



LITHGOW CITY COUNCIL

**MINUTES**

FINANCE AND SERVICES COMMITTEE  
MEETING OF COUNCIL

HELD ON

06 FEBRUARY 2006

AT 7.00pm

**MINUTES OF THE LITHGOW CITY COUNCIL FINANCE AND SERVICES COMMITTEE  
MEETING HELD AT THE CIVIC CENTRE, LITHGOW ON 6 FEBRUARY 2006**

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Meeting Commenced 7.00pm

Public Gallery: 31

**PRESENT**

His Worship the Mayor  
Councillor Neville Castle  
Councillor B P Morrissey  
Councillor M F Ticehurst  
Councillor W McAndrew  
Councillor H K Fisher  
Councillor B S Moran  
Councillor M M Collins  
Councillor A E Thompson  
Councillor M J Wilson

**APOLOGIES**

NIL

**Also in attendance**

General Manager, Mr Paul Anderson  
Manager Engineering Services, Mr Clive Cawthorne  
Manager Environmental and Planning Services, Mr Andrew Muir  
Finance Manager, Mrs Carol Farnsworth  
Minutes Secretary, Miss Casey Clarke

**CONFIRMATION OF MINUTES**

NIL

**DECLARATION OF INTEREST**

His Worship the Mayor called for Declarations of Interest on any matter before the Meeting.

NIL

## QUESTIONS FROM THE PUBLIC GALLERY

At 7.00pm members of public gallery were invited to address questions through the Mayor to Councillors and Staff: -

Mr Mark Pascoe - spoke about the Hartley Child Care Centre and raised issues regarding the location of the Centre.

Mr Peter and Mrs Maree Williams - spoke about the Hartley Child Care Centre in regards to the benefits the centre will have on the community, implementation of new changes and how it will become a benchmark for the community.

Mr Iun Bachelor - spoke about the Hartley child Care Centre in relation to the location and noise problems that will occur with this proposal.

**Presentations** were given by:

The Fire Brigades of NSW - gave a presentation on the Fire Brigades and outlined information regarding to what they are about, their employees, their roles, their services and their coverage etc.

## 06- 010 RESOLVED

**THAT** the questions posed be noted, that the responses given by the Mayor and the Senior Officers be noted, and the appropriate necessary actions be taken including the further reporting of any unresolved matters to Council.

**MOVED:** Councillor M J Wilson

**SECONDED:** Councillor M M Collins.

**CARRIED**

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## GENERAL MANAGER REPORTS

### ITEM:1 EXEC - 06/02/06 - ELECTION OF CHAIRPERSON AND DEPUTY CHAIRPERSON FOR THE FINANCE AND SERVICES COMMITTEE

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#### REPORT

Purpose of this report is to elect a Chairperson and Deputy Chairperson of the principle committee of Council being the Finance and Services Committee.

Council will begin a committee structure of two (2) committees being the Finance and Services and Policy and Strategy Committees. The purpose and delegated functions are included in this report for the information of Councillors.

#### Finance and Services Committee

Monday 6 March 2006  
Monday 3 April 2006  
Monday 1 May 2006  
Monday 5 June 2006  
Monday 3 July 2006  
Monday 7 August 2006  
Monday 4 September 2006  
Tuesday 3 October 2006  
Monday 6 November 2006  
Monday 4 December 2006

#### Purpose

To determine and/or recommend to Council on matters relation to the provision of services and facilities and reporting of Council finances in accordance with the functions to the committees delegated role Section 377 of the Local Government Act 1993.

#### Delegated Functions

Delegated Functions:

- Development Applications
- Regulatory Compliances
- Sports Advisory
- Community Services
- Cultural Services
- Community Health and Safety
- Public Buildings
- Events
- Roads, Bridges and Drainage

- Waste management
- Water and wastewater
- Traffic management and parking
- Emergency services
- Flood plain management and mitigation
- Budget Review
- Certificates of expenditure / investments

### **Membership**

Full Council - 9 Councillors

### **Quorum**

Five members

### **Chairperson**

Elected by the Committee at its first meeting for the 12 month period, including with the Mayoral and Deputy Mayoral elections in September 2006, and each year following that.

### **Deputy Chairperson**

Elected by the Committee at its first meeting for the 12 month period, including with the Mayoral and Deputy mayoral elections in September 2006, and each year following that.

Provisions of the Local Government Act do not specify the term of Councils principle committees or the Chair or Deputy Chair of such, however it would be prudent for Council to align the term of these roles with the Mayoral and Deputy Mayoral's, it further enables these terms to coincide with the four (4) year cycle for election to Council.

## **ATTACHMENTS**

NIL

## **06- 011 RESOLVED**

### **THAT:**

1. The Council formally endorse the Mayor as the Chairperson of the Finance and Services Committee, however should the Mayor not wish to be the Chairperson of this Committee, an election be held by the Council for the position of Chairperson for the Finance and Services Committee.
2. The Council elect the Deputy Mayor to the role of Deputy Chairperson of the Finance and Services Committee.

**MOVED:** Councillor B P Morrissey

**SECONDED:** Councillor W McAndrew.

**CARRIED**

## ENGINEERING SERVICES REPORTS

### ITEM:2 ENG - 06/02/2006 - PROGRESS REPORT

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#### SUMMARY

The following report details works to be undertaken by the Engineering Services Division to 27 January 2006.

#### COMMENTARY

##### Lithgow Depot Works Report for Lithgow Depot

- Continuation of driveway restoration in Third/Second Streets
- Repair collapsed drain at Dog Track
- Domestic water deliveries
- Pickup & deliver goods from Sydney
- Clean storm water pits on Hassans Walls Lookout Rd
- Mechanical sweeping of Lithgow Streets
- Paver repairs in Main Street
- Drainage work on Crane Road

##### Wallerawang Depot Works Report for Wallerawang Depot

- **Capital Works** – Gangbenang Road, Jute mesh seed and spray drains, Crystal Theatre Lane remove old kerb & gutter.
- **Routine Grading** – Back Cullen Road, Spring Vale Lane, Skelly Road, Dark Corner Road, Duckmoli Road, Wickety War Road, Wallerawang Rydal Road, Portland unsealed.
- **Patching** – Hartley Vale, Sodwalls/Tarana Road, Cox's River Road, Reserve Road, Beynors Lane Glen Alice, Blackheath Creek Road, Dark Corner Road.
- Wallerawang/Portland water repair services and water mains.
- Marsden Swamp culverts, Cullenbenbong clean culverts.

##### Dam Status Report

As at Monday 30 January 2006 the following dam levels were recorded:

- Farmers Creek Dam = 100% - 450 megalitres (450 megalitres = 100%)
- Oberon Dam = 50.5% - 22775 megalitres (45,100 = 100%)
- Lake Lyell – dam storage of 14531 megalitres (45% storage), dam level is 772.95 RL (Delta's EIS states dam to be closed to recreational vessels when level reaches 771 RL)
- Thompson's Creek Reservoir – dam storage of 9279 megalitres (34% storage)
- Lake Wallace – dam storage 2206 megalitres (100% storage)

These figures are updated regularly on Delta's website: [www.de.com.au](http://www.de.com.au).

#### ATTACHMENTS

Nil

## RECOMMENDATION

THAT the information be received

## 06- 012 RESOLVED

THAT:

1. The information be received.
2. A report on the water restrictions and dam levels be brought back for consideration.

**MOVED:** Councillor M J Wilson

**SECONDED:** Councillor M M Collins.

**CARRIED**

## ITEM:3 ENG - 06/02/2006 - RFS/SES JOINT HEADQUARTERS WORKING PARTY

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### SUMMARY

Details of the Minutes of the RFS/SES Joint Headquarters Working Party Committee meeting held on Wednesday 9 November 2005.

### COMMENTARY

At the RFS/SES Joint Headquarters Working Party Committee meeting held on Wednesday 9 November 2005 there were numerous items discussed by the Committee and it is considered that all these items be noted by Council.

### ATTACHMENTS

1. Minutes of the RFS/SES Joint Headquarters Working Party Committee Meeting that was held on Wednesday 9 November 2005.

## 06- 013 RESOLVED

THAT Council note the minutes of the RFS / SES Joint Headquarters Working Party Committee meeting held on 9 November 2005.

**MOVED:** Councillor B S Moran

**SECONDED:** Councillor M J Wilson.

**CARRIED**



**ITEM:4 ENG - 06/02/06 - ANNUAL REPORT OF THE STATE  
EMERGENCY SERVICE OF NSW**

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**REFERENCE**

Nil

**SUMMARY**

The State Emergency Service of New South Wales has submitted to Council a copy their Annual Report.

**COMMENTARY**

The Annual Report of the State Emergency Service of New South Wales has been submitted to Council detailing the SES's priorities for the next three year's are as follows:

- To work with Councils to improve the awareness of the community about how to protect themselves and their property from the effects of floods and storms.
- To work with Councils, where required, to upgrade the facilities and vehicles of the SES Units.
- To work with Councils on Floodplain Risk Management Committees to assist in the development and implementation of a floodplain risk management plan for the Council area.
- Further upgrade our flood intelligence so that we may provide timely and accurate information to communities threatened by floods.
- Continue to improve the response capabilities of all SES units by providing:
  - Competency based training to nationally endorsed standards for all major skills
  - Enhance communications and call-out systems
  - Increased general support to SES units.
- To further improve the SES capability in Information Management to ensure we use modern technology to better exchange information within the Service and to provide a speedier response to the community.
- Continue to improve, the public profile of the SES by working closely with local media, councils and communities, and utilising our network of SES trained community liaison officers.

As the past the SES rely on Councils help to assist them to maintain their capability to support the community during emergencies.

**06 -014 RESOLVED**

**THAT** the information be noted.

**MOVED:** Councillor M M Collins

**SECONDED:** Councillor A E Thompson.

**CARRIED**

## ENVIRONMENT & PLANNING SERVICES REPORTS

### ITEM:5 EPS - 06/02/06 - (JANUARY) DEVELOPMENT AND CONSTRUCTION APPROVALS

#### REPORT

##### Purpose of Report

The following Development Applications and Combined Development/Construction Certificate Applications have been approved subject to compliance with the requirements of the Environmental Planning and Assessment Act 1979, the Mine Subsidence Act, where applicable, and any special conditions.

DA NUMBER	OWNERS NAME	SITE ADDRESS	PROPOSAL	APPROVAL TIME (DAYS)
451/05	CS & RL ANLEZARK	10 WALKER DRIVE, WALLERAWANG	DWELLING	23
445/05	MJ & CM DAVIS	13 DICKER DRIVE, LITTLE HARTLEY	DWELLING	14
458/05	LJ ANDERSON	7 CORLETTE STREET, PORTLAND	ENCLOSED VERANDAH	14
505/05	HM WILLIAMS	1231 CASTLEREAGH HIGHWAY, LIDSDALE	DWELLING	6
283/05	GT & KH HOLMES	27 HENDERSON PLACE, LITHGOW	DWELLING	11
207/05	JA & DM WEATHERLY	1 LITHGOW STREET, LITHGOW	GARAGE	11
462/05	CD & LA GARIBOTTO	18 HEFFERNAN PLACE, LITHGOW	CARPORT	19
422/05	RE & LE BRITTON	LOT 1071 DP 1026988 BAANERS LANE, LITTLE HARTLEY	DWELLING ADDITIONS	6
509/05	CB & CP GRABHAM	85 RIDGE STREET, PORTLAND	GARAGE	2
481/05	AP LIVINGSTONE	19 BURNETT STREET, WALLERAWANG	DWELLING EXTENSION	12
352/04	ADI LITHGOW PTY LTD	REAR OF BREN, BEAUFORD & VICKERS STREET, LITHGOW	RESIDENTIAL SUBDIVISION – STAGE 2 (14 LOTS)	82
486/05	D WILLIAMS	40 CUPRO STREET, LITHGOW	DEMOLITION OF HOUSE	8
488/05	PM, PJ & DL MCAULEY	LOT 3421 DP 1016109 BLACKHEATH CREEK ROAD, LITTLE HARTLEY	9 METRE TRIAD MAST	20
487/05	HC PRATT	28 CRANE ROAD, LITHGOW	RUMPUS ROOM	20
463/05	MG LUKA	27 PIMPALA STREET, MARRANGAROO	DWELLING ADDITION	22
358/05	RE CHARLES PTY LTD	52 TWEED ROAD, LITHGOW	RESIDENTIAL ALLOTMENT – 2 LOTS	91

## MINUTES – FINANCE AND SERVICES COMMITTEE MEETING OF COUNCIL

490/05	PA & KP STAINES	33 ROBINIA DRIVE, LITHGOW	ABOVEGROUND SWIMMING POOL	21
459/05	ESTATE OF NE GLASSON	331 MAIN STREET, LITHGOW	OFFICE & GARAGE	9
520/05	GF & SA KENDAL	93 FRANKS PLACE, LITTLE HARTLEY	GARAGE	1
513/05	AB & M BROWN	2 SIDNEY PLACE, WALLERAWANG	DWELLING	6
393/05	DA JONES	26 COALBROOK STREET, LITHGOW	DWELLING ADDITION	32
373/05	CM MCLOUGHLAN	LOT 2 DP 628814 COMMENS STREET, WALLERAWANG	DWELLING & GARAGE	18
517/05	R HALL	LOT 804 DP 814174 ADINA CRESCENT, LITHGOW	DWELLING	10
450/05	LW & CF GILLESPIE	1 GEMALONG CLOSE, MARRANGAROO	DWELLING	40
503/05	DW & CM HAMILTON	3 KIRKLEY STREET, LITHGOW	PATIOPORT	16
482/05	HH & AG RIECKEN	1 SIMPKINS STREET, WALLERAWANG	DUAL OCCUPANCY	18
477/05	MH JOHNSTONE	27 PIPERS FLAT ROAD, WALLERAWANG	DWELLING	11
533/05	JA & AA HEASLIP	5 MORRIS PLACE, LITTLE HARTLEY	SOLID FUEL HEATER	4
484/05	A & R INZITARI	LOT 1 DP 862773 GREAT WESTERN HIGHWAY, SOUTH BOWENFELS	ADDITIONAL TOILETS FOR RESTAURANT	30
536/05	AT & SA STEAD	11 ROBINIA DRIVE, LITHGOW	RETAINING WALL	4
543/05	R & M LANGFORD	20 GRANGER PLACE, LITTLE HARTLEY	SWIMMING POOL	6
531/05	MJ & LS BULKELEY	40 CUPRO STREET, LITHGOW	DWELLING & GARAGE	27
529/05	D PROTHERO	161 MILL CREEK RD, LITTLE HARTLEY	VERANDAH/DECK ADDITION	19
548/05	D BEST & A KNIGHT	41 HENNING CRES, WALLERAWANG	DWELLING	9
495/05	PL & SL CAUCHI	20 MORRIS PLACE, LITTLE HARTLEY	DWELLING	13
547/05	AM MCMANUS	11 THE CIRCLE, LITHGOW	CARPORT	14
499/05	L & LA BEZZINA	151 MCKANES FALLS ROAD, SOUTH BOWENFELS	GARAGE	12
515/05	COMMERCIAL & MAIN PROPERTY PTY LTD	146-148 MAIN STREET, LITHGOW	ALTERATIONS TO EXISTING 3 STOREY BUILDING	23
525/05	GR & KG BAKER	4 TOBRUK STREET, LITHGOW	CARPORT	27
512/05	C & C ROW	10 AMBERMERE DRIVE, LITTLE HARTLEY	GARAGE	22
532/05	MJ & LS BULKELEY	42 CUPRO STREET, LITHGOW	DWELLING & GARAGE	14
526/05	G & RS HOULISON	18 WINDARA PLACE, MARRANGAROO	GARAGE	10
514/05	SJ & JA WANSTALL	LOT 806 DP 814174	DWELLING	16

**MINUTES – FINANCE AND SERVICES COMMITTEE MEETING OF COUNCIL**

		ADINA CRESCENT, LITHGOW		
521/05	LW & CT CHEW	2 BULKELEY LANE, WALLERAWANG	DWELLING	29
383/05	EAGLES NEST ESTATE PTY LTD	17B GREAT WESTERN HIGHWAY, LITHGOW	RESIDENTIAL SUBDIVISION INTO 2 ALLOTMENTS	19
483/05	GC WARDELL & BA HANSON	140 RYDAL/HAMPTON ROAD, HAMPTON	WIND TURBINES	41
376/05	LITHGOW CITY COUNCIL	WOLGAN STREET, PORTLAND	RENOVATIONS & UPGRADING EXISTING BUILDING (CRYSTAL THEATRE)	
518/05	PG & C LEDGER	CLARET ASH AVE, LITHGOW	RURAL SHED	31
319/05	P DUTTON	21 NEUBECK STREET, LIDSDALE	2 LOT SUBDIVISION	11
466/05	C TAPLIN & A KARSAZKY	GREAT WESTERN HWY, LITTLE HARTLEY	GALLERY	2

<b>Total Estimated Cost:</b>	<b>\$3,843,413</b>
<b>Average Approval Time</b>	<b>20 DAYS</b>
<b>Total Cost of Approvals from 1/02/06</b>	<b>\$3,843,413</b>
<b>No. of Applications from 1/01/2006</b>	<b>30</b>

**RECOMMENDATION**

**THAT** the information be received

**06- 015 RESOLVED**

**THAT:**

1. The information be received.
2. More information on 488/05, 358/05, 483/05 to be given to Councillor McAndrew.

**MOVED:** Councillor H K Fisher

**SECONDED:** Councillor M J Wilson.

**CARRIED**

**ITEM:6 EPS - 06/02/06 - DA 209/05 CHILDCARE CENTRE, HARTLEY VALE ROAD, HARTLEY**

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**REFERENCE**

DA 209/05.

**SUMMARY**

This report recommends approval of development application 209/05 for a Childcare Centre at Hartley Vale Road, Hartley, subject to conditions.

**COMMENTARY**

Council is in receipt of Development Application No 209/05 from P and M Williams through Springwood Drafting and Construction Service P/L for a childcare centre for 51 children aged from 0-5 years. The property is described as Lot 16 in DP 751644 in the Parish of Hartley. The property has a total area of 3667sqm. The land is a triangular shaped, partially timbered, vacant rural allotment, bounded on the northern and eastern boundaries by crown roads and the Hartley Vale Road on the southern boundary.

The development comprises a building of bagged brick construction with aluminium windows and a colourbond roof, to be located on the cleared eastern section of the site. A car park is to be provided for 10 spaces at the front of the centre, with separate entry and exit points onto Hartley Vale Road. The site would be accessible off Hartley Vale Road only. The crown road to the east is formed and provides access to land to the north. The crown road to the north is unformed.

**LEGAL IMPLICATIONS**

Council is bound to consider the development application under the provisions of Section 79C of the Environmental Planning and Assessment Act. The following matters must be considered by Council.

***Any environmental planning instrument***

The principal environmental planning instrument is Lithgow Local Environmental Plan 1994. The land is zoned 1 (a) General Rural under the LEP and its development is permissible in the zone with Council consent. The development is not determined to be commercial or industrial development by definition, but is considered to be under the separate definition of a child care centre. That definition states:

*Child care centre means a building or place which is used (whether or not for profit) for the purpose of educating, minding or caring for children (whether or not any of the children are related to the owner or operator), but only if the following conditions are satisfied:*

*(a) the children number 6 or more, are under 6 years of age, and do not attend a government school, or a registered non-government school, within the meaning of the Education Reform Act 1990: and*

*(b) the building or place does not provide residential care for any of the children (other than those related to the owner or operator);*

The **objectives of the zone** are to promote the proper management and utilisation of natural resources by:

- (a) Protecting, enhancing and conserving:
- (i) Rural land, in particular prime crop and pasture land, in a manner which sustains its efficient and effective agricultural production potential.  
*Officers comment: The site is Class 3 agricultural land and is deemed prime crop and pasture land. However due to the size of the lot and the timbered nature the land could never be used for agriculture.*
  - (ii) Soil, by controlling and locating development in accordance with soil capability.  
*Officers comment: The development would be subject to the construction of the entrance and car park in accordance with Council's "Subdivision and Development Code", which includes measures to control soil erosion and sediment control. The construction of the development would also be subject to soil and sediment control measures. No other use of the land is proposed which would impact on the soil capability of the land.*
  - (iii) Forests of existing and potential commercial value for timber production.  
*Officers comment: There are no relevant commercial timber reserves in the vicinity of the proposed development.*
  - (iv) Valuable deposits of minerals, coal and extractive materials, by controlling the location of development for other purposes in order to ensure the efficient extraction of those deposits.  
*Officers comment: There are no known deposits in the location relevant to this development.*
  - (v) Trees and other vegetation in environmentally sensitive areas, where the conservation of the vegetation is significant for scenic amenity or natural wildlife habitat or is likely to control land degradation.  
*Officers comment: There are no environmentally sensitive areas relevant to this development.*
  - (vi) Water resources for use in the public interest, preventing the pollution of water supply catchment and major water storage.  
*Officers comment: It is not expected that the centre would impact upon water quality. The development would be constructed in accordance with Council's and the Sydney Catchment Authority's requirements for sediment and erosion control and effluent disposal, preventing any erosion or impact on water quality. Emissions would be well below the maximum levels for health considerations.*
  - (vii) Localities of significance for nature conservation, including places with rare plants, wetlands and significant wildlife habitat.  
*Officers comment: There are no known areas for nature conservation in the vicinity of the proposed development site. The River Lett and its environs is located some 400m to the west*
  - (viii) Items of heritage significance.  
*Officers comment: There are no heritage matters of significance to this development.*
- (b) Preventing the unjustified development of prime crop and pasture land for purposes other than agriculture.  
*Officers comment: The site is Class 3 agricultural land and is deemed therefore to be prime crop and pasture land. However, due to the size of the lot and its timbered nature, the land could not be used for a viable agricultural pursuit.*
- (c) Facilitating farm adjustments.  
*Officers comment: Not applicable.*
- (d) Minimising the cost to the community of:
- (i) fragmented and isolated development of rural land.  
*Officers comment: No subdivision is proposed and no farming operations occur on the land adjacent to the site. The development of a childcare centre is being considered within the context of the claimed need for a facility to address a shortfall in the services provided in the area, as dictated by research carried out by the developer.*
  - (ii) Providing, extending and maintaining public amenities and service.

*Officers comment: The proposal does attempt to address this issue. The developer's research has determined that there is a demand for this type of facility (long day care) in the area.*

- (e) Providing land for other non-agricultural purposes, in accordance with the need for that development.

*Officers comment: The subject site is zoned as General Rural and the land use is not prohibited in the zone. The developer has claimed that such a need is warranted and has been advised by the Department of Community Services that this is a suitable and unique site.*

- (f) Providing for the separation of conflicting land uses.

*Officers comment: The location of this particular development would appear at first instance to have the potential to be in conflict with the existing land uses and this is an issue raised in submissions received. However, it is permissible in the zone and therefore must be assessed by Council on merit according to its suitability for the site. Such is the subject of this report. On balance the report concludes that adequate separation exists between land uses to ensure impacts are acceptable.*

**SEPP 58** - Protection of Sydney's Drinking Water Catchment is the other relevant Environmental Planning Instrument that applies to the development as it falls within the Sydney Drinking Water Catchment. As the development will not be connected to Council's reticulated system, referral to the Sydney Catchment Authority was required to establish that the development would have a neutral or beneficial effect on water quality. The SCA concurred with the proposal subject to conditions relating to stormwater, soil and water management, and erosion and sediment controls.

***Any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority***

A draft **Regional Environmental Plan for the Sydney Catchment Authority (SCA)** was on public exhibition until July 30 2004. The main change for Council as a result of this draft is that Council will be able to make the preliminary site investigation of the effects of development on the catchment for development applications. In the meantime the proposed development has been considered in light of this draft document and concurrence was obtained from the SCA concerning the proposal.

***Any development control plan***

Off Street Car Parking Development Control Plan - the application has been assessed under the provisions of that Plan and the requirement for car parking spaces is based on the number of staff for infants and primary schools. The requirement was calculated to be 10 spaces in accordance with discussions held with the developer prior to lodgement of the application, and 10 have been provided under the initial submission. The applicant has indicated that more spaces can be provided on site to the north, not with standing that part of this area will be occupied by the effluent ecomax system.

***Any matters prescribed by the regulations,***

Council's Building inspector has indicated requirements for compliance with the Building Code of Australia.

***The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality***

**Amenity.** There is expected to be **visual impact** of the proposed development on the landscape of the locality, particularly from the surrounding properties and the public roads. The setbacks from the roads are at the minimum, being 2.1m from the eastern boundary. This line is bounded by a formed lane. The development is 18m from the front road boundary. At the closest point to the northern boundary it will be 2.1m. This line is bounded by an unformed crown road which is timbered. The closest occupied dwelling is some 200m to the north of the site. A new dwelling is being constructed on the land immediately to the east of the site and will be some 90m away.

The block itself is timbered toward the western end and it is intended that this vegetation will remain around the ecomax effluent system. A landscape plan has been provided with the application, indicating considerable planting to screen the site to the north, east and south. The car park would be also landscaped. A list of native species has been provided.

There would be expected to be impact on the locality from **noise** associated with the site. The main elements raised through submissions has been the noise of children during outdoor play, and through traffic generated by the development. However the developer commissioned a noise report which indicated the proposal would be able to operate in compliance with the relevant noise criteria. However, the noise consultant did make some recommendations to ensure noise impacts continue to be mitigated both in construction and operation.

The hours of operation of the centre would be restricted to 6.30am to 6.30pm, with the majority of traffic accessing the site from 8am to 9am and 3pm to 5pm. It was felt that these hours would not affect the amenity of the area greatly, with minimal impact during times when the ambient noise levels are lowest.

**Access.** The site would be accessible off Hartley Vale Road and into a formed and landscaped car park. The car park would provide spaces for 10 cars. Council's Off Street Car Parking Development Control Plan requires that a child care centre should provide one (1) space per staff plus one (1) space per eight (8) children. There would be 14 staff members (9 full time, 5 casual) and 51 children, meaning a total of 20 spaces should be provided. The developer has however designed the car park in accordance with the car parking requirements under AS 2890.1 - 1993 Parking Facilities. This Standard does not have a calculation for the number of spaces to be provided. The applicant has indicated that more spaces can be provided on site to the north, notwithstanding that part of this area will be occupied by the effluent ecomax system.

Council's Engineer has assessed the application and is satisfied that the Hartley Vale Road is adequate to handle the development. However, he has required the location of the entrances to have a minimum of 160m sight distance in each direction, be 6m wide, and should be constructed and sealed in accordance with Council's Subdivision and Development Code.

**Utilities.** The utilities required for the operation of the development would be power and telephone, and it is confirmed that this will be by underground connection. The developer would consult with the relevant authority for this connection. The service is already available in the locality and is adequate for the development. No gas installation is proposed.

**Social and Economic Impact.** As it has been shown above, the proposed development will be generally in keeping with the provisions of the planning instruments. The social and economic impacts must also be considered. The research carried out by the developer indicates that there is a need for such a day care facility in the Lithgow area. The developer has carried out a specific Statement of Social and Economic Impact for the proposed childcare centre. The Statement examines community profiles, age and gender, culture and beliefs, workforce, and incomes. The conclusions from the report include the **positive economic impacts** of employment, recycling of centre fees into local services and resources, and increased opportunities for childcare services. The **negative economic aspects** include income spent on childcare would reduce income available for other spending, the centre may place a strain on local resources and services in terms of services required for the centre as well as population increases.



The **positive social impacts** include improved childcare options, positive contribution to child development, potential for increase in net family income and improvements in general quality of life, increase in opportunities for more free time or employment for primary carers, and health aspects of the rural location.

The **negative social impacts** include potential for a move to two income families thus decreased emphasis on quality family time, adjustment for adjoining residents, a residential/commercial type development in a rural area, and the cumulative effect of the location of an inappropriate landuse in a rural area.

Although the above positive impacts would seem to out weigh the negative, it should be noted that:

- The employment opportunities would be limited to qualified staff.
- The improvements to child development, increased free time for carers and improvements to local services cannot be guaranteed.
- The development of such a facility could assist the expansion of the local community and lead to an increase in net family income.
- It could also place a strain on other resources such as health care and emergency services, and may include environmental disturbances for adjoining residents.

These conclusions are drawn by the applicant and acknowledged by Council. However the main consideration for Council is whether this type of development is appropriate or desirable in the chosen location, in the light of the objectives of the zone and the cumulative effect of locating a non rural landuse in a rural area. The Department of Community Services advises no written approval would be issued until Council consent is granted. They have indicated verbally to the developer that they have inspected the site and that it is a suitable and unique site. They have indicated through a letter dated 11 November 2005 supplied by the developer, that the siting or viability are not usually considered by the Department unless the safety or welfare of the children or staff are at risk. In this case it would appear that they have no issues with the site.

**Contamination.** A site history indicates that there does not appear to be any reason to expect contamination to be an issue on the site.

**Other.** There are no other known heritage, bushfire, water, effluent, or flora/fauna issues relating to the proposed development.

**(a) *the suitability of the site for the development***

*Comments*

There are no natural or man made hazards which would render the site unsuitable for the development eg. fire hazard, contamination. The matter of bushfire was referred to the NSW Rural Fire Service who have indicated that the land is suitable for the development.

**(b) *any submissions made in accordance with the Act or the Regulations***

Residents of the locality were notified of the proposal and a number of submissions were received. Council referred the issues raised to the applicant who has responded in writing. The issues raised were as follows, and the applicant's and the Council officer's response are provided:

- Such a development would be totally inconsistent with the current rural zone.

*Applicant's response: the building will complement other buildings in the area, the zone is evolving and new subdivisions will be approved.*

Officer response: the development is permissible in the zone, however must be considered in light of the objectives of the zone. In regard to these objectives it will come down to Council's considering the cost to the community in the fragmented and isolated development of rural land, the provision of land for other non agricultural purposes in accordance with the need for that development and the provision for the separation of conflicting land uses.

- May be permissible in the zone but it is a commercial business and contrary to the intent of the zone, in minimizing and separating conflicting landuses.

*Applicant's response: it will be a purpose built facility, not intended to change the nature of the area, but to provide a service. It does not change the zoning.*

Officer response: the objectives of the zone are relevant including the consideration of possible land use conflict. The degree of landuse conflict often stems from the perception of the assessor, be it Council or the residents as to the impact of the establishment of a facility. The perception on the part of the community is of a considerable impact. Council must consider this input and determine whether it is justified based on the information provided.

- High level of noise to immediate neighbours inconsistent with reasonable expectations of an area zoned rural. Due to children's noise at play and traffic no actual noise assessment has been carried out. This is relevant in particular to shift workers living in the vicinity.

*Applicant's response: children's noise at the age of 0-6 years is not excessive. Having spoken to neighbours the developers are willing to alter their plans to accommodate any noise issues eg fencing and dense landscaping. The operation of other similar child care facilities has indicated that noise is not an issue.*

Officer response: A noise report commissioned by the developer has indicated that noise will be within the criteria and has also recommended other measures.

- An over development of the site due to little or no setbacks.

*Applicant's response: setbacks, landscaping and car parking were discussed and agreed on at a pre-lodgement meeting with Council. Not an overdevelopment of the site.*

Officer response: These matters were discussed with Council officers prior to the lodgement of the application. The proposal as presented indicates the result of those discussions and complies with any relevant legislation. Additional car parking may be required on site.

- It will set a precedent and change the nature of the area in the future.

*Applicant's response: It will not set a precedent as it will not change the nature of the area.*

Officer response: this application and any other non rural type landuses which may seek to be approved in the rural area would be assessed by Council in light of the zone objectives and on the merits of the development.

- A further degradation of the rural character of the valley. It is a rural area not a commercial one.

*Applicant's response: childcare facilities can be built in any zone, and it does not mean that the zone will change from rural to commercial.*

Officer response: although it is a rural area, the use is permitted in the zone and Council must assess it on its merits and under the zone objectives.

- Increase in theft and vandalism - vandalism on the facility which may spread to surrounding premises. Closed and unoccupied buildings attract crime.

*Applicant's response: security will be addressed by down lighting, and after hours, random and daily security patrols.*

Officer response: although the issue is questionable, the applicant has provided a reasonable solution.

- Loss of privacy, peace and tranquillity of a rural environment.

*Applicant's response: many changes since the area was first discovered. This development will no more contribute to the loss of privacy, peace and tranquillity than any other development.*

Officer response: the applicant has addressed the issues.

- Misleading information in regard to the number of existing childcare facilities - there are at least 7 in the area including Mt Victoria and other at Blackheath and Katoomba. These centres indicate that their numbers are dwindling due to the presence of early learning centres in the region (3). Many families who need this facility live in Lithgow and are without transport.

*Applicant's response: the proposed centre is unique. It differs from existing centres adding to facility choice for the community. A business plan is provided which shows that only one LONG day care centre exists in the area.*

Officer response: The developer has made an economic decision to commence the business and their market research indicates that a demand exists for long day care centres.

- Too close to other similar businesses. This will jeopardise their viability.

*Applicant's response: the proposed centre offers choice to parents.*

Officer response: it would appear as though the proposed childcare centre is a little different to other centres in the Lithgow area in that it is a long day care centre. The matter of viability of other such facilities is a matter not within the jurisdiction of Council to assess. The developer has made a market decision to commence such an operation in this locality.

- Bureau of Statistics figures cover ages up to 15. The 6-15 age group is where most of the children fall. No need for another centre in the region.

*Applicant's response: the figures quoted are from the 2001 Census for Lithgow and looked at the population in the 0-4 year age band.*

Officer response: these statistics are for the developer to consider in their economic decisions. With no economic development officer or assessment in place within Council's organisation the matter of research for supply and demand must be placed in the hands of the developer.

- An isolated site for access by emergency vehicles such as ambulance, fire and police. A risk for the safety of the children.

*Applicant's response: no hindrance for emergency vehicle access to the site, there being three direct possible routes available.*

Officer response: there are a number of routes available for access to the site, roads which Council's Engineer has deemed available and adequate for the development.

- Inaccessible site in times of extreme climatic situations eg road closures due to snow at Mt Victoria.

*Applicant's response: this concern is dealt with under the developer's Policy and Procedures document under Extreme Emergency Circumstances. The Department of Community Services requires that a mandatory list of policies and procedures be addressed, written and submitted to the Department for licensing purposes.*

Officer response: the developer would have appeared to address this matter in its compliance requirements to the Department of Community Services.

- The site is a topographic low spot and is subject to temperature inversions. Severe frosts occur, and thick fog, which can exist all day. Such conditions will enhance noise.

*Applicant's response: not applicable.*

Officer response: noise issues have been addressed.

- No compliance with the guidelines of the Early Childhood Australia Policy in regard to selection of site. Inadequate consideration for the community and the children they hope to cater for. Not near other community learning centres, no convenient access by public transport or emergency services, not in rural zonings.

*Applicant's response: The Department of Community Services visited the site on 19 May 2005 and have viewed the preliminary plans. They are enthusiastic about the choice of site as it offers a unique setting for childcare and a wide variety of experiences will be offered to the children.*

Officer response: information supplied by the developer from the Department of Community Services indicates that they have inspected the site and that it is suitable. They have indicated through a letter dated 11 November 2005 supplied by the developer, that the siting or viability are not usually considered by the Department unless the safety or welfare of the children or staff are at risk.

- The application states that the nearest dwelling is 200m away. A new dwelling is being built next door, some 50m away. Houses to the north are more like 100m away.

*Applicant's response: when the architects first visited the site there was no physical, written or verbal indication that there was to be a dwelling constructed in the near future on the property to the east. When the plans were submitted the nearest dwelling was 200m away. A letter was left at the "east" property on 8 May 2005.*

Officer response: the development application for the child care centre was lodged on 24 May 2005. The development application for the adjoining dwelling now under construction was lodged on 28 June 2004 and the consent was issued on 13 August 2004. The construction of the dwelling was not immediately commenced, and a variation was requested on 13 April 2005 to relocate the site of the house to be approximately 25m east of the position originally shown. The new location would be some 90m away from the childcare building.

- The development comes under the provisions of State Environmental Planning Policy No 33 - Hazardous and Offensive Development, due to the potential impact. From the potential for noise to be a polluting discharge.

*Applicant's response: not applicable.*

Council's response: The SEPP is not applicable.

- Insufficient noise barriers have been provided. Should be in accordance with the Environment Protection Authority guidelines - reducing line of sight, no gaps, close to noise source or receiver, dense material and have noise absorbing material.

*Applicant's response: children's noise at the age of 0-6 years is not excessive. Having spoken to neighbours the developers are willing to alter their plans to accommodate any noise issues eg fencing and dense landscaping. The operation of other similar child care facilities has indicated that noise is not an issue.*

Officer response: The developer commissioned a noise report which indicated the proposal would be able to operate in compliance with the relevant noise criteria. However, the noise consultant did make some recommendations to ensure noise impacts continue to be mitigated both in construction and operation.

- The current condition of Browns Gap Road is unrepairable (say Council) as it cannot be closed for repairs. The road is already in bad shape and the proposed use will exacerbate this. The road is also used as a bypass when the highway is closed in emergency.

*Applicant's response: not applicable.*

Officer response: Council's Engineer indicates that the road is adequate for the development and has requested the formation and sealing of the entrances to Council's standards. The Hartley Vale Road is programmed into Council's roads program for regular maintenance.

- The unsealed section of Hartley Vale Road does have a high level of use, and does not limit through traffic. It is often seen as a short cut and this will increase due to the proposed development. If Council intends the sealing of this road the problems will only increase.

*Applicant's response: there is no proof to this.*

Officer response: the road is programmed into Council's works program for regular maintenance and monitoring, and further sealing may occur in the future, although not necessarily related to this development.

- Any upgrading of the local roads will result in an increase in traffic volume, speed and land rates. Who will pay?

*Applicant's response: the developer is also a ratepayer.*

Officer response: a Section 94 contribution is not specifically contemplated under Council's Rural Roads Contributions Plan for childcare centres. However, as the traffic generation will clearly be in excess of the number of vehicle movements for a dwelling which equals 1 ET under the plan, it is considered reasonable that a contribution be sought. There is no evidence to suggest that speed along the road would increase, or that land rates would change

- Access and egress via Browns Gap Road and Hartley Vale Road is a problem due to - proximity to an intersection, already high level of traffic, possibility of fog, and the movement of heavy vehicles on Browns Gap Road.

*Applicant's response: it is the individual's responsibility to be a responsible driver and obey traffic rules and regulations.*

Officer response: Council's Engineer has indicated that the road is adequate for the development. The NSW Police regulate speed and driving violations.

- The intersection itself is quite dangerous already with the volume and speed of cars.

*Applicant's response: it is the individual's responsibility to be a responsible driver and obey traffic rules and regulations.*

Officer response: Council's Engineer has indicated that the road is adequate for the development. The NSW Police regulate speed and driving violations.

- Many heavy vehicles use this road. Safety issues for slow moving turning traffic.

*Applicant's response: again it comes down to the responsibility of drivers.*

Officer response: Council's Engineer has indicated that the road is adequate for the development. The NSW Police regulate speed and driving violations.

- Increased traffic, especially during peak times of deliver and pickup, will jeopardise safety of pedestrians, cyclists or animals including horse riding, along Hartley Valley Road. Should it have a 40km speed zone? It is currently a 100km speed zone.

*Applicant's response: we have asked Council to consider speed zones through the area.*

Officer response: Council is not in a position to consider changing the speed limit on this road at this point in time.

- There will be special events at the site and this will exacerbate traffic numbers and movements.

*Applicant's response: the events would be at Christmas and Book Week and held within the times and days specified in the application.*

Officer response: the events to be held would be within the specified days and hours, and not held in peak traffic periods.

- Devaluation of homes in the surrounding area (as supported by a local real estate agent) due to loss of peace and tranquillity, increase in traffic flow, noise emitted and the high visible nature of the facility. Would Council or the developer be offering compensation for this devaluation?

*Applicant's response: a letter has been provided from a local real estate agent who states that in their opinion a child care centre at the location would have little effect either positive or negative, on sale prices in the general area. Similarly it is felt that the sale price of land in the immediate vicinity would not be affected.*

Officer response: there is no evidence to suggest that the location of the centre would impact upon home values. Council would not be in a position to offer any form of compensation for a perceived impact.

- The new dwelling proposed for next door was required to be 18-20 setback from the northern boundary to protect the privacy and amenity of immediate neighbours to the north. The proposal has a setback of only 2m. Why is the centre not required to be the same?

*Applicant's response: the architects met with Council prior to lodgement of the application to discuss details such as set backs. Requirements for the neighbouring property are between Council and that landowner.*

Officer response: a variation to the adjoining dwelling consent was requested on 13 April 2005 to relocate the site of the house to be approximately 25m east of the position originally shown. Each application is considered on its merits.

- Any one who subdivides is required to pay Council approximately \$3000 per block for extra traffic. What will the centre be paying for an increase in 108 cars per day?

*Applicant's response: not applicable.*

Council's response: Whilst childcare centres are not specifically contemplated in the Section 94 contributions plan it is only fair and reasonable that a contribution be sought.

- Requirements for a childcare centre require one staff per 5 children. The car parking indicated will not be sufficient and parents will have to park on the roadway and the lane with serious traffic repercussions during peak traffic periods. How will use of the stipulated car parking and drop off area be policed?

*Applicant's response: staff levels are :*

*0-2 years - 1 staff for 5 children*

*2-3 years - 1 staff for 8 children*

*3-5 years - 1 staff for 10 children*

*Staffing levels vary throughout the day and Council staff have agreed on the car parking. Under the Policy and Procedure, one staff member will be present in the car parking area during peak drop-off and pick-up times.*

Officer response: Council did agree on 10 car parking spaces based on information supplied by the architect to Council staff at the time. The applicant now clarifies that staff number amount to 14 (9 full time, 5 casual). Further car parking may be required.

- Proximity to the River Lett - danger of pollution by effluent and grey water. Drainage is an issue on this block of land in wet seasons.

*Applicant's response: refer to the Geological and Environmental Services report for the siting of the effluent disposal system.*

Officer response: the geotechnical report for effluent disposal was referred to the Sydney Catchment Authority who have indicated their approval to the application subject to conditions.

- Compromising the area's culturally significant history.

*Applicant's response: There is no compromise.*

Officer response: there are no known and listed relevant items of heritage within the vicinity of the site. The cultural history of the locality shows that a variety of landuses do exist in rural areas. Although there is currently no similar type of facility in the locality, the zoning also provides for such diversity to occur. However, each development proposed must be considered by Council on it's merits under current planning legislation.

- No benefits to the Hartley valley community, ruining the character and environment of the valley.

*Applicant's response: their research shows that the Centre will be a valuable asset to the Hartley Valley community, not only providing a unique long day care centre but also employment and a meeting point for isolated families.*

Officer response: this is a subjective matter and has been addressed by Council in the consideration of social and economic impacts above. As with any new development, apart from a dwelling in a rural area, there would be positive and negative impacts. Council has to weigh up the benefit or otherwise of the development to the community and in this case whether the type of development is appropriate for this particular site/locality.

- High fire risk on the timbered section of the land.

*Applicant's response: at the time of response the applicant was waiting feedback from the NSW Rural Fire Service*

Officer response: the NSW Rural Fire Service has granted a Bush Fire Safety Authority subject to conditions.

- The development should be located in an area with reticulated water.

*Applicant's response: not applicable.*

Officer response: the developer has indicated that a 100,000 litre rainwater tank is being supplied on site for domestic supply and a 5000 litre rainwater tank for fire fighting purposes. The NSW Rural Fire Service and Council's Building Inspector are satisfied with this provision. Potable water will need to comply with the Australian drinking water guidelines.

- Many of the people using the facility and therefore contributing to the degradation of roads and amenity may no be residents of Lithgow LGA. Who will pay?

*Applicant's response: it cannot be proved that the families using the centre will be from outside the Lithgow area.*

Council's response: there is no evidence to suggest who the patrons of the centre will be. A contribution will be sought for the road.

- Adequate addressing of issues at the planning stage will reduce the recourse that the residents will have to the Land and Environment Court, or notices served under the Environment Operations Act and Noise Control Regulation.

*Applicant's response: nil.*

Council's response: this report is drawn up under the current planning legislation for planning assessment, and examines all known issues regarding the development which apply or have been raised. The planning process provides that Council make a decision based on the information provided. The applicant has addressed all matters relevant to the proposal.



Objectors do not have any merit based third party appeal rights to the Land and Environment Court.

(c) ***the public interest***

A Citizens Access Meeting was held on the site on 13 September 2005. A number of issues were raised at the meeting, many of which were also drawn to Council's attention in the abovementioned submissions. In addition, a request was made for a formal Noise Assessment to be obtained from the developer. This was requested and received and has been considered as part of the above report.

**Conclusions**

The application has been processed and thoroughly assessed in accordance with the Environmental Planning and Assessment Act and Regulations. The developer has made all reasonable attempts to address the matters raised by Council and the submissions received. The main issues would appear to be **noise and traffic**. The developer has indicated their willingness to install soundproof fencing along relevant boundaries to protect adjoining dwellings. They have also agreed to increase landscaping to assist with noise impact and to address the visual impact. The developer has provided car parking, however additional will be required so that as many staff and carers as possible can pull off Hartley Vale Road to park during peak periods. The proposal is permissible under the provisions of the local planning instrument, and complies with the requirements of other statutory authorities and with the Building Code of Australia. However, Council must consider the objectives of the zone and in particular the provision in the rural zone for non agricultural landuses in accordance with the need for that development, and provision for the separation of conflicting landuses.

The applicant indicates that their market research justifies the need for a long day care centre in this region.

Council must consider the submissions raised and the developer's attempts to address these and determine whether this development is appropriate in term of those conflicts, in this rural locality. Whilst Council's contributions plans for rural roads and rural fire services do not specifically define 'child care centres' it is considered fair and reasonable for contributions to be paid and it is suggested that these be negotiated with authority delegated to the General Manager.

Having regard to all the above it would appear appropriate to approve the application for the proposed Child Care Centre subject to conditions.

**ATTACHMENTS**

1. Site plan.

**RECOMMENDATION**

**A. THAT Development Application 209/05 for a childcare centre be approved subject to the following conditions:**

1. That the development shall be carried out in accordance with the application and plans submitted with the application or otherwise amended by the following conditions:
2. All development shall be constructed in accordance with Lithgow City Councils "Subdivision and Development Code" adopted by Council on the 28 of September 1992, Minute No. 1439.
3. Access to the site from Hartley Vale Road shall have a minimum sight distance of 160metres either side of the accesses to be constructed.

4. Access shall have an Entry and Exit splay of no less than 6 metres to allow for safe vehicle movements.
5. Access that intersect bitumen roads shall have a minimum 150mm compacted road base (DGB 20) or equivalent material, and a minimum two coat seal in accordance with Council's "Subdivision and development Code" . The access shall be inspected before sealing work can commence.
6. That minimal site disturbance is caused to the site during construction works and any disturbed areas are to be generally made good and revegetated to the satisfaction of Council.
7. The developer to consult with Integral Energy for the supply of underground power to the site. Evidence of same to be provided to Council prior to the issue of the Construction Certificate.
8. The developer to consult with Telstra for the supply of telephone services to the site. Evidence of same to be provided to Council prior to the issue of the Construction Certificate.
9. Compliance with all requirements of the Department of Community Services.
10. Additional landscaping be provided to assist in the noise and visual impacts of the development on the adjoining properties. The details of this must be arranged with Council prior to the issue of the Construction Certificate.
11. Appropriate fencing to be constructed along the northern boundary and part of the eastern boundary of the property to further assist in reducing potential noise impact from the site on adjoining dwellings.
12. Additional car parking spaces are to be provided on site to achieve compliance with the provisions of Council's Off Street Car Parking Development Control Plan. AN amended plan is to be provided for approval prior to the commencement of construction.
13. Special events on the site are to be held within the days and hours specified in the application, and not during peak traffic periods on Hartley Vale Road.
14. All excavations associated with erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.
15. A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
  - a) stating that unauthorised entry to the work site is prohibited, and
  - b) showing the name of person in charge of the work site and telephone number of which that person may be contacted outside working hours.
  - c) stating name and contact details of the Principal Certifying Authority (PCA) being, Lithgow City Council.
  - d) stating DA 209/05.
16. That minimal site disturbance is caused to the site during construction works and any disturbed areas are to be generally made good and revegetated to the satisfaction of Council.
17. That suitable sediment control measures are put in place in accordance with Council's guidelines to prevent soil erosion and the transport of sediment off the site during rainfall and run-off. These measures are to be in place prior to commencement of any works on the site.

**(Note:** Measures could include the installation of geotech style fabric or a staked hay bale wall located downslope of the construction site or adequate sediment detention basins at the lowest point of the site to collect all run-off, and earthen contour banks constructed so as to have adequate sediment retention capacity). **You should discuss the method of control with Council prior to commencement of construction.**

- 18 That site and building works (including delivery of materials to the property) are carried out between the hours of 7.00 am to 6.00 pm only on Mondays to Saturdays. No building or site works are to be carried out on Sundays and Public Holidays.
- 19 The building works are to be inspected during construction, by the Council and documentary evidence of compliance with the relevant terms of the approval/standards of construction detailed in the Building Code of Australia, is to be obtained prior to proceeding to the subsequent stages of construction, encompassing not less than the following key stages: **(Note: copies of the stated documentary evidence are to be submitted to the Council upon completion of each specified stage of construction and prior to occupation of the building.):**
- a) Footings;
  - b) Wall and roof frame;
  - c) Wet area flashing;
  - d) Stormwater drainage prior to covering connections;
  - e) Final.
- 20 That temporary toilet accommodation be provided on site to Council's satisfaction.
- 21 That documentary evidence of structural adequacy prepared by an approved practising Structural Engineer are submitted to and approved by Council prior to the commencement of the following work. **(Note:** any such Certificate is to set forth the extent to which the Engineer has relied on relevant specifications, rules, codes of practice or publications in respect of the construction):
- a) reinforced concrete floor slab on ground. **(Note:** Certification shall make specific reference to Australian Standard AS 2870-1986 and clearly indicate the soil classification for the given site).
- 22 That the building is to be protected from the attack of subterranean termites by employing construction methods conforming with Australian Standard 3660.1. The proposed method of termite treatment is to be submitted to and approved by Council prior to commencement of work. **A durable notice must be permanently fixed to the building in a prominent location, such as in a meter box or the like, indicating:**
- a) the method of protection; and
  - b) the date of installation of the system; and
  - c) the installer's or manufacturer's recommendations for the scope and frequency of future inspections for termite activity.
- 23 That all footings are taken through filled ground to foundation material of uniform adequate bearing pressure.
- 24 That truss validation details supplied by the truss manufacturer shall be provided to Council or the accredited certifier at or prior to the time of frame inspection **(alternatively, full design details are to be submitted prior to commencement of construction)**. Details shall include:
- a) job address and builder's name;
  - b) design wind velocity;
  - c) terrain category;

- d) truss spacing;
  - e) roof pitch;
  - f) material of roof;
  - g) roof batten/purlin spacing;
  - h) material of ceiling;
  - i) job number
- 25 That the rainwater drains are connected to water storage tanks which are located in a position that will not create a nuisance to the building or adjoining properties. **Note: Overflow pipes are to be discharged away from the building.**
- 26 That a Septic Tank Application is submitted to and approved by Council prior to commencement of any building work.
- 27 That all plumbing and drainage work be carried out by a licensed plumber and drainer and inspected by Council officers.
28. Access for people with disabilities shall be provided in accordance with Part D3 of the Building Code of Australia and Australian Standard AS 1428.1. In this regard the following is required:-
- a. A disabled person's car parking space, hard paved, level and measuring 3.2 metres wide by 5.5 metres long, shall be provided on the site;
  - b. Access from the disabled person's car parking space to the entry of the building and to all parts within the building shall comply with AS 1428.1;
  - c. The disabled person's WC shall comply with AS 1428.1, with a detailed floor plan to indicate compliance being submitted to, and approved by Council prior to work commencing;
  - d. Tactile indicators shall be provided in accordance with Clause D3.8 of the Building Code of Australia; and
  - e. Signage for the disabled person's car parking space and WC shall be provided in accordance with Clause D3.6 of the Building Code of Australia.
29. Portable fire extinguishers shall be provided in accordance with Clause E1.6 of the Building Code of Australia.
30. Emergency lighting and illuminated exit signs shall be provided in accordance with Part E4 of the Building Code of Australia.
- 31 Subject to the provisions of essential fire or other safety measures Environmental Planning and Assessment Regulation 2000 as detailed below:  
Essential fire or other safety measures are subject to specific requirements under the Environmental Planning and Assessment Regulation 2000. Upon completion of the building and prior to issue of an Occupation Certificate, all of these services must be certified on a Fire Safety Certificate as required and submitted to Council stating that the essential fire and other safety measures have been installed and comply with the relevant standard specified below.  
Once the building is occupied, an annual Fire Safety Statement must be submitted to Council and the NSW Fire Brigades, PO Box A249, SYDNEY SOUTH NSW 2001, and a copy retained on site certifying that:
- a) The essential fire and other safety measures have been maintained and serviced at regular intervals in accordance with the appropriate maintenance specified below and are still operable; and
  - b) That the path of travel is clear of anything which would impede free passage of any person.
- The essential fire and other safety measures are:

**EMERGENCY LIGHTING:** Emergency Lighting - refer Part E4.2 of the Building Code of Australia and As 2293.1

**EXIT SIGNS:** Exit Signs - refer E4.5 & 6 of the Building Code of Australia and AS 2293.1

**PORTABLE FIRE EXTINGUISHERS/FIRE BLANKETS:** Portable Fire Extinguishers - refer Part E1.6 of the Building Code of Australia and AS 2444 & AS 1851.1

32. The amended soil system must be designed, installed and maintained in accordance with the recommendations contained within the report prepared by Blue Mountains Geological and Environmental Services P/L (dated May 2005) and the manufacturer's specifications, with the exceptions that a design loading rate of 10mm/day is to be used for the sizing of the surrounding absorption field based on soils data and the holding tank is to have a minimum capacity of 4500l to cater for wet weather events and short term overloads.
33. All effluent must be assimilated within the boundaries of the property. In this regard the soil mounds are to be capped with a soil of moderate permeability, eg. loam to clay loam and the mounds are to be satisfactorily turfed prior to the opening of the childcare centre.
34. No effluent management area is to be located within 100m of any creek or watercourse, whether perennial or intermittent or within 40m of a drainage depression.
35. AAA-rated water conservation devices are to be installed in the childcare centre to minimise the volume of wastewater produced. In particular taps that can be easily opened and left running by children are not to be installed.
36. Both the septic and holding tanks are to be fitted with outlet filters and both are to be subject to 3 yearly desludging regimes.
37. Pumping from the septic tank to the soil mound is to be designed so that a minimum spare capacity of 2000l is maintained in the holding tank at all times to cater for system overloads.
38. All stormwater collected from roofs and other hard surface areas including the car park area is to be diverted away from the amended soil mounds, eg. by means of a stabilised bund or drain with provision for energy dissipation at the outlet to prevent scouring or erosion.
39. The septic tank and holding tanks and the amended soil mounds are to be fenced off from child access.
40. Effective erosion and sediment controls are to be installed prior to any construction activity (including earthworks for the dwelling and site access). The controls must prevent sediment entering drainage depressions and watercourses, and are to be regularly maintained and retained until works have been completed and groundwater established.
41. A Bushfire Evacuation Plan is to be submitted to the NSW Rural Fire Service - Development Control Services for approval. The evacuation plan is to detail the following:
  - a) Under what circumstances will the complex be evacuated.
  - b) Where will all persons be evacuated to.
  - c) Roles and responsibilities of persons co ordinating the evacuation.
  - d) Roles and responsibilities of persons remaining with the complex after evacuation.
  - e) A procedure to contact the NSW Rural Fire Service District Office/NSW Fire Brigade and inform them of the evacuation and where they will be evacuated to.

42. Asset Protection Zones shall be provided 20m to the east of proposed development. This shall be incorporated through establishment of section 88B restriction on adjoining property. Alternatively proposed building envelope shall incorporate a setback of 15m to the west on proposed development site.
43. The property to the west of the proposed development to a distance of 35m, shall be maintained as an "Inner Protection Area" (IPA) and 15m shall be maintained as an Outer Protection Area (OPA) as outlined within section 4.2.2 in Planning for Bushfire Protection 2001.
44. Access shall comply with section 4.3.2 Planning for Bushfire Protection 2001. Note: access/egress must be demonstrated to provide facilities for a Cat 1 tanker to enter and exit the site. This may be facilitated by a loop road with suitable turning radius or a turning bay that is 15m deep, again with suitable turning radius.
45. The 100,000 litre domestic water tank shall provide 10,000 litres of dedicated water for firefighting purposes.
46. Access to within 10m of water tank is to be provided.
47. Construction shall comply with AS 3959 - 1999 level 1 'Construction of Buildings in bushfire prone areas'.
48. The structure shall incorporate gutterless roofing or leafless guttering and valleys are to be screened to prevent the buildup of flammable material.
49. Structures and shade materials within the outdoor play area shall be non combustible or have a flammability index of not greater than 5 when tested in accordance with AS 1530.2.
50. Contributions for Rural Roads and Rural Fire Services are to be negotiated and paid in full prior to the issue of an Occupation Certificate for the development.
51. That the proposed food premises area is designed and constructed in accordance with the Food Act 2003. In this regard, the Applicant is to provide a detailed food premises fit-out plan and specification illustrating compliance with AS 4674-2004 Design, construction and fit-out of food premises for Council's approval with the Construction Certificate Application.
52. That an appropriately sized grease trap is to be installed with details provided to Council for approval prior to the commencement of construction activities
53. The recommended measures outlined in section 7.1 of the Environmental Noise Assessment dated 16 December 2005 prepared by Renzo Tonin & Associates shall be implemented by the proponent in both the construction and operation of the facility.
54. That a Waste Management Plan based on the waste management hierarchy of avoid, reuse, recycle and dispose is provided to Council for approval prior to the commencement of construction works outlining the following during all phases of the development:
  - the type and amount of waste/recyclable material to be generated
  - how waste/recyclable materials will be stored and treated on-site
  - how disposal of waste/recyclable materials will take place.
55. That appropriate dust mitigation measures be implemented during construction to Council's satisfaction.

56. That the installation, operation and maintenance of any regulated system ie warm water systems as listed under the Public Health Act 1991 is undertaken in accordance with the requirements of the Act, Public Health (Microbial Control) Regulation 2000 and AS/NZS 3666.1- 2002 Air-handling and water systems of buildings – Microbial control – Design, installation and commissioning.
57. Prior to the issue of an Occupation Certificate, the applicant shall provide details of potable water supply to the development along with documented evidence of compliance with the Australian Drinking Water Guidelines.
- B. The General Manager be delegated authority to negotiate and reach agreement on contributions for Rural Roads and Rural Fire Services.**

Councillor A E Thompson moved the recommendation as printed. This was seconded by Councillor M F Ticehurst. This was DECLARED LOST.

### **06- 016 RESOLVED**

Councillor M F Ticehurst moved a MOTION, seconded by Councillor W McAndrew that Council explore other options that were raised by the community and report back to Council in 2 weeks. This was DECLARED CARRIED.

**MOVED:** Councillor M F Ticehurst

**SECONDED:** Councillor B P Morrissey.

**CARRIED**

**ITEM:7 EPS - 06/02/06 - DEVELOPMENT APPLICATIONS SUBMITTED**

**SUMMARY**

To inform the Council of recently submitted development applications.

**COMMENTARY**

In order to keep the Council informed of current development proposals, the following list is provided of development applications which have been received after last reported to the Planning, Policy & Development Committee on 12 December 2005. The list excludes dwellings, additions, carports and associated residential proposals or proposals of a minor nature.

<b>Significant Development Applications received</b>			
<b>DA No.</b>	<b>Date Received</b>	<b>Proposal</b>	<b>Property</b>
530/05	8/12/05	6 lot subdivision	ADI, Methven Street, Lithgow
537/05	14/12/05	Accommodation and treatment rooms	259 Sir Thomas Mitchell Drive, South Bowenfels
539/05	15/12/05	Decommissioning underground storage tanks	6 Gasworks Lane, Lithgow
541/05	16/12/05	Subdivision and 15 residential units	Lot 1 Barton Street, Lithgow
542/05	20/12/05	Dental Office	120 Main Street, Lithgow
545/05	20/12/05	2 lot subdivision	1739 Ganbenang Road, Kanimbla Valley
550/05	23/12/05	2 lot subdivision	1696 Duckmaloi Road, Oberon
549/05	23/12/05	2 lot subdivision	35 Mid Hartley Road, Hartley
3/06	10/1/06	2 lot subdivision	2 Wolgan Road, Lidsdale
9/06	13/1/06	Installation of 2-5m gridpole for digital television	730 Sunny Corner Road, Portland
4/06	13/1/06	New stage for Ballroom	Civic Ballroom, Barton Street, Lithgow
8/06	13/1/06	Storage silo for cement powder	Lot 42 Main Street, Wallerawang
19/06	23/1/06	Temporary storage containers	2 Arden Street, Lithgow

**Comments**

If Councillors wish to receive more detailed information on any of the aforementioned applications, then this can be provided.

**RECOMMENDATION**

**THAT** the information be received.

**06- 017 RESOLVED**

**THAT:**

1. The information be received
2. More information be given on 530/05 to the Councillors.



**MOVED:** Councillor M J Wilson

**SECONDED:** Councillor M M Collins.

**CARRIED**

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**ITEM:8 EPS - 06/02/06 - PROPOSED ROAD NAMING, UN-NAMED SECTION OF ROAD BETWEEN THE GREAT WESTERN HIGHWAY AND WALKER STREET, HARTLEY**

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**REFERENCE**

There are no previous reports relating to this issue.

**SUMMARY**

There is an un-named section of road running from the Great Western Highway to Walker Street, opposite Hartley Historic Village. The portion of road is adjacent to the unformed road known as York Street. It is proposed to name the road Kelly Street in keeping with the original proposed name for the road in 1977.

As an objection was received for the proposed name it is required to be determined by the elected Council in accordance with Council practice and the Geographical Names Board of NSW Requirements for the Naming of a Road.

**COMMENTARY**

The name Kelly Street is proposed for the un-named section of road running from the Great Western Highway to Walker Street, opposite Hartley Historic Village. The section of road in question became a public road in the early 1970's when the Great Western Highway was widened. It was previously proposed to call the road Walker Street or York Street, however, an objection was received to these proposals on the basis that it would not be historically accurate as York Street although unformed is actually located further east of this road, and Walker Street does not technically begin at the Highway. It would also require the existing unformed York Street to be un-named.

After further research it was discovered that the un-named section of road was proposed as Kelly Street in 1977 on Deposited Plan (DP) 589465 but was never gazetted as such. This DP was created as part of the road widening for the Great Western Highway. The Kelly Family and their ancestors have been living in the area since before 1847. As such, it seems fitting that the road be named Kelly Street as it was originally proposed.

In accordance with the Geographical Names Board of NSW Guidelines for the Naming of Roads, Council notified Authorities and advertised for expressions of interest for the naming of the road. As part of this process Council received four letters of support for the proposed naming, each acknowledging the contribution of the Kelly Family to the Lithgow and in particular the Hartley community. However, Council also received an objection to this proposal on the basis that the Kelly's have not made enough of a contribution to the community to have a road named after them.

In this case enough information has been provided detailing the history of the Kelly Family and it is therefore considered that the proposed name is appropriate for the un-named section of road.

**POLICY IMPLICATIONS**

The proposal is consistent with the Geographical Names Board of NSW Guidelines for the Naming of Roads which details the preferred sources for road names as aboriginal names, local history, early explorers, pioneers, settlers and other eminent persons, war/casualty lists and thematic names such as flora, fauna or ships. It also details that names should be appropriate to the physical, historical or cultural character of the area concerned.

### **FINANCIAL IMPLICATIONS**

Street name signage will need to be manufactured and installed with funds being sought from the 2005/06 Recurrent Budget.

### **LEGAL IMPLICATIONS**

There no legal implications associated with this proposal.

### **ATTACHMENTS**

1. Deposited Plan 589465.

### **06- 018 RESOLVED**

**THAT** the un-named section of road running from the Great Western Highway to Walker Street be named Kelly Street.

**MOVED:** Councillor M J Wilson

**SECONDED:** Councillor M M Collins.

**CARRIED**

## CORPORATE SERVICES REPORTS

### ITEM:9 CORP - 06/02/06 - SPECIAL PARKING RATE ADDITIONAL PROPERTIES FOR THE 2006/07 RATING YEAR

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#### REFERENCE

Nil

#### SUMMARY

To advise Council of additional properties which it is proposed to charge the Special Parking rate from the 2006/07 rating year.

#### COMMENTARY

Council in past years has charged a parking rate to business properties in Main St, Mort St and Railway Pde. Lithgow. During 2005/06 various properties were identified and charged the parking levy but as an ongoing program Council should consider expanding the areas which utilise parking to ensure all business properties are captured in 2006/07.

It should be noted that if a property is identified within the parking area, and they are categorised as 'residential', they will not be charged parking unless the use of the property is changed at any time to 'business'.

The areas identified are the:

- Central section of Railway Pde (Dental & Doctors surgery)
- Mort St from Lithgow St to Bridge St, both sides
- Cook St (Main St lane to Mort St)
- Coles, Aldi, Pottery Estate developments

PROPERTY	VALUATION	LEVY TO BE INCLUDED FOR SPECIAL PARKING FROM 2006/7	
11580	65,000	531.70	Cook St, Lithgow
11590	80,300	656.85	Cook St, Lithgow
11600	7,200	588.96	Cook St, Lithgow
35000	48,000	392.64	Mort St, Lithgow
35010	48,000	392.64	Mort St, Lithgow
35050	49,800	407.36	Mort St, Lithgow
35080	30,000	245.40	Mort St, Lithgow
35090	30,000	245.40	Mort St, Lithgow
35190	79,000	646.22	Mort St, Lithgow
35320	55,400	453.17	Mort St, Lithgow
35420	58,800	Non Rateable	Mort St, Lithgow
35430	117,000	957.06	Mort St, Lithgow
40390	56,300	460.53	Railway Pde, Lithgow
102513	2,250,000	18405.	Bent St, Lithgow
103869	1,050,000	8,589.00	Valley Drive, Lithgow
102884	800,000	6,544.00	Valley Drive, Lithgow
<b>TOTAL PARKING LEVY</b>		<b>\$39,515.93</b>	

Prior to levying the parking rate Council is required to undertake the following process.

- Identify and resolve the properties to be charged
- Contract a surveyor to undertake a 'meets & bounds' survey
- Notify ratepayers they will be rateable for parking from the 2006/07 financial year
- Apply the parking rate from the 1 July 2006

**(a) Policy Implications**

Nil

**(b) Financial Implications**

Additional parking income of \$39,515.93 for 2006/07

**(c) Legal Implications**

Nil

## **ATTACHMENTS**

1. Maps of the areas

## **RECOMMENDATION**

**THAT:**

1. Properties 11580, 11590, 11600, 35000, 35010, 35050, 35080, 35090, 35190, 35320, 35420, 35430, 40390, 102513, 103869, 102884 be included in the parking rate levy area for the 2006/07 rating year
2. Individual property owner involved be advised accordingly
3. Required surveys of the area be undertaken
4. Exhibition of the proposal in the draft 2006/07 Management Plan when prepared for a period of 28 days

## **06- 019 RESOLVED**

**THAT** the Council defer the decisions until further discussions are held at the ExtraOrdinary Meeting to be held on Monday 13 February 2006.

**MOVED:** Councillor B P Morrissey

**SECONDED:** Councillor M J Wilson.

**CARRIED**

## **ITEM:10 CORP - 06/02/05 - LINC 2004/05 FINANCIAL STATEMENTS**

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### **REFERENCE**

Min 05-325 27 June 2005: Adoption of the 2005-06 Management Plan

### **SUMMARY**

To advise Council of receipt of audited 2004/05 Financial Statements for Lithgow Information and Neighbourhood Centre.

### **COMMENTARY**

Council renewed the lease on the premises used by Lithgow Information and Neighbourhood Centre at 1 Padley St Lithgow for a further three year term in May 2005.

Conditions were placed on the lease as follows:

- 1) LINC to pay rental of \$25,000 per annum (subject to CPI) to cover the financial periods 2005/06 to 2007/08*
- 2) Council to contribute \$15,000 per annum, (subject to CPI) on the provision that unqualified audited statements and annual management reports be provided to Council by 31 October each year, and representation made during the course of Councils management process during April / May each year, prior to Councils annual budget preparation.*
- 3) Rental billed and collected by Councils property manager LJ Hooker each month*
- 4) Subsidy paid by Council at the commencement of each quarter ie 1/7, 1/10, 1/1 and 1/4*
- 5) LINC to seek Councils approval prior to the sub let of, all or part of the premises, to hirers and Community organisations. (Exclusion to this clause will be the hire of the hall on less than 12 occasions each year.)*
- 6) LINC to advise Council of all sub leases currently in operation*

LINC have provided a copy of their 2004/2005 audited Financial Statements as required by the conditions of the lease and a copy is attached for Councillors information. No information was supplied in relation to the sub bodies of LINC.

#### **(a) Policy Implications**

Nil

#### **(b) Financial Implications**

Nil

#### **(c) Legal Implications**

Nil

**ATTACHMENTS**

1. 2004/05 LINC Financial Statements

**06- 020 RESOLVED**

**THAT** the information be received.

**MOVED:** Councillor M M Collins

**SECONDED:** Councillor M J Wilson.

**CARRIED**

**ITEM:11 CORP - 06/02/06 - 2005/06 DECEMBER STOCKTAKE  
 LITHGOW & WALLERAWANG STORES**

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**REFERENCE**

Nil 2005/06 Financial Year

**SUMMARY**

To advise Council of the six monthly stocktake at Councils Lithgow and Wallerawang stores

**COMMENTARY**

A six monthly stock take was conducted at Wallerawang and Lithgow stores on January 12 & January 18 2006 respectively.

Details of variations request a write off of \$155.63 at Wallerawang and no discrepancies at the Lithgow store. Considering the value of the adjustment requested from a value of stock held it is considered acceptable.

<b>PRODUCT NO</b>	<b>DESCRIPTION</b>	<b>ITEM VALUE</b>	<b>ADJ QUANTITY</b>	<b>ADJUST VALUE</b>
79947	Pipe	16.65	1	16.65
419904	Shovel	24.31	-1	-24.31
74600	Ball Valve	55.71	-1	-5.71
797218	Trousers	27.45	-5	-137.25
102218	Trousers	27.45	-2	-54.90
102224	Overalls	30.67	1	30.67
102324	Overalls	40.63	-1	-40.63
383902	Shirt	22.95	3	68.85
76330	Water Tee	3.88	-1	-3.88
76335	Water Tee	1.22	-1	-1.21
75920	Bush	3.91	-1	-3.91

		<b>TOTAL ADJ</b>		<b>-155.63</b>
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**(a) Policy Implications**

Nil

**(b) Financial Implications**

Adjustment to the Wallerawang store being a write off of \$155.63 for the December stock take of the 2005/06 Financial Year.

**(c) Legal Implications**

Nil

**ATTACHMENTS**

Nil

**06- 021 RESOLVED**

**THAT** Council authorise adjustment to the Wallerawang store being a write off of \$155.63 for the December stock take of the 2005/06 Financial Year.

**MOVED:** Councillor B P Morrissey

**SECONDED:** Councillor M J Wilson.

**CARRIED**

**ITEM:12 CORP - 06/02/06 - COUNCILS INVESTMENTS JANUARY 2006**

**SUMMARY**

To advise Council of investments held and cash movements for the two month period ending 31 January 2006.

**REPORT**

The amount invested as at 31 January 2006 when compared to 30 November 2005 has decreased by \$1,182,265.73 due to ongoing Council expenditure awaiting income of the 3<sup>rd</sup> instalment on the 28 February 2006 and the 3<sup>rd</sup> payment of the 05/06 Financial Assistant Grant.

The most significant outgoing amounts were:

CREDITOR	AMOUNT	PURPOSE
Aust Enviro Science	17,144.05	Ecobac Sewerage T/Plant
Boral Asphalt	57,959.32	Road Making material
RTA	19,365.85	RTA payments
Frasers Contracting & Const	20,936.63	Kerb & Gutter Construction
Gracey Earthmoving	35,964.50	Earthmoving
Works Infrastructure	143,400.11	Road Construction Barton Ave
NSW Fire Brigade	24,691.00	Quarterly instalment due
<b>TOTAL</b>	<b>620,986.01</b>	(Less investment transfers)

INVESTMENT REGISTER 2005/06								
INSTITUTION	INV TYPE	DATE LODGED	DATE DUE	DAYS	INT	VALUE 31.01.06	VALUE 30.11.05	% OF TOTAL
ANZ	TD	24.01.06	28.03.06	60	5.60	524,690.62	520,149.92	5.73%
BANKWEST	TD					0.00	564,281.63	0.00%
CBA	SHIELD	04.12.04	04.12.06	730	6.51	600,000.00	600,000.00	6.55%
						0.00	506,317.08	0.00%
	On Call				5.35	1,710,680.77	1,585,198.37	18.68%
LG FINANCIAL	On Call				5.40	582,042.03	582,042.03	6.36%
	TD	13.12.05	10.02.06	60	5.63	1,122,873.10	1,112,255.18	12.26%
	TD	11.01.06	13.02.06	33	5.62	306,489.86	600,000.00	3.35%
IMBS	On Call				5.45	715,603.99	705,982.57	7.81%
	TD	06.12.05	06.02.06	62	5.71	507,142.88	500,000.00	5.54%
	TD	06.12.05	09.02.06	61	5.70	514,822.17	509,789.09	5.62%
ALLIANCE	Managed	01.04.02	28.02.05	365		1,000,000.00	1,000,000.00	10.92%
ST GEORGE	TD	06.01.06	06.03.06	60	5.45	508,340.14	500,000.00	5.55%
	TD	05.01.06	05.04.06	90	5.10	411,361.67	405,686.36	4.49%
	TD	23.01.06	24.03.06	60	5.62	652,962.08	647,572.81	7.13%
			<b>TOTAL</b>			<b>9,157,009.31</b>	<b>10,339,275.04</b>	<b>100.00%</b>
<p>I, Carol G Farnsworth, Lithgow City Council Manager of Finance &amp; Corporate Services (Responsible Accounting Officer) certify as required under Local Government (General) Regulations 2005, that Councils investments have been made in accordance with the Local Government Act 1993, Regulations and Lithgow City Councils Investment Policy.</p>								



### **Policy Implications**

All Councils investments are held in accordance with the Lithgow City Council Investment Policy.

### **Financial Implications**

The total budget for investment income in 2005/2006 is \$367,422. Investment income to date ie 31.01.06 totals \$298,477.77. This represents 81% of the expected budget. It is estimated actual will exceed budget allocation for 05/06 and the Dec reviews have been increased by \$80K in expectation. Councillors should be aware interest is not paid until the maturity date of the investment and managed funds report earning quarterly. Therefore timing differences between actual income received and budget will occur.

### **Legal Implications**

All of Councils investments are held in accordance with the Lithgow City Councils Investment Policy which accords with the requirements of the:

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

## **06- 022 RESOLVED**

**THAT** Councils investments for the month of December 2005 and January 2006 combined be received

**MOVED:** Councillor H K Fisher

**SECONDED:** Councillor M J Wilson.

**CARRIED**

## ITEM:13 CORP - 06/02/06 - 2005/06 MANAGEMENT PLAN DECEMBER REVIEW

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### REFERENCE

Min 05-325 : 27.06.05: Adoption of the 2005-06 Management Plan  
Min 05-566 : 31.10.05: 2005/06 September Reviews

### SUMMARY

To advise Council of the projected financial position of the 2005/2006 Annual Management Plan following the December Review.

### COMMENTARY

The December quarterly review of Council's 2005/06 Financial Plan has been completed and projects a revised surplus of \$916,258 for the financial year.

As reported in the September review the majority of the predicted surplus is attributed to a directive from the General Manager to Divisional and Program Managers for a reduction of their original operating and capital expenditures. This is successfully being achieved by effectively utilising Council resources and scrutinising purchases. Council must bear in mind depreciation charges of \$5,632,000 which will impact on the 2005/06 result.

Variations which contribute to the December result and have not been previously reported may be summarised as follows:

#### **EXECUTIVE:**

##### **Interest on Investments**

Nett Effect: Increase in income of \$80,000

##### **Gumnut House**

Council resolution December 2005 for assistance \$5,386

Nett Effect: Additional expenditure of \$5,386

##### **Centroc Bells Line of Rd Contribution**

Council resolution December 2005 for assistance \$6,276

Nett Effect: Additional expenditure of \$6,276

#### **LAND DEVELOPMENT:**

##### **Cary Gardens, Wallerawang**

Finalisation pending disposal of lots

Nett Effect: Additional expenditure of \$30,000

Disposal of lots as per Council resolution 19 Dec 2005

Income of \$700,000 to property reserve

Nett Effect: Nil

#### **(a) Policy Implications**

Nil

**(b) Financial Implications**

A revised predicted surplus of \$949,758 for the 2005/06 Management Plan

**(c) Legal Implications**

Nil

**ATTACHMENTS**

Nil

**Tabled at the meeting:**

Divisional Net Cost Summary  
Program Net Cost Summary  
Comparative Resource Summary  
Program / Activity Report

**06 - 023 RESOLVED**

**THAT** the information be received and Council acknowledge the revised surplus of \$949,758

**MOVED:** Councillor H K Fisher

**SECONDED:** Councillor M J Wilson.

**CARRIED**

## COMMITTEE MEETINGS

### ITEM:14 ENG - 06/02/06 - LITHGOW DISTRICT LIAISON COMMITTEE MEETING

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#### REFERENCE

Nil

#### SUMMARY

Details of the Minutes of the Lithgow District Liaison Committee meeting held on Wednesday 14 December 2005.

#### COMMENTARY

At the Lithgow District Liaison Committee meeting held on Wednesday 14 December 2005 there were numerous items discussed by the Committee and it is considered that all these items be noted by Council.

#### ATTACHMENTS

1. Minutes of the District Liaison Committee Meeting that was held on Wednesday 14 December 2005.

#### 06- 024 RESOLVED

**THAT** the information be noted.

**MOVED:** Councillor M J Wilson

**SECONDED:** Councillor B S Moran.

**CARRIED**

## **ITEM:15 ENG - 06/02/06 - SPORTS ADVISORY COMMITTEE MEETING**

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### **SUMMARY**

Details of the Minutes of the Sports Advisory Committee meeting held on Monday 19 December 2005.

### **COMMENTARY**

At the Sports Advisory Committee meeting held on Monday 19 December 2005 numerous items were discussed by the Committee and it is considered that all these items be adopted by Council as per the Committee's recommendations.

### **ATTACHMENTS**

1. Minutes of the Sports Advisory Committee meeting held on Monday 19 December 2005.

### **RECOMMENDATION**

**THAT** the information be received.

## **SPORTS ADVISORY COMMITTEE MEETING HELD ON 19 DECEMBER 2005**

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### **PRESENT**

Councillor Neville Castle (Chairman), Mr Mark Hibbard, Mr Neil Gambrill, Mr Peter Bresac, Mr Russell Jeffery, Mr Mark Cronin, Mr Michael Brown, Mr Danny Whitty, Mrs Robyn Whitty, Mr Bob Martin, Mrs Deb Martin, Mr Eric Arnold, Mr Ray Field, Mrs Nancy Haslop, Mr Peter Morris

**ALSO IN ATTENDANCE:** Mr Clive Cawthorne, (Manager Engineering Services) & Miss Leanne Kearney, (Strategic Engineer)

### **APOLOGIES**

Mrs Nerryl Wood & Mr Terry Nolan (Recreation Supervisor)

### **REPORT**

#### **ITEM 1 - DECLARATION OF INTEREST**

Nil

**ITEM 2 - MINUTES OF THE PREVIOUS MEETING**

The Minutes of the Sports Advisory Committee Meeting held on Monday, 7 November 2005 were read and confirmed.

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

Moved: Russell Jeffery

Seconded: Danny Whitty

**ITEM 3 – FINANCIAL ASSISTANCE REQUESTS**

Financial assistance applications have been approved for the following:

- Michael Cox - \$300 after his selection in the NSW Track and Field team to compete at the Australian All Schools Championships in December 2005
- Bradley De Losa – \$300.00 after being selected in the NSW Wood Chopping Team

The Committee recommends that the information be received.

Moved: Deb Martin

Seconded: Mark Cronin

**ITEM 4 – REG COWDEN MEMORIAL SPORTS STAR AWARDS**

Junior Nominations for November 2005 were received from the following:

- Mathew Judge was selected in the Western Region Academy of Sport Hockey Team
- Ashley Redding was selected in the Western Region Academy of Sport Hockey Team
- Jacob Shirt was selected in the Western Region Academy of Sport Hockey Team
- Peter McGrath was selected in the Western Region Academy of Sport Hockey Team
- Ben Redding was selected in the Western Region Academy of Sport Hockey Team
- Matthew Writer was selected in the Western Region Academy of Sport Hockey Team
- Andrew Writer was selected in the Under 17 District Indoor Hockey Team to contest the State Championships in Wollongong in November 2005
- Brendan Shoard was selected in the Under 17 District Indoor Hockey Team to contest the State Championships in Wollongong in November 2005
- David James was selected in the Under 17 District Indoor Hockey Team to contest the State Championships in Wollongong in November 2005
- Evan McGrath was selected in the Under 17 District Indoor Hockey Team to contest the State Championships in Wollongong in November 2005
- Mathew Judge was selected in the Under 17 District Indoor Hockey Team to contest the State Championships in Wollongong in November 2005
- Mick Grant was selected in the Under 17 District Indoor Hockey Team to contest the State Championships in Wollongong in November 2005
- Aaron Reid was selected in the District Indoor Hockey side to contest the State Championships in Illawarra in November 2005
- James Lindsay was selected in the District Indoor Hockey side to contest the State Championships in Illawarra in November 2005
- Peter McGrath was selected in the District Indoor Hockey side to contest the State Championships in Illawarra in November 2005
- Mathew Writer was selected in the District Indoor Hockey side to contest the State Championships in Illawarra in November 2005
- Michael Cox was selected in the NSW Track and Field team to compete at the Australian All Schools Championships in December 2005

**MINUTES – FINANCE AND SERVICES COMMITTEE MEETING OF COUNCIL**

- Lithgow Hockey Association Under 15 Girls Indoor Hockey Team for Hockey – the team contested at the State Indoor Hockey Championships at Unanderra on 5 & 6 November after having only three hours coaching on rules and the team competed and won the State Title in Division three.
- Matthew Writer has been selected in the Under 15 NSW State Indoor Hockey side to play in the Australian titles in Illawarra in January 2006.

The Committee selected Matthew Writer to be Junior Sports Star winner for the month of November 2005, and for merit certificates to be presented to the remaining nominees.

<b>MONTH</b>	<b>RECIPIENT</b>
January	Andrew Writer
February	Chris Sheppard
March	Nathan Anthes and Michael Cox
April	Jarrod Pattison
May	Josh Collins and Emma Statham
June	Belinda Muldoon
July	Lindsey Bennett
August	Shanae Pyne
September	Cassie Ford
October	Jack Quinn
November	Matthew Writer

Senior nominations for November 2005 were received from the following:

- Bradley De Losa after being selected in the NSW Wood Chopping Team.
- Rhys Bennett for basketball, competed in the 40-44 Basketball at the World Masters Games at Edmonton Canada in August 2005 and won a bronze medal in division one and was then selected in the Trans Pacific Relics.

The Committee selected Bradley De Losa to be Senior Sports Star winner for the month of November 2005, and for merit certificates to be presented to the remaining nominees.

<b>MONTH</b>	<b>RECIPIENT</b>
January	Matthew Banning
February	No Nominations
March	Kevin Mays
April	Cheryl Rutherford
May	No Nominations
June	Lithgow Women's Open Hockey Team
July	Lithgow Workmen's RLFC Premier Division Team
August	Jonathan Van Veen
September	Robert Redding and Alan Mostyn
October	Misty Walsh
November	Bradley De Losa

The Committee recommends that Council allocate awards and certificates to the selected applicants.

Moved: Michael Brown

Seconded: Neil Gambrill

### **ITEM 5 – BOOKING REQUEST – VARIOUS SPORTING FACILITIES – WESTERN REGION ACADEMY OF SPORT**

Correspondence has been received from Nancy Haslop from the Western Region Academy of Sport advising that the combined camp will be held in the Wallerawang/Lithgow District between the 4<sup>th</sup> and 6<sup>th</sup> February 2006.

Approximately 110 athletes, 18 coaches and 3 other staff will be attending this event with accommodation being booked at Black and Gold Country Cabins at Wallerawang.

Western Region Academy of Sport Squads that will be attending this weekend include basketball, hockey, lawn bowls, netball (players and officials), softball and talent search tri-athletes.

The Western Region Academy of Sport are requesting permission to use both courts at the Wallerawang Indoor Sport and Recreation Centre on the Saturday and Sunday, baseball field at Wallerawang on Saturday and Sunday mornings, the bowling green at Wallerawang on Saturday morning, hockey fields on Saturday and Sunday morning, and a facility where the tri-athletes are able to swim, ride and run.

The NSW Institute of Sport will also be sending a number of representative coaches and athletes to attend this event. There will also be opportunities for sports people, including athletes, coaches and parents from the Lithgow region to be involved in some of the activities.

The Western Region Academy of Sport are requesting permission to use all of the above facilities as well as requesting that entry fees to the local swimming pool be waived for athletes who choose to undergo a recovery session during this camp.

Mrs Nancy Haslop from the Western Region Academy of Sport has been invited to attend the meeting to answer any questions in relation to this event.

The Committee recommends that

1. Permission be granted to the Western Region Academy of Sport to use the synthetic hockey turfs at Glanmire Oval after successful liaison with the Greater Lithgow Hockey Association.
2. Permission be granted for the Western Region Academy of Sport to use Jim Monaghan Athletics Oval on Saturday morning subject to successful liaison with the Lithgow Athletics Club.
3. That Council waive the entry fees for participants at this event who choose to use the Lithgow War Memorial Olympic Swimming Pool for a recovery session during this camp.

Moved: Russell Jeffery

Seconded: Neil Gambrill

### **ITEM 6 – NOMINATIONS FOR THE 2006 OZ SPORT AWARDS**

Council received correspondence from the Australian Sports Commission advising that the 2006 Oz Sport Awards nominations would be accepted until Friday 2 December 2005.

Information relating to this was posted to Sports Advisory Committee members to allow for organisations to nominate prior to this closing date.

The Committee recommends that the information be received.



Moved: Deb Martin

Seconded: Michael Brown

**ITEM 7 – BOOKING REQUEST – KREMER PARK - PORTLAND OWNERS AND TRAINERS ASSOCIATION**

Correspondence has been received from the Portland Owners and Trainers Association requesting permission to use Kremer Park Portland for the training of horses on a daily basis between the hours of 5.30am and 6.00pm eastern standard time and to 7.00pm during daylight savings time.

Mr Danny Whitty expressed the thanks of the Portland Cricket Club for the co-operation shown from the Portland Owners and Trainers Association with regard to the location of the new cricket training nets at Kremer Park.

The Committee recommends that the Portland Owners and Trainers Association be granted permission to use Kremer Park, Portland to train horses on a daily basis between the hours of 5.30am and 6.00pm eastern standard time and to 7.00pm during daylight savings time for a twelve month period commencing 1 January 2006 and concluding 31 December 2006.

Moved: Danny Whitty

Seconded: Mark Cronin

**ITEM 8 – BOOKING REQUEST – LITHGOW WAR MEMORIAL OLYMPIC SWIMMING POOL – LYNDALL MURRAY**

Correspondence has been received from Lyndall Murray requesting permission to conduct Learn to Swim Program focusing on the development of swimming and lifesaving skills in children and adults at the Lithgow War Memorial Olympic Swimming Pool.

This program would primarily require use of the learner's pool, the Olympic pool and on rare occasions the toddlers pool.

Miss Murray understands the significant demand placed on the facility during warmer periods and is willing to work with centre managers, patrons and other swim schools collectively to ensure safety and enjoyment of the centre by all.

The Committee recommends that permission be granted to Lyndall Murray to conduct Learn to Swim Programs at the Lithgow War Memorial Olympic Swimming Pool for the 2005/2006 season subject to successful liaison with the Lithgow Swimming Club, Meg Blowes, Nina Nyitrai and the Pool Manager and operation of activities at the discretion of the Pool Manager.

Moved: Mark Cronin

Seconded: Deb Martin

**ITEM 9 - BOOKING REQUEST – WALLERAWANG OVAL – WALLERAWANG SOCCER CLUB**

Correspondence has been received from the Wallerawang Soccer Club requesting permission to use Wallerawang Oval, Wallerawang to conduct a muster day on Saturday 11 February 2006 from 1.30pm until 3.00pm and further to conduct soccer training Monday to Friday from 4.00pm to 8.00pm.

After the muster day exact dates and times that training will be held will be able to be provided to Council.

This booking will conflict with use by the Lithgow District Cricket Association and the Cricket Association advise that this booking be approved for a Sunday noting that however should inclement weather be experienced during Saturday's Wallerawang Oval may need to be used for regular cricket competition on a Sunday.

The Committee recommends that permission be granted to Wallerawang Soccer Club to use Wallerawang Oval upon selection of a suitable date that will not conflict with a prior approved booking from the Lithgow District Cricket Association and that permission be granted for the Club to use Wallerawang Oval for training upon presentation to Council of days and times required.

Moved: Russell Jeffery

Seconded: Neil Gambrill

#### **ITEM 10 – DISSOLVING OF THE REG COWDEN COMMITTEE**

The Reg Cowden Memorial Trust Committee have advised Council that there are now only three (3) remaining Committee members, being Mr Danny Whitty, Mrs Robyn Whitty and Mr Glen Ryan.

After discussions with Council officers, it would seem appropriate that the current Reg Cowden Memorial Trust Committee dissolve, and that the three (3) remaining members be accepted as members of Council's Sports Advisory Committee (noting that the Reg Cowden Memorial Trust Committee was accepted as a sub committee of the Sports Advisory Committee by Council during 2004).

The Committee recommends that the current Reg Cowden Memorial Trust Committee dissolve, and that the three (3) remaining members be accepted as members of Council's Sports Advisory Committee

Moved: Neil Gambrill

Seconded: Russell Jeffery

#### **ITEM 11 – REG COWDEN MEMORIAL SPORTS STAR OF THE YEAR – ANNUAL AWARDS PROGRESS REPORT**

A meeting was recently held between Council and the Reg Cowden Memorial trust Committee to finalise preparations for the 2005 Sports Star of the Year Awards.

The Millennium Room at the Lithgow Workmen's Club has been confirmed as the venue for the awards, to be held on Friday, 17 February 2006.

Once other details including sponsors, entertainment and guest speakers have been finalised, Council will be issuing tickets and advertising through local media outlets.

Council has sent out update sheets to all monthly winners to date for 2005, and a special meeting of the SAC has been scheduled for Thursday, 12 January 2006, to enable the December 2005 winners and the overall category winners to be selected with adequate time to order trophies and engraving.

The Committee recommends that the information be received.

Moved: Ray Field

Seconded: Deb Martin

**ITEM 12 – MEETING DATES**

A new format of reporting has been introduced by Council, and the SAC minutes are now presented to the Finance and Services Committee. This Committee meets on the first Monday of the month, with the regular Council meetings being conducted on the third Monday of each month (the dates are listed below)

ORDINARY MEETING OF COUNCIL

Monday 20 February 2006  
 Monday 20 March 2006  
 Tuesday 18 April 2006 (Easter Weekend)  
 Monday 15 May 2006  
 Monday 19 June 2006  
 Monday 17 July 2006  
 Monday 21 August 2006  
 Monday 18 September 2006  
 Monday 16 October 2006  
 Monday 20 November 2006  
 Monday 18 December 2006

FINANCE AND SERVICES COMMITTEE MEETINGS

Monday 6 February 2006  
 Monday 6 March 2006  
 Monday 3 April 2006  
 Monday 1 May 2006  
 Monday 5 June 2006  
 Monday 3 July 2006  
 Monday 7 August 2006  
 Monday 4 September 2006  
 Tuesday 3 October 2006 (Long weekend)  
 Monday 6 November 2006  
 Monday 4 December 2006

The Committee determined for Sports Advisory Committee meetings to be held on the last Monday of each month commencing from the 27 February 2006 to allow adequate reporting to the Finance and Service Committee meeting of Council.

The Committee recommends that the 2006 Sports Advisory Committee meetings be held on the following dates:

Monday 27 February 2006  
 Monday 27 March 2006  
 Monday 24 April 2006  
 Monday 29 May 2006  
 Monday 26 June 2006  
 Monday 31 July 2006  
 Monday 28 August 2006  
 Monday 25 September 2006  
 Monday 30 October 2006  
 Monday 27 November 2006

Moved: Neil Gambrill

Seconded: Mark Cronin

**GENERAL BUSINESS**

- A letter was tabled from Ray Stonley from the Lithgow Athletics Club thanking Council staff, the Sports Advisory Committee and Council for assistance with the maintenance of the Jim Monaghan Athletics Oval during 2005. Ray also advised that he has been selected as the Western Region High School Athletics Convener for 2006 and request permission to use Tony Luchetti Sportsground and Jim Monaghan Athletics Oval on Friday 28 July 2006 with an alternative date of Tuesday 1 August 2006 to conduct this carnival. A 400m running track will be required on Tony Luchetti Sportsground and high jump and javelin will also be conducted on the showground while the other events will be conducted on Jim Monaghan Athletics Oval. The Club also request permission to use the canteen and change room facilities beneath the grandstand as well as the speaker system at the ground. Peter Morris and Peter Bresac both advised that with last years event the 400m running track was set up on Tony Luchetti Number one field and with the grass being mowed short enough to allow this event to take place it then posted a problem for football season as the grass was not long enough and didn't grow back in time until the final rounds of the football season. The Committee recommended that a meeting be held between Terry Nolan and Ray Stonley to discuss the Lithgow Athletics Club request and to determine an appropriate place for the 400m track to be located on Tony Luchetti Sportsground (possibly on field three).
- Bob Martin raised concerns regarding security of Council's sporting fields over Christmas in particular noting the recent break-in's at Tony Luchetti Sportsground. It was noted that the Lithgow Rugby Union Clubs room at Tony Luchetti Sportsground was least damaged due to the current security grate installed on their door. Bob inquired if Council would have any problems if the Bear's and other user's installed similar grates on their access doors to prevent any further vandalism or break-in's. Clive Cawthorne advised that this wouldn't be a problem however Council would check and advise Clubs of the result. Neil Gambrill requested that Andrew Muir be invited to the next Sports Advisory Committee meeting to discuss Councils current level of security for all assets in particular sporting fields.
- Michael Brown inquired as to the progress of the Lithgow District Cricket Association's request for reimbursement after upgrading of the cricket nets at Glanmire Oval. Leanne Kearney advised that the Cricket Association's letter was received and forwarded to Council's Manager of Finance and Corporate Services for reimbursement as per the Annual Management Plan. Michael also noted that he has rang Council numerous times over the last couple of weeks in relation to this matter, however no-one has returned his call. Leanne advised that these messages had been passed on to the Manager of Finance and Corporate Services and she will chase up this issue immediately.
- Danny Whitty advised of a situation where the Portland Cricket Club obtained some belt for the cricket nets at Portland and enquired through Terry Nolan whether the Cricket Club could install them themselves. Terry advised the Club that as it was a Council asset Council was required to undertake this action. The following week, Danny spoke to Maurie Weekes who was relieving Terry Nolan and Maurie advised him that the Portland Cricket Club could go ahead and undertake this action themselves. Danny enquired as to what Councils Policy is in relation to sporting organisations undertaking maintenance on Council assets. Clive Cawthorne advised he will investigate if Council has a policy and provide a report to the next Sports Advisory Committee meeting.
- Neil Gambrill enquired if Council had any plans to increase it's employees to allow adequate maintenance of Council's sporting fields to ensure the fields are maintained to an adequate standard for each sport. Clive advised that Council is currently in the process of undertaking a zero based maintenance budget which will be reviewed by the Councillors including levels of service etc which will be adopted by Council. Neil further noted that Council's outdoor staff at the moment are undertaking an exceptional job of

maintaining Council fields however, short distances away there are long grass areas that also require attention and he feels that Council does not have sufficient staff to maintain fields as well as maintain other duties in the township. Michael Brown supported this and raised concerns that Council's outdoor staff finish at lunch time on Friday's which is concerning during the cricket season as sometimes there is not adequate time to prepare the turf wickets. Michael suggested that it may be appropriate for Council to look at staggering work times to allow Council's groundsmen to work on Friday afternoons during cricket season to allow adequate preparation of turfs.

- Russell Jeffery advised that a member of the Lithgow Cricket Association again wrote to the Mercury regarding current condition of the turfs. Russell has spoken to this person and has advised them that the correct protocol is to speak to Russell or Michael Brown who are the Association Sports Advisory Committee representatives and they will bring the issue to Council's attention in the appropriate manner. Russell further advised that until he had spoken to the author of the letter this person did not know that this was the correct protocol and will ensure to follow it in the future. This person also noted last week that the turf preparation was satisfactory. Neil Gambrill suggested that Council in future needs to look where we place cricket pitches to enable a suitable standard of wickets to be maintained and also protect Council from any liability issues. Clive Cawthorne stated that in other areas such as Bathurst where exceptional cricket wickets are maintained the users of these facilities are also forced to pay extremely high fees to the Council to enable this standard of maintenance to be kept.
- Peter Morris enquired if the Workmen's Club Rugby League Football Club could use Tony Luchetti Sportsground to train after Christmas. Leanne advised that a letter from the Club was presented to the previous meeting of Sports Advisory where the committee resolved for training to take place on Watsford Oval, not Tony Luchetti due to ground maintenance and over use issues. The Workmen's Club will forward a letter to Council requesting use of Tony Luchetti Sportsground for training rather than Watsford Oval due to the inconvenience of having to get their training gear from their rooms and transport them to Watsford Oval.
- Mark Hibbard enquired if Council could clean up Marjorie Jackson number one and this item will be referred to Terry Nolan for action.

## 06- 025 RESOLVED

**THAT** the minutes of the Sports Advisory Committee meeting be adopted.

**MOVED:** Councillor B P Morrissey

**SECONDED:** Councillor M J Wilson.

**CARRIED**

## QUESTIONS WITHOUT NOTICE

### COUNCILLOR M F TICEHURST

1. Mr Mayor I refer to the Press Release relating to the presentations to be given at Council Meetings and those having to be registered by the Friday prior to the Council meetings at 12.00pm. Can this be changed to a later time?

### 06- 026 RESOLVED

**THAT** the questions posed be noted, that the responses given by the Mayor and the Senior Officers be noted, and the appropriate necessary actions be taken including the further reporting of any unresolved matters to Council.

**MOVED:** Councillor M M Collins

**SECONDED:** Councillor M J Wilson.

**CARRIED**

The meeting closed at 8.00pm.