



Ordinary Meeting of Council

held at

Council Administration Centre

180 Mort Street, Lithgow

on

Monday 24 June 2024

at 6:00 PM

Minutes

ORDER OF BUSINESS

1. Mayoral Minutes.....	7
1.1. Mayoral Minute - 24/06/2024 - Delegation of Authority to New General Manager and establishment of a General Manager Performance Review Panel.....	7
1.2. Mayoral Minute - 24/06/2024 - Retirement of Lithgow City Council General Manager Mr. Craig Butler.....	9
2. Notices of Motion.....	10
2.1. NOM - Cr Mahony - 24/06/2024 - Reporting of Proceedings of Bushfire Management Committees Meeting to Council.....	10
3. Administration Reports.....	11
3.1. WWW - 24/06/2024 - Budget Allocation for West Bowenfels Sewerage Pumping Station.....	11
3.2. P&P - 24/06/2024 - Review of the Onsite Sewage Management Policy.....	12
3.3. F&G - 24/06/2024 - Making of Annual Rates and Charges 2024/2025.....	12
3.4. F&G - 24/06/2023 - Delivery Program 2022-2026 and Operational Plan 2024-2025....	14
3.9. F&G - 24/06/2024 - Lake Lyell Lease - Proposed Excise of Lot 2 in DP792415 and Related Matters.....	16
3.10. F&G - 24/06/2024 - Lake Lyell - Correction of Historical Land Anomalies.....	17
3.5. F&G - 24/06/2024 - Local Government Remuneration Tribunal Determination 2024 .	17
3.6. FIN - 24/06/2024 - Sale of Land for Unpaid Rates.....	18
3.7. F&G - 24/06/2024 - Policy 8.4 - Debt Management and Hardship Policy.....	19
3.8. I&E - 24/06/2024 - Wolgan Road - Essential Public Asset Reconstruction Application.....	19
3.9. F&G - 24/06/2024 - Lake Lyell Lease - Proposed Excise of Lot 2 in DP792415 and Related Matters.....	20
3.10. F&G - 24/06/2024 - Lake Lyell - Correction of Historical Land Anomalies.....	20
3.11. EXEC - 24/06/2024 - Delegations to the General Manager during Caretaker Period 16 August - 13 September 2024.....	20
3.12. I&E - 24/06/2024 - Civic Ballroom Floor Replacement.....	20
4. Council Committee Reports.....	21
4.1. P&P - 24/06/2024 - Seven Valleys Tourism Committee Meeting - 28 May 2024.....	21
4.2. I&S - 24/06/2024 - Operations Committee Meeting Minutes 4 June 2024.....	21
4.3. COMM - 24/06/2024 - Women's Advisory Committee Meeting Minutes 5 June 2024 .	21
4.4. I&S - 24/06/2024 - TALC Minutes 6 June 2024.....	21
4.5. I&E - 24/06/2024 - Sports Advisory Committee Meeting - 12 June 2024.....	22

4.6. P&P - 24/06/2024 - Environmental Advisory Committee Meeting Minutes 12 June 2024.....	22
4.7. F&G - 24/06/2024 - Finance Committee Meeting Minutes 18 June 2024	22
4.8. I&E - 24/06/2024 - Economic Development Committee - 19 June 2024.....	23
5. Delegates Reports	23
5.1. EXEC - 24/06/2024 - Delegates Report Rural & Regional Summit and Country Mayor's Association Meeting - 9 to 10 May 2024	23
5.2. EXEC - 24/06/2024 - Central NSW Joint Organisation Board Meeting - 23 May 2024	23
5.3. I&E - 24/06/2024 - Bushfire Management Committee - Meetings held 6 February 2024 and 4 June 2024	23
6. Business of Great Urgency.....	24

The Mayor declared the meeting open at 6:00 pm.

Acknowledgement of Country

The Mayor acknowledged Wiradjuri Elders past and present of the Wiradjuri nation - the original custodians of the land on which the Lithgow's communities reside and extended respect to our neighbouring nations.

The Mayor went on to inform all those in attendance at this meeting, that the meeting is being webcast and that those in attendance should refrain from making any defamatory statements concerning any person, Councillor or employee, and refrain from discussing those matters subject to Closed Council proceedings as indicated in clause 14.1 of the code of meeting practice.

Present

Public: 30

Her Worship the Mayor Councillor M Statham
Councillor D Goodwin
Councillor A Bryce
Councillor C Coleman
Councillor S Lesslie
Councillor S M^cGhie
Councillor E Mahony
Councillor C O' Connor
Councillor S Ring

Also in attendance

Craig Butler	General Manager
Ross Gurney	Chief Financial and Information Officer - Finance, Assets and Legal
Jonathon Edgecombe	Director Infrastructure and Economy
Matthew Trapp	Executive Manager Water, Wastewater and Waste
Shaun Elwood	Director People & Places
Trinity Newton	Minutes Secretary

Apologies

All being present there were no apologies.

Declaration of Interest

Councillor E Mahony declared a non-pecuniary, non-significant conflict of interest in Item 3.2 for the reason that he has an onsite sewage management system on his property. He advised that he would not vacate the Chambers when the matter is discussed.

Councillor C Coleman declared a non-pecuniary, non-significant conflict of interest in Item 3.2 for the reason that she has an onsite sewage management system on his property. She advised that she would not vacate the Chambers when the matter is discussed.

Procedural Motion

That the declarations of conflicts of interest by Councillor E Mahony and Councillor C Coleman be noted.

MOVED: Councillor S Ring

SECONDED: Councillor A Bryce

CARRIED

Confirmation of Minutes

24 -122 RESOLVED

The Minutes of the Ordinary Meeting of Council held on the 27 May 2024 were taken as read and confirmed.

MOVED: Councillor S Ring

SECONDED: Councillor A Bryce

CARRIED

24 -123 RESOLVED

The Minutes of the Extra Ordinary Meeting of Council held on the 13 June 2024 were taken as read and confirmed.

MOVED: Councillor C Coleman

SECONDED: Councillor D Goodwin

CARRIED

Commemorations and Announcements

On behalf of Lithgow City Council the Mayor expressed sincere sympathy and condolences to families who had lost loved ones since the last council meeting.

The Mayor acknowledged the local residents who were recognised in the King's Honours list for 2024.

The late Mr Paul Carter. Mr. Carter was a fire captain with NSW Fire & Rescue who dedicated 52 years to the organisation. Sadly, Mr Carter passed away in February this year and the King's Birthday Honour was awarded to him posthumously in recognition of service to the community through emergency response organisations.

Mr. Terence Fitzpatrick who was given a King's Birthday Honour for services to the community of Lithgow. Mr Fitzpatrick is a very well-known volunteer who spent 56 years as a serving member of the St. Vincent De Paul Society, The Mayor extended congratulations to Terence and his family on receiving this honour and thanked him for his services to the community.

Public Forum

At 6:05 pm members of the public gallery were invited to participate in the Public Forum Session.

Mike DeVink from Energy Australia made a statement in relation to Item 3.9 on the business paper.

The Mayor thanked Mr DeVink for his statement.

Rob White from Concerned Lithgow Community Group made a statement in relation to Item 3.9 on the business paper.

PROCEDURAL MOTION

THAT an extension of time be granted to Mr White.

MOVED: Councillor E Mahony

SECONDED: Councillor C Coleman

CARRIED

The Mayor thanked Mr White for his statement.

Henry Herron made a statement in relation to Item 3.9 on the business paper.

PROCEDURAL MOTION

THAT an extension of time be granted to Mr Herron.

MOVED: Councillor C Coleman

SECONDED: Councillor E Mahony

CARRIED

The Mayor thanked Mr Herron for his statement.

Mike Maxwell made a statement in relation to Item 3.9 on the business paper.

Councillor Ring Called a Point of Order questioning the appropriateness of the matter being raised by Mr Maxwell.

The Mayor upheld the Point of Order and asked Mr Maxwell to cease from speaking on the matter.

The Mayor thanked Mr Maxwell for his statement.

The Mayor asked if there were any more people wishing to address the Council.

There were none.

1. Mayoral Minutes

1.1. Mayoral Minute - 24/06/2024 - Delegation of Authority to New General Manager and establishment of a General Manager Performance Review Panel

MOTION

THAT:

1. Mr Ross Gurney be congratulated on his appointment as General Manager for the next 3 years.
2. All authority currently delegated to Lithgow City Council's General Manager be transferred to Mr Gurney, as General Manager, on commencement of employment.
3. Council authorise the affixing of the Council's Seal to the General Manager's contract of employment to enable that contract to be formalised.
4. Council establish a General Manager Performance Review Panel (Panel) comprising the Mayor, Deputy Mayor and two other Councillors (one of whom is to be chosen by the General Manager).
5. Council determine their Council-nominated councillor for the Panel.
6. Council engage Local Government NSW (LGNSW) to provide facilitation and advice to the Panel.
7. Council include an independent observer on the Panel.
8. The role of the Panel be -
 - To develop the performance agreement
 - To conduct performance reviews
 - To report the findings and recommendations of performance reviews to the Council
9. Councillors who are not members of the Panel be invited to contribute to the performance review process by providing feedback to the Mayor on the general manager's performance relevant to the agreed performance criteria.
10. All councillors be notified of relevant dates in the performance review cycle and be kept advised of the Panel's findings and recommendations.
11. The Panel is to report back to the governing body of the council in a closed session on the findings and recommendations of performance reviews as soon as practicable following any performance review.

MOVED: Councillor M Statham

The Motion was then PUT.

Amendment

THAT:

1. Mr Ross Gurney be congratulated on his appointment as General Manager for the next 3 years.
2. All authority currently delegated to Lithgow City Council's General Manager be transferred to Mr Gurney, as General Manager, on commencement of employment.
3. Council authorise the affixing of the Council's Seal to the General Manager's contract of employment to enable that contract to be formalised.
4. Council establish a General Manager Performance Review Panel (Panel) comprising the Mayor, Deputy Mayor and two other Councillors (one of whom is to be chosen by the General Manager).
5. Council determine their Council-nominated councillor for the Panel.
6. Council engage Local Government NSW (LGNSW) to provide facilitation and advice to the Panel.
7. Council include an independent observer on the Panel.
8. The role of the Panel be -

- To develop the performance agreement
 - To conduct performance reviews
 - To report the findings and recommendations of performance reviews to the Council
9. Councillors who are not members of the Panel be invited to contribute to the performance review process by providing feedback to the Mayor on the general manager's performance relevant to the agreed performance criteria.
 10. All councillors be notified of relevant dates in the performance review cycle and be kept advised of the Panel's findings and recommendations.
 11. The Panel is to report back to the governing body of the council in a closed session on the findings and recommendations of performance reviews as soon as practicable following any performance review.
 12. Training in performance management be undertaken by the General Manager Performance Review Panel prior to their first meeting.

MOVED: Councillor S Ring

SECONDED: Councillor E Mahony

CARRIED

The Amendment was PUT and became the Motion.

A **DIVISION** was called by Councillor M Statham

Divisions

FOR: Councillor M Statham, Councillor C Coleman, Councillor S Lesslie, Councillor S McGhie, Councillor E Mahony, Councillor C O'Connor and Councillor S Ring

AGAINST: Councillor A Bryce and Councillor D Goodwin

24 -124 RESOLVED

THAT:

1. Mr Ross Gurney be congratulated on his appointment as General Manager for the next 3 years.
2. All authority currently delegated to Lithgow City Council's General Manager be transferred to Mr Gurney, as General Manager, on commencement of employment.
3. Council authorise the affixing of the Council's Seal to the General Manager's contract of employment to enable that contract to be formalised.
4. Council establish a General Manager Performance Review Panel (Panel) comprising the Mayor, Deputy Mayor and two other Councillors (one of whom is to be chosen by the General Manager).
5. Council determine their Council-nominated councillor for the Panel.
6. Council engage Local Government NSW (LGNSW) to provide facilitation and advice to the Panel.
7. Council include an independent observer on the Panel.
8. The role of the Panel be -
 - To develop the performance agreement
 - To conduct performance reviews
 - To report the findings and recommendations of performance reviews to the Council
9. Councillors who are not members of the Panel be invited to contribute to the performance review process by providing feedback to the Mayor on the general manager's performance relevant to the agreed performance criteria.
10. All councillors be notified of relevant dates in the performance review cycle and be kept advised of the Panel's findings and recommendations.

11. The Panel is to report back to the governing body of the council in a closed session on the findings and recommendations of performance reviews as soon as practicable following any performance review.
12. Training in performance management be undertaken by the General Manager Performance Review Panel prior to their first meeting.

MOVED: Councillor S Ring

SECONDED: Councillor E Mahony

CARRIED

Item 1.1 was re-opened for Council to determine their Council-nominated councillor for the Panel.

Councillor E Mahony and Councillor S McGhie were nominated

The Mayor PUT it to the vote.

Councillor S McGhie was elected as the Council-nominated panel member.

1.2.	Mayoral Minute - 24/06/2024 - Retirement of Lithgow City Council General Manager Mr. Craig Butler
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24 -125 RESOLVED

THAT Council:

1. Thank the outgoing General Manager, Craig Butler for his work and dedication to the Lithgow City and wish him all the best in his retirement.
2. Note the Mayoral Minute.

MOVED: Councillor M Statham

CARRIED

A **DIVISION** was called by Councillor M Statham

Divisions

FOR: Councillor M Statham, Councillor A Bryce, Councillor D Goodwin, Councillor S McGhie, Councillor E Mahony, Councillor C O'Connor and Councillor S Ring

AGAINST: Councillor S Lesslie

2. Notices of Motion

2.1. NOM - Cr Mahony - 24/06/2024 - Reporting of Proceedings of Bushfire Management Committees Meeting to Council

Report by Councillor Eric Mahony

24 -126 RESOLVED

THAT

1. Council brings back a report on Chifley Lithgow Bushfire Management Committee meetings and other regional RFS meetings attended as a standing agenda item to Council's Operations Committee. These reports will be tabled at the next Council Operations Committee following the above meetings. Time critical issues deemed to be of a significance are to be reported to the next scheduled Ordinary Meeting of Council.
2. Council staff to provide all agendas and minutes of Chifley Lithgow Bushfire Management Committee meetings for the last 3 years within 5 working days to all Councillors.
3. Councillor alternates are nominated and endorsed by the Council to ensure that consistent representation occurs at the Lithgow Bushfire Management Committee.
4. That Council write to the NSW Rural Fire Services Commissioner seeking clarification with respect to the Chifley Area Command allegedly forcing the relocation of the Lithgow Communications Brigade to Bathurst amid threats of disbanding the unit if they refuse and what level of community consultation has occurred.

MOVED: Councillor E Mahony

SECONDED: Councillor C Coleman

CARRIED

Councillor E Mahony called a Point of Order stating he was speaking about the June meeting.

The Mayor overruled the Point of Order.

Councillor A Bryce called a Point of Order asking for time to be allowed to answer.

The Mayor upheld the Point of Order.

A **DIVISION** was called by Councillor M Statham

Divisions

FOR: Councillor C Coleman, Councillor A Bryce, Councillor S Lesslie, Councillor S McGhie, Councillor E Mahony, Councillor C O'Connor and Councillor S Ring

AGAINST: Councillor M Statham

Councillor E Mahony was nominated as the alternate delegate for the Lithgow Bushfire Management Committee.

Councillor E Mahony be appointed as the alternate delegate for the Lithgow Bushfire Management Committee.

CARRIED

3. Administration Reports

3.1. WWW - 24/06/2024 - Budget Allocation for West Bowenfels Sewerage Pumping Station

Councillor D Goodwin returned to the meeting at 7:16 pm.

MOTION

THAT Council:

1. Note the report regarding contract variations for the detailed design and construction of West Bowenfels Sewerage Pumping Station.
2. Accept contract variations for the amount totalling \$738,476.76 from Keane Civil and Construction Pty Ltd for additional Review of Environmental Factors (REF) report and for unexpected rock excavation encountered in the Sewer Gravity Mains bulk excavation and area around Good Luck Hollow & Farmer's Creek. This will bring the total contracted amount to \$4,595,190.76.
3. Approve an additional \$250,000 budget as part of Council's 2024/25 Capital Works program to complete the rising mains construction from the new sewerage pumping station to Tweed Mills Sewerage Pumping Station.

MOVED: Councillor A Bryce

SECONDED: Councillor C O'Connor

AMENDMENT

THAT Council:

1. Note the report regarding contract variations for the detailed design and construction of West Bowenfels Sewerage Pumping Station.
2. Accept contract variations without the underbore of the heritage items for the amount totalling \$598,590 from Keane Civil and Construction Pty Ltd for additional review of Environmental Factors (REF) report and for unexpected rock excavation encountered in the Sewer Gravity Mains bulk excavation and area around Good Luck Hollow and Farmer's Creek. This will bring the total contracted amount to \$4,595,190.76.
3. Approve an additional \$250,000 budget as part of Council's 2024/25 Capital Works program to complete the rising mains construction from the new sewerage pumping station to Tweed Mills Sewerage Pumping Station.
4. That an Aboriginal Heritage Impact Permit be sought for the removal of the heritage site.

MOVED: Councillor S Ring

SECONDED: Councillor C Coleman

Councillor S Ring called a Point of Order on Councillor A Bryce and clarified his comments.

The Mayor did not rule on the matter.

The Amendment was PUT.

LOST

The Original Motion was PUT.

RESOLVED 24 -127

THAT Council:

1. Note the report regarding contract variations for the detailed design and construction of West Bowenfels Sewerage Pumping Station.
2. Accept contract variations for the amount totalling \$738,476.76 from Keane Civil and Construction Pty Ltd for additional Review of Environmental Factors (REF) report and for unexpected rock excavation encountered in the Sewer Gravity Mains bulk excavation and area around Good Luck Hollow & Farmer's Creek. This will bring the total contracted amount to \$4,595,190.76.
3. Approve an additional \$250,000 budget as part of Council's 2024/25 Capital Works program to complete the rising mains construction from the new sewerage pumping station to Tweed Mills Sewerage Pumping Station.

MOVED: Councillor A Bryce

SECONDED: Councillor C O'Connor

CARRIED

3.2. P&P - 24/06/2024 - Review of the Onsite Sewage Management Policy

24 -128 RESOLVED

THAT

1. The draft Compliance Policy 5.9 - Onsite Sewage Management, provided in [Attachment 1](#) be placed on public exhibition for a period of 28 days.
2. The matter be reported back to Council after the expiration of the exhibition period for further consideration where submissions are received that are considered significant in relation to crucial elements of the Draft Policy.
3. Where no significant submissions are received, the Draft Policy be adopted without further reference to Council
4. The annual Onsite Sewage Management charge applicable, included in the 2024/25 draft Operational Plan, remain and the fee structure provided in the Draft Policy, where the Policy is adopted, are included in the Making of Annual Rates and Charges 2025/2026.

MOVED: Councillor S Ring

SECONDED: Councillor E Mahony

CARRIED

3.3. F&G - 24/06/2024 - Making of Annual Rates and Charges 2024/2025**MOTION**

THAT Council:

1. Adopt the maximum rate of interest payable on overdue rates and charges for the period 1 July 2024 to 30 June 2025 (inclusive) as 10.5% per annum.
2. Adopt the following Integrated Planning and Reporting (IPR) documents:
 - a) Fees & Charges 2024/25
 - b) Revenue Policy 2024/25
 - c) Rating Maps 2024/25
3. Endorse the NSW Government's Interment Service Levy to be placed on public exhibition for 28 days.
4. Declare a category and sub-category of ordinary rate for each proposed category and sub-category set out in columns 2 and 3 of the Rates Categorisation Table in this Report on the corresponding basis set out in Column 4 of the table.
5. Make the Rates and Annual charges for the 2024/25 rating year as detailed in the 2024/25 Revenue Policy and as listed in the tables within this report.
6. Endorse the following changes to the rating structure from 1 July 2024:
 - a) Include all Marrangaroo properties within the Residential Other category
 - b) Cease levying the Parking Special Rate and absorb the notional income across the whole rating base

MOVED: Councillor A Bryce

SECONDED: Councillor S McGhie

AMENDMENT

THAT Council:

1. Adopt the maximum rate of interest payable on overdue rates and charges for the period 1 July 2024 to 30 June 2025 (inclusive) as 10.5% per annum.
2. Adopt the following Integrated Planning and Reporting (IPR) documents:
 - a) Fees & Charges 2024/25
 - b) Revenue Policy 2024/25
 - c) Rating Maps 2024/25
3. Endorse the NSW Government's Interment Service Levy to be placed on public exhibition for 28 days.
4. Declare a category and sub-category of ordinary rate for each proposed category and sub-category set out in columns 2 and 3 of the Rates Categorisation Table in this Report on the corresponding basis set out in Column 4 of the table.
5. Make the Rates and Annual charges for the 2024/25 rating year as detailed in the 2024/25 Revenue Policy and as listed in the tables within this report.
6. Endorse the following changes to the rating structure from 1 July 2024:
 - a) Include all Marrangaroo properties within the Residential Other category
 - b) Cease levying the Parking Special Rate and absorb the notional income across the whole rating base
7. That no changes to the Farmland Category occur during the 2024/25 financial year and that a full report on proposed changes including the consultations process is brought back to Council.

MOVED Councillor S Ring

SECONDED: Councillor C Coleman

The Amendment was PUT.

CARRIED

The Amendment became the Motion.

24 -129 RESOLVED

THAT Council:

1. Adopt the maximum rate of interest payable on overdue rates and charges for the period 1 July 2024 to 30 June 2025 (inclusive) as 10.5% per annum.
2. Adopt the following Integrated Planning and Reporting (IPR) documents:
 - a) Fees & Charges 2024/25
 - b) Revenue Policy 2024/25
 - c) Rating Maps 2024/25
3. Endorse the NSW Government's Interment Service Levy to be placed on public exhibition for 28 days.
4. Declare a category and sub-category of ordinary rate for each proposed category and sub-category set out in columns 2 and 3 of the Rates Categorisation Table in this Report on the corresponding basis set out in Column 4 of the table.
5. Make the Rates and Annual charges for the 2024/25 rating year as detailed in the 2024/25 Revenue Policy and as listed in the tables within this report.
6. Endorse the following changes to the rating structure from 1 July 2024:
 - a) Include all Marrangaroo properties within the Residential Other category
 - b) Cease levying the Parking Special Rate and absorb the notional income across the whole rating base
6. That no changes to the Farmland Category occur during the 2024/25 financial year and that a full report on proposed change.

MOVED: Councillor S Ring

SECONDED: Councillor C Coleman

CARRIED

3.4. F&G - 24/06/2023 - Delivery Program 2022-2026 and Operational Plan 2024-2025

MOTION

THAT Council:

1. Note that the 2024/25 Operational Plan has been updated to include actions identified in submissions from Round 1 of the community engagement for the 2024/25 operational plan.
2. Adopt the 2024/25 Draft Operational Plan, consisting of the following documents:
 - Combined 2022/23 - 2025/26 Delivery Program and Draft 2024/25 Operational Plan;
 - The draft 2024/25 Operational Budget and Capital Works Program with the SRV Program included; and
 - Draft 2024/25 SRV Program.
3. Approve the changes to the 2024/25 operating budget and capital works program.
4. Respond to the submissions received, providing a copy of the Council report.
5. Note that the 2024/25 budget includes \$5.6M of savings and additional income strategies, to be implemented as part of the Financial Sustainability Plan.
6. Note that the administration will determine a funding model and commence planning to bring forward required stormwater infrastructure improvements at the intersection of Main Street and Enfield Avenue, Lithgow. This matter will be the subject of a future report.

MOVED: Councillor A Bryce

SECONDED: Councillor E Mahony

AMENDMENT

THAT Council:

1. Note that the 2024/25 Operational Plan has been updated to include actions identified in submissions from Round 1 of the community engagement for the 2024/25 operational plan.
2. Adopt the 2024/25 Draft Operational Plan, consisting of the following documents:
 - Combined 2022/23 - 2025/26 Delivery Program and Draft 2024/25 Operational Plan;
 - The draft 2024/25 Operational Budget and Capital Works Program with the SRV Program included; and
 - Draft 2024/25 SRV Program.
3. Approve the changes to the 2024/25 operating budget and capital works program.
4. Respond to the submissions received, providing a copy of the Council report.
5. Note that the 2024/25 budget includes \$5.6M of savings and additional income strategies, to be implemented as part of the Financial Sustainability Plan.
6. Note that the administration will determine a funding model and commence planning to bring forward required stormwater infrastructure improvements at the intersection of Main Street and Enfield Avenue, Lithgow. This matter will be the subject of a future report.
7. That recruitment of the LEEP Engagement Officer and Emerging Economy positions are placed on hold and reviewed when the new General Manager takes office.

MOVED: Councillor S Ring

SECONDED: Councillor S Lesslie

The Amendment was PUT.

LOST

A **DIVISION** was called by Councillor M Statham

Divisions

FOR: Councillor S Lesslie, Councillor E Mahony and Councillor S Ring

AGAINST: Councillor M Statham, Councillor C Coleman, Councillor A Bryce, Councillor D Goodwin, Councillor S McGhie and Councillor C O'Connor

The Original Motion was PUT.

24 -130 RESOLVED

THAT Council:

1. Note that the 2024/25 Operational Plan has been updated to include actions identified in submissions from Round 1 of the community engagement for the 2024/25 operational plan.
2. Adopt the 2024/25 Draft Operational Plan, consisting of the following documents:
 - Combined 2022/23 - 2025/26 Delivery Program and Draft 2024/25 Operational Plan;
 - The draft 2024/25 Operational Budget and Capital Works Program with the SRV Program included; and
 - Draft 2024/25 SRV Program.
3. Approve the changes to the 2024/25 operating budget and capital works program.
4. Respond to the submissions received, providing a copy of the Council report.
5. Note that the 2024/25 budget includes \$5.6M of savings and additional income strategies, to be implemented as part of the Financial Sustainability Plan.

- Note that the administration will determine a funding model and commence planning to bring forward required stormwater infrastructure improvements at the intersection of Main Street and Enfield Avenue, Lithgow. This matter will be the subject of a future report.

MOVED: Councillor A Bryce

SECONDED: Councillor E Mahony

CARRIED

PROCEDURAL MOTION

THAT Item 3.9 is moved to this point in the meeting.

MOVED: Councillor D Goodwin

SECONDED: Councillor S Ring

CARRIED

3.9. F&G - 24/06/2024 - Lake Lyell Lease - Proposed Excise of Lot 2 in DP792415 and Related Matters

Councillor A Bryce left the meeting at 8:12 pm.

Councillor A Bryce returned to the meeting at 8:14 pm.

24 -131 RESOLVED

THAT Council:

- Agree to excise part of Lot 2 (as outlined in this report) from the Lake Lyell lease, in the event that EA proceeds to construct temporary workforce accommodation, should the proposed Lake Lyell Pumped Hydro project be approved.
- Endorse negotiation of option terms to the Lake Lyell lease between Council and EnergyAustralia NSW Pty Ltd.
- Endorse an amendment to the restrictive covenant affecting the Council owned land to allow for a commercial use, including but not necessarily limited to being the operation of a primitive camping ground.
- Authorise the General Manager to negotiate a monetary contribution to the Council as an offset to the public being unable to use the portion of the land that would be excised from the lease for a number of years.
- Authorise the General Manager to sign all documents and do all things necessary to give effect to the resolutions made.

MOVED: Councillor S McGhie

SECONDED: Councillor D Goodwin

CARRIED

A **DIVISION** was called by Councillor C Coleman

Divisions

FOR: Councillor M Statham, Councillor D Goodwin, Councillor S McGhie, Councillor C O'Connor and Councillor S Ring

AGAINST: Councillor C Coleman, Councillor A Bryce, Councillor S Lesslie and Councillor E Mahony

3.10. F&G - 24/06/2024 - Lake Lyell - Correction of Historical Land Anomalies**24 -132 RESOLVED**

THAT Council:

1. Transfer Lot 1 in DP246233 to Energy Australia (subject to the lot being re-classified from community land to operational land via LEP amendment).
2. Transfer Lot 5 in DP1304125 to Energy Australia (subject to the lot being re-classified from community land to operational land via LEP amendment) and then add it to the Lake Lyell lease.
3. Note that Lots 1 to 4 in DP1304125 (the former submerged road sections) are to be added to the Lake Lyell lease.

MOVED: Councillor D Goodwin

SECONDED: Councillor S McGhie

CARRIED

Councillor Lesslie and Councillor Coleman requested that their name recorded against the motion.

AGAINST: Councillor S Lesslie and Councillors C Coleman.

3.5. F&G - 24/06/2024 - Local Government Remuneration Tribunal Determination 2024

Councillor A Bryce left the Chamber at 8:45 pm.

Councillor A Bryce returned to the Chamber at 8:46 pm.

MOTION

THAT Council:

1. Set the remuneration in 2024/25 for Councillors at \$15,000.
2. Set the remuneration in 2024/25 for the Mayor at \$31,765.
3. Set the 2024/25 car lease payable by the Mayor at nil.

MOVED: Councillor D Goodwin

SECONDED: Councillor S McGhie

Amendment

THAT Council:

1. Set the remuneration in 2024/25 for Councillors at \$12,360.
2. Set the remuneration in 2024/25 for the Mayor at \$26,176.
3. Set the 2024/25 car lease payable by the Mayor at nil

MOVED: Councillor S Ring

SECONDED: Councillor E Mahony

The Amendment was PUT.

Councillor S McGhie called a Point of Order on Councillor S Lesslie.

The Mayor moved the meeting on.

LOST

The Original Motion was PUT.

RESOLVED 24 -133

THAT Council:

1. Set the remuneration in 2024/25 for Councillors at \$15,000.
2. Set the remuneration in 2024/25 for the Mayor at \$31,765.
3. Set the 2024/25 car lease payable by the Mayor at nil.

MOVED: Councillor D Goodwin

SECONDED: Councillor S McGhie

CARRIED

A **DIVISION** was called by Councillor M Statham

Divisions

FOR: Councillor M Statham, Councillor C Coleman, Councillor A Bryce, Councillor D Goodwin, Councillor S Lesslie, Councillor S McGhie and Councillor C O'Connor

AGAINST: Councillor E Mahony and Councillor S Ring

PROCEDURAL MOTION

THAT a five minute recess be taken.

MOVED: Councillor S Ring

SECONDED: Councillor E Mahony

CARRIED

The Mayor called a five minute recess at 8:59 pm.

The Mayor expelled Councillor Lesslie from the meeting for an Act of Disorder, of the type described in clause 15.11(d) and (e) of the Council's adopted Code of Meeting Practice.

PROCEDURAL MOTION

THAT the Council Meeting resume at 9:05 pm.

MOVED: Councillor S McGhie

SECONDED: Councillor D Goodwin

CARRIED

3.6. FIN - 24/06/2024 - Sale of Land for Unpaid Rates**24 -134 RESOLVED**

THAT Council:

1. Pursuant to Section 713 and other relevant sections of the Local Government Act 1993, implement sale proceedings to sell the properties listed in this report at a public auction at a time and place to be determined.
2. Appoint Outstanding Collections (Aust) Pty Ltd (OSC) to administer the sale on Council's behalf.
3. Authorise Council staff and OSC to proceed with the necessary arrangements pertaining to the sale of the properties listed in this report, as set out in the Local Government Act 1993 and Local Government (General) Regulation 2005.
4. Delegate authority to the General Manager to take the following actions pertaining to the properties specified in the report:
 - a. to withdraw from sale any property that, prior to the commencement of the auction, has had all rates and charges payable (including overdue rates and charges) paid in full;
 - b. to withdraw any property from sale for technical or legal reasons;
 - c. to set reserve prices for sale of the properties at auction;
 - d. to negotiate by private treaty and accept offers for sale of any property that fails to sell at auction; and
 - e. to execute Sale and Purchase contracts, and property transfer documents, under Council's Common Seal.

MOVED: Councillor S Ring

SECONDED: Councillor A Bryce

CARRIED

3.7. F&G - 24/06/2024 - Policy 8.4 - Debt Management and Hardship Policy**24 -135 RESOLVED**

THAT Council place Policy 8.4 - Debt Management and Hardship Policy on public exhibition for a period of 28 days. Following the exhibition period, the policy will be returned to Council to consider any submissions received and determine whether the policy will be adopted.

MOVED: Councillor A Bryce

SECONDED: Councillor S Ring

CARRIED

3.8. I&E - 24/06/2024 - Wolgan Road - Essential Public Asset Reconstruction Application**24 -136 RESOLVED**

THAT Council:

1. Endorse and authorise submission of the proposed application for the construction of a vehicular access road to the Wolgan Valley (replacing the current Wolgan Road) under the NSW Government's Disaster Recovery Funding Arrangements, and

2. Accept Wassabi Group's offer of project management services for the coming 12 months, as outlined within the confidential attachment.

MOVED: Councillor A Bryce

SECONDED: Councillor D Goodwin

CARRIED

3.9. F&G - 24/06/2024 - Lake Lyell Lease - Proposed Excise of Lot 2 in DP792415 and Related Matters

This item was dealt with earlier in the meeting.

3.10. F&G - 24/06/2024 - Lake Lyell - Correction of Historical Land Anomalies

This item was dealt with earlier in the meeting.

3.11. EXEC - 24/06/2024 - Delegations to the General Manager during Caretaker Period 16 August - 13 September 2024

24 -137 RESOLVED

THAT Council:

1. Authorise the General Manager to exercise the civic and ceremonial functions normally exercised by the Mayor for the period between election day and the first meeting of the Council following the election.
2. Delegate all delegable functions to the General Manger for the period between election day and the first meeting of the Council following the election.

MOVED: Councillor A Bryce

SECONDED: Councillor S Ring

CARRIED

3.12. I&E - 24/06/2024 - Civic Ballroom Floor Replacement

24 -138 RESOLVED

THAT Council approve Westbury Construction as the principal contractor to carry out the work to the Civic Ballroom floor (cost of \$260,900 ex GST) on behalf of Lithgow City Council.

MOVED: Councillor S Ring

SECONDED: Councillor C Coleman

CARRIED

PROCEDURAL MOTION

THAT :

1. Item 4.1 through to Item 4.8 Endorsed and resolved as a block.
2. Item 4.3 Women's Advisory Committee is dealt with independent of the block.

MOVED: Councillor A Bryce

SECONDED: Councillor S Ring

CARRIED

4. Council Committee Reports

4.1. P&P - 24/06/2024 - Seven Valleys Tourism Committee Meeting - 28 May 2024

24 -139 RESOLVED

THAT the report dealing with the discussions of the Seven Valley's Tourism Meeting 28 May 2024 be received and noted.

MOVED: Councillor A Bryce

SECONDED: Councillor S Ring

CARRIED

4.2. I&S - 24/06/2024 - Operations Committee Meeting Minutes 4 June 2024

24 -140 RESOLVED

THAT The Council note the minutes of the Operations Committee Meeting held on 4th June 2024.

MOVED: Councillor A Bryce

SECONDED: Councillor S Ring

CARRIED

4.3. COMM - 24/06/2024 - Women's Advisory Committee Meeting Minutes 5 June 2024

24 -146 RESOLVED

THAT Council

1. Note the minutes of the Women's Advisory Committee held on 5 June 2024
2. Prepare a detailed, evidence-based submission to the Minister for Families and Communities, and Minister for Women, to advocate for funding for local organisations dedicated to child protection and domestic violence, considering Lithgow's specific needs.

MOVED: Councillor C Coleman

SECONDED: Councillor A Bryce

CARRIED

4.4. I&S - 24/06/2024 - TALC Minutes 6 June 2024**24 -141 RESOLVED**

THAT

1. Council note the minutes of the TALC Committee meeting held on 6th June 2024; and
2. a No Parking zone be installed in the Service Lane from the intersection of the Castlereaigh Highway and Service Lane, Cullen Bullen for a distance of 30m in a southerly direction to improve safety at this intersection; and
3. the bus zone on the northern side of Vale Street, Portland be extended for a distance of 10m in a westerly direction to improve bus access at this location; and
4. zone signage, accessible parking and pedestrian crossing linemarking be replaced / renewed as part of these works (on Vale Street, Portland); and
5. a response be provided to Council's Planning Department advising that the Committee does not support the submitted carpark layout and requests that the developer resubmit a new carpark design compliant with safe sight distances (regarding proposed carpark access off Magpie Hollow Road, Bowenfels).

MOVED: Councillor A Bryce**SECONDED:** Councillor S Ring**CARRIED****4.5. I&E - 24/06/2024 - Sports Advisory Committee Meeting - 12 June 2024****24 -142 RESOLVED**

THAT

1. Council notes the minutes of the Sports Advisory Committee Meeting held on 12th June 2024;and
2. Council accept Gregory Allchin and David Peters as the Sports Advisory Committee representatives from the Lithgow Show Society.

MOVED: Councillor A Bryce**SECONDED:** Councillor S Ring**CARRIED****4.6. P&P - 24/06/2024 - Environmental Advisory Committee Meeting Minutes 12 June 2024****24 -143 RESOLVED**

THAT Council note the minutes of the Environmental Advisory Committee held on 12 June 2024

MOVED: Councillor A Bryce**SECONDED:** Councillor S Ring**CARRIED**

4.7. F&G - 24/06/2024 - Finance Committee Meeting Minutes 18 June 2024**24 -144 RESOLVED**

THAT Council note the minutes of the Finance Committee meeting held on 18 June 2024.

MOVED: Councillor A Bryce

SECONDED: Councillor S Ring

CARRIED

4.8. I&E - 24/06/2024 - Economic Development Committee - 19 June 2024**24 -145 RESOLVED**

THAT Council endorse the minutes of the Economic Development Committee meeting of 19 June 2024.

MOVED: Councillor A Bryce

SECONDED: Councillor S Ring

CARRIED

5. Delegates Reports**5.1. EXEC - 24/06/2024 - Delegates Report Rural & Regional Summit and Country Mayor's Association Meeting - 9 to 10 May 2024****24 -147 RESOLVED**

THAT the delegates report relating to attendance at the LGNSW Rural and Regional Summit and the Country Mayors Association Financial Sustainability meeting on 9-10 May 2024 be received.

MOVED: Councillor C Coleman

SECONDED: Councillor A Bryce

CARRIED

5.2. EXEC - 24/06/2024 - Central NSW Joint Organisation Board Meeting - 23 May 2024**24 -148 RESOLVED**

THAT the delegates report relating to attendance at the Central NSW Joint Organisation of Councils' Board Meeting on 23 May 2024 be received.

MOVED: Councillor A Bryce

SECONDED: Councillor S Ring

CARRIED

5.3. I&E - 24/06/2024 - Bushfire Management Committee - Meetings held 6 February 2024 and 4 June 2024**24 -149 RESOLVED**

THAT Council note the report on the agenda and decisions from the Bushfire Management Committee meetings of 6 February 2024 and 4 June 2024.

MOVED: Councillor A Bryce

SECONDED: Councillor E Mahony

CARRIED

6. Business of Great Urgency

The Mayor asked if there were any matters to be considered as matters of great urgency.

Councillor Coleman raised a matter of sewer issues brought to her attention by a resident.

The Mayor declared the matter not to be of great urgency in accordance with Clause 241 of the Local Government (General) Regulations as the Administration undertook to address the matter as a priority.

There being no further business the Mayor declared the meeting closed at 9:34 pm.