



LITHGOW CITY COUNCIL

MINUTES

FINANCE AND SERVICES COMMITTEE
MEETING OF COUNCIL

HELD ON

06 NOVEMBER 2006

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

Meeting Commenced 7.00pm

Public Gallery: 7

PRESENT

His Worship the Mayor
Councillor Neville Castle
Councillor B P Morrissey (leave of absence at 7.20pm due to personal business out of the City.)
Councillor M F Ticehurst
Councillor B S Moran
Councillor M M Collins
Councillor A E Thompson
Councillor M J Wilson

APOLOGIES

An apology was received and accepted from W McAndrew due to being out of LG area on personal business.

An apology was received and accepted from H K Fisher due to being within the Local Government area on personal business.

06- 370 RESOLVED

MOVED: Councillor M M Collins

SECONDED: Councillor M J Wilson.

CARRIED

Also in attendance

General Manager, Mr Paul Anderson
Group Manager Regional Services, Mr Andrew Muir
Group Manager Community and Corporate, Ms Kathy Woolley
Minutes Secretary, Ms Casey Clarke

CONFIRMATION OF MINUTES

Confirmation of the Minutes of the Finance and Services Committee Meeting of Council held on the 3 October 2006 were taken as read and confirmed by Councillors M J Wilson and M M Collins

DECLARATION OF INTEREST

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

Councillor B S Moran declared a pecuniary interest in Item 3 as her husband is an employee of Angus Place Colliery.

Councillor N L Castle declared a pecuniary interest in Item 8 as a recipient of his employer.

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 questions were received.

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REGIONAL SERVICES REPORTS

ITEM:1 REG - 06/11/2006 - UPPER MACQUARIE COUNTY COUNCIL -
WEEDS REPORT - SEPTEMBER 2006

REPORT FROM: GROUP MANAGER REGIONAL SERVICES – ANDREW MUIR

SUMMARY

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

COMMENTARY

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

06- 371 RESOLVED

THAT the information be received.

MOVED: Councillor M J Wilson

SECONDED: Councillor B S Moran.

CARRIED

**ITEM:2 REG - 6/11/2006 - UPPER MACQUARIE COUNTY COUNCIL - WEEDS
 REPORTS - OCTOBER 2006**

REPORT FROM: GROUP MANAGER REGIONAL SERVICES - ANDREW MUIR

SUMMARY

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

COMMENTARY

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

06- 372 RESOLVED

THAT the information be received.

MOVED: Councillor M J Wilson

SECONDED: Councillor M M Collins.

CARRIED

ITEM:3 REG - 06/11/06 - ANGUS PLACE COMMUNITY CONSULTATIVE COMMITTEE

REPORT BY: GROUP MANAGER REGIONAL SERVICES - ANDREW MUIR

SUMMARY

This report is to inform Council of an approval issued by the Minister for Planning for the Angus Place Colliery Mine Extension submitted by Centennial 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 Centennial Coal Pty Limited, for the extension to Angus Place Colliery. Conditions of consent accompanied the notification.

As part of the approval Condition 8(a) in Schedule 5 requires at least one representative of Council to be a member of the Community Consultative Committee (CCC). Other members of the Committee are to be two representatives of the proponent, at least three representatives from the local community and an independent Chairperson, or Council representative.

It is recommended that one Councillor be nominated for the committee together with one Council officer. Further it is recommended that Council indicate that it wishes to Chair the committee.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The consent provides a condition requiring the payment of a contribution to Council of \$105,000 consisting of \$75,000 for the upgrading of Wolgan Road being \$25,000 over three years and at least \$30,000 for the upgrading of community facilities within the local community.

LEGAL IMPLICATIONS

Conditions of consent that must be satisfied are the prime legal implication although being a State Government approval they will not necessarily be enforced by Council.

RECOMMENDATION

THAT Council elect a Councillor to sit together with the General Manager or nominee on the Community Consultative Committee for the Angus Place Colliery operations and Council indicate that it would like to Chair the Committee in accordance with Condition 8(b) of Schedule 5 of the consent document.

Councillor B S Moran declared a pecuniary interest in this item and vacated the Chambers.

06- 373 RESOLVED

THAT:

1. Council elect a Councillor to sit together with the General Manager or nominee on the Community Consultative Committee for the Angus Place Colliery operations and Council indicate that it would like to Chair the Committee in accordance with Condition 8(b) of Schedule 5 of the consent document.
2. Council held an election and Councillor H K Fisher was elected as a member of the Community Consultative Committee for the Angus Place Colliery. Councillor N L Castle was elected as the alternate delegate.

MOVED: Councillor M J Wilson

SECONDED: Councillor B P Morrissey.

CARRIED

ITEM:4 REG - 06/11/06 - DEVELOPMENT & CONSTRUCTION APPROVALS

REPORT FROM: GROUP MANAGER REGIONAL SERVICES – ANDREW MUIR

SUMMARY

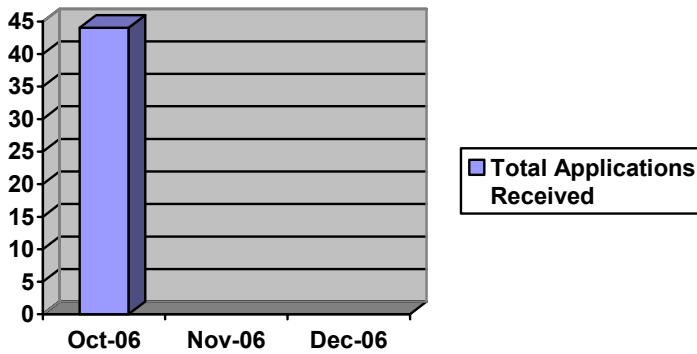
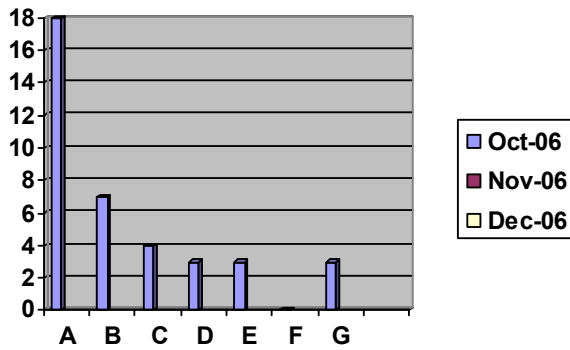
To provide statistical information on Development Applications and Construction Certificates processed.

COMMENTARY

Following installation of a new electronic registration system the traditional reports on Development Applications and Construction Certificates have been replaced with a report detailing the types of applications processed in each month. Over time this will evolve into useful statistical information. A full list of individual applications will be made available to Councillors and the press.

	Minor Development Approvals (including carports, garages and patios) A	Dwelling Approvals B	Dwelling Addition Approvals C	Other Residential Applications (including Dual Occupancies, Flats) D	Rural Subdivision Approvals E	Residential Subdivision Approvals F	Commercial /Industrial Approvals G	Total Applications Received
Oct 2006 *	18	7	4	3	3	0	3	44
Nov 2006								
Dec 2006								

* includes Approvals from 22 September 2006 to 31 October 2006



Total Estimated Cost:	\$3,717,494
Average Approval Time	21 days
Total Cost of Approvals from 1/01/06	\$24,961,672
No. of Applications from 1/01/2006	377

06- 374 RESOLVED

THAT the information be received

MOVED: Councillor M M Collins

SECONDED: Councillor M J Wilson.

CARRIED

ITEM:5 REG - 06/11/06 - PROPOSED ACCEPTANCE OF A SMALL STRIP OF LAND - HASSAN STREET - SOUTH BOWENFELS

REPORT FROM: ANDREW MUIR - GROUP MANAGER REGIONAL SERVICES

SUMMARY

To advise Council of an offer to accept part of an extension of an unformed street at South Bowenfels.

COMMENTARY

Council will recall a report to its ordinary meeting of 16 October 2006 in relation to a proposal to release a right of Carriageway over which Council has an interest. In that report it was foreshadowed that a request would be received for Council to accept dedication of an "extension" to Hassan Street. This formal request has now been received and is explained on the attached correspondence.

POLICY IMPLICATIONS

Should Council be of a mind to accept the land it would be required to consider its adopted policy on asset acquisition as follows:

When considering the acquisition and/or development of assets, Council will take into consideration;

- *The comparative long term ownership costs of the asset;*
- *Evidence of community demand for the provision or retention of the asset;*
- *The strategic worth of the asset and its community benefit;*
- *Whether the asset provides Council as positive return on the investment, and*
- *The extent to which the asset is subsidised by the community, through the use of general rate revenue.*

The long term ownership costs of asset acquisition and/or development must take into account;

- *Acquisition or Development costs;*
- *The cost of providing finance (i.e. opportunity costs and interest charges);*
- *Any warranty period applicable;*
- *The length, value and cost of any applicable maintenance agreements;*
- *The lifetime maintenance profile and costs;*
- *Energy consumption and projected costs;*
- *Any residual value (where applicable);*
- *An investigation of alternative acquisition arrangements, eg. Purchase, lease, rent, public partnership or resource sharing;*
- *An investigation as to alternative financing arrangements, eg. User pay, grants, loan funds or private sector, and*
- *Taxation issues under competition policy;*

Reports to Council on the acquisition and/or development of assets must include commentary on the above points as well as including details of;

- *Community demand;*
- *Strategic Worth to the Community;*
- *Asset return, and*
- *A comparison of long term ownership costs.*

Whilst the road in question is not a Crown road, Council has also recently adopted a policy not to maintain Crown roads unless the landholders enter into a work at owners cost arrangement.

FINANCIAL IMPLICATIONS

A nominal cost of \$1.00 is proposed for the land. All other costs would be borne by the proponents of the Retirement Village.

LEGAL IMPLICATIONS

The proposal would ensure legal access to the gun emplacements.

06- 375 RESOLVED

THAT Council indicate that it is willing to accept dedication of the extension strip from Hassan Street subject to:

1. All costs are borne by the proponents offering the extension of Hassan Street.
2. The Common Seal be affixed to all transfer documents.

MOVED: Councillor B S Moran

SECONDED: Councillor M J Wilson.

CARRIED

ITEM:6 REG - 06/11/06 - LITHGOW LOCAL GOVERNMENT WATER USAGE

REPORT FROM: Strategic Engineer – L. Kearney

REFERENCE

Nil.

SUMMARY

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

COMMENTARY

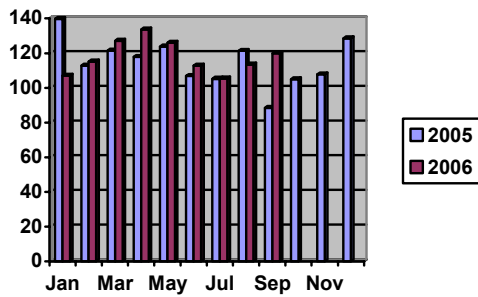
Lithgow Local Government Area Water Usage, including use from Farmers Creek Dam and Fish River Water Supply as at 30 September 2006. It should be noted that Council's maximum annual allocation of water from the Fish River Water Supply is 2,092 megalitres, and to date, Council has utilised 709 megalitres of water from this supply, equating to approximately 34% of its annual allocation.

	2005			2006		
	Farmers Creek Dam (ML)	Fish River Water Supply (ML)	Total (ML)	Farmers Creek Dam (ML)	Fish River Water Supply (ML)	Total (ML)

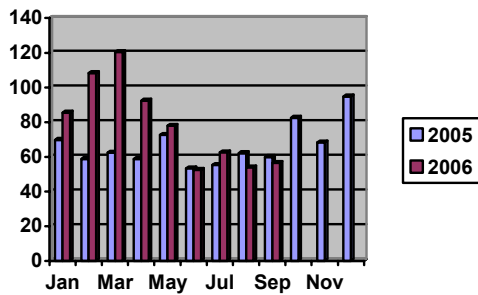
MINUTES – FINANCE AND SERVICES COMMITTEE MEETING OF COUNCIL

January	139.745	69.753	209.498	107.086	85.456	192.542
February	112.835	58.864	171.699	115.126	108.236	223.362
March	121.438	62.414	183.852	127.115	120.423	247.538
April	117.836	58.763	176.599	133.557	92.345	225.902
May	123.884	72.694	196.578	125.966	77.810	203.776
June	106.872	53.392	160.264	112.814	52.381	165.195
July	105.235	55.289	160.524	105.382	62.530	167.912
August	121.397	62.105	183.484	113.398	53.792	167.19
September	88.470	59.817	148.287	119.937	56.443	176.38
October	104.953	82.421	187.374			
November	107.772	68.302	176.074			
December	128.566	94.874	223.440			
TOTAL (ML)	1,379.003	798.688	2,177.691	1,060.381	709.416	1,769.797

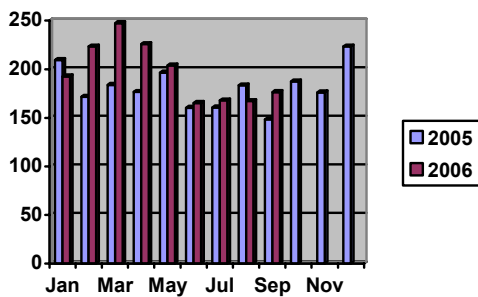
Farmers Creek Dam Usage (ML)



Fish River Water Supply Usage (ML)



Total Water Consumption in Lithgow LGA (ML)



Farmers Creek Dam is currently at 100% of its full capacity and Oberon Dam is currently at 32.32% of its full capacity.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

Nil.

06- 376 RESOLVED

THAT the information be received.

MOVED: Councillor M J Wilson

SECONDED: Councillor A E Thompson.

CARRIED

ITEM:7 REG - 06/11/06 - REMOVAL OF TREES NORTHERN SIDE OF MAIN ST, LITHGOW

REPORT BY: ANDREW MUIR – GROUP MANAGER REGIONAL SERVICES

COMMENTARY

Following a wind storm on 18 October, 2006 which brought a number of tree branches down across the Lithgow Local Government Area, Council engaged the services of a tree arborist to determine the status of a number of trees under Council's control. This report identified a number of large Eucalypts on the Northern side of Main Street opposite Coerwull School. A total of twelve trees in this row were inspected with the Arborists report identifying a number of trees suffering from fungal disease and termite infestation. Remedial action has been recommended for five of the trees which were considered to be in fair to good condition. This remedial action would involve pruning and the removal of deadwood. Of the twelve trees identified in the report, the Arborist has identified seven trees which are either dead or in decline and pose a realistic chance of branch failure with the recommendation that these trees be removed.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

At the time of writing two quotations had been received. These quotations are being reviewed but are both in excess of \$10,000. This may necessitate the reprioritisation of some proposed capital works to cater for the additional expenditure.

LEGAL IMPLICATIONS

As an Arborist's report has identified seven trees as posing a chance of branch failure and these trees are located in a high traffic area, the legal implications to Council could be severe.

06- 377 RESOLVED

THAT

1. Council engage an appropriately qualified contractor to remove the Eucalypts in Main Street that are dead or in decline and carry out remedial work on another five trees.
2. Council carry out traffic control in association with the works.
3. The removed trees be replaced with a suitable street tree species.
4. The required expenditure to be addressed in the December Quarterly review.

MOVED: Councillor M M Collins

SECONDED: Councillor A E Thompson.

CARRIED

COMMUNITY AND CORPORATE SERVICES REPORTS

ITEM:8 COMM - 06/11/06 - SEC 356 DONATIONS TO 18 OCTOBER 2006

REPORT FROM: INTERNAL SERVICES MANAGER - CAROL FARNSWORTH

REFERENCE

Minute 06-183: Council Meeting 19 June 2006
 Minute 06-292: Finance and Services Committee 4 September 2006
 Minute 06-332: Finance and Services Committee 3 October 2006

SUMMARY

To advise Council of payments allocated in 2006/07 from Local Government Act Section 356 donations which have been approved by Council resolution or as previously approved through the process to adopt the Management Plan for 2006/07 and to further seek Council consideration for current requests.

COMMENTARY

Council allocated \$20,000 in the 2006/09 Management Plan for donations approved under Section 356 of the Local Government Act.

As at 18 October 2006 the following payments have been made:

DATE	ORGANISATION	ASSISTANCE	AMOUNT
Management Plan Allocation 2006/07			\$20,000.00
24.07.06	GLATSIC Naidoc Week	Cont :Min 06-162 05.06.06	500.00
04.08.06	Lithgow High School	Presentation Day : as per Policy	50.00
07.08.06	Bicentennial National Trail	Refund DA Fees: Min 06-229	261.95
04.09.06	Lith Country Women's Assoc	General Rate Component Min 06-292	417.21
04.09.06	Wang Country Women's Assoc	General Rate Component Min 06-292	408.69
04.09.06	Portland Dist Motor Sports	Sponsorship (Following Advertising) Min 06-292	60.00
04.09.06	Lithgow & District Poultry Club	Sponsorship Min 06-292	300.00
04.09.06	Lithgow Golf	Sponsorship (Following Advertising) Min 06-292	1,000.00
04.09.06	Crystal Theatre Com Cinema	Sponsorship (Following Advertising) Min 06-292	500.00
04.09.06	Lithgow Greyhound Club	Sponsorship (Following Advertising) Min 06-292	4,350.00
03.10.06	Mitchell Conservatorium Inc	Scholarships for local students Min 06-332	275.00
03.10.06	Pied Piper Preschool	Assistance with equipment purchase Min 06-332	50.00
Total: Sec 356 Donations to 11 September 2006			\$8,172.85
2006/07 Allocation Remaining			<u>\$11,827.15</u>

Council is in receipt of the following requests for assistance and determination is required:

1. Blinky Bill Child Care Portland – Request not disclosed
Assistance with fundraising
Recommended donation of \$50.00 following required advertising in accordance with Policy guidelines for assistance to schools.
2. Portland Golf Club – Request not disclosed (Past years \$750.00)
Sponsorship of Open
Recommended donation of \$750.00 following required advertising in accordance with Policy guidelines.
3. Portland Central School – Request not disclosed
Assistance with Annual Presentation Ceremony on 19.12.06
Recommended donation of \$50.00 following required advertising in accordance with Policy guidelines for assistance to schools.
4. Ironfest – Request for assistance of \$2,840.00
Assistance with rental of venue for the 2005/06 event
Recommended donation of \$2,840.00 following required advertising in accordance with Policy guidelines.

Advertising to be conducted for any donations to businesses as per Local Government Act requirements in Section 356.

POLICY IMPLICATIONS

Payment in accordance with adopted policy

FINANCIAL IMPLICATIONS

Donations of \$8,172.85 have been made as at 18 October 2006, from \$20,000 allocated in the 2006/09 Management Plan. \$11,827.15 remains unallocated.

LEGAL IMPLICATIONS

Nil

Councillor N L Castle declared a pecuniary interest in this item and vacated the Chambers. Councillor B S Moran assumed the role as Chairperson.

06- 378 RESOLVED

THAT:

1. Council note donations of \$8,172.85 made under Section 356 to 18 October 2006 arising from previous resolutions or as included in the Council's Management Plan or Donations Policy;
2. Following appropriate advertising for donations, Council grant funds from Sec 356 allocation as follows:

ITEM	ORGANISATION	AMOUNT
1)	Blinky Bill Child Care	\$50.00
2)	Portland Golf Club	\$750.00
3)	Portland Central School	\$50.00
4)	Ironfest	\$2,840.00
	TOTAL	\$3,690.00

3. Council offer \$50 'donation' to all schools in the Lithgow Local Government area from the donation fund for prizes in the Annual Speech Night/Day Presentations and such be advertised in accordance with the Act and Councils Adopted Policy.

MOVED: Councillor B P Morrissey

SECONDED: Councillor M J Wilson.

CARRIED

Councillor Castle resumed the role of Chairperson.

ITEM:9 COMM - 06/11/06 - COUNCIL INVESTMENTS SEPTEMBER 2006

REPORT FROM - INTERNAL SERVICES MANAGER - C FARNSWORTH

REFERENCE

Min 06-237: Finance and Services Committee 7 August 2006 (investments for July 2006)
 Min 06-330: Finance and Services Committee 3 October 2006 (investments for August 2006)

SUMMARY

To advise Council of 2006/07 investments held for the period ending 30 September 2006.

COMMENTARY

The amount invested as at 30 September 2006 when compared to 31 August 2006 has increased by \$636,317.43.

INVESTMENT REGISTER 2006/07								
INSTITUTION	INV TYPE	DATE LODGED	DATE DUE	DAYS	INT	VALUE 31.08.06	VALUE 30.09.06	% OF TOTAL
ANZ	TD	27.09.06	27.10.06	30	6.10	537,308.07	545,461.02	4.52%
CBA	SHIELD	04.12.04	04.12.06	730	6.75	600,000.00	600,000.00	4.97%
	On Call				5.95	1,187,090.07	1,787,090.07	14.82%
	Ethical	20.06.06	20.06.11	1825	6.85	500,000.00	500,000.00	4.15%
CITIBANK	TD	19.09.06	19.12.06	90	6.29	500,000.00	507,649.86	4.21%
	TD	27.08.06	30.10.06	63	6.22	500,000.00	500,000.00	4.15%
LG FINANCIAL	TD	14.08.06	14.11.06	92	6.27	1,166,282.69	1,166,282.69	9.67%
	TD	29.08.06	06.12.06	93	6.30	772,445.52	772,445.52	6.40%
	TD	01.08.06	29.11.06	90	6.32	500,000.00	500,000.00	4.15%
IMBS	On Call				5.75	4,964.74	4,964.74	0.04%
	TD	11.09.06	10.11.06	60	6.22	529,883.56	535,389.41	4.44%
	TD	04.09.06	03.11.06	60	6.22	1,000,000.00	1,015,008.77	8.42%
	TD	28.06.06	29.06.07	364	6.41	450,000.00	450,000.00	3.73%
	TD	21.08.06	21.11.06	90	6.28	250,000.00	250,000.00	2.07%
ALLIANCE	Managed	01.04.02	28.02.07	365		1,000,000.00	1,000,000.00	8.29%
ST GEORGE	TD	17.08.06	07.01.07	153	6.01	250,000.00	250,000.00	2.07%
	TD	08.08.06	09.10.06	62	6.13	505,137.53	505,137.53	4.19%
	TD	17.08.06	17.11.06	92	6.19	800,000.00	800,000.00	6.63%
	TD	25.08.06	24.10.06	60	6.13	371,954.89	371,954.89	3.08%
			TOTAL			11,425,067.07	12,061,384.50	100.00%

I, Carol G Farnsworth, Lithgow City Council Internal Services Manager (Responsible Accounting Officer) certify as required under Local Government (General) Regulations 2005, that Council's investments have been made in accordance with the Local Government Act 1993, Regulations and Lithgow City Council's Investment Policy.

POLICY IMPLICATIONS

All Council's investments are held in accordance with Lithgow City Council's Investment Policy.

FINANCIAL IMPLICATIONS

Investment income to date, 30 September 2006 totals \$141,350.62. Interest is paid on the maturity date of the investment and managed funds report earnings quarterly.

LEGAL IMPLICATIONS

Investments are held in accordance with the Lithgow City Council's 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
- Local Government (General) Regulation 2005
- Trustee Amendment (Discretionary Investments) Act 1997- Section 14A(2), 14c(1) & (2)

06- 379 RESOLVED

THAT Council's 2006/07 investments for the period ending 30 September 2006 be received.

MOVED: Councillor M M Collins

SECONDED: Councillor M J Wilson.

CARRIED

ITEM:10 COMM - 06/11/06 - CREDIT CARD USAGE AUGUST AND SEPTEMBER 2006

REPORT FROM - INTERNAL SERVICES MANAGER C FARNSWORTH

REFERENCE

Min 06-331: Finance & Services Committee of 3 October 2006 (July 2006)

SUMMARY

To advise Council of transactions made for expenses by Council's Credit Card holders and recommendation their approval.

COMMENTARY

In accordance with Department of Local Government Circular 06-57 dated 5 September 2006 the following advice is provided for purchases made by designated officers using Council's Credit Cards from the 1 August 2006 to 30 September 2006.

All reconciliations have been provided by each officer and authorised in accordance with 'Council Credit Card Standard working Procedures'.

AUGUST 2006

DESIGNATED POSITION	DATE	PURCHASE	AMOUNT
Mayor		No Transactions	
General Manager		No Transactions	
Group Manager Regional Services	11.08.06	ACP Publishing Pty Ltd – Annual Subscription	59.95
	16.08.06	HWT Services Website – Travel Booking processing fee	14.50
	17.08.06	HWT Web Bookings – Travel to & from Residential School (Trainee Planner)	244.40
	23.08.06	DEC Information - Biosolids Guidelines	16.50
	31.08.06	Lithgow Pizza Hut – Strategic & Marrangaroo Working Party	42.13
Group Manager Community & Corporate	01.09.06	Grand Central - Governor of NSW Visit	245.82
	04.09.06	Woolworths - Governor of NSW Visit	34.28
Internal Services Manager		No Transactions	
TOTAL CREDIT CARD TRANSACTIONS AUGUST 2006			659.57

SEPTEMBER 2006

DESIGNATED POSITION	DATE	PURCHASE	AMOUNT
Mayor		No Transactions	
General Manager	14.09.06	Premier Parking (meeting with Pottery Estate Pty Ltd)	10.00
	14.09.06	Mercure Hotel - Wollie Creek (will be refunded by Regional Arts)	154.00
	17.09.06	Mercure Hotel - Wollie Creek (will be refunded by Regional Arts)	40.00
Group Manager Regional Services	05.09.06	Workcover – Annual Lift accreditation	65.00
Group Manager Community & Corporate		No Transactions	
Internal Services Manager		No Transactions	
TOTAL CREDIT CARD TRANSACTIONS SEPTEMBER 2006			269.00

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Expenditure allocations as per 2006/07 Management Plan

LEGAL IMPLICATIONS

Nil

06- 380 RESOLVED

THAT Council acknowledge 2006/07 Credit Card transactions for the month of 1 August 2006 to 30 September 2006.

MOVED: Councillor B P Morrissey**SECONDED:** Councillor B S Moran.**CARRIED**

ITEM:11 COMM - 06/11/06 - POTTERY ESTATE REZONING AND DRAFT DEVELOPMENT CONTROL PLAN

REPORT FROM: POLICY & PLANNING MANAGER – A MUIR

REFERENCE

Question Without Notice, Councillor MJ Wilson, Council Meeting 21 August 2006

SUMMARY

This report provides an update as to the progress of the Pottery Estate rezoning and draft Development Control Plan.

COMMENTARY

Further to Councillor Wilson's Question Without Notice at Council's meeting of 21 August 2006, the following information is provided in relation to the proposed rezoning at Pottery Estate and the draft Pottery Estate and Adjacent Lands Development Control Plan for Business, Recreational and Residential Land Uses (draft DCP).

Draft Lithgow City Local Environmental Plan Amendment No. 11 – Pottery Estate

In relation to the proposed rezoning of 2 parcels of land at the Pottery Estate, Council is still awaiting information it requested on 9 August 2006, being a site auditors contamination report on the proposed residential parcel of land. The Developer has advised that a Site Auditor was engaged on 30 October 2006 and that the work is due for completion in approximately 4 weeks.

Furthermore, Council has just received further information on the proposed business parcel of land which was also requested on 9 August 2006. This information is being reviewed to determine its adequacy.

The above information must be satisfactory i.e. permit the proposed business and residential uses on the respective parcels of lands from a contamination perspective and is required to allow Council to finalise the documentation to be forwarded to the Department of Planning.

Draft Pottery Estate and Adjacent Lands Development Control Plan for Business, Recreational and Residential Land Uses

The exhibition period for the draft DCP has been completed. The submissions and draft DCP are currently being reviewed with the intention of reporting the outcome to Council at its Policy and Strategy Committee Meeting of 4 December 2006.

POLICY IMPLICATIONS

There are no policy implications as a result of this report. However, the draft Lithgow City Local Environmental Plan Amendment No. 11 and draft DCP will change policy if gazetted/adopted in the future.

FINANCIAL IMPLICATIONS

There are no financial implications as a result of this report.

LEGAL IMPLICATIONS

There are no legal implications as a result of this report. However, if the draft Lithgow City Local Environmental Plan Amendment No. 11 is gazetted it will become a legal Environmental Planning Instrument.

06- 381 RESOLVED

THAT the information be received.

MOVED: Councillor M M Collins

SECONDED: Councillor B S Moran.

CARRIED

COMMITTEE MEETINGS

ITEM:12 **REG - 06/11/06 - SPORTS ADVISORY COMMITTEE MEETING -
MINUTES 25 SEPTEMBER 2006**

REPORT BY: Strategic Engineer – L.Kearney

SUMMARY

Details of the Minutes of the Sports Advisory Committee Meeting held on Monday, 25 September 2006, for Council adoption.

COMMENTARY

At the Sports Advisory Committee Meeting held on Monday, 25 September 2006, the Committee discussed seventeen (17) items, 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- 382 RESOLVED

THAT Council adopt the recommendations of the Sports Advisory Committee for the meeting held on Monday, 25 September 2006.

MOVED: Councillor M J Wilson

SECONDED: Councillor B S Moran.

CARRIED

**ITEM:13 REG - 06/11/06 - SPORTS ADVISORY COMMITTEE - MINUTES 30
 OCTOBER 2006**

REPORT BY: Strategic Engineer – L. Kearney

SUMMARY

Details of the Minutes of the Sports Advisory Committee Meeting held on Monday, 30 October 2006 for Council adoption.

COMMENTARY

At the Sports Advisory Committee Meeting held on Monday, 30 October 2006, there were ten (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- 383 RESOLVED

THAT Council adopt the recommendations of the Sports Advisory Committee for the meeting held on Monday, 30 October 2006.

MOVED: Councillor B S Moran

SECONDED: Councillor M J Wilson.

CARRIED

QUESTIONS WITHOUT NOTICE

QWN - COUNCILLOR H K FISHER

1. Mr Mayor who is responsible for the Council ordinance signs and the policing of those signs?

Depending on the signage and the type of offence, criminal prosecution may fall to either Council or the Police. However, it is important to note that as condition of booking a Council sporting field or park it is the hirers responsibility to "ensure compliance with any Council policy that is outlined in any signage at the facility (eg the prohibition of the consumption of alcohol). Security and crowd control are also the responsibility of the hirer." It should be noted that an audit is to commence this week in line with Council's decision on a new logo and this should lead to replacement of outdated signs.

QWN - COUNCILLOR B P MORRISSEY

1. Mr Mayor claims are being made by a Rydal resident, Mr Daryl Jenkins, that Condition 5, DA 203/06 is not being met. Claims are made that the Engineering Department allowed variations on this condition involving sight distances. As Cuthill Road is a single lane road and sight distance is important on the entrances, would Council officers respond to Mr Jenkins allegation? Will the condition of consent above be enforced?

Condition number 5 of the consent provides that "the entrance shall have minimum sight distance of no less than 160 metres either side of the entrance to be constructed". The applicant has identified entrances that may be marginally less than 160 metres. Even though Council's Development Engineer has inspected the proposed access locations and believes them to be safe, proper process must be followed if there is any doubt as to the technical compliance of the condition. With this in mind the applicant has been requested to submit a modification application in relation to the condition regarding entrances. It is noted that Mr Jenkins' letter infers a breach of privacy in relation to the developer. The officer involved has denied breach. The developer has also been questioned and emphatically denies obtaining any information from a Council officer.

2. Mr Mayor it is obvious from complaints by Main Street business people that pavement cleaning needs to occur on a daily basis. Given the use and prominence of this business area, why can't we give this matter more serious attention?

Council has only received one complaint/work request in recent months regarding the pavers. This was received on 23 October 2006 regarding a sticky section near Higgins & Higgins. Within 7 days the trees had been treated for "scale" which was apparently causing the problem and pressure cleaned. An inspection today found the pavement to be satisfactory. The time allocated to pavement cleaning has been increased to 24 hours per week. In recent weeks this has been affected by illness to the operator. Should businesses have any issues then they should contact Council's customer service unit who will contact the relevant department for action.

3. Mr Mayor what is the current position of the Emirates development? Is Council aware of timelines for this project? Will they be met? Can we have discussions with the proponents to seek how we can assist them and bring some pressure and urgency to this matter which seems to be bogged down by government bureaucracy?

Emirates has proceeded well and are expecting approvals before Christmas. The General Manager is in constant discussions and has assisted when and where possible.

QWN - COUNCILLOR M J WILSON

1. Mr Mayor I attended the 25th VRA celebrations recently and would like to present on behalf of the VRA a plaque to Council which they would like to be placed on public display at Council, is this possible?

This will be arranged.

2. Mr Mayor I am in receipt of a letter from the Local Air League indicating they would like to host the review of all leagues in Lithgow In 2007. Is it possible for Council to investigate whether this can happen and also can the General Manager have a meeting with the Air League to discuss this?

The Mayor advised that a meeting can be arranged.

The meeting closed at 7.24PM

Memo

To: Councillors
From: Group Manager – Community and Corporate
CC: General Manager, Group Manager Regional Services, GM's secretary, Media
Date: December 15, 2006
Re: Report to Policy and Strategy Committee - Item 15: Management Plan September Review

Councillors;

Please note that the report listed as Item 15 in the Policy and Strategy Committee contains the September quarter income and expenditure figures on page 35 which have been presented in reverse order. Income was \$50,120,416 while expenditure was \$49,872,772 to produce a surplus of \$247,644.

Hence, the table should read as follows:

Original and September quarter Budget Comparison

Budget (Inc Internal)	Income	Expenditure	Total
Original	\$47,782,234	\$48,147,675	(\$365,441)
September Quarter	\$50,120,416	\$49,872,772	\$247,644

Council may wish to note this correction in the resolution to ensure clarity in subsequent readings of the report.

Kathy Woolley
Group Manager – Community and Corporate.