



Ordinary Meeting of Council

held at

Council Administration Centre

180 Mort Street, Lithgow

on

Monday 25 November 2024

at 6:30 PM

Minutes

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The Mayor declared the meeting open at 6:30 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: 19

Mayor C Coleman
Councillor T Evangelidis
Councillor E Fredericks
Councillor D Goodwin
Councillor E Mahony
Councillor S Ring
Councillor R Smith
Councillor M Statham
Councillor M Ticehurst

Also in attendance

Ross Gurney	General Manager
Jonathon Reid	Acting Director Finance and Governance
Jonathon Edgecombe	Director Infrastructure and Economy
Matthew Trapp	Executive Manager Water, Wastewater and Waste
Shaun Elwood	Director People & Places
Trinity Newton / Karen Hall	Minutes Secretaries

Apologies

All being present, there were no apologies.

Declaration of Interest

The Mayor called for any declarations of interest.

Councillor M Ticehurst declared a pecuniary conflict of interest in Item 5.1 as noted in his written declaration handed to the Minute Secretary stating that due to the location of his residence and that a family member is employed by one of the stakeholders. Councillor M Ticehurst will not vacate the Chambers when the item is discussed.

Councillor E Fredericks declared a non-pecuniary conflict of interest in Item 2.2 as she lives in the area to be discussed and will not vacate the Chambers when the item is discussed.

Confirmation of Minutes

24 -244 RESOLVED

The Minutes of the Ordinary Meeting of Council held on the 8 October 2024 were taken as read and confirmed.

MOVED: Councillor S Ring

SECONDED: Councillor E Fredericks

CARRIED

24 -245 RESOLVED

The Minutes of the Ordinary Meeting of Council held on the 28 October 2024 were taken as read and confirmed.

MOVED: Councillor D Goodwin

SECONDED: Councillor S Ring

CARRIED

Councillor E Fredericks stated that the seconder for resolution number 24-208 was her and not Councillor M Ticehurst.

Councillor E Fredericks stated that on page 9, she was the seconder to the procedural motion to suspend standing orders.

24 -246 RESOLVED

The Minutes of the Extra Ordinary Meeting of Council held on the 12 November were taken as read and confirmed.

MOVED: Councillor S Ring

SECONDED: Councillor D Goodwin

CARRIED

Commemorations and Announcements

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

Public Forum

At 6:34 pm members of the public gallery were invited to participate in the Public Forum Session.

Mary Abbott made a statement in relation to Item 3.17.1 on the business paper.

The Mayor thanked Mary Abbott for her statement.

Steve and Linda McCulloch made a statement in relation to Item 2.1 on the business paper.

The Mayor thanked Steve and Linda McCulloch for their statement.

PROCEDURAL MOTION

THAT an extension of time be granted to Mr and Mrs McCulloch.

MOVED: Councillor M Statham

SECONDED: Councillor D Goodwin

CARRIED

The Mayor thanked Steve and Linda McCulloch for their statement.

Rob White from Concerned Lithgow Community Group (CLCF) made a statement in relation to matter of a third party campaigner which was raised in Public Forum at the last council meeting.

PROCEDURAL MOTION

THAT an extension of time be granted to Mr White.

MOVED: Councillor E Mahony

SECONDED: Councillor R Smith

CARRIED

The Mayor thanked Rob White for his statement.

Mr Phillip Peace made a statement in relation to Item 3.18 on the business paper.

The Mayor thanked Phillip Peace for his statement.

1. Mayoral Minutes

1.1. Mayoral Minute - 25/11/2024 - Advocacy - Meetings in Sydney - 13 to 15 November 2024

Report by Mayor – Councillor Cassandra Coleman

24 -247 RESOLVED

THAT Council:

1. Note the advocacy undertaken by the Mayor and General Manager in Sydney from 13 to 15 November 2024.
2. Write to the Premier and Treasurer to advocate for an uplift to an hourly, seven days a week train service to Lithgow, as suggested by The Hon. Jo Haylen MP, Minister for Transport.
3. Write to the Federal Government to seek a \$2M contribution from the Net Zero Economy Authority towards the \$4.2M required annually to implement the LEEP Action Plan, as

suggested by The Hon. Courtney Houssos MLC, Minister for Finance and Natural Resources.

4. Write to the Hon. Penny Sharpe MLC, Minister for Heritage, in support of the application for the Lithgow Small Arms Factory Museum's State Heritage listing by Dr Bronwyn Hannah.
5. That the Mayor is authorised to advocate with both State and Federal Parliamentarians for the retention of the Small Arms Factory Museum in situ and for its State Heritage Listing
6. A letter to be sent to the relevant Ministers in relation to Council's opposition to the waste to energy precinct.

MOVED: Councillor C Coleman

CARRIED

Councillor Ticehurst put forward a matter arising from the Mayoral Minute.

24 -248 RESOLVED

That the Premier, Chris Minns, and Minister for Planning and Public Places, Paul Scully, be formally advised that the Lithgow City Council, on 28 October 2024, resolved on a vote of 8 to 1 that quote, 'Lithgow City Council oppose any Pumped Hydro Project Facilities within our Local Government area.'

MOVED: Councillor M Ticehurst

SECONDED: Councillor E Fredericks

CARRIED

2. Notices of Motion

2.1. NOM-25/11/2024 - Cr E Mahony - Compliance with Transport Authorities and relevant NSW State Environmental Legislation in relation to maintenance activities of diesel locomotives in Eskbank Rail Yards

Report by Councillor Eric Mahony

24 -249 RESOLVED

THAT Council take immediate actions to understand ownership of the land (Eskbank Rail Yards) and if any development applications are currently in place to ensure that all rail yard operators are compliant with transport authorities' regulations and relevant NSW state environmental legislation for the maintenance activities currently being undertaken in Eskbank Rail Yards.

MOVED: Councillor E Mahony

SECONDED: Councillor S Ring

CARRIED

PROCEDURAL MOTION

THAT Item 2.2, 3.17 and 3.18 be moved to this point in the meeting.

MOVED: Councillor M Ticehurst

SECONDED: Councillor M Statham

CARRIED

2.2. NOM 25/11/2024 - Cr E Mahony - Management of Historic Joint Sewer Systems

Report by Councillor Eric Mahony

24 -250 RESOLVED

THAT the management of historic joint sewer systems is referred to the Operations (or equivalent) Committee for review and the development of a position statement on how the issue can be addressed moving forward.

MOVED: Councillor E Mahony

SECONDED: Councillor R Smith

CARRIED

Councillor M Ticehurst called a Point of Order as Councillor E Mahony had not spoken to the item as the mover.

The Mayor upheld the Point of Order.

3.17. P&P - 25/11/2024 - DA123/24, 54 Lot Subdivision 14 Claret Ash Avenue, South Bowenfels

24 -251 RESOLVED

THAT:

1. Council note the information provided on Development Application DA123/24.
2. An onsite meeting be organised for staff, Councillors and residents.
3. Council note that a report on the final assessment and recommendation will be furnished to a future Council meeting for determination of DA123/24 for a 54 lot torrens title subdivision at 14 Claret Ash Avenue, South Bowenfels.
4. Prior to a report on the final assessment and recommendation being furnished to Council on DA123/24, the Planning and Development Department provide an urgent report to Council on the possibility of there being traffic access into and out of the Strathlone Estate onto the Great Western Highway at the current intersection of the Lithgow Hospital, Col Drewe Drive, South Bowenfels.

MOVED: Councillor M Ticehurst

SECONDED: Councillor S Ring

CARRIED

3.18. P&P - 25/11/2024 - DA007/24 - Shed Refusal - Lot 7 DP 263999, 1A Caroline Avenue LITHGOW**24 -252 RESOLVED**

THAT Council organise an onsite visit for Councillors, Council Officers, the applicant and residents.

MOVED: Councillor S Ring

SECONDED: Councillor M Ticehurst

CARRIED

2.3. NOM - 25/11/2024 - Cr E Mahony - Transport for NSW and Housing NSW; maintenance and upkeep of landscaping and recreation spaces within their areas of responsibilities

Report by Councillor Eric Mahony

24 -253 RESOLVED

THAT Council contact Transport for NSW and Housing NSW to confirm that maintenance schedules that are appropriately designed are in place and implemented, ensuring the consistent upkeep of landscaping within the Great Western Highway corridors and Emora Park.

- That specific attention be given to these maintenance works in preparation for the school holiday period.
- That ongoing assessments be conducted to review the effectiveness of these maintenance schedules, ensuring they meet community standards and adapt to seasonal and usage patterns.
- Report back to the Operations Committee the maintenance plans and schedules provided outlining actions to be taken by the relevant State Government Departments.
- That Council sign a new MOU with the Kirkconnell Prison to help maintain our recreation areas.

MOVED: Councillor E Mahony

SECONDED: Councillor E Fredericks

CARRIED

2.4. NOM-25/11/2025 - Cr M Ticehurst - State Government Grants for NSW Councils for Apprentices and Trainees.

Report by Councillor Martin Ticehurst

24 -254 RESOLVED

THAT Council note the Management Comments on the State Government Grants for NSW Councils for Apprentices and Trainees included in the Business Paper.

MOVED: Councillor M Ticehurst

SECONDED: Councillor E Fredericks

CARRIED

Councillor D Goodwin left the meeting at 7:41 pm.
Councillor D Goodwin returned to the meeting at 7:42pm.

3. Administration Reports

3.1. EXEC - 25/11/2024 - Ordinary Meeting of Council Dates 2025

24 -255 RESOLVED

THAT Council adopt the schedule of Ordinary Meetings of Council for 2025 being the fourth Monday of each month (except for January being the Tuesday, June being 5th Monday and December there being no meeting):

- 28 January 2025 (Tuesday due to Australia Day Public Holiday)
- 24 February 2025
- 24 March 2025
- 28 April 2025
- 26 May 2025
- 30 June 2025 (5th Monday due to NGA Conference)
- 28 July 2025
- 25 August 2025
- 22 September 2025
- 27 October 2025
- 24 November 2025

MOVED: Councillor M Statham

SECONDED: Councillor E Mahony

CARRIED

3.2. EXEC - 25/11/24 - Councillor Representation on Council Committees

PROCEDURAL MOTION

THAT Council to move into Committee of the Whole.

MOVED: Councillor S Ring

SECONDED: Councillor E Mahony

CARRIED

24 -256 RESOLVED

THAT Council:

1. Appoint the following Councillor delegates to Internal Committees - (convened by Council) -

Internal Committees	Councillor Delegates
Audit Risk Improvement Committee (ARIC)	Cr S Ring
Environmental Advisory Committee	Cr E Mahony Cr S Ring
Finance Committee	Cr S Ring Cr E Mahony Cr T Evangelidis

Strategic Review Committee (formerly Operations Committee)	Cr S Ring Cr E Mahony Cr R Smith Cr C Coleman
Traffic Advisory Local (TALC)	Cr E Fredericks Cr S Ring
Sports Advisory Committee	Cr D Goodwin Cr E Mahony Cr R Smtih
Emerging Economy Committee	Mayor Cr Goodwin Cr Evangelidis Cr E Mahony Cr E Fredericks Cr S Ring General Manager
Youth Advisory Committee	Cr D Goodwin Cr E Fredericks
Community Development	Cr M Statham Cr E Mahony Cr E Fredericks
Lithgow Crime Prevention	Cr E Fredericks Cr T Evangelidis
Women's Advisory Committee	Cr C Coleman Cr T Evangelidis
Seven Valleys Tourism Committee	Cr M Statham Cr R Smith Cr E Mahony Cr T Evangelidis

2. Endorse that the Lithgow Crime Prevention Committee (minimum 2) is to be held at the commencement of every second Community Development meeting (i.e. each 4 months).
3. Appoint the following Councillor delegates to External Committees.

External Committees	Councillor Delegates
Arts Out West Committee	Mayor C Coleman Deputy Mayor S Ring
NSW Rural Fire Service Senior Management Team	Mayor C Coleman Cr M Statham
Lithgow Information & Neighbourhood Centre Inc. (LINC)	Cr D Goodwin Cr E Fredericks
Rural Fire Service Lithgow District Liaison Committee	Mayor C Coleman Cr M Statham
Energy Australia Lithgow Region Community Consultative Committee	Cr R Smith Cr S Ring - Alternative
Western Joint Regional Planning Panel	Cr M Statham Cr C Coleman

Airly Mine Community Consultative Committee	Cr S Ring
Centennial Coal Western Community Consultative Committee	Cr R Smith
Cullen Valley Coal Community Consultative Committee	Cr C Coleman
Invincible Mine Community Consultative Committee	Mayor Cr R Ring
Newnes Sand and Kaolin Project Community Consultative Committee	Cr E Mahony
Eskbank Rail Heritage Centre/ Wolgan Valley Wilderness Railway Committee	Cr E Mahony
Wallerawang Quarry Consultative Committee	Cr C Coleman
Glenn Museum	Cr M Statham Cr C Coleman – alternative
NSW Libraries	Cr R Ring

4. Endorse the general changes to Internal Committees as recommended in the report.
5. Note the proposed working parties which will be subject to further discussions with Councillors as to Terms of Reference before being established or recommenced.

MOVED: Councillor S Ring

SECONDED: Councillor M Statham

CARRIED

3.3. GM - 25/11/2024 - Request for Information - Cr Ticehurst

Councillor M Ticehurst called a point of order stating that the matter is to be withdrawn, on the basis of an email that he forwarded to the Mayor last week.

The Mayor overruled the Point of Order.

Councillor M Ticehurst went on to declare that there is a code of conduct complaint on this matter and formally requested the Mayor to withdraw the matter on this basis.

The Mayor withdrew the report.

3.4. I&E - 25/11/2024 - LEEP 2025 - 2026 Action Plan

Cr Fredericks left the Chamber at 8:01 pm
Councillor E Fredericks returned to the meeting at 8:03 pm.

24 -257 RESOLVED

THAT :

1. Council Adopt the LEEP Action Plan 2025 – 2026.
2. Council withhold funding for LEEP Budget Items: Cadetship. Internship & Graduate Programs (total allocation over two years \$101,000) and Capacity Building and Transition

management training (total allocation over two years \$88,000) until the Emerging Economy Committee undertake a review of these projects.

3. In relation to the proposed Cadetship, Internship & Graduate Program and the proposed Capacity Building and Transitions Management Training Program, a report be received by the Emerging Economy Committee detailing these programs prior to any expenditures being incurred in relation to them.
4. Council approve the associated final LEEP and Adaptive Skills Hub budgets for 2024/25, as summarised below -
 - LEEP total expenditure 2024/25 - \$1,432,454 (funded from the 2024/25 SRV Transitions Management allocation and 2023/24 unspent SRV reserve) less the excluded budget in Point 2.
 - LEEP Adaptive Skills Hub total expenditure 2024/25 - \$707,212 (funded from the Federal grant with a Council co-contribution of \$250,000 to assist with funding the remainder of the Program in 2025/26).
5. Council endorse the draft associated final LEEP and Adaptive Skills Hub budgets for 2025/26 which will be put to Council in June 2025 as part of the 2025/26 Operational Plan, as summarised below -
 - LEEP total expenditure 2025/26 - \$1,195,838 (funded from the 2025/26 SRV Transitions Management allocation and 2023/24 unspent SRV reserve) less the excluded budget in Point 2.
 - LEEP Adaptive Skills Hub total expenditure 2025/26 - \$372,788 (funded from the balance of the Federal grant and Council co-contribution of \$250,000).

MOVED: Councillor S Ring

SECONDED: Councillor M Statham

CARRIED

The Council dealt with Point 6 separately.

MOTION

THAT the General Manager is delegated to prepare a report detailing the lease options and current opportunities for the old Centrelink building for Council consideration.

MOVED: Councillor S Ring

SECONDED: Councillor D Goodwin

The Council withdrew the above motion / Point 6.

Councillor M Ticehurst moved an alternate Motion for Point 6.

24 -258 RESOLVED

THAT Council endorse the use of the former Centrelink Building to facilitate the Adaptive Skills Hub Project.

MOVED: Councillor M Ticehurst

SECONDED: Councillor E Mahony

CARRIED**3.5. I&E - 25/11/2024 - Draft Lithgow Future Fund Policy****24 -259 RESOLVED**

THAT Council:

1. Endorse the Draft Future Lithgow Fund Policy 2025 for the purpose of exhibition.
2. Place the draft Future Lithgow Fund Policy 2025 on public exhibition until the end of January 2025. Following the exhibition period, the policy will be returned to Council to consider any submissions received and to determine whether the policy will be adopted.

MOVED: Councillor S Ring

SECONDED: Councillor E Mahony

CARRIED**3.6. I&E - 25/11/2024 - LEEP Communications and Engagement Strategy****24 -260 RESOLVED**

That a decision on the LEEP Engagement Plan is deferred until the January 2025 meeting in order to provide Councillors adequate time to review the document and make comment and recommendations for change prior to it going on public exhibition.

MOVED: Councillor S Ring

SECONDED: Councillor E Mahony

CARRIED**3.7. I&E - 25/11/2024 - SRV Bitumen Reseal Tender**

Cr Evangelidis left the Chamber at 8:34pm.

Cr Evangelidis returned to the Chamber at 8:36pm.

24 -261 RESOLVED

THAT Council:

1. Appoint Country Wide Asphalt Pty Ltd to deliver Lithgow City Council's 2024/25 bitumen reseal program a cost of \$1,596,487.95 (incl. GST), and
2. Accept the schedule of rates provided by Country Wide Asphalt Pty Ltd for additional works as may be required while delivering this program, up to a maximum program value of \$1,795,625.
3. Advertise the nominated streets that are going to be included in the reseal program.

MOVED: Councillor M Ticehurst

SECONDED: Councillor E Mahony

CARRIED

3.8. F&G - 25/11/2024 - Financial Statements for the Year Ended 30 June 2024**MOTION**

THAT Council:

1. Receive the audited Annual Financial Statements for the year ended 30 June 2024 pursuant to Section 419 of the Local Government Act 1993; with a request that the Council's Auditors include in the Financial Statements information with respect to the Council Resolution 21-119, a Property Lease with Lithgow Golf Club Ltd (ACN 001 037 823) in particular to Clauses 3 (Rent), 4 (Outgoings and Utilities) 5 (Maintenance Contribution), 12 and Annexure C (Repair and Maintenance Contribution), Annexure D (Maintenance of Golf Course) and Clause 17 (Insurances) of Lease, meeting with all relevant Australian Accounting Standard guidelines.
2. Pursuant to Section 420 of the Local Government Act 1993, endorse the Financial Statements to be made available to the public to make submissions for a period of seven days.
3. Endorse the funding allocations to internally restricted reserves (\$14.4M) at 30 June 2024, as summarised in this report.

MOVED: Councillor M Ticehurst

SECONDED: Councillor E Fredericks

AMENDMENT

THAT Council:

1. Receive the audited Annual Financial Statements for the year ended 30 June 2024 pursuant to Section 419 of the Local Government Act 1993.
2. Pursuant to Section 420 of the Local Government Act 1993, endorse the Financial Statements to be made available to the public to make submissions for a period of seven days.
3. Endorse the funding allocations to internally restricted reserves (\$14.4M) at 30 June 2024, as summarised in this report.

MOVED: Councillor S Ring

SECONDED: Councillor D Goodwin

The Amendment was PUT.

CARRIED

The Amendment became the Motion.

24 -262 RESOLVED

THAT Council:

1. Receive the audited Annual Financial Statements for the year ended 30 June 2024 pursuant to Section 419 of the Local Government Act 1993.
2. Pursuant to Section 420 of the Local Government Act 1993, endorse the Financial Statements to be made available to the public to make submissions for a period of seven days.
3. Endorse the funding allocations to internally restricted reserves (\$14.4M) at 30 June 2024, as summarised in this report.

MOVED: Councillor S Ring

SECONDED: Councillor D Goodwin

CARRIED

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

Divisions

FOR: Councillor C Coleman, Councillor D Goodwin, Councillor E Mahony, Councillor R Smith, and Councillor S Ring.

AGAINST: Councillor T Evangelidis, Councillor E Fredericks, Councillor M Statham and Councillor M Ticehurst.

PROCEDURAL MOTION

THAT a short recess be held at 8:45pm.

MOVED: Councillor M Ticehurst

SECONDED: Councillor M Statham

CARRIED

PROCEDURAL MOTION

THAT Council reconvene at 8:55pm.

MOVED: Councillor S Ring

SECONDED: Councillor C Coleman

CARRIED**3.9. F&G - 25/11/2024 - Investment Report October 2024****24 -263 RESOLVED**

THAT:

1. Investments of \$74,403,938 and cash of \$906,747 (which is mostly restricted for specific purposes) for the period ending 31 October 2024 be noted.
2. The enclosed certificate of the Responsible Accounting Officer be noted.
3. The commentary on cashflow and funding requirements for restricted reserves be noted.

MOVED: Councillor E Fredericks

SECONDED: Councillor S Ring

CARRIED

3.10. F&G - 25/11/2024 - 2024/25 Quarter One Budget Review**24 -264 RESOLVED**

THAT Council:

1. Note the contents of the report and the projected consolidated operating result (before capital) of (\$630K) deficit for the 2024/25 Operational Plan as detailed in the Quarterly Budget Review Report for the period 1 July 2024 to 30 September 2024.
2. Note the commentary on the capital expenditure budget, cashflow and reserve balances.
3. Adopt the income, expenditure and capital budget variations to the 2024/25 Council budget as outlined in the attached Quarterly Budget Review Report.

MOVED: Councillor S Ring

SECONDED: Councillor D Goodwin

CARRIED

3.11. F&G - 25/11/2024 - Draft Policy - Categorisation of Land as Farmland for Rating**24 -265 RESOLVED**

THAT Council:

1. Place the draft Categorisation of Land as Farmland for Rating Purposes Policy on public exhibition until the end of January 2025. Following the exhibition period, the policy will be returned to Council to consider any submissions received and determine whether the policy will be adopted.
2. Forward an updated letter with the draft Categorisation of Land as Farmland for Rating purposes Policy to all of those Lithgow City Council ratepayers it previously sent a similar letter, prior to 30 June 2024, seeking comment on the Draft Policy.

MOVED: Councillor M Ticehurst

SECONDED: Councillor S Ring

CARRIED

3.12. P&P - 25/11/2022 - 2023/24 Annual Report**24 -266 RESOLVED**

THAT:

1. Council note the attached draft Annual Report for review with the intent to raise for endorsement at the January 2025 meeting of Council.
2. The General Manager include in the draft / final Annual Report, all financial information with respect to Council Resolution 21-119, a Property Lease with Lithgow Golf Club Ltd (ACN 001 037 823).

MOVED: Councillor M Ticehurst

SECONDED: Councillor T Evangelidis

CARRIED

3.13. F&G - 25/11/2024 - Code of Conduct Statistics 2023-2024**24 -267 RESOLVED**

THAT Council note the report on the Code of Conduct complaints statistics for the period 1 September 2023 - 31 August 2024.

MOVED: Councillor S Ring

SECONDED: Councillor D Goodwin

CARRIED

3.14. P&P - 25/11/2024 - DA051/24 Telecommunication Tower- 35-43 Coerwull Road Bowenfels- Call In Report**24 -268 RESOLVED**

THAT:

1. Information on Development Application DA051/24 be noted.
2. An onsite meeting be organised for staff, Councillors and residents
3. Council note that a report on the final assessment and recommendation will be furnished to a future Council meeting for determination of DA051/24.

MOVED: Councillor S Ring

SECONDED: Councillor E Mahony

CARRIED

3.15. P&P - 25/11/2024 - State of the Region Report 2021-2024**24 -269 RESOLVED**

THAT Council:

1. Note the following draft documents for review with the intent to raise for endorsement at the January 2025 meeting of Council:
 - State of the City Report 2021-2024; and
 - Our Place, Our Future - Community Strategic Plan - Community Engagement Strategy.
2. Note the following supporting documents to the Our Place, Our Future – Community Strategic Plan – Community Engagement Strategy which are provided for the information of Council:
 - Our Place Our Future Community Proposals 2024/25; and
 - Lithgow NSW: our statistical snapshot 2023.

MOVED: Councillor M Statham

SECONDED: Councillor E Fredericks

CARRIED

3.16. P&P - 25/11/2024 - Amendment to Voluntary Planning Agreements (VPAs) for Strathlone Estates - Post Exhibition Endorsement to Execute**24 -270 RESOLVED**

THAT:

1. Council endorse the two amended planning agreements associated with DA66/05 and DA67/05 attached to this report for finalisation and execution by the General Manager.
2. Exhibition period closes 25 November 2024. No submissions received at the time of writing of the report. Should any submissions be received within the remaining exhibition that cannot be resolved prior to Council's consideration of the report on 25 November 2024 that Council endorse the amended Planning Agreement subject to the General Manager (GM) being granted delegated authority to address and resolve any issues raised in submissions. If such issues cannot be resolved by the GM the matter be reported back to Council.
3. Council note that the Planning Agreements entered into in September 2006 will be automatically revoked and cease to have effect upon the execution of the two new agreements when finalised.
4. The Planning Agreements be lodged with a Request form 11R for registration on title of the land in the Register maintained by the Registrar General under the Real Property Act, 1900.
5. The Planning Agreements, upon finalisation and execution by both parties be uploaded to the NSW Planning Portal and Council's Register of Planning Agreements.
6. A DIVISION be called in accordance with Section 375A (3) of the Local Government Act, 1993.

MOVED: Councillor D Goodwin

SECONDED: Councillor E Fredericks

CARRIED

Although the Division was not called – the Minute taker noted the Division as follows:

Divisions

FOR: Councillor C Coleman, Councillor T Evangelidis, Councillor E Fredericks, Councillor D Goodwin, Councillor E Mahony, Councillor R Smith, Councillor S Ring, Councillor M Statham and Councillor M Ticehurst.

AGAINST: Nil

3.17. P&P - 25/11/2024 - DA123/24, 54 Lot Subdivision 14 Claret Ash Avenue, South Bowenfels

This Item was dealt with earlier in the meeting.

3.18. P&P - 25/11/2024 - DA007/24 - Shed Refusal - Lot 7 DP 263999, 1A Caroline Avenue LITHGOW

This Item was dealt with earlier in the meeting.

3.19. P&P - 25/11/2024 - Alcohol Free Zone - Lithgow, Portland and Wallerawang**24 -271 RESOLVED**

THAT Council:

1. Consult with the Police, all affected liquor licensees, First Nations organisations and the general community on the proposal to re-establish Alcohol Free Zones in the Lithgow, Portland and Wallerawang CBD's for a further 4 years until April 2029 in accordance with Section 644 of the Local Government Act 1993.
2. Publish a notice of the proposed re-establishment of the Alcohol Free Zones in these areas calling for comment by end of January 2025.
3. Note that the matter, with community comments, will then be brought back to Council in 2025 for further consideration.

MOVED: Councillor M Statham

SECONDED: Councillor D Goodwin

CARRIED

3.20. P&P - 25/11/2024 - Planning Agreements and Contributions Policy**24 -272 RESOLVED**

THAT:

1. Council endorse the Draft Planning Agreements and Contributions Policy 2025 for the purpose of public exhibition.
2. Council place the Draft Planning Agreements and Contributions Policy on public exhibition until the end of January 2025.
3. If no submissions are received during the public exhibition period, the Policy be adopted.
4. If submissions are received during the public exhibition period, the Policy be returned to Council for further consideration.

MOVED: Councillor S Ring

SECONDED: Councillor E Mahony

CARRIED

3.21. WWW - 25/11/2024 - Lithgow Solid Waste Facility Landfill Gas Extraction**24 -273 RESOLVED**

THAT Council:

1. Approve an exemption from tender in accordance with section 55(3)(i) of the *Local Government Act 1993* for the design, construction, operation and maintenance of a landfill gas collection system at Lithgow Solid Waste Facility; and
2. Delegate to the General Manager authorisation to execute all necessary contract documentation to affect a contract for the design, construction, operation and maintenance of a landfill gas collection system at Lithgow Solid Waste Facility.

MOVED: Councillor E Fredericks

SECONDED: Councillor S Ring

CARRIED

4. Business of Great Urgency

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

No matters of great urgency were raised by the Council.

5. Closed Council

The Mayor asked if there were any objections from the public with regards to the listed reports being in a session of the meeting that is closed to the public.

There were Nil objections.

24 -274 RESOLVED

THAT Council resolve to move into Closed Council to consider the confidential reports as listed in the business paper at 9:18 pm.

MOVED: Councillor E Fredericks

SECONDED: Councillor S Ring

CARRIED

The Mayor informed the Public that the webcasting will be turned off at this point in the meeting and will be reopened at the end of the session of the meeting that is closed to the public.

Councillor M Ticehurst informed that Council that he will be leaving the meeting during the closed session.

Councillor M Ticehurst left the meeting at 9:18 pm.

Councillor E Fredericks informed the Council that she will be leaving the meeting during the closed session.

Councillor E Fredericks left the meeting at 9:20 pm.

5.2. CONFIDENTIAL - I&E - 25/11/2024 - Strategic Employment Lands Projects

24 -275 RESOLVED

THAT Council endorse the General Manager to progress the actions 2 and 3 of the Strategic Employment Lands projects and defer actions 1 and 4 to the Emerging Economy Committee for further in-depth discussion.

MOVED: Councillor S Ring

SECONDED: Councillor E Mahony

CARRIED

5.3. CONFIDENTIAL - I&E- 25/11/2024 - Request for support - Application for a Regional University Study Hub**24 -276 RESOLVED**

THAT Council:

1. Request the General Manager write to Dr Haran and the Wellness Foundation and formally thank them for furthering this exciting initiative and noting that Council looks forward to facilitating their on-going involvement should the Application be successful.
2. Support the Application by LINC under the 2024 Commonwealth Government Regional University Study Hubs Program.
3. Note the proposed in-kind and financial contributions set out in the report.
4. Request the General Manager liaise with the NSW Government concerning its on-going support for a Lithgow-based regional university study hub.
5. Request the General Manager to invite the Western Sydney University to formally participate in this proposal.

MOVED: Councillor S Ring

SECONDED: Councillor D Goodwin

CARRIED

24 -277 RESOLVED

THAT Council resolve to return to open Council and inform the public of the resolutions of the session of the meeting that was closed to the public at 9:52 pm.

MOVED: Councillor E Mahony

SECONDED: Councillor D Goodwin

CARRIED:

There being no further business the Mayor declared the meeting closed at 9:54 pm.