



LITHGOW CITY COUNCIL

**MINUTES**

FINANCE AND SERVICES COMMITTEE  
MEETING OF COUNCIL

HELD ON

05 NOVEMBER 2007

**MINUTES OF THE LITHGOW CITY COUNCIL MEETING  
HELD AT THE CIVIC CENTRE, LITHGOW ON 5 NOVEMBER 2007**

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Meeting Commenced at 7.00pm

Public Gallery: 10

The Mayor made a speech regarding the sudden passing of Member for Calare, Mr Peter Andren. The Council noted the sadness of this occurring and on behalf of the community wishes to pass on their condolences to his family. A moment of silence was taken.

**PRESENT**

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

**ABSENT**

Councillor M F Ticehurst

**APOLOGIES**

An apology was received and accepted from Paul Anderson General Manager who is out the City on business.

**MOVED:** Councillor B S Moran **SECONDED:** Councillor M M Collins.

**07-469 RESOLVED**

**CARRIED**

**Also in attendance**

Group Manager Regional Services, Mr Andrew Muir  
Group Manager Community and Corporate Services, Ms Kathy Woolley  
Minutes Secretary, Miss Casey Clarke  
IT Manager, Mrs Ally Shelton  
Policy and Planning Manager, Mrs Amanda Muir  
Tourism Manager, Miss Jodie Rayner

**CONFIRMATION OF MINUTES**

Confirmation of the Minutes of the Finance and Services Committee Meeting of Council held on the 2 October 2007 were taken as read and confirmed by Councillors H K Fisher and W McAndrew

**07-470 RESOLVED**

**CARRIED**

**DECLARATION OF INTEREST**

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

NIL

**QUESTIONS FROM THE PUBLIC GALLERY**

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

NIL QUESTIONS WERE ASKED

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## GENERAL MANAGER REPORTS

### ITEM:1 GM - 05/11/07 - TELSTRA PAYPHONES

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#### REFERENCE

NIL

#### SUMMARY

This report is in relation to correspondence received from Mr Kerry Bartlett MP in regards to Telstra payphones.

#### COMMENTARY

Correspondence has been received from Kerry Bartlett MP in relation to the removal of the Telstra payphone at 25 Williwa Street, Portland.

Mr Bartlett advises that:

*"the Government recognises that access to payphones is an important community service and it is for this reason that access to payphones is protected in legislation by the universal service obligation (USO).*

*The payphone USO provides that all people in Australia, wherever they live or work should have reasonable access, on an equitable basis, to payphone services.*

*The Government requires Telstra to comply with the procedures in its Standard Marketing Plan (SMP) in relation to the removal and relocation of its payphones. The Australian Communications and Media Authority (ACMA) is responsible for monitoring Telstra's compliance with these obligations.*

*ACMA has an active role in monitoring Telstra's compliance with the USO and investigating payphone removals. Telstra is required to report to ACMA on a quarterly basis on payphone downtime, fault repairs and the number of reports about faulty payphones.*

*If Telstra decides to remove or relocate a payphone in an area, it is required to ensure that the removal or relocation complies with its SMP obligations. Telstra must consult with either the community or the site owner and in all case with the local government authority.*

*When the payphone is the only one at a public site, consultation must include the posting of a notice on the payphone for at least three months.*

*The notice must:*

- *Indicate Telstra's intention to remove or relocate the payphone*
- *Indicate the grounds on which it is proposing to remove or relocate a payphone*
- *Seek comments from interested parties and*
- *Include an explicit reference to the role of ACMA in monitoring Telstra's compliance with its USO.*

*The letter which Telstra provides to the local government authority must contain similar information.*

*Telstra must acknowledge in writing all written comments received regarding the proposed removal of a payphone within five working days.*

*Before a decision is taken to remove the payphone, any comments provided by the local community, sit owner and local government authority must be taken into account. If requested, Telstra must also advise interested parties of the final removal decision. When the payphone is the only one at a site, Telstra must formally respond to any letter and email complaint it has received with a response providing the grounds for the decision and advising that ACMA can be contacted if the complainant wishes to take the matter further.*

*In this instance I have contacted the regional Payphone Provisioning Manager who advised that the request for removal of the phone was initiated by a local resident possibly due to vandal or loitering activities in the area. I understand a removal notice has been placed on the phone by Telstra and that they have advertised in the local press. It was further advised that strong community objection could prevent the removal of the payphone which is due for removal in November, but to date, only one letter of complaint has been received, that being from Lithgow City Council".*

#### **POLICY IMPLICATIONS**

NIL

#### **FINANCIAL IMPLICATIONS**

NIL

#### **LEGAL IMPLICATIONS**

NIL

#### **07-471 RESOLVED**

**THAT** the information be received.

**MOVED:** Councillor M J Wilson

**SECONDED:** Councillor B S Moran.

**CARRIED**

**ITEM:2 GM - 05/11/07 - GREAT ESCAPADE 2008 - USE OF GLANMIRE AND PORTLAND SHOWGROUNDS**

**REPORT BY: TOURISM MANAGER – J. RAYNER**

**REFERENCE**

Min 07-155: Policy and Strategy Meeting 7 May 2007

**SUMMARY**

The Great Escapade, a bike ride organised by Bicycle Victoria and Bicycle NSW, is set to arrive in Lithgow on the 29 March 2008 and Portland on the 31 March 2008. Permission is sought for use of the Glanmire Oval in Lithgow and Portland Showground as a camping area. Council has already approved expenditure in this year's budget to support the event.

**COMMENTARY**

Bicycle NSW and Cycle Victoria are currently preparing for the 2008 Great Escapade for New South Wales, with plans to hold the ride on The Tablelands Way, taking in the Lithgow region. The ride potentially will consist of between 2500-3000 riders participating on the nine day ride, to be staged through Lithgow on the 29<sup>th</sup> March 2008 and Portland on the 31<sup>st</sup> March 2008.

Cycle Victoria has successfully organised other similar events in Victoria titled "The Great Victorian Bike Ride", which attracts approximately 4-5,000 entries for the nine day event. Bicycle NSW conducts "The Big Bike Ride" which has in the past attracted approximately 1,000 entries to the event. In 2008 these two agencies will work together on the NSW Ride, ensuring that greater community engagement and promotion of the event occurs.

A major PR campaign is associated with the event, including website, marketing collateral including posters and flyers.

**The Great Escapade Target Markets**

The primary target markets for the Great Escapade are:

Overnight, prime markets	Overnight niche markets	Day Visits
<ul style="list-style-type: none"> <li>Event Participants (Bike riders associated with the event)</li> <li>VFR (Visiting friends &amp; relatives)</li> </ul>	<ul style="list-style-type: none"> <li>Groupies (specifically those that attend similar events)</li> </ul>	<ul style="list-style-type: none"> <li>Locals</li> </ul>

**Economic Impacts of the Great Escapade**

Estimations for economic contribution to New South Wales for the Great Escapade is \$2.1 Million expenditure into the State's Economy by Riders. It is estimated that the Great Escapade would have the following economic benefits to the Lithgow region:

Date of Event:	29 <sup>th</sup> March 2008	31 <sup>st</sup> March 2008
Total Attendance:	2500	2500
Visitor Expenditure:	\$125,000 (based on average \$50 per visitor. Average spend of visitors per day)	\$125,000 (based on average \$50 per visitor. Average spend of visitors per day)

**Benefits for the Lithgow and Portland regions**

In attracting the Great Escapade to the Lithgow region, the following benefits would be derived:

- Community Benefit – Health and fitness awareness for the greater community. Encourage local participation.
- Economic Benefits - Spend during the Ride, tourism benefit with the Opportunity for Return Visits due to promotion of riding trails. Location of camp sites close to the town CBD will encourage increased spend within the retail sector.

- Promotion Benefits – a promotional campaign geared specifically to this target market

The Great Escape will be promoted in the following ways:

- Ride specific marketing brochure – 200,000+
- Web based marketing campaign – 50,000 per month
- PR Campaign - TV, Press, Radio
- Promotional DVD
  - Featuring the route and towns visited
  - Distribution to every Ride Participant – 2500 – 3000

### Investment for the Big Bike Ride

Organisers of the 2008 Great Escapade have assessed sites in both Lithgow and Portland for suitability for the event. Based on specifications, the event organisers have considered both the Glanmire Oval and Portland Showground to be the most suitable locations to host the Great Escapade Camp Sites. Organisers have considered the availability of water and sewerage that is required at each location. The Great Escapade brings with them enough cabling and pipes to access water and sewer supplies.

The following requirements are sought for the organisation of the Great Escapade:

Facilities	Glanmire Oval Lithgow	Portland Showground
Camping site	Camp site to be located on the Glanmire fields for approx 2,000 to 3,000 campers Great Escape will partition off cricket pitches as requested	Camp site to be located on the oval for approx 2,000 to 3,000 campers Great Escape will partition off cricket pitches as requested
Shower Facilities (4 to 5 trucks)	<ul style="list-style-type: none"> <li>▪ To be located in the carpark area</li> <li>▪ Require access to sewer and hydrants for water</li> </ul>	<ul style="list-style-type: none"> <li>▪ To be located at the Lime Street side of the showground</li> <li>▪ Require access to sewer and hydrant.</li> </ul>
Toilets (5 or 6 trucks)	<ul style="list-style-type: none"> <li>▪ To be located in the carpark area</li> <li>▪ Require access to sewer</li> </ul>	<ul style="list-style-type: none"> <li>▪ To be located at the Lime Street side of the showground</li> <li>▪ Require access to sewer</li> </ul>
Catering Truck and Tent	<ul style="list-style-type: none"> <li>▪ To be located on Glanmire field</li> <li>▪ Require access to water via cannon points</li> </ul>	<ul style="list-style-type: none"> <li>▪ To be located on the oval</li> <li>▪ Require access to water</li> </ul>
Luggage Trucks (4 trucks)	To be located on Glanmire field	To be located on oval
Building Access	Require access to hockey building to site medical, physio and massage therapists	Require access to the Mick Moore Pavillion to site medical, physio and massage therapists
Waste Services	<ul style="list-style-type: none"> <li>▪ Require access to wheelie bins or skips on site</li> <li>▪ Require emptying of waste facilities on the Saturday</li> </ul>	<ul style="list-style-type: none"> <li>▪ Require access to wheelie bins or skips on site</li> <li>▪ Require emptying of waste facilities on the Monday</li> </ul>

Organisers of the event will ensure site cleanliness after the event, to the extent that they sweep the grounds with a metal detector to ensure all tent pegs are removed.

### Financial Implications for the Great Escapade 2008

The following costs for use of Council facilities would apply for the 2008 Great Escapade:



Council Charges	Fee
<b>Site Hire</b>	
Glanmire Oval	\$363.00
Portland Showground	\$363.00
<b>Bond</b>	
Glanmire Oval	\$313.50
Portland Showground	\$313.50
<b>Camp on ground</b>	
Glanmire Oval	\$181.50 per night
Portland Showground	\$181.50 per night
<b>Sewerage – dumping into sewer</b>	
Glanmire Oval	\$28.50 per 1,000 litres
Portland Showground	Dumping of 7,000 litres
	Total - \$997.50
	Staff wages \$32.63 (hourly rate)
	Rostered for 4 hours
	Total - \$130.52
<b>Garbage Waste Removal</b>	
Glanmire Oval	2 men @ \$35.00 per hour
	\$280.00 per location
	Total - \$560.00
Portland Showground	Toyota Dyna use
	\$52.80 per hour
	\$211.20 per day (4 hours)
	Total - \$422.40
	Total for two days - \$844.80
<b>TOTAL</b>	<b>\$4248.82</b>

Lithgow City Council, at its Policy and Planning Meeting of the 7 May 2007 resolved to budget \$6,000 to support the production of marketing collateral and to attract the event to the region. The above fees and charges are additional costs for the Great Escapade. It is recommended that the above fees and charges in relation to the Great Escapade be waived.

Access to the following sites is required:

- Glanmire Oval
- Portland Showground

Access is also required for sewerage and water at both locations.

Access to waste services (garbage bins) is required as well as services to remove waste.

Approval is sought to access the hockey building and the Mick Moore Pavilion for use of medico services.

## POLICY IMPLICATIONS

Council's Donations policy provisions apply.

## FINANCIAL IMPLICATIONS

The following costs for use of Council facilities would apply for the 2008 Great Escapade:

Council Charges	Fee
<b>Site Hire</b>	
Glanmire Oval	\$363.00
Portland Showground	\$363.00
<b>Bond</b>	
Glanmire Oval	\$313.50
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<b>Sewerage – dumping into sewer</b>	
Glanmire Oval	\$28.50 per 1,000 litres
	Dumping of 7,000 litres

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Portland Showground	Total - \$997.50 Staff wages \$32.63 (hourly rate) Rostered for 4 hours Total - \$130.52
<b>Garbage Waste Removal</b> Glanmire Oval	2 men @ \$35.00 per hour \$280.00 per location Total - \$560.00
Portland Showground	Toyota Dyna use \$52.80 per hour \$211.20 per day (4 hours) Total - \$422.40 Total for two days - \$844.80
<b>TOTAL</b>	<b>\$4248.82</b>

It is recommended that these fees and charges be waived.

However, Council would need to specifically add this amount to the donations budget as it is fully expended at this time.

**LEGAL IMPLICATIONS**

NIL

**RECOMMENDATION****THAT**

1. Permission be granted for the use of the Glanmire Oval on the 29 March 2008 for the Great Escape as a camping location
2. Council co-ordinate with Lithgow Hockey for the use of the hockey building as medical facilities
3. Permission be granted for the use of the Portland Showground on the 31 March 2008 for the Great Escape as a camping location
4. That the following fees for use of the Glanmire oval and Portland Showground by the Great Escapade be waived and this amount be added to the Council's Donations vote for 2007/08:

<b>Council Charges</b>	<b>Fee</b>
<b>Site Hire</b>	
Glanmire Oval	\$363.00
Portland Showground	\$363.00
<b>Bond</b>	
Glanmire Oval	\$313.50
Portland Showground	\$313.50
<b>Camp on ground</b>	
Glanmire Oval	\$181.50
Portland Showground	\$181.50
<b>Sewerage – dumping into sewer</b>	
Glanmire Oval	\$28.50 per 1,000 litres Dumping of 7,000 litres Total - \$997.50
Portland Showground	Staff wages \$32.63 (hourly rate) Rostered for 4 hours Total - \$130.52
<b>Garbage Waste Removal</b>	
Glanmire Oval (including staff wages)	2 men @ \$35.00 per hour \$280.00 per location Total - \$560.00
Portland Showground (including staff wages)	Toyota Dyna use \$52.80 per hour \$211.20 per day (4 hours) Total - \$422.40 Total for two days - \$844.80
<b>TOTAL</b>	<b>\$4248.82</b>

5. Council supply staff to manage waste services at the Glanmire Oval. This includes placing of bins at the Glanmire oval on the 29 March 2008 and emptying and removal of bins on the 30 March 2007 and transfer of bins to Portland Showground.
6. Council supply staff to manage waste services at Portland Showground on the 1 April, 2008
7. Council provide access to sewerage and water at both the Glanmire Oval and Portland Showground for use by the Great Escapade Camp Site.

**07-472 RESOLVED****THAT**

1. Permission be granted for the use of the Glanmire Oval on the 29 March 2008 for the Great Escape as a camping location
2. Council co-ordinate with Lithgow Hockey for the use of the hockey building as medical facilities
3. Permission be granted for the use of the Portland Showground on the 31 March 2008 for the Great Escape as a camping location
4. Council supply staff to manage waste services at the Glanmire Oval. This includes placing of bins at the Glanmire Oval on the 29 March 2008 and emptying and removal of bins on the 30 March 2007 and transfer of bins to Portland Showground.
5. Council supply staff to manage waste services at Portland Showground on the 1 April, 2008
6. Council provide access to sewerage and water at both the Glanmire Oval and Portland Showground for use by the Great Escapade Camp Site.

**MOVED:** Councillor M M Collins  
**CARRIED**

**SECONDED:** Councillor M J Wilson.

An **MOTION** was put that the site hire and camp on ground charges be \$500 in total with a report to be provided on the costings and impact of the waiving of the other fees to the November Council Meeting.

**07-473 RESOLVED**

**MOVED:** Councillor H K Fisher  
**CARRIED**

**SECONDED:** Councillor B P Morrissey.

## REGIONAL SERVICES REPORTS

ITEM:3            REG - 05/11/07 - SUCCESSFUL GRANT FUNDING - CRYSTAL  
                         THEATRE PORTLAND

REPORT BY: GROUP MANAGER REGIONAL SERVICES - ANDREW MUIR

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### REFERENCE

Nil

### SUMMARY

To advise Council of a successful application under the Federal Regional Partnerships programme.

### COMMENTARY

Advice has been received from the Hon Mark Vaile MP, Deputy Prime Minister and Minister for Transport and Regional Services, of Council's successful application under the Regional Partnerships programme. Council has been allocated an amount of \$152,141 (including GST) towards its project *Sustaining the Crystal @ Portland* which proposes to undertake a number of improvements to the theatre including:

- Construction of disabled access
- Electrical upgrade to the building
- Installation of heating
- Upgrade to kitchen and toilet facilities
- Various works to the auditorium
- Painting

### POLICY IMPLICATIONS

No immediate policy issues arise as a result of this report.

### FINANCIAL IMPLICATIONS

With contributions from Council, NSW Ministry for the Arts, Mine Workers Trust and Delta Electricity the project has available funds of over \$330,000 and can now proceed.

### LEGAL IMPLICATIONS

No immediate legal issues arise as a result of this report.

### 07-474 RESOLVED

THAT the information be received and noted.

**Moved:** Councillor M J Wilson

**Seconded:** Councillor B S Moran.

**CARRIED**

**ITEM:4 REG - 05/11/07 - DEVELOPMENT AND CONSTRUCTION APPROVALS**

**REPORT FROM: GROUP MANAGER REGIONAL SERVICES – ANDREW MUIR**

**SUMMARY**

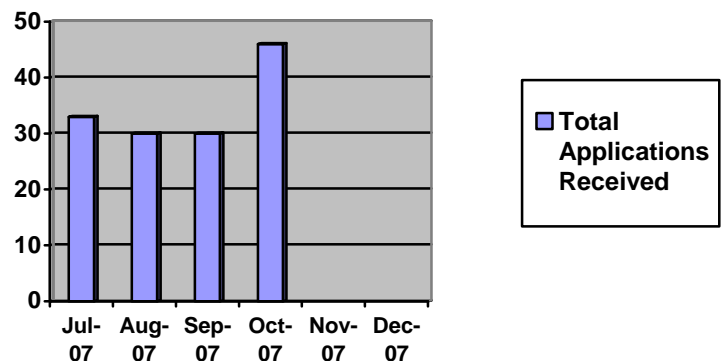
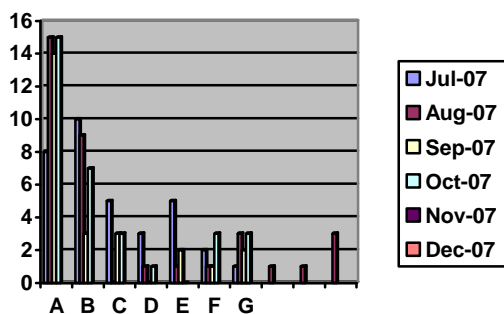
To provide statistical information on Development Applications and Construction Certificates processed.

**COMMENTARY**

The following table indicates Development Applications and Construction Certificates approved in the period between Finance and Services Committee Meetings. A full list of individual applications received and approved is 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
Jul 2007	8	10	5	3	5	2	1	33
Aug 2007	15	9	0	1	1	1	3	30
Sep 2007	14	3	3	0	2	1	2	25
Oct *2007	15	7	3	1	0	3	3	46
Nov 2007								
Dec 2007								

\* includes Approvals from 23/09/2007 TO 26/10/2007



**APPROVALS**

Total Estimated Cost:	\$7,846,005
Average Approval Time	22 days
Total Cost of Approvals from 1/01/2007	\$32,129,979
No. of Applications from 1/01/2007	348

**07-475 RESOLVED**

**THAT** the information be received

**MOVED:** Councillor B P Morrissey

**SECONDED:** Councillor W McAndrew.

**CARRIED**

**ITEM:5            REG - 05/11/07 - PORTLAND POOL PROJECT - PROPOSED VARIATION**

**REPORT BY: GROUP MANAGER REGIONAL SERVICES - ANDREW MUIR**

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**REFERENCE**

Min 05-325:    Extraordinary Meeting 27 June 2005  
Min 05-496:    Council Meeting 04 October 2005  
Min 06-369:    Policy and Strategy Meeting 06 November 2006  
Min 07-99:     Ordinary Meeting 19 March 2007  
Min 07-291:    Ordinary Meeting 16 July 2007  
Min 07-367    Ordinary Meeting 20 August 2007

**SUMMARY**

To consider a variation to the Portland Pool contract.

**COMMENTARY**

Council has received a variation of contract request from the successful tenderer, Ocean Pool Liners and Covers Pty Ltd, in the sum of \$30,000. The variation request involves the refurbishment of the centre return line channel. The work will be carried out by reconstructing the centre return line by removing the existing concrete and tiles, converting the channel to a PVC pipe, joining to the existing cast steel pipes utilising flexible joints at the junctions and at the expansion joints and reconcreting prior to lining.

Council will recall that the issue of the return channel was previously raised when tenders were initially considered, with the option of revisiting the work required left open until the pool was emptied and the condition of the channel investigated. This has now been completed and it is recommended that the work proceed in conjunction with the pool lining.

The contractor has indicated that a further 2 weeks will be required to complete the project, meaning that the pool will be completed in the second week in December.

**POLICY IMPLICATIONS**

Council's Donations Policy, OHS Policy and Safety System applies.

**FINANCIAL IMPLICATIONS**

The table below provides details of the cost implications.

Project Budget MP	=	\$200,000
Ocean Blue Contract	=	\$161,401.08 excl GST
	=	\$177,541.18 inc GST
Proposed Variation	=	\$30,000 excl GST
	=	\$33,000 inc GST

Total Expenditure with variation  
= \$191,401.08 excl GST  
= \$210,541.18 inc GST

It should be noted that whilst strictly a budget variation taking into account GST, the loan of \$200,000 which has been taken out will not require alteration due to the claiming back of tax credits.

**LEGAL IMPLICATIONS**

There are no legal implications arising from this report

**07-476 RESOLVED**

**THAT** the contract with Ocean Blue Pool Liners and Covers Pty Ltd be varied in the sum of \$30,000 (ex GST) for the refurbishment of the centre return line at the Portland Pool

**MOVED:** Councillor B P Morrissey

**SECONDED:** Councillor M J Wilson.

**CARRIED**

**ITEM:6            REG - 05/11/07 - DEVELOPMENT APPLICATION / CONSTRUCTION  
CERTIFICATE 159/07 - WALLERAWANG SCHOOL - EARTHWORKS,  
FENCE AND SHED**

**REPORT BY: ANDREW MUIR – GROUP MANAGER REGIONAL SERVICES**

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## **REFERENCE**

NIL

## **SUMMARY**

To determine Development Application/Construction Certificate 159/07 for the construction of earthworks, a fence and shed. Recommendation will be for approval subject to conditions.

## **COMMENTARY**

Council is in receipt of a Combined Development Application/Construction Certificate 159/07, on behalf of Wallerawang Public School seeking development consent for earthworks, shed and fencing. The applicant proposes earthworks including cut and fill of land to establish a flat working surface for a proposed football field. Additionally, the proposal involves the erection of an additional storage shed and fencing for the perimeter of the property.

There is a separate report in the business paper dealing with the purchase of part of the land from Council. Although not part of the DA assessment, the development could not proceed until the sale of land is finalised.

## **POLICY IMPLICATIONS**

As the development is proposed for Council owned land the application must be determined by Council, or its appropriate committee.

## **FINANCIAL IMPLICATIONS**

Nil

## **LEGAL IMPLICATIONS**

See Section 79(c) report attached.

## **07-477 RESOLVED**

**THAT** the report be received and the combined development application/construction certificate be approved subject to the conditions outlined in the Section 79(c) report attached.

**MOVED:** Councillor M M Collins

**SECONDED:** Councillor B S Moran.

**CARRIED**



## COMMUNITY AND CORPORATE SERVICES REPORTS

**ITEM:7            COMM - 05/11/07 - SITE EXTENSION OF WALLERAWANG PUBLIC SCHOOL & ACCESS INTO THE WALLERAWANG INDOOR SPORTS CENTRE**

**REPORT FROM: POLICY & PLANNING MANAGER - AMANDA MUIR**

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### REFERENCE

Min 1008: Council Meeting 31 August 1998  
Min 04-669: Council Meeting 15 June 2004  
Min 06-47: Council Meeting 20 February 2006  
Min 06-131: Finance and Services Committee Meeting 1 May 2006

### SUMMARY

This report provides details on the negotiations for compensation for the acquisition of part of Lot 1 DP 1074586, Barton Avenue, Wallerawang by the Department of Education and Training and access over the Department's land for the Wallerawang Indoor Sports Stadium.

### COMMENTARY

#### Background

Council may recall that it has considered the sale of part of Lot 1 DP 1074586, Barton Avenue, Wallerawang (subject land) to the Department of Education and Training a number of times. Of most relevance are the following resolutions:

- Finance and Services Committee Meeting 1 May 2006 (Min No. 06-131):
  - 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.
  - Council advise the independent valuer of the revised area and request a current market valuation
  - 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.
  
- Council Meeting 20 February 2006 (Min No. 06-47):
  - 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.
  - Council advise the Department of Education that current market valuation will be accepted as the purchase price of the proposed lot.
  - Council engage the services of an independent valuer to provide a current market valuation.
  - The Department of Education to pay all legal, survey and valuation fees associated with the sale.

- A further report be provided to Council advising of the sale price prior to final acceptance and authorisation for the execution of documents.
- 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.

This report provides details on the negotiations for compensation for the acquisition of the subject land and access over the Department of Education and Training's land for the Wallerawang Indoor Sports Stadium.

### **Market Valuation and Compensation**

The following market valuations have been considered by officers of the Department of Education and Training and Council in negotiating the level of compensation for the subject land:

- \$10,000 by Property Valuation Services dated 1 March 2005
- \$10,000 by Regional and Rural Valuers Pty Ltd dated 28 November 2006.

Officers of the Department of Education and Training and Council have verbally agreed 'in principle' on \$10,000 compensation, subject to the Department's written acceptance and Council's resolution. The written advice from the Department had not been received at the time of preparing this report, however, if advice is received prior to the Council meeting, Councillors will be updated by a Memorandum. Nevertheless, the matter is reported to Council seeking its endorsement of the compensation value and approval to execute all documents under Council's seal at the next Council meeting.

In addition, Council will note that a Development Application has been reported to this meeting for determination of a proposed shed and extensions to the sporting field at Wallerawang Public School. The sporting field is partly located on this subject land and it is therefore suggested that Council advise Wallerawang Public School that no works are to be undertaken on the subject land until the matter of compensation has been resolved.

### **Access for the Wallerawang Indoor Sports Stadium**

The Department of Education and Training have agreed to a Plan of Easement whereby a formal Right of Carriageway would be granted to Council to access the Wallerawang Indoor Sports Stadium over the Department's land. Also, a reciprocal Licence Agreement has been negotiated for the use of the carparks i.e. Council can use the Department's carpark in association with the use of the Stadium and the Department can use the Council's carpark on the Stadium site. The Plan of Subdivision for the Wallerawang Indoor Stadium including the Plan of Easement has been prepared and the Licence Agreements are being reviewed by Council's Solicitor.

It should be noted that it is now possible for Council to lodge a Development Application for the subdivision of the Wallerawang Indoor Sports Stadium site and the sewer pump station from the remainder of the parcel of land. In addition, this subdivision will also allow a formal lease agreement to be made with the Wallerawang Indoor Sports Association.

**POLICY IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

If the compensation is acceptable to Council and the Department of Education and Training, an amendment will be made to the Management Plan 2007/08 to 2009/10 at a quarterly review showing that \$10,000 income is expected to be received in 2007/08 from the settlement of this matter. The money will be allocated to the internally restricted property reserve.

**LEGAL IMPLICATIONS**

Council's Solicitor LeFevre and Co. have been and will continue to assist Council in the finalisation of this issue.

**07-478 RESOLVED****THAT:**

1. The \$10,000 compensation for the acquisition of part Lot 1 DP 1074586 be accepted.
2. The Right of Carriageway and Licence Agreement involving the Wallerawang Indoor Sports Stadium is acknowledged.
3. All documents be executed under Council's Seal for the sale and Right of Carriageway at the next Council meeting.
4. Wallerawang Public School be advised that no works are to be undertaken on Council owned land until the matter of compensation has been finalised.
5. The Development Application for the subdivision of the Wallerawang Indoor Sports Stadium and sewer pump station be prepared and lodged with Council upon finalisation of the plan of subdivision.
6. Negotiations are held with the Wallerawang Indoor Sports Association to prepare a lease agreement.

**MOVED:** Councillor H K Fisher  
**CARRIED**

**SECONDED:** Councillor M J Wilson.

**ITEM:8            COMM - 05/11/07 - GUN EMPLACEMENT UPDATE**

**REPORT BY: COMMUNITY & CULTURE MANAGER - P HALL**

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**REFERENCE**

Min 07-250: Council meeting 18 June 2007

**SUMMARY**

It was resolved at Council's meeting on 18 June 2007 to seek from the RSL sub-branch ideas for the development of a list of prioritised works for the gun emplacement at South Bowenfels to be undertaken as Council approved expenditure through future budget processes. This report provides a progress update on the issue.

**COMMENTARY**

A meeting was held with representatives of the RSL and Council on 24 September 2007 and ideas for the development of a list of prioritised works for the gunning placements were discussed.

A RSL representative confirmed that after their branch meeting a letter would be sent to Council confirming what the priorities are for improvements to the gun emplacements. The list will be placed on exhibition to gather any other community comments prior to being used in the preparation of the draft 2008/09 Management Plan when it will be presented to Council for determination of which projects will be funded.

The issue of ownership remains unresolved with further investigation not uncovering any additional information to confirm the Council's ownership of the guns.

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Funds of \$13,800 including GST, less expenses, received for the hire of the 3.7inch anti aircraft gun for filming are allocated to the ongoing works at the gun emplacement at South Bowenfels and will be spent in accordance with the prioritised works list once developed.

**LEGAL IMPLICATIONS**

Nil

**CONCLUSION**

The Council is supplied with this update report and will receive the prioritised list for consideration once it has been received

**07-479 RESOLVED**

**THAT** Council finalise the list of prioritised works and after exhibiting and seeking community comment use the list to present suggested scope of works for the Gun Emplacements in the 2008/09 Management Plan.

**MOVED:** Councillor M J Wilson  
**CARRIED**

**SECONDED:** Councillor M M Collins.

**ITEM:9            COMM - 05/11/07 - COUNCIL INVESTMENTS TO 15 OCTOBER 2007**

**REPORT FROM - INTERNAL SERVICES MANAGER - C FARNSWORTH**

**REFERENCE**

Min 07-401: Finance and Services Committee Meeting 3 September 2007 (July 2007)  
 Min 07-425: Council Meeting 17 September 2007 (August 2007)

**SUMMARY**

To advise Council of 2007/08 investments held for the period ending 15 October 2007.

**COMMENTARY**

The amount invested as at 15 October 2007 when compared to 31 August 2007 has decreased by \$190,278.

INVESTMENT REGISTER 2007/08								
INSTITUTION	INV TYPE	DATE LODGED	DATE DUE	DAYS	INT	VALUE 15.10.07	VALUE 31.08.07	% OF TOTAL
ANZ	TD	1.10.07	29.10.07	29	6.56	574,972.99	574,972.99	3.51%
CBA	CMS Nt	06.11.06	06.11.11	1,825	7.31	500,000.00	500,000.00	3.05%
	On Call				6.45	1,663,050.94	1,649,077.64	10.14%
	Ethical	20.06.06	20.06.11	1,825	9.25	500,000.00	500,000.00	3.05%
	TD	15.10.07	14.12.07	60	6.75	1,008,717.53	1,000,000.00	6.15%
	TD	19.08.07	19.11.07	90	6.81	1,250,000.00	1,250,000.00	7.62%
CITIBANK	TD	11.09.07	10.12.07	91	7.13	534,119.76	528,331.28	3.26%
LG FINANCIAL	On Call				6.40	384,714.43	684,714.43	2.35%
	TD	06.07.07	06.11.07	120	6.56	300,000.00	300,000.00	1.83%
	TD	18.06.07	12.09.07	86	6.47	0.00	526,036.14	0.00%
	TD	07.08.07	07.11.07	90	6.65	519,060.33	519,060.33	3.16%
	TD	10.09.07	10.12.07	90	7.10	502,915.07	500,000.00	3.07%
	TD	15.10.07	16.01.08	91	7.00	2,472,361.25	2,425,000.00	15.07%
IMBS	On Call				6.50	272,095.25	269,185.48	1.66%
	TD	07.09.07	07.11.07	61	7.01	1,082,377.64	1,064,956.70	6.60%
	TD	15.10.07	15.01.08	92	6.98	488,044.84	478,765.97	2.98%
	TD	06.06.07	06.09.07	92	7.09	787,274.99	774,661.38	4.80%
	TD	23.08.07	23.11.07	92	6.92	762,436.12	762,436.12	4.65%
	TD	05.09.07	05.11.07	60	7.09	500,000.00	0.00	3.05%
ALLIANCE	Managed	01.04.02	28.02.08	365		1,000,000.00	1,000,000.00	6.10%
ST GEORGE	TD	17.10.07	17.04.08	180	7.05	508,461.37	502,779.18	3.10%
	TD	15.10.07	15.01.08	90	6.90	792,208.60	783,111.84	4.83%
<b>TOTAL</b>						<b>16,402,811.11</b>	<b>16,593,089.48</b>	<b>100.00%</b>

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 15 October 2007 is \$208,285.09. 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 dated 17 March 2000
- Local Government (General) Regulation 2005
- Trustee Amendment (Discretionary Investments) Act 1997- Section 14A(2), 14c(1) & (2)

**CONCLUSION**

The Council is presented with the investments register for the period ending 15 October 2007.

**07-480 RESOLVED**

**THAT** Council's 2007/08 investments for the period ending 15 October 2007 be received.

**MOVED:** Councillor H K Fisher      **SECONDED:** Councillor M J Wilson.

**CARRIED**

**ITEM:10      COMM - 05/11/07 - DLG INVESTMENTS REVIEW DATA COLLECTION**

**REPORT FROM - INTERNAL SERVICES MANAGER - C FARNSWORTH**

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**REFERENCE**

Nil

**SUMMARY**

To advise Council of the response to DLG Circular 07-47 "Council Investments – Review" with a recommendation that the information be received.

**COMMENTARY**

The Department of Local Government Circular 07-47 advised of their recent concerns in the decline in the 'sub - prime' mortgage market in the USA and the fact that some Councils may have been exposed to losses through their investments in structured financial products and as a result they would review investments held by each Council. The main focus of the review is to clarify the exposure of NSW Councils to any losses.

In order to determine the level of exposure, all Councils were required to provide details of their investments via a circulated spreadsheet and a copy of Lithgow return is provided as an attachment to this report for information.

Council holds no investments in the sub-prime market area. Council's Investment Policy is followed for all investments and Council is provided with monthly reports indicating the performance of the investments to ensure the Council is aware of the investments undertaken.

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**LEGAL IMPLICATIONS**

Nil

**CONCLUSION**

Council has complied with the Department's request to submit information on the investment decisions and processes taken and advises that the investment policy is the basis for all investment. The information is submitted to Council for information.

**07-481 RESOLVED**

**THAT** the return be noted and the information received.

**MOVED:** Councillor B S Moran

**SECONDED:** Councillor M J Wilson.

**CARRIED**

**ITEM:11          COMM - 05/11/07 - DISPOSAL OF SURPLUS IT EQUIPMENT**

**REPORT BY: INFORMATION TECHNOLOGY MANAGER - A SHELTON**

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**REFERENCE**

NIL

**SUMMARY**

To seek Council approval to dispose of IT equipment that has been identified as surplus to Council's needs due to redundancy of the equipment or assessment that it is beyond reasonable repair.

**COMMENTARY**

The IT department has a program of primary and secondary allocation of IT equipment, however every year items are removed from service due to upgrade, replacement, redundancy. The IT department wishes to dispose of this surplus equipment in the following manner:

**Section 355 Committees**

There are six computers in working order that would be available for offer to Council's Section 355 committees. These computers are low-end machines, but would be suitable for word processing and basic spreadsheets. If the computers are not required by the committees, they should be entered into the Sale by Expression of Interest.

**Sale by Expression of Interest (EOI)**

Items to be sold by EOI include chassis, monitors, peripherals, and printers, in both working and non working condition. Any working computers that are able to be included will not be sold with software due to Council's licensing restrictions.

**Disposal of Unwanted Equipment**

Any equipment that remains following the sale will be disposed of by environmentally sound means.

**POLICY IMPLICATIONS**

Lithgow City Council's Policy 1.3 "Assets Disposal"

**FINANCIAL IMPLICATIONS**

The assets have already been written off.

**LEGAL IMPLICATIONS**

NIL

**CONCLUSION**

In completing the audit of Council's IT equipment the extraneous equipment located is surplus to Council's needs and is predominantly outdated. By calling for Expressions of Interest, Council may be able to make available machine for use by the community. Any equipment remaining would be disposed of in the most environmentally sound means available.

**07-482 RESOLVED**

**THAT** Council resolve to dispose of surplus IT equipment by calling for expression of interest following an offer being made to the Section 355 committees.

**MOVED:** Councillor M J Wilson

**SECONDED:** Councillor B P Morrissey.

**CARRIED**



**COMMITTEE MEETINGS**

**ITEM:12            COMM - 05/11/07 - ENVIRONMENTAL ADVISORY COMMITTEE MEETING MINUTES**

**REPORT FROM: COMMUNITY AND CULTURE MANAGER - P HALL**

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**REFERENCE**

Min 07-316: Policy and Strategy Meeting 6 August 2007  
Min 07-389: Policy and Strategy Meeting 3 September 2007  
Min 07-443: Policy and Strategy Meeting 2 October 2007

**SUMMARY**

To consider the Environmental Advisory Committee Meeting minutes from the S355 Environmental Advisory Committee Meeting held on the 10 October 2007.

**COMMENTARY**

The Environmental Advisory Committee Meeting minutes are attached.

Staff comments follow:

- Item 7. Hyde Park Management plan is presently being progressed.
- Item 8. The Plan of Management for Hassans Walls has not been finalised as of yet.
- Item 9. Launch of the Lithgow Active Community Project (Lake Pillans) is to take place at 4.30pm on Wednesday 14 November 2007

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**LEGAL IMPLICATIONS**

Nil

**07-483 RESOLVED**

**THAT** the information be received

**MOVED:** Councillor B P Morrissey

**SECONDED:** Councillor W McAndrew.

**CARRIED**

**ITEM:13            REG - 05/11/07 - SPORTS ADVISORY COMMITTEE MINUTES 29TH  
                          OCTOBER 2007**

**REPORT BY:    GROUP MANAGER REGIONAL SERVICES - ANDREW MUIR**

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**SUMMARY**

Details of the Minutes of the Sports Advisory Committee Meeting held on Monday, 29 October 2007 for Council adoption.

**COMMENTARY**

At the Sports Advisory Committee Meeting held on Monday, 29 October 2007, there were nine (9) 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

**07-484 RESOLVED**

**THAT:**

1. Council note the recommendations of the Sports Advisory Committee for the meeting held on Monday, 29 October 2007.
2. The actions be referred to the General Manager enact.

**MOVED:** Councillor M J Wilson

**SECONDED:** Councillor B S Moran.

**CARRIED**

## QUESTIONS WITHOUT NOTICE

### QWN - 05/11/07 - COUNCILLOR H K FISHER

1. Mr Mayor I have received complaints from residents in Inch Street regarding the vegetation along Farmers Creek and near the Atkins Street Bridge. Can Council please have this vegetation cleared immediately as there have been sightings of snakes and rats and the residents are very concerned?

*The Mayor advised that this work will be listed as a works request.*

### QWN - 05/11/07 - COUNCILLOR W MCANDREW

1. Mr Mayor I refer to a memo from the General Manager regarding Enhance Place and ask Council if we have an update on this issue as yet?

*The Mayor advised that no update has been given to Council.*

### QWN - 05/11/07 - COUNCILLOR A E THOMPSON

1. Mr Mayor I have received complaints from a resident in Hartley Valley Road regarding trees being lopped in that area and then dumping the trees and branches near the Gap Road which is blocking the drains. Can Council please investigate this issue?

*The Mayor advised that this will be ruled as urgent given current rain levels and asked that a works request to be resolved as soon as possible.*

The Meeting closed at 7.25pm.