



Ordinary Meeting of Council

held at

Council Administration Centre

180 Mort Street, Lithgow

on

Monday 24 February 2025

at 6:30 PM

MINUTES

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The Mayor declared the meeting open at 6:30 pm.

Acknowledgement of Country

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

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

Present

Public: 10

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

Also in attendance

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

Apologies

All being present there were no apologies.

Declaration of Interest

The Mayor called for any declarations of interest.

Councillor Goodwin declared a non-pecuniary and non-significant conflict of interest in item 4.7 of the business paper and will not vacate the chamber.

Councillor Mahony declared a conflict of interest for item 2.3 of the business paper, reason that he works for an organisation and will vacate the chambers - declared previous to the debate at item 2.3.

Confirmation of Minutes

25 -40 RESOLVED

The Minutes of the Ordinary Meeting of Council held on the 28 January 2025 were taken as read and confirmed.

MOVED: Councillor S Ring

SECONDED: Councillor E Fredericks

CARRIED

Commemorations and Announcements

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

Public Forum

At 6:33 pm members of the public gallery were invited to participate in the Public Forum Session.

Kelley Crane made a statement in relation to Item 4.12 on the business paper.

PROCEDURAL MOTION

THAT an extension of time be granted to Kelley Crane.

MOVED: Councillor M Ticehurst

SECONDED: Councillor M Statham

CARRIED

PROCEDURAL MOTION

THAT an extension of time be granted to Kelley Crane.

MOVED: Councillor M Ticehurst

SECONDED: Councillor M Statham

CARRIED

The Mayor thanked Kelley Crane for her statement.

Rob White made a statement in relation to Item 4.1 on the business paper.

PROCEDURAL MOTION

THAT an extension of time be granted to Rob White

MOVED: Councillor E Fredericks

SECONDED: Councillor E Mahony

CARRIED

The Mayor thanked Rob White for his statement.

PROCEDURAL MOTION

THAT:

1. Item 3.1 is moved to the beginning of the Administration Reports.
2. Deal with 4.1 and 5.1 concurrently

MOVED: Councillor S Ring

SECONDED: Councillor E Mahony

CARRIED

1. Mayoral Minutes

1.1. Mayoral Minute - Lowther Siding Road, Hampton

Report by Mayor – Councillor Cassandra Coleman

The Mayor and Administration gave an update on the matter

25 -41 RESOLVED

THAT Council write to Transport for NSW and Minister for Regional Roads, the Hon. Jenny Aitchison, asking for their urgent consideration and response to Lithgow's claim for reconstruction costs to Lowther Siding Road, associated with disaster event AGRN 1034.

MOVED: Councillor C Coleman

CARRIED

2. Notices of Motion

2.1. NOM - 24/02/2025 - Councillor M Ticehurst - Lithgow City Council's Model Code of Conduct and Code of Meeting Practice

Report by Councillor Martin Ticehurst

25 -42 RESOLVED

THAT Council include the following Questions under 'Business of Great Urgency' in the Lithgow City Council's Code of Meeting Practice:

1. Can the General Manager / Acting General Manager publicly confirm, that before and during this Ordinary / Extra-Ordinary Meeting of the Lithgow City Council, that they have provided all Councillors with full access to all relevant information necessary for the performance of their official functions and necessary to effectively discharge their official functions?
2. That the General Manager / Acting General Manager is aware that Council Staff Members have provided full and timely relevant information to all Councillors, sufficient to enable them to exercise their official functions and in accordance with Council Procedures?

MOVED: Councillor M Ticehurst

SECONDED: Councillor E Fredericks

CARRIED

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

Divisions

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

AGAINST: Councillor S Ring

2.2. NOM-24/02/2025 - Councillor M Ticehurst - Music in the Community Program

Report by Councillor Martin Ticehurst

MOTION

THAT Council;

1. Provide for \$20,000 to be included into the 2025/26 Lithgow City Council Budget for consideration of the new Music in the Community Program under their Financial Assistance Grants Program and if successful, develop defined Application Guidelines for the Council's Music in the Community Program.
2. The Council's music in the community be referred to the Council's Events Working Group.

MOVED: Councillor M Ticehurst

SECONDED: Councillor E Mahony

AMENDMENT

That the proposed "Music and Performing Arts in the Community Program" is referred to the Events Working Party for consideration in the development of an overarching Events Strategy for the LGA.

MOVED: Councillor S Ring

SECONDED: Councillor M Statham

Councillor S Ring called a Point of Order on Councillor M Ticehurst as he was discussing the original Motion.

The Mayor overruled the Point of Order as the amendment was being discussed not the Motion.

The Amendment was PUT.

LOST

The original motion was PUT.

25 -43 RESOLVED

THAT Council;

1. Provide for \$20,000 to be included into the 2025/26 Lithgow City Council Budget for consideration of the new Music in the Community Program under their Financial Assistance Grants Program and if successful, develop defined Application Guidelines for the Council's Music in the Community Program.
2. The Council's music in the community be referred to the Council's Events Working Group.

MOVED: Councillor M Ticehurst

SECONDED: Councillor E Mahony

CARRIED

2.3. NOM - 24/02/2025 - Councillor M Ticehurst - Bells Line of Road

Report by Councillor Martin Ticehurst

Councillor Mahony declared a conflict of interest for the reason that he works for an organisation associated with the matter being discussed and vacated the Chambers.

Councillor E Mahony left the meeting at 7:32 pm.

25 -44 RESOLVED

THAT Council:

1. Notes the impending 2025 Australian Federal Election is to be held on or before 17 May 2025 to elect members of the 48th Australian Parliament.
2. Fully supports on behalf of this Council's own 11,000 plus ratepayers and residents, the future planning and major construction of the Bells Line Expressway across the Blue Mountains.
3. Seeks in writing, the full public support from the Central NSW Joint Organisation (CNSWJO); The Western Sydney Regional Organisation of Councils Ltd (WSROC) and the Blue Mountains City Council, for immediate planning and future major construction of the Bells Line Expressway across the Blue Mountains.

4. Seeks in writing, the full public support from all of the major political parties and all of the various Calare Electorate Candidates, for the immediate planning and future major construction of the Bells Line Expressway across the Blue Mountains.
5. Prepares a structured Motion within the required guidelines on the future Nation Building of the long-outstanding, new Bells Line Expressway over the NSW Blue Mountains and submits it to the Australian Local Government Association's (ALGA) 31st National General Assembly of Local Government (NGA) to be held in Canberra from 24-27 June 2025 and attended by Senior representatives from the Lithgow City Council.

MOVED: Councillor M Ticehurst

SECONDED: Councillor C Coleman

CARRIED

PROCEDURAL MOTION

THAT an extension of time be granted to Councillor Ticehurst.

MOVED: Councillor D Goodwin

SECONDED: Councillor M Statham

CARRIED

A **DIVISION** was called by Cr Ticehurst

Divisions

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

AGAINST: Nil

Councillor E Mahony returned to the meeting at 7:53 pm.

2.4. NOM - 24/02/2025 - Ruled Unlawful

Report by Ross Gurney – General Manager

25 -45 RESOLVED

THAT Council note the decision of the General Manager to determine a notice of motion to be unlawful and on that basis to not include the Notice of Motion in this business paper pursuant to Clause 3.20 of Council's Code of Meeting Practice.

MOVED: Councillor S Ring

SECONDED: Councillor M Statham

CARRIED

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

Divisions

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

AGAINST: Councillor E Fredericks and Councillor M Ticehurst

2.5. NOM - 24/02/2025 - Parking in Short Street

Report by Councillor Elizabeth Fredericks

Councillor S Ring left the meeting at 8:07 pm.
Councillor S Ring returned to the meeting at 8:08 pm.

25 -46 RESOLVED

THAT Council:

1. Organise meetings with the Public Schools to discuss alternative parking solutions.
2. Possibly involve the Department of Education as funding may be needed in creation of safe parking areas.
3. Have Council Ranger/s alternate between the mentioned schools, during the mentioned time frames, to issue fines to motorists ignoring the signage.
4. Refer to the next Crime Prevention and TALC Committees
- 5 Request the Administration to commit to two school zone parking education programs as per page 20 of the six-monthly report.

MOVED: Councillor E Fredericks

SECONDED: Councillor E Mahony

CARRIED

3. Questions with Notice

3.1. QWN - 24/02/2025 - Monthly Duty Councillor

Report by Councillor M Ticehurst

Councillor D Goodwin left the meeting at 8:12 pm.

The Question with Notice was tabled.

3.2. QWN- 24/02/2025 - Councillor M Ticehurst - Lithgow Greyhound Track

Report by Councillor Martin Ticehurst

Councillor D Goodwin returned to the meeting at 8:14 pm.

The Question with Notice was tabled.

3.3. QWN - 24/02/2025 - Councillor S Ring – Expert Advice of Pumped Hydro Proposal

Report by Councillor Steve Ring

The Question with Notice was tabled.

3.4. QWN - 24/02/2025 - Councillor S Ring – Waste to Energy

Report by Councillor Steve Ring

The Question with Notice was tabled.

3.5. QWN- 24/02/2025 - Councillor S Ring – Pumped Hydro

Report by Councillor Steve Ring

The Question with Notice was tabled.

Councillor S Ring called a Point of Order on Councillor E Fredericks taking exception to her comments regarding the information in his Question Without Notice.

The Mayor upheld the Point of Order.

4. Administration Reports

4.12 I&E - 24/02/2025 - Main Street Footpaths - Scope of works and Communication

Item 4.12 was dealt with at this point in the meeting due to a previous procedural motion.

25 -47 RESOLVED

THAT:

1. Council notes the information provided on the outcomes of tender negotiations and the community communication process that occurred as part of TEN 17/24 - Main Street CBD Footpath Improvements.
2. The Administration investigate and provide a report to the next Strategic Review Committee meeting for Infrastructure on the costs of a temporary measure to improve the safety of remainder of Lithgow's Main Street.
3. Council obtains legal advice regarding the likelihood of a successful claim for compensation made to both NBNC Co and Energy Australia, to contribute to the temporary paver replacement cost, reporting this advice to the next available Strategic Review Committee meeting or Ordinary Meeting of Council after which this advice is received.
4. That the Administration seek a cost for undertaking the upgrade of the Southern footpath concurrently with the proposed works and that an Extraordinary Council Meeting is called to determine if Council will immediately seek a loan to undertake the works.

MOVED: Councillor S Ring

SECONDED: Councillor E Mahony

CARRIED

PROCEDURAL MOTION

THAT a 5 min recess is held from 8:23 pm.

MOVED: Councillor S Ring

SECONDED: Councillor M Ticehurst

CARRIED

4.1. GM - 24/02/2025 - Correspondence from Energy Australia

PROCEDURAL MOTION

THAT Council moved back into session at 8:30 pm

MOVED: Councillor D Goodwin

SECONDED: Councillor M Statham

CARRIED

25 -48 RESOLVED

THAT Council

1. Request Energy Australia to provide a more detailed, accurate, transparent and accountable news release in regard to the Lake Lyell pumped Hydro Project.
2. This is to be distributed to the community of the Lithgow LGA as they have done in the past by newsletters or other sources.
3. Energy Australia to keep the public and Council aware of any changes in planned infrastructure.

MOVED: Councillor R Smith

SECONDED: Councillor E Fredericks

CARRIED

A **DIVISION** was called by Councillor Fredericks.

Divisions

FOR: Councillor C Coleman, Councillor T Evangelidis, Councillor E Fredericks, Councillor E Mahony, Councillor R Smith and Councillor M Ticehurst

AGAINST: Councillor D Goodwin, Councillor S Ring and Councillor M Statham

4.2. GM - 24/02/2025 - Policy 9.5 Councillor Expenses and Facilities

25 -49 RESOLVED

THAT:

1. Council endorse the revised Policy 9.5 Councillor Expenses and Facilities for public exhibition and comment for 28 days.
2. Following the exhibition period, Policy 9.5 Councillor Expenses and Facilities be returned to Council for further consideration with details of any submissions.

MOVED: Councillor S Ring**SECONDED:** Councillor E Fredericks**CARRIED****4.3. EXEC - 24/02/2025 - ALGA's National General Assembly (NGA) Conference
24-27 June 2025****25 -50 RESOLVED**

THAT Council:

1. Appoint the Mayor and Deputy Mayor as attendees to the 2025 NGA Conference.
2. Authorise the General Manager to also attend the 2025 NGA Conference.
3. Endorse the proposed motions to the 2025 NGA Conference, which are due to be submitted by 31 March 2025.

MOVED: Councillor S Ring**SECONDED:** Councillor D Goodwin**CARRIED****4.4. F&G - 24/02/2025 - Smart Places RoadMAP****25 -51 RESOLVED**

THAT Council:

1. Council adopt the Smart Places RoadMAP, and
2. Placed the RoadMAP on Council's website as a strategic plan.

MOVED: Councillor E Mahony**SECONDED:** Councillor S Ring**CARRIED**

4.5. F&G - 24/02/2025 - December 2024 Quarterly Budget Review**25 -52 RESOLVED**

THAT Council:

1. Note the contents of the report and the projected consolidated operating result (before capital) of (\$1.2M) deficit for the 2024/25 Operational Plan as detailed in the Quarterly Budget Review Report for the period 1 October 2024 to 31 December 2024.
2. Note the commentary on the capital expenditure budget, cashflow and reserve balances.
3. Adopt the income, expenditure and capital budget variations to the 2024/25 Council budget as outlined in the attached Quarterly Budget Review Report.

MOVED: Councillor E Mahony

SECONDED: Councillor S Ring

CARRIED

4.6. P&P - 24/02/2025 - 6 Month Progress Report July - December 2024**25 -53 RESOLVED**

THAT Council note the following draft documents for review with the intent to raise for endorsement at the March 2025 meeting of Council:

- 2024-2025 July – December Progress Report – Summary
- 2024-2025 July – December Progress Report.

MOVED: Councillor S Ring

SECONDED: Councillor E Mahony

CARRIED

4.7. P&P - 24/02/2025 - Re-Establishment of Alcohol Free Zones**25 -54 RESOLVED**

THAT Council:

1. Establishes Alcohol Free Zones in the Lithgow, Portland and Wallerawang CBD's for a further four years until April 2029 in accordance with Section 644 of the Local Government Act 1993 and the advertised proposal.
2. Advises the Police and all affected liquor licensees of the establishment of the Alcohol Free Zones in these areas.
3. Advises the general community of the establishment of the Alcohol Free Zones in these areas by way of publishing a notice to that effect.
4. Installs appropriate signage.

MOVED: Councillor E Fredericks

SECONDED: Councillor S Ring

CARRIED

4.8. P&P - 24/02/2025 - Caretaker Deed - Lake Lyell**25 -55 RESOLVED**

THAT Council:

1. Enter a Caretaker Deed with Lake Lyell Recreation Park Pty Ltd.
2. Authorise the General Manager to execute the Caretaker Deed and do all things necessary to give effect to the Caretaker Deed.
3. Council begin the process of new lease on 1st January 2027.

MOVED: Councillor S Ring

SECONDED: Councillor E Mahony

CARRIED

4.9. I&E - 24/02/2025 - Notification of Playground renewals**25 -56 RESOLVED**

THAT Council note the engagement of Moduplay for the supply and construction of playground equipment identified in the approved Operational Plan for 2024 / 25.

MOVED: Councillor M Statham

SECONDED: Councillor S Ring

CARRIED

4.10. I&E - 24/02/2025 - Specialist Services for Wolgan Road Reconstruction Project**25 -57 RESOLVED**

THAT Council:

1. Note the tender evaluation process conducted for the following Wolgan Road Reconstruction Project sub-projects:
 - Aboriginal Cultural Values Study and Aboriginal Heritage and Community Advisor,
 - Estimating, Risk, and Schedule Specialists, and
 - Constructability and Value Management Specialists.
2. In accordance with Clause 178 (1)(a) of the Local Government (General) Regulation 2021, accept the tender submission from Artefact Heritage and Environment Pty Ltd with an upper limiting fee of \$271,099.85 excl GST (contingency inclusive) for the Aboriginal Cultural Values Study and Aboriginal Heritage and Community Advisor services for the Wolgan Road Reconstruction Project.
3. In accordance with Clause 178 (1)(a) of the Local Government (General) Regulation 2021, accept the tender submission from North Projects Pty Ltd with an upper limiting fee of \$324,012.50 excl GST (contingency inclusive) for Estimating, Risk, and Schedule Specialists services for the Wolgan Road Reconstruction Project.
4. In accordance with Clause 178 (1)(a) of the Local Government (General) Regulation 2021, accept the tender submission from Bellwether Consulting Services Pty Ltd with an upper

limiting fee of \$107,410.00 excl GST (contingency inclusive) for Constructability and Value Management Specialists services for the Wolgan Road Reconstruction Project.

5. Authorise the General Manager to execute the three (3) contracts on behalf of Council under delegated authority.

MOVED: Councillor S Ring

SECONDED: Councillor E Fredericks

CARRIED

4.11. WWW - 24/02/2025 - TEN 01/24 Lithgow City Council Waste Management Services Tender

25 -58 RESOLVED

THAT Council:

1. Receives this report for TEN 01/24 Lithgow City Council Waste Management Services.
2. In accordance with s. 178 of the *Local Government (General) Regulation 2021 (NSW)*, for Part A, accepts the tender from *J R & E G Richards (NSW) Pty Ltd* for the term of 10 years commencing 4 November 2026.
3. In accordance with s. 178 of the *Local Government (General) Regulation 2021 (NSW)*, for Part B, accepts the tender from *Australian Native Landscapes Pty Ltd* for the term of 11 years commencing 4 November 2025.
4. Pursuant to s. 377 of the *Local Government Act 1993 (NSW)*, delegate authority to the General Manager to finalise the contracts for execution and, once finalised, execute the contracts on behalf of Council.
5. As soon as practicable after entering into the contract, notify all unsuccessful tenderers, and Council publishes relevant information, as required by s. 179 of the *Local Government (General) Regulation 2021 (NSW)*.
6. Note a report will be brought to a future Ordinary Meeting of Council, following a community consultation program, to recommend the final collection area and frequency of service under Part A of the Waste Services Tender for Council approval.

MOVED: Councillor E Mahony

SECONDED: Councillor S Ring

CARRIED

4.12 I&E - 24/02/2025 - Main Street Footpaths - Scope of works and Communication

This matter was dealt with earlier in the meeting.

5. Council Committee Reports

5.1. I&S - Strategic Review Committee Meeting Minutes

25 -59 RESOLVED

THAT Council notes the minutes of the Strategic Review Committee held on 4 February 2025.

MOVED: Councillor S Ring

SECONDED: Councillor E Fredericks

CARRIED

5.2. I&E - TALC Minutes - 6th February 2025

25 -61 RESOLVED

THAT

1. Council note the minutes of the TALC Committee Meeting held on 6 February 2025.
2. The Committee welcome Deputy Mayor Steven Ring and Councillor Elizabeth Fredericks as the new Council representatives, and Sergeant Steven Chaplin as the new NSW Police representative on the Traffic Advisory Local Committee.
3. Deputy Mayor Steven Ring be accepted as the primary Councillor representative and Councillor Elizabeth Fredericks be accepted as the alternative Councillor representative.
4. Deputy Mayor Steven Ring be elected as the Chairperson of the Committee and Jackie Barry be elected as the Deputy Chairperson; and
5. Committee meetings continue to be conducted at 11.00am on the first Thursday of each month (pending sufficient agenda items).
6. Council note the traffic related matters between August 2024 and January 2025.
7. Council grant permission to conduct the Westpac Ride for a Cure Tour bicycle event travelling through the Lithgow LGA on Monday 10 March 2025, subject to permission being granted by TfNSW and NSW Police Road Events.
8. Council endorse the 2025 Variety 4WD Adventure on local roads in the Lithgow Local Government on 8 March 2025.

MOVED: Councillor S Ring

SECONDED: Councillor D Goodwin

CARRIED

5.3. I&E - 24/02/2025 - Sports Advisory Committee

25 -62 RESOLVED

THAT Council:

1. Note the minutes of the Sports Advisory Committee held on 12 February 2025.
2. Endorse the draft Terms of Reference for the Sports Advisory Committee.
3. Note that Councillor D Goodwin has been elected as the chair and that Councillor E Mahony has been elected as the deputy chairperson.
4. Provides Charlie Evans with \$300.00 toward the cost of participating in the 2025 National Age Swimming Championships from the sporting financial assistance allocation.

5. Accept Catherine Barbour and Lauren Turner as the Sports Advisory Committee representatives from the Lithgow Netball Association.

MOVED: Councillor D Goodwin

SECONDED: Councillor E Mahony

CARRIED

5.4. I&S - Strategic Review Committee Meeting Minutes - 18th February 2025

25 -60 RESOLVED

THAT Council:

1. Note the minutes of the Strategic Review Committee held on 18 February 2025.
2. Endorse the draft 'Keying System' policy to be placed on public exhibition for a period of 56 days, prior to returning the matter to Council for final determination.
3. Council accepts Cr Darryl Goodwin as a voting member of the Strategic Review Committee.

MOVED: Councillor S Ring

SECONDED: Councillor E Fredericks

CARRIED

6. Business of Great Urgency

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

Cr Ticehurst asked could the Mayor, General Manager and Senior Council staff advise if they are aware of or have been advised that notwithstanding the current publicly known shortage of some 2,000 Police Officers across NSW, Regional NSW, Central West NSW and our own Lithgow Police Command; that the Lithgow Police Command has recently or is about to lose up to 4 or more Police Officers from its Local Command's long-standing official Strength?

The Mayor declared the matter not to be of great urgency in accordance with Clause 241 of the Local Government (General) Regulations and the Director People & Place took the question on notice.

Councillor Mahony raised flooding on Main Street requesting a meeting with Transport NSW regarding the thick meshing around the train line.

The Mayor declared the matter not to be of great urgency in accordance with Clause 241 of the Local Government (General) Regulations and the Director Infrastructure & Economy took the question on notice.

Councillor Statham raised owners and trainers issues at Kremer Park regarding the retaining wall and footpath, wishing to have a site meeting.

The Mayor declared the matter not to be of great urgency in accordance with Clause 241 of the Local Government (General) Regulations and the Director Infrastructure & Economy took the question on notice.

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