



LITHGOW CITY COUNCIL

**MINUTES**

FINANCE AND SERVICES COMMITTEE  
MEETING OF COUNCIL

HELD ON

01 MAY 2006

**MINUTES OF THE LITHGOW CITY COUNCIL MEETING  
HELD AT THE CIVIC CENTRE, LITHGOW ON 1 MAY 2006**

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Meeting Commenced 7.05pm

Public Gallery: 9

**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  
Acting Manager Engineering Services & Manager Environmental and Planning Services,  
Mr Andrew Muir  
Finance Manager, Mrs Carol Farnsworth  
Minutes Secretary, Miss Casey Clarke

**CONFIRMATION OF MINUTES**

Confirmation of the Minutes of the Ordinary Meeting of Council held on the 3 April 2006 were taken as read and confirmed by Councillors M J Wilson and M M Collins

**06- 122 RESOLVED**

Carried

**DECLARATION OF INTEREST**

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

NIL

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## **QUESTIONS FROM THE PUBLIC GALLERY**

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

NIL

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## ENGINEERING SERVICES REPORTS

### ITEM:1            ENG - 01/05/06 - STORMWATER - 149 MAIN STREET LITHGOW

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#### SUMMARY

To recommend to Council the write off of an account for \$404.00 charged to a shop proprietor in error.

#### COMMENTARY

Following complaints of odour emanating from the stormwater drain between the Tattersall's Hotel and 149 Main Street Lithgow, Council engaged the services of Col Howarth Plumbing Pty Ltd to investigate potential blockages in this drain using closed circuit television. The results of the investigation failed to indicate any blockages on Council's side of the main which may have contributed to these odour problems.

The proprietor has been advised that Council's side of the stormwater main is clear and the problem is within privately owned property. Therefore, the owner's responsibility to rectify the odour problem is at their cost. However, the proprietor of 149 Main Street was inadvertently charged for this CCTV inspection.

It is reasonable that the proprietor be responsible for rectifying the problem, however Council staff had proceeded to ascertain the source of the problem on the basis that this was a Council responsibility. As the drain which this inspection related to is a Council asset and located on Council land, it is considered appropriate that Council write off the account of \$404.00 charged to the proprietor of 149 Main Street Lithgow.

#### POLICY IMPLICATIONS

No specific policy implications arise as a result of this report other than it is Council's Policy to that the elected Council approve the write off of any invoice raised.

#### FINANCIAL IMPLICATIONS

An amount of \$404 will be written off should Council agree with the recommendation.

#### LEGAL IMPLICATIONS

The legal responsibility to cover the cost of the investigation works lies with Council.

### 06- 123 RESOLVED

#### THAT:

1. Council write off an amount of \$404.00 charged to the proprietor of 149 Main Street Lithgow and pay the amount owed to the Plumber from its normal maintenance activities.

2. The General Manager be delegated the authority to write of such debts to the value of \$2000

**MOVED:** Councillor B P Morrissey

**SECONDED:** Councillor W McAndrew.

**CARRIED**

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**ITEM:2            ENG - 01/05/06 - LITHGOW LOCAL GOVERNMENT WATER USAGE**

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**REFERENCE**

Nil

**SUMMARY**

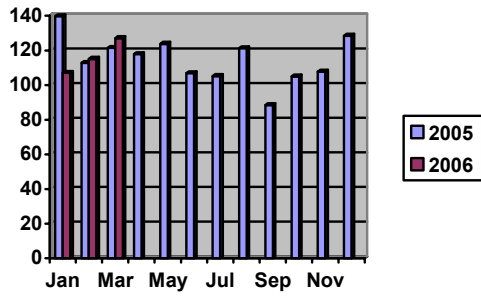
Comparison of figures for 2005 and 2006 for water usage within the Lithgow Local Government area.

**COMMENTARY**

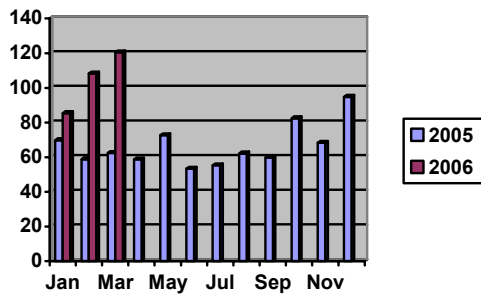
Lithgow Local Government Area Water Usage

	2005			2006		
	Farmers Creek Dam (kL)	Fish River Water Supply (kL)	Total (kL)	Farmers Creek Dam (kL)	Fish River Water Supply (kL)	Total (kL)
January	139,745	69,753	<b>209,498</b>	107,086	85,456	<b>192,542</b>
February	112,835	58,864	<b>171,699</b>	115,126	108,236	<b>223,362</b>
March	121,438	62,414	<b>183,852</b>	127,115	120,423	<b>247,538</b>
April	117,836	58,763	<b>176,599</b>			
May	123,884	72,694	<b>196,578</b>			
June	106,872	53,392	<b>160,264</b>			
July	105,235	55,289	<b>160,524</b>			
August	121,397	62,105	<b>183,484</b>			
September	88,470	59,817	<b>148,287</b>			
October	104,953	82,421	<b>187,374</b>			
November	107,772	68,302	<b>176,074</b>			
December	128,566	94,874	<b>223,440</b>			
<b>TOTAL</b>	<b>1,379,003</b>	<b>798,688</b>	<b>2,177,691</b>	<b>349,327</b>	<b>314,115</b>	<b>663,442</b>

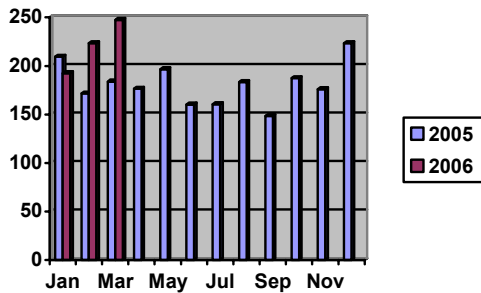
Farmers Creek Dam Usage (ML)



Fish River Water Supply Usage (ML)



Total Water Consumption in Lithgow LGA (ML)



Farmers Creek Dam is currently at 68.5% (66,100 megalitres of storage)

Oberon Dam is currently at 43.98% (19,834 megalitres of storage)

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**LEGAL IMPLICATIONS**

Nil

**06- 124 RESOLVED**

**THAT** the information be received.

**MOVED:** Councillor B S Moran

**SECONDED:** Councillor W McAndrew.

**CARRIED**



## **ENVIRONMENT & PLANNING SERVICES REPORTS**

### **ITEM:3            EPS - 01/05/06 - DEVELOPMENT APPLICATIONS RECEIVED**

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#### **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 the last report to the Finance and Services Committee on 3 April 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>
103/06	28/3/06	Remove/replace steel stairway	152-154 Main Street, Lithgow
104/06	28/3/06	Conversion to commercial premises (office)	183 Mort Street, Lithgow
111/06	31/3/06	Bar modification	3584 Great Western Highway, Lithgow
115/06	4/4/06	Subdivision into 2 lots	16 Ridge Street, Portland
119/06	4/4/06	Employment Agency	281 Main Street, Lithgow
122/06	6/4/06	Subdivision of existing duplex	33 Fullagar Avenue, Lithgow
123/06	6/4/06	Minor earthworks	Lot 3 Pinta Street, Wallerawang
129/06	13/4/06	Subdivision into 2 lots	196 Baaners Lane, Little Hartley

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

#### **POLICY IMPLICATIONS**

There are no policy implications as a result of this Report, however, the development applications will be assessed in light of any applicable policies.

#### **FINANCIAL IMPLICATIONS**

The costs involved in processing the development applications are the only financial implications at this stage. These costs are budgeted for in the 2005/06 Recurrent Budget.

#### **LEGAL IMPLICATIONS**

The applications are subject to the requirements of the Environmental Planning and Assessment Act 1979.

#### **ATTACHMENTS**

Nil

**06- 125 RESOLVED**

**THAT** the information be received.

**MOVED:** Councillor M M Collins

**SECONDED:** Councillor M J Wilson.

**CARRIED**

**ITEM:4            EPS - 01/05/06 - DEVELOPMENT AND CONSTRUCTION APPROVALS**

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**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	AMOUNT	APPROVAL TIME (DAYS)
452/05	DESIGN EFFECT PTY LTD	CNR BRIDGE & SHORT STREETS, LITHGOW	CHILDCARE & MEDICAL CENTRE	1,000,000	44
34/06	N VIAPHAY	13 KING STREET, CULLEN BULLEN	GARAGE	11,996	19
91/06	LITHGOW CITY BOWLING CLUB LTD	91 OFF HASSANS WALLS ROAD, LITHGOW	ERECTION OF A PYLON SIGN	17,000	7
83/06	LITHGOW CITY COUNCIL	LOT 1 DP 115548 BARTON STREET, LITHGOW	AMENITIES ADDITIONS	24,000	11
53/06	T JOYCE	10 MARTINI PARADE, LITHGOW	MANUFACTURE & WAREHOUSE OFFICE & AMENITIES	30,000	24
47/06	R CAMERON	1 HENDERSON PLACE, LITHGOW	DWELLING	169,955	16
428/05	IG LETT	11 LEMNOS STREET, LITHGOW	DWELLING ALTERATIONS & ADDITIONS	30,000	14
527/05	DB & JA MCLACHLAN	7 ROXBURGH STREET, PORTLAND	DWELLING	287,287	51
339/05	JONATHAN INVESTMENT HOLDINGS	LOT 1 DP 868379 HOSKINS AVENUE, LITHGOW	50 ROOM MOTEL, CONFERENCE/FUNCTION CENTRE & RESTAURANT	1,200,000	123
95/06	JADE SWIMMING POOLS P/L	4 JENOLAN CAVES RD, GOOD FOREST	INGROUND CONCRETE SWIMMING POOL/SPILLWAY	59,200	1
88/06	J & M MACALPINE	LOT 803, ADINA CRESCENT, LITHGOW	DWELLING	156,270	7
74/06	TJ & LS GASTON	836 COX'S RIVER ROAD,	CARPORT	3,932	15

## MINUTES – FINANCE AND SERVICES COMMITTEE MEETING OF COUNCIL

		LITTLE HARTLEY			
80/06	IR & PN HOOK	6 DONALD ROAD, CLARENCE	INGROUND POOL	19,000	14
51/06	A & M THOMPSON	14 ROBERTSON STREET, LITHGOW	DWELLING	197,927	18
75/06	NJ RODHAM	35 ANDREW STREET, LITHGOW	RESORT ROOM & PATIOPORT	24,500	15
82/06	CJ ELLIOTT	6 SPRING STREET, LITHGOW	GARAGE	9,107	17
78/06	LG & FM EVANS	35 CHIFLEY ROAD, LITHGOW	PATIOPORT	2,500	18
63/06	KE ROBERTS	60 CUPRO STREET, LITHGOW	DWELLING & GARAGE	100,000	13
528/05	A BERTINI	LOT 101 DP 864775 CULLENBENBONG ROAD, KANIMBLA VALLEY	RURAL SHED	10,300	18
474/05	D & R FORESTER	40 CLARKE SIMPSON ROAD, LITTLE HARTLEY	SUBDIVISION INTO 2 LOTS		25
97/06	JM PETTITT	100 OLD BATHURST ROAD, SOUTH BOWENFELS	PATIOPORT	9,000	7
79/06	RA & HM MILLAR	981 GREAT WESTERN HIGHWAY, LITHGOW	PATIO COVER	6,000	21
99/06	VS & AK LUALUA	14 COOLAMIGAL ROAD, PORTLAND	SOLID FUEL HEATER	2,000	4
98/06	HJ MOORE	941 SODWALLS ROAD, TARANA	GARAGE	11,850	5
511/05	A PIGGOTT	LOTS 2 & 3 DP 857386 JERRYS MEADOW ROAD, SODWALLS	BOUNDARY ADJUSTMENT/SUBDIVISI ON	--	7
41/06	HARTLEY PASTORAL COMPANY PTY LTD	2509 GREAT WESTERN HIGHWAY, HARTLEY	RELOCATION OF DEMOUNTABLE DWELLING	60,000	28
113/06	PJ & KL BURTON	19 WALKER DRIVE, WALLERAWANG	SWIMMING POOL	25950	13
337/05	CAPARD INVESTMENTS P/L	11 PARK AVE, PORTLAND	SUBDIVISION INTO 2 LOTS	-	22

<b>Total Estimated Cost:</b>	<b>\$3,467,774</b>
<b>Average Approval Time</b>	<b>21 DAYS</b>
<b>Total Cost of Approvals from 1/01/06</b>	<b>\$11,560,053</b>
<b>No. of Applications from 1/01/2006</b>	<b>139</b>

**06- 126 RESOLVED**

**THAT** the information be received

**MOVED:** Councillor M J Wilson

**SECONDED:** Councillor M M Collins.

**CARRIED**

**ITEM:5            EPS - 01/05/06 - UPPER MACQUARIE COUNTY COUNCIL - WEEDS  
                         REPORT**

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**SUMMARY**

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

**COMMENTARY**

Attached are reports from the Chief Weeds Officer of Upper Macquarie County Council for February and March 2006.

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**LEGAL IMPLICATIONS**

Nil

**06- 127 RESOLVED**

**THAT** the information be received

**MOVED:** Councillor H K Fisher

**SECONDED:** Councillor B P Morrissey.

**CARRIED**

**ITEM:6            EPS - 01/5/06 - PROPOSED ROAD NAMING, CASTLEREAGH  
                         HIGHWAY, LIDSDALE**

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## **REFERENCE**

Planning & Development Committee 19 September 2005: Item 1

## **SUMMARY**

To finalise the road naming process for the bypassed section of the Castlereagh Highway at Lidsdale.

## **COMMENTARY**

As part of the Roads and Traffic Authority upgrade of the Castlereagh Highway, a section of the Castlereagh Highway at Lidsdale (between the turnoff to Wallerawang and the bridge over the Cox's River) has been bypassed and as a result needs to be re-named. Council notified the residents along this section of road and advertised in the paper for suggestions for the road naming in accordance with the Geographical Names Board guidelines, and the name Ian Holt Drive was resolved as being supported by Council.

The section of road from the intersection of the Castlereagh Highway and Main Street Wallerawang to Wolgan Road is now an extension of Wolgan Road due to the changes at the intersection where Wolgan Road used to start (near Pirtek). Therefore, it was considered appropriate to start the name Wolgan Road at the Highway to avoid future confusion as to how to get to local attractions such as Newnes, and potentially the Emirates Resort.

As such, it was advertised for the continuation of the name Wolgan Road to the Castlereagh Highway, and the section of the old highway from Pirtek to the Cox's River was advertised as Ian Holt Drive. During that process two submissions were received, one of which was objecting to the name Ian Holt Drive with the name Muldoon Way proposed as an alternative. As Council personally notified over 80 residents of the proposed name and advertised in the Lithgow Mercury, a single objection is not deemed to represent the view of the wider community, however the name Muldoon Way can be added to Council's list of potential road names for another road in the future. The other submission received suggested that the section of road which is proposed to be named as Wolgan Road be numbered differently to the rest of Wolgan Road ie, 1A, 2A etc. to avoid renumbering of the other section of Wolgan Road. However, it is Council's experience that where similar addresses exist like 1 and 1A it can become extremely confusing for postal and emergency services, and should therefore be avoided where possible.

## **POLICY IMPLICATIONS**

The Geographical Names Board of NSW Guidelines for the Naming of Roads states that names of living persons should not be used, however Council has previously resolved to support the variation.

## **FINANCIAL IMPLICATIONS**

The financial implications to Council are limited to the cost of advertising the new names in the Government Gazette, however there may be financial implications to some of the residents in

Lidsdale as the entire residential section of Wolgan Road (down to Maddox Lane intersection) will need to be renumbered starting at the Highway.

### **LEGAL IMPLICATIONS**

Council will need to advertise the final road names in the Government Gazette in order to formalise legalise their status.

### **06- 128 RESOLVED**

#### **THAT:**

1. Council finalise the name Wolgan Road for the old section of the Castlereagh Highway running from the intersection of the Castlereagh Highway and Main Street Wallerawang to the existing Wolgan Road.
2. Council finalise the name Ian Holt Drive for the old section of the Castlereagh Highway running from the intersection of the old Castlereagh Highway and Wolgan Road Lidsdale (near Pirtek) to the new section of the Castlereagh Highway at the Coxs River bridge.
3. Council re-number the entire residential section of the existing and proposed Wolgan Road from the Castlereagh Highway down to the Maddox Lane intersection.

**MOVED:** Councillor M J Wilson

**SECONDED:** Councillor B S Moran.

**CARRIED**

**ITEM:7            EPS - 01/05/06 - FORMER PINEHILL SERVICE STATION - GREAT WESTERN HIGHWAY LITHGOW**

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### **SUMMARY**

To advise Council of the current position in relation to the usage of the former Pinehill service station site.

### **COMMENTARY**

The Council will recall previous representations on this issue in relation to an allegation that the premises were being occupied by a motorcycle club. Correspondence has now been received from the lessee of the property advising that "the property is privately leased by myself as a private property.....the property has been occupied now for some 12 months as a PRIVATE meeting place for a small motorcycle group, and I must STRESS NO PUBLIC ACCESS.....the property is only used for a few hours early in the week and approx 5 hours on a Friday night....etc".

The question for Council is whether or not development consent is required for the use of the property.

The property is zoned 2(a) Residential and should the facility be deemed to be a “club” then it would be a permissible use subject to obtaining development consent. A club is defined as:

“a building used by persons associated, or by a body incorporated, for social, literary, political, sporting, athletic or other lawful purposes whether of the same or of a different kind and whether or not the whole or a part of such building is the premises of a club registered under the *Registered Clubs Act 1976*.”

The question is whether the building is occupied by a group of private enthusiasts or whether it is occupied by “persons associated, or by a body incorporated, for social, literary, political, sporting, athletic or other lawful purposes”, i.e. some kind of formally constituted group. Therefore, it is suggested that further information be sought prior to determining Council’s position.

### **POLICY IMPLICATIONS**

There are no specific policy implications that result from this report.

### **FINANCIAL IMPLICATIONS**

There are no specific policy implications that result from this report at this point.

### **LEGAL IMPLICATIONS**

Should the use be deemed to constitute a “club” then the requirement for development consent would be through the Environmental Planning and Assessment Act and Council’s Local Environmental Plan.

### **06- 129 RESOLVED**

#### **THAT**

1. The information be received.
2. The occupier of the premises be asked to clarify if the building is used by persons associated, or by a body incorporated, for social, literary, political, sporting, athletic or other lawful purposes.
3. If the answer to No 2 is in the affirmative then the occupier be advised to lodge a development application within a period of sixty (60) days.

**MOVED:** Councillor B P Morrissey

**SECONDED:** Councillor M J Wilson.

**CARRIED**

## CORPORATE SERVICES REPORTS

**ITEM:8            CORP - 01/05/06 - CONTRIBUTION TO UPPER MACQUARIE  
                         COUNTY COUNCIL 2006/07**

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### REFERENCE

18.04.06 Presentation to the Ordinary Meeting of Council by Mr Roy Jennison, General Manager, Upper Macquarie County Council.

### SUMMARY

To advise Council of a contribution of \$112,000 (GST Inc) due to Upper Macquarie County Council for the 2006/07 financial year and advise that for future years the County Council will actively pursue a proposal that it levy a special rate to fund its activities.

### COMMENTARY

Further to the presentation on the 18 April 2006 from the General Manager of the Upper Macquarie County Council (UMCC), Mr Roy Jennison, I wish to advise Council of the current situation in relation to our annual contribution.

The level of constituent councils contributions to Upper Macquarie County Council will be maintained in 2006/07 as in past years. On that basis Lithgow will contribute \$112,000 (GST Inc) and for future years the County Council will actively pursue a proposal that it levy a special rate in 2007/08 and subsequent years.

The process for a special rate will be for Upper Macquarie County Council to apply and seek approval from the Department of Local Government for the special rate. The rate will not involve Lithgow Councils rating structure nor will it influence any special rate we may wish to individually apply for in the future.

Collection of UMCCs special rate may be undertaken by one of two methods:

- 1) UMCC utilise Lithgow Councils rating database to levy the applicable special rate on ratepayers. They will issue the notice and pursue recovery of the same.
- 2) UMCC will advise Lithgow Council of the total special rate due. Council would then contribute this value (quarterly) to the County Council and individually levy, account for and recover the special rate in conjunction with our own annual rates.

Should the special rate apply to all ratepayers, using the current contribution of \$112,000 as an example, each of Lithgow's 10,631 ratepayers would pay \$10.53. Should the special rate only apply to farmland, rural, mining and general residential and business properties (3,290) the levy would be \$34.05 per property.

A further report will be provided during the year when specific details of the proposed special rate are known.

The table below is historical financial information with regard to contributions made by each member Council to Upper Macquarie.



Lithgow had argued in the past the method of allocation was not equitable amongst all Councils and on the 15 June 2005 UMCC advised, *"the actual basis for the calculation of contributions dates back to when Lithgow City Council originally joined the UMCC. The records unfortunately do not give a clear indication of how the levels of contribution were calculated"*. The introduction of a special rate will clarify the inequities of the current charges as all concerned ratepayers will be paying a consistent levy regardless of the local government area they are located in.

**CONTRIBUTIONS IN PAST YEARS:**

<b>COUNCIL</b>	<b>2001/02</b>	<b>2002/03</b>	<b>2003/04</b>	<b>2004/05</b>	<b>2005/06</b>
Lithgow	69,917.10	78,824.90	81,662.90	94,239	107,291
Bathurst	40,251.21	48,180.00	49,914.70	140,105	144,308
Oberon	35,845.00	43,629.00	45,200.00	61,091	71,500
Evans	49,800.63	58,108.60	60,200.80	Amalgamated with Bathurst	Amalgamated with Bathurst

**Policy Implications**

Nil at this stage

**Financial Implications**

2006/07 payment to Upper Macquarie County Council of \$112,000 included in the Draft Management Plan

**Legal Implications**

Nil

**06- 130 RESOLVED**

**THAT:**

- 1) Council maintain the current level of funding to Upper Macquarie County Council and allow \$112,000 in the Draft 2006/07 Management Plan.
- 2) Council note that for future years the Upper Macquarie County Council will actively pursue a proposal that it levy a special rate to fund its activities in the 2007/08 financial year and subsequent years.
- 3) A further report to be provided when specific details of the proposed special rate are known.

**MOVED:** Councillor H K Fisher

**SECONDED:** Councillor M J Wilson.

**CARRIED**

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**ITEM:9            CORP - 01/05/06 - REVISED LAND AREA FOR THE PROPOSED  
SALE OF LOT 1 DP 1074586 (SUBD OF LOT 202 DP 1056693)  
BARTON AVE, WALLERAWANG**

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**REFERENCE**

15.06.04 Ordinary Council Meeting

RESOLVED:

**THAT**

*Council enter into discussions with the Department regarding the sale of the land.*

**MOVED:** *Councillors H K Fisher    **SECONDED:** Councillor B P Morrissey*

20.02.06 Ordinary Council Meeting

RESOLVED

**THAT:**

1. *Council agree to the sale of the proposed Lot 1 DP 1074586 (1109m sq) (being a subdivision of Lot 202 DP 1056693) to the Department of Education to adjoin the Wallerawang Public School for recreational use.*
2. *Council advise the Department of Education that current market valuation will be accepted as the purchase price of the proposed lot*
3. *Council engage the services of an independent valuer to provide a current market valuation.*
4. *The Department of Education to pay all legal, survey and valuation fees associated with the sale.*
5. *A further report be provided to Council advising of the sale price prior to final acceptance and authorisation for the execution of documents.*
6. *Council advise the Department of Education that prior to finalising a pending sale of proposed Lot 1 DP 1074586 negotiations in regard to legal access for the Wallerawang Indoor Stadium be finalised.*

**MOVED:** *Councillor A E Thompson*

**SECONDED:** *Councillor B P Morrissey.*

**SUMMARY**

To advise of correspondence from Councils Solicitors with regard to the area of land proposed to be sold to the Department of Education, for the Wallerawang Public School in Barton Ave, Wallerawang.

**COMMENTARY**

Council at the meeting of 20 February 2006 agreed to the sale of 1,109 m sq of land proposed as Lot 1 DP 1074586, a subdivision of Lot 202 DP 1056693.

The land will be sold to the adjoining owner, the Department of Education, to provide an additional recreational area for the Wallerawang Public School.

Councils Solicitors, Le Fevre & Co advised on the 19 April 2006:

*"We note the Department's letter to you of 12 September last, that the area to be acquired is stated to be 1,109m sq, however we note that the original Lot DP 830058 comprises an areas of 5 hectares, and the new Lot 1 in the plan of acquisition, DP 1074586, comprises an area of 5 hectares and the new lot 1 in the plan of acquisition, DP 1074586 comprises an area of 6.109 hectares.*

*Accordingly the area being acquired is 1.109 hectares ie 11,090m sq, not 1,109m sq. Could you please ensure that Councils valuers are instructed to value the correct area of land. We have drawn the discrepancy to the attention of the Department of Education and Training also."*

As required by Minute 06-47 20.02.06, Council engaged the services of an independent valuer to provide a current market valuation. The valuer has been contacted and advised to place the valuation 'on hold' pending Council resolution due to the change in the land area.

The Department of Education have also been advised that prior to finalising a pending sale negotiations in regard to legal access for the Wallerawang Indoor Stadium will need to be finalised. The Wallerawang Indoor Sports Association are aware that the temporary access lease which is currently in place will continue until the lease with the Department has been resolved.

### **Policy Implications**

Nil

### **Financial Implications**

Inclusion of income in the Draft 2006/07 Management Plan (to be held as an internally restricted asset for future property development)

### **Legal Implications**

Sale of proposed Lot 1 DP 1074586 1.109 hectares ie 11,090m sq. Formal lease with the Department of Education for access to the Wallerawang Indoor Sports Centre.

### **06- 131RESOLVED**

#### **THAT:**

1. Council agree to the sale of proposed Lot 1 DP 1074586 (1.109 hectares ie 11,090 m sq) (being a subdivision of Lot 202 DP 1056693) to the Department of Education for use by the Wallerawang Public School for recreational purposes.
2. Council advise the independent valuer of the revised area and request a current market valuation
3. Further reports to be provided advising of the current market value of the land and progress with the Department of Education in relation to access for the Wallerawang Indoor Stadium.

**MOVED:** Councillor M M Collins

**SECONDED:** Councillor M J Wilson.

**CARRIED**

**ITEM:10            CORP - 01/05/06 - GREATER LITHGOW ARTS COUNCIL UPDATE OF  
                         2005-06 PROJECTS**

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**REFERENCE**

Min 05-325 27.06.06: Ordinary Meeting of Council - adoption of the 2005/06 Management Plan

**SUMMARY**

To advise of correspondence received from the Greater Lithgow Arts Council thanking Council for the 2005/06 financial assistance to the organisation.

**COMMENTARY**

The Greater Lithgow Arts Council has written to Council thanking for the ongoing financial support.

*"Because of Councils' generous allocation of funding, the Greater Lithgow Arts Council has been able to promote a number of significant arts activities for the benefit of the community and we plan to bring other outstanding performances to Lithgow audiences.*

*These include:*

2005

- *delivery of the outstanding professional production called "Quartet" to Lithgow for the benefit of local audiences. This was a brilliant production from Western Australia that was on a tour to the eastern states. It required and "up front" payment of \$1,500 plus GST.*
- *hosting a visit of the Sydney Youth Orchestra to Lithgow and sponsorship for attendance of some disadvantaged children to see this performance. The orchestra played a "Toddlers Prom" for young children and a symphony concert in the evening for a general audience. This was the first visit of a Symphony Orchestra to Lithgow for almost 50 years. It was a great encouragement to the Lithgow Community Orchestra and to young players learning to play instruments.*
- *provided support for a piano concert by local composer and pianist, Fiona Joy Hawkins, to bring her work to the notice of local residents. Her work is being recognised through American radio charts and the ABC.*
- *provided support for a piano recital by local concert pianist, Elena Day - Hakker*
- *provided opportunities for HSC music students to perform publicly*
- *continued a series of "Sunday at the Union" concerts which began in 2004 to support and recognise the talent of local groups and individual performers and provide entertainment for audiences a minimal cost*
- *introduced lunchtime piano concerts during Celebrate Lithgow*

2006

- *to bring a performance of contemporary Irish music to Lithgow by the Victorian touring group "Sahara". This requires an "up front " payment of \$1,400*
- *we are currently negotiating with the Blue Mountains Chamber orchestra to bring a performance of "The Apollo Trio" to Lithgow. This would be their first visit here and ticket prices would probably have to be subsidised to encourage a local audience.*
- *negotiations are almost finalised to bring singing group "Belle Voce" to Lithgow. This requires an up front payment of \$1,500*
- *to continue the "Sunday at the Union" series during the cooler months*
- *to continue and extend lunchtime recitals during the cooler months*
- *To sponsor piano recitals by local piano students and outstanding professional artists*
- *To be able to consider supporting or hosting other performances, which may come up at short notice.*
- *Ancillary costs associated with the Cultural awards are also met by the Greater Lithgow Arts Council. The Greater Lithgow Arts Council are currently operating on a minimal budget and has valued the support of Council. It is striving to promote the talents of local performers and performing groups as well as bringing visiting cultural performers to Lithgow"*

**Policy Implications**

Nil

**Financial Implications**

Nil

**Legal Implications**

Nil

**06- 132 RESOLVED**

**THAT** the information be received

**MOVED:** Councillor B P Morrissey

**SECONDED:** Councillor M J Wilson.

**CARRIED**

**ITEM:11            CORP - 01/05/06 - CENTROC TELECOMMUNICATIONS STUDY**

**SUMMARY**

To advise Council of a CENTROC Telecommunication Study to advance telecommunications in the local area.

**COMMENTARY**

CENTROC has advised of funding required for a Telecommunication Study to advance telecommunications in the local area.

An estimate of \$90,000 has been given for the study of which 9.16% or \$4,121, would be Lithgow City Councils contribution. Funding support has been sought from other stakeholders such as the Regional Development Board and ACC but full exposure is to CENTROC at this stage.

The contribution is based on the same formula that was previously used for other CENTROC projects, such as Film Central, that is half the total contribution apportioned by rates and charges for each Council.

<b>CENTROC TELECOMMUNICATION STRATEGY FUNDING BY COUNCILS WITHOUT SUPPLEMENTARY FUNDING</b>					
<b>COUNCIL</b>	<b>RATES &amp; CHARGES</b>	<b>% OF TOTAL</b>	<b>50% RATE</b>	<b>50% UNIFORM</b>	<b>TOTAL</b>
Orange	27,175,000	21.27%	9,571	3,462	13,033
Bathurst	22,744,000	17.80%	8,011	3,462	11,472
Lithgow	14,915,000	11.67%	5,253	3,462	8,715
Mudgee	11,700,000	9.16%	4,121	3,462	7,582
Parkes	8,676,000	6.79%	3,056	3,462	6,517
Cowra	8,416,000	6.59%	2,964	3,462	6,426
Cabonne	8,388,000	6.57%	2,954	3,462	6,416
Forbes	7,081,000	5.54%	2,494	3,462	5,956
Wellington	6,170,000	4.83%	2,173	3,462	5,635
Lachlan	4,510,000	3.53%	1,588	3,462	5,050
Blayney	3,727,000	2.92%	1,313	3,462	4,774
Oberon	2,687,000	2.10%	946	3,462	4,408
Weddin	1,577,000	1.23%	555	3,462	4,017
<b>TOTAL</b>	<b>127,766,000</b>	<b>100.00%</b>	<b>45,000</b>	<b>45,000</b>	<b>90,000</b>

**Policy Implications**

Nil

**Financial Implications**

Contribution of \$4,121 included in the March reviews of the 2005/06 Management Plan.

## Legal Implications

Nil

## 06- 133 RESOLVED

**THAT** Council contribute \$4,121 toward the CENTROC Telecommunications Study. Funding for the project included in the March review of the 2005/06 Management Plan.

**MOVED:** Councillor M J Wilson

**SECONDED:** Councillor M M Collins.

**CARRIED**

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## ITEM:12      **CORP - 01/05/06 - WESTERN REGION ACADEMY OF SPORT 2006 FINANCIAL ASSISTANCE**

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### REFERENCE

Nil

### SUMMARY

To advise Council of a request from the Western Region Academy of Sport for 2006 sponsorship.

### COMMENTARY

The Western Region Academy of Sport has requested Councils ongoing assistance towards sports sponsorship for 2006.

The Board of the Academy is committed to providing sports people from each local government area with opportunities to increase their skills and knowledge. The majority of the Academy's funding comes from the NSW Department of Sport and Recreation but they also rely on Local Government, community and business groups.

A copy of the Academy's 2005 Annual Report is available for interested Councillors.

To enable WRAS to continue providing their current level of service, the Academy is asking Council to consider increasing the annual contribution of 3c per capita to 5c per capita which will ensure continuing support be provided to squad programs, talent search testing and educational sessions in all Council areas.

Calculated on the latest population figures from the Australian Bureau of Statistics, Lithgows contribution would be \$1,044.00 (GST inc).

Current scholarship holders from the Lithgow local government area are:

**Basketball** 3 Representatives  
Lindsay Bennett  
Matt Hughes  
Morgan Sharp

**Rugby Union** 1 Representative  
Kory Smith

**Hockey** 7 Representatives  
David James  
Ashley Redding  
Brendan Shoard  
Andrew Writer  
Annika Dicker  
Sarah Dicker  
Tiarne Sheppard

**Lone Star** 2 Representative  
Michael Cox  
Emma Statham

**Netball** 1 Representative  
Jessica Rodgers

### **Policy Implications**

Nil

### **Financial Implications**

Contribution of \$1,044 (GST Inc) included in the March reviews of the 2005/06 Management Plan.

### **Legal Implications**

Nil

### **06- 134 RESOLVED**

**THAT** Council contribute \$1,044 (GST Inc) for 2006 sponsorship of the Western Region Academy of Sport. Funding included in the March review of the 2005/06 Management Plan.

**MOVED:** Councillor M M Collins

**SECONDED:** Councillor W McAndrew.

**CARRIED**



**ITEM: 13 CORP - 01/05/06 - DRAFT 2006-09 MANAGEMENT PLAN 2006-07  
REVENUE / RATING POLICY & CAPITAL EXPENDITURE**

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**REFERENCE**

2006-2009 Draft Management Plan workshops 9 March 2006 & 10 April 2006

**SUMMARY**

To advise Council of the proposed 2006/07 rating structure, fees & charges and summary of capital expenditure.

**COMMENTARY**

**SPECIAL RATE VARIATION**

As Councillors are aware the Special Meeting of Council on the 13 February 2006 agreed to apply to the Minister for Local Government for two proposed 'Special Rate Variations' for fire and tourism in the 06/07 rating year.

Application has been made to the Minister recommending consideration of rate pegging limit, the short fall from previous years and the proposed fire levy as a special rate variation of 0.64%. It is considered this is an acceptable increase for the 2006/07 financial year and it will reduce the burden on the ratepayers and the community. On this basis the proposed Tourism levy has been deleted in an attempt to stimulate economic development in the commercial sector.

The following report focuses on the general, parking and garbage components of the rating structure.

**GENERAL RATES**

Councils' current revenue policy seeks to distribute the total general rate burden equally across all ratepayers as well as recover fees & charges from users of Councils facilities.

The Minister for Local Government announced the permitted rate pegging increase for 06/07 at 3.6% which provides additional General income of \$288,215. This is in addition to the allowable take-up of the shortfall due from previous years of \$421,585. The shortfall occurred in relation to the amalgamation and subsequent revaluation of Rylstone and Evans properties to bring them in line with Lithgow City Councils property valuations. The proposed special rate income of \$51,000 the increase due to rate pegging and the take-up of the shortfall provide a total general rate increase of \$760,800.

Historical rate pegging comparisons are 2001/2002: 2.8%, 2002/3: 3.3%, 2003/04: 3.6% and 2004/05: 3.5%.

The accepted rate model endeavours to determine a rating structure which would be favourable in all categories. The model maintains the base rate the same as 2005/06 and adjusts the rate in the dollar. Categories which show large variations are due to the number of land sales in that particular area as well as fluctuations in land valuations.

The parking rate will remain at the same rate in the dollar, as applied in 2005/06 and will generate income of \$68,756.12. As reported to the Special Council meeting of 13 February 2006 our policy in relation to the properties currently being charged parking has been reviewed and from the 2007/08 rating year will include all business properties in Railway Parade, Mort and Lithgow Streets. Surveys are currently being undertaken for this purpose.

### **STORMWATER**

Council has also included in the 2006/07 rating levy the commencement for charging a stormwater levy on all properties (with the exception of vacant land) as per recommendations from the DLG as a new funding mechanism to improve the management of urban stormwater in NSW.

The Local Government Amendment (Stormwater) Act 2005 has recently passed through Parliament and amends the Local Government Act 1993 to allow Councils the option to make a charge for the provision of stormwater management services outside their capped rating arrangements.

The proposed levy will be used stormwater management and infrastructure in the catchment areas:

- Residential Properties \$25.00 per property
- Business Properties \$25.00 per 350 sq metres capped at \$350.00

### **GARBAGE**

The future waste disposal facility at Blackman's Flat will require a high level of funding to commence operations and it is recommended the garbage rate be increased by \$30.00 per residential property from \$208.00 to \$238.00 and \$23.00 per business property from \$229.00 to \$252.00

#### **2004/05 2005/06 2006/07**

Residential per service	\$193.00	\$208.00	\$238.00
Residential 2nd service	\$193.00	\$208.00	\$238.00
Business per service	\$212.00	\$229.00	\$252.00
Base – Unoccupied	\$ 73.00	\$ 78.00	\$ 88.00
Base Rural	\$ 44.00	\$ 49.00	\$ 54.00

### **INTEREST CHARGES**

Interest to be charged on outstanding rate and water arrears has been determined by the Department of Local Government at 9%. (2005/06 9%)

### **FEES & CHARGES**

An updated list of fees & charges for the use of Council assets and services is included in the Draft 2006-09 Management Plan and indicates all fees and charges have been reviewed to achieve maximum income.

## EXPENDITURE

The Draft 2006-09 Management Plan predicts a General Fund deficit of \$377,441, water, wastewater and waste are revenue neutral due to the injection of internally restricted assets. We have eliminated the cross subsidisation of external service providers water, wastewater and waste funds and annual depreciation charges will be reviewed.

Council has over past weeks deliberated to provide Council a Draft 2006-2009 Management Plan which is considered retains a reasonable operational budget, and allows an acceptable level of capital improvement to develop community assets. Maintenance operations will continue to be provided at a consistent level as is the past Councils day labour will be utilised on the majority of projects eliminating the need for contractors, consultants and casual staff.

Current highlights of Capital projects at draft stage are:

### EXECUTIVE:

Sale of Gasworks site, income of which will be transferred to an internally restricted asset for future property development.

### COMMUNITY:

\$ 81,633 Community Programs

### TRANSPORT:

\$ 55,000 RTA Partly funded footpath construction (\$27,500)  
\$ 30,000 Drainage improvements  
\$ 208,000 K & G and Roundabouts (Partly funded contributions)  
\$ 55,000 Footpath construction  
\$1,234,000 Rural Roads Improvements (Including \$400,000 State funded Dark Corner Rd improvements / ACRD various roads / Roads to Recovery)  
\$ 99,156 Urban Road Reseals  
\$ 70,000 Urban Road Sealing

### RECREATION:

\$ 20,000 Hermitage Site Design / feasibility study (Football / Senior cricket)  
\$ 72,000 Sports fields improvements  
\$ 68,000 Passive Recreation improvements  
\$ 60,000 Swimming Centre improvements

### OPERATIONS:

\$ 190,000 Fire control operations  
\$ 900,000 Flood Mitigation (Partly grant funded)  
\$ 677,100 Plant Replacement (Light and heavy vehicles)

### BUILDING:

\$ 35,000 Admin Building  
\$ 15,000 Civic ballroom  
\$142,000 Crystal Theatre Upgrade (Grant funded)  
\$ 20,000 Eskbank House (From Trust reserve)  
\$ 85,000 Swimming Centre accessibility  
\$ 7,500 TL Grandstand seating

### PLANNING:

\$ 395,000 Planning studies eg LEP

**ENVIRONMENTAL:**

\$ 23,000 Hassans Walls improvements grade road (unsealed) and weed control

**WASTE - ENVIRONMENTAL:**

\$2,544,325 Blackmans Flat depot. Closure and fence current depots (Part loan funds)

**WATER:**

\$1,830,000 Improvements

**WASTEWATER:**

\$5,249,000 Improvements

**LOANS**

Loan borrowing will include \$2,150,000 (Waste Fund) for the Blackman's Flat Land fill site and Sewerage Treatment Plant (STP) improvements at Lithgow and Wallerawang \$1,500,000 (Wastewater fund). No general, water loans are planned.

**Policy Implications**

Nil

**Financial Implications**

Nil

**Legal Implications**

Nil

**06- 135 RESOLVED**

**THAT** the information be received and inclusions placed on exhibition with the Draft 2006-09 Management Plan

**MOVED:** Councillor B S Moran

**SECONDED:** Councillor M J Wilson.

**CARRIED**

**ITEM:14          CORP - 01/05/06 - DRAFT 2006-09 MANAGEMENT PLAN FOR EXHIBITION**

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**REFERENCE**

2006-2009 Draft Management Plan workshops 9 March 2006 & 10 April 2006

**SUMMARY**

To advise Council of the finalised Draft 2006-2009 Management Plan and recommendation that it be placed on public exhibition for a period of 28 days from 2 May 2006.

**COMMENTARY**

The Draft 2006-2009 Management Plan has been finalised and is tabled for consideration.

It is recommended the plan be placed on public exhibition for a period of 28 days from 2 May 2006 and all interested parties invited to submit comments in writing by the close of the exhibition period at 4pm on the 30 May 2006. Council will give consideration to all submissions received prior to final adoption and implementation on 1 July 2006.

Copies will be available for viewing from all customer locations at:

Councils Administration Centre  
180 Mort St Lithgow  
Hours: 8.15am to 4.30pm

Lithgow Learning Centre  
157 Main St  
Lithgow NSW 2790

Wallerawang Library  
Main St  
Wallerawang NSW 2790

Portland Library  
Williewa St  
Portland NSW 2847

Council and the community would also benefit from community consultation workshops to be held in Lithgow, Wallerawang, Portland and Rydal during the week of the 15 May 2006. Dates and locations will be confirmed and advertised

**Policy Implications**

Nil

**Financial Implications**

Nil

## Legal Implications

Nil

### 06- 136 RESOLVED

THAT the 2006-2009 Draft Management Plan be received and placed on public exhibition for a period of 28 days from 2 May 2006 until 4pm on the 30 May 2006

**MOVED:** Councillor B S Moran

**SECONDED:** Councillor M J Wilson.

**CARRIED**

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## ITEM:15      CORP - 01/05/06 - 2005-06 MANAGEMENT PLAN MARCH REVIEW

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### SUMMARY

To advise Council of the projected financial position of the 2005/2006 Management Plan following the March Reviews.

### REPORT

The March quarter review of Council's 2005/06 Financial Plan has been completed and projects a revised surplus of \$650,711. This is a major reversal of the original predicted deficit of \$94,500.

The two primary contributing items to the surplus are a savings of \$220,000 for the 05/06 Workers Compensation Premium and additional income for the Financial Assistance Grant of \$169,330.

The contributing surplus is further attributed to the effective utilisation of resources and purchasing which has achieved an additional saving. Should this trend continue the final result should be very pleasing.

With the implementation of AIFRS for the 2005/06 financial year infrastructure assets and the method and rates of depreciation will be reviewed. Depreciation will effect the final result on the Statement of Financial Performance and Council should bear this in mind with the current reviews.

Additional variations which contribute to the March result may be summarised as follows:

**EXECUTIVE:**

**Workers Compensation Premium Decrease**

Nett Effect: Saving of expenditure of \$220,000

**Financial Assistance Grant**

Nett Effect: Additional income of \$169,000

**CENTROC Telecommunications Study**

Report to the meeting of 1 May 2006

Nett Effect: Additional expenditure of \$4,121

**Western Region Academy of Sport**

Report to the meeting of 1 May 2006

Nett Effect: Additional expenditure of \$1,044

**ENVIRONMENT / IT:****Marrangaroo Master Plan / Environmental Study**

Implementation of Proclaim BA/DA RAMS module

Expenditure \$35,000

Nett Effect: Nil

**RECOMMENDATION**

**THAT** the information be received and Council acknowledge the revised surplus of \$650,111

**06- 137 RESOLVED****THAT:**

1. The information be received and Council acknowledge the revised surplus of \$650,111
2. Council arrange for a \$300 donation to be given to the Lithgow Caged Bird and Canary Association, this be included in the March 31 Review.

**MOVED:** Councillor H K Fisher**SECONDED:** Councillor M M Collins.**CARRIED**

## COMMITTEE MEETINGS

ITEM:16      ENG - 01/05/06 - MINUTES OF THE SPORTS ADVISORY  
COMMITTEE MEETING HELD ON MONDAY, 24 APRIL 2006

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### REFERENCE

Nil

### SUMMARY

Minutes of the Sports Advisory Committee Meeting held on Monday, 24 April 2006.

### COMMENTARY

At the Sports Advisory Committee meeting held on Monday, 24 April 2006, there were 10 items discussed by the Committee and it is considered that all these items be adopted by Council as per the Committee's recommendations.

### POLICY IMPLICATIONS

Nil

### FINANCIAL IMPLICATIONS

Nil

### LEGAL IMPLICATIONS

Nil

### 06- 138 RESOLVED

**THAT** the Council adopt the recommendations of the Sports Advisory Committee for the meeting held on Monday, 24 April 2006.

**MOVED:** Councillor M M Collins

**SECONDED:** Councillor M J Wilson.

**CARRIED**



## QUESTIONS WITHOUT NOTICE

### QWN - COUNCILLOR M J WILSON

1. Mr Mayor could the General Manager convene a meeting with Pacific National to discuss their future plans with the former Lithgow maintenance facility that was closed as a result of the Pacific national / Freighcorp merger?

The Depot and surrounding area could be developed into a business park. Could this concept be floated by pacific National should they be receptive to discussing the concept?

*A meeting will be arranged with Pacific National to discuss future plans and possibilities for the development of their land and adjoining land.*

2. Mr Mayor are you aware a number of properties in the main Street CBD have had their awnings damaged by trucks? Could the owners of the buildings be contacted about making repairs that may be needed?

*Council officers are aware of one damaged awning and are in discussions regarding its repair. Inspections can be undertaken and other shop owners could also be contacted to make good any repairs.*

### QWN - COUNCILLOR H K FISHER

1. Mr Mayor are you aware there is a large open drain located in Oakey Park which people re sustaining injuries from? Can this be investigated and rectified?

### QWN - COUNCILLOR B S MORAN

1. Mr Mayor can Council give an update on the Lands Rationalisation Plans with Lithgow and the Blue Mountains for the RFS?
2. Mr Mayor can Council give an update on the fire trail funding for the RFS?

The meeting closed at 7.33pm.