



LITHGOW CITY COUNCIL

**MINUTES**

FINANCE AND SERVICES COMMITTEE  
MEETING OF COUNCIL

HELD ON

06 MARCH 2006

**MINUTES OF THE LITHGOW CITY COUNCIL MEETING  
HELD AT THE CIVIC CENTRE, LITHGOW ON 6 MARCH 2006**

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Meeting Commenced 7.00pm

Public Gallery: 21

**PRESENT**

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

**APOLOGIES**

An apology was received and accepted from H K Fisher who was absent from the meeting on personal business.

**06- 58 RESOLVED**

**MOVED:** Councillor W McAndrew **SECONDED:** Councillor M M Collins.

**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  
Patsy Moppet

**CONFIRMATION OF MINUTES**

Confirmation of the Minutes of the Finance and Services Committee Meeting of Council held on the 6 February 2006 were taken as read and confirmed by Councillors M J Wilson and M M Collins

**06- 59 RESOLVED**

**DECLARATION OF INTEREST**

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

Councillor W McAndrew declared a non pecuniary interest in Item 3 - Clarence Colliery Extension Approval but wished to stay in the Chambers but did not to vote on the resolution.

## QUESTIONS FROM THE PUBLIC GALLERY

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

### QUESTIONS

#### **QPG - MR RON LEGGATT - TOWN BREWERY**

1. Mr Mayor will you give me your go ahead and input into a town brewery?

*Council will seek legal advice on the status of a cooperative brewery and the use of such as an income operating initiative.*

#### **QPG - MR VINCE HALLAM - WEBSITE**

1. Mr Mayor can you please provide a response to the followings questions:

Confirm or deny - The legal, freehold and rates title of the Three Tree Lodge Aged Care facility in Lithgow, built in 1999 for \$3.9million, is solely held by Three Tree Lodge Lithgow Incorporated and not by the Lithgow City Council?

Confirm or deny - The Three Tree Lodge Aged Care facility in Lithgow is not covered by AASB 131 Interest in Joint Ventures a "controlled" asses valued at \$4.82 million as declared in the Lithgow City Councils 2004/05 General Purpose Financial Reports?

Confirm or deny - The Lithgow City Councils sole financial interest is the Three Tree Lodge Aged care facility in Lithgow is as indicated in the deed; it will only receive net proceeds should the freehold interest be disposed of in the future by Three Tree Lodge Lithgow Incorporated?

Confirm or deny - The legal, freehold and rates title of the Portland Pool Complex, valued at \$320,000 by the Lithgow City Council is held by the current Portland Pool Complex Committee on behalf of the Portland Community with title deeds secured at the Commonwealth Bank of Australia at Portland?

Confirm or Deny - The Portland Pool Complex is not covered by AASB 131 Interest in Joint Ventures a "controlled" asset valued at \$320,000 as declared in the Lithgow City Councils 2004/2005 General Purpose Financial Reports?

Confirm or Deny - The Lithgow City Councils sole financial interest in the Portland Pool Complex is that if the Portland Community determines not to continue the management of the complex, the property may be transferred to the Lithgow City Council?

Confirm or Deny - If the Three Tree Lodge Aged Care facility in Lithgow and the Portland Pool Complex are not "controlled" assets of the Lithgow City Council valued at \$5.14million dollars, will this have any financial effect on the already certified 2004/2005 Lithgow City Council General Purpose Financial reports?

Confirm or deny - Is the nominated \$556,000 of Council expenditure on the rehabilitation of the Old Lithgow Gas Works site, correctly financially recorded as an acquisition or improvement of assets in the 2004/2005 Lithgow City Councils GPF reports?

Confirm or Deny - That the Lithgow City Councils 2004/2005 General Purpose Financial Reports were drawn up in accordance with the Local Government Act 1993 (as amended) and the regulations made there under; the Australian Accounting Standards and professional pronouncements; The Local Government Code of Accounting Practice and Financial Reporting and The Local government Asset Accounting Manual.

Confirm or Deny - That to the best of the Lithgow City Councils knowledge and belief, the 2004/2005 general Purpose financial Reports present fairly the financial position and operating result for each of Councils declared Business Units and accord with the Councils accounting and other records.

Confirm or deny - That the Lithgow City Council has fully disclosed all relevant financial matters and that they are not aware of any other matters that would render the 2004/2005 General Purpose Financial Reports either false and/or misleading in any way?

### **GENERAL MANAGERS REPORT**

*The issues of the assets in Councils General Purpose Financial reports is a complex and at times (to the uneducated) difficult concept to grasp. The definition of controlled assets "in the asset manual AAS27 requires Council, where Council has some "approval" or control over the disposal of the assets to include in council provision for that type of asset in the community. Council must now commence depreciation in accordance with the standards.*

***Councils overall financial position must be NOT be solely viewed on a limited number of transactions in isolation. It must be considered utilising all principle statements, ratios and other performance indicators together.***

*The website makes no reference to Councils 'Statement of Financial Position' previously known as the Balance Sheet, but is purely reliant on two figures from one financial year in isolation obtained from the 'Statement of Financial Performance,' i.e. the surplus of \$4,494M and comparison to depreciation of \$5,220M.*

#### **2004/05 STATEMENT OF FINANCIAL POSITION SHOWS:**

##### **Councils net assets:**

- 30 June 2005 \$171,121,000 (ie Assets \$181,996,000 / Liabilities \$10,875,000)
- 30 June 2004 \$166,627,000
- 30 June 2003 \$168,187,000
- 30 June 2002 \$167,588,000

##### **Cash and Investments**

- 30 June 2005 \$11,154,000
- 30 June 2004 \$10,222,000
- 30 June 2003 \$ 8,408,000
- 30 June 2002 \$ 7,813,000

**CURRENT AND UNRESTRICTED CURRENT RATIOS:**

Councils 'Current and Unrestricted Current Ratios' are a measurement of Councils liquidity and demonstrate Councils ability to satisfy obligations out of short term and immediate asset balances.

Council's 2004/05 ratios of 2.20: 1 and 1.09:1 respectively are considered acceptable.

**Current Ratio:**

<u>CURRENT ASSETS</u>	<u>\$8,229,000</u>	2.20:1
CURRENT LIABILITIES	\$3,743,000	

**Unrestricted Current Ratio:**

<u>UNRESTRICTED CURRENT ASSETS</u>	<u>\$3,251,000</u>	1.09:1
CURRENT LIABILITIES NOT RELATION TO RESTRICTED ASSETS	\$2,992,000	

**Debt Service Ratio:**

<u>NET DEBT SERVICE COST</u>	<u>\$ 410,000</u>	2.16%
OPERATING REVENUE	\$18,961,000	

**AUDIT REPORT 2004/05:**

Council's Auditors Alan Morse & Co have concluded in the 2004/05 Financial Reports that:

Quote:

- a) *Lithgow City Council's accounting records have been kept in a manner and form that facilitated the preparation of the general purpose financial report and allowed proper and effective audit*
- b) *Lithgow City Council 's accounting records have been kept in a manner and form that facilitated the preparation of the special purpose financial reports and allowed proper and effective audit and*
- c) *All information relevant to the conduct of the audit has been obtained*

**GENERAL COMMENTS:**

- *No 'qualified' audit reports have been issued to Council in any financial year*
- *Public Notice has been given of the audit address in Oct / Nov each year*
- *Public Notification of Councils Financial Position has been printed in the local media in Oct/Nov each year*
- *Financial Statements have been reported to relevant authorities within required timeframes annually*
- *Final and intermin audit reports have been provided and reported to Council on each visit (two or three occassions each year)*

**PRESENTATIONS**

A presentation was given by Mr Mark Pascoe regarding the proposed Child Care Facility in Hartley. He spoke on issues such as fencing, noise, the area being a bush fire area, the wildlife in the area and as to where an assembly point would be in case of emergencies.

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## GENERAL MANAGER REPORTS

### ITEM:1 EXEC - 06/03/06 - THE MACQUAIRE PHILHARMONIA - AUSTRALIAS INLAND SYMPHONY ORCHESTRA

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#### REFERENCE

NIL

#### SUMMARY

This report is requesting Council to consider supporting the Macquarie Philharmonia for the next four years.

#### COMMENTARY

"With Fiona Thompson - Director of the Mitchell Conservatorium of Music in Bathurst - our company is supporting the establishment of the Macquarie Philharmonia - Australia's Inland Symphony. The orchestra draws on the exceptional musical talents of our young secondary and tertiary students and the wealth of talents of professional musicians in Central NSW.

The orchestras first concert, held in 2004 at St Stanislaus College Bathurst, featured internationally celebrated pianist "local boy" Michael Clark and more than sixty Musicians drawn from Bathurst, Orange, Lithgow, Katoomba, Dubbo, Parkes, Mudgee, Cowra and all points in between. Last years performances Tchaikovsky's "Romeo and Juliet", Prokofiev's "Peter and the Wolf" and Dvoraks "New Worlds Symphony" were held at the Bathurst Memorial Entertainment Centre and the Orange Civic Centre.

I am writing to see if I can meet with Lithgow City Council to invite you to join us and others in supporting the orchestra over the next four years.

To fund the Orchestra, we are seeking to raise \$700,000 over the next four years. There are three main Donor levels: GOLD at \$2,500 per annum (\$10,000), SILVER at \$1250 per annum (\$5000) and BRONZE at \$250 per annum (\$1000). All donations are tax deductible.

You may have also heard the donor endorsements and on-air acknowledgments on 1503 2BS Gold and B-Rock 99.3 FM. Our radio stations have committed over \$50,000 (airtime) each year to promote the orchestra and its donors and will continue to do so.

#### POLICY IMPLICATIONS

NIL

#### FINANCIAL IMPLICATIONS

Lithgow City Council will need to consider a possible donation.

#### LEGAL IMPLICATIONS

NIL

**RECOMMENDATION**

**THAT** Lithgow City Council consider a possible donation towards the Macquarie Philharmonia for the next four years.

**06- 60 RESOLVED**

**THAT** Council view this in the budget process.

**MOVED:** Councillor B S Moran

**SECONDED:** Councillor W McAndrew.

**CARRIED**

## **ENGINEERING SERVICES REPORTS**

### **ITEM:2 ENG - 06/03/06 - REQUEST FOR A MEETING - GLEN DAVIS COMMUNITY ASSOCIATION INCORPORATED**

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#### **REFERENCE**

NIL

#### **SUMMARY**

Recent correspondence has been received from the Glen Davis Community Association Incorporated regarding concerns for public safety due to road surface issues along the Glen Davis Road.

#### **COMMENTARY**

The Glen Davis Community Association Incorporated have requested a meeting be held with Council to discuss several key issues within the area of Glen Davis and the impacts and implication that are currently being placed upon the Glen Davis Community, particularly with relation to Glen Davis Road.

The Glen Davis Community Association Incorporated have raised the below concerns:

- Increase in visitor popularity/commuters to Rylstone and National Park, additional grading is requested due to the increase in vehicular movements.
- The increase road accidents in which 5 out of 12 accidents have been overturned vehicles.
- Dust pollution from an increase in commuter and visitor traffic utilizing Glen Davis Road.

Glen Davis Community Association are requesting a meeting to discuss a solution for special funding and consideration for fast tracking the sealing of the Glen Davis Road to Glen Davis.

It is requested that Council hold a Meeting with the Glen Davis Community Association Incorporated to discuss the impact of the above concerns in order to resolve issues within Council 06/07 budget allocations.

#### **POLICY IMPLICATIONS**

NIL

#### **FINANCIAL IMPLICATIONS**

NIL

#### **LEGAL IMPLICATIONS**

NIL

## RECOMMENDATION

### THAT:

1. Council conduct a Meeting with the residents of the Glen Davis Community Association on Saturday, 1 April 2006 at 11.30am at the Glen Davis Community Hall to discuss the impact of the Associations concerns in order to resolve the issues within Council's 2006/2007 budget allocations.
2. Council notify the Glen Davis Community Association if this time and date is not convenient so that they can advise the Glen Davis Community.

## 06- 61 RESOLVED

### THAT:

1. Council agree to hold the meeting with the Committee;
2. Council write to the Committee seeking a few different dates for a possible meeting.

**MOVED:** Councillor M M Collins

**SECONDED:** Councillor W McAndrew.

**CARRIED**

## ENVIRONMENT & PLANNING SERVICES REPORTS

### ITEM:3 EPS - 06/03/06 - COMMUNITY CONSULTATIVE COMMITTEE - CLARENCE COLLIERY EXTENSION APPROVAL

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#### SUMMARY

This report is to inform Council of an approval issued by the Minister for Planning for the Clarence Coal Mine Extension submitted by Centennial Coal Company Limited, and to seek Council representation on the Community Consultative Committee.

#### COMMENTARY

In notification received by Council from the NSW Department of Planning it was advised that on the 19 December 2005, the Minister for Planning, the Hon Frank Sartor MP, approved the development application (DA 504-00) by Centennial Coal Limited, for the Clarence Coal Mine Extension. Conditions of consent pertaining to that approval accompanied the notification.

As part of the approval Condition 9(a) in Schedule 5 indicates that a requirement for at least one representative of Council be a member of the Community Consultative Committee (CCC). Other members of the Committee are to be 2 representatives of Centennial, 3 representatives from the local community and an independent Chair.

Council is now in receipt of correspondence from Centennial Coal asking that Council indicate its elected member for the CCC. It is recommended that one member of Council be nominated for the committee together with one Council officer.

#### POLICY IMPLICATIONS

Nil

#### LEGAL IMPLICATIONS

This committee is a requirement attached to the development approval. Under these conditions the Committee must be established.

#### RECOMMENDATION

**THAT** Council elect a Councillor to sit together with the General Manager or delegate on the Community Consultative Committee for Clarence Colliery.

Councillor W McAndrew declared an interest in this item but remained in the Chambers but did not take part in the voting.

#### 06- 62 RESOLVED

**THAT** Councillor H K Fisher be elected subject to his acceptance.

**MOVED:** Councillor B P Morrissey

**SECONDED:** Councillor M J Wilson.

**CARRIED**

## **ITEM:4 EPS - 06/03/06 - CHILDCARE CENTRE HARTLEY**

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### **REFERENCE**

Development Application 209/05.

### **SUMMARY**

To report back to Council actions that have ensued following the resolution of its Finance and Services Committee of 6 February 2006 and to seek final determination of the development application.

### **COMMENTARY**

Council's Finance and Services Committee considered a detailed report in relation to the abovementioned matter at its meeting of 6 February 2006. The Committee resolved the following:

"That Council explore other options that were raised by the community and report back to Council in 2 weeks. This was DECLARED CARRIED."

Two meetings were subsequently held with the Applicants to discuss options in relation to alternative locations. Very limited options exist in relation to potentially suitable Council lands with only two potential sites at Wallerawang and Clarence. These were not suitable to the Applicants. They have also investigated potential lands at South Bowenfels in private ownership. However, in addition to land purchase and development application costs, they have taken some years to find a site that satisfied what they were trying to achieve in a location that they believe to be an excellent environment for young children. Their site location is partly based on their investigation of other facilities overseas and they simply wish to have their development application determined on its merits. They believe that all the matters raised have been adequately addressed and ask that the matter be determined so they can then consider their options.

Whilst presented to Council at its meeting of 20 February 2006, some Councillors were unable to peruse the supplementary report and the matter was deferred.

### **POLICY IMPLICATIONS**

The prime policy in relation to the matter is Council's Local Environmental Plan. The land is zoned 1 (a) General Rural under the LEP and the development is permissible in the zone with Council consent. The Section 79C report addresses all the other issues in relation to the LEP including the zone objectives.

The other relevant Council policy that applies is the Off Street Car Parking Development Control Plan. The application has been assessed under the provisions of the DCP and Council officers recommend that 20 spaces be provided in accordance with its provisions.

### **FINANCIAL IMPLICATIONS**

There are no immediate financial implications to Council. Whilst costs may eventuate if an appeal is lodged by the Applicants if the application is refused, this is not an appropriate or relevant matter for consideration in Council's decision.

### **LEGAL IMPLICATIONS**

The development application has been fully assessed under the matters for consideration provided in section 79C of the Environmental Planning and Assessment Act, 1979. A copy of this assessment and recommendation is attached to this supplementary report. The Council should fully consider this assessment in the decision it makes. Should the Council determine to refuse the application then it will need to provide reasons in accordance with the provisions of Section 79C. Should this ensue the Council should be cautious if it considers providing reasons for refusal where the particular issue has been fully assessed and addressed in the Section 79C assessment.

Section 82 (1) of the Environmental Planning and Assessment Act provides where a consent authority has not determined a development application within the relevant period (40 days in this case) the development application is taken to have been determined by refusing consent. However, section 82 (2) provides that 82 (1) does not prevent a consent authority from determining a development application after the expiration of the period and it would not be appropriate for a consent authority to decline determination of an application on the basis that it has already been "deemed" as refused.

Section 97 of the Environmental Planning and Assessment Act provides rights of appeal to an applicant who is dissatisfied with the determination of a development application in relation to their development proposal. Objectors attract no such merit based rights of appeal, however section 123 of the Act provides that any person may bring proceedings in the Court for an order to remedy or restrain a breach of the Act. Once again, it is stressed that the possibility of an appeal or challenge on legal grounds is not relevant to Council's consideration and determination of a development application.

### **CONCLUSIONS**

Whilst the Council's concerns in relation to the development application are appreciated, it has been thoroughly assessed under Section 79C of the Environmental Planning and Assessment Act and on individual merit no professional recommendation other than approval subject to conditions can be made.

Finally, it is noted that at Council's last meeting, a resident queried the "level" of construction in relation to the requirements of the Rural Fire Service which was subsequently re-stated in a letter from the gentleman's Solicitor. The Rural Fire Service have been subsequently contacted and have indicated that requiring a higher level of construction in this instance is not an option and they maintain that their original condition still applies. This is indicated in proposed condition 42 which states:

“Asset Protection Zones shall be provided 20m to the east of proposed development. This shall be incorporated through establishment of a section 88B restriction on adjoining property. Alternatively the proposed building envelope shall incorporate a setback of 15m to the west on the proposed development site.”

If Council resolves to grant consent to the application it would be suggested that the following sentence be added to the condition to ensure amended plans for the setback area are provided and the necessity to move the effluent disposal area is taken into consideration.

“If the alternative proposal is chosen, then amended plans shall be submitted to Council in respect of the amended setback as well as modified details of effluent disposal areas having regard to the report prepared by Blue Mountains Geological and Environmental Services P/L (dated May 2005).”

## RECOMMENDATION

**THAT** matter is submitted for Council's determination.

## 06- 63 RESOLVED

**THAT:**

**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.

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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 coordinating 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 a section 88B restriction on adjoining property. Alternatively the proposed building envelope shall be relocated further to the west to achieve the required Asset Protection Zone in accordance with the requirements of the Rural Fire Service. If the alternative proposal is chosen, then amended plans shall be submitted to Council in respect of the amended setback as well as modified details of effluent disposal areas having regard to the report prepared by Blue Mountains Geological and Environmental Services P/L (dated May 2005)
  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. Hours of operation during construction works shall be permitted between 7am to 6pm, Monday to Friday and 8am to 1pm, Saturdays. No work shall be permitted on Sundays or Public Holidays.
  54. 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.
  55. 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.
  56. That appropriate dust mitigation measures be implemented during construction to Council's satisfaction.
  57. 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.

58. 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.**

**MOVED:** Councillor M F Ticehurst

**SECONDED:** Councillor A E Thompson.

**CARRIED**

## **ITEM:5 EPS - 06/03/06 - DEVELOPMENT APPLICATIONS SUBMITTED**

### **REPORT**

#### **Purpose of Report**

To inform the Council of recently submitted development applications.

#### **Background**

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 6 February 2006. 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>
31/06	6/02/06	Subdivision into 2 lots	Lot 54 Pinnacle Fire Trail, Portland
36/06	10/02/06	Laser Clinic	164 Main Street Lithgow
40/06	14/02/06	Subdivision into 2 lots	Lots, 1 – 4 DP 456814 Jenolan Caves Road, Hartley

#### **Comments**

If Councillors wish to receive more detailed information on any of the aforementioned applications, then this can be provided. Councillors should also be aware that the development application for 128 Seniors Living Villas at Lot 1 DP 1044978 Great Western Highway, South Bowenfels was lodged on 28 February 2006. Summaries of the proposal can be provided to Councillors on request.

### **06- 64 RESOLVED**

**THAT** the information be received.

**MOVED:** Councillor M J Wilson

**SECONDED:** Councillor M M Collins.

**CARRIED**

**ITEM:6 EPS - 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)
447/05	ST VINCENT DE PAUL SOCIETY	193-197 MAIN STREET, LITHGOW	CONSTRUCTION OF COMMERCIAL BUILDING	50
496/05	J & B MORRIS	894 BROWN'S GAP ROAD, LITTLE HARTLEY	DUAL OCCUPANCY	29
410/05	RD & PJ TAYLOR	335 CURLY DICK ROAD, MEADOW FLAT	SUBDIVISION INTO 4 ALLOTMENTS	44
11/06	PA KENNY & DS SCOTT	17 HAYLEY STREET, LITHGOW	CARPORT	2
516/05	MM BURTON	20 HENDERSON PLACE, LITHGOW	DWELLING	39
1/06	RG MUDIE	2 RAY CRESCENT, CLARENCE	GARAGE	7
4/06	LITHGOW CITY COUNCIL	PART POR 35 LOT D DP 376167 BARTON STREET, LITHGOW	NEW STAGE FOR CIVIC BALLROOM	6
2/06	JR BENNETT	80 RABAUL STREET, LITHGOW	GARAGE	7
12/06	SJ & C HOULISON	5 MCKENZIE PLACE, LITHGOW	PATIOPORT	1
13/06	RA & RA FITZGERALD	1472 SUNNY CORNER ROAD, MEADOW FLAT	SWIMMING POOL	4
510/05	L PETERSON	37 MACAULEY STREET, LITHGOW	ADDITION & CARPORT	10
480/05	RR & MG THURLOW	7 HENDERSON PLACE, LITHGOW	DWELLING	28
14/06	JP & HM BAXTER	1 KIRKLEY STREET, SOUTH BOWENFELS	DWELLING EXTENSION	11
15/06	GC & LA NELSON	9 CURRINGA PLACE, WALLERAWANG	PATIOPORT	11
25/06	RD & MV LANGFORD	20 GRANGER PLACE, HARTLEY	POOL FENCING & SURROUND	4
523/05	JA ROEBUCK	1 VICTORIA AVENUE, LITHGOW	SHELTAPORT	14
224/05	MINISTER OF CORRECTIVE SERVICES	596 GREAT WESTERN HIGHWAY MARRANGARRO	25 CAR CARPARK	3
519/05	MJ & KL PEARCE	14 THORNLEY CLOSE, LITHGOW	DWELLING	24
07/06	AJ LAWSON	1019 BROWNS GAP ROAD, HARTLEY	DWELLING ADDITIONS	23
524/05	DJ & KE MOLLA	50 MARSDEN VIEW	DUAL OCCUPANCY	20

## MINUTES – FINANCE AND SERVICES COMMITTEE MEETING OF COUNCIL

		CLOSE, LITTLE HARTLEY		
29/06	DJ COLLINS	16 BEAUFORT STREET, LITHGOW	GARAGE	5
17/06	ENHANCE PLACE PTY LTD	LOT 38 DP 827626 CASTLEREAGH HIGHWAY, BLACKMANS FLAT	PORTABLE BUILDING & CRUSHER SHED	17
21/06	GL & MP COMMINS	2515 JENOLAN CAVES ROAD, HAMPTON	SOLID FUEL HEATER	12
22/06	GL & MP COMMINS	2515 JENOLAN CAVES ROAD, HAMPTON	SOLID FUEL HEATER	12
20/06	DJ & SP COATES	1509 WOLGAN ROAD, LIDSDALE	SWIMMING POOL	14
33/06	MW & ME ANDREWS	LOT 101 DP 755794 CNR RAILWAY STREET & PLAIN STREET, RYDAL	PATIO	1
32/06	SG & TC MCMILLAN	26 COMMENS STREET, WALLERAWANG	GLASS ENCLOSURE & PATIO COVER	7
407/05	LITHGOW CITY COUNCIL	LOT 22 DP 773810 MORT STREET, LITHGOW	SUBDIVISION INTO 3 ALLOTMENTS	
16/06	AJ & BL BOYLING	14D BAYONET STREET, LITHGOW	PATIO COVER	18
522/05	NW & MA THOMPSON	6 FULLAGHER AVENUE, LITHGOW	PATIOPORT	17
248/05	G & P EPENIAN	78-80 HARTLEY VALLEY ROAD, LITHGOW	ALTERATION & ADDITION TO TERRACES	32
19/05	GD BOYD	POR 154 DP 757051 CULLENBENBONG ROAD, KANIMBLA VALLEY	SUBDIVISION INTO 3 ALLOTMENTS	9
30/06	MC & DM BETTISON	30 HIGH STREET, PORTLAND	DWELLING ADDITION	7
27/06	NC STEPHENSON/LM ORCHARD & OD MURRAY	3086 GREAT WESTERN HIGHWAY, SOUTH BOWENFELS	DWELLING	23
10/06	PS & SL EVANS	26 JAMES O'DONNELL DRIVE, LITHGOW	DWELLING	16

<b>Total Estimated Cost:</b>	<b>\$2,786,252</b>
<b>Average Approval Time</b>	<b>15 DAYS</b>
<b>Total Cost of Approvals from 1/01/06</b>	<b>\$6,629,665</b>
<b>No. of Applications from 1/01/2006</b>	<b>61</b>

**06- 65 RESOLVED**

THAT the information be received

**MOVED:** Councillor A E Thompson

**SECONDED:** Councillor M J Wilson.

**CARRIED**

## **ITEM:7 EPS - 06/03/06 - LITHGOW ENVIRONMENT GROUP**

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### **SUMMARY**

To advise of correspondence from the Lithgow Environmental Group proposing an informal 'get together'.

### **COMMENTARY**

Correspondence has been received from the Lithgow Environmental Group proposing an informal social 'get together' to learn more about each other and foster a good working relationship.

In the interests maintaining mutual understanding and relationships that may be beneficial to the community, no objection is raised to organising an event between Lithgow Environment Group, Councillors and relevant staff. This of course, is subject to the elected Council's position.

### **POLICY IMPLICATIONS**

No specific policy considerations arise as a result of this report.

### **FINANCIAL IMPLICATIONS**

No specific financial considerations arise as a result of this report other than perhaps some minor catering costs if Council provides some light refreshments.

### **LEGAL IMPLICATIONS**

No specific legal considerations arise as a result of this report.

### **06- 66 RESOLVED**

**THAT** a social gathering be arranged with the Lithgow Environment Group at a date and time to be organised by staff and LEG representatives.

**MOVED:** Councillor M M Collins

**SECONDED:** Councillor B S Moran.

**CARRIED**

**ITEM:8 EPS - 06/03/2006 - NATIONAL TRUST - MEMORIAL TO CHARLES DARWIN**

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**SUMMARY**

To advise of a proposal by the National Trust proposing to erect a memorial to commemorate Charles Darwin's visit to Wallerawang in 1836.

**COMMENTARY**

Correspondence has been received from the Lithgow Regional Branch of the National Trust advising of a proposal to erect a memorial at Lake Wallace commemorating Charles Darwin's visit to Wallerawang in 1836. A copy of the correspondence is attached.

The Trust has indicated a desire to participate in the project and in this regard it is understood they may be able to provide a sandstone plinth and appropriate plaque to be attached. It is understood that they would be seeking some assistance from Council in regard to re-locating the plinth and providing some minor site works. It should be noted that Delta Electricity would need to be consulted.

**POLICY IMPLICATIONS**

If Council provided some in-kind assistance it would be for community benefit rather than private works and in this regard should have no policy implications.

**FINANCIAL IMPLICATIONS**

Should Council provide some in kind support then the costs would be related to labour and plant. This has not been calculated as the final details would need to be refined but would not be expected to be major.

**LEGAL IMPLICATIONS**

No significant legal issues arise.

**06- 67 RESOLVED**

**THAT** Council indicate its support and willingness to provide 'in kind' works subject to Delta Electricity being consulted and the Trust providing finer details on the specific location and extent of 'works' that would be required of Council.

**MOVED:** Councillor M J Wilson

**SECONDED:** Councillor B S Moran.

**CARRIED**

## CORPORATE SERVICES REPORTS

### ITEM:9 CORP - 06/03/06 - INTERIM AUDIT REPORT ALAN MORSE & CO 2005/06 FINANCIAL YEAR

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#### SUMMARY

To advise Council of the interim audit visit for the 2005/2006 financial year by Auditors Alan Morse and Co.

#### 06- 68 RESOLVED

THAT the information be received

**MOVED:** Councillor B P Morrissey

**SECONDED:** Councillor W McAndrew.

**CARRIED**

### ITEM:10 CORP - 06/03/06 - COUNCIL INVESTMENTS FEBRUARY 2006

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#### SUMMARY

To advise Council of investments held and cash movements for the two month period ending 28 February 2006.

#### REPORT

The amount invested as at 28 February 2006 when compared to 31 January 2006 has increased by \$367,629.93 due to payment of 3<sup>rd</sup> instalment due 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
Bathurst Flooring	41,697.00	Flooring Ballroom
Country energy	11,922.30	Utility
Gracey Earthmoving	14,806.00	Earthmoving
Henry Plant Hire	28,084.46	Plant Hire
Inzitari Electrical	30,255.46	Electrical work
K D Deveigne	17,183.10	Fencing
Statecover Mutual	108,051.46	Insurance
Integral Energy	41,868.90	Utility
Shell	45,752.36	Fuel
West Orange Motors	95,700.00	Vehicles / Plant
Telstra	17,007.35	Utility
<b>TOTAL</b>	<b>914,643.88</b>	(Less investment transfers)

INVESTMENT REGISTER 2005/06								
INSTITUTION	INV TYPE	DATE LODGED	DATE DUE	DAYS	INT	VALUE 31.01.06	VALUE 28.02.06	% OF TOTAL
ANZ	TD	24.01.06	28.03.06	60	5.60	524,690.62	524,690.62	5.51%
CBA	SHIELD	04.12.04	04.12.06	730	6.46	600,000.00	600,000.00	6.30%
	On Call				5.35	1,710,680.77	1,310,680.77	13.76%
LG FINANCIAL	TD	28.02.06	30.05.06	60	5.66	582,042.03	582,042.03	6.11%
	TD	10.02.06	11.04.06	60	5.64	1,122,873.10	1,133,091.86	11.90%
	TD	13.02.06	17.03.06	30	5.61	306,489.86	306,489.86	3.22%
	TD	27.02.06	26.04.06	61	5.66		750,000.00	7.87%
IMBS	On Call				5.45	715,603.99	715,603.99	7.51%
	TD	06.02.06	07.04.06	60	5.72	507,142.88	512,061.75	5.38%
	TD	09.02.06	10.05.06	90	5.75	514,822.17	517,314.47	5.43%
ALLIANCE	Managed	01.04.02	28.02.06	365		1,000,000.00	1,000,000.00	10.50%
ST GEORGE	TD	06.01.06	06.03.06	60	5.45	508,340.14	508,340.14	5.34%
	TD	05.01.06	05.04.06	90	5.10	411,361.67	411,361.67	4.32%
	TD	23.01.06	24.03.06	60	5.62	652,962.08	652,962.08	6.86%
			<b>TOTAL</b>			<b>9,157,009.31</b>	<b>9,524,639.24</b>	<b>100.00%</b>

I, Carol G Farnsworth, Lithgow City Council Manager of Finance & 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.

### 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 Dec review is \$447,422. Investment income to date ie 28.02.06 totals \$312,779.56. This represents 69% of the expected revised budget. 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- 69 RESOLVED

**THAT** Council's investments for the month of February 2006 be received.

**MOVED:** Councillor M J Wilson

**SECONDED:** Councillor A E Thompson.

**CARRIED**

**ITEM:11 CORP - 06/03/06 - INSURANCE PREMIUMS 06/07 & STATISTICAL DATA**

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**REFERENCE**

Nil

**SUMMARY**

To advise Council of proposed insurance premiums for 2006/07 and insurance history over the past three years

**COMMENTARY**

Councils insurer has advised the expected premium increase for the 2006/07 financial year will be approx 5% due to the past years' severe weather conditions overseas. The annual premium renewals have also historically been from the 1 April until 31 March, this period will also change in 06/07 to align with the financial year and therefore Council will need to allow premiums for 15 months.

Council should provide the following estimates for the Draft 2006/07 Management Plan:

<b>PREMIUM</b>	<b>2005/06 (Inc GST)</b>	<b>2006/07 (Inc GST + 5%) + Additional 3 months to 06/07</b>	<b>Increase 2006/07</b>
Public Liability	\$689,920.00	\$905,520.00	\$215,600.00
Miscellaneous	\$77,000.00	\$101,062.50	\$24,062.50
<b>TOTAL</b>	<b>\$766,920.00</b>	<b>\$1,006,582.50</b>	<b>\$239,662.50</b>

A statistical overview of insurance claims was also provided by the insurer as well as verbal advice that Lithgow Council is an "individual Council doing well" with risk management and claims reduction.

<b>CLAIMS</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>
Property	3	4	3
Vehicle & Plant	3	7	12
Public Liability	3	4	3

**(a) Policy Implications**

Nil

**(b) Financial Implications**

Increase of \$239,662.50 for insurance premiums in the 2006/07 Draft Management Plan.

**(c) Legal Implications**

Nil

**06- 70 RESOLVED**

**THAT** the information be received and Council allow an increase of \$239,662.50 on the 2005/06 insurance premiums for the Draft 2006/07 Management Plan.

**MOVED:** Councillor M M Collins

**SECONDED:** Councillor M J Wilson.

**CARRIED**

## REPORTS FROM DELEGATES

### ITEM 12 ASSOCIATED MINING RELATED COUNCILS MEETING HELD IN SINGLETON ON 10 FEBRUARY 2006

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#### REFERENCE

NIL

#### SUMMARY

This report advises Council of the meeting of the Association of Mining Related Council held on 10 February 2006.

#### COMMENTARY

At the latest meeting of the Mine Related Council, David Grove, Director of OH&S of the New South Wales Minerals Council spoke on fatigue management in the mining industry in response to concerns by the Association members on the length of shift workers and the implications on their safety and lifestyle including social impact on their families and communities.

Also on the agenda was the assessment of cumulative impacts of mining carried out by the Centre for Social Responsibility in Mining, QLD Uni, currently in its final stages. The information in this study is eagerly awaited.

Further information was also supplied regarding the length of shifts and it was interesting to note Mining and Agriculture, Forestry and Fishing were the two groups that have by far the highest proportion of long work hours by industry in Australia, with mining being slightly higher than the Agriculture, Forestry and Fishing area.

It was also interesting to note that in mining, 60 hours per week for every year is relatively common and that Australian mine workers work 5 to 6 weeks more per year than their counterparts in other developed countries.

On the same agenda was also a report that had been released by Minister Sartor of possible additional coal mining potential in the Upper Hunter Valley area. This draft report indicated there were only two areas south of Murrundi near the Pages River that was suitable for open cut coal mining. This process was looking at identifying coal mining in the short to medium term of up to about 15 years.

It was interesting to note also that a brief report on royalties was presented and that in the last financial year nearly \$400M has been contributed to the State Government in royalties from mining.

**POLICY IMPLICATIONS**

NIL

**FINANCIAL IMPLICATIONS**

NIL

**LEGAL IMPLICATIONS**

NIL

**ATTACHMENTS**

NIL

**06- 71 RESOLVED**

**THAT** the information be received.

**MOVED:** Councillor W McAndrew

**SECONDED:** Councillor B S Moran.

**CARRIED**

## COMMITTEE MEETINGS

### ITEM:13 ENG - 06/03/06 - MINUTES OF THE RFS/SES JOINT HEADQUARTERS WORKING PARTY

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#### REFERENCE

Nil

#### SUMMARY

Details of the Minutes of the RFS/SES Joint Headquarters Working Party Committee meeting held on Wednesday 1 February 2006.

#### COMMENTARY

At the RFS/SES Joint Headquarters Working Party Committee meeting held on Wednesday 1 February 2006 there were numerous items discussed by the Committee and it is considered that all these items be noted by Council.

#### POLICY IMPLICATIONS

Nil

#### FINANCIAL IMPLICATIONS

Nil

#### LEGAL IMPLICATIONS

Nil

#### 06- 72 RESOLVED

**THAT** Council note, the minutes of the Rural Fire Service/State Emergency Service Joint Headquarters Working Party held on Wednesday, 1 February 2006.

**MOVED:** Councillor M J Wilson

**SECONDED:** Councillor A E Thompson.

**CARRIED**

## QUESTIONS WITHOUT NOTICE

### QWN - COUNCILLOR M J WILSON

1. Mr Mayor could the General Manager as a matter of urgency investigate and report to the Council on a number of issues raised on the website - [www.lithgowcouncil.com](http://www.lithgowcouncil.com) with particular reference to Confirm or Deny. I believe the information put forward on that site to be for the most part incorrect, misleading and irresponsible.

### GENERAL MANAGERS REPORT

*The issues of the assets in Councils General Purpose Financial reports is a complex and at times (to the uneducated) difficult concept to grasp. The definition of controlled assets "in the asset manual AAS27 requires Council, where Council has some "approval" or control over the disposal of the assets to include in council provision for that type of asset in the community. Council must now commence depreciation in accordance with the standards.*

*Councils overall financial position must be NOT be solely viewed on a limited number of transactions in isolation. It must be considered utilising all principle statements, ratios and other performance indicators together.*

*The website makes no reference to Councils 'Statement of Financial Position' previously known as the Balance Sheet, but is purely reliant on two figures from one financial year in isolation obtained from the 'Statement of Financial Performance,' i.e. the surplus of \$4,494M and comparison to depreciation of \$5,220M.*

#### **2004/05 STATEMENT OF FINANCIAL POSITION SHOWS:**

*Councils net assets:*

- 30 June 2005 \$171,121,000 (ie Assets \$181,996,000 / Liabilities \$10,875,000)
- 30 June 2004 \$166,627,000
- 30 June 2003 \$168,187,000
- 30 June 2002 \$167,588,000

#### *Cash and Investments*

- 30 June 2005 \$11,154,000
- 30 June 2004 \$10,222,000
- 30 June 2003 \$ 8,408,000
- 30 June 2002 \$ 7,813,000

#### **CURRENT AND UNRESTRICTED CURRENT RATIOS:**

*Councils 'Current and Unrestricted Current Ratios' are a measurement of Councils liquidity and demonstrate Councils ability to satisfy obligations out of short term and immediate asset balances.*

*Council's 2004/05 ratios of 2.20: 1 and 1.09:1 respectively are considered acceptable.*

**Current Ratio:**

<u>CURRENT ASSETS</u>	<u>\$8,229,000</u>	2.20:1
CURRENT LIABILITIES	\$3,743,000	

**Unrestricted Current Ratio:**

<u>UNRESTRICTED CURRENT ASSETS</u>	<u>\$3,251,000</u>	1.09:1
CURRENT LIABILITIES NOT RELATION TO RESTRICTED ASSETS	\$2,992,000	

**Debt Service Ratio:**

<u>NET DEBT SERVICE COST</u>	<u>\$ 410,000</u>	2.16%
OPERATING REVENUE	\$18,961,000	

**AUDIT REPORT 2004/05:**

Council's Auditors Alan Morse & Co have concluded in the 2004/05 Financial Reports that:

Quote:

- a) *Lithgow City Council's accounting records have been kept in a manner and form that facilitated the preparation of the general purpose financial report and allowed proper and effective audit*
- b) *Lithgow City Council 's accounting records have been kept in a manner and form that facilitated the preparation of the special purpose financial reports and allowed proper and effective audit and*
- c) *All information relevant to the conduct of the audit has been obtained*

**GENERAL COMMENTS:**

- *No 'qualified' audit reports have been issued to Council in any financial year*
- *Public Notice has been given of the audit address in Oct / Nov each year*
- *Public Notification of Councils Financial Position has been printed in the local media in Oct/Nov each year*
- *Financial Statements have been reported to relevant authorities within required timeframes annually*
- *Final and intermin audit reports have been provided and reported to Council on each visit (two or three occasions each year)*

The meeting closed at 7.45pm.