) events, 50 metre freestyle, 100 metre freestyle, 100 metre backstroke, 100 metre breaststroke and 200 metre individual medley.
- Laura Whichelo (Taekwondo) – Laura competed at the NSW Autumn Open, winning her fist heat 10 – 3, and winning the final 9 – 6, winning the Black Belt 34 – 38 kg Girls Division.

The Committee selected Laura Whichelo (Taekwondo) to be the Junior Sports Star winner for the month of April 2009.

MONTH	RECIPIENT
January	Tai Denicaucau (Athletics) and Zachary Ford (Mountain Biking)
February	Jenna Heath (Athletics)
March	Zoe Heath (Athletics)
April	Laura Whichelo (Taekwondo)
May	
June	

Senior Nominations for the month of April 2009 were received from the following:

- Amanda Saladine (Hockey) – Amanda represented Australian Country hockey in Singapore and Malaysia, with the team winning a gold medal. Amanda was also named the top goal scorer for the Australian Country Team for the tournament.

The Committee selected Amanda Saladine (Hockey) to be the Senior Sports Star winner for the month of April 2009.

MONTH	RECIPIENT
January	Chris Hutchinson (Cricket)
February	Ben Houlison (Adaptive Rowing)
March	Scott Fittler (Cricket)
April	Amanda Saladine (Hockey)
May	

The Committee resolved for the Junior Sports Star Award be awarded to Laura Whichelo (Taekwondo) for the month of April 2009, the Senior Sports Star Award be awarded to Amanda Saladine (Hockey) for the month of April 2009, and for merit certificates to be awarded to the other nominees.

MOVED: Neil Hutchinson

SECONDED: Nerryl Wood

ITEM 5 – FINANCIAL ASSISTANCE REQUESTS

Council received complying financial assistance requests from the following:

- Claire Rodgers, after her selection in the Western Region Academy of Sport Under 15 and Open Netball team to compete at the State Championships in June 2009.

The Committee resolved for financial assistance be provided to Claire Rodgers (\$100.00).

MOVED: Neil Gambrell

SECONDED: Neil Hutchinson

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

Correspondence has been received from Lithgow Public School requesting permission to sue Jim Monaghan Athletics Oval and Tony Luchetti Sportsground, Lithgow on Wednesday, 8 July 2009 between 8.30am and 3.00pm.

This booking does not conflict with any other approved bookings.

The Committee resolved for permission to be granted to Lithgow Public School to use Jim Monaghan Athletics Oval and Tony Luchetti Sportsground, Lithgow on Wednesday, 8 July 2009 between 8.30am and 3.00pm, subject to the ground conditions being satisfactory (date may need to be changed subject to ground conditions being unsatisfactory due to adverse weather conditions).

MOVED: Kevin Hanrahan

SECONDED: Ray Thompson

ITEM 7 – WESTERN REGION ACADEMY OF SPORT – 2009 ROOKIE CAMPS

The Western Region Academy of Sport is conducting Rookie Camps for junior athletes during the July 2009 school holidays. Each is a residential camp that acts as a pre selection trial for the 2009 WRAS squads. Athletes at the camp will receive expert tuition by Academy coaches, coaches from the local region, special guests, senior WRAS graduates and association/club coaches.

The camps are designed to provide junior athletes the opportunity to enhance their skills and knowledge in a fun learning environment, as well as identifying players who will be invited to apply for a 2010 WRAS scholarship.

Camps are available for basketball, hockey, lawn bowls, netball and triathlon.

There are also limited positions at the camp for coaches interested in attending to assist with the development of coaches throughout the region.

Nomination and information forms can be downloaded from the WRAS website, www.wras.org.au, or by contacting Felicity James on (02) 6338 4821.

Nominations are due on 29 May 2009.

The Committee resolved for the information in relation to the Western Region Academy of Sport 2009 Rookie Camps be noted.

MOVED: Ray Thompson

SECONDED: Neil Gambrill

ITEM 8 – LIVE LIFE WELL IN LITHGOW PROJECT – ADDRESS BY MS ANGELA MILLS

Ms Angela Mills, Project Co-Ordinator for the Live Life Well in Lithgow Project was scheduled to provide an address to the Committee in relation to the project, and the planned challenge scheduled for September to November 2009. This item has been held over until the Sports Advisory Committee meeting scheduled for 29 June 2009.

The Committee resolved for Ms Angela Mills to be invited to the next Sports Advisory Committee meeting to provide an address in relation to the Live Life Well in Lithgow Project.

MOVED: Ray Thompson

SECONDED: Deborah Williams

ITEM 9 – REGIONAL AND LOCAL COMMUNITY INFRASTRUCTURE PROGRAM – SUCCESSFUL GRANT

Council has been officially informed of its success in acquiring a grant of \$3.285 million from the Regional and Local Community Infrastructure Program from the Federal Government. This will be a contribution to \$4.16 million of work, and will include a partnership with the Greater Lithgow Hockey Association.

The work will have major improvements for an overall sporting and cultural precinct in the Lithgow area. The proposed works include:

- Major improvements to the general precinct of the Tony Luchetti Sportsground, Lithgow;
- Significant improvements to the Ashley Grandstand;
- Improvements to the Civic Ballroom;
- Additional money for the Lithgow Skate Park; and
- Replacement of the sand based Hockey turf with a water based turf at Glanmire Oval, Lithgow

This successful application came about through successful negotiations and lobbying between Council and the Federal Member, Mr Bob Debus, who had been particularly supportive of Council's application.

It is clear to see that even though there had been some minimal opposition to this particular idea, the decision of Council and subsequent very hard work of Council staff in having the application completed correctly and submitted on time has paid off.

This amount of money will be not only a huge benefit to Lithgow Council and our community, but will also provide many opportunities.

Council Officers are now preparing for community consultation to enable a report regarding the program of works to be complete for this grant.

The Sports Advisory Committee will also play a significant role in this consultation, as the majority of users who will benefit from these works are valuable members of the Committee.

Progress reports will be regularly presented to the Sports Advisory Committee for information and or appropriate action.

Councillor Neville Castle advised that Council has appointed Miss Leanne Kearney to be the Project Leader for these works, and praised Council staff for their efforts in submitting a successful application for funding.

The Committee resolved for the information in relation to the success of the Regional and Local Community Infrastructure Program be noted, and for the staff involved to be thanked for their efforts.

MOVED: Neil Gambrill

SECONDED: Ray Thompson

ITEM 10 – SPORTS ADVISORY COMMITTEE – NOMINATION OF COMMITTEE MEMBERS

Nominations for membership of the Sports Advisory Committee closed on Friday, 22 May 2009.

Nominations have been received from the following organisations:

Name	Primary Delegate	Alternative Delegate
Lithgow Workmen's Club RLFC	Bill Ranse	Brian Morris
Lithgow District Senior Cricket Association	Neil Hutchinson	Danny Whitty
Reg Cowden Memorial Trust	Danny Whitty	
Reg Cowden Memorial Trust	Robyn Whitty	
Reg Cowden Memorial Trust	Glen Ryan	
Lithgow District Junior Cricket Association	Mark Cronin	Michael Brown
Lithgow Hockey Association Inc	Neil Gambrill	Wayne Vought
Lithgow District Soccer Association	Murray Besley	Kelly Hammonds
Lithgow Athletics Club	Eric Arnold	Ray Stoneley
Lithgow District Netball Association	Kimberley Pattison	Deb Edwards
Lithgow Golf Club	Ray Hamment	Garry Marshall
Lithgow City Tennis Club	Deborah Williams	Sue Metcalf
Lithgow Croquet Club	Lynne Nelson-Jones	Stephen Barnes
Lithgow Swimming Club	Jodie Stewart	Karen Luka

Council has not received nominations from Lithgow Bears RLFC, Wallerawang Warriors RLFC, Portland Colts RLFC, Mid West Axemen's Association, Lithgow Show Society, Portland Trainers, Lithgow Storm Junior RLFC, Wallerawang Baseball, Lithgow Harness Racing Association, or Portland Colts Junior RLFC, who are existing members of the Committee.

Delta Electricity has nominated Michelle Blackley to be their delegate, however, Michelle will not be required to attend meeting unless there is an item specifically related to any changes made to the Reg Cowden Memorial Sports Star of the Year Awards.

As per the adopted Terms of Reference, Council has nominated Councillor Neville Castle and Councillor Ray Thompson to be delegates of the Committee. Councillor Castle will fulfil the role of Chairman, and Councillor Thompson will be the Deputy Chairman.

Council's Operations Manager is the Executive Officer of the Committee, and Council has nominated Mr Danny Oldfield (Public Assets Engineer) as the primary delegate, and Mr Terry Nolan (Recreation Supervisor) as the alternate delegate.

The Operations Manager shall be the Executive Officer to the Committee.

The Executive Officer shall:

- provide executive support to the Committee
- be responsible for preparing the agenda and minutes of Committee meetings
- be responsible for preparing a report to the Council containing the minutes and, providing staff comment on the recommendations made by the Committee to the Council
- provide to the Committee the outcome and resolutions of the Council regarding each recommendation.

The Committee resolved to

1. accept the nominations made by Lithgow Workmen's Club RLFC, Lithgow District Senior Cricket Association, Lithgow District Junior Cricket Association Reg Cowden Memorial Trust, Lithgow Athletics Club, Lithgow Golf Club, Lithgow District Soccer Association, Lithgow District Netball Association, Lithgow Swimming Club, Lithgow Croquet Club, Lithgow Hockey Association Inc, and Delta Electricity as members of the Sports Advisory Committee; and
2. write to Lithgow Bears RLFC, Wallerawang Warriors RLFC, Portland Colts RLFC, Mid West Axemen's Association, Lithgow Show Society, Portland Trainers, Lithgow Storm Junior RLFC, Wallerawang Baseball, Lithgow Harness Racing Association, and Portland Colts Junior RLFC requesting them to notify Council of their intention to nominate delegates or resign from the Sports Advisory Committee, prior to 26 June 2009.

MOVED: Mark Cronin

SECONDED: Ray Hamment

ITEM 11 – BOOKING REQUEST – SAVILLE PARK, PORTLAND – PORTLAND CENTRAL SCHOOL

Councillor Neville Castle declared an interest in this item and vacated the Chair, with the Deputy Chairman, Councillor Ray Thompson chairing the proceedings during this item.

Correspondence has been received from Portland Central School requesting permission to use Saville Park, Portland on Friday, 29 May 2009 between 10.00am and 12.30pm to conduct competition games for the PSSA touch football competitions.

This booking does not conflict with any other approved bookings.

The Committee resolved to grant permission to Portland Central School to use Saville Park, Portland on Friday, 29 May 2009 between 10.00am and 12.30pm to conduct competition games for the PSSA touch football competitions, subject to the ground conditions being satisfactory (date may need to be changed subject to ground conditions being unsatisfactory due to adverse weather conditions)..

MOVED: Nerryl Wood

SECONDED: Danny Whitty

ITEM 12 – GENERAL BUSINESS

- ◆ Mr Ray Hamment requested Council to urgently inspect the ditch across the first fairway at the Lithgow Golf Club, it has had continuous water flowing through it for a number of months, and needs attention. Ray tabled photos of the ditch, for the Committee's information. Council's Operations Manager will investigate and provide a report back to the next Sports Advisory Committee meeting.
- ◆ Mr Ray Hamment requested that the Board Room at the Lithgow Golf Club be inspected, there is a mould issue which requires actions. Council's Operations Manager will investigate and provide a report back to the next Sports Advisory Committee meeting.
- ◆ Mr Eric Arnold advised that Zig Zag School will be conducting their athletics Carnival on Friday, 29 May 2009 at Zig Zag Oval, Lithgow, and Miss Leanne Kearney advised that written application has been received, and formal approval given.
- ◆ Mr Eric Arnold enquired if any members of the Committee could remember the mountain race that has previously been held. The Committee noted that there was a previous mountain race commencing at Queen Elizabeth Park and proceeding to Hassans Walls Lookout, and suggested that this maybe a race that could be conducted as part of the Lithgow Flash Gift, the Lithgow Show, or Celebrate Lithgow. Council will request that these three (3) event organisers consider re-commencing this race for future celebrations / events. The Committee further noted that the King of the Mountain run was recently reintroduced as part of the Lithgow Show, and was a successful event.
- ◆ Councillor Neville Castle advised that in recent discussions regarding upgrading of the Ashley Grandstand, it was suggested that the LJ Hooker Reg Cowden Memorial Sports Star Awards could be placed on display in the canteen area. This idea will be considered as part of the planning process for upgrading works for the Grandstand.

- ◆ Miss Leanne Kearney advised that Council is currently preparing a Standard Working Procedure in relation to Temporary Closure of Council's Sporting Fields, and a draft will be forwarded with the minutes and discussed at the next Sports Advisory Committee meeting.
- ◆ Mr Kevin Hanrahan thanked Council for allowing the Junior Rugby League Carnival to proceed on the weekend at Tony Luchetti Sportsground, and Councillor Ray Thompson added that there was a significant increase in patronage at the Lithgow Workmen's Club due to this event.
- ◆ Councillor Neville Castle advised that the Lithgow Flash Gift was recently named as the NSW Athletics "Meet of the Year", and is now also nominated for the Athletics Australia "Meet of the Year". Mrs Nerryl Wood added that whilst the event is a success, the event needs more volunteers on the day to assist with proceedings, and requested that members of the Sports Advisory Committee offer their support for next years event. The Committee resolved to write to the Lithgow Flash Gift event organisers and offer the Committee's support for the 2010 event.
- ◆ Mr Danny Whitty enquired if any members of the Sports Advisory Committee had received information regarding volunteering for the World Masters Games during 2009, and members of the Committee will investigate if they are able to provide support for this event.
- ◆ Mr Danny Whitty requested that Council also consider installing new seating in the grandstands at Kremer Park, Portland and Wallerawang Oval, Wallerawang in conjunction with new seating to be installed in the Ashley Grandstand at Tony Luchetti Sportsground, Lithgow. Council's Operations Manager will investigate and provide a report back to the next Sports Advisory Committee meeting.
- ◆ Mr Bill Ranse advised that the recent City versus Country Rugby League Match at Orange was successful, with approximately 8,000 people in attendance. Bill requested an update on the works to be undertaken as part of the Regional and Local Communities Infrastructure Program, and Miss Leanne Kearney advised that community consultation with users of the facilities will shortly commence, and progress reports will be provided to the Sports Advisory Committee.
- ◆ Councillor Neville Castle advised that he has received a request from users of the Tony Luchetti Sportsground, Lithgow for a multi purpose scoreboard to be installed as part of the upgrading works under the Regional and Local Communities Infrastructure Program. The Committee resolved for a new multi purpose scoreboard to be considered in upgrading works at Tony Luchetti Sportsground, Lithgow.
- ◆ Mr Wayne Vought thanked Council for the construction of a disable car parking space at Glanmire Oval, Lithgow, and requested that an additional two (2) disabled car parking spaced be investigated. Council's Operations Manager will investigate and provide a report back to the next Sports Advisory Committee meeting.
- ◆ Mr Neil Gambrill advised that the pot holes in the car park at Glanmire Oval, Lithgow need repairing, and requested Council investigate the possibility of resurfacing the car park. Miss Leanne Kearney advised that the potholes were filled on Monday, 25 May 2009, and that previous inspections of the car park have deemed that a full rehabilitation of the car park is required, rather than a resurfacing.

Should works be approved, this work will not commence until after the resurfacing of the sand based hockey turf to prevent any damage by heavy machinery used during the upgrading works. Council's Operations Manager will investigate and provide a report back to the next Sports Advisory Committee meeting.

- ◆ Mr Neil Gambrill enquired if Council could investigate the possibility of making the car park at Glanmire Oval, Lithgow one way to all vehicular traffic for safety reasons, noting that most local users currently travel in one direction, however, there is confusion by visitors causing some pedestrian safety concerns. Mr Danny Whitty suggested that the installation of raised reflective pavement markers in the shape of an arrow may assist in implementing this proposal, and maybe more beneficial than signage which may be vandalised and removed. Council's Operations Manager will investigate and provide a report back to the next Sports Advisory Committee meeting.
- ◆ Mr Neil Hutchinson enquired if the works to be undertaken as part of the upgrading to the sand based hockey turf will impact on local cricket, and Miss Leanne Kearney advised that these works will not have a negative impact, and with the relocation of the player dugouts, these facilities maybe able to be utilised by the Lithgow District Cricket Association as well.

The meeting closed at 6.05pm.

RESOLVED

THAT

1. Councillor Castle's declaration of interest in Item 11 (booking by Portland Central School) be accepted.
2. the Minutes of the Sports Advisory Committee Meeting held on Monday, 27 April 2009, be accepted as a true and correct record of the meeting.
3. the information in relation to Business Arising from the Minutes be accepted.
4. the Junior Sports Star Award be awarded to Laura Whichelo (Taekwondo) for the month of April 2009, the Senior Sports Star Award be awarded to Amanda Saladine (Hockey) for the month of April 2009, and for merit certificates to be awarded to the other nominees.
5. financial assistance be provided to Claire Rodgers (\$100.00).
6. permission be granted to Lithgow Public School to use Jim Monaghan Athletics Oval and Tony Luchetti Sportsground, Lithgow on Wednesday, 8 July 2009 between 8.30am and 3.00pm, subject to the ground conditions being satisfactory (date may need to be changed subject to ground conditions being unsatisfactory due to adverse weather conditions).
7. the information in relation to the Western Region Academy of Sport 2009 Rookie Camps be noted.
8. Ms Angela Mills to be invited to the next Sports Advisory Committee meeting to provide an address in relation to the Live Life Well in Lithgow Project.
9. the information in relation to the success of the Regional and Local Community Infrastructure Program be noted, and for the staff involved to be thanked for their efforts.

10. Council accept the nominations made by Lithgow Workmen's Club RLFC, Lithgow District Senior Cricket Association, Lithgow District Junior Cricket Association Reg Cowden Memorial Trust, Lithgow Athletics Club, Lithgow Golf Club , Lithgow District Soccer Association, Lithgow District Netball Association, Lithgow Swimming Club, Lithgow Croquet Club, Lithgow Hockey Association Inc, and Delta Electricity as members of the Sports Advisory Committee.
11. Council write to Lithgow Bears RLFC, Wallerawang Warriors RLFC, Portland Colts RLFC, Mid West Axemen's Association, Lithgow Show Society, Portland Trainers, Lithgow Storm Junior RLFC, Wallerawang Baseball, Lithgow Harness Racing Association, and Portland Colts Junior RLFC requesting them to notify Council of their intention to nominate delegates or resign from the Sports Advisory Committee, prior to 26 June 2009.
12. permission be granted to Portland Central School to use Saville Park, Portland on Friday, 29 May 2009 between 10.00am and 12.30pm to conduct competition games for the PSSA touch football competitions, subject to the ground conditions being satisfactory (date may need to be changed subject to ground conditions being unsatisfactory due to adverse weather conditions).
13. Council urgently inspect the ditch across the first fairway at the Lithgow Golf Club, and provide a report back to the next Sports Advisory Committee meeting.
14. the Board Room at the Lithgow Golf Club be inspected by Council, and a report be provided to the next Sports Advisory Committee meeting.
15. Council request that event organisers of the Lithgow Flash Gift, the Lithgow Show, and Celebrate Lithgow consider re-commencing the previous mountain race commencing at Queen Elizabeth Park and proceeding to Hassans Walls Lookout race for future celebrations / events.
16. Council consider the suggestion of the LJ Hooker Reg Cowden Memorial Sports Star Awards being placed on display in the canteen area of the Ashley Grandstand as part of the Regional and Local Communities Infrastructure Program.
17. Council prepare a Standard Working Procedure in relation to Temporary Closure of Council's Sporting Fields, and a draft to be forwarded with the minutes and discussed at the next Sports Advisory Committee meeting.
18. Council write to the Lithgow Flash Gift event organisers and offer the Committee's support for the 2010 event.
19. members of the Committee will investigate if they are able to provide support for the upcoming World Masters Games.
20. Council consider installing new seating in the grandstands at Kremer Park, Portland and Wallerawang Oval, Wallerawang in conjunction with new seating to be installed in the Ashley Grandstand at Tony Luchetti Sportsground, Lithgow, and for a report to be provided to the next Sports Advisory Committee meeting.
21. Council consider the request from users of the Tony Luchetti Sportsground, Lithgow for a multi purpose scoreboard to be installed as part of the upgrading works under the Regional and Local Communities Infrastructure Program.
22. an additional two (2) disabled car parking spaces be investigated for Glanmire Oval, Lithgow, and for a report to be provided to the next Sports Advisory Committee meeting.

23. Council investigate the request for resurfacing of the car park at Glanmire Oval, Lithgow and for a report to be provided to the next Sports Advisory Committee meeting.
24. Council to investigate the possibility of making the car park at Glanmire Oval, Lithgow one way to all vehicular traffic for safety reasons, and for a report to be provided to the next Sports Advisory Committee meeting.