



## AGENDA

EXTRA ORDINARY MEETING OF COUNCIL

TO BE HELD AT

THE ADMINISTRATION CENTRE, LITHGOW

ON

30 OCTOBER 2017

AT 5.00pm

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# **AGENDA**

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**ACKNOWLEDGEMENT OF COUNTRY**

**APOLOGIES**

**PRESENT**

**DECLARATION OF INTEREST**

**COMMEMORATIONS AND ANNOUNCEMENTS**

**PUBLIC FORUM - Nil**

**MAYORAL MINUTES**

**STAFF REPORTS**

Economic Development and Environment Reports

Finance and Assets Reports

**BUSINESS OF GREAT URGENCY**

as identified by Clause 241 of the Local Government (General) Regulations 2005

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## ECONOMIC DEVELOPMENT AND ENVIRONMENT REPORTS

### ITEM-1 ECDEV - 30/10/17 - CHRISTMAS FESTIVAL - PORTLAND BUSINESS COMMUNITY

**REPORT BY: DIRECTOR ECONOMIC DEVELOPMENT AND ENVIRONMENT**

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## SUMMARY

To advise Council of a request from the Portland Business Community for Council financial support for a proposed Christmas Festival in Portland which aims to attract people to Portland to shop and enjoy the Christmas spirit.

## COMMENTARY

Council has received a request from Mr Andrew Neville on behalf of the Portland Business Community in relation to a proposed Christmas Festival to occur during December with the following activities proposed with officer's comments following each point:

- The playing of Christmas Music from outdoor speakers (from local shops) for the month of December. The appropriate public music licences will be held.

*Comments – This would normally require approval under Council's Footpath Trading Policy along with Annual fees of \$62.50 and \$20 million public liability insurance. Perhaps, as this would only be for a short period, Council could waive its fees for footpath trading.*

- Decorating the Mick Moore Memorial Tree in Mick Moore Park in Wolgan Street with both decorations and lights from the first weekend in December.

*Comments – No objection "in principle" is raised. However, the work to put in place and remove the decorations would have to be carried out by a contractor inducted into Council's Safety management System and the appropriate risk assessments undertaken. The contractor would also have to hold the appropriate insurances.*

- An Outdoor Carols By Candlelight Service in Mick Moore Park and the adjacent Council Car Park OR at Saville Park pending Council Approval. This Service would be on 9 December 2017 starting from 6:30-7pm.

*Comments - No objection is raised "in principle". Normally for the hire of the Saville Park there would be a bond of \$309.50 and hire fee of \$246.50 per day. The appropriate insurances would need to be held. Council could consider waiving fees for a community event or perhaps an appropriate site at Mick Moore Park could be found. Insurances would also need to be held.*

- A request that Portland Businesses be able to conduct Outdoor Trading of their business on the footpaths immediately outside their premises on Saturday 16 December from 9am - 12pm.

*Comments - This would normally require a Footpath Trading Approval under Local Government Act 1993 and Roads Act 1993. To obtain an approval an application form would be submitted with details of \$20,000,000 public liability insurance from*

*the business and an application fee (currently \$62.50 as per Council's Fees & Charges 2017/18). Compliance with Council's Footpath Trading Policy 5.3 would also be required by those businesses. As mentioned above, Council could consider waiving the fees subject to the appropriate documentation being completed and each shop proprietor holding the appropriate insurance.*

- A request to hold a Christmas Street Festival in Wolgan Street on Thursday 21 December 2017 between 5pm – 8:30pm. This would require Wolgan Street to be closed from Williwa & Wolgan Street intersection to the Wallerawang Road entry onto Wolgan Street. They have further requested that the Council Car Park (entry via Cullen St) be closed during this time to enable market stalls to be set up in this precinct.

*Comments – There would normally be application fees of \$326.50 and \$1,200 for set up and removal of barricades, 2 weeks advertising; and resident, emergency and business notification. Council could consider waiving the application fee but as the costs of barricades, advertising and notification will be incurred the appropriate fee should be charged.*

- The Local Businesses are planning to decorate their shop fronts with Christmas lights and nativity wind displays and have further requested that Lithgow City Council join in the occasion by decorating the Crystal Theatre with Christmas lights or projections. Permission and assistance is also sought in the hanging of Christmas lights across Wolgan Street as well as donation of \$1,000 and in kind assistance.

*Comments – Council could carry out some decorations of the Crystal Theatre. In kind assistance with the installation of Christmas lights would be problematic from a resourcing and risk perspective and not enough notice has been provided on this occasion. There would also be no budget allocation to charge the labour and plant costs to. The \$1,000 donation request could be met from the Non-Recurrent Financial Assistance budget.*

### **POLICY IMPLICATIONS**

Council's Footpath Trading Policy 5.3 would apply to footpath trading. Normally this requires payment of a fee and \$20 million public liability cover.

### **FINANCIAL IMPLICATIONS**

Implications will depend on the level of support Council provides.

The \$1,000 donation request could be met from the Non-Recurrent Financial Assistance budget. Depending on the level of support Council also chose to there could be costs for road closures, in kind assistance, and costs forgone in fees. NB – Any in kind assistance must be charged to an appropriate budget allocation.

- Budget approved – Nil
- Cost centre – 600059 Financial Assistance
- Expended to date – Nil
- Future potential impact – Nil

### **LEGAL IMPLICATIONS**

A footpath trading approval would relate to the provision of the Local Government Act and Roads Act.

## ATTACHMENTS

1. Letter from Mr Andrew Neville on behalf of the Portland Business community.

## RECOMMENDATION

**THAT** Council:

1. Provides \$1,000 Non-Recurrent Financial Assistance to support the Portland Christmas celebrations.
2. Advise the organisers of the celebrations that it is willing to waive Footpath Trading fees of \$62.50 per premises; hire fees of \$246.50 for Saville Park; and Road Closure Application fees of \$326.50. Such fees be waived accordingly for the 2017 celebrations.
3. Advise the organisers of the event that all other fees and requirements for application forms and insurances will still be required.

## FINANCE REPORTS

ITEM-2            FIN - 30/10/17 - DRAFT ANNUAL FINANCIAL STATEMENTS

**REPORT BY:    ACTING CHIEF FINANCIAL AND INFORMATION OFFICER**

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## SUMMARY

The purpose of this report is to advise that the draft General Purpose Financial Reports for the period ended 30 June 2017 have been completed and audited.

Under Section 413 of the Local Government Act 1993, Council is required to submit the General Purpose Financial Reports and the Special Purpose Financial Reports together with a Statement by Councillors and Management as to its opinion on the reports.

## COMMENTARY

The 2016-17 General Purpose Financial Reports have been finalised and comply with the Local Government Act 1993, the Local Government Code of Accounting Practice and Financial Reporting and the Australian Accounting Standards.

Council is to authorise the signing of the Statements in relation to the General Purpose Financial Reports and Special Purpose Financial Reports.

## POLICY IMPLICATIONS

The audit of the financial statements has been completed by Crowe Horwath Auswild on behalf of the Audit Office of NSW. The financial statements are not subject to change.

## FINANCIAL IMPLICATIONS

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

## LEGAL IMPLICATIONS

Signing the statements pertaining to the General Purpose Financial Reports and Special Purpose Financial Reports complies with section 413(2) of the Local Government Act 1993 as amended.

## ATTACHMENTS

1. General Purpose Financial Statements – 2016-17
2. Special Purpose Financial Statements – 2016-17
3. Special Schedules – 2016-17

## RECOMMENDATION

**THAT** Council:

1. Authorise the signing of the statement on the General Purpose Financial Reports.

2. Authorise the signing of the statement on the Special Purpose Financial Reports.
3. Invite Council auditors, Crowe Horwath Auswild on behalf of the Audit Office NSW, to present a report to Council on the 2016-17 Financial Statements at the Ordinary Council meeting scheduled for 27 November 2017.



## **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.*