



Lights of the Blast Furnace - Lithgow

Ordinary Meeting of Council  
to be held at  
Council Administration Centre  
180 Mort Street, Lithgow  
on  
Tuesday 28 January 2025  
at 6:30 PM

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## Acknowledgement of Country

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### Acknowledgement of Country

Lithgow City Council acknowledges Wiradjuri Elders past and present of the Wiradjuri nation - the original custodians of the land on which the Lithgow's communities reside. The Council also extends our respects to our neighbouring nations.

### Declaration of Webcasting

I 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.

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## Present

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## Apologies

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## Declaration of Interest

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### Ethical Decision Making and Conflicts of Interest

#### *A guiding checklist for Councillors, officers and community committees*

#### Oath or Affirmation of Office

Councillors are reminded of the Oath or Affirmation taken of office, made under section 233A of the *Local Government Act 1993* when elected.

#### Ethical decision making

- Is the decision or conduct legal?
- Is it consistent with Government policy, Council's objectives and Code of Conduct?
- What will the outcome be for you, your colleagues, the Council, anyone else?
- Does it raise a conflict of interest?
- Do you stand to gain personally at public expense?
- Can the decision be justified in terms of public interest?
- Would it withstand public scrutiny?

#### Conflict of interest

A conflict of interest is a clash between private interest and public duty. The test for conflict of interest:

- Is it likely I could be influenced by personal interest in carrying out my public duty?
- Would a fair and reasonable person believe I could be so influenced?
- Conflict of interest is closely tied to the layperson's definition of 'corruption' – using public office for private gain.
- Important to consider public perceptions of whether you have a conflict of interest.

#### There are two types of conflict:

- **Pecuniary** – regulated by the *Local Government Act 1993* and Office of Local Government. A person with a pecuniary interest should at least disclose and not vote, but it would also in these cases be appropriate to leave the chamber.
- **Non-pecuniary** – regulated by Codes of Conduct and policy. ICAC, Ombudsman, Office of Local Government (advice only). If declaring a Non-Pecuniary Conflict of Interest, a person

with a non-pecuniary interest can choose to either disclose and vote, disclose and not vote or leave the Chamber.

- Local Government Act 1993 and Model Code of Conduct  
For more detailed definitions refer to the *Local Government Act 1993*, Chapter 14 Honesty and Disclosure of Interest and adopted Code of Conduct.

### Identifying problems

**1st** Do I have private interests affected by a matter I am officially involved in? **2nd** Is my official role one of influence or perceived influence over the matter? **3rd** Do my private interests conflict with my official role?

### Disclosure of pecuniary interests / non-pecuniary interests

Under the provisions of Section 440AAA(3) of the *Local Government Act 1993* (pecuniary interests) and the Model Code of Conduct it is necessary for you to disclose the nature of the interest when making a disclosure of a pecuniary interest or a non-pecuniary conflict of interest at a meeting.

**A Declaration form should be completed and handed to the General Manager** as soon as practicable once the interest is identified. Declarations are made at Item 3 of the Agenda: Declarations - Pecuniary, Non-Pecuniary and Political Donation Disclosures, and prior to each Item being discussed: The Declaration Form can be downloaded at .....

### Confirmation of Minutes

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Confirmation of the Minutes of the **Ordinary Meeting of Council held 25 November 2024.**

Confirmation of the Minutes of the **Extra Ordinary Meeting of Council held 11 December 2024.**

### Commemorations and Announcements

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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.

### Public Forum

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Any person registered to speak during Public Forum on a matters included in the business paper and registered via the Council website prior to 12 Noon on the day of the meeting will have the opportunity to speak. There will be only two speakers for and against, on each matter on the business paper.

Public forum will be allocated half an hour time in total with each speaker having 3 minutes to speak.

Speaker not registered for public forum will have an opportunity to speak on matters on the business paper if time permits.

### 1. Mayoral Minutes

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The Mayor is able to table a Mayoral minute at the meeting if required.

## 2. Notices of Motion

### 2.1. NOM - 28/01/2025 - Cr D Goodwin - Waiver of Water Bill Balance

**Report by** Councillor Darryl Goodwin

#### **Commentary**

I move that the owner of property lot 80 DP 26218, who does not reside in Lithgow and has an unoccupied property, be granted a waiver of the remaining balance of \$734.10 on his water account due to the loss of water resulting from Council's actions.

#### Commentary

The owner of property lot 80 DP 26218 does not live in Lithgow. The property is unoccupied and has been for some time. The owner has been renovating the property intermittently. Prior to the 17/09/2024 The owner returned to Lithgow and commenced to work on restoring the water pipes at the rear of the property. As such the owner turned off the water at the meter.

The owner was unable to complete the work before they had to leave. The water was left turned off at the meter as there was an open pipe at the rear of the property

Sometime after, Council have proceeded to work on the main water pipe near the property. On completion, it appears that council may have attempted to flush the water line into his premises. As the water was turned off at the meter council had to turn the water back on to flush the tap. Council did not turn the water meter off and by not doing so it caused large amounts of water to run out of the open pipe at the rear of the property. The owner did not become aware of this for several days. The owner contacted a friend to check the water meter which was on and running. The friend turned the meter off.

When the owner received his account on the 29/09/2023 it indicated he had used 268KI totalling \$862.20. The owner contacted Council and had a conversation with them about the account.

On the 18/12/2024 the owner received another account from the next period using 73KI totalling \$394.20 this consumption of water was a continuation of the loss of water over two billing periods.

The owner wrote to council requesting a waiver of the fees as the water was not their loss. Council agreed to rebate the owner \$628.20 as per council policy with a remaining balance of \$734.10. It was suggested to the owner to contact a councillor and request that the issue be brought to the entire council for a decision be made on the request. The owner has indicated that the previous accounts leading into this were zero that proves that the water consumption prior to this was non-existent.

The owner is requesting the entire remaining balance of \$734.10 expunged.

#### **Attachments**

1. Emails from Occupant [2.1.1 - 3 pages]

#### Recommendation

THAT Council waive the remaining balance of \$734.10 on lot 80 DP26218.

#### **Management Comment**

The Administration has reviewed the background regarding the water usage of the property, and the following information is provided for the Council:

- Regular, low-level water usage was recorded between March 2020 and December 2022, below the minimum level to incur a charge. This indicates the meter was not fully turned off by the owner.
- The repair work performed by Council was done on 27 October 2022, with no subsequent spike in water usage, indicating that the meter had not been adjusted due to the repair, and that the works did not create the leakage. This also indicates that there was no flushing through the meter.
- Council records indicate that an increase in water usage occurred between 21 June 2023 and 21 October 2023, some nine months after the repair work performed by Council.
- Under Council's Policy Excessive Water Usage Allowance for Breakages Policy, Council waived \$628.20. Under this Policy, property owners may apply for assistance, should the remaining balance cause financial hardship and the property is the principal place of residence. This property is not the principal place of residence for the property owner.
- An arrangement to pay the remaining balance can be entered into to aid the property owner, which would prevent further debt recovery action, if the arrangement is met.

## 2.2. NOM - 28/01/2025 - Cr M Ticehurst - Proposed new Lithgow City Council Cost of Living webpage

**Report by** Councillor Martin Ticehurst

### Commentary

I am seeking support for a proposed new Lithgow City Council Cost of Living webpage.

I would welcome the webpage to include links to the NSW State Government Cost of Living Hub webpage (<https://www.nsw.gov.au/money-and-taxes/cost-of-living-hub>), which has significant information on cost-of-living savings for our ratepayers and residents with:

Food & Groceries; Employment; Housing; Energy & Utilities; Managing Money; Health; Families & Care; Transport, Driving & Fuel along with very helpful Tools and Calculators including the Service NSW Savings Finder.

This could also include providing our ratepayers with their Rates Notices a copy of the attached pdf 'Top tips to save you energy and money' issued by the NSW State Government Climate and Energy Action Department.

I would also welcome the webpage to also include links to the Federal Government's Money Smart webpage (<https://moneysmart.gov.au/budgeting/manage-the-cost-of-living>), which has significant information on cost-of-living savings for our ratepayers and residents with:

Easy ways to reduce living costs; Smoothing out big bills; Prioritising rent or mortgage payments; Making a money plan; Getting help if needed; How to do a budget; Tracking spending; Managing on a low or casual income; Budget planning & Avoiding sales pressure.

Additionally, I would welcome our webpage to also include as much information on various Local cost-of-living savings that may be available to ratepayers, residents and visitors.

This may include but is not exhaustive of cost-of-living savings with helpful hints such as ensuring ratepayers report any water leaks as soon as possible, new Pension Cards for our various Council's Pensioner Concession Rebates, Pensioner Pet Registration Fees, our Rate Payment Arrangements or extensions; Debt Management and Hardship Policy.

Additionally, I would anticipate that our webpage may also include Discounts that may be in the public offering from participating local businesses and services, including those local businesses and services participating with the NSW Senior Card program.

Household Energy Saving information is available at: [www.energy.nsw.gov.au/households](http://www.energy.nsw.gov.au/households)

### Attachments

1. Top tips to save you energy and money' issued by the NSW State Government Climate and Energy Action [2.2.1 - 2 pages]
2. Save power Save money [2.2.2 - 1 page]

### Recommendation

THAT Council establish its own new Lithgow City Council Cost of Living webpage to assist its ratepayers and residents.

### Management Comment

If resolved by Council, the Administration would program the establishment of a Cost of Living webpage for the current financial year.

### 2.3. NOM - 28/01/2025 - Cr M Ticehurst - Request to State Government for the waiving of Penalty Notices of \$55 for non-voting arising from the 2024 Lithgow City Council Election

**Report by** Councillor Martin Ticehurst

#### **Commentary**

In the 2024 Lithgow City Council Election, Elections NSW has published confirmation that out of a Total Enrolment of 15,899 voters, there were 13,874 ballots counted – representing an excellent turnout figure of 87.26% of all enrolled voters eligible to cast their vote in our recent Council Elections.

Conversely, it should be noted that it was only 12.74% or just 2025 of eligible enrolled voters who did not cast a vote in the 2024 Lithgow City Council Election.

The Elections NSW website indicates that our voters may have been eligible to vote in person before election day at pre-polling place for the Lithgow City Council Election, if they were on the Election Saturday of the 14 September 2024, going to be outside of our Council area; were to be more than 8km from one of our Council Polling Places; travelling and unable to attend a Council Polling Place; seriously ill or infirm, and due to such illness or infirmity would be unable to attend a Polling Place; approaching maternity; had religious membership or beliefs that prevented them from attending a Council Polling Place; in a Correctional Centre and prevented from attending a Council Polling Place; were caring for a person outside of a hospital setting, which prevented them from attending a Council Polling Place; would be working; were a silent elector; a person with a disability or believed that attending a Council Polling Place would place your personal safety or the safety of your family at risk.

In Pre-Poll for the 2024 Lithgow City Council Elections, 6349 or 45.76% of all voters casting their votes, met the above Pre-Poll eligibility to vote in person before the official Election Day on Saturday 14 September 2024?

As the Council and Councillors would be aware and as was confirmed by the Acting NSW Electoral Commissioner Dr Matthew Phillips in a Media Release prior to the 2024 Lithgow City Council Elections, “Unlike at State Elections, you must vote within your Council area ... at Local Council Elections. There is no absentee voting.”

Additionally, it is noted that that both at the Lithgow City Council Election Pre-Poll and then on the Election Day Saturday, many people from outside of the Lithgow City Council LGA attended, seeking to cast their vote in the NSW Local Government Elections.

With respect to the just 2025 enrolled voters who did not cast a vote in the 2024 Lithgow City Council Election, the Elections NSW website advises that if it appears that they didn't vote at the Lithgow City Council Election and did not have a valid reason, they are currently being sent and/or receiving an 'Apparent Failure to Vote' notice in the post.

They must respond within 28 days of the issue date of the notice and if they do not reply within 28 days, they will be sent a reminder notice before the matter is referred to Revenue NSW for further action in which case, there will be an additional \$65 fee and may then result in a Penalty Notice Enforcement Order being made against them which may lead to the cancellation or suspension of their driver licence, or the cancellation of their car registration.

The Elections NSW website also advises the \$55 Penalty Notice Fines for Not Voting are paid to the NSW Treasury and are not retained by NSW Electoral Commission (or the Lithgow City Council).

The Elections NSW website confirms that where the just 2025 enrolled voters who did not cast a vote in the last years Lithgow City Council Election do ask to be excused, they must provide a brief and honest explanation for why they were unable to vote.

Section 314 (6) of the Local Government Act 1993 lists that it is a sufficient reason for a failure by a resident to vote if the Electoral Commissioner is satisfied that the resident is (a) dead, or (b) was absent from the area on polling day, or (c) was ineligible to vote, or (d) had an honest belief that he or she had a religious duty to abstain from voting, or (f) was unable to vote for any other reason acceptable to the Electoral Commissioner.

I understand that a significant majority of the just 2025 enrolled voters who did not cast a vote in the last years Lithgow City Council Election will no doubt have or may hold reasonable grounds under both (b) and (f) above; including the previous grounds listed for Pre-Poll voting such as being away, travelling or work commitments; or unfortunately holding Covid health symptoms concerns on the official Election Day, Saturday 14 September 2024.

### **Attachments**

Nil

### **Recommendation**

THAT Council write to Premier Chris Minns, Minister for Local Government Ron Hoenig; the Elections NSW Commissioner and the Chief Commissioner of Fines Administration to request the waiving of any future Penalty Notices of \$55 being issued to any of the 2025 enrolled voters who did not cast a vote in the 2024 Lithgow City Council Election, given the high excellent voter turnout of 87.25%, multiple Pre-Poll voting restrictions, absentee voting not being available and voters unfortunately holding Covid health symptoms concerns on the official Election Day, Saturday 14 September 2024.

### **Management Comment**

The Electoral Act 2017 does not allow discretion with regard to service of a penalty notice for not having a sufficient reason for failing to vote at an election. S259 of the Electoral Act states -

- (1) The Electoral Commissioner must, after every election, prepare a list of the names of the electors who were entitled to vote at the election and did not vote.*
- (2) If an elector is indicated on a list as not having voted at the election, the Electoral Commissioner, within 3 months after the election day concerned, must issue a penalty notice to the elector.*

As stated in the Notice of Motion, there is a mechanism for electors to provide a sufficient reason for their failure to vote. If an elector asks to be excused, they must provide a brief and honest explanation for why they were unable to vote.

## 2.4. NOM - 28/01/2025 - Cr E Fredericks - Request Mayor, Council and Health Working Group to petition Health Minister Ryan Parks MP and the State Government

**Report by** Councillor Elizabeth Fredericks

### Commentary

On December 28<sup>th</sup>, a post was put on Facebook, a mother working through a terrifying experience with her son. A terrifying medical experience that saw her child writhing in pain for hours at our hospital whilst waiting on pathology and radiology to open for tests to be done, then hours waiting for transport to Nepean, hours in the waiting room at Nepean, surgery then being discharged with no pain meds or antibiotics. 30 hours of fear, confusion, pain. 30 hours that still wasn't over. After going home with no pain meds or antibiotics, fever spikes, back to Lithgow hospital the family go, just to be transferred back to Nepean, to almost be forced back into Nepean's waiting room, thankfully the family were listened to because even the paramedics supported the advocacy coming from the child's mother, another surgery, another attempted discharge with no pain meds or antibiotics.

Sounds like something from a developing countries Health service. No. It's our health service.

After Shell Daley posted her experience, many others added their own, being transferred to Nepean and having to go back through triage there, after explaining to medical staff that one didn't have transport from Nepean before being sent there, being told that they would be transferred back just to be told by Nepean after surgery that the train station is near by and they will be dropped off there.

That is the Health service that is "acceptable" to our LGA of twenty thousand. A service where a child may have their system shutting down and have a 20 minute helicopter ride to Westmead Children's Hospital, but the family have a 3 hour car trip, if they can or even have access to transport. A minimum of 3 hours, racing against time, panicking every time the phone rings, " is it the hospital, did she make it, did we just say our goodbyes when she was put on the helicopter ", imagine driving into Sydney with those thoughts chasing one another.

### Attachments

1. <https://www.facebook.com/share/p/1DtCRbaMsn/> [2.4.1 - ]
2. <https://omny.fm/shows/the-ray-hadley-morning-show/a-healthcare-system-in-shambles-councillor-calls-o> [2.4.2 - ]
3. <https://omny.fm/shows/the-ray-hadley-morning-show/mother-speaks-out-after-son-s-30-hour-wait-for-eme> [2.4.3 - ]

### Recommendation

THAT the Mayor, Councillors and Health working group, petition Ryan Park MP, Health NSW and the NSW Government for the following,

- A fulltime paediatrician to be based at Lithgow Hospital.
- A paediatrics wing to be created and reopened at Lithgow Hospital.
- Extra staff to be funded and employed in radiology and pathology to reduce issues arising with calling any in during out of hours.
- Funding for more paramedics to be employed.
- A change in transport procedures to cut back transport times, push transfers via paramedics to be pushed ahead of emergency departments to prevent redoing triage at the transfer hospital.

- Seeing if possible, having some emergencies being transferred to Bathurst Hospital, depending on severity.
- Funding for more surgical doctors to be enticed to Lithgow Hospital for our theatre to be utilised.
- Funding for a minimum of another 2 nurses/midwives.

### **Management Comment**

To assist with effective advocacy for health services and delivery programs, Council is working to establish a detailed understanding of the current operating environments and constraints across our local health providers. A range of factors influence the provision of health services by Government and private providers and having a detailed understanding of how these are applied to, and affect, services in the LGA is critical to achieving effective advocacy for improved and required local services.

The Councillor working group on Health is also planning for a specific issues focused forum with key health service providers in April 2025.

## 2.5. NOM - 28/01/2025 - Cr T Evangelidis - Lithgow Tourism Rebrand

**Report by** Councillor Tommy Evangelidis

### Commentary

In 2024, LCC directed a tourism rebrand to be implemented in 2025. I commend LCC for being proactive in this area. For the past few years, the previous re-brand 'The Seven Valleys' has for me not only been confusing but sought to 'hide' Lithgow. Clearly the reasoning for removing Lithgow was the perceived negative stigma that had attached itself to Lithgow over the years.

I suggest rather than removing Lithgow from our tourism, the goal should be to re-educate and redefine people's perception of Lithgow. The Lithgow of today and the Lithgow of the future is and will be vastly different to the past. Newcastle, Marrickville, Kings X all had a negative stigma but now they are all desirable locations.

Everything negative I was told that Lithgow was, has proved to be incorrect or grossly exaggerated.

To anyone that says these branding agencies are professionals in what they do. That might be correct but that would assume they never get it wrong? There have been massive rebrands from top agencies with huge budgets that failed dismally. Can anyone remember Vegemite 2.0? Or more recently BOM. In the two case studies that were shown to Council (one of which was award winning), both had the location included in the title. I believe that this is paramount. Tourism is the Gate way for growth, tourism introduced our family to Lithgow.

Whilst I respect the argument that tourism isn't designed to attract a local market. I would argue that civic pride and use of rate payer's funds in implementing rebrands, has to be respected and considered.

The suggested rebrand for our region's tourism is amazingly bold. I believe the addition of including Lithgow in the rebrand, slides in perfectly and most importantly helps communicate to what is hugely important – Where are The Seven Valleys?

To the other towns in our LGA that feel they are overlooked by not being one of The Seven Valleys. The benefit of including Lithgow in the title is it serves the whole region, in the same way Sydney covers many tourist locations such as Manly and Bondi.

### Attachments

1. – <https://www.abc.net.au/news/2022-10-19/bureau-meteorology-rebrand-cost-200-thousand/101552620> [2.5.1 - ]
2. <https://www.thebrandingjournal.com/2016/05/vegemite-isnack-2-0-branding-disaster/> [2.5.2 - ]
3. <https://www.midcoast.nsw.gov.au/Your-Council/Our-news/News-releases/Silver-success-for-Barrington-Coast-in-Tourism-Awards> [2.5.3 - ]

### Recommendation

THAT any future tourism re-brand shall include Lithgow in the title.

### Management Comment

The Seven Valleys' place brand can create a positive perception through undertaking a visitor-centric approach to marketing The Seven Valleys first.

Diluting the Seven Valleys place brand with the formal inclusion of one town name over another, i.e. Lithgow over Wallerawang or Capertee, will significantly restrict the opportunities to adopt a holistic approach to establishing the foundations for marketing the Seven Valleys as a place brand, rather than only a destination brand. The purpose is to position the Seven Valleys as an ideal place to visit, relocate, live, and invest (that is anywhere in the Seven Valleys).

The proposed Seven Valleys Marketing Plan 2025–2027 identifies opportunities for the recognition of the specific locations, towns and villages of the LGA under the place recognition of the Seven Valleys. The Seven Valleys is not a specific geographic name location it is a place brand. The commissioned research clearly indicates that The Seven Valleys has naming that connected with visitors to the LGA, and that despite minimal budget to promote it, the brand had good resonance with visitors and was endorsed as a credible concept.

Specialists in the field of regional tourism marketing and brand implementation, Destination Marketing Store, were commissioned by Council to undertake research and develop the most relevant tourism brand to represent the Lithgow LGA. This research included three industry stakeholder sessions held with local tourism related businesses in Lithgow, Wallerawang and Capertee. The results of the research, engagement and specialist assessment was that The Seven Valleys was recommended to be continued to be developed as the place brand for Lithgow LGA.

Even though tourism is not the number one industry for the Lithgow LGA, it is the foundation to influencing a perception of a place for relocators, investors as well as the visitor. The relationship between place perception and economic performance is quantifiable. Perception is a powerful driver of human decisions. Perception influences 86% of the willingness to visit, invest, or live in a place. The equation is simple: positive perception equals higher willingness to visit, relocate to or invest. If a place does not cultivate a positive image, it's unlikely to attract visitors, investors, or new residents.

Successful brand development takes time and a clearly defined strategy and execution plan. The successful development of The Seven Valleys brand will deliver positive perception change across residents of, and visitors to, the LGA without the requirement to identify one specific location as the defining element of the brand.

**2.6. NOM - 28/01/2025 - Cr R Smith - Council request that EA amend their documents by omitting the Lake Lyell Hydro Project****Report by** Councillor Ray Smith**Commentary**

**Background:** an EA newsletter which contains possible misleading and unestablished information must be refuted. Opposition has already been passed through Lithgow Council rejecting the Project on various grounds.

**Attachments**

Nil

**Recommendation**

THAT Council Administration request EA to delete using the Lithgow Councils LEEP Plan off its documents and newsletters.

**Management Comment**

In December 2024, Energy Australia circulated a newsletter that contained at least two inaccuracies with respect to its references to the Lithgow Emerging Economy Plan, a document jointly owned by both the NSW Government and Lithgow City Council.

Council's Director Infrastructure and Economy wrote to Energy Australia in December requesting that it withdraw the pamphlet from circulation and issue a correction to the information in the form of an additional pamphlet distributed no less extensively than the pamphlet containing the incorrect information. A copy of the Council's correspondence was distributed to all Councillors on 16 January 2025.

Council staff officers have since met with Energy Australia about several matters – including the issue which is the subject of the proposed Motion. In that meeting, Energy Australia conceded there was some inaccuracy in its newsletter and indicated that it would shortly write to Council providing a formal response.

Energy Australia is a key stakeholder in Lithgow's transition. Energy Australia provides approximately 400 well paid jobs in this region, with further contribution to local employment made through their suppliers and contractors. It is critically important to the success of Council's diversification efforts that Energy Australia remains deeply involved with the LEEP, particularly its worker transition and capacity building initiatives.

The Administration has requested that EA exhibit more care, and that we work more closely together when developing community engagement materials moving forward. They agreed with this wholeheartedly. Banning EA from use of LEEP documents during this important period of Lithgow's early transition will only make this working relationship, formed for the benefit of Lithgow's workforce of today and tomorrow, more difficult.

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**2.7. NOM- 28/01/2025 - Cr R Smith - Lithgow Council be requested to provide a written submission opposing the Lake Lyell Hydro Project**

**Report by** Councillor Ray Smith

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**Commentary**

At the Ordinary Meeting of Council held on the 28-10-2024 a motion was moved and passed at a majority vote of 8 to 1 to oppose the Lake Lyell Hydro Facility. This obviously indicates that the duly elected council believes the Project to be of no long term benefit to our economy and employment outlook.

**Attachments**

Nil

**Recommendation**

THAT Council administration be requested to present a submission opposing the Project, when and if they are to be submitted

**Management Comment**

If the Council supports the proposed motion, guidance will need to be provided to the Administration at the time of any submission being prepared, to clearly demonstrate the basis of Council's opposition to specific aspects of the project.

## 2.8. NOM - 28/01/2025 - Cr R Smith - Mayoral and Councillors participation on all Committees

**Report by** Councillor Ray Smith

### Commentary

At the Ordinary Meeting of council on the 25-11-2024, Councillors representations on Council committees was processed. It has been noted at least one committee was not listed, being the Future Jobs & Investment Committee. Was this committee the only one missing or are there other committees that have been omitted? The Future Jobs & Investment Committee must surely be more critical and important in regards to where the council and economy will stand going forward.

### Attachments

Nil

### Recommendation

THAT All committees to be declared and open to Mayoral and Councillors participation , in particular The Internal Committee for Future Jobs & Investments Committee.

### Management Comment

One Council Committee which has Councillor membership restrictions specified in the Local Government Regulation is the Audit Risk and Improvement Committee.

With regard to the Future Jobs & Investment Committee, the contents of a memorandum provided to the Council on 16 January 2025 follows, for reference.

Leading practice transitions globally have had vastly improved outcomes where all levels of government, the knowledge sector, workforce unions and the private sector have worked collaboratively in a shared responsibility framework that is independent of each of them. As Weller et. al. (2021) noted in "Social and Economic Adjustment in the Upper Hunter" (p.iii):

*The governance arrangements associated with structural adjustment programs appear to be critical in determining their success or impact. That is, has the structural adjustment program been accompanied by the creation of a meaningful body to oversee its implementation locally, and linked to other initiatives. This is likely to include regional stakeholders – communities, firms and unions – and all levels of government. Ideally, this would be a structure that is chaired independently and works to a defined agenda or set of objectives. It needs to take a long-term view and aspire to a legacy that is focused on ... successful transition ..."*

In consideration of that advice and the recommendations of the LEEP Report, Council established a Lithgow Future Jobs and Investment Committee (the Committee) under the provisions of s355(b) of the Local Government Act. The functions of this committee largely reflect the existing statutory language of the mining legislation amended to foreshadow some of policy framing being prepared by the NSW Government. The purpose of the Committee is to provide a shared responsibility and accountability framework.

The Committee does not have a determining function and is purely advisory. Its membership consists of the principal experts and strategists responsible for transitions management from within the key LEEP partner organisations. This Committee's recommendations are then provided to each of the decision-making bodies within the LEEP partner organisations. This includes the elected Council

(directly and through the Emerging Economy Committee) together with the senior leadership teams, boards, and trustees of the other key LEEP Partners.

The Committee membership is structured in a similar way to that proposed for the Central West Future Jobs and Investment Authority (the Authority) and designed to merge seamlessly with the establishment of that Authority in time. That Authority will, similarly, report its expert findings to decision-making bodies within Government – including the Minister for Natural Resources.

The Administration supports the present model as it brings the key technicians into the room to explore fact and evidence-based strategic interventions in the Lithgow economy before presenting options to decision-makers for determination and funding.

If the model were to change with involvement by decision-makers in the coordination of advice, it may necessitate establishing a working group of technicians internally to provide the independent and fearless advice required in the governance of the transitions management exercise.

The NSW Government is presently reviewing its governance structure for a proposed Central West Future Jobs and Investment Committee and Council has approved an Action Plan item to review the Future Jobs and Investment Committee governance structure following the release of the NSW Government's proposals. Whilst no timeframe has been provided by the NSW Government for that review, the working assumption is that the review will be finalised by approximately June.

It is recommended that Council receive a review of the present structure following publication of the NSW Government's proposed governance structure for a Central West Future Jobs and Investment Committee, which we hear may be forthcoming in the coming months.

**2.9. NOM - 28/01/2025 - Cr R Smith - Introduction of an Opening Prayer added to the agenda of Council Ordinary Meetings**

**Report by** Councillor Ray Smith

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**Commentary**

As incorporated in numerous LGA's along with other acknowledgements that an opening prayer be conducted. Approach has been made by Reverend Mark Groombridge of the Anglican Church suggesting all denominations participate on a rostered basis when Ordinary Meetings of Council are held.

**Attachments**

Nil

**Recommendation**

THAT council add the prayer into the Meeting agenda and Council Administration confer with Religious denominations to proceed on a rostered timetable.

**Management Comment**

Nil.

## 2.10. NOM - 28/01/2025 - Cr M Ticehurst - Lithgow City Council 2023-24 Financials for Lithgow Golf Club Ltd ACN 001 037 823.

**Report by** Councillor Martin Ticehurst

### Commentary

All Councillors and I have now been provided with the following Lithgow City Council 2023-24 Income and Expense Financials for the Lithgow Golf Club Ltd ACN 001 037 823.

For 2023-24:

#### INCOME

Rental Income	\$ 9,795.50
Inspection Fees	\$ 484.00
Water & Sewer Charges	\$ 3,318.71
Total Income:	\$ 13,598.21

#### EXPENSES

Wages Paid	\$ 168,616.57
Materials	\$ 17,314.86
Repairs & Maintenance	\$ 2,662.79
Fire Inspections	\$ 9,161.66
Tree Removal	\$ 6,400.00
Internal Plant Hire	\$ 264,336.80
Depreciation	\$ 87,995.72
Total Expenses:	\$ 556,488.40

The following additional Key Notes were also provided to all Councillors:

As per the Lease Agreement between the Lithgow City Council and the Lithgow Golf Club Ltd, the Golf Club pays for its own outgoings for Electricity, Gas, Telephone and Internet.

Under Clause 5.2 of the same Lease Agreement, if the Lithgow Golf Club Ltd makes a profit, it pays 20% of the profit to the Lithgow City Council the following year.

2023 - Loss \$10,645. No contribution paid to Council in 2023/24 FY.

2024 - Profit \$39,828. Contribution of \$7,965.60 paid to Council in this 2024/25 FY.

Lithgow City Council Rates and Annual Charges for 2023/24 were \$10,863.46. As the Lithgow City Council owns the property, No Rates and Annual Charges Income was collected from the Lithgow Golf Club Ltd.

The Council, Councillors, ratepayers and residents should note these current online advertised 2024-25 Lithgow Golf Club Ltd. Membership Fees:



**MEMBERSHIP**

**FEES AND GOLF CATEGORIES FOR 2024-25 ARE AS FOLLOWS**

GOLF CATEGORY	ANNUAL FEE	AFFILIATION FEE	TOTAL COST
7 Day Member	\$565	\$45	\$610
Weekday Member	\$395	\$45	\$440
6 Months Member	\$315	\$45	\$360
9 Hole Member	\$315	\$45	\$360
Intermediate (18-21yrs)	\$315	\$45	\$360
Junior Member Under 18	\$75	\$25	\$100
Country Member	\$220	N/A	\$220
Social Member	\$15	N/A	\$15

**Attachments**

1. Lithgow Golf Club Ltd - Financial Statements to 30 June 2024 [2.10.1 - 21 pages]

**Recommendation**

THAT:

1. Council, Councillors, ratepayers and residents note the Lithgow City Council 2023-24 Income and Expense Financials for the Lithgow Golf Club Ltd ACN 001 037 823 and the attached Financial Report to ASIC for 2023-24 from the Lithgow Golf Club Ltd ACN 001 037 823.
2. Council notes that under point 2. of Council Resolution 24 -266 as made on the 25 November 2024, the General Manager will be including the (2023-24) 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).
3. Council, Councillors, ratepayers and residents note the current online advertised 2024-25 Membership Fees for the Lithgow Golf Club Ltd ACN 001 037 823.

**Management Comment**

The current lease with Lithgow Golf Club is continuing on a monthly basis. Any new lease would need to be reported to Council and be placed on public exhibition before being entered.

A Councillor Information Session has been scheduled at Lithgow Golf Club for Tuesday 11 February. Agenda topics include discussion regarding any new lease, a Volunteer Policy and a possible working party with Council. The Information Session will provide Councillors with an opportunity to discuss the lease directly with Golf Club management.

## 2.11. NOM - 28/01/2025 - Cr E Mahony - Review of Primary School Crossing Safety in the Lithgow Local Government Area

**Report by** Councillor Eric Mahony

### Commentary

Primary school children are among the most vulnerable pedestrians in our community, due to their limited understanding of traffic rules and their lack of awareness of high-risk traffic situations.

Over the years, crossing safety around local schools has seen consistent improvement through various initiatives. These include but not limited to raising awareness and education, enhancing crossing designs, reducing vehicle speeds in school zones, promoting safe practices, crossing supervision and fostering a culture of road safety from an early age.

These measures help to significantly reduce the risk of accidents and ensure students can travel to and from school safely.

Two specific locations have been identified for concern by parents, which should be a priority for the first stage of the proposed review schedule.:

1. The southern side of Lithgow Public School, particularly along Eskbank Street and Short Street.
2. The crossing on the crest of Western Main Street, located just east of Coerwull Primary School.

### Attachments

Nil

### Recommendation

THAT all traffic zones surrounding primary schools within the Lithgow Local Government Area (LGA) be scheduled to undergo a review by the Traffic Advisory Local (TALC). The review should focus on improving sight lines at school crossings, parking and other child safety issues, with any proposed improvements reported back to the Council for implementation.

### Management Comment

The administration recently delivered aspects of a safety audit, which was the result of a successful Council-initiated grant application to Transport for NSW (TfNSW). This audit included a review of School Zone signage and line marking as this was the scope of the funding program.

As part of this project, Council did approach all local schools to seek their feedback on the installation of 'Kiss and Drop' zones around their schools. Ultimately, this turned into 5-minute parking zones because schools could not provide the required supervision for 'Kiss and Drop' zones.

The only schools that replied were Coerwull, St Josephs (Portland) and Zig Zag. Further consultation with the schools, ordering of signs, community notification and engagement is scheduled to commence in the lead up to the July School Holidays, and then installed ready for Term 3.

Lithgow Public School did not advise of any request for a 'Kiss and Drop' or 5-minute parking zone.

Please also note that, respectfully, the TALC isn't the correct body to investigate school zone safety concerns. These zones are the responsibility of TfNSW and is not a function delegated to Council.

It is suggested that the Council could write to TfNSW to undertake this audit, through the use of their more specialised skills in this space.

Notwithstanding the advice above, with respect to the specific areas listed, the following information is provided:

Eskbank / Short Street:

The issue largely relates to parents parking in the no stopping zone in Short Street and dropping off in the Eskbank Street bus zone (both actions are illegal). It might be more effective to request that the school and local Police work in partnership to reinforce existing rules by reporting number plates of offenders. Sight distances have been assessed to be acceptable for the location of the pedestrian crossing, provided people use the correct pedestrian crossing infrastructure (not cross in the middle of the block unsafely).

Main Street:

This Pedestrian Crossing is for all the community, not just school students, as it aligns with the rail overpass.

Unfortunately, having to retrofit safety infrastructure into old areas like Lithgow that don't fully meet new, more stringent guidelines and legislation is very challenging. Any changes that Council proposes for TfNSW to implement must consider the limitations of the area.

Lastly, crash statistics of the area must be considered. At the locations listed:

1. Main Street Pedestrian Crossing: 1 x rear end collision with minor injury (2021) and 1 x right rear end collision at T intersection with minor injury (2022)
2. No crashes or pedestrian incidents reported in Short Street or Eskbank Street

Comparatively, this is a very low occurrence of accidents in the area.

It is the understanding of the Administration that, generally, existing road safety infrastructure is not the root cause of the problem. Instead, a perceived lack of safety around schools relates to the fact that due to time pressures and tight residential areas, some choose not to abide by the existing rules and try to cut corners by parking in No Stopping zones or crossing roads in locations other than the designated zebra crossing.

As was the case with Wallerawang Public School, community and school education alongside Police enforcement are the most effective methods of improving safety around schools.

The following link might be useful if Councillors wish to obtain more information.  
<https://www.transport.nsw.gov.au/roadsafety/community/schools/safety-around-schools>

## 2.12. NOM - 28/01/2025 - Cr E Mahony - Development of a Council Volunteer Policy

**Report by** Councillor Eric Mahony

### Commentary

Volunteering across the Lithgow City Council Local Government Area is central to enriching community life and helps build strong, inclusive, safer and resilient communities.

The contributions from volunteers over decades across the region have led to the success of many community projects, programs and events, whilst providing benefits to the volunteers themselves.

The nature of our Local Government Area provides a geographic challenge to managing Council assets and services as our community is spread across several larger urban townships and many smaller rural villages and localities. Volunteering provides an opportunity for these communities to be directly involved in the management of community assets.

The Notice of Motion seeks the support of the Council to commence the process of developing a Volunteer Policy to provide an opportunity for a broader sector of our community to participate in our management of community assets. These potential volunteers span many age groups across our community and participation and ease of access to this process, which can significantly improve community life, should be encouraged.

### The purpose of this notice of motion.

The notice of motion seeks to establish a Volunteer Policy for Lithgow City Council that builds a response which provides for a community actively participating in the management of community assets and supporting staff in the delivery of Council services to enrich community life and the liveability of our region.

A policy that provides for our Council to maximise the opportunities for members of our community matched to each individual's skills, knowledge and abilities with satisfying roles to assist through volunteering their time in the management of key assets such as Parks, Bushland Reserves, and other community assets supporting the delivery of important community services.

The Volunteer Policy, will also provide guidance for Council to consistently meet its Work, Health and Safety and risk management requirements in a range of community engagement settings. The policy will also provide a framework to ensure best practice in volunteer involvement through effective leadership, management and support of our volunteers, to deliver mutually beneficial activities and results,

### Attachments

1. Lithgow City Council Volunteer Policy draft 2025 [2.12.1 - 6 pages]

### Recommendation

THAT the Council endorses the first stage of the development of the Lithgow City Council Volunteer Policy by referring the attached draft document to the relevant committees (suggested are Strategic Review Committee (formerly operations committee), Community Development, Environmental Advisory, Finance Committee, and staff for review.

**Management Comment**

Should Council resolve the recommendation, it is recommended that consultation is undertaken and feedback sought from relevant stakeholders both internal and external to Council, including current and aspiring volunteers, committees of Council and Administration.

Work has commenced on a draft Volunteer Policy, however, other priorities (e.g. staff recruitment) have delayed progress towards finalising the draft policy. Development of the policy will be re-prioritised upon a resolution of Council.

### 3. Administration Reports

#### 3.1. GM - 28/01/2025 - Request for Information - Cr Ticehurst

**Strategic Context for this matter:**

**Responsible Governance & Civic Leadership** To develop community confidence in the organisation by the way it is directed, controlled and managed.

**Author:** Ross Gurney - General Manager

**Responsible Officer:** Ross Gurney - General Manager

**Executive Summary**

The purpose of this report is to seek Council's determination regarding a request from Cr Ticehurst for the release of redacted / confidential information.

The matter was to be reported to the Ordinary Meeting of Council held on 25 November 2024, however, the report was withdrawn on the basis of a Code of Conduct complaint on the matter. The complaint has now been resolved.

Cr Ticehurst has advised that, as the General Manager has not released the information, he will lodge a new GIPA request for the documents to the Lithgow City Council. Further, Cr Ticehurst has stated that, given the Council's previous negative decision against publicly releasing the requested documents under GIPA, he will have more success in pursuing the ongoing non-release of the requested documents with the Information Commissioner and the NCAT.

**Administration's Recommendation**

THAT Council determine whether to support the release by the General Manager of redacted / confidential information requested by Cr Ticehurst in relation to the Timberfix proposal of 2017. If Council supports the release of the information, the General Manager will release the documents to all Councillors in confidence.

**Attachments**

Nil

**Reference to any relevant previous minute**

N/A

**Background and discussion**

On 24 October 2024, Cr Ticehurst lodged a request for document/s under Part 8 of the Code of Conduct – Access to Information and Council Resources.

Cr Ticehurst stated that the document/s are requested so that they may form part of a proposed future Notice of Motion with attachments before the Lithgow City Council.

The document/s requested is or are:

*A full and unredacted copy of all document/s and attachment/s of the 'Timberfix proposal' lodged with the Lithgow City Council on the 7 August 2017; apparently regarding whether the Council was in a position to consider the sale of part or all of Council land identified as Part Lot 20 DP 1217065, Barton Ave Wallerawang to develop a new private school.*

The requested documents were the subject of a GIPA application in April 2023. A third party consultation was undertaken as some information requested in the application related to an external party. An objection was received to releasing some of the information.

The relevant GIPA Act public interest considerations against disclosure of the information were:

- 14, 3(f) expose a person to a risk of harm or of serious harassment or serious intimidation.
- 14, 4(d) Prejudice any persons legitimate business, commercial, professional or financial interests.
- 14, 3c) Prejudice any court proceedings by revealing matter prepared for the purposes of or in relation to current or future proceedings.

With consideration of the public interest considerations against disclosure, some requested documents were redacted or withheld.

The General Manager sought advice from the Office of Local Government (OLG) with regard to releasing the redacted / confidential documents. The OLG advised that Councillors' access to Council information is regulated under Part 8 of the Model Code of Conduct and Council's adopted policy on councillor and staff interaction.

The Councillor & Staff Interaction Policy states:

*5.1 Councillors have a right to request information provided it is relevant to a councillor's exercise of their civic functions. This right does not extend to matters about which a councillor is merely curious.*

In its advice, the OLG stated - "*Given the information sought by Cr Ticehurst relates to a historical matter that predates his election as a councillor, it is not immediately apparent how access to the information he has requested is necessary for him to exercise his functions as a councillor.*"

The OLG further advised that it was acceptable for Council to consider Cr Ticehurst's request and adjudicate the request in light of the concerns identified by the third party.

It should be noted that in the event that the Council supports the release by the General Manager of the redacted / confidential information requested by Cr Ticehurst, the information would be provided to all Councillors in confidence. Councillors would be subject to requirements under Council's Code of Conduct not to disclose the information unless authorised to do so and to protect any confidentiality attaching to the information.

### **Section 11 Report to ICAC**

On 21 April 2023, the A/General Manager (Ross Gurney) self-reported on the Wallerawang land sale matter to ICAC, under S11 of the ICAC Act.

On 23 June 2023, the ICAC wrote to Council in response to the report. The Commission stated that they appreciated management's assistance in enabling them to better assess the allegations (i.e. by providing all relevant information). ICAC advised that they will not be pursuing the matter further.

**Consultation and Communication**

N/A

**Policy**

Part 8 of the Model Code of Conduct and Council's adopted policy on councillor and staff interaction are relevant to Council's decision.

**Legal**

As discussed in this report.

**Risk Management**

N/A

**Financial**

N/A

### 3.2. GM - 28/01/2025 - Disclosure of Councillors - Post Election

**Strategic Context for this matter:**

[Responsible Governance & Civic Leadership](#) To develop community confidence in the organisation by the way it is directed, controlled and managed.

**Author:** Trinity Newton – Executive Assistant

**Responsible Officer:** Ross Gurney - General Manager

**Executive Summary**

There is the potential for a public official to have personal interests which create an actual conflict with their official responsibility, or the perception of such a conflict. It is important that these personal interests are disclosed and held in a public register. The act of doing this establishes the foundation from which appropriate procedures can then be followed to avoid that private interest influencing or encroaching on the official's formal duties. This is a key transparency mechanism for promoting community confidence in Council decision making, whether by Councillors or by staff or others under delegation.

Under the Model Code of Conduct for Local Councils in NSW (Model Code of Conduct) all councillors, members of county councils and voting representatives of the boards of joint organisations must lodge a written return of interests with the general manager (or the executive officer in the case of joint organisations) **within three months of their election or appointment unless they have submitted a return within the previous three months.**

Disclosures reported as being received for the post-election period:

- Councillor Ray Smith
- Councillor Elizabeth Fredericks
- Councillor Tom Evangelidis
- Councillor Martin Ticehurst.
- Vanessa Browning – Director Finance and Governance

**Administration's Recommendation**

THAT Council note the tabling of Disclosures of Pecuniary Interest and Other Matters by the newly elected Councillors as listed in the report and Director Finance and Governance, lodged for the period 1/7/2024 to date of commencement with Council.

**Attachments**

Nil

**Reference to any relevant previous minute**

Min 24-215 Ordinary Meeting of Council held 28 October 2024.

**Consultation and Communication**

All disclosures are available for viewing upon request.

**Policy**

Model Code of Conduct

**Legal**

Council must make all returns of interests publicly available in accordance with the requirements of the Government Information (Public Access) Act 2009, the Government Information (Public Access) Regulation 2009 and any guidelines issued by the NSW Information Commissioner.

The Information and Privacy Commission's (IPC) Information Access Guideline 1 on the disclosure of information states that, generally, the returns should be made publicly available on the Council's website free of charge. Lithgow Council publishes Disclosures for Designated Persons on its website with personal information (e.g. signatures and residential addresses) removed to ensure privacy.

**Risk Management**

In accordance with the Model Code of Conduct, if a council official becomes aware of any new interests that need to be disclosed, the Council official must submit a new return within three months of becoming aware of the interests.

**3.3. F&G - 25/01/2025 - Investment Report November 2024****Strategic Context for this matter:**

[Responsible Governance & Civic Leadership](#) To develop community confidence in the organisation by the way it is directed, controlled and managed.

**Author:** Sharon Morley – Finance Officer

**Responsible Officer:** Vanessa Browning - Director Finance and Governance

**Executive Summary**

The purpose of this report is to advise Council of investments held at 30 November 2024 and to note the certification of the Responsible Accounting Officer that funds have been invested in accordance with legislation, regulations and Council policy.

The report also provides commentary on the cash and investments balance compared with the funding required for internally and externally restricted reserves. A key aspect of the report is that while Council has total investments and cash of \$74.1M, nearly all of this amount is restricted (internally and externally). Therefore, those funds are not available for any purpose beyond that for which they have been restricted. The balance of \$220K is Council's working capital.

**Administration's Recommendation**

THAT:

1. The Investments of \$71,103,684 and cash of \$3,029,269 (which is mostly restricted for specific purposes) for the period ending 30 November 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.

**Attachments**

1. Investment Report Attachment - November 2024 [3.3.1 - 1 page]

**Reference to any relevant previous minute**

Min No 24-263 Ordinary Meeting of Council held on 25 November 2024.

**Background and discussion****Movements in the Cash and Investments Balance**

Council's total investment portfolio as at 30 November 2024, when compared to 31 October 2024, has decreased from \$74,403,938 to \$71,103,684. Cash in Council's bank account increased from \$906,747 to \$3,029,269.

November is usually a cashflow positive month, as the second quarter rates instalment is payable. In November 2024, there were high cash outflows in relation to supplier payments which resulted in a decrease in cash for the month.

If the movement in the bank account is negative, this is shown as a nett redemption. If the movement in the bank account is positive this is shown as a nett new investment.

The movements in investments for the month of November 2024 were as follows:

Opening Balance of cash and investments as 1 November 2024	\$75,310,685
<u>Plus</u> New Investments – November 2024	\$7,822,268
<u>Less</u> Investments redeemed – November 2024	-\$9,000,000
Closing Balance of cash and investments as at 30 November 2024	\$74,132,953

The attachment to this report provides an overview of the current market value of investments held with each financial institution. The difference between the value quoted in in the attachment and within the report relate to the recognition of interest earned, but not yet received by Council.

**Responsible Accounting Officer comment on the cash and investments balance** – there was a \$1.18M decrease in cash and investments in November 2024. High cash inflows were offset by \$7.13M in payments to suppliers due to increased works activity, resulting in a decreased cash balance. Cash outflows continue to be managed to ensure that the timing of grant funding milestones matches the pace of works undertaken.

High value supplier payments include:

- \$760K Sunny Corner Road Safety Improvements,
- \$437K Reseal of Lithgow St, Lithgow,
- \$419K Pothole Repair Program,
- \$276K for domestic waste collection,
- \$256K Natural Disaster works on High St, Lithgow,
- \$238K for the West Bowenfels Sewer Pump Station design and construction,
- \$235K Kremer Park Retaining Wall,
- \$218K for construction of the new Store Building,
- \$211K Glen Alice Road,
- \$207K Natural Disaster works on Pipers Flat Road, Wallerawang,
- \$204K Burton St Causeway/Footbridge Construction,
- \$156K Civic Ballroom Flooring Replacement,
- \$124K for IT Server Upgrades,
- \$120K, Water Main Refurbishments Works.
- \$111K Reseal of Hill St, Lithgow,
- \$104K Wolgan Valley Access Road and design and project management, and
- \$101K Oakey Park Water Treatment Plant.

#### Funding Requirements for Restricted Reserves

A large proportion of Council's investments are held as restricted assets for specific purposes. Restricted assets may consist of externally restricted assets which must be spent for the purpose for which they have been received (e.g. Water, Wastewater, Domestic Waste) or internally restricted assets which have been set aside by Council resolution. Some internal restrictions are held to fund specific liabilities such as employee leave entitlements and bonds and deposits.

**Responsible Accounting Officer comment on restricted reserves** – Council had sufficient cash and investments at 30 November 2024 to fund \$62.M of externally restricted reserves and \$11.9M of internally restricted reserves. The \$33.75M advance payment for natural disaster restoration works has been included in the Special Purpose Grants Reserve.

The Council's working capital position (used to fund outgoing payments) was \$220K at 30 November 2024. The decrease in working capital from \$682K at the end of October 2024 to \$220K at the end of November 2024 is a result of meeting monthly cash flow needs. While November 2024 had high

cash inflows, this was offset by higher cash outflows, resulting in a net \$1.178m decrease in cash, resulting in the reduced the working capital balance.

<b>Cash and Investments Statement (\$'000)</b>			
	<b>30 June 2024 Position</b>	<b>30 September 2024 Position</b>	<b>30 November 2024 Position</b>
<b>Externally Restricted</b>			
Developer Contributions	1,851	1,741	1,923
Special Purpose Grants	44,441	42,429	39,707
Water Supplies	4,712	4,913	4,989
Sewerage Services	6,419	5,505	5,136
Domestic Waste	8,261	9,774	10,040
Unexpended Loans	1,342	754	255
	<b>67,027</b>	<b>65,117</b>	<b>62,050</b>
<b>Internally Restricted</b>			
Land & Buildings	2,184	2,184	2,184
FAGS	5,410	4,260	4,248
Plant & Equipment	643	643	347
Bonds, Deposits & Retentions	539	523	470
Works in Progress	637	637	637
Carry Over Works	407	117	82
Commercial Waste	1,405	306	634
ELE	668	754	754
Election	175	175	175
Other	2,332	2,332	2,332
<b>Total Internally Restricted</b>	<b>14,401</b>	<b>11,933</b>	<b>11,862</b>
<b>Unrestricted (working capital)</b>	<b>-</b>	<b>3,302</b>	<b>220</b>
<b>Total Cash and Investments</b>	<b>81,428</b>	<b>80,251</b>	<b>74,133</b>

### **CERTIFICATION OF THE RESPONSIBLE ACCOUNTING OFFICER**

I hereby certify that the investments listed in the report have been made in accordance with Section 625 of the Local Government Act 1993, clause 212 of the Local Government (General) Regulation 2005 and Council's Investments Policy.

Both internally and externally restricted reserves are managed in accordance with legislation, regulation, Council resolutions and Council's endorsed budget allocations to / from reserves.

Vanessa Browning  
Director Finance and Governance - Responsible Accounting Officer

### **Consultation and Communication**

N/A

## Policy

Investments are held in accordance with the Lithgow City Council's Investment Policy at the date of investing funds. On 26 February 2024, Council adopted a revised Investment Policy which includes the Minister's Investment Order of 12 January 2011.

## Legal

Council's Investment Policy complies with the Minister's Investment Order of 12 January 2011.

## Risk Management

Risk is managed by taking a conservative approach to managing Council's investments and only investing in term deposits.

## Financial

- Interest income budget approved           \$3,978,500 (full year)
- Cost centre                                       3259
- YTD Income to date                         \$1,766,617
- Future potential impact                    Nil.

Council's budgeted investment interest income for 2024/25 is \$4.0M, approximately \$1M more than 2023/24 actual interest received. In recent months, returns had dropped to just below 5.00%, then partially recovered, with rates of 5.10% achieved during November. Council's average investment balance is \$74M, which is mainly due to the \$5.4M 80% upfront payment of the 2024/25 Financial Assistance Grant, the \$13.8M natural disaster works payment and the \$33.75M advance payment for natural disaster restoration works.

Interest is paid on the maturity date of the investment. The budget for interest income is determined by the average level of funds held and the rate of return. Adjustments to the budget estimate are processed through Council's Quarterly Budget Review process. Interest returns are determined by average funds invested and the rate of interest return.

### 3.4. F&G - 25/01/2025 - Investment Report December 2024

**Strategic Context for this matter:**

[Responsible Governance & Civic Leadership](#) To develop community confidence in the organisation by the way it is directed, controlled and managed.

**Author:** Sharon Morley – Finance Officer

**Responsible Officer:** Vanessa Browning - Director Finance and Governance

**Executive Summary**

The purpose of this report is to advise Council of investments held at 31 December 2024 and to note the certification of the Responsible Accounting Officer that funds have been invested in accordance with legislation, regulations and Council policy.

The report also provides commentary on the cash and investments balance compared with the funding required for internally and externally restricted reserves. A key aspect of the report is that while Council has total investments and cash of \$70.18M, nearly all of this amount is restricted (internally and externally). Therefore, those funds are not available for any purpose beyond that for which they have been restricted. The balance of \$118K is Council's working capital.

**Administration's Recommendation**

THAT:

1. Investments of \$69,804,067 and cash of \$376,115 (which is mostly restricted for specific purposes) for the period ending 31 December 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.

**Attachments**

1. Investment Report Attachment - December 2024 [3.4.1 - 1 page]

**Reference to any relevant previous minute**

Min No 24-263 Ordinary Meeting of Council held on 25 November 2024.

**Background and discussion****Movements in the Cash and Investments Balance**

Council's total investment portfolio as at 31 December 2024, when compared to 30 November 2024, has decreased from \$71,103,684 to \$69,804,067. Cash in Council's bank account decreased from \$3,029,269 to \$376,115.

December is usually a cashflow negative month, with no significant sources of income. In December 2024, there were high cash outflows relating to supplier payments and no significant grant income received.

If the movement in the bank account is negative, this is shown as a nett redemption. If the movement in the bank account is positive this is shown as a nett new investment.

The movements in Investments for the month of December 2024 were as follows:

Opening Balance of cash and investments as 1 December 2024	\$74,132,953
<u>Plus</u> New Investments – December 2024	\$6,000,000
<u>Less</u> Investments redeemed – December 2024	-\$9,952,771
Closing Balance of cash and investments as at 31 December 2024	\$70,180,182

The attachment to this report provides an overview of the current market value of investments held with each financial institution. The difference between the value quoted in in the attachment and within the report relate to the recognition of interest earned, but not yet received by Council.

**Responsible Accounting Officer comment on the cash and investments balance** – there was a \$3.95M decrease in cash and investments in December 2024. Lower cash inflows combined with \$7.28M in payments to suppliers has resulted in a decreased cash balance. Cash outflows continue to be managed to ensure that the timing of grant funding milestones matches the pace of works undertaken.

High value supplier payments included:

- \$718K for Hook Lift Truck and Water Tank Truck Plant & Equipment,
- \$698K Charles St Bridge Replacement,
- \$354K for domestic waste collection,
- \$349K for Water Purchases for Fish River water network,
- \$323K Lithgow Sewerage Treatment Plant Capital Works,
- \$258K Kremer Park Retaining Wall,
- \$253K Cox River Road Refurbishment,
- \$214K Glen Alice Road,
- \$189K Pothole Repair Program,
- \$133K Wolgan Valley Access Road and design and project management,
- \$111K Valuer General Land Valuations, and
- \$110K for Electricity to Council buildings.

#### Funding Requirements for Restricted Reserves

A large proportion of Council's investments are held as restricted assets for specific purposes. Restricted assets may consist of externally restricted assets which must be spent for the purpose for which they have been received (e.g. Water, Wastewater, Domestic Waste) or internally restricted assets which have been set aside by Council resolution. Some internal restrictions are held to fund specific liabilities such as employee leave entitlements and bonds and deposits.

**Responsible Accounting Officer comment on restricted reserves** – Council had sufficient cash and investments at 31 December 2024 to fund \$58.52M of externally restricted reserves and \$11.5M of internally restricted reserves. The \$33.75M advance payment for natural disaster restoration works has been included in the Special Purpose Grants Reserve.

The Council's working capital position (used to fund outgoing payments) was \$118K at 31 December 2024. The decrease in working capital from \$220K at the end of November to \$118K at the end of December is a result of meeting monthly cash flow needs. December had a low month of cash inflows with \$3.952m decrease in cash which has reduced the working capital balance.

<b>Cash and Investments Statement (\$'000)</b>			
	<b>30 June 2024 Position</b>	<b>30 September 2024 Position</b>	<b>31 December 2024 Position</b>
<b>Externally Restricted</b>			
Developer Contributions	1,851	1,741	1,937
Special Purpose Grants	44,441	42,429	37,213
Water Supplies	4,712	4,913	4,525
Sewerage Services	6,419	5,505	4,943
Domestic Waste	8,261	9,774	9,660
Unexpended Loans	1,342	754	241
	<b>67,027</b>	<b>65,117</b>	<b>58,520</b>
<b>Internally Restricted</b>			
Land & Buildings	2,184	2,184	2,184
FAGS	5,410	4,260	4,245
Plant & Equipment	643	643	297
Bonds, Deposits & Retentions	539	523	477
Works in Progress	637	637	637
Carry Over Works	407	117	76
Commercial Waste	1,405	306	681
ELE	668	754	754
Election	175	175	175
Other	2,332	2,332	2,018
<b>Total Internally Restricted</b>	<b>14,401</b>	<b>11,933</b>	<b>11,542</b>
<b>Unrestricted (working capital)</b>	<b>-</b>	<b>3,302</b>	<b>118</b>
<b>Total Cash and Investments</b>	<b>81,428</b>	<b>80,251</b>	<b>70,180</b>

### **CERTIFICATION OF THE RESPONSIBLE ACCOUNTING OFFICER**

I hereby certify that the investments listed in the report have been made in accordance with Section 625 of the Local Government Act 1993, clause 212 of the Local Government (General) Regulation 2005 and Council's Investments Policy.

Both internally and externally restricted reserves are managed in accordance with legislation, regulation, Council resolutions and Council's endorsed budget allocations to / from reserves.

Vanessa Browning  
Director Finance and Governance - Responsible Accounting Officer

### **Consultation and Communication**

N/A

**Policy**

Investments are held in accordance with the Lithgow City Council's Investment Policy at the date of investing funds. On 26 February 2024, Council adopted a revised Investment Policy which includes the Minister's Investment Order of 12 January 2011.

**Legal**

Council's Investment Policy complies with the Minister's Investment Order of 12 January 2011.

**Risk Management**

Risk is managed by taking a conservative approach to managing Council's investments and only investing in term deposits.

**Financial**

- Interest income budget approved      \$3,978,500 (full year)
- Cost centre                                      3259
- YTD Income to date                         \$2,071,494
- Future potential impact                    Nil.

Council's budgeted investment interest income for 2024/25 is \$4.0M, approximately \$1M more than 2023/24 actual interest received. In recent months, returns had dropped to just below 5.00% then partially recovered with rates of 5.15% achieved in December. Council's average investment balance was \$74M, which is mainly due to the \$5.4M 80% upfront payment of the 2024/25 Financial Assistance Grant, the \$13.8M natural disaster works payment and the \$33.75M advance payment for natural disaster restoration works. In November and December, the investment balance has dropped to \$68M due to Capital Works and Natural Disaster works being completed.

Interest is paid on the maturity date of the investment. The budget for interest income is determined by the average level of funds held and the rate of return. Adjustments to the budget estimate are processed through Council's Quarterly Budget Review process. Interest returns are determined by average funds invested and the rate of interest return.

### 3.5. P&P - 28/01/2025 - 2023/24 Annual Report

**Strategic Context for this matter:**

[Responsible Governance & Civic Leadership](#) To develop community confidence in the organisation by the way it is directed, controlled and managed.

**Author:** Deborah McGrath – Organisation performance and Communication Manager  
**Responsible Officer:** Shaun Elwood - Director People and Place

**Executive Summary**

In accordance with s428 of the Local Government Act 1993 the Draft Annual Report was prepared within five months of the end of the financial year, with details of the Council's achievements in implementing its Delivery Program and the effectiveness of the principal activities undertaken in achieving the objectives of the Operational Plan.

**Administration's Recommendation**

THAT the Council endorse the 2023/24 Annual Report.

**Attachments**

Nil

**Reference to any relevant previous minute**

Min 24-266: Ordinary Meeting of council held 25 November 2024

**Background and discussion**

The Draft Annual Report was presented to the November Council meeting for the information of Council. The report has been reviewed, and minor typographical and formatting amendments have been made. As resolved at the November Council meeting, information pertaining to the financials of the Lithgow Golf Club property lease have also been added to the Annual Report. In accordance with the recommendation the Annual Report has been brought back to Council to be endorsed and placed on the website for the information of the community.

Financial information pertaining to the lease with Lithgow Golf Club has been added to the Annual Report, in accordance with Min. No. 24-266.

**Consultation and Communication**

Nil

**Policy**

Nil

**Legal**

The Annual Report has been prepared in accordance with the requirements of the Local Government Act 1993 and Local Government (General) Amendment (Planning and Reporting) Regulation 2009.

**Risk Management**

Nil

**Financial**

As detailed in the Annual Report.

**Consultation and Communication**

The endorsed Annual Report will be placed on Council's website.

### 3.6. P&P - 28/01/2025 - State of the Region Report 2021-2024

**Strategic Context for this matter:**

[Responsible Governance & Civic Leadership](#) To develop community confidence in the organisation by the way it is directed, controlled and managed

**Author:** Deboarh McGrath-Organisation Performance & Communication Manager

**Responsible Officer:** Shaun Elwood - Director People and Place

**Executive Summary**

In accordance with s428 of the Local Government Act 1993 the State of the Region Report 2021-2024 and Our Place, Our Future Community Engagement Strategy for the Community Strategic Plan were prepared and presented to the Council within legislative timeframes.

The State of the Region Report covers the four-year term of the previous Council, objectively tracking Council's progress against the Community Strategic Plan (CSP). The report provides information that sets the scene for the Council moving forward, acknowledging achievements to date and highlighting future work to be undertaken. The report assists Council to undertake a review of the CSP, which is an essential component of the IP&R cycle.

The Our Place Our Future Community Engagement Strategy for the Community Strategic Plan supports the development of the plans, policies, programs, and key activities that will form the IP&R Framework, including strategic plans and programs required under other legislation. While community engagement does not replace the decision-making powers of elected Councillors or the General Manager, it does enhance the capacity of Councils to make well-informed, sustainable decisions that clearly demonstrate community buy-in and support.

**Administration's Recommendation**

THAT

1. Council receive and note the State of the Region Report 2021-2024
2. Council endorses the Our Place, Our Future – Community Strategic Plan – Community Engagement Strategy.

**Attachments**

1. State of the Region Report [3.6.1 - 124 pages]
2. 2024-25 Community Engagement Strategy [3.6.2 - 45 pages]

**Reference to any relevant previous minute**

Min 24-269: Ordinary Meeting of council held 25 November 2024

**Background and discussion**

The Draft State of the Region Report 2021-2024 and the Draft Our Place Our Future Community Engagement Strategy for the Community Strategic Plan were presented to the November Council meeting for the information of Council. The documents have been reviewed internally, and minor typographical and formatting amendments have been made. The documents have been brought back to Council to be endorsed and placed on the website for the information of the community.

**Policy**

Nil

**Legal**

The subject matter of this report is a function of Council conferred by the Local Government Act 1993 and the Local Government (General) Regulation 2021.

**Risk Management**

Nil

**Financial**

- Budget approved \$66,849
- Cost centre 800149-8130-63304
- Expended to date \$52,745
- Future potential impact - nil

**Consultation and Communication**

Consultation and communication will be conducted in accordance with the Our Place, Our Future – Community Strategic Plan – Community Engagement Strategy.

### 3.7. P&P - 28/01/2025 - Financial Assistance Recommendations

#### Strategic Context for this matter:

**Caring for Our Community** To retain, respect and strengthen both our overall sense of community, and the unique linked communities of groups, rural areas, villages and towns that make up the Lithgow LGA.

**Author:** Matthew Johnson – Manager Community and Culture  
**Responsible Officer:** Shaun Elwood - Director People and Place

#### Executive Summary

Round 2 Financial Assistance applications are reported for Council's determination with ten (10) applications to the value of \$10,470 recommended for approval.

#### Administration's Recommendation

THAT Council approve \$10,470 Round 2 Non-Recurrent Financial Assistance to the following ten (10) projects:

Applicant Organisation	Amount Requested	Amount Recommended
<b>Lithgow Flash Dragons Boat Club</b> Assistance with operating costs including insurances, boat and equipment maintenance.	\$1,400	\$1,000
<b>Blue Mountains Historical Society</b> <b>Blue Mountains Rail Trail Brochure</b> Print and distribute a brochure and web page showing all rail and industrial heritage sites in the Blue Mts and Lithgow	\$590	\$590
<b>Capertee and District Progress Association</b> Purchase catering items to enable the Association to hold events at their hall.	\$400	\$400
<b>Walanbang Malungang - Strong Girls</b> Run weekly BBQ's in Portland Park to support high school aged girls who have become disengaged in school and disconnected from community.	\$1,500	\$1,500
<b>Lithgow View Club</b> Purchase computer, printer and software to support the administrative and financial record keeping of Lithgow View Club.	\$2,500	\$1,000

<b>Mountains Youth Services Team</b> Hold a school holiday event around easter 2025 to engage with local young people.	\$3,000	\$2,000
<b>First Australian Muzzle Loading Gun, Rifle &amp; Pistol Club and Lithgow Valley Archers</b> Rate reimbursement for the Muzzle Loaders and Lithgow Valley Archers venue.	\$1,617	\$1,000
<b>Lithgow District Car Club</b> Rate reimbursement for the Portland Motorsport Park.	\$1,474	\$1,000
<b>Lithgow Information and Neighbourhood Centre</b> Rainbow Tea party events at Wallerawang Library for LGBTQI+ teenagers.	\$480	\$480
<b>Lithgow Event Series Partnership between the Event Co and in conjunction with local churches</b> Provide free accessible events to promote local artists and creatives and to build stronger community connections.	\$3,000	\$1,500
<b>TOTAL</b>	<b>\$15,961</b>	<b>\$10,470</b>

## Attachments

1. Financial Assistance - Round 2 Applications [3.7.1 - 1 page]

## Reference to any relevant previous minute

Min 24 –174 Ordinary Meeting of Council held 22 July 2024

## Background and discussion

Council's Financial Assistance Program assists not-for-profit groups that offer a significant contribution to the social, economic and/or environmental wellbeing of the community. Financial assistance is provided on the basis of the relative merits of each application and the benefits to the community provided by the project/activities of the organisation.

The total current year financial Assistance allocation is \$110,142. Financial Assistance is provided in the following categories and with the current year allocations shown:

### Recurrent

Portland Community Pool Operating Subsidy \$44,085  
Lithgow Show \$15,000  
Arts Outwest \$14,000

**Fee Waivers**

\$2,000 is allocated for the waiver by the General Manager of fees of up to \$500 per event for the use of Council facilities throughout the year.

\$5,000 is allocated for Civic Ballroom and Tony Luchetti Showground fee waiver packages each up to the value of \$2,500 each. These are provided once only to each applicant; are not to be provided to organisations already receiving Financial Assistance for major events at these venues, and; applications are to be received at least three months prior to the event for consideration by a meeting of Council.

**Sporting Assistance**

\$2,500 is allocated for sporting-related sponsorships/financial assistance including the waiving of sportsground hire fees and charges and financial assistance for junior representatives. These applications are considered by Council's Sports Advisory Committee and reported separately to Council for approval.

**Schools**

\$50 is provided to all schools in the Lithgow Local Government Area for end of year academic prizes.

**Non-Recurrent**

The balance, \$26,757 in the current year, is allocated for non-recurrent financial assistance with applications called for twice each year in April and October.

\$8,964 was allocated in Round 1 (Min 24 –174 Ordinary Meeting of Council held 22 July 2024) leaving a balance of \$17,793 for allocation in Round 2.

Council called for Round 2 Financial Assistance applications during October 2024 with fourteen (14) applications to the value of \$30,961 received. Ten (10) applications to the value of \$10,470 are recommended for approval as follows (Table reflects all 14 applications received):

<b>Applicant Organisation and Project</b>	<b>Amount Requested</b>	<b>Amount Recommended</b>	<b>Staff Comment</b>
<b>Lithgow PCYC</b> Host a New Year's Eve celebration for families and children that aims to strengthen connections between PCYC and the community.	\$8,500	\$0	Event date has passed
<b>Lithgow Flash Dragons Boat Club</b> Assistance with operating costs including insurances, boat and equipment maintenance.	\$1,400	\$1,000	
<b>Allegri Singers C/- Mitchell Conservatorium</b>	\$2,000	\$0	Event date has passed

Hold a choral concert at Hoskins Church in November 2024.			
<b>Portland Golf Club</b> Hold the Portland Golf Club Open event in December 2024.	\$2,000	\$0	Event date has passed
<b>Blue Mountains Historical Society</b> <b>Blue Mountains Rail Trail Brochure</b> Print and distribute a brochure and web page showing all rail and industrial heritage sites in the Blue Mts and Lithgow.	\$590	\$590	The brochure has the potential to increase visitation to Lithgow's industrial heritage sites.
<b>Capertee and District Progress Association</b> Purchase catering items to enable the Association to hold events at their hall.	\$400	\$400	
<b>Lithgow High School Spectacular</b> Subsidise the cost of students to travel to the NSW Schools Spectacular event in Sydney in November 2024.	\$2,500	\$0	Event date has passed
<b>Walanbang Malungang - Strong Girls</b> Run weekly BBQ's in Portland Park to support high school aged girls who have become disengaged in school and disconnected from community.	\$1,500	\$1,500	
<b>Lithgow View Club</b> Purchase computer, printer and software to support the administrative and financial record keeping of Lithgow View Club	\$2,500	\$1,000	Lithgow View Club supports 300 local school students through the Smith family Learning for Life program

<b>Mountains Youth Services Team</b> Hold a school holiday event around easter 2025 to engage with local young people.	\$3,000	\$2,000	MYST provide services to Young people in Lithgow and are part of the Planet Youth consortium
<b>First Australian Muzzle Loading Gun, Rifle &amp; Pistol Club and Lithgow Valley Archers</b> Rate reimbursement for the Muzzle Loaders and Lithgow Valley Archers venue.	\$1,617	\$1,000	
<b>Lithgow District Car Club</b> Rate reimbursement for the Portland Motorsport Park.	\$1,474	\$1,000	
<b>Lithgow Information and Neighbourhood Centre</b> Rainbow Tea party events at Wallerawang Library for LGBTQI+ teenagers.	\$480	\$480	Request is for fee waiver of community space at Wallerawang Library and catering costs.
<b>Lithgow Event Series Partnership between the Event Co and in conjunction with local churches</b> Provide free accessible events to promote local artists and creatives and to build stronger community connections.	\$3,000	\$1,500	
<b>TOTAL</b>	<b>\$30,961</b>	<b>\$10,470</b>	

### Assessment Criteria

As reported at the 22 July 2024 Ordinary Meeting of Council, staff sought advice on Conflict of Interest and probity issues in relation to Financial Assistance applications being assessed by the Community Development Committee.

This advice is that an interest in an application applies to both:

- a) the application submitted by the organisation directly affiliated to the committee member, or from which the interests of the member may gain, and then
- b) when that member is required to vote on any other application submitted that may be in "competition" with the submission of the organisation that the committee member is directly affiliated. That any committee member with an interest in one financial assistance grant submission should not be voting in relation to any other financial assistance grant submission.

Accordingly, the Committee was advised that its role in determining financial assistance grant applications should be to provide comment on, and endorse or not endorse, the staff recommendations.

The Committee was further advised that the Administration will draft a set of criteria against which future financial assistance grant applications will be assessed, and this draft criterion be provided for initial review at the next Committee meeting.

Council Committees lapsed prior to the September 2024 Council election and nominations for community representatives on Council committees, including the Community Development Committee will not close until 31 January 2025. Committee meetings will not be held until after nominations are confirmed by Council at the 24 February 2025 Ordinary Meeting.

In order to avoid further delay in approving financial assistance allocations, the Administration has used a draft set of criteria to assess Round 2 Non-Recurrent applications. The draft set of criteria will be reported to the first meeting of the Community Development Committee for review.

Applications have been ranked by Council staff using the following draft criteria:

- The applicant has demonstrated experience delivering services: 10%,
- The project meets a community need: 25%,
- The application includes a timeframe and evaluation process: 10%,
- The applicant has skilled staff and volunteers: 5%,
- The applicant demonstrates a collaborative approach: 25%, and
- The project addresses inclusion and diversity considerations: 25%.

Four (4) projects are not recommended for approval as the event date has lapsed. These applicants will be encouraged to re-apply in 2025/6.

The allocation of \$10,470 as recommended in this report will leave a further \$7,323 for later allocation. It is proposed that Council call for a Round 3 of applications in February 2025.

### **Consultation and Communication**

N/A

### **Policy**

Financial Assistance is provided in accordance with Council Policy 4.2 Financial Assistance.

### **Legal**

Financial Assistance is provided under Section 356 Of The Local Government Act.

### **Risk Management**

N/A

**Financial**

- Budget approved - \$110,142
- Cost centre - PJ800158
- Expended and committed to date - \$92,349
- Future potential impact – The allocation of \$10,470 as recommended in this report will leave a further \$7,323 for later allocation.

**3.8. P&P - 28/01/2025 - Lithgow Comedy Festival Sponsorship Request****Strategic Context for this matter:****Responsible Governance & Civic Leadership:**

To develop community confidence in the organisation by the way it is directed, controlled and managed

**Author:** Simon Francis - Tourism Manager

**Responsible Officer:** Shaun Elwood Director People and Places

**Executive Summary**

Council is in receipt of a request for a sponsorship support agreement from Lithgow Comedy Festival. The event is requesting a waiver of Council venue hire fees for the Union Theatre and for Council sponsorship moneys to be put towards production, catering and marketing expenses. Lithgow Comedy Festival proposes that 'sponsorship' monies extended to them by council be paid back through a share of ticket sales.

Lithgow Comedy Festival is trading as Tom Evangelidis Photography. Councillor Evangelidis is directly affiliated with the organisation and management of the Lithgow Comedy Festival which presents a Conflict of Interest as a Councillor.

**Administration's Recommendation**

THAT Council note the approach of Lithgow Comedy Club and offer support by way of a commercial day use fee waiver for the Lithgow City Council Union Theatre valued at \$795.00 as per the 2024-2025 adopted fees and charges.

**Attachments**

Nil

**Reference to any relevant previous minute**

N/A

**Background and discussion**

In 2025 the Lithgow Comedy Festival will be in its third consecutive year.

For 2025, two event locations are proposed, the Union Theatre on the Saturday (29 March 2025) and Wenvoe on the Sunday (30 March 2025).

Lithgow Comedy Festival is requesting events assistance funding from council to stage the Union Theatre show event. The Comedy Festival is requesting Council to:

1. Waiver the Union Theatre hire fee of \$795.00 (Commerical Day Rate), and
2. in addition provide \$3,850 of funding to cover the associated costs of the event.

The Comedy Festival is proposing that Council recoup the monetary contribution (\$3,850) from the Festival through ticket sales for the Union Theatre show. Tickets will be \$35 (120 tickets were sold

in 2024. 2025 ticket sales are forecast at 200 as the Union Theatre event will be the only major showcase event.

The following table outlines the cost structure for which the \$3850 monetary contribution request is based on.

Insurance	\$450
Sound/Lighting	\$500
Posters/Ticketing	\$400
Talent catering	\$150
Talent	\$2,350
<b>Total</b>	<b>\$3,850</b>

The contribution of \$3,850 dollars to be recouped constitutes a 'loan' from council, without historical precedence, to a commercial event deriving an income from ticket sales.

The closest precedent is a recent production at the Lithgow Union Theatre where the hire fee of \$795.00 was halved with the production company providing a pay back to council post the event as a percentage of ticket sales.

Financial Assistance Grants are inapplicable to this request as eligibility is for community groups and Not for Profit organisations.

Event assistance budget funding is not currently available in the 2024/25 financial year as no remaining funds are available in the general large events budget.

### **Consultation and Communication**

Supporting statistics and information about Lithgow Comedy Festival 2023 and 2024 were requested and received from Lithgow Comedy Festival:

- 2023 – Self Funded by the organisers,
- 2024 - \$9500 received in grants (\$1,650 from Lithgow City Council events assistance budget),
- 2023 and 2024 ticket sales averaged approximately 300 each year at \$35 per ticket for a total of approximately \$10,500 and
- 2025 – No grants awarded.

2023 and 2024 events were held over 3 venues - Lithgow Workman's Club, Union Theatre Lithgow, and 'Wenvoe' a private residence of Mr Tom Evangelidis in Lithgow.

The 2025 Lithgow Comedy Festival will be held at Lithgow Union Theatre and 'Wenvoe' if sponsorship and fee waivers are approved, and exclusively at 'Wenvoe' if unsuccessful.

The registered company requesting sponsorship and the contact person are as follows:

*Tom Evangelidis Photography – ABN 98 283 717 043 – Mr Tom Evangelidis.*

### **Policy**

General Manager Fee Waiver Delegation \$2,000 (approved budget).

### **Legal**

N/A

## **Risk Management**

Risks associated with extending a loan sponsorship to Lithgow Comedy Festival include potential reputational damage and historical precedent by extending funds, and potential loss of funds if ticket sales are not achieved by the event. The General Manager's discretionary fee waiver presents little risk to council.

In the lead up to the 2024 Lithgow Comedy Festival event, queries were received from surrounding residents regarding parking arrangements for a ticketed event in a residential area. Additional communication was received questioning the zoning of 'Wenvoe' and the permissibility of hosting a ticketed event in a residential zone. No complaints were received following the event.

## **Financial**

- Budget approved – No event support budget available due to 2024/25 general events budget being expended.
- Cost centre – N/A
- Expended to date – N/A
- Future potential impact – N/A

### 3.9. P&P - 28/01/2025 - Seven Valleys Brand Style Adoption

**Strategic Direction:****Strengthening Our Economy**

To provide for sustainable and planned growth through the diversification of the economic base, the development of diverse job opportunities and the provision of a broad range of formal and non-formal education services

**Author:** Simon Francis - Tourism Manager

**Department:** Tourism and Events

**Responsible Officer:** Shaun Elwood – Director People and Place

**Executive Summary**

Following tourism industry consultation, utilising marketing research and visitor and relocater focus groups, the current Lithgow LGA council endorsed tourism brand 'The Seven Valleys' has been reimagined with an approach to maximise the market potential of the area. The purpose is to position the Seven Valleys as an ideal place to visit, relocate to, live, and invest, and develop the Seven Valleys, as a place brand, rather than just a destination brand.

The revised Seven Valley brand and associated creative assets is a culmination of detailed research and development into the most appropriate and market-based brand to represent the Lithgow LGA.

Even though tourism is not the number one industry for the Lithgow LGA, it is the foundation to influencing a perception of a place for relocators and investors as well as the visitor. The relationship between place perception and economic performance is quantifiable. Perception is a powerful driver of human decisions. Perception influences 86% of the willingness to visit, invest, or live in a place.

The equation is simple: positive perception equals higher willingness to visit, relocate to or invest. If a place does not cultivate a positive image, it's unlikely to attract visitors, investors, or new residents. The Seven Valleys' place brand can create a positive perception through undertaking a visitor-centric approach to marketing the Seven Valleys first.

The brand and the campaign will position Seven Valleys ensuring there is a clear differentiation between Seven Valleys and the Blue Mountains as well as other regions.

**Administration's Recommendation**

THAT Council acknowledge the findings of the consumer and industry brand market research for Seven Valleys (Lithgow LGA) and endorse the development of the Seven Valleys place brand strategy and marketing plan and the development of the brand creative.

**Attachments**

1. FINAL Situation Analysis - Seven Valleys Brand Strategy & Marketing Plan - August 2024 [3.9.1 - 58 pages]

### Reference to any relevant previous minute

Minutes of Economic Development Committee – 17<sup>th</sup> May 2022

#### 3.3. ECDEV Future direction of the 'Seven Valleys' concept

##### RECOMMENDATION / ACTION

THAT:

1. The 'Seven Valleys' be endorsed as a tourism 'brand' and adopted by Lithgow Tourism for use in all administrative and marketing capacities as 'Seven Valleys Tourism and Events' as outlined in the recommended actions part of this report, and;
2. A name change of the Lithgow Regional Marketing Co-operative to the 'Seven Valleys Regional Marketing Cooperative' be endorsed,

MOVED: Councillor C Coleman      SECONDED: Councillor C O'Connor

CARRIED

11.1. ECDEV - 27/06/2022 - Economic Development Committee Meeting - 17 May 2022

22 -125 RESOLVED

THAT Council note the minutes of the Economic Development Committee held on 17 May 2022.

MOVED: Councillor D Goodsell      SECONDED: Councillor A Bryce

CARRIED

### Background and discussion

Since endorsement of the Seven Valleys brand by Council in June 2022, the early Seven Valleys brand has been used with creative assets and updates to the website, social media, and the naming of the Visitor Information Centre. To date the execution of the Seven Valleys brand has had very limited marketing structure, guidance or creative development.

In 2024 a comprehensive Seven Valleys Destination Action Plan was developed and adopted by Council identifying;

- a) the need to ensure extensive consumer and tourism industry consultation takes place to maximise the optimal performance of the Seven Valleys brand and
- b) that a well planned, resourced and structured execution strategy for delivery to market is to be implemented.

Destination Marketing Store, specialists in regional tourism marketing and place brand implementation, were engaged by Council to undertake industry and market research and develop the most relevant place brand to represent the Lithgow LGA.

The Seven Valleys proposed market creative and strategy presented to the 4 December councillor Information Session, outlined the findings of the brand market research ( Attachment 1: *Seven Valleys Brand Strategy and marketing Plan – Situation Analysis*), and the proposed strategic direction of the place branding, including the early stage proposed creative look and feel of the re-focused Seven Valleys brand. The research findings and industry consultation indicated that the Seven Valleys name is achieving market recognition, and that despite minimal budget to promote it, the brand had good resonance with visitors and was endorsed as a credible concept by those who had not recently visited the Seven Valleys area.

Findings from the research with focus groups and relocators indicated that most visitors and relocators to the area see the strengths being the relaxed and friendly nature of the towns and villages, being close enough to major population bases, but far enough to truly relax and get away

from the hustle and bustle of 'suburbia'. The abundance of nature-based activities also significantly supports the concept of Seven Valleys. Building on these findings early concept creative assets were developed to transform the Seven Valleys brand into a resonating and highly marketable modern brand.

The revised Seven Valley brand and associated creative assets is a culmination of detailed research and development into the most appropriate and market-based brand to represent the Lithgow LGA. The Seven Valleys name and logo are the cornerstones of the draft marketing strategy and incorporated marketing plan which will expand upon the Seven Valleys concept and market the strengths of and opportunities of the region.

As a result, this project requires the development of a place brand that will meet the aims and needs of both the visitor economy and the broader economy, including attracting investment, new industries and new residents. This means that the brand strategy will need to consider a broader audience than strictly those who are visiting the region for leisure or visiting friends and relatives (VFR).

Engaging the local community in showcasing the region is also an important driver for the VFR market. Residents sharing their knowledge and civic pride in their own "backyard" inspires word-of-mouth recommendations - a trusted and credible source of advocacy. Sustainable and nature-based tourism experiences also meet emerging demands by facilitating immersion in natural settings, offering opportunities for genuine connection, and showcasing the unique culture and character of the Seven Valleys.

Key to a place brand's effectiveness is the engagement and the stories that can be shared through the visitor's lenses. Even though the visitor economy is not a major driver of the LCC GDP, the visitor economy brings the human element to the place brand and will provide content to be utilised in a relocation campaign and for pitching to investors.

The new place brand is proposed to have a soft launch in 2025, with a major paid campaign in early 2026. This will create an opportunity to develop branded content and ensure that all the owned marketing channels (including website and social media) are on brand, building an audience of those visitors who resonate with the new Seven Valleys brand and the experiences on offer. By concentrating on the visitor market first ensures a focused approach and encourages optimal engagement through the marketing activity. The proposed marketing plan is dynamic, and the responsive structure allows for flexibility.

Initially the place brand strategy will focus on the Seven Valleys owned channels (online and offline) promoting the Seven Valleys to the visitor market. This focus aims to raise awareness and perception of the region's experiences and lifestyle, attract new visitors, and encourage repeat visitation. Moreover, individuals considering relocation generally begin as visitors, providing an opportunity to experience the Seven Valleys before making a commitment.

It is important to accept that in the regional tourism and relocater market space key considerations include:

- **Distance from the source market.** Seven Valleys' location to Sydney and especially Western Sydney creates an opportunity to attract visitors to the region. There are other LGA's that are in a very similar market position to Lithgow LGA in relation to location from Sydney.
- **There is fierce competition.** In a competitive marketplace capturing the attention of the markets is going to be more difficult. This relies on the brand, campaign creative and headlines being bold to disrupt the market.
- **Winning the hearts and minds.** Requires the need to create a campaign that looks completely different from other destinations and resonates completely with the target market.

## **Consultation and Communication**

The revised Seven Valleys concept was presented to an industry representative session on 3 December 2024 and was received extremely positively. The following day the proposed Seven Valleys branding concept was presented to councillors at an information session.

In the development of the Branding Strategy several 'Work in Progress' sessions were held with Destination Marketing Store consultants. Three focus groups were convened by Destination Marketing Store focusing on relocators, people who had visited the area recently, and those who were yet to visit the area.

The Seven Valleys Marketing Plan 2025–2027 (the Plan) under development aligns with the development of the Seven Valleys Place Brand Strategy and brand creative execution. The Plan adopts a holistic approach to establishing the foundations for marketing the Seven Valleys, as a place brand, rather than just a destination brand. The purpose is to position the Seven Valleys as an ideal place to visit, relocate to, live, and invest.

Initially the Plan will focus on the Seven Valleys owned channel (online and offline) promoting the Seven Valleys to the visitor market. This focus aims to raise awareness and perception of the region's experiences and lifestyle, attract new visitors, and encourage repeat visitation. Moreover, individuals considering relocation generally begin as visitors, providing an opportunity to experience the Seven Valleys before making a commitment.

By establishing the Seven Valleys as a place of choice, the region can drive growth in overnight visitation and garner greater interest, both nationally and potentially internationally.

## **Policy**

Nil

## **Legal**

Nil

## **Risk Management**

Successful brand development takes time and adherence to a clearly defined multi-year strategy and execution plan. The successful development of The Seven Valleys brand will require Council, industry and community engagement and commitment.

The Seven Valleys Marketing Plan will detail how to communicate the brand's essence, positioning, and values while tapping into the motivations and behaviours of target audiences. The Plan outlines a campaign strategy and idea that will inform the creation of campaign assets for use across the Seven Valleys' owned channels. Additionally, it will identify the activities and services required to successfully deliver the fully paid campaign into market.

## **Financial**

Budget approved 24/25 - \$150,000 (Strategic Brand review, market research, initial creative development, owned channels evaluation)

Cost centre – 600310 – Tourism Marketing Program

Expended to date - \$87,764 and \$62,236 committed.

Future potential impact – 25/26 Market campaign, social media management and Website development.

### 3.10. P&P - 28/01/2025 - DA090/95 MODDA002/24 Metromix Quarry Extension, 122 Oakey Forest Road Marrangaroo

#### Strategic Direction:

**Developing Our Built Environment** To provide a choice of effective public and private transport options, suitable entertainment and recreational facilities, and lifestyle choices while enhancing the existing rural areas, villages and towns that make up the Lithgow LGA.

**Author:** Lauren Stevens - Development Planner

**Department:** Development

**Responsible Officer:** Shaun Elwood - Director People and Place

**Property Details** Lot 98 DP 751651, 122 Oakey Forest Road Marrangaroo NSW 2790

**Property Owner** Metromix Pty. Limited,  
Crown Land Department, and  
Lithgow City Council

**Applicant** Metromix Pty. Limited

#### Executive Summary

This report is submitted to the Council for consideration of Modification Development Application MODDA002/24 of DA090/95 to increase the depth of the extraction area and extend the life of the Metromix Quarry. The modification also relates to minor wording changes to some consent conditions.

Most of the Quarry Operations is located on land zoned RU1 Primary Production, with the south-western and south-eastern areas of the Quarry Site located within land zoned C4 Environmental Living pursuant to the Lithgow Local Environmental Plan 2014 (LLEP). Open cut mining is permissible with consent within land zoned RU1 but not land zoned C4 under the Lithgow LEP. However, Clause 2.9(1)(b) of the Resources and Energy SEPP identifies that mining is permissible with consent on any land where agriculture is permissible. As agriculture is permissible in Zone C4 under the Lithgow LEP, open cut mining is also permissible, with consent.

The development is categorised as 'integrated development' within the meaning of section 4.46 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and requires separate approval under the Water Management Act 2000, section 90 - Water Management Work. As such, the application was referred to the NSW Department of Climate Change, Energy, the Environment and Water (licensing and approvals).

The application was also referred to National Parks and Wildlife Services, Water NSW, NSW Environmental Protection Authority, Mining, Exploration and Geoscience, Crown Land and local Indigenous parties.

The key environmental planning issues arising from the assessment of the proposal include topography and drainage, groundwater, Aboriginal and Cultural Heritage, air quality, biodiversity, noise, transportation and traffic, visual amenity and socio-economic impacts. These issues have been satisfactorily addressed and can be appropriately managed through the conditions of consent.

### Administration's Recommendation

THAT

1. Modification of Development application MODDA002/24 of DA090/95 be APPROVED subject to conditions of consent as detailed in the attached planning assessment report.
2. A DIVISION be called in accordance with the requirements of Section 375A(3) of the Local Government Act, 1993.

### **Attachments**

1. Assessment Report [3.10.1 - 34 pages]
2. Layout Plan [3.10.2 - 1 page]
3. Proposed North - South Quarry Plan [3.10.3 - 1 page]

### **Reference to any relevant previous minute**

Min No 15-171            Ordinary Meeting of Council 27 July 2015,  
Min No 16-254            Ordinary Meeting of Council 12 December 2016 -S96053/16

### **Background and discussion**

Council is in receipt of Modification of Development Consent Application DA090/95, modification MODDA002/24 seeking consent to amend the following:

1. An increase in the extraction depth within the existing approved North – South Quarry Extraction Area to approximately 885m AHD from 905m AHD.
2. An extension of the Quarry life for 2 years, commensurate with the total quality of additional resource identified beneath the existing North – South Extraction Area and to permit the recovery of 451,000t of additional resource.
3. Amendments to the conditions of the original consent to incorporate the reports provided with the Modification application. The amendments are shown in underline below:

• Condition 1 of Schedule A

Development to be carried out generally in accordance with the Statement of Environmental Effects dated June 1995, Statement of Environmental Effects dated April 2003, Statement of Environmental Effects dated September 2014, Statement of Environmental Effects dated May 2015, and S99053/16 and Statement of Environmental Effects dated February 2024 except as may be amended or specified by the following conditions. Where these Statements of Environmental Effects contradict one other the latest version will prevail.

• Condition 17 of Schedule A

Ongoing and final landform rehabilitation to be effected as outlined in the Statement of Environmental Effects.

• Condition 27 of Schedule A

The applicant to submit to Council and associated authorities an Annual Environmental Management Report covering all matters in compliance with this consent; works rehabilitation, production and management undertakings set out in the Statement of Environmental Effects dated June 1995, Statement of Environmental Effects dated April 2003, and Statement of Environmental Effect dated September 2014 and Statement of Environmental Effects dated February 2024. The Report shall detail the performance of the development and the effectiveness of environmental controls, particularly those identified in the Soil and Water Management Plan. Annual rehabilitation monitoring is also to occur including photographic monitoring within the report.

• Condition 43 of Schedule A

Prior to transporting overburden from the Quarry, the proponent will ensure that the impact of the removal of this overburden on final land use and landform is addressed in the Rehabilitation Management Plan (RMP) for the Quarry.

All existing operations including extraction methods, earthmoving equipment used, rate of extraction, processing methods, sales and product transportation, water management structures, office/amenities, workshop and hours of operation would remain unchanged under the proposed modification.

The quarry is approved for 220,000t per year of product and utilises drilling and blasting, load and haul, and crushing and screening operations. The site contains stockpiles that do not exceed 70,000t with maximum heights of 6m. The product is transported off site by trucks with 85-90% turning right onto the Great Western Highway to Lithgow and 10-15% turn left towards Wallerawang and Bathurst. Traffic movements include 12 to 20 light vehicles per day with a maximum of 250 truck movements per day. The quarry employees 11 persons at the site with the approved hours of operation as follows:

**Hours of Operation**

Activity	Hours	Days*
Extraction	7:00am to 5:00pm	Monday to Saturday
Processing	7:00am to 5:00pm	Monday to Saturday
Sales	7:00am to 5:00pm 7:00am to 2:00pm	Monday to Friday Saturday**
Maintenance	7:00am to 5:30pm 7:00am to 12 noon 24 hours	Monday to Friday Saturday Monday to Sundays#
* Public holidays excluded. ** Occasional Saturdays only. # Maintenance is rarely undertaken beyond normal hours but is sometimes required at short notice for short periods and then, it is required to be inaudible at nearby residences.		

**Consultation and Communication**

Lithgow Community Participation Plan

Pursuant to the Lithgow Community Participation Plan, the Application was notified commencing 25 March 2024 and concluded 26 April 2024.

As the modification proposes to impact nearby neighbours, the proposed development was placed on public exhibition in accordance with the Lithgow Community Participation Plan and nearby landowners have been notified of the proposal. The proposal documents were placed on public exhibition for 21 days in accordance with the Participation Plan.

During the notification period for the modification of consent, one (1) submission was received from the general public with the following concerns:

**Community Concerns**

1. Health risks of exposure to respirable crystalline silica dust and air monitoring techniques: The air quality measures outlined in Table 9 page 45 of the submitted Statement of Environmental Effects, at locations MD-2, MD-3 and MD-4 appear to be deposited dust levels collected by funnel into a canister. As such, this dust monitoring measure does not reflect respirable dust in the air. Measurement of respirable dust requires the utilisation of specialised equipment (pump systems) which mimic human lung function.

Therefore, it is requested that additional monitoring and data be provided in regard to the above concern.

2. Compliance with the original and previous modification of consent conditions, specifically in relation to dust control measures.

It is requested that additional information detailing evidence of compliance is provided.

### **Applicants Response**

1. *Metromix engages Safety & Environmental Services Australia Pty Ltd (SESA) on an annual basis to undertake an Occupational Hygiene Exposure Assessment for operators at the Quarry. The purpose of the exposure assessment is to measure the exposure of inhalable dust, respirable dust and respirable crystalline silica (RCS) to Quarry personnel to and evaluate the health risk of exposure to these contaminants. The exposure results are also used to evaluate control measures adopted at the Quarry.*

*The most recent Occupational Hygiene Exposure Assessment was undertaken on 30 November 2023, with the resulting Inhalable Dust, Respirable Dust & Crystalline Silica Air Monitoring Report (SESA, 2023) attached as Attachment A. SESA (2023) concluded that no overexposure to operators was recorded in the individual measurements for inhalable dust, respirable dust and RCS.*

*In summary, airborne inhalable dust samples were collected using size selective sampling heads fitted with pre-weighed membrane filters and connected to a calibrated constant flow air sampling pump in accordance with Australian Standard (AS) AS3640-2009 Workplace Atmospheres Method for Sampling and Gravimetric Determination of Inhalable Dust. The air sampling pumps were set to a flow rate of 2L/min prior to sampling. Respirable dust samples (also for quartz analysis) were collected using sampling pumps fitted with a plastic respirable cyclone sampling head in accordance with AS2985-2009 Workplace Atmosphere – Method for Sampling and Gravimetric Determination of Respirable Dust. The measured airborne contaminants concentrations were evaluated against the relevant workplace health and safety criteria as required by the NSW Work Health and Safety Act 2011, NSW Work Health and Safety Regulation 2017 and NSW Work Health and Safety (Mines and Petroleum Sites) Regulation 2022.*

*Further detail regarding the assessment methodology and outcomes is presented in Section 5 of SESA (2023), while monitoring results and data are presented in Section 6 of SESA (2023).*

### **2. Dust Management**

*Dust control measures at the Quarry principally involve the use of water for the suppression of dust generated from quarrying operations. In May 2016, a Coolfog dust suppression system was installed, which uses a fogging style spray to suppress dust in place of the traditional water spray system previously used. A hoop style spray system was also successfully trialled in 2020 and has been retained to reduce potential for dust generation off the end of the stacking conveyors. The system effectively provides a 'sock mist' for product exiting the conveyor. Suppression of dust generated from haul roads and stockpile areas is also undertaken using an 11,000L water truck. In October 2023, Metromix also introduced a polymer additive to the water used in the water truck to prolong the dust suppression effects on the roadways, thereby reducing water usage.*

*Water for dust suppression is drawn from Dam B, the BHP Dam or the North-South Quarry Sump. The volume of water for dust suppression purposes varies according to weather conditions, the size of the material being processed and its prevailing moisture content.*

### **Dust Monitoring and Reporting**

*Deposited dust (i.e. total insoluble matter) levels are monitored monthly to ensure the effectiveness of the dust controls and evaluate compliance with the relevant conditions of DA090/95 and EPL 1464. Monitoring is undertaken at three locations (EPL Points 2, 3, and 4) in accordance with Conditions P1.1 and M2.2 of EPL1464. These locations are identified as MD-2, MD-3, and MD-4 respectively and are displayed on Figure B within the response report.*

*All deposited dust monitoring results are collated in a summary report that is updated monthly and made publicly available via the Metromix website (<https://www.metromix.com.au/resources/>). This summary report includes data from January 2011 to present. The following figures have been extracted from the most recent summary report (April 2024) to display results from the past 12 months.*

*The annual average deposited dust levels at MD-2, MD-3 and MD-4 have all been well below the 4g/m<sup>2</sup> /month guideline level recommended by the EPA, indicating that the dust control measures implemented at the Quarry are effective.*

*A summary of dust management and monitoring over each annual reporting period is also presented in an Annual Environmental Management Report (AEMR), which is submitted to the EPA, Lithgow City Council, the Resources Regulator, and WaterNSW.*

### **Council's Planner's Response**

The response received from the applicant adequately addresses the community concerns.

### **Policy**

#### **Section 7.4 Planning Agreements (EP&A Act 1979) and Council's Policy 7.8 Voluntary Planning Agreements**

No Planning Agreements have been previously undertaken for the quarry.

As part of the previous modification S96043/14, approved in 2015, it was agreed that the applicant/operator would provide a yearly contribution as per the below condition of consent:

30. *The applicant shall make a contribution of \$8,000 (plus GST) per annum, to be adjusted annually in accordance with CPI (All Groups Index for Sydney published by the Australian Bureau of Statistics) toward the ongoing maintenance of Oakey Forest Road. This contribution shall be paid prior to 30 June at the end of each financial year. The payment for the 2014/2015 financial year shall be \$8,000 (plus GST) and the first CPI adjusted payment shall be for the 2015/2016 financial year.*

The annual contribution previously conditioned on the consent will remain pending an offer to Council and entry into a Planning Agreement as foreshadowed in correspondence with Metromix, including letter from Metromix dated 2 September 2024. This is due to the quarrying activities causing significant impact on Council roads and the current contribution being inadequate to cover maintenance of the roads.

As such the condition would be amended to include a planning agreement to be entered into for the upgrade and maintenance of Oakey Forest Road.

### **Council determination of MODDA002/24**

#### **Council's Policy 7.6 – Development Applications By Councillors And Staff Or On Council Owned Land**

1. *That, subject to the exemptions in Part 2 of this Policy, any development application lodged where the applicant is a Councillor or a member of staff, or where a Councillor or member of staff is the owner of the land to which the application relates, or where the development application on Council owned land, that such an application be referred to Council for consideration and determination.*

Council owns Lot 68 in DP813538 which forms part of the Mining Lease area. The Modification Application does not involve mining activity on the Council lot, but as the original development

application and previous modifications have come before Council, it is reasonable that this proposal also be determined by Council.

### **Council's Policy 7.7 Calling in of Development Applications or Development Application/Construction Certificates by Councillors**

This Policy states:

*4. This policy does not apply to applications to modify development consents unless the modification represents a significant departure from the original application; would involve issues the subject of an objection with the original application; or where the modification application itself has been called in under the processes outlined in this policy.*

The original and previous modification applications were both called in and reported/determined at previous Council meetings.

Although, the current modification has not been 'called in' by the elected Council, the development involves Council owned land and relates to a development application that was originally 'called in'.

### **Legal**

The subject matter of this report is a function of Council conferred by the Environmental Planning and Assessment Act 1979 and under the Lithgow Local Environmental Plan 2014.

The proposed development requires consent in accordance with the Environmental Planning and Assessment Act 1979 and under the Lithgow Local Environmental Plan 2014. In determining a development application, Council as the consent authority is required to take into consideration the matters of relevance under Section 4.15 of the Act. These are addressed in the attached Planning Assessment Report. The application is recommended for approval and has been assessed as achieving compliance with relevant regulatory requirements.

### **Risk Management**

N/A.

### **Financial**

- Budget approved - N/A for the assessment of the development application.
- Cost centre - N/A for the assessment of the development application.
- Expended to date - N/A for the assessment of the development application.
- Future potential impact - A Voluntary Planning Agreement will be conditioned on the consent should the application be approved to assist Council to provide facilities which will be of benefit towards a public purpose.

**3.11. I&E - 28/01/2025 - Project Cost Variation for Main Street/ Cupro Street****Strategic Context for this matter:**

**Developing Our Built Environment** To provide a choice of effective public and private transport options, suitable entertainment and recreational facilities, and lifestyle choices while enhancing the existing rural areas, villages and towns that make up the Lithgow LGA.

**Author:** Peter Fisher - Team Leader – Projects

**Responsible Officer:** Jonathan Edgecombe – Director of Infrastructure and Economy

**Executive Summary**

The purpose of this report is to provide the Council with an update on the construction of the Main Street / Cupro Street, Lithgow stormwater improvements and to outline the reasoning for seeking an approval from Council for a variation to the contract.

**Administration's Recommendation**

THAT Council

1. Note the report regarding the contract variation for the Main Street / Cupro Street stormwater improvements at Watsford Oval, Lithgow; and
2. Accept a contract variation of \$238,544 (ex GST) from Keane Civil and Construction Pty Ltd for the additional site works, further design, and soil investigation, and bring the total contract amount to \$1,158,999 (excluding GST).

**Attachments**

Nil

**Reference to any relevant previous minute**

Min. No.: 24-157: Ordinary Meeting of Council held on 22 July 2024.

**Background and discussion**

The intersection of Main Street and Cupro Street Lithgow is heavily impacted by flood waters during intense rainfall events, resulting in traffic disruptions (Main Road 516) and the associated rising water level impacts on residents and businesses in the area. This impact also extends along George Coates Avenue, Lithgow.

Numerous investigations to resolve the flooding impacts resulted in Council undertaking a design for the triplication of the subsurface drainage from the Main Street / Cupro Street intersection to Farmers Creek. This work involves the construction of new pits and pipes and further requires the under boring of the Great Western Rail Line.

The construction of this drainage amplification project will directly benefit all residents who live in the immediate vicinity. Those residents have been calling for the Council to implement such improvements for many years. The significance of the flooding directly impacts the success and yearly operating costs of several businesses in the area, namely Bunnings, PicMii Real Estate, Fast Fox, Blue Fox, Lithgow Fire Control and the local 2LT radio station which operates in the vicinity.

Secondary to the primary benefits above, Lithgow's Main Street is a state government managed route connecting the Great Western Highway to the Bells Line of Road.

Flooding impact necessitates road closures which causes widespread disruption. All motorists who utilise the route will benefit from the improved flood resilience. This impact can be quantified to approximately 50 residents and businesses, however, there is a secondary benefit affecting thousands of motorists yearly. Success of the overall project will be measured by the number and duration of road closures that are required due to localised flooding in the area from unexpected high intensity rainfall events.

Liaison with Transport for NSW (TfNSW) to seek approval for works within the road and rail corridor are continuing, however, are expected to take some time. To prevent delays to the project, Council has split the project into two (2) stages, with Stage 1 being the works on the northern side of the rail corridor (not requiring TfNSW approval), and Stage 2 works under the rail corridor and in the road reserve of Main Street (Main Road 516).

Stage 1 works include trenching to install the redesigned single 1350 mm reinforced concrete pipes and pits in the following locations:

1. the western side of Watsford Oval, from Farmers Creek to James Street;
2. James Street, from Watsford Oval to the southern side; and
3. George Coates Avenue, from James Street to Wylde Street.

The new design not only features an improved pipe sizing to increase capacity and flow rate, but its alignment has also been amended to ensure there is no negative impact to the trees lining George Coates Avenue, which significantly contribute to the amenity of the locale.

Completion of Stage 1 works, along with a significant new stormwater inlet just north of the rail corridor will provide relief during flooding events, with much of the project value being delivered without the delays of underboring. However, it remains the case that the optimal result will be achieved once Stage 2 works are completed, and new inlets can be installed on Main Street, along with connecting pipework underneath the rail line.

The design has been previously completed by Barnson engineers, and soil assessments have now been undertaken.

In addition to the Stage 1 infrastructure work, the area of Watsford Oval required to be trenched will have the surface reinstated to Council's satisfaction. Works have been designed to avoid any trees in George Coates Avenue being impacted.

### *1. Project Chronology*

The tenders for the design and construction of the Main Street / Cupro Street works were evaluated and the contract awarded, at the Ordinary Meeting of Council held on 22nd July 2024, to the highest ranked tenderer, Keane Civil and Constructions, for \$920,455 (excluding GST).

Following further site investigations completed for the project there was a revised design and alignment completed to allow for the existing services under James Parade and for future storm water pipe connections in Stage 2 of the proposed works. Stage 2 works will allow for further stormwater pipes to the changed revised scope proposed.

Keane Civil and Construction prepared the revised design documentation for the site and submitted the variation request on 19 December 2024.

## *2. Increases to Project Cost and Value for Money Checks*

With the redesign of the proposed stormwater pipe works, the design has changed from 2 x 900 mm pipelines to 1 x 1350 pipeline to allow for extra capacity and improved flow in the pipeline and extra works for future connections (improving the future-proofing of the asset) has led to an increase in costs.

In addition to the original works specified in the contract, there are additional works required totalling \$238,544, including:

- \$12,634 for soil testing, and
- \$225,910 for revised design and construction of the works.

### **Consultation and Communication**

Internal stakeholders have been meeting to discuss the project inclusions and boundaries since the initial planning stage in early 2024. Council has also notified users of the facility of its unavailability due to construction works for the 2024 / 2025 sporting season.

This stage of the works do not impact any businesses or residents, however, Stage 2 works further south (under the rail viaduct), will have potential impacts, and the businesses, residents and utility authorities (Sydney Trains and Transport for NSW) will be consulted when this work is in the final planning stages (expected to be mid to late 2025).

Letters will be hand delivered to all residents in the nearby vicinity, before construction commences, to advise of the project, its impacts, and the benefits of this investment into their space.

### **Policy**

In accordance with Council's Budget Variations Standard Working Procedure SWP 4.2, as the instance has arisen where the actual expenditure of the Council is materially different from its estimated expenditure, the instance must be reported to the next meeting of the Council.

It is noted that these contract variations fall within the scope of works for the Main Street / Cupro Street Stormwater Improvements Project, and is not a separate project.

### **Legal**

The subject matter of this report is a function of Council conferred by the *Local Government Act 1993* and *Local Government (General) Regulation 2021*.

### **Risk Management**

A 10% contingency has been applied to the increase in cost to account for any unforeseen issues that may occur during construction to alleviate financial risk. The construction site will be fenced off from the public to account for potential work, health, and safety risks.

### **Financial**

- Original Budget approved - \$920,455 (excluding GST) for the 2024/25 financial year.
- Cost centre for 2024 / 2025 – \$1,185,844 from PJ 100840 (\$577,844 Resources for Regions Round 9 Grant Funds) and PJ 100895 (\$608,000 AGRN 1025 Grant Funds)
- The total budget required to complete the project including this variation is \$1,158,999 (excluding GST) Stage 1 of this project will be delivered by the deadline of the grant funding.

### 3.12. I&E - 28/1/2025 - Plant Replacement - Jetpatcher

#### Strategic Context for this matter:

**Developing Our Built Environment** To provide a choice of effective public and private transport options, suitable entertainment and recreational facilities, and lifestyle choices while enhancing the existing rural areas, villages and towns that make up the Lithgow LGA.

**Author:** James McGee - Principal Civil Engineer - Roads  
**Responsible Officer:** Jonathon Edgecombe - Director of Infrastructure and Economy

#### Executive Summary

This report summarises the process for the replacement of Council's 2003 Paveline Jetpatcher in the 2024/25 financial year and seeks Council's approval to purchase a replacement machine.

This purchase is made possible by the allocation of forward funding from the approved Special Rate Variation.

It is proposed to utilise the results of the October 2024 competitive, open tender process to make this purchase.

#### Administration's Recommendation

THAT Council approve the purchase of a Transpaver Jetpatcher Trans Bitumen Services Pty Ltd for a cost of \$687,395, excluding GST (\$756,134.50 including GST).

#### Attachments

Nil

#### Reference to any relevant previous minute

Nil

#### Background and discussion

Council's Jetpatcher is used for the repair and maintenance of the city's extensive road network. Primarily this machine is used for the repair of potholes however it is also used for road edge repair and for smaller sealing works.

Currently, Council operates 2 Jetpatchers, one belongs to council and is a 22-year-old Paveliner. The other is on hire and is a Ausroads Jetmaster. Council's Jetpatcher, after a 2-year period when an operator was unavailable, was redeployed in 2023. Unfortunately, due to the age of the machine and the extended downtime, it is unreliable and is frequently in the workshop for repair or awaiting parts. This frequent maintenance comes at great cost to the Council, both financially and with respect to the organisation's operational efficiency. In 2024 it was decided to hire the Ausroads Jetmaster to supplement the current Jetpatcher and to catch up on the backlog of repair work from the previous 3 years.

Both Jetpatchers are located at the Wallerawang Depot, along with other rural construction team plant and equipment. Council's machine currently experiences frequent breakdowns, and parts have

become harder to obtain, as the manufacturer no longer exists. This machine is long overdue for renewal.

Should Council approve the purchase of the replacement Jetpatcher, a Purchase Order can be raised immediately. Delivery should then occur in approximately August 2025. As payment is made on delivery, 2024/25 Special Rate Variation funds will be utilised for the purchase cost whilst the payment will be made in the 2025/26 financial year.

A request for tenders was issued through Vendorpanel supplier lists. Responses were received from two (2) suppliers:

- Trans Bitumen Services Pty Ltd (Tanspaver Jetpatcher); and
- Ausroad Systems Pty Ltd; (Ausroad Jetmaster)

The evaluation panel for this tender comprised:

- Transport Manager;
- Plant Manager;
- Acting Principal Civil Engineer – Roads; and
- Current operators.

Machine and Price	Assessment Results	Operational concerns.	Recommendation
Ausroad Jetmaster - \$720,940. Including GST	Lowest in price. We currently have one of these machines on hire, during this time the Machine has worked well and been reliable. Concerns from mechanical perspective. Delivery Hose runs under the engine and suspension of the truck is very low to the ground, scrapes when going over uneven ground. Stone delivery angle is not perpendicular, causing stone to be not as compacted and loose stone flying out from the hole. Boom mounted on the front bumper, could be dangerous the event of an accident.	The Operator still needs to manually turn valves from outside the truck to perform different functions, such as changing from patch to seal and purging. Boom is limited in its arc range, which means the truck would have to be turned toward the patching area if it is off the side of the road.	Decline
Transpave, Transpaver Jetpatcher - \$756,134.50 including GST	Second lowest in price. This is an all-new machine based on the previous Paveline machine. This Company is based at Minto in Sydney and is run by former employees of Paveline. The two owners have a vast knowledge of the Units. Whilst a complete truck was not available to inspect, we were talked through what is a modern upgrade of the Jetmaster platform.	The unit can be operated from inside the cabin, as opposed to having to get out and change valves etc. to perform these tasks. Also, the working radius of the patch arm from the front of the truck to either side 270 degrees. The stone bin has a waterproof hard cover which would keep any water out in the case of rain.	Accept

Once this new Jetpatcher arrives at Council and it has been embedded into to Council's works team, the existing Council-owned Jetpatcher will be sold, with funds returned to the plant replacement reserve.

### **Consultation and Communication**

Staff were fully consulted during the procurement process, being provided the opportunity to physically inspect the machines or attend a presentation on the machines prior to their purchase.

### **Policy**

The replacement of this Jetpatcher is consistent with Council's 8-year plant replacement schedule. Representing the highest cost and most complex pieces of equipment owned by the Council, its replacement will result in significant positive impacts to Council's operating cost and efficiency. It will also improve the working conditions for those employees tasked with the machine's operation.

### **Legal**

The subject matter of this report is a function of Council conferred by the Roads Act 1993.

Road maintenance is a responsibility set forth by the Roads Act 1993. The purchase and regular replacement of Council's own machinery and internal delivery of such services is the most cost-effective means of delivering road maintenance services.

### **Risk Management**

Regular plant replacement is required to ensure machines remain in sound working order. Adhering to this schedule, or amending it where required, is necessary to ensure operational efficiency and constrain operating costs.

### **Financial**

- Budget approved - \$756,134.50
- Cost centre - 100025
- Expended to date - \$55,000.00 to secure Cab chassis for machine.
- Future potential impact – Nil

### 3.13. I&E - 28/10/2024 - Naming of the Burton Street Causeway

**Strategic Context for this matter:**

**Caring for Our Community** To retain, respect and strengthen both our overall sense of community, and the unique linked communities of groups, rural areas, villages and towns that make up the Lithgow LGA.

**Author:** Jonathon Edgecombe – Director Infrastructure and Economy

**Responsible Officer:** Jonathon Edgecombe - Director of Infrastructure and Economy

**Executive Summary**

This report presents an asset naming proposal related to the new causeway currently being installed over Farmers Creek, in the vicinity of Burton Street, Lithgow.

**Administration's Recommendation**

THAT Council name the Farmers Creek Causeway (immediately adjacent to Burton Street) the "George Pearce Memorial Crossing".

**Attachments**

Nil

**Reference to any relevant previous minute**

Min. No.: 24-222: Ordinary Meeting of Council held 28 October 2024 (I&E - 28/10/2024 - Naming of the Burton Street Causeway)

**Background and discussion**

Since June 2023, the Council has been working with the Pearce family to develop a road naming proposal to recognise the contribution made by George Pearce to the local community. George Pearce passed on 28 February 2022 and was a prominent local businessman, significantly contributing to the local economy and supporting several community groups during his tenure as a local resident.

The Pearce family originally reached out to Council in June 2023 to rename Inch Street Lane (between Inch Street and the Blast Furnace site) "Pearce Lane". Unfortunately, upon referring the matter to the Geographical Names Board (**GNB**), it was found that the name could be considered to directly refer to the name of a local business or be construed to be promoting it. The business referred to here is *Pearce's Furniture One* located at 1 Railway Parade, Lithgow.

The administration advised the Pearce family of this outcome. They suggested an alternative name of "George Lane." However, with the administration's knowledge of the GNB naming guidelines (referring to Section 6.7 Principles of Road Naming in particular), it was clear that this name would also be rejected due to its similarity with other roads within the LGA, including George Coates Avenue (Lithgow), George Parade (Portland) and Geordie Street (Lithgow). Similar names are not permissible due to the confusion that may be caused during emergency events.

Council's Director Infrastructure and Economy met with the Pearce family to work through an alternative proposal that would recognise George Pearce's contribution to the community but also relieve Council of the requirement to comply with the strict GNB naming conventions. At this time, the administration advised the Pearce family that the GNB requirements only related to roads, but the naming of any other community infrastructure was purely a Council and community decision.

The causeway crossing Farmers Creek is now complete. The naming proposal has been open for a 28-day community consultation period, as was endorsed by the Council during the Ordinary Meeting of the 28 October. No submissions were received regarding the proposal to name the Burton Street Causeway, the "George Pearce Memorial Crossing". If Council resolves to move forward with this proposal, alongside a standard blade-style naming sign, the Administration will work closely with the family to obtain a brief biography of George Pearce's life, for the development of a small interpretive sign to be placed somewhere within a 5-metre radius of the causeway and its footpath.

### **Consultation and Communication**

Per Council's Policy 10.3 - Naming of Council Facilities, asset naming requests should follow the following process:

1. Referral to the Council's Community Development Committee.
2. Should the Council resolve to proceed with the request, advertise the proposed name for a minimum period of 14 days.
3. Report the results of this process to the Council.
4. The Council, at its ultimate discretion, will form a final position on the matter.

Due to the caretaker period of the outgoing Council and time required to endorse and set up new Council committees, Step 1 (referral to the Community Development Committee) was skipped in the interests of resolving this matter as quickly as possible.

It is also suggested that a longer consultation period of 28 days be applied to mirror the notice often given to the community for policy reviews and development applications, for example.

### **Policy**

This proposal relates to Policy 10.3 - Naming of Council Facilities. Deviation from the policy is proposed by referring the matter directly to the Council rather than to the Community Development Committee in the first instance.

### **Legal**

Not applicable.

### **Risk Management**

Not applicable.

### **Financial**

- Budget approved (for Burton Street Causeway) - \$141,102
- Cost centre - 100738
- Expended to date – \$144,402.
- Future potential impact – Purchase of two name blades and development of interpretive signage for the site.

### 3.14. I&E - 28/01/2025 - LEEP - Land-use and Workforce Initiatives - Regional Development Trust Fund

#### Strategic Context for this matter:

**Developing Our Built Environment** To provide a choice of effective public and private transport options, suitable entertainment and recreational facilities, and lifestyle choices while enhancing the existing rural areas, villages and towns that make up the Lithgow LGA.

**Strengthening Our Economy** To provide for sustainable and planned growth through the diversification of the economic base, the development of diverse job opportunities and the provision of a broad range of formal and non-formal educational services.

**Author:** Jonathon Edgecombe - Director of Infrastructure and Economy

**Responsible Officer:** Jonathon Edgecombe - Director of Infrastructure and Economy

#### Executive Summary

The purpose of this report is for Council to consider authorising the making of a grant application in respect of two projects under the Regional Economic Development and Community Investment Program (part of the Regional Development Trust) as well as under other grant opportunities, should the identified projects be eligible.

The Regional Development Trust Fund is a \$400 million program offered by the NSW Government for the purpose of delivering sustainable and strategic investment with a focus on priorities that make a real difference to regional communities.

#### Administration's Recommendation

THAT Council:

1. Authorise the making of an application for the funding of the projects identified in the report under the Regional Economic Development and Community Investment Program or under other grant opportunities should they arise, and
2. Note the proposed funding and sources necessary to provide the co-contributions required under the grant guidelines.

#### Attachments

Nil

#### Reference to any relevant previous minute

Nil.

#### Background and discussion

##### *1. Council authorisation required for the submission of grants exceeding \$50,000*

An internal policy of Council prevents staff officers from lodging grant applications seeking funding of greater than \$50,000 without the authorisation of the Governing Body unless the proposed projects or program is set out in Council's Integrated Planning and Reporting Framework as unfunded projects or programs for which funding is being sought.

## *2. Regional Economic Development and Community Investment Program*

The Regional Economic Development and Community Investment Program (the **Program**) has four key focus streams:

- sustainable regional industries,
- Aboriginal economic development and enterprise,
- community connection and capacity building, and
- improving regional service delivery.

The sustainable regional industries stream has a particular objective of enabling regional industries to grow and adapt with structural and environmental change. The community connection and capacity building stream have a particular objective of empowering regional communities to maximise the potential of their people, infrastructure and environment – with the example of improving the attraction and retention of key workers to regional NSW.

To be eligible, the project must benefit at least two local government areas.

Applications opened on 6 December 2024 and close on 20 February 2025. Council staff officers did not have an opportunity to place this report before Council in December. To prepare the grants by the closure date, Council staff officers will require Council to determine whether it wishes to proceed to make the grants.

The Program has a total pool of \$50m. It is noted that the Program, despite its name, is available to the Newcastle, Wollongong and Central Coast greater urban areas and is expected to be very competitive. Nonetheless, it is staff advice that the selected projects squarely align with the program goals and are likely to lie at the higher end of objective competitiveness.

There are two funding limbs in the Program, the first for Infrastructure projects (seeking grant funding of between \$500,000 and \$5m and services and program delivery (seeking grant funding of between \$250,000 and \$1m).

### *3. Proposed projects*

#### *a. Three-Trees Residential Development*

Alongside progressing an 'expression of interest' process that aligns with the Council's resolution, staff officers are developing options for Council's consideration surrounding the Three-trees Residential development by facilitating a lot-layout optimisation and benching and retaining wall design, particularly for the western lots. It is proposed that the development be co-ordinated and master-planned as part of a larger health and aged-care services precinct with capacity to service the greater Central West. The regionality and relative advantages of Lithgow pursuing the initiative is reinforced by the Lithgow Regional Development Strategy (**Lithgow REDS**) and the Lithgow Emerging Economy Plan Report (the **LEEP Report**). In short, this is because the Lithgow LGA already has a relative agglomeration of the health-care sector.

It is recommended that Council seek approximately \$1.5m to \$2.5m (the precise amount will be determined following the detailed design work underway) to finalise the benching work together with further internal road, drainage, utility, shared cycleway, and attendant environmental works to bring stage one (western side) of the development to market. The site's agglomerative potential as part of a broader health and aged-care precinct makes it ideal for attracting and retaining key health and aged care workers together with key workers more generally. Although not a priority for 2024 – 2025, Council's LEEP Team are proposing to provide Council with an options report in quarter three of 2025, for the design and investigation of:

- a joint medical services facility – potentially incorporating an Aboriginal Health Service, Urgent Care Centre, Ochre Health’s two existing facilities, radiography, pathology and other allied health services,
- additional aged-care capacity, and
- key worker accommodation

as part this proposed Health and Aged-care precinct

This project has the potential to accelerate and scale the emergence of a Lithgow health and aged-care precinct, create affordable accommodation for key workers, and address critical housing stock needs issues within the Lithgow LGA.

*b. Central West STEAM Academy*

Councillors will be aware that Council has received Commonwealth funding for a pilot-scale STEAM makerspace at the Adaptive Skills Hub. Key outcomes of the Pilot which are sought to be demonstrated by the pilot include:

- innovation in the inter-school sharing of expensive STEAM equipment – particularly by enabling different school sectors to work collaboratively in a regional context,
- an uplift in overall STEAM enrolments and coursework integration of STEAM,
- an increase in First Nation and women cohorts in STEAM subjects,
- teacher confidence and capacity building in the delivery of STEAM,

The program has received universal support from the LGA’s school leadership teams who have embraced the project and leveraged the program to attract additional resources. The program is engaging all secondary schools and all but one of the local primary schools. To date, the program is over-delivering on its performance targets.

Council staff officers recommend applying for three-years of additional funding to merge the pilot into the NSW Government’s STEM Industry School Partnerships (**SISP**) program (as the Central West STEAM Academy) in collaboration with the Mid-Western LGA (the other LGA in the identified Central West coal region).

The transitions management exercise will require a sustained ten-to-fifteen-year effort. Staff officers have identified the NSW SISP Program as the most sustainable way to ensure the on-going funding for this initiative. To fully implement the program across the two LGAs within the resource constraints of the present SISP program, staff officers assess that two to three years of additional funding will be required to ensure that the program can continue in future years with a combination of SISP program funding and industry funding. It is anticipated that the funding sought will be between \$150,000 and \$250,000 annually for three years.

Investment in our community’s emerging workforce – and particularly in STEAM skills – is one of the best investments governments at all levels can make to ensure a smooth transition for our region’s economy.

### **Consultation and Communication**

Council continues to engage with local primary and secondary schools as part of a working group which comprises key representatives from each. There is broad support for the continuation of the Central West STEAM Academy program.

**Policy**

The LEEP provides a technical evidence-base to inform a wide-range of policy settings of Council. Some of those policy settings have been identified by the broader community as being priorities in successive community surveys – including developing a sustainable economic future for the Lithgow LGA and increasing economic participation and inclusion. This report is consistent with the findings and recommendations of the LEEP Report and the Lithgow REDS.

**Legal and Risk Management**

Not otherwise than as set out in this Report.

**Financial**

Council will be required to fund at least 20% of the proposed initiatives. It is recommended that Council's 20% contribution to the proposed Three-Trees Project works comes from the Land and Building Reserve which presently has an uncommitted balance of \$2,184,358.35 as of 31 December 2024. Ultimately, proceeds from the sale of the marketable lots in the Three-Trees estate will be returned to the Reserve.

Council has sufficient funds in its existing Emerging Economy Plan budget to meet the necessary co-contribution required for the recommended Central West STEAM Academy project. Council staff officers will seek a proportional contribution from Mid-Western Regional Council should Council determine to proceed with the application.

If the grant is successful, staff officers will furnish the Council with a report setting out necessary adjustments to the Emerging Economy Plan Budget for the 2025 – 2026 financial year prior to the execution of the grant execution contract. Any adjustment is likely to be approximately \$70,000 and funded from the allocation (journalling) of existing budget allocations in the Emerging Economy Plan Budget to the Adaptive Skills Hub Budget in the final quarter of the 2024 – 2025 financial year.

### 3.15. I&E - 28/01/2025 - Tender Evaluation - Portland Sunny Corner Bus Stop & Related Civil Works

**Strategic Direction:**

**Developing Our Built Environment** To provide a choice of effective public and private transport options, suitable entertainment and recreational facilities, and lifestyle choices while enhancing the existing rural areas, villages and towns that make up the Lithgow LGA.

**Author:** Rohan Ranasinghe – Project Officer

**Department:** Infrastructure & Economy

**Responsible Officer:** Jonathon Edgecombe - Director of Infrastructure and Economy

**Executive Summary**

This report summarises the tender evaluation process that has been undertaken for the Portland/Sunny Corner Road – Bus Stop and related Civil Works. This work includes improving the area to allow safe bus entry and exit, enhancing car park traffic flow, and installing a new bus shelter along with associated furnishings, signage and line marking.

The project is funded from the Federal Government's Local Roads and Community Infrastructure Program Phase 4(LRCI 4) and the budget is \$290,334.

**Administration's Recommendation**

THAT:

1. Council note the tender evaluation for the Portland/Sunny Corner Road – Bus Stop and related Civil Works
2. In accordance with Clause 178 (1)(a) of the Local Government (General) Regulation 2021, accept the tender submission from Solve Civil for the tendered amount of \$267,730.85 (ex GST).
3. Council authorise the General Manager to execute the contract on behalf of Council under delegated authority.

**Attachments**

1. CONFIDENTIAL - TEN 20-24 Portland Sunny Corner Bus Stop and Civil Works - Confidential Tender Evaluation [3.15.1 - 1 page]

**Reference to any relevant previous minute**

N/A

**Background and discussion**

Following consultation with the community and local bus companies, the Council determined that children are currently waiting at an undesignated bus stop at the intersection of McManus Road and

Portland/Sunny Corner Road. Although this location is not a designated bus stop, buses currently stop at the intersection, impacting traffic flow.

To address this issue, it was decided to locate the bus stop in front of Portland Cemetery, where there is ample space for the bus to stop and for vehicles to pass safely. While the initial proposal was deemed feasible, significant roadworks are required to ensure adequate space for a full-length bus to manoeuvre safely.

The proposed plan involves converting the service lane into a one-way road, entering from the Meadow Flat end and exiting at the Portland end. To facilitate bus access to the service road, an additional slip lane will be constructed in the shoulder area of the westbound lane of Portland/Sunny Corner Road, and a turning lane will be formed on the shoulder area of the eastbound lane. Sealing of the service lane, with the inclusion of line marking for the bus zone and parent parking, signage and installation of a bus shelter are also proposed as part of this project.

Council has secured funding for this project from the Federal Government's Local Roads and Community Infrastructure Program Phase 4 (LRCI 4). Additionally, funds allocated for Portland Cemetery improvements have been utilised to reseal the cemetery's main access road and improve drainage along the left-hand side of the access road as part of this project. Combining the two projects will ensure they are both delivered promptly and receive the benefit of economies of scale.

The completed project is expected to provide a safe area for school children during drop-off and pick-up times, as well as to streamline the intersection alignment to enhance vehicle safety. There will also be significant improvements to the access to the Portland Cemetery. While the primary beneficiaries of this project are school children in the area, it will also deliver positive outcomes for the broader community.

### Tender Process

A Tender Evaluation Panel (TEP) was formed, consisting of the following staff:

Name	Position	Role on TEP
Rohan Ranasinghe	Project Officer	Chair
Leanne Kearney	Assets & Infrastructure Planning Manager	Member
Samuel Lujang	Development & Compliance Engineer	Member

In accordance with the tender evaluation plan, it was determined that tender responses would be evaluated based on the following criteria:

- Value for money (40%);
- Design Concept and Proposed Methodology (25%);
- Demonstrated Experience and Past Performance (20%);
- Project Program (10%); and
- Local Preference Policy (5%).

Council called for open tenders on 19 November 2024, and seven (6) responses were received by the tender closing time, 5:00pm on 20 December 2024. These were received from the following companies:

- Central Industries;
- Solve Civil;
- Regional Construction Services NSW Pty Ltd;
- Dukes Earth Moving Pty Ltd;
- Aswoods Civil Pty Ltd; and
- AMP Engineering Pty Ltd.

## Tender Evaluation

The TEP reviewed the submissions and met on 8 January 2025 to discuss the proposals.

The below table offers a summary of the TEP's scoring against the various evaluation criteria. A copy of the detailed evaluation has been provided to all Councillors with this report as a confidential attachment. Please note that the attachment contains information that is commercial-in-confidence.

<b>Tenderer</b>	<b>Overall Score (out of 100)</b>
Central Industries	79
Solve Civil	88
Regional Construction Services NSW Pty	36
Dukes Earth Moving Pty Ltd	69
Aswoods Civil Pty Ltd	33
AMP Engineering Pty Ltd	63

As well as tendering the lowest price, Solve Civil demonstrated a sound understanding of the project. Solve Civil has been engaged by Lithgow City Council in the past to successfully repair Maple Crescent South Footpath and Concrete Footpaths at Lithgow. Solve Civil has completed similar project for the Department of Defence/Aurecon and Department of Primary Industries. A referee from Aurecon vouched for Solve Civil's quality of work.

Solve Civil is based in Lithgow and meet the requirements of Council's Local Procurement Policy.

## Consultation and Communication

Residents in the local area have been advised of the project and further direct communication will be issued once the tender is awarded.

## Policy

The tender process was undertaken in accordance with Policy 1.4 - Tendering and Policy 1.7 - Local Procurement.

## Legal

The subject matter of this report is a function of Council conferred by Section 55 of the *Local Government Act 1993* and Part 7 the *Local Government (General) Regulation 2021*.

The project is subject to a thorough assessment of key environmental issues by way of a formal Review of Environmental Factors, to ensure compliance with the *Environmental Planning and Assessment Act 1979*.

## Risk Management

Council's Project Officer has undertaken a risk assessment of the project and identified real and perceived risks and treatment strategies have been applied. The risk register will be updated over the course of the project.

**Financial**

- Budget approved - \$290,334 (including \$66,000 from Portland Cemetery Improvements), both funded via the Federal Government's Local Roads and Community Infrastructure Program Phase 4 (LRCI 4).
- Cost centre - PJ100943 and PJ100959.
- Expended to date – Nil.
- Future potential impact - Total amount to be expended this financial year.

### 3.16. W&WW - 28/01/2025 - Watermains Cleaning - Tender Evaluation

**Strategic Context for this matter:**

**Developing Our Built Environment** To provide a choice of effective public and private transport options, suitable entertainment and recreational facilities, and lifestyle choices while enhancing the existing rural areas, villages and towns that make up the Lithgow LGA.

**Author:** Samuel Lenkaak - Water & Wastewater Works & Project Officer  
**Responsible Officer:** Matthew Trapp - Executive Manager Water, Wastewater and Waste

**Executive Summary**

Lithgow City Council is responsible for the maintenance and operation of the Council owned water systems within the Local Government Area (LGA). This includes one water treatment plant and over 200kms of pipelines in both trunk and reticulation for potable water delivery servicing Lithgow, Wallerawang, Portland, Cullen Bullen, Glen Davis, Marangaroo, and Rydal.

The Administration cleans and operates the system within regulations and guidance from regulators such as NSW Health; Department of Climate Change, Environment, Energy and Water; and NSW EPA, for example. Council performs cleaning of mains and pipelines using potable water in the system to flush out any build up or sediment that may be in the system from the pipelines aging and deteriorating. This operation utilises available water pressure in the system which cleans the mains but a more thorough clean may be required at times using technology like air scouring, high pressure cleaning, pigging etc. These methods utilise some method of forcing additional pressure, solid scours, or air through the system to dislodge and clean sediment from the pipework and extracting this from a hydrant or relief in the pipeline.

Under the Local Government Act Section 55, council is required to undertake a Request for Tender (RFT) process for a contract where expenditure is expected to be over \$250,000. The Administration has undertaken a formal RFT process via Vendor panel in November 2024 for the purpose of engaging a suitably qualified and experienced contractor to provide Lithgow City Council a comprehensive watermains cleaning program across the potable water network.

The RFT was undertaken and assessed by officers of the Administration in accordance with Council policy and procedures. The RFT process received four submissions from suitable tenderers with a recommendation within this report to engage one of the contractors to deliver the watermains cleaning project over the 2024/25 and 2025/26 financial years.

**Administration's Recommendation**

THAT

1. In accordance with Clause 178(1)(a) of the Local Government (General) Regulation 2021, accept the tender submission and lump sum amount of \$252,605.76 ex GST from H&S Maintenance Pty Ltd.
2. Authorise the General Manager to execute the contract on behalf of Council under delegated authority, between Council and H&S Maintenance Pty Ltd in accordance with the tender for Watermains Cleaning Program.

**Attachments**

1. Confidential attachment - Evaluation Scoresheet - Watermains Cleaning Program [3.16.1 - 1 page]

## Reference to any relevant previous minute

N/A

## Background and discussion

Water mains carry potable water from water treatment facilities to reservoirs and onto private properties for usage by customers. This network requires maintenance work from time to time along its lifetime to ensure the pipelines can operate effectively and efficiently at delivering clean water to customers. The Administration has carried out a tender process for a suitably qualified and experienced contractor to perform an intensive cleaning program across the potable water network across the LGA. This process was to utilise the preferred method and technologies for cleaning and to ensure the mains were suitably cleaned to remove sedimentation or any potential build up whilst maintaining service.

An open tender process was conducted to obtain the maximum number of respondents for evaluation. The documentation was available from 17 September 2024 for any interested parties to download from the VendorPanel E-Tendering system.

Four (4) responses were received electronically by the closing time on 24<sup>th</sup> October 2024, responses were received from the following parties:

- Clearflow Australia Pty Ltd,
- No-Des International Pty Ltd
- H&S Maintenance Pty Ltd.
- Utilstra Pty Ltd

To rank the proposals, a Tender Evaluation Committee (TEC) was formed, which comprised the following staff:

Member	Position	Role
Duncan Shumack	Project Manager – Water & Wastewater	Chair
Samuel Lenkaak	Projects Engineer – Water & Wastewater	Member
Matthew Trapp	Executive Manager – Water, Wastewater and Waste	Member
Britney McClennan	Graduate Project Manager	Member

Respondents to the tender were required to submit to Council a schedule detailing their methodology for undertaking the works, the period for completion, the total price and relevant experience. This information was received with proof of quality management, WHS management, financial capacity, insurances, environmental management, and other items for TEC consideration, such as, proposed subcontractors and industrial relations.

This allowed the TEC to assess responses by reviewing:

- Value for Money (50% weighting),
- Program Schedule & Design (20% weighting),
- Experience with similar projects (20% weighting),
- Capability and Understanding of Council Requirement (10% weighting), and

- Local Procurement Policy (note that no respondents were local contractors as the policy was not able to be applied).

### Tender Evaluation

The respondents were asked to provide a lump sum price for the project to be delivered over the 2024/25 and 2025/26 financial years to spread the timing and cost of the project out. This pricing was used to calculate a score against other responses to assess the best value for money across the board

### Tender Responses

<b>Tenderer</b>	<b>Value for Money score out of 10</b>
Clearflow Australia	4.22
No-Des International Pty Ltd	5.31
H&S Maintenance Pty Ltd	10
Utilstra Pty Ltd	0.55

As shown above, the pricing scores are based on the Lump Sum prices from each tenderer which accounts for 50% of the total score. A detailed evaluation report has been included with this report for the Councillor's information as a confidential attachment.

In summary, the TEC scored all submitted proposals as follows:

<b>Tenderer</b>	<b>Tender Evaluation Score (out of 100)</b>
Clearflow Australia	53
No-Des International Pty Ltd	71
H&S Maintenance Pty Ltd	87
Utilstra Pty Ltd	20

As a result of the evaluation, the TEC recommends that Council enter into an agreement with H&S Maintenance Pty Ltd for the Watermains Cleaning Project over the 2024/2025 and 2025/2026 financial years, accepting the lump sum pricing submitted via the tender process.

### Consultation and Communication

The project has been advertised and will be implemented in accordance with the Council Operational Plan 2024/25 and Delivery Program 2022-2026. The contractors will be communicating with residents and Council on which areas will be undertaken and when these will be done to ensure prior notice and minimal disruption to service.

### Policy

The Tender process and evaluation were conducted in accordance with Council's Tendering Policy and Council's Standard Work Procedures 2.1 Tendering, and 4.5 Purchasing and Contracting.

### Legal

The subject matter of this report is a function of Council conferred by the Local Government Act 1993, section 55, and Part 7 of the Local Government (General) Regulation 2021.

## **Risk Management**

The contractor will be required to develop a risk management plan for the project once the tender is accepted. Council will manage the risk in accordance with the current policies and procedures to ensure continuity of service and that the project is undertaken safely

## **Financial**

- Budget approved      \$675,119 financial year 2024/2025.
- Cost centre              200194, 200182
- Expended to date      \$466,137
- Future potential impact – mains cleaning will impact on businesses and residents for a brief period when the cleaning is undertaken. The process will clean mains in the reticulation for improved pressure and flow delivery.

## 4. Council Committee Reports

### 4.1. FIN - 28/01/2025 - Audit Risk Improvement Committee (ARIC) Minutes 10 December 2024

#### Strategic Context for this matter:

##### Responsible Governance & Civic Leadership:

To develop community confidence in the organisation by the way it is directed, controlled and managed

**Author:** Vanessa Browning – Director Finance & Governance

**Responsible Officer:** Ross Gurney - General Manager

#### Executive Summary

This report summarises the business considered at the Audit Risk & Improvement Committee (ARIC) meeting held 10 December 2024 and recommends that Council note the minutes.

#### Administration's Recommendation

THAT Council:

1. Note the Minutes of the 10 December 2024 Audit Risk & Improvement Committee Meeting.
2. Endorse the final version of the Internal Audit Charter which is included as an attachment.

#### Attachments

1. Final Draft ARIC Minutes 10 December 2024 [4.1.1 - 14 pages]
2. NEW STDS INTERNAL AUDIT CHARTER 2024 ( LITHGOW CITY COUNCIL ) [4.1.2 - 12 pages]

#### Reference to any relevant previous minute

Min No. 24-233 Ordinary Meeting of Council held on 28 October 2024.

#### Background and discussion

At the ARIC meeting held on 10 December 2024, the following items were presented and discussed:

- **Business Arising:** ARIC to be provided with an updated recommendations tracking list, demonstration of the Compliance Register and a gap analysis regarding the findings of ICAC Operation Hector.
- **External Audit:** presentation of the Engagement Closing Report and Final Audit Management Letter was given and discussed. An Audit Readiness Improvement Plan to be developed and implemented. A draft Management Certification Checklist is to be developed and presented to the March 2025 ARIC Meeting. A gap analysis on the NSW Audit Office's Performance Audit on Road Management in Local Government will be presented at a future ARIC Meeting.

- **Financial Management:** the Financial Management Report was presented and discussed, including the current working capital level and the change in the projected financial position from the Original Budget.
- **Internal Audit:** a draft Internal Audit Charter is to be presented to Council for consideration for adoption and an Internal Audit Manual will also be developed. Consideration to be made by Council of whether the current Internal Audit Standard Working Procedure will be still required once the Charter is adopted and if deemed so, a review to make recommended changes is to be undertaken. An update on the Expressions of Interest process for the appointment of an External Provider of internal audits was provided.
- **Progress Against Internal Audit / Review Recommendations:** an update was provided regarding the progress of the following:
  - Customer Service Review,
  - Rating Review,
  - Information Security Gap Analysis, and
  - Procurement Audit.
- **Enterprise Risk Management Framework (ERMF):** an outline of the progress on the development of the ERMF was provided. An updated Operational Risk Register is to be presented at the next ARIC Meeting. The Risk Maturity Review Actions Report was tabled and discussed. An update on the Business Continuity Plan Review was provided.
- **Asset Management:** discussions were held on items within the Current Asset Management Improvement Work Program and the Road Renewal Backlog.
- **Service Management Framework:** Business cases are being developed for the 2025/2026 financial year. An action plan will be presented to ARIC once developed.
- **Policies / Standard Work Procedures:** an update was presented and noted by ARIC.
- **Strategic Planning – IP&R Framework Documents:** an update regarding the Integrated Planning & Reporting (IP&R) Frameworks was provided and noted.
- **General Business:** the following items were discussed:
  - ARIC Workplan Update,
  - Office of Local Government Gap Analysis,
  - Main Street Footpath Revitalisation Program and
  - Meeting Dates for 2025.

The updated final Internal Audit Charter is included as an attachment. The Charter is based on the OLG's model and has been appropriately updated / modified with the assistance of the Institute of Internal Auditors to comply with the new Global Internal Audit Standards which were released at the start of 2024 (and become effective early in 2025).

## Financial

- Budget approved – N/A
- Cost centre – N/A
- Expended to date – N/A
- Future potential impact – N/A

## 5. Delegates Reports

### 5.1. GM - 28/01/2025 - Central NSW Joint Organisation Board Meeting Report 13 November 2024

**Report by** Ross Gurney - General Manager

#### Commentary

Please find following advice from the recent meeting of the Central NSW Joint Organisation Board held at Local Government House in Sydney on the 13 November 2024. The Minutes from the meeting are attached. The following day, the Board met NSW Government Ministers including the Premier and Treasurer, coordinated through the Office of Mr Phil Donato, Member for Orange.

Notably, there has been substantial change to the CNSWJO Board with recently elected Mayors being as follows:

<b>Cr R Taylor</b>	Bathurst Regional Council
<b>Cr B Reynolds</b>	Blayney Shire Council
<b>Cr K Beatty</b>	Cabonne Council
<b>Cr P Smith</b>	Cowra Council
<b>Cr P Miller, OAM</b>	Forbes Shire Council
<b>Cr J Medcalf, OAM</b>	Lachlan Shire Council
<b>Cr C Coleman</b>	Lithgow City Council
<b>Cr A McKibbin</b>	Oberon Council
<b>Cr T Mileto</b>	Orange City Council
<b>Cr N Westcott</b>	Parkes Shire Council
<b>Cr P Best</b>	Weddin Shire Council

The meeting began with the election of the Chair and Deputy Chair. Cr Kevin Beatty, Mayor of Cabonne was elected Chair, unopposed. Cr Phyllis Miller OAM, Mayor of Forbes was elected Deputy Chair, unopposed.

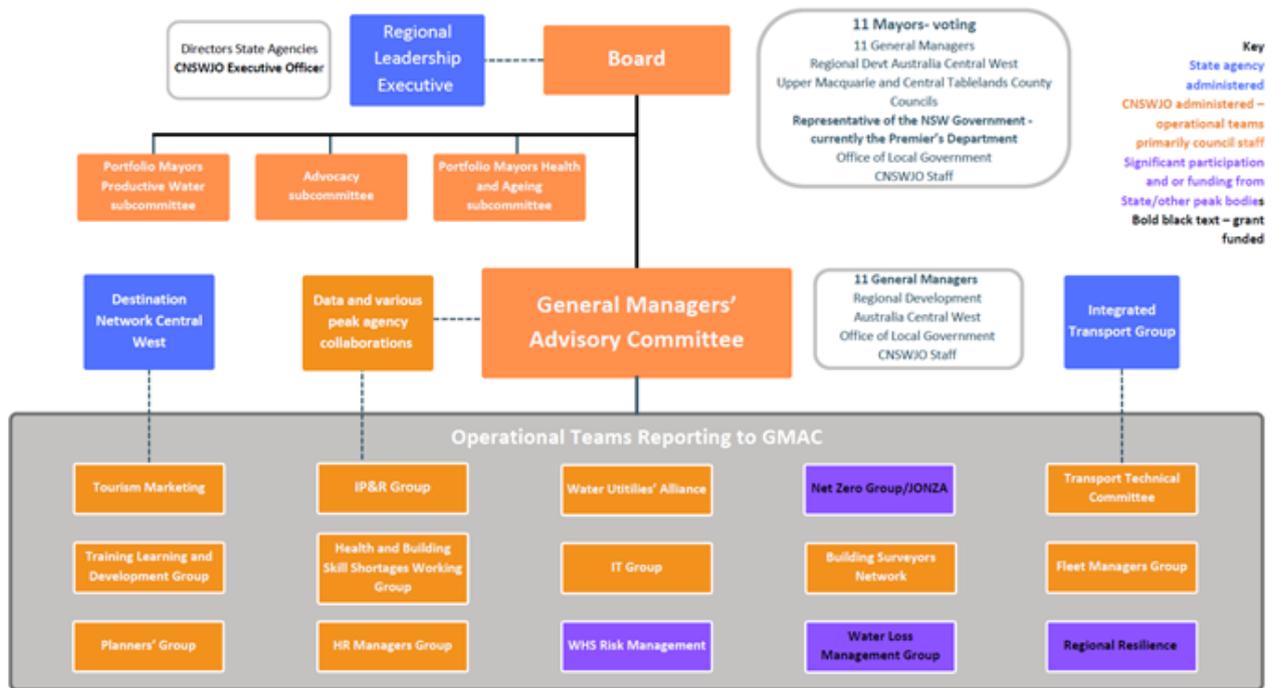
Given this is the first meeting of the Board after the September election, Portfolio Mayors were appointed to the seven priorities of the Board.

Speakers to the Board were Mr Andrew McConville, Chief Executive from the Murray Darling Basin Authority and Mr David Reynolds, Chief Executive from Local Government NSW.

The Executive Officer provided a brief introduction to the business paper, the region's priorities and the JO structure.

Updates were provided from the Office of Local Government, Regional Development Australia Central West and the Premier's Department.

More detail on reports to the meeting are below where the agenda can be found at [241113 Board-agenda web-version.pdf](#)



CNSWJO Structure

The Board adopted the Annual Statement including Financial Statements which can be found at [Central NSW Joint Organisation Annual Statement for 2024](#). In summary, CNSWJO value to members included:

- 26 submissions lodged on priorities identified in the region ranging from council financial sustainability through to water reform;
- 32 plans, strategies and other collateral that members can leverage for funding, advocacy, forward planning and other purposes;
- 175 representation and collaboration opportunities;
- \$5m in net cost savings from aggregated procurement and AER determination;
- \$1.3m in grants for members; and
- \$1.43m in public relations value through its regional destination marketing program.

The Board resolved to table correspondence at its meeting with NSW Government representatives regarding concerns about the funding framework, particularly for mining affected communities.

The following day was one of engagement with NSW Government representatives hosted by Mr Phil Donato, Member for Orange. The day began with a welcome by the 47th Premier of NSW, the Hon Chris Minns. Mayors raised local and regional issues with the following Ministers:

- The Hon Chris Minns MP – Premier of NSW;
- The Hon Jenny Aitchison MP – Minister for Regional Transport and Roads;
- The Hon Daniel Mookhey, MLC -Treasurer;
- The Hon Tara Moriarty MLC -Minister for Agriculture, Minister for Regional New South Wales and Minister for Western New South Wales;
- The Hon Rose Jackson MLC- Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, Minister for Youth and Minister for the North Coast;
- The Hon Ryan Park MP, Minister for Health, Minister for Regional Health and Minister for the Illawarra and the South Coast;
- The Hon Paul Scully MP, Minister for Planning and Public Spaces;
- The Hon Jihad Dib MP, Minister for Customer Service and Digital Government, Minister for Emergency Services and Minister for Youth Justice; and

- The Hon Ron Hoenig MP – Minister for Local Government.

## Submissions

The following submissions have been lodged since the last Board meeting. All have been at the request of members and/or as part of supporting the advocacy policy of the Board. All previous submissions can be viewed on the CNSWJO website at [Submissions - Central Joint Organisation \(nsw.gov.au\)](https://www.cnswj.org.au)

- [Submission on the third inquiry into the Rural and Regional Health Services – October 2024](#)
- [Feedback on New National Water Agreement – September 2024](#)
- [Feedback on Draft Australian Drought Policy – September 2024](#)
- [Submission to the Select Committee on Essential Worker Housing on Options for Essential Worker Housing – September 2024](#)
- [Submission on the Council Apprentice, Trainee and Cadet Program Funding Guidelines – September 2024](#)
- [Submission on the Draft Disaster Adaption Plan Guidelines – August 2024](#)

## Memorandum of Understanding (MoU) and work with the Rural Doctors' Network (RDN)

The MoU with the RDN was reconfirmed in the presence of the Minister for Health and Regional Health, the Hon Ryan Park. The past twelve months have seen the completion of a project on health literacy with the RDN. All members of the CNSWJO have received their final reports in this regard and some recommendations were made at the regional level as per the below.



*Signing of the MoU with RDN. R-L – Mr Richard Colbran, CEO RDN, Cr K Beatty, Cr P Miller OAM, The Hon Ryan Park, Minister for Health and Minister for Regional Health.,*

## 7.1 Advocacy

There are considerable gaps in the broader system that pose significant barriers to building the pool of healthcare professionals in the Central West. There were concerns about the gradual encroachment of engagement with health and health service delivery beyond the mandated environmental health Councils, work that is beyond the remit of council and unfunded. There is a significant advocacy component – as rural and remote continue to grapple with thin markets in primary care, characterized by inadequate supply of primary healthcare professionals to meet community demands, communities will find access to high quality, local, primary care more difficult. Councils bore the brunt of this and engage with the health system of necessity and often unfunded.

In conversations with Councils, it was also noted that challenges such as insufficient housing, readily available childcare options, and employment opportunities for family members could create barriers to attracting and retaining a health workforce.

There is an opportunity for CNSWJO to advocate for improved housing availability, access to childcare, and alternative funding models to improve health access for their respective constituencies.

There is opportunity to work with RDN to invite government representatives from health to attend a CNSWJO Meeting or visit Councils in the region. Given the recent *NSW Parliamentary Inquiry into Health Outcomes and Access to Health and Hospital Services in Rural, Regional and Remote New South Wales*, this could provide an opportunity for government to engage directly with Councils and learn more about local challenges.

CNSWJO is encouraged to engage in collaboration with peak agencies to share findings from this project and seek equitable outcomes for the region.

It could also advocate to have updated data on key health metrics including health workforce from RDN and the respective LHDs and PHNs.

## 7.2 Action Plan Implementation

The *Action Plan* lays out recommendations Council can consider to support access to health services. These can be implemented in collaboration with partners such as RDN and the Local Health Districts.

The steps followed in this project is part of a larger methodology, Collaborative Care, which Councils can consider implementing in partnership with RDN. The steps undertaken in this project form *Part One* of the method – full implementation of the target can help formulate targeted interventions for specific health issues communities face.

## 7.3 Collaborative Care

Collaborative Care is a community-centred approach to addressing the primary health care challenges in remote and rural NSW. These challenges include the provision of services, recruitment and retention of health practitioners, financial sustainability of health services, and continuity of care for patients.

The approach works with local health professionals and communities to create a primary health care access model that fits their needs. It does this by bringing communities from neighbouring areas together to co-design shared priorities and solutions. Collaborative Care Program is an extension of RDN's town-based health planning approach, which has proven successful for more than 30 years.

## Support for incoming Councillors and the CNSWJO Statement of Strategic Regional Priority

Under the Local Government Act, Joint Organisations must undertake a review of their Statement of Strategic Regional Priority (SSRP) every new term of Council. This is a similar document to Council's Community Strategic Plan– but from a regional perspective.

Guidance from the Office of Local Government states that the review should be conducted in consultation with all members and state agencies while referencing Council Community Strategic Plans.

For more detail on the process please go to the relevant chapter in the <https://www.olg.nsw.gov.au/wp-content/uploads/Joint-Organisation-Implementation-Guidelines.pdf>

The Board received advice about the development of the SSRP including two workshops with councillors from all member councils.

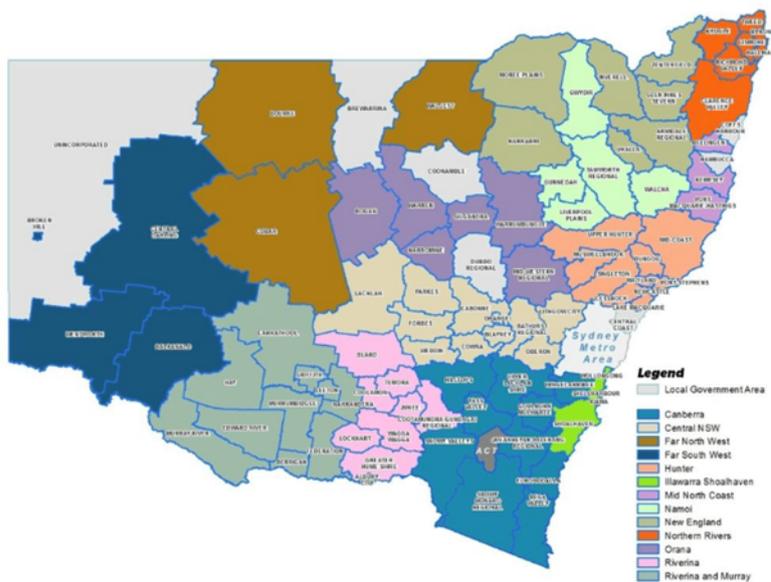
At the time of writing, the first workshop will be held November 28 and will welcome this term of councillors to the region and provide background on CNSWJO. Councillors have an invitation in their diaries for this event.

The second workshop will focus more on what councillors from across the region want to see in the SSRP and this workshop will be held in March 2025.

CNSWJO would also like to provide a presentation to the new Council on its programming and seek feedback on its priorities. This is recommended.

### CNSWJO Chair elected as Deputy Chair of the Joint Organisations' Forum

Subsequent to the meeting with State representatives the CNSWJO Chair was elected as Deputy Chair of the Joint Organisation's Chairs' Forum who work together on advocacy and leading practice.



*Cr K Beatty, Deputy Chair, Cr S Moore, Mayor of Singleton Council and Chair of the Joint Organisation Chair's Forum and the map of JOs in NSW.*

### Value to Council

80% of CNSWJO resources are dedicated to providing its operational support program. For the 2023/2024 year this program delivered a return on investments of 8.3:1 for every dollar Council spends on its membership fees. This value is made up of grant income, monies saved through the CNSWJO procurement program and public relations value from its tourism marketing.

The work the region does in writing submissions, media, supporting projects and project teams, developing collateral and providing opportunities for members in various forums to represent their views is not included in the above figure of 8.3:1 ROI. However, this value is reported quarterly to the Board. Please go to the CNSWJO website to review past Board agendas at <https://www.centraljo.nsw.gov.au/business-papers-agendas/> or to review last year's Annual Statement please go to [2023 STATEMENT \(nsw.gov.au\)](https://www.nsw.gov.au/2023-statement)

Grant funded projects for the 2023/2024 year were:

- The Joint Organisation Net Zero Acceleration Program (ongoing);
- Disaster Risk Reduction Fund Program (Round One completed);
- Disaster Ready Fund (Round 2 application);
- Bridge Assessments (due for completion in 2024/2025);
- A Business Case for Priority Investment in the Nexus between Net Zero and Energy Security (completed);
- A Regional Centre of Excellence in Water Loss Management (due for completion in 2024/2025);
- Transitioning Integrated Water Cycle Management Plans to Integrated Planning and Reporting (completed); and

- A Spare Capacity in Housing Project (completed).

Further applications have been made for programs under the auspices of the Board – please request advice on their status.

This value is delivered primarily by the various operational teams across the region including the CNSWJO;

- General Managers' Advisory Committee
- Water Utilities' Alliance
- Transport Technical Committee
- Tourism Managers Group
- Planners' Group
- Human Resources Managers Group
- WHS/Risk Management Group
- Training, Learning and Development Group
- Net Zero Group
- Regional IT Group
- Building Surveyors Skills Shortages Working Group
- Disaster Risk Reduction Steering Committee
- Fleet Managers Group (new!)
- Integrated Planning and Reporting Group (new!)

Please find following some highlights from the various operational support programs taken from a recent newsletter. For the full newsletter please go to [CNSWJO Quarterly Newsletter - Edition 1 - November 2024](#)

The infographic consists of 12 items arranged in two columns. Each item features an icon and a text box. The items are as follows:

- Item 1 (Top Left):** Icon of a shield with a lock. Text: "The recruitment of the Regional Chief Information Security Officer (CISO) is underway. This role will support member councils in their strategic approach to cyber security."
- Item 2 (Top Right):** Icon of a shopping cart with a gear. Text: "CNSWJO is trialling a new service offering; providing on-demand procurement facilitation to councils who may not have the time or resources to conduct a procurement process themselves. This is in addition to the aggregated procurement that CNSWJO has been doing for many years."
- Item 3 (Second Row Left):** Icon of a clipboard with a target. Text: "A new IP&R Group has being formed to support member councils. Frameworks have been developed for Water, Disaster Risk Reduction and Climate Change."
- Item 4 (Second Row Right):** Icon of a document with a dollar sign and a pencil. Text: "CNSWJO has been announced as a successful applicant under the Disaster Ready Fund Round 2 with the Deed under negotiation. The 3-year project supports Disaster Adaptation Plan (DAP) development, statewide disaster risk reduction coordination, resilience assessments for energy and water, evidence-based technology solutions, the development of critical infrastructure resilience plans for participating councils, and a grant readiness program."
- Item 5 (Third Row Left):** Icon of a house with a lightning bolt and a warning sign. Text: "The Disaster Risk Reduction Fund (DRRF) Program is now complete, highlighting key achievements and emphasising the importance of ongoing prioritisation and investment in disaster risk reduction."
- Item 6 (Third Row Right):** Icon of three water droplets. Text: "Phase 1 of the Water Loss Management Hub is now complete. The objective was to co-design a Hub to coordinate and deliver initiatives to reduce non-revenue water, deliver training, research and further develop a maturity benchmarking model. Funding has been applied for to deliver Phase 2 of the program which seeks to further support CNSWJO member councils while also expanding the program into other regions."
- Item 7 (Fourth Row Left):** Icon of a person at a presentation board. Text: "Certificate III in Water Treatment, Certificate III in Networks and Certificate IV in Water Treatment training has been delivered over the past 12 months and all three cohorts will have completed their training by mid-November 2024. In total, 47 operators were enrolled in the training being delivered by Fusion Training across 10 member councils."
- Item 8 (Fourth Row Right):** Icon of a steering wheel. Text: "CNSWJO is proudly hosting an EV Drive Day at Mt Panorama in Bathurst on 5-6 December 2024. Day 1 will provide council staff and elected representatives with the opportunity to hear from a range of industry representatives and test drive over 20 vehicles. Day 2 will be focused on local businesses and community members."
- Item 9 (Fifth Row Left):** Icon of a car. Text: "CNSWJO has received funding from the NSW Government to progress a number of EV activities. One main project is a tourism/economic development-focused interactive map to support tourists travelling around the region to know what to visit, eat, drink and do while waiting to charge their car."
- Item 10 (Fifth Row Right):** Icon of a streetlight. Text: "CNSWJO is the lead JO in a cross-JO project called the Southern Lights Group. Through advocacy undertaken by the Group, the new streetlight network pricing will save member councils over \$770k over the 5-year pricing period compared to current prices. This is a 16.9% decrease."
- Item 11 (Bottom Left):** Icon of speech bubbles with a heart. Text: "We received feedback at the SSRP workshop that many council staff are unclear who the Joint Organisation is and what it does. This quarterly newsletter intends to provide you with the highlights on what we're up to."
- Item 12 (Bottom Right):** A graphic titled "Return on Investment" showing two circles. The left circle is grey and labeled "2023/2024" with the value "9.4:1". The right circle is orange and labeled "2024/2025" with the value "9.3:1".

**Attachments**

- Attachment 1 - Minutes of the JO Board meeting 13 November 2024 held in Sydney [5.1.1 - 5 pages]

**Recommendation**

THAT Council note the report from the Mayor on the Central NSW Joint Organisation (CNSWJO) Board meetings 13 and 14 November 2024 and seek a presentation from CNSWJO on its program including value to this Local Government Area.

**5.2. Delegates Report - Cr E Fredericks - 28/01/2025 - Search Dogs Sydney**

**Report by** Councillor E Fredericks

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**Commentary**

On November 23<sup>rd</sup>, I attended the first missing persons symposium hosted by Chris and Adele from Search dogs Sydney. Liverpool city council helped host it in their building.

One thing that did become apparent during Chris Darcy's speech was the eery similarities shared by the families and friends of missing persons. Similarities in response, treatment, communication and subsequent coronial inquest findings, even though the name of the missing person, the last known location of the missing person, the state or territory of the missing person were all different, the similarities were the same.

The similarities that stood out, help for those of us who haven't had the traumatic experience of losing a loved one, look at ways to help make the future experiences better and how to make the process more efficient. Many missing loved ones are not criminals, yet many law enforcement agencies seem to treat the family and friends of missing persons, as if they are. Over 98% of missing persons investigations involve no criminality but 100% of cases are deemed criminal by investigators.

There are many organisations working to assist the families of missing persons. Such as,

- Leave a light on
- The missed foundation
- Australian search dog federation
- Search dogs Sydney
- The AFPs national missing persons coordination centre
- State and territory law enforcement agencies.

Sadly, each of the above work on next to no funding from governments of all levels and struggle to regularly assemble to undertake the essential roles they were formed to enact. There is no peak body providing assistance, guidance, support or advocacy.

Chris then played a part of a podcast called "witness- William Tyrrell episode 4", where we hear Detective Chief Inspector David Laidlaw from the NSW Police Homicide Squad answering interview questions by a KC at the special commission of inquiry to investigate the police response into 'specific hate crimes'. During this interview the chief inspector explains that there are 829 unsolved missing persons cases still open, 790 of them have 39 files missing, 125 have not been triaged and 291 have not had a review. when one from the archives lands on his desk, it goes into the pile. They don't have the funding or workforce to do every single one. The police force has a 4000 personal shortfall.

It was suggested by a few that even just 3 % of proceeds of crime, if legislated to be diverted to Missing Australia Network and groups like Search NSW, would greatly aid in solving missing persons reports and cases, whilst taking some pressure off a struggling police force.

Retired DEC Chief inspector Gary Raymond spoke about the Anita Coby murder, Liverpool Lord Mayor Ned Mannoun spoke about how change can start with 1% fighting for the 3% proceeds of crime funding and how Liverpool Council supports this fight and was honoured to host and sponsor the symposium. Sally Leydon spoke about her missing mother, about how the police focused on the negatives in her mothers case, like her mother being divorced 3 times and raised 2 children on her own, instead of her mother being an award winning teacher and being financially independent. Sally also spoke about the inaccuracies in her mothers case, from being informed by police that they had spoken to her mother and she wanted to be left alone to start a new life to finding out from an inquest that police had never laid eyes on her mother. The one sentence that did stand out with Sally was “ its not about closure, its about resolution “.

It was a pleasant surprise to see members from the Australian Federal Police, State Police and other independent groups like Search Dogs Sydney, Leave a Light on Inc, Missing Persons NSW all in attendance, all willing to come up with plans and solutions to aid in current, past and future missing persons cases.

I believe Search Dogs Sydney not only has the capabilities to aid in such incidents, but has an arsenal to aid in everyday issues in our LGA, such as a very early app that can help keep a location on hikers, Bush track users and campers, which can send warnings if a fire starts and upon completion will have a emergency page if they are in danger or need of emergency assistance. This will ping their location. This app could also be used by the before mentioned to upload photos of their hike, walk etc to advertise our area for tourism. SDS also have drone capabilities to aid our residents in Wolgan Valley by delivering essentials up to 50 kgs in weight, without the risk of using the donkey steps or effecting any potential work on the Wolgan Valley road.

The one main avenue I want to see our council push for SDS is aiding them in gaining accreditation from NSW search and rescue. The issue surrounding SDS accreditation is the fact they are entirely independent. If there is a way for our council to aid in government grants so they meet the requirements, it would be a worthy path because of what SDS can supply our LGA and the fact they want to set their central West branch up in Lithgow ( gateway to the central West), should be more than enough motivation.

### **Attachments**

Nil

### **Recommendation**

THAT Council note Cr E Frederick's delegate report on Search dogs Sydney.

## **6. Business of Great Urgency**

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In accordance with Clause 241 of the Local Government Act (General) Regulations 2005 business may be transacted at a meeting of Council even though due notice of the business has not been given to the Councillors. However, this can happen only if:

- a) A motion is passed to have the business transacted at the meeting; and
- b) The business proposed to be brought forward is ruled by the Chairperson to be of great urgency.

## 7. Closed Council

### 7.1. CONFIDENTIAL - I&E - 28/01/2025 - Approval of Specialist Services for Wolgan Road Reconstruction Project

#### Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

- (d) commercial information of a confidential nature that would, if disclosed
  - (i) prejudice the commercial position of the person who supplied it, or
  - (ii) confer a commercial advantage on a competitor of the council, or
  - (iii) reveal a trade secret,

#### Executive Summary

After carrying out an extensive procurement process in consultation with Council's project management consultants, Wassabi Group, the Administration is now able to make a recommendation for an award of two contracts.

This report recommends the award of two of those tenders:

1. **Technical Subject Matter Experts (SMEs):** GHD Pty Ltd is recommended to provide specialised expertise to Council and conduct peer reviews of work completed by WSP Australia Pty Limited, ensuring technical accuracy and compliance.
2. **Environmental & Sustainability and Community and Stakeholder Specialists:** BD Infrastructure Pty Ltd is recommended to ensure adherence to environmental standards, sustainable practices, and effective community engagement in the development of the Environmental Impact Statement with the aim to mitigate environmental impacts of the project to the extent possible and therefore avoid possible legal challenge.

### 7.2. CONFIDENTIAL - I&E - 28/01/2025 - Geotechnical Investigation and Options Assessment for Browns Gap Road Recovery

#### Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

- (d) commercial information of a confidential nature that would, if disclosed
  - (i) prejudice the commercial position of the person who supplied it, or
  - (ii) confer a commercial advantage on a competitor of the council, or
  - (iii) reveal a trade secret,

#### Executive Summary

This report seeks Council's endorsement of a variation to WSP's engagement for 'Concept Design and Environmental Assessment' services for the Wolgan Road project. It is proposed to include the geotechnical assessment and options analysis required to submit an Essential Public Asset Reconstruction application to Transport for NSW by 30 June 2025.

### **7.3. CONFIDENTIAL - I&E - 28/05/2025 - Project Management Services - Browns Gap Road**

#### **Reason for Confidentiality**

This report is **CONFIDENTIAL** in accordance with Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

- (d) commercial information of a confidential nature that would, if disclosed
  - (i) prejudice the commercial position of the person who supplied it, or
  - (ii) confer a commercial advantage on a competitor of the council, or
  - (iii) reveal a trade secret,

#### **Executive Summary**

This report seeks Council's endorsement to engage Wassabi Group for the first phase of work on Browns Gap Road, being the completion of the Essential Public Asset Reconstruction (**EPAR**) application to the NSW Government.

#### **Recommendation**

**THAT** Council Resolve to move into Closed Council to consider the confidential reports as listed in the Business Paper.