



LITHGOW CITY COUNCIL

MINUTES

EXTRA ORDINARY MEETING OF COUNCIL

HELD ON

10 JUNE 2008

**MINUTES OF THE LITHGOW CITY COUNCIL MEETING
HELD AT THE CIVIC CENTRE, LITHGOW ON 10TH JUNE 2008**

Meeting Commenced 7.30PM

Public Gallery: 62

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 Stephen Darlington
Group Manager Community & Corporate Services, Suzanne Lollback
Minutes Secretary, Miss Casey Clarke

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 7.30pm members of public gallery were invited to address questions through the Mayor to Councillors and Staff: -

PRESENTATION - 10/06/08 - TED LESTER - PROPOSED AQUATIC CENTRE

Mr Ted Lester gave a presentation on behalf of the pensioners of the Lithgow Local Government area in relation to the proposed Aquatic Centre and the special rate variation.

The Mayor thanked the public for the submissions received and their interest in the Management Plan.

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COMMUNITY AND CORPORATE SERVICES REPORTS

ITEM:1 DRAFT MANAGEMENT PLAN 2008/09 - 2010/11 AND SPECIAL RATE VARIATION APPLICATION

REFERENCE

Min P08-07: Policy and Strategy Committee Meeting 4 February 2008

Min P08-36: Policy and Strategy Committee Meeting 7 April 2008

Min 008-48: Ordinary Meeting of Council 21 April 2008

SUMMARY

This report recommends the adoption of the Draft Management Plan 2008/09 – 2010/11 with identified amendments and the determination as to whether the Council supports Option 1 - Special Variation to the Ordinary Rate for the Indoor Aquatic Centre.

COMMENTARY

The Council at its Policy and Strategy Committee Meeting of 7 April 2008 resolved “*that the Draft Management Plan 2008/09 – 2010/11 be placed on public exhibition for a period of 37 days from 10 April to 16 May 2008*”.

Council at its Ordinary Meeting of Council of 21 April 2008 resolved “*that the exhibition period for the Draft Management Plan be extended until 4.30pm on 21 May 2008*”.

The Council advertised calling for public submissions and presented the Draft Management Plan at nine public meetings spread across the Local Government Area. A report, providing a summary of the public submissions, has been prepared for the consideration of the Council. This is at Attachment 1. In addition, full copies of all the submissions without identifying factors are provided to Councillors under separate cover.

The Draft Management Plan contains two options:

Option 1 – Special Variation to the Ordinary Rate for the Indoor Aquatic Centre

This special variation to the ordinary rate involves a \$10 increase to the 2007/08 base rate, an estimated increase in the rate peg ad valorem rate of 3.5% and a 6.45% increase in the ad valorem rate for the indoor aquatic centre special variation.

It should be noted that the special variation to the ordinary rate for the provision of fire services in the Local Government Area which was approved and adopted in 2006/07 will continue. Also, the special rate for parking at 1.06% will continue in the designated area of Lithgow.

Option 2 – Ordinary Rate Without Special Variation.

This ordinary rate involves a \$10 increase to the 2007/08 base rate and an estimated increase in the rate peg ad valorem rate of 3.5%

It should be noted that the special variation to the ordinary rate for the provision of fire services in the Local Government Area which was approved and adopted in 2006/07 will continue. Also, the special rate for parking at 1.06% will continue in the designated area of Lithgow.

Public Submissions

The Council received over 1,400 individual public submissions.

Option 1

By far the greatest response from Public Submissions concerned Option 1. – The Special Variation to the Ordinary Rate for the Indoor Aquatic Centre and Infrastructure Improvements.

Most responses indicated either in favour of the introduction of a special rate or against it. Very few provided a conditional response.

The following table identifies the number of people supporting or not supporting Option 1 and whether they live in the Lithgow urban area or in the villages or rural areas.

	Lithgow/ Marrangaroo	Villages/ rural	Not stated	Total
Supports Special Variation	335	167	42	544
Against Special Variation	200	620	41	861
TOTAL	555	787	45	1405

Some comments from those not supporting the Special Variation are:

- Fix basics first
- Roads need fixing
- Pensioners would find it difficult to pay more
- Property owners who own more than one property penalised
- Would like more detail
- Population not large enough
- Rural ratepayers little opportunities to use pool
- Rural ratepayers being unfairly targeted and expected to pay unreasonable amount.
- Cost not justified by need.
- Evidence suggests facilities of this kind have been economically unviable and operational and maintenance costs have to be subsidized by Councils.
- Need a more equitable method of financing.

Some comments from those supporting the Special Variation are:

- It is my opinion that this would be a fantastic asset to the Lithgow Region.
- Lithgow one of the only towns in the Central Tablelands that is without such a facility.
- Travels out of town once a week for swimming lessons.
- Could you please build a new Indoor Aquatic Centre in Lithgow NSW we can train all year and get really fast for our swim races (10 year old)
- As a parent and an educator ... I would like to express my support, and interest in the development of an indoor aquatic centre.
- Granddaughter competitive swimmer who trains 12 months a year. In summer buys all shopping in Lithgow, in winter travel to Bathurst and shops there.
- Benefits would be great for the town... residents not travelling out of Lithgow for therapy.
- I'm only nine but am sure all my friends would agree. I believe it would attract tourists.
- Aid to the improvement of community health.
- Hydro therapy only provides restricted access.

Some comments from those who may support the Special Variation with conditions are:

- Concept designs, feasibility assessment to determine financial viability
- Could Council consider a one off payment of \$100
- A per capita civic resident weighting should be considered.
- If funded by other sources (Government) would be a wonderful asset to the community.
- Would support if legitimate survey indicated majority support

Option 2

A number of submissions relating primarily to Option 1 contained information that also applied to Option 2. In particular a number of comments relating to the poor quality of roads in rural areas were raised.

The public submissions relating to Option 2 included comments on: the skatepark, mountain bike track, rating levels for coalmines, Septic Safe, Hermitage Colliery site, a number of rural roads, environmental issues, needs of indoor hockey, ground fees, Civic Ballroom hire fees, Union Theatre hire fees, Lowther Cemetery fees, and radio and TV receptions in Capertee Valley.

A full summary of comments relating to Option 2 can be found on pages 28-31 of Attachment 1.

Staff Recommendation

Based upon the results of the Public Submission and further advice received from the Police and Community Youth Clubs, it is recommended that the Council does not proceed with Option 1 - Special Variation to the Ordinary Rate for the Indoor Aquatic Centre. (see confidential letter attached).

Submissions for Funding

A number of submissions for funding were received for consideration in the 2008/09 Management Plan. A full summary of these submissions is contained in Attachment 2.

A list of these submissions for funding and Staff recommendations follow:

Submission	Requested	Officer recommendation
Lake Wallace Community Boat Shed	\$10,000 donation \$10,000 interest free loan	That prior to a decision being made, a report be submitted to the Council that provides information on ownership of the facility, Council's role as lessee of the foreshore, and Delta's role.
Ironfest	\$60,000/year for 5 years to a total of \$300,000 Council's current level of support is \$15,000	That Council does not provide further financial support to Ironfest above the current \$15,000 allocated in the Draft Management Plan.
Lithgow Golf Club	\$16,563 for painting or cladding to the exterior of the building	That Council uses the \$10,000 allocated in the Draft Management plan to install handrails valued at \$4,000 with \$6,000 being utilised for painting using the Council's own painter.

Glen Davis Community Association	\$4,150 being 50% of costs for improvements to the Council owned community hall.	That Council provide \$4,150 towards the costs of improvements to the Glen Davis Community hall.
Lifeline	\$2,500 towards telephone counselling	That Council provide an additional \$500 to Lifeline in addition to the \$1000 identified in the Draft Management Plan.
Korean-English School	\$750 donation towards the cost of hiring the Learning Centre (Library) meeting room.	That Council provide a donation of \$375 towards the hiring of the Learning Centre (Library) meeting room.
Upper Macquarie County Council	\$31,257 towards the cost of clerical/accounts officer	That Council note that an allocation of \$153,257 has been provided in the Draft Management Plan which includes the \$31,257.
Lithgow Hockey Association	\$750 per season	That Council not support the submission from the Lithgow Hockey Association for the waiving of the fees.
Lithgow Tidy Towns	\$9,800 for plantings to entrances to Lithgow and street trees	That Council note that an allocation of \$6,000 has been allocated in the Draft Management Plan for Tidy Town Committees.
Lithgow District Garden Club Inc	\$500 for promotion of the Lithgow Open Garden Event	That Council provide a donation of \$500 to the Lithgow District Garden Club.

Recommended Amendments to Draft Management Plan

Fees And Charges

The following amendments to the Fees and Charges Schedule in the Draft Management Plan are recommended.

Page		Amendment
	603 Certificate	The Department of Local Government have advised that the charge for a 603 Certificate will be: Standard Certificate - \$60 Urgent Certificate - \$170
Page 60	Kremer Park, Portland fees	An error in the fees for Kremer Park, Portland have been identified, with the fee being \$908.00 per season, not \$804.00 per season.
	Kremer Park Special Event	Include Bond \$230 Include Hire/day \$184 Include Bump In/Bump Out per day \$92
	Lake Wallace	Include Bond \$230 Include Bump In/Bump Out per day \$92
	Saville Park	Include Bond \$230 Include Hire/day \$184 Include Bump In/Bump Out per day \$92
Page 62	Tony Luchetti Showground	Include Bump In/Bump Out per day \$184 Include Part facilities (not oval) per event \$184
Page 63	Sporting Fields	Change wording to Bond not deposit

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Page 63	Other users	Include Part Lighting \$7 per hour
Page 65	Blast Furnace	Include Bond \$230. Include Special Event \$184 Include Bump in/Bump Out per day \$92
Page 65	Watsford Oval	Include Bond \$230. Include Special Event \$184 Include Bump in/Bump Out per day \$92
Page 65	MARJORIE JACKSON	Include Bond \$230. Include Special Event \$184 Include Bump in/Bump Out per day \$92 Lighting \$7.00 per hour
Page 71	Same day inspection	Add back in \$130
	Cemetery	
Page 66	Outside Working Hours (3.30pm)	Change from per site to per hour
Page 66	Outside Working Hours (3.30pm)	Change from Saturday to Saturday per hour
	Development	
Page 71	Same day inspection	Add back in \$130
Page 70	Archive Fee	Delete
Page 74	Development Application/ Construction Certificate Archive Fee	Change wording to Archive Fee

Hall Hires

Following a number of public submissions the following hall hire fee amendments are recommended.

CIVIC BALLROOM		
Refundable deposit	Bond GST only if bond used	\$315
Charity	Per event	60% of commercial fee
Major function includes the use of all facilities	Per event	\$856
Minor function only includes use of only the ballroom	Per event	\$121
Preparation/rehearsals for major or minor functions	Per day	\$184
Preparation/rehearsals for major or minor functions	Per hour (if less than 6 hours)	\$33
Major function and 10 rehearsals	Per event	\$1300
Major function and a week's setup	Per event	\$1300
UNION THEATRE		
Upstairs room – community groups	Per booking per hour	\$20
Upstairs room – commercial	Per booking per hour	\$31.50

Hall – community groups	Up to 4 hours	\$60
Hall – commercial	Up to 4 hours	\$184
Hall – community groups	Per 4 hour sessions	\$60
Hall – commercial	Per 4 hour sessions	\$184
Hall – community groups	Per event up to 3 days	\$320
Hall – commercial	Per event up to 3 days	\$1575

End of Year Result Predicted For 30 June 2008 and Estimated Surplus

A preliminary review of end of financial year results (June 2008) estimates a surplus of \$100,000.

2007/08 Quarterly Budget Comparisons			
Budget (Inc Internal)	Income \$'000	Expenditure \$'000	Total \$'000
Original	\$66,500	\$66,499	\$1
September Quarter	\$62,769	\$63,273	(\$504)
December Quarter	\$63,128	\$63,472	(\$344)
March Quarter	\$61,218	\$61,181	\$37
May(for June Quarter)		Estimated	\$100

In addition, there is a current estimated surplus of \$180,000 in the Draft Management Plan for the 2008/09 financial year. This provides an overall estimated surplus of \$280,000.

It is recommended that the following allocations be made:

- \$100,000 Road Resheeting program (Roads to be advised)
- \$50,000 Road Resealing program (Roads to be advised)
- \$39,525 To unrestricted Cash as at 30.06.08
- \$90,475 Committed to Projects

It is recommended that the following amounts be Committed to Projects

- \$5,000 Christmas decorations
- \$500 Lifeline
- \$375 Korean school
- \$500 Gardens
- \$10,000 Wallerawang entrance statement
- \$4,100 Glen Davis
- \$5,000 Certified softfall replacement
- \$30,000 intersection of Ibis and Sanford Ave
- \$30,000 Portland laneways
- \$5,000 Jobs Summit in July
- \$90,475 TOTAL**

Programs listed below have been highlighted to carry forward from 2007/08 to 2008/09 as revotes or works in progress:

- Grant works in progress \$110,400
- Council works General \$600,400
- Council works Water \$710,000
- Council works Sewerage \$403,000
- Council works Waste \$170,000

Other Projects

South Bowenfels Reservoir

The 2007/08 water loan required for South Bowenfels Reservoir of \$650,000 is requested to carry forward to 2008/09 and be included in the loan borrowing program for that year

Lithgow No 1 and No 2 Dams - Investigation and Remedial Works

Recently the Department of Water and Energy have conducted routine investigations of Lithgow No 1 and No 2 Dams. These investigations recommend a number of further investigations and works that should be undertaken to both dams including storage level recording, specialised crack survey of dam face, repair abutments and pipe installation to No 1 Dam. This also has a relationship to geotechnical investigations currently underway and a question asked by Councillor Fisher as to the feasibility of re-commissioning the No 1 Dam. To undertake the works and further investigations it is recommended that an additional item be included in the 2008/2009 budget of \$200,000 for dam investigation works. This will allow the recommended works to proceed and also allow investigation into the feasibility of re-commissioning No 1 Dam. This will be funded from water fund reserves and thus have no bottom line impact on the budget.

Effluent Reuse Lithgow Golf Club

Council had provided a Wastewater Fund allocation \$600,000 in the Draft 2008/09 Management Plan to construct infrastructure to provide 100% effluent reuse at the Lithgow Golf Club. This was fully funded by grant works from the Federal Government therefore did not impact on Council's estimated surplus for 2008/09. We have now been advised that the grant has been approved for \$350,000 which will alter the Draft 2008/09 Management Plan and wastewater expenditure and income will be reduced accordingly. Council will be informed of an amended plan of works in due course.

Clarence Transfer Station

Council had provided a Water Fund allocation of \$4,000,000 in the Draft 2008/09 Management Plan to construct infrastructure for the Clarence Transfer Station. This was fully funded by grant works from the Federal Government therefore did not impact on Council estimated surplus for 2008/09. We have now been advised that the grant has been approved as \$500,000 for 2008/09 and \$3,500,000 for the 2009/10 financial year. Income and expenditure in the 2008/09 & 2009/10 Management Plans will be altered to reflect these changes.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

The Draft Management Plan 2008/09 – 2010/11 includes the Council's Revenue Policy for the next three financial years.

LEGAL IMPLICATIONS

Council is required to prepare a Management Plan by 30 June each year.

RECOMMENDATION

1. **THAT** the Council amend the Draft Management Plan to include the following amendments to fees and charges:

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2. THAT the Council resolve the following with reference to the Submissions for Funding:

- That prior to a decision being made for the Lake Wallace Boat Centre, a report be submitted to the Council that provides information on ownership of the facility, Council's role as lessee of the foreshore, and Delta's role.
- That Council not provide further financial support to Ironfest above the current \$15,000 allocated in the Draft Management Plan.
- That Council uses the \$10,000 allocated in the Draft Management Plan for the Lithgow Golf Club to install handrails valued at \$4,000 with \$6,000 being utilised for painting of the exterior of the building using the Council's own painter.
- That Council provide \$4,150 towards the costs of improvements to the Glen Davis Community Hall.
- That Council provide an additional \$500 to Lifeline in addition to the \$1000 identified in the Draft Management Plan.

- That Council provide a donation of \$375 towards the hiring of the Learning Centre (Library) meeting room by the Korean–English School.
 - That Council note that an allocation of \$153,257 has been provided in the Draft Management Plan which includes the \$31,257 for a clerical/accounts officer for the Upper Macquarie County Council.
 - That Council not support the submission from the Lithgow Hockey Association for the waiving of the fees to the value of \$750.
 - That Council note that an allocation of \$6,000 has been allocated in the Draft Management Plan for Tidy Town Committees.
 - That Council provide a donation of \$500 to the Lithgow District Garden Club for promotions.
3. **THAT** the estimated surplus of \$280,000 be allocated as follows:
- | | |
|-----------|-----------------------------------------------|
| \$100,000 | Road Resheeting program (Roads to be advised) |
| \$50,000 | Road Resealing program (Roads to be advised) |
| \$39,525 | To unrestricted Cash as at 30.06.08 |
| \$90,475 | Committed to Projects |
4. **THAT** the above amount committed to Projects be allocated as follows:
- | | |
|----------|--------------------------------------|
| \$5,000 | Christmas decorations |
| \$500 | Lifeline |
| \$375 | Korean school |
| \$500 | Gardens |
| \$10,000 | Wallerawang entrance statement |
| \$4,100 | Glen Davis |
| \$5,000 | Certified softfall replacement |
| \$30,000 | intersection of Ibis and Sanford Ave |
| \$30,000 | Portland laneways |
| \$5,000 | Jobs Summit in July |
5. **THAT** the programs listed below be carried forward from 2007/08 to 2008/09 as revotes or works in progress:
- | | |
|-------------------------|-----------|
| Grant works in progress | \$110,400 |
| Council works General | \$600,400 |
| Council works Water | \$710,000 |
| Council works Sewerage | \$403,000 |
| Council works Waste | \$170,000 |
6. **THAT** the 2007/08 water loan required for South Bowenfels Reservoir of \$650,000 be carried forward to 2008/09 and be included in the loan borrowing program for that year
7. **THAT** \$200,000 be funded from reserves for No 1 Dam and No 2 Dam to allow recommended works to proceed and also to allow investigation into the feasibility of re-commissioning of No 1 Dam.

8. **THAT** income and expenditure be amended to reflect that \$500,000 will be received in 2008/09 and \$3,500,000 will be received in 2009/10 for works to be carried out on the Clarence Transfer Station.
9. **THAT** Council does not proceed with Option 1 - Special Variation to the Ordinary Rate for the Indoor Aquatic Centre
10. **THAT** the Council advises the Department of Local Government that it does not wish to pursue Option 1 as outlined in the Draft Management Plan 2008/09 – 20010/11
11. **THAT** the Council adopt the Lithgow City Council Draft Management Plan 2008/09 – 20010/11 with the above amendments.

Councillor H K Fisher **MOVED** that the Motion **BE PUT**. This was seconded by Councillor W McAndrew.

**O08- 70 RESOVLED
CARRIED**

Councillor W McAndrew **MOVED** that the **second last paragraph from the confidential attachment be MADE PUBLIC**. This was seconded by Councillor M F Ticehurst. Councillor McAndrew then read the paragraph to the public, advising this is why he was against the special rate variation.

**O08- 71 RESOLVED
CARRIED**

O08-72 RESOLVED

1. **THAT** the Council amend the Draft Management Plan to include the following amendments to fees and charges:

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- That Council provide an additional \$500 to Lifeline in addition to the \$1000 identified in the Draft Management Plan.
- That Council provide a donation of \$375 towards the hiring of the Learning Centre (Library) meeting room by the Korean–English School.
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- That Council not support the submission from the Lithgow Hockey Association for the waiving of the fees to the value of \$750.
- That Council note that an allocation of \$6,000 has been allocated in the Draft Management Plan for Tidy Town Committees.
- That Council provide a donation of \$500 to the Lithgow District Garden Club for promotions.
- That Council provide \$2000 for a Sensory Garden at Coleman House Portland.
- That Council provide the costs of providing recycling facilities at all LGA schools from the Waste fund.

3. **THAT** the estimated surplus of \$280,000 be allocated as follows:

\$100,000	Road Resheeting program (Roads to be advised)
\$50,000	Road Resealing program (Roads to be advised)
\$39,525	To unrestricted Cash as at 30.06.08
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10. **THAT** the Council advises the Department of Local Government that it does not wish to pursue Option 1 as outlined in the Draft Management Plan 2008/09 – 20010/11

11. **THAT** the Council adopt the Lithgow City Council Draft Management Plan 2008/09 – 2010/11 with the above amendments.
12. **THAT** Council create an Indoor Aquatic Centre Committee for further consideration of an Indoor Aquatic Centre.

MOVED: Councillor H K Fisher **SECONDED:** Councillor W McAndrew.
CARRIED (8-1)

Councillor A E Thompson was **AGAINST** the Motion.

The meeting closed at 8.20pm.