



LITHGOW CITY COUNCIL

MINUTES

FINANCE AND SERVICES COMMITTEE
MEETING OF COUNCIL

HELD ON

03 JULY 2006

**MINUTES OF THE LITHGOW CITY COUNCIL MEETING
HELD AT THE CIVIC CENTRE, LITHGOW ON 3 JULY 2006**

Meeting Commenced 7.01pm

Public Gallery: 5

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 Group Manager Regional Services, Mr Andrew Muir
Acting Manager Internal Services, Mrs Carol Farnsworth

CONFIRMATION OF MINUTES

Confirmation of the Minutes of the Finance and Services Committee Meeting of Council held on the 5 June 2006 were taken as read and confirmed by Councillors W McAndrew and M J Wilson

**06- 200 RESOLVED
CARRIED**

DECLARATION OF INTEREST

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

Councillor M M Collins declared a pecuniary interest in Item 1 due to being employer associated with coal transportation.

Councillor M J Wilson declared a pecuniary interest in Item 1 due to being employed by Delta Electricity.

Councillor B S Moran declared a pecuniary interest in Item 1 due to her husband being employed by Springvale Mine.

QUESTIONS FROM THE PUBLIC GALLERY

At 7.01pm members of public gallery were invited to address questions through the Mayor to Councillors and Staff: -

NIL

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ENVIRONMENT & PLANNING SERVICES REPORTS

ITEM:1 EPS - 03/07/06 - LAMBERTS GULLY EXTENSION APPROVAL

SUMMARY

This report is to inform Council of an approval issued by the Minister for Planning for the Lamberts Gully Open Cut Mine Extension submitted by Springvale Coal Pty Limited, and to seek Council representation on the Community Consultative Committee.

COMMENTARY

The NSW Department of Planning has advised of the approval of a development application under Part 3A of the Environmental Planning and Assessment Act by Springvale Coal Pty Limited, for the Lamberts Gully Open Cut 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 two representatives of Council be a member of the Community Consultative Committee (CCC). Other members of the Committee are to be 2 representatives of the proponent, at least 4 representatives from the local community and an independent Chair.

It is recommended that one member of Council be nominated for the committee together with one Council officer.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The consent provides a condition requiring the payment of a contribution to Council of \$15,000 for the upgrading of community facilities within the Blackman's Flat area.

LEGAL IMPLICATIONS

Conditions of consent that must be satisfied are the prime legal implication although being a state government approval they will not necessarily relate to Council.

RECOMMENDATION

THAT Council elect a Councillor to sit together with the General Manager or delegate on the Community Consultative Committee for the Lamberts Gully Open Cut Mine operations.

06- 201 RESOLVED

THAT:

1. Council nominate Councillor H K Fisher and the General Manager as nominees for Council on the Community Consultative Committee for the Lamberts Gully Open Cut Mine.
2. The Mayor be the alternate delegate for Councillor H K Fisher on this committee.

MOVED: Councillor B P Morrissey

SECONDED: Councillor A E Thompson.

CARRIED

**ITEM:2 EPS 3/07/06 - CONCEPT PLAN APPROVAL - PROPOSED LUXURY
TOURIST FACILITY, WOLGAN VALLEY, LITHGOW.**

SUMMARY

This report is to inform Council of an approval issued by the Minister for Planning for the Proposed Luxury Tourist Facility submitted by Emirates Hotels (Australia) Pty Ltd.

COMMENTARY

The NSW Department of Planning has advised of the Concept Plan approval for the Luxury Tourist Facility in the Wolgan Valley proposed by Emirates Hotels (Australia) Pty Ltd.

As part of the Concept Approvals process, the applicant will need to lodge separate site specific Project Plans in order for the construction phase of the development to be undertaken. Further reporting to Council (upon receipt) will indicate the applicants preferred options in relation to site specific Project plans.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The consent includes a condition requiring Emirates to enter into an agreement in consultation with Council and any relevant state government agency in relation to the upgrade of Wolgan Road.

LEGAL IMPLICATIONS

Conditions of consent that must be satisfied are the prime legal implication although being a state government approval they will not necessarily relate to Council.

06- 202 RESOLVED

THAT the information be received.

MOVED: Councillor W McAndrew

SECONDED: Councillor M J Wilson.

CARRIED

ITEM:3 EPS - 03/07/06 FUNDING SUCCESS FOR LITHGOW BLAST FURNACE

SUMMARY

To advise Council of success in State Government Heritage funding for the Lithgow Blast Furnace.

COMMENTARY

Formal advice has been received from Mr Frank Sartor, Minister for Planning, of a grant for \$33,000 for the conservation and interpretation works at Lithgow Blast Furnace site.

Existing interpretation, plus additional works in hand will provide an extensive interpretation plan for the site. However, really effective interpretation must ensure that visitors to the site are able to experience more intimate access to the elements of the blast furnace and their relationships. Therefore, Council is actively progressing works around the site which will make it more user friendly while respecting its heritage significance.

Separate works are planned for the adjacent Lake Pillans Wetland. Upgrading of the pathways for pedestrian and bicycle use will integrate the sites as a major open space asset for Lithgow.

Council's works are already in process with the conservation of the Blast Furnace ruins. Works required are part of the Blast Furnace Conservation Management Plan.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Funds to match have been provided by Council for part of the works in the package of funding.

LEGAL IMPLICATIONS

Improvements in the safety level of the site have the potential to reduce Council's liability on the site. Lighting may also reduce the vandalism in the area.

ATTACHMENTS

1. Stabilisation works detail
2. Full site works from Conservation Management Plan, which Council is working towards.
3. Basic lighting works

06- 203 RESOLVED

THAT the information be received.

MOVED: Councillor B S Moran

SECONDED: Councillor M J Wilson.

CARRIED

ITEM:4 EPS - 03/07/06 - DEVELOPMENT & 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)
174/06	FJ ROBERTS	50 RABAU STREET, LITHGOW	CARPORT	32
176/06	CL & JD EVANS	150 BAANERS LANE, LITTLE HARTLEY	SWIMMING POOL	4
127/06	GJ BAKER	17 CHIFLEY ROAD, LITHGOW	COVERING DECK	20
141/06	J & S BYRNE	32 ENFIELD AVE, LITHGOW	DWELLING	14
539/05	SHELL CO OF AUST	6 GASWORKS LANE, LITHGOW	DEMOLITION & DECOMMISSIONING GAS WORKS SITE (Assessment & consideration of remediation issues)	142
194/06	B H KELLY	10 METHVEN STREET, LITHGOW	GARAGE	4
132/06	J D PHILLIPS	3 CURRINGA PLACE, WALLERAWANG	PATIOPORT	16
187/06	IR & JA PILLEY	21 AMIENS STREET, LITHGOW	RESORT ROOM	3

87/06	J & MR MONAGHAN	228 SIR THOMAS MITCHELL DRIVE, LITHGOW	CONCESSIONAL LOT SUBDIVISION	10
175/06	R JOHNSTONE	16 KIRKLEY STREET, STH BOWENFELS	BLOCK WALL	9
190/06	D & M NORTHEY	102 HASSANS WALLS RD, LITHGOW	GARAGE	11
106/06	M FLYNN & L J NEALE	33 FALNASH STREET, PORTLAND	DWELLING & GARAGE	16
86/06	DOMINO'S PIZZA AUST P/L	SHOP 4 – POTTERY PLAZA – VALLEY DRIVE, LITHGOW	PIZZA TAKEAWAY & SIGNAGE	29
134/06	K B EGAN	42 RIFLE PARADE, LITHGOW	AWNING	16
549/05	R A HUTCHINSON	35 MID HARTLEY RD, HARTLEY	SUBDIVISION INTO 2 LOTS	79
127/05	K C ALLEN	916 PEACH TREE RD, MEGALONG VALLEY	SUBDIVISION INTO 5 LOTS	10
225/06	BW & JA TONNING	113 FRANKS PLACE, HARTLEY	INGROUND SWIMMING POOL	8

Total Estimated Cost:	\$621,509
Average Approval Time	25 days
Total Cost of Approvals from 1/01/06	\$13,389.095
No. of Applications from 1/01/2006	245

06- 204 RESOLVED

THAT the information be received

MOVED: Councillor H K Fisher

SECONDED: Councillor W McAndrew.

CARRIED

ITEM:5 EPS - 03/07/06 - APPLICATIONS RECEIVED

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 5 June 2006. The list excludes dwellings, additions, carports and associated residential proposals or proposals of a minor nature.

Significant Development Applications received			
DA No.	Date Received	Proposal	Property
197/06	31/05/06	Boundary Adjustment	Lot 1, DP 854851 & Lot 1, DP1005362 Fullagar Avenue Lithgow
203/06	05/06/06	Subdivision into 5 lots	140 Cuthill Road Rydal
204/06	05/06/06	Boundary Adjustment	1887 Tarana/Oberon Road, Tarana
210/06	07/06/06	Virtual Underground Coal Mine	Lot 1, DP242977- State Mine Gully Road, Lithgow
213/06	07/06/06	Boundary Adjustment	93 Coalbrook Street, Lithgow
216/06	09/06/06	Demolition of Chimney	Lot 1, DP 789197 – ADI Site - Methven Street, Lithgow
240/06	23/06/06	Alterations to Commercial Building	208 Main Street, Lithgow

If Councillors wish to receive more detailed information on any of the aforementioned applications, then this can be provided. Council should be aware that DA 216/06 seeks consent from ADI for the demolition of its chimney.

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

RECOMMENDATION

THAT the information be received.

Councillor M J Wilson raised the matter arising from the report regarding the Chimney at ADI (DA 216/06). The Committee resolved:

06- 205 RESOLVED

THAT:

1. The Chimney at the ADI site be listed as a Heritage Order or interim Conservation Order.
2. Council seek an interim Conservation Order over the chimney structure on the ADI site and the General Manager be delegated the authority to finalise and submit the application to the NSW Heritage Office.

MOVED: Councillor M J Wilson

SECONDED: Councillor A E Thompson.

CARRIED

CORPORATE SERVICES REPORTS

ITEM:6 CORP - 03/07/06 2006/07 SPECIAL RATE VARIATION MINISTERIAL APPROVAL

REFERENCE

19.06.06: Ordinary Meeting of Council - Adoption of the 2006/07 Management Plan

SUMMARY

To advise Council of Ministerial approval for the 2006/07 Special Rate Variation application.

COMMENTARY

The Minister for Local Government has announced approval of Council's Special Rate Variation which was submitted during the course of Draft 2006-09 Management Plan preparations. The rate will be applied to the 2006/07 General Fund levy.

The variation is as follows:

- 3.60%: Pre approved rate pegging limit as announced by the Minister on 20 March 2006
- 5.24%: Pre approved rate shortfall from previous years announced by DLG on 07 March 2006
- 0.63%: Special Rate variation on all properties for a fire levy

- **9.47%: TOTAL Special Variation**

RATE PEGGING VARIATION

The Minister for Local Government announced on the 20 March 2006, via Circular 06-16 an allowable rate pegging increase of 3.60% under Section 506 of the Local Government Act 1993 for the rating year commencing 1 July 2006.

SHORTFALL FROM PREVIOUS YEARS

Council received DLG advice on the 7 March 2006 of approval for previous years rating 'catch up' or 'shortfall' of \$421,585 which equates to 5.24% of the 2006/07 general rate levy.

The shortfall is directly attributed to Lithgow's amalgamation with parts of the Evans and Rylstone Shires. The Valuer General had revalued Lithgow properties and in order to align the amalgamated properties new valuations were provided in October but as rates and charges are levied and issued in July each year the revaluation did not impact until the following rating year.

SPECIAL RATE VARIATION: FIRE LEVY

A special levy of 0.63% has been approved to assist Council's annual contribution of \$190,000 or 13.3% to the RFS and \$98,700 to the NSW Fire Brigades.

The contribution provides for the upgrade of fire appliances, buildings and equipment as well as providing for building inspections and pre incident planning for RFS & NSW Fire Brigade operations. In addition Council contributes an additional \$40,000 for the maintenance of RFS premises in Silcock St Lithgow and meets office expenses such as printing, stationery and postage for the centre.

The levy will apply to all properties and averages \$2.17 per residence.

Public Consultation

NIL

Budget & Financial Aspects

Nil

06- 206 RESOLVED

THAT the information be received

MOVED: Councillor H K Fisher

SECONDED: Councillor M J Wilson.

CARRIED

ITEM:8 CORP - 03/07/06 ALAN MORSE & CO SECOND INTERIM AUDIT REPORT FOR THE 2005/06 FINANCIAL YEAR

REFERENCE

27.06.05 Ordinary Meeting of Council: Adoption of 2005/06 Management Plan
31.10.05 Finance & Services Committee of Council: Sept 2005/06 Management Plan Review
06.02.06 Finance & Services Committee of Council: Dec 2005/06 Management Plan Review
06.03.06 Finance & Services Committee of Council: First Interim Audit Report
01.05.06 Finance & Services Committee of Council: Dec 2005/06 Management Plan Review

SUMMARY

To advise Council of the second interim audit visit by auditors Alan Morse & Co for the 2005/2006 financial year.

COMMENTARY

Councils' auditors Alan Morse and Co have completed their 2005/2006 second interim audit of Council records on 22 to 23 May 2006. This covered the period 1 July 2005 to 19 May 2006.

An interim audit letter was received on the 21 June 2006 and I am pleased to advise the audit was completed very efficiently and no areas of concern arose. A copy of the audit report is tabled for viewing.

Of interest to Councillors may be the scope of the audit, which the auditors address:

Scope:

“The purpose of our visit is to obtain sufficient appropriate audit evidence to enable us to express an opinion on the Councils annual financial report. Our audit procedures have been primarily designed to achieve this purpose and in order to do so in a cost-effective and efficient manner our approach concentrates on areas of materiality and high risk.

Consequently, this letter does not necessarily confirm the effectiveness of all the internal controls operated by Council for achieving all management objectives.

The scope of our audit does not include a comprehensive review of all procedures and system and our comments are therefore limited to the operation area examined, which were:

- *Reconciliations and quarterly budget reviews:*
- *Daily receipting and cashier functions*
- *Expenditure and creditors system*
- *Payroll system, including termination payments*
- *Plant utilisation*
- *Water billing system*

In seeking to achieve an efficient audit we have also taken into account, to the relevant extend, the internal control structure, consisting of:

- *The control environment, incorporating management's policies and procedures*
- *The information system, incorporating the financial reporting process used to prepare the Councils financial reports; and*
- *Internal controls, being those policies and procedure which management has established to provide reasonable assurance that specific organisation objective will be achieved*

The only issue raised as a result of the audit was a review of the reconciliation procedures in respect of stores listings. It was identified that formal reconciliations are not being prepared consistently and are not being signed by the preparer or the reviewer.

Upon investigation Stores reconciliations are being done regularly but the formal cover in some cases was unsigned by the preparer. Stores reconciliation are now being undertaken weekly and signed by the preparer and reviewer.

Council should note the December stores stock take of both stores was reported to the Council meeting of 20 February 2006 and a June EOY stock take has been conducted on Tues 27 June 2007 at Wallerawang, Wed 28 June 2007 at Lithgow and Thurs 29 June 2006 at the Tourism Centre. A formal stock take report will be presented to Councils Finance and Services Committee meeting of the 7 August 2006.

Policy Implications

Nil

Financial Implications

Nil

Legal Implications

Nil

06- 207 RESOLVED

THAT the information be received

MOVED: Councillor M M Collins

SECONDED: Councillor B S Moran.

CARRIED

ITEM:9 **CORP - 03/07/06 SPONSORSHIP REQUEST FOR THE MACQUARIE PHILHAMONIC SYMPHONY ORCHESTRA**

REFERENCE

Nil

SUMMARY

To advise Council of a request from the B-Rock for sponsorship of the Macquarie Philharmonic - Australia Inland Symphony Orchestra.

COMMENTARY

Bathurst Regional Council referred a report from the Macquarie's Philharmonic to a recent CENTROC meeting which encouraged businesses to join in supporting the establishment of Australia's Inland Symphony Orchestra.

The Macquarie Philharmonic uses professional musicians in the Central West of NSW together with secondary and tertiary students in the area.

The orchestra's first concert held in 2004 at St Stanislaw's College Bathurst featured internally celebrated pianist and local Michael Clark as well as more than sixty musicians drawn from Bathurst, Orange, Lithgow, Katoomba, Dubbo, Parkes, Mudgee, Cowra, Forbes and other areas. Last years performances were held at the Orange Civic Theatre and in 2006 they will celebrate the 250th anniversary of Mozart's birthday with two concerts.

To fund the Orchestra, B Rock is wishing to raise \$700,000 over the next four years and are requesting Councils sponsorship from one of the following levels, Gold at \$2,500 per annum (\$10,000), Silver at \$1,250 per annum (\$5,000), and Bronze at \$250 per annum (\$1,000). They further advise that sponsorship of \$168,250 has been received from local businesses, individuals and Councils throughout the areas served by CENTROC.

Policy Implications

Nil

Financial Implications

A contribution provided in 2006/07 may be allocated from Sec 356 donations.

Legal Implications

Nil

RECOMMENDATION

THAT submitted for determination and if approved Council to determine the level of funding to be provided

06- 208 RESOLVED

THAT the information be received and noted

MOVED: Councillor H K Fisher

SECONDED: Councillor M J Wilson.

CARRIED

COMMITTEE MEETINGS

ITEM:10 03/07/06 - SPORTS ADVISORY COMMITTEE MINUTES 29 MAY 2006

PRESENT

Councillor Neville Castle (Chairman), Mr Neil Gambrill, Mr Allan McGrath, Mr Mark Cronin, Mr Michael Brown, Mr Russell Jeffery, Mr Glen Ryan, Mr Danny Whitty, Mrs Robyn Whitty, Mr Bob Martin, Mr Barry Dorrough, Mr Ray Field, Mr Mark Hibbard, Mr Richard Wilson, Mr Peter Morris, Mr Maurie Weekes (Acting Recreation Supervisor), Mr Andrew Muir (Acting Manager Engineering Services), and Miss Leanne Kearney (Strategic Engineer).

APOLOGIES

Mrs Nerryl Wood, Mr Peter Bresac, Mr Eric Arnold and Mrs Corinne Ogg.

REPORT

ITEM 1 - DECLARATION OF INTEREST

There were no Declarations of Interest.

ITEM 2 - MINUTES OF THE PREVIOUS MEETING

The Minutes of the Sports Advisory Committee Meeting held on Monday, 24 April 2006 were read and confirmed.

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

MOVED: Neil Gambrill

SECONDED: Danny Whitty

ITEM 3 - BUSINESS ARISING FROM THE MINUTES

- Council is unable to find any site plans detailing the athletics track at Jim Monaghan Athletics Oval, Lithgow, as requested by Eric Arnold at a previous meeting.
- Nerryl Wood advised that her apology was not recorded in the minutes of the last meeting. Council's records indicate that her apology was recorded in the minutes.
- Neil Gambrill enquired if Council had been provided with any further information from the Strategic Planning Convenor, and Neville advised that when he spoke to the convenor, the Committee would be invited to attend a meeting in approximately six (6) weeks, for consultation in the next round of meetings.
- Neil Gambrill enquired if Council has any future plans of introducing fees and charges to sporting groups to use Council facilities, and Neville advised that fees and charges have not been included in the 2006/2007 Annual Management Plan, however, Council may approach groups in late 2006 to determine if fees and charges will be introduced in 2007/2008.

- Mark Hibbard enquired as to why a number of members of the Lithgow Athletics Club have not been provided financial assistance. Leanne advised that one application was from a member who did not reside in the Lithgow Local Government Area, and that the other forms were returned to the Secretary of the Lithgow Athletics Club to allow the members parents to sign the forms and return them, however, no forms have been returned to Council to date.

MOVED: Neil Gambrill

SECONDED: Russell Jeffery

ITEM 4 – FINANCIAL ASSISTANCE REQUESTS

Financial assistance applications have been approved for the following applicants:

- Megan Embleton (Soccer) - \$300.00 after being selected in the Under 14 NSW Soccer Team; and
- Ashley Redding, Mathew Judge, Matthew Writer and Peter McGrath (Hockey) - \$100.00 shared between applicants after their selection in the Western Conference Under 17 Hockey Team

The Committee recommends that the information be received.

MOVED: Michael Brown

SECONDED: Mark Cronin

ITEM 5 – 2006 REG COWDEN MEMORIAL SPORTS STAR AWARDS

Junior Nominations for the month of April 2006 were received from the following:

- Megan Embleton (Soccer) - after being selected in the Under 14 NSW Soccer Team
- Ashley Redding (Hockey) – after his selection in the Western Conference Under 17 Hockey Team
- Mathew Judge (Hockey) – after his selection in the Western Conference Under 17 Hockey Team
- Matthew Writer (Hockey) – after his selection in the Western Conference Under 17 Hockey Team
- Peter McGrath (Hockey) – after his selection in the Western Conference Under 17 Hockey Team

The Committee selected Megan Embleton (Soccer) to be Junior Sports Star winner for the month of April 2006.

MONTH	RECIPIENT
January	Matthew Writer
February	Tamika Bostock & Samuel Hourigan
March	Tom Brodie
April	Megan Embleton
May	
June	
July	
August	
September	
October	
November	

A nomination for Dale Ryan (Wood Chopping) was received from the floor, after his following achievements during April 2006: Lithgow Show – won the 12” Underhand handicap off backmark 48, won the 12” Standing Block handicap off backmark 48, won the 12” Underhand Championship, was second in the Tree Chop off 150 seconds, and he and his father Glen won the Two Man Chop, Nowra BTU Chop – won the 13” Underhand championship, won the 13” Standing Block championship, won the 12” Tree Chop, was 2nd in the Tree Championship, and won the 20” Double Handed Sawing Championship. Sydney Royal Easter Show – won the Match Mate 12” Championship was 3rd in the 15” World Championship, and competed in the Australian Team in the test against New Zealand, with Australia winning the series.

MONTH	RECIPIENT
January	Nil
February	Nil
March	David Palmer
April	Dale Ryan
May	
June	
July	
August	
September	
October	
November	

The Committee recommends that the Junior Sports Star Award be awarded to Megan Embleton (Soccer) for the month of April 2006, the Senior Sports Star Award be awarded to Dale Ryan (Wood Chopping) for April 2006, and for merit certificates to be awarded to the other nominees.

MOVED: Russell Jeffery

SECONDED: Neil Gambrill

ITEM 6 – HERMITAGE SPORTING OVAL PROPOSAL

Council is currently researching possible uses for the proposed Hermitage Sporting Oval, including benefits of being a multi use venue or a single focus sporting facility, car parking, lighting, fencing, grandstand options etc, and will be seeking input from local sporting groups to ensure that their needs are catered for, prior to engaging a consultant to investigate feasibility and costs for construction of this facility. Sporting and community groups will receive a survey in the next week, asking for comments and inclusions, and it is anticipated that the cost and feasibility study will be completed by December 2006, allowing Council to seek grand and alternative funding prior to construction in early 2007 (dependant upon costs).

The Committee recommends that the information be received.

MOVED: Michael Brown

SECONDED: Mark Cronin

ITEM 7 – STAFF RESIGNATIONS

The Committee is advised of the recent resignations of two (2) of Council’s Engineering staff, being Mr Clive Cawthorne (Manager Engineering Services) and Mr Terry Nolan (Recreation Supervisor).

As Council is currently undergoing a restructure, in the interim, Mr Andrew Muir (Manager Environment and Planning Services) will be acting in the role of Manager Engineering Services and Mr Maurice Weekes (Head Groundsman) will be acting in the role of Recreation Supervisor until further notice.

Neville expressed his regret at these resignations, and thanked Clive and Terry for undertaking all actions that the Committee has requested in an expedient manner.

The Committee recommends that the information be received, and that Mr Clive Cawthorne and Mr Terry Nolan be forwarded letters thanking them for their effort and contribution to the Sports Advisory Committee during their employment with Council.

MOVED: Neville Castle

SECONDED: Neil Gambrill

ITEM 8 – BOOKING REQUEST – WALLERAWANG OVAL, WALLERAWANG – WALLERAWANG WARRIORS RLFC

Correspondence has been received from the Wallerawang Warriors Senior and Junior Rugby League Football Clubs, requesting permission to use Wallerawang Oval, Wallerawang to conduct training and competition for the 2006 football season.

The senior competition will be conducted on Sundays at 2.30pm, between 23 April 2006 and 20 August 2006, including semi finals, finals and the grand final.

The junior competition will be conducted on Saturdays between 8.30am and 12.00pm between 6 May 2006 and the beginning of September 2006, dependant upon semi final outcomes.

Senior training is conducted on Wednesdays and Fridays from 6.00pm to 7.30pm, and junior training is undertaken on Wednesdays and Thursdays between 4.30pm and 5.30pm.

It is noted that the Wallerawang Junior Soccer Club have been approved to use Wallerawang Oval, Wallerawang week day afternoons/evenings, however, due to appropriate allocation of ground space, it is not envisaged that these booking swill conflict.

The Committee recommends that permission be granted to Wallerawang Warriors RLFC to use Wallerawang Oval, Wallerawang for training on Wednesdays and Fridays from 6.00pm to 7.30pm, junior training on Wednesdays and Thursdays between 4.30pm and 5.30pm, and for home competition games on Saturdays and Sundays between 23 April 2006 and 20 August 2006 conditional upon a draw being provided to Council.

MOVED: Danny Whitty

SECONDED: Russell Jeffery

ITEM 9 – BOOKING REQUEST – KREMER PARK & SAVILLE PARK, PORTLAND – PORTLAND JUNIOR RLC INC

Correspondence has been received from the Portland Junior RLC Inc requesting permission to use the following facilities to conduct training and competition for the 2006 football season:

- Saville Park, Portland – training Monday to Fridays between 4.30pm and 5.30pm (preferred training venue due to booking of Kremer Park, Portland by the Portland Owners and Trainers Association); and
- Kremer Park, Portland – competition on Saturday's 6 May, 27 May, 22 July, and 5 August 2006 between 8.30am and 1.00pm.

It is noted that the Portland Owners and Trainers Association have been approved to use Kremer Park, Portland on Saturdays; however, the Association have always liaised with other users to ensure that bookings for events do not conflict. Mr Ray Field from the Portland Owners and Trainers Association thanked the Portland Junior RLFC for requesting to train at Saville Park, as this would limit any chance of injuries occurring when both groups are using Kremer Park, Portland.

The Committee recommends that permission be granted to the Portland Junior RLC Inc to use Saville Park, Portland for training Monday to Fridays between 4.30pm and 5.30pm and Kremer Park, Portland for competition on Saturday's 6 May, 27 May, 22 July, and 5 August 2006 between 8.30am and 1.00pm subject to successful liaison with the Portland Owners and Trainers Association.

MOVED: Ray Field

SECONDED: Michael Brown

ITEM 10 – BOOKING REQUEST – JIM MONAGHAN ATHLETICS OVAL, LITHGOW – COOERWULL PUBLIC SCHOOL

Correspondence has been received from Coerwull Public School requesting permission to use Jim Monaghan Athletics Oval on Friday, 30 March 2007 to conduct their annual athletics carnival.

This booking does not conflict with any approved bookings.

The Committee recommends that permission be granted to Coerwull Public School to use Jim Monaghan Athletics Oval on Friday, 30 March 2007 to conduct their annual athletics carnival.

MOVED: Mark Cronin

SECONDED: Neil Gambrill

ITEM 11 – LITHGOW SWIMMING CLUB INCORPORATED – CHANGE OF EXECUTIVE COMMITTEE

Correspondence has been received from Lithgow Swimming Club Incorporated after their recent Annual General Meeting, advising that the following members have been elected to the Club's Executive positions for the 2006/2007 season:

President:	Mr Richard Wilson
Vice President:	Mr John Boyd
Treasurer:	Mr Jeff Griffiths
Secretary:	Mrs Vicky Hourigan
Race Secretary:	Ms Simone Kerrison

The Committee recommends that the information be received.

MOVED: Neil Gambrill

SECONDED: Michael Brown

ITEM 12 – BOOKING REQUEST – LITHGOW WAR MEMORIAL OLYMPIC SWIMMING POOL – LITHGOW SWIMMING CLUB INC

Correspondence has been received from the Lithgow Swimming Club Inc, requesting permission to use the Lithgow War Memorial Olympic Swimming Pool to conduct early morning training, afternoon training, Friday Club Nights and Saturday Learn to Swim, during the 2006/2007 season at the following times:

- Monday to Thursday, from 3.00pm until close – 3 lanes in Olympic Pool plus 1 lane for public lap swimmers for training;
- Fridays, from 4.30pm until close – 5 lanes in Olympic Pool for Friday Club Nights;
- Saturdays – Learners Pool from 9.00am until 11.00am and 2 lanes in Olympic Pool between 8.00am and 9.00am for Learn to Swim; and
- Monday to Saturday, from 5.30am for early morning training.

The Committee recommends that permission be granted to Lithgow Swimming Club Inc to use Lithgow War Memorial Olympic Swimming Pool on Monday to Thursday, from 3.00pm until close – 3 lanes in Olympic Pool plus 1 lane for public lap swimmers for training, Fridays, from 4.30pm until close – 5 lanes in Olympic Pool for Friday Club Nights, Saturdays – Learners Pool from 9.00am until 11.00am and 2 lanes in Olympic Pool between 8.00am and 9.00am for Learn to Swim, and Monday to Saturday, from 5.30am for early morning training for the 2006/2007 season.

MOVED: Mark Cronin

SECONDED: Michael Brown

ITEM - GENERAL BUSINESS

- Mr Peter Bresac enquired if the Lithgow Rugby Union are still utilising the room underneath the Ashley Grandstand, as the room that the Lithgow Storm junior RLFC currently use is badly in need of upgrading (noting that the walls do not have lining and there is a rodent infestation as well). Council will investigate any leases/agreements that allow the Rugby Union Club to use the room at Tony Luchetti Sportsground if there is no formal agreement.
- Mr Danny Whitty enquired of the liability issues associated with use of the cricket nets at Kremer Park, Portland. Neville advised that both the Portland Owners and Trainers Association and the Lithgow District Cricket Association have public liability insurance, which should be used in the event of an incident during these bookings. Andy advised that Council will investigate this matter with it's insurers, and a report will be brought back to the Committee. It was noted that Council undertook a risk assessment of the area prior to construction of the nets, to ensure that they were placed in a location which would minimise the level of risk to players, spectators and other users.
- Mr Ray Field enquired if Council could extend the netting at the Kremer Park, Portland cricket training nets, as there has been one incident where a cricket ball has landed on the front seat of a Portland Owner and Trainers Association member, however luckily did not cause any damage. Michael Brown advised that additional netting is not viable, as this allows vandals to climb on top of the nets and cause damage.
- Mr Neil Gambrill enquired of the progress of Council providing funding for portable grandstands, and Neville advised that the funding is included in the Capital Works Programme each year, however due to restriction of funding, Council prioritises it's funding allocations each year, and to date, the portable grandstands have not been approved. This item will continue to be included in the budget estimates each year, until funding is approved.
- Mr Neil Gambrill expressed his sadness on behalf of the Lithgow Hockey Association at the resignation of Mr Terry Nolan, and stated that without the valuable assistance of Terry and Mr Maurie Weekes, the conduct of the State Championships over the past few years would not have been as successful, and that Terry's resignation will be a great loss to Council and the Lithgow community.
- Mr Mark Hibbard advised that Mr Eric Arnold was an apology for the meeting as he had been hospitalised and was ill, and the Committee wished Mr Arnold a speedy recovery.
- Mrs Nerryl Wood enquired if Council had made a decision on the Lithgow Cancer Council's request for Council to contribute toward the cost of an insurance policy to enable them to conduct a special fund raising event in October. Council's Finance and Corporate Services Manager, Mrs Carol Farnsworth advised that Council has agreed to waive the ground fees for this event, however, are not in a position to contribute toward the insurance policy.
- Mr Peter Bresac advised that unsatisfactory vehicle behaviour is still being experienced near the Skate Park at Tony Luchetti Sportsground (predominately between 4.00pm and 6.00pm), and enquired if Council would investigate the possibility of installing speed humps between the Skate Park and the entry gates.

Neville advised that Council is investigating fencing of the Skate Park, allowing access from Barton Street only, and this may eliminate this problem, but will refer the matter to Council's Works Engineer for a report to be brought back.

MOVED: Neil Gambrill

SECONDED: Michael Brown

The meeting closed at 6.00 pm.

06- 209 RESOLVED

THAT the minutes of the Sports Advisory Committee be adopted.

MOVED: Councillor H K Fisher

SECONDED: Councillor A E Thompson.

CARRIED

ITEM: 11 EPS - 03/07/2006 - LATE REPORT - UPDATE ON LAND AND ENVIRONMENT COURT MATTERS

SUMMARY

This report provides the latest update on two matters that have been the subject of proceedings in the Land and Environment Court.

COMMENTARY

Cutcliffe -v- Council and Dukes – Great Western Highway, Marrangaroo

Costs were reserved in the decision handed down on 22 May 2006 by his Honour, Justice Biscoe. A costs hearing is now scheduled for Thursday 6 July 2006.

Delaney -v- Council – Peachtree Road Megalong Valley

The Applicant's Solicitors have agreed to a proposition put by Council's Solicitors to ask the Court to consider the determination of a preliminary issue regarding the permissibility of the proposed development in the zone. The hearing is scheduled for Monday 10 July 2006 and Council's Solicitors are writing to those who objected to the application thus honouring Council's commitment to keep residents advised on significant events in the process.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Should the Court determine that the development is not permissible in the zone in relation to the Delaney matter then significant costs will be saved by all parties. However, if the proposed development is found to be permissible then costs will continue to be incurred as the matter then proceeds on its merits. The implications for costs in the Cutcliffe/Dukes matter are entirely dependent on the results of the costs hearing.

LEGAL IMPLICATIONS

The subject of this report.

ATTACHMENTS

Nil

06- 210 RESOLVED

THAT information be received.

MOVED: Councillor W McAndrew

SECONDED: Councillor M J Wilson.

CARRIED

QUESTIONS WITHOUT NOTICE

Nil.

The meeting closed at 7.33pm.