



Zig Zag Railway Viaducts

Ordinary Meeting of Council

to be held at

Council Administration Centre

180 Mort Street, Lithgow

on

Monday 28 April 2025

at 6:30 PM

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Acknowledgement of Country

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.

Present

Apologies

Declaration of Interest

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

Confirmation of the Minutes of the Ordinary Meeting of Council held 24 March 2025.

Commemorations and Announcements

Public Forum

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

1.1. Mayoral Minute 28/04/2025 - Mayor C Coleman - State Significant Projects (Lithgow Engine Room)

Report by Mayor – Councillor Cassandra Coleman

Commentary

Within the Lithgow Government Area, we currently have five projects designated State Significant Developments (SSD).

- 3 X BESS Battery Energy Storage System.
- 2 X Wind Farms (Sunny Corner and Ben Bullen) + 1 when Mt Lambie is designated SSD.
- Lake Lyell Pumped Hydro is Critical State Significant Infrastructure (CSSI).

These projects are dividing the community to point of exhaustion.

I have heard commentary expressing concern that Lithgow Local Government Area is viewed as the dumping ground for NSW energy related projects.

I have also heard commentary that the Lithgow local government area will continue being the engine room for NSW, opportunity and jobs a plenty with these new SSD and CSSI projects.

The wider community is entitled to their viewpoint, and we should listen to all respectfully.

To be fair, if the NSW State Government deems the projects to be state significant or critical state infrastructure then the NSW State Government should take carriage of the full process from initiation of the project which includes consultation with the community and carriage of any DAs related to the project. This should also include an option of defaulting the proposal direct to the NSW Independent Planning Commission where it could be utilised to hear from residents who oppose or support the proponent, to make a case regarding the merits of the proposal.

Attachments

Nil

Recommendation

THAT Lithgow City Council write to the NSW Minister for Planning Hon Paul Scully to advocate for changes to the planning regulatory environment regarding State Significant Projects, to the effect that the NSW Government takes full responsibility for the proposals process management as soon as the proposal is designated State Significant Development which includes community consultation and the determination of any related Development Applications.

2. Notice of Motion

2.1. NOM - 28/04/2025- Councillor E Fredericks - Urgent Request for Traffic Safety Remediation Works for the Great Western Highway Bowenfels.

Report by Councillor Elizabeth Fredericks

Background: There have been two separate fatal E-Scooter / Motor vehicle accidents along the same stretch of the GWH in Bowenfels in 8 months.

Both incidents pertained to pedestrians crossing at unsafe intersections which resulted in closures of the Highway and unfortunately the deaths of both pedestrians.

Commentary: This notice of Motion seeks that Council urgently requests Transport for NSW to consider the installation of Traffic Safety Remediation Works on the Great Western Highway, between Main Street Lithgow and Magpie Hollow Road Bowenfels following a second fatal E-Scooter/ Motor Vehicle accident in 8 months.

Attachments

Nil

Recommendation

THAT Council

1. Urgently requests Transport for NSW to consider the installation of Traffic Safety Remediation Works on the Great Western Highway, Between Main St Lithgow and Magpie Hollow Road Bowenfels.
2. Works with TALC, Transport NSW and other agencies to come up with ideas on what can and cannot work in regard to future safety improvements on this stretch of road.
3. Works with the Families of the two fatalities to organise appropriate and permanent memorials for the two sites.

2.2. NOM - 28/04/2025 - Councillor Ticehurst - Ruled Unlawful #1**Report by** Ross Gurney – General Manager**Summary**

A notice of motion was received by the General Manager from Cr Ticehurst on 9 April 2025. It has been determined that the business proposed by the notice of motion is (or the implementation of that business would be) unlawful. Pursuant to clause 3.20 of the Code of Meeting Practice the General Manager has excluded the matter from the agenda for this meeting. This requires that the exclusion be reported to the next Council meeting.

Commentary

Clause 3.10 of Council's Code of Meeting Practice (the Code) provides that a Councillor may give notice of any business they wish to be considered by the Council at its next Ordinary Meeting by way of a notice of motion.

Notices of motion are not able to be included in the business paper if they are unlawful (Clause 3:20 of the Code). It has been determined that the business proposed by the notice of motion is (or the implementation of that business) would be unlawful. Clause 3.20 is reproduced below for ease of reference.

3.20 The general manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the general manager, the business is, or the implementation of the business would be, unlawful. The general manager must report, without giving details of the item of business, any such exclusion to the next meeting of the council.

Policy Implications

This report ensures compliance with the adopted Code of Meeting Practice.

Attachments

Nil

Recommendation

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.

2.3. NOM - 28/04/2025 - Councillor E Fredericks - Proposed Ben Bullen / Palmers Oaky Wind Farm.

Report by Councillor Elizabeth Fredericks

Commentary

Here from the Ben Bullen Wind Farm website:

'Ben Bullen Wind Farm is an integrated wind and storage renewable energy project proposed near Ben Bullen and Palmers Oaky in the Central Ranges of New South Wales.

Consisting of up to 500 megawatts (MW) of wind and an on-site battery energy storage system (BESS) with a storage capacity of up to 200 MW, Ben Bullen Wind Farm is anticipated to connect into the existing transmission network, supplying clean energy to the National Electricity Market to contribute to the NSW Government's target to halve emissions by 2030 and achieve net zero by 2050.

The Ben Bullen Wind Farm project would generate enough clean electricity to power about 260,000 NSW households per year and has been identified for its wind resource and proximity to major infrastructure associated with retiring coal fired power stations.

The project is being developed by Tetris Energy, an Australian renewable energy company developing a range of wind, solar and storage projects in Australia. With a focus on the long-term viability of regional communities, the development of Ben Bullen Wind Farm would generate significant investment and economic benefits in the broader Lithgow region and be compatible with existing agricultural and farming activities.'

It is noted that this Wind Farm Project is in addition to the recently announced numerous other NSW Government Net Zero energy projects to be located within the Lithgow City Council LGA.

Attachments

Nil

Recommendation

THAT Council note the proposed Ben Bullen / Palmers Oaky Wind Farm, which is in addition to the recently announced numerous other NSW Government Net Zero energy projects to be located within the Lithgow City Council LGA.

2.4. NOM- 28/04/2025 - Councillor M Ticehurst - Ruled Unlawful #2**Report by** Councillor Martin Ticehurst**Summary**

A Notice of Motion was received from Councillor Ticehurst on 16 April 2025. Following the receipt of advice from the Office of Local Government, the General Manager delegated decision making regarding the lawfulness of the business of the Notice of Motion to the Director of Finance and Governance.

It has been determined that the business proposed by the Notice of Motion is (or the implementation of that business would be) unlawful. Pursuant to clause 3.20 of the Code of Meeting Practice, the Director of Finance and Governance has excluded the matter from the agenda for this meeting. This requires that the exclusion be reported to the next Council Meeting.

Commentary

Clause 3.10 of Council's Code of Meeting Practice (the Code) provides that a Councillor may give notice of any business they wish to be considered by the Council at its next Ordinary Meeting by way of a Notice of Motion. It is to be noted that the receipt of this Notice of Motion was not received within the timeframe stipulated by the Code, being 9am six business days prior to the Ordinary Meeting.

Notices of Motion are not able to be included in the Business Paper if they are unlawful (Code 3.20 of the Code). It has been determined that the business proposed by the Notice of Motion is (or the implementation of that business) would be unlawful. Clause 3.20 is reproduced below for ease of reference.

3.20 The General Manager (in this case delegated to the Director of Finance and Governance) must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the General Manager (or delegate), the business is, or the implementation of the business, would be unlawful. The General Manager (or delegate) must report, without giving details of the item of business, any such exclusion to the next meeting of the council.

Attachments

Nil

Recommendation

THAT Council note the decision of the Director of Finance and Governance under delegated authority 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.

2.5. NOM - 28/04/2025 - Councillor E Fredericks - Request for Council to make available CCTV footage where available to registered Organisations

Report by Councillor Elizabeth Fredericks

Commentary

With the Lithgow City Council operating and holding CCTV on Council land, Buildings and other Council and public spaces, there comes a time when such CCTV is required for Police Investigations and other related purposes, such as when people go missing, are attacked, kidnapped or simply where property is stolen.

From my understanding, in regards to a missing person, Council CCTV can only be handed over to Police without a GIPA request.

I would like the Council to also extend in emergency situations that same operational courtesy of providing this important visual information onto other registered organisations such as the SES, VRA, Ambulance, Fire Rescue and Search organisations such as Search Dogs Sydney.

Attachments

Nil

Recommendation

THAT Council in urgent and lifesaving situations, extend on request their CCTV visual coverage to the Police and other registered organisations such as the SES, VRA, Ambulance, Fire Rescue and Search organisations such as Search Dogs Sydney, without the need for a GIPA Application and related Fee costs.

Management Comment

Legal Implications

The *NSW Data Sharing (Government Sector) Act 2015*, allows NSW government sector agencies, including local Councils working with state agencies, to share data to support better services and policy outcomes.

Therefore, most of the agencies included in this Notice of Motion do not need to apply for GIPA access, which is intended for public access to government information and would be able to access CCTV footage to assist in emergency situations.

The Council operates CCTV cameras at a number of locations, including:

- Council's Administration Building,
- Lithgow CBD,
- Queen Elizabeth Park,
- Visitor Information Centre,
- Wallerawang Library,
- Wallerawang Depot,
- Waste Management Facilities including landfills and transfer stations,
- Animal Shelter, and
- Adventure Playground.

Vanessa Browning
Director Finance & Governance

2.6. NOM - 28/04/2025 - Councillor M Ticehurst - Delegation to the General Manager for acceptance of Tenders

Report by Councillor Martin Ticehurst

Commentary*References:*

Council Resolution 18 – 195 at the Ordinary Meeting of the Lithgow City Council Meeting on Monday 23 July 2018

On the 23 July 2018, in the presence of the then Lithgow City Council General Manager Graeme Faulkner, the then Council and Councillors resolved with respect to Agenda Item 12 – Delegation to the General Manager for acceptance of Tenders.as follows:

Council Resolution 18 – 195:

THAT:

1. Council delegate the General Manager authority to accept Council tenders with a Contract value of up to \$500,000 where all other tender requirements of the Local Government Act 1993 and the Local Government (General) Regulation 2005 are met; and
2. The Council delegate the General Manager authority to execute the resulting contract and any associated documentation under this delegation; and
3. If required, the relevant amendments to Policy 1.4 – Tendering be adopted and implemented immediately.
4. The General Manager report to each Council meeting on the tenders that he has authorised and that the Mayor be advised of each tender determined by the General Manager. This be carried out for a trial period of 6 months.

MOVED: Councillor W McAndrew SECONDED: Councillor C Coleman

CARRIED – Unanimously

The Minutes confirm the following Councillors present at the Ordinary Meeting of the Lithgow City Council Meeting on Monday 23 July 2018 as:

His Worship the Mayor Councillor S Lesslie; Councillor W McAndrew; Councillor C Coleman; Councillor D Goodsell; Councillor D Goodwin; Councillor S Ring; Councillor J Smith; Councillor M Statham; Councillor R Thompson.

The Council resolution notes in Point 4 above that ‘This be carried out for a trial period of 6 months.’

Attachments

Nil

Recommendation

THAT this Council provide a new Delegation to the General Manager for the acceptance of Tenders.

Management Comment

Policy / Legal Implications

Tenders accepted by the General Manager under delegated authority are currently reported to Council in accordance with Min. No. 18-215, Ordinary Meeting of Council held on 27 August 2018.

18-215 RESOLVED

THAT the:

1. Council note that there were no exercised delegations to approve tenders between 24 July and 22 August 2018.
2. Report only be brought to Council when the delegation has been exercised.

At the 13 February 2024 Finance Committee meeting, the Committee discussed the Delegations Register. The meeting minutes recorded that *"the Committee agreed that the Administration will program the development of draft detailed delegations for the Mayor and the General Manager for early consideration of the new Council"*.

Under the Local Government Act (the Act), Councils must review all their delegations within 12 months of the elections. Councils may, by resolution, delegate to the General Manager any of the functions of the Council other than those referred to in section 377 of the Act.

A draft detailed Delegations Register was included on the agenda for presentation to the Finance Committee meeting on 22 April 2025. Once the Committee has provided input to the draft Delegations Register, the Register will be put to Council for endorsement (in May or June 2024).

The draft Delegations Register will include a delegation to the General Manager for the acceptance of tenders.

Ross Gurney
General Manager

2.7. NOM - 28/04/2025 - Councillor T Evangelidis - Lithgow tourism rebrand

Report by Councillor Tommy Evangelidis

Commentary

It seems the January 2025 NOM that was passed regarding including Lithgow in any tourism rebrand may have lost something in translation or had been nullified somehow. This NOM aims to rectify that. Lithgow needs be placed in with tourism rebrand. For example, LITHGOW 7V. 7V should not appear on its own without Lithgow nor should 'The Seven Valleys'. We do not have the budget to bring a rebrand such as '7V' to market. Including Lithgow gives this rebrand a fighting chance. I have included some of the words from the January 2025 NOM.

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 the tourism rebrand 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? That was problematic at best, but just having '7V' takes that confusion to another level

Attachments

Nil

Recommendation

THAT 'Lithgow' (on its own) needs be placed with '7V' and or 'The Seven Valleys' or any other tourism future rebrand. For example, LITHGOW 7V. 7V nor the Seven Valleys' should not appear on its own without Lithgow in the title.

Management Comment

Policy Implications

At the 28 January 2025 Ordinary Meeting, Council resolved as follows:

25 - 9 RESOLVED

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

25 – 10 RESOLVED

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.

No new marketing campaign has been brought to the market following the Council resolution to amend the Seven Valleys place branding proposal to specifically identify only one of the places within the LGA as the name lead (being Lithgow). The draft Sevens Valleys place branding and marketing strategy are tabled for discussion at Council's Seven Valleys Tourism Committee meeting scheduled for 30 April.

As visitors and relocators know, using "Lithgow" primarily as the town or suburb marketing other towns and villages under the name Lithgow will be confusing. Generally, the target market has nil or a very limited concept of Lithgow encompassing the entire LGA from Kanimbla to Glen Alice. The Seven Valleys does not seek to hide Lithgow - it specifically seeks to provide greater exposure to Lithgow through the sense of discovery and evoking of intrigue connected with Seven Valleys.

The strategy and branding direction adopts a holistic approach to establishing the foundations for marketing the Seven Valleys, as a place brand, rather than just a destination brand focussed on one town. The purpose is to position the whole of the Seven Valleys as an ideal place to visit, relocate, live, and invest.

Focussed research shows that Gen Z and Millennials are more interested in experiences and respond to marketing that promotes the natural and industrial heritage of the entire LGA rather than one town. The Gen Z and Millennial market are the key markets for visitors and relocators to the LGA and understanding how to message these markets are key to conversion and perception change.

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 assist to create a positive perception through undertaking a visitor-centric approach to marketing the Seven Valleys first.

The relationship between place perception and economic performance is quantifiable. If a place has a negative perception and the on the ground experience does not change, then it is hard to change perceptions just through continual use of the place's name. Perception of a town changes over time predominantly through major place making activation, supported by the local Council with significant investment from the private and public sectors.

Shaun Elwood
Director People and Places

2.8. NOM - 28/04/2025 - Councillor R Smith - Council Meeting Order of Business

Report by Councillor Ray Smith

Commentary

To enable reasonable discussion on matters being put to Council, the Order of Business be amended to have the Administration Reports, Delegate Reports and Committee Reports at the front of the business paper so that the business of Council can be discussed thoroughly and actioned as required.

Councillors should note that, if required, there is the provision to move issues forward by way of a procedural motion.

Attachments

Nil

Recommendation

THAT the Order of Business for Ordinary Council Meetings be amended to:

1. Acknowledgement of Country
2. Chairpersons Statement
3. Apologies
4. Declarations of Interests - Pecuniary and Non-Pecuniary
5. Confirmation of Minutes of Previous Meetings
6. Acknowledgements and Commemorations
7. Public Forum
8. Presentations
9. Mayoral Minutes
10. Staff Reports (previously 13)
11. Council Committee Minutes (previously 14)
12. Delegates Reports (previously 15)
13. Notices of Rescission (previously 12)
14. Questions with Notice (previously 11)
15. Notices of Motion (previously 10)
16. Business of Great Urgency
17. Closed Council

Management Comment**Policy Implications**

8.2 (non-mandatory) of the current OLG Model Code of Meeting Practice includes the following:

8.2 The general order of business for an ordinary meeting of the council shall be:

- 01 Opening meeting
- 02 Acknowledgement of country
- 03 Apologies and applications for a leave of absence or attendance by audiovisual link by councillors
- 04 Confirmation of minutes
- 05 Disclosures of interests
- 06 Mayoral minute(s)
- 07 Reports of committees
- 08 Reports to council

- 09 Notices of motions/Questions with notice
- 10 Confidential matters
- 11 Conclusion of the meeting

The Council may also fix the Order of Business by resolution (8.1 of the current OLG Model Code of Meeting Practice).

Should Council resolve to adopt an amended Order of Business, the Code of Meeting Practice will be updated.

Vanessa Browning
Director Finance & Governance

3. Administration Reports

3.1. F&G - 28/04/2025 - Adoption of Councillor Expenses & Facilities Policy

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 and Governance

Responsible Officer: Vanessa Browning - Director Finance and Governance

Executive Summary

Under the Local Government Act, Councils must adopt a new policy on the payment of expenses and the provision of facilities to the Mayor and Councillors within 12 months of the election. The purpose of this report is to seek Council adoption of Policy 9.5 Councillor Expenses and Facilities version 9 following a period of 28 days public exhibition.

Administration's Recommendation

THAT Council:

1. Adopt revised Policy 9.5 Payment of Expenses and Provision of Facilities to Councillors.
2. Note that no submissions were received during the public exhibition period for the policy.

Attachments

1. Policy-9.5- Councillor- Expenses-and- Facilities- V 9 [3.1.1 - 17 pages]

Reference to any relevant previous minute

Min. No. 25-49 Ordinary Meeting of Council of 24 February 2025.

Background and discussion

At the Ordinary Meeting of Council held on 24 February 2025, Council resolved to endorse revised Policy 9.5 Councillor Expenses and Facilities for public exhibition and comment for 28 days.

The Policy was developed with reference to the Office of Local Government (OLG) template Councillor Expenses and Facilities Policy. The OLG template policy is provided as a suggested format for Councils as guidance on best practice. The template is compliant with the Local Government Act 1993 and Local Government (General) Regulations 2021. There have been no changes to the OLG template policy since Version 8 of the policy was adopted by Council in 2022.

Consultation and Communication

The policy was placed on public exhibition which closed on 2 April 2025. No submissions were received on the policy.

Policy

This is a review of the Policy 9.5 Councillor Expenses and Facilities, as required by the Local Government Act 1993 and Local Government Regulations 2021.

Legal

The subject matter of this report is a function of Council conferred by the Local Government Act 1993 and the Local Government Regulations 2021. The reviewed Policy complies with Local Government Act 1993 and the Local Government Regulations 2021.

Risk Management

Policies are prepared to assist in decision making and may provide further guidance regarding statutory obligations.

Financial

It is not projected that the adoption of the reviewed Policy will have a material financial impact. Councillor expenses are included in the annual recurrent budget.

3.2. F&G - 28/04/2025 - Investment Report March 2025

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: Jonathon Reid – Financial Services Manager

Responsible Officer: Vanessa Browning - Director Finance and Governance

Executive Summary

The purpose of this report is to advise Council of investments held at 31 March 2025 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 \$66.6M, most 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 \$2.6M is Council's working capital.

Administration's Recommendation

THAT:

1. Investments of \$66,193,738 and cash of \$435,486 (which is mostly restricted for specific purposes) for the period ending 31 March 2025 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 - March 2025 [3.2.1 - 1 page]

Reference to any relevant previous minute

Min No 25-87 Ordinary Meeting of Council held on 24 March 2025.

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

Council's total investment portfolio as at 31 March 2025, when compared to 28 February 2025, has decreased from \$67,353,567 to \$66,193,738 Cash in Council's bank account decreased from \$3,183,516 to \$435,486.

March is usually a cashflow negative month, with multiple loan repayments due during the month. In March 2025, there were normal cash outflows relating to supplier payments.

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 March 2025 were as follows:

Opening Balance of cash and investments as 1 March 2025	\$70,537,078
<u>Plus</u> New Investments – March 2025	\$14,000,000
<u>Less</u> Investments redeemed – March 2025	-\$17,907,854
Closing Balance of cash and investments as at 31 March 2025	\$66,629,224

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 \$3.9M decrease in cash and investments in March 2025. Lower cash inflows combined with regular payments to suppliers (\$5.2M) 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:

- \$369K Water Usage from Fish River (Water income funded),
- \$295K Footpath upgrade of Main St Lithgow (reserve and grant funded),
- \$265K Flood damage rehabilitation Hampton Road, Hampton (grant funded),
- \$264K for domestic waste collection for February (Waste income funded),
- \$244K Glen Davis Road Rehabilitation (grant funded),
- \$206K Ambermere Drive, Dicker Drive, & Haven Way Road rehabilitation (SRV funded),
- \$171K Martins Road, Rydal rehabilitation (grant funded),
- \$162K Wolgan Valley Access Road design and project management (DRFA funded),
- \$124K Sewer Mains realignment (grant and Sewer Reserve funded), and
- \$110K Clarence to Wang Pipeline Consultation (Water Reserve funded).

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, Sewer, 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 March 2025 to fund \$55.4M of externally restricted reserves and \$9.6M of internally restricted reserves. The \$33.8M advance payment balance 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 \$2.6M at 31 March 2025. The decrease in working capital from \$3.9M at the end of February to \$2.6M at the end of March is due to the timing of cash flows. March had standard cash outflows with a decrease of cash due to multiple loan repayments, no significant cash inflows, which has decreased the working capital balance.

Cash and Investments Statement (\$'000)

	30 June 2024 Position	30 September 2024 Position	31 December 2024 Position	31 March 2025 Position
Externally Restricted				
Developer Contributions	1,851	1,741	1,937	1,891
Special Purpose Grants	44,441	42,429	37,213	34,496
Water Supplies	4,712	4,913	4,525	4,523
Sewerage Services	6,419	5,505	4,943	3,793
Domestic Waste	8,261	9,774	9,660	9,501
Unexpended Loans	1,342	754	241	217
	67,027	65,117	58,520	55,420
Internally Restricted				
Land & Buildings	2,184	2,184	2,184	2,184
FAGS	5,410	4,260	4,245	1,352
Plant & Equipment	643	643	297	97
Bonds, Deposits & Retentions	539	523	477	471
Works in Progress	637	637	637	637
Carry Over Works	407	117	76	64
Commercial Waste	1,405	306	681	2,580
ELE	668	754	754	754
Election	175	175	175	175
Other	2,332	2,332	2,018	1,310
Total Internally Restricted	14,401	11,933	11,542	9,624
Unrestricted (working capital)	-	3,302	118	2,584
Total Cash and Investments	81,428	80,251	70,180	66,629

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 24 March 2025, 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 \$3,004,423
- 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. During March, rates achieved on average are 4.75%. Council's average investment balance was \$74M, which is mainly due to the balance of the \$5.4M 80% upfront payment of the 2024/25 Financial Assistance Grant, the \$13.8M natural disaster works payment and the \$33.8M advance payment for natural disaster restoration works. In March, the cash and reserves balance decreased to \$66.6M with decreased cash inflows.

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.

3.3. WWW - 28/04/2025 - Tendering Exemption for Desludging of Sewerage Treatment Plant

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: Vineeth Modem - Water and Wastewater Engineer

Responsible Officer: Matthew Trapp – Executive Manager Water, Wastewater and Waste

Executive Summary

This report provides details of the emergency engagement of Dredging Solutions Pty Ltd for centrifuge dewatering at Lithgow Sewage Treatment Plant (STP), which became necessary due to critical restrictions on biosolids disposal at the Lithgow Solid Waste Facility (LSWF).

A detailed report on the Centrifuge Dewatering at Lithgow STP is included as a confidential attachment.

Administration's Recommendation

THAT Council:

1. Notes the engagement of Dredging Solutions Pty Ltd for centrifuge dewatering at Lithgow Sewage Treatment Plant, initially in emergency circumstances and under the tender threshold.
2. Approves a tendering exemption for the emergency procurement of Dredging Solutions Pty Ltd for centrifuge dewatering at Lithgow Sewage Treatment Plant, in accordance with S55 (3) (i) of the Local Government Act 1993 (NSW).

Attachments

1. CONFIDENTIAL - Centrifuge Dewatering at Lithgow STP [3.3.1 - 10 pages]

Reference to any relevant previous minute

N/A

Background and discussion

The Dewatering Facility at Lithgow Sewerage Treatment Plant produces biosolids as a part of Council's sewerage operations, which, combined with wet weather and infrastructure issues, resulted in a product consistency unacceptable to the Lithgow Solid Waste Facility, significantly reducing the volumes able to be placed at the facility. The issues severely impacted sludge management, with additional biosolids from two other Council-operated STPs (Wallerawang STP and Portland STP) further straining operations.

Lithgow Sewage Treatment Plant (LSTP) encountered a critical biosolids disposal issue in December 2024. This was due to restrictions on sludge intake at the Lithgow Solid Waste Facility. The biosolids from the Council's belt press dewatering process were causing issues on site leading to a disposal limitation due to volumes produced and the consistency of the material. Coupled with a change in how the material must be handled effectively and safely, related to the licensing conditions of both

facilities, and how waste can be treated at the LSWF with limitations on stockpiling and waste storage, required a change to how the waste can be processed at the disposal stage.

This restriction, combined with heavy wet weather events, caused severe sludge accumulation in the sewerage treatment plant, putting the plant's operations at risk. Additionally, Lithgow STP receives biosolids from Council's three other STPs being Wallerawang, Portland and Cullen Bullen.

To avoid a compliance breach and to ensure continued operations, the administration engaged Dredging Solutions Pty Ltd to provide a quotation (under the tender threshold) to complete emergency centrifuge dewatering. The centrifuge process used by Dredging Solutions can increase biosolids dryness from 15% to 18%, making disposal more efficient as well as being able to increase the volume of biosolids processed substantially. The engagement was made in order to rectify the issues quickly and to ensure that processing on-site could be worked through and rectified to maintain operations.

Dredging Solutions Pty Ltd are a reliable specialist contractor that have previously assisted Council with the dewatering process by using a different technology, being centrifuge dewatering.

Council officers have compiled this report for the engagement of Dredging Solutions Pty Ltd with an exemption from tender as Dredging Solutions Pty Ltd provide a service rapidly to dewater Council's biosolids as per the clauses of the Local Government Act 1993.

55 (3) This section does not apply to the following contracts—

(i) a contract where, because of extenuating circumstances, remoteness of locality or the unavailability of competitive or reliable tenderers, a council decides by resolution (which states the reasons for the decision) that a satisfactory result would not be achieved by inviting tenders,

(k) a contract made in a case of emergency,

Dredging Solutions Pty Ltd are the only listed contractor in Councils open market list that can provide this type of service within water and sewerage and perform desludging or dewatering practices. Other contractors were listed as performing dredging in a marine and aquatic area.

The initial engagement with Dredging Solutions Pty Ltd was under the \$250,000 Local Government Act threshold for tendering. Further works were required to ensure that the system would operate as optimally as possible. The desludging procedures operated efficiently and continued due to additional loading and sludge consistency issues within the sludge lagoons which required additional works to remove and dispose of the biosolids.

The administration has several projects in the FY 24/25 and 25/26 to address the biosolids disposal issues with a view to move to beneficial reuse and other applications outside of landfilling. These projects such as a new sludge lagoon construction, biosolids drying and reclassification and application to lands and processing will lead to improved biosolids management and lowering costs to Council in the long term.

Consultation and Communication

A coordination meeting was held involving the Wastewater Treatment Plant Operators, Solid Waste Facility Operators, relevant Supervisors, and senior management to assess the critical sludge disposal issue at Lithgow STP. During this meeting, the limitations on biosolids acceptance at the tip, operational constraints at the treatment plant, and the urgency of a practical dewatering solution were discussed in detail, the team collectively reviewed the proposed solution from Dredging Solutions Pty Ltd and considered it the most suitable immediate intervention. Dredging Solutions Pty Ltd are the only listed company on Council's purchasing list that have the capability and technology that can be used for this type of work with water and sewerage biosolids. Other companies on these

lists do not operate in the Water and Sewerage areas and are focussed on dredging in a marine or aquatic sense.

Ongoing internal consultation was maintained with the plant operators throughout the centrifuge operation. Feedback from the Solid Waste Facility Supervisor confirmed that the centrifuge-processed biosolids, with a dryness of 18%, significantly improved handling and resolved previous disposal challenges. Council's belt press facility produces a 15% dryness material which also reacts differently due to the method of drying and polymer used to join solids and pull the particles together.

Policy

Exemption and engagement sought under Council's Standard Working Procedure Tendering 2.1.

Legal

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

Approval of the engagement and the tender exemption is sought under Section 55 (3) (i) and (k).

Risk Management

The emergency engagement of Dredging Solutions mitigated several key risks at Lithgow STP. Most critically, the limited sludge disposal capacity posed a compliance risk, with the potential to breach EPA license conditions due to lagoon overflow. The environmental risk was elevated due to heavy rainfall and limited storages, increasing the chance of uncontrolled discharges.

Finally, there was a reputational risk-failure to act could have drawn regulatory and public criticism. The centrifuge dewatering addressed all these risks by rapidly reducing the sludge volumes and restoring operational stability.

Financial

- Budget approved - \$4,340,642
- Cost centre - 800239 -Sewerage Treatment Plants Operation and Maintenance
- Expended to date - \$3,928,859 (including \$539,975 of commitments)
- Future potential impact – adjustments to the 2024/2025 budget will be made as part of the March Quarterly Budget Review. Sludge management practices will be changed largely in the operation and maintenance of the sewerage treatment facility including the expenses for disposal coupled with greater storage ability.

3.4. WWW- 28/04/2025 - Tender Evaluation Design & Construction of Sweet Briar Sewage Pumping Station

Strategic Context for this matter: Developing Our Built Environment: To plan for suitable infrastructure to promote sustainable and planned growth, while enhancing the existing identity of the towns, villages and rural areas of the local government area.

Author: Samuel Lenkaak - Projects Engineer Water Wastewater & Waste

Responsible Officer: Mathew Trapp – Executive Manager – Water, Wastewater & Waste

Executive Summary

The South Bowenfels area of Lithgow has been determined by Council as an area for future residential development based on the locality and the topography of the land. Lithgow City Council currently has several Sewage Pumping Stations (SPS) throughout this area that service the existing residential land, however, the possible increase in population will require substantial change to the current systems Council owns and operates. The area is served with several SPS that are past their useful life or are unable to cater for increased capacity and Council requires a new SPS to replace these, in a strategic position to cater for existing flows, as well as new development in the area.

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 December 2024 for the purpose of engaging a suitably qualified and experienced contractor to design and a construct a new sewage pumping at South Bowenfels development area.

The RFT was undertaken and assessed by officers of the Administration in accordance with Council policy and procedures. The RFT process received six submissions from suitable tenderers with a recommendation within this report to engage one of the contractors to deliver a new sewage pumping station as part of the Council's Operational Plan 24/25 and 25/26.

Administration's Recommendation

THAT Council,

1. In accordance with Clause 178(1)(a) of the Local Government (General) Regulation 2021, accept the tender submission and lump sum amount of \$2,269,007.40 (ex GST) from SNG Engineering Pty Ltd.
2. Authorise the General Manager to execute the contract on behalf of Council under delegated authority, between Council and SNG Engineering Pty Ltd in accordance with the tender for Detailed Design & Construction of Sweet Briar Sewage Pumping Station.

Attachments

1. CONFIDENTIAL - Tender Evaluation Master Score Sheet [3.4.1 - 1 page]

Reference to any relevant previous minute

N/A

Background and discussion

Lithgow City Council has conducted a concept study and design for three sewage pumping stations in the South Bowenfels Development area, based on possible loadings produced from future

developments. The three new SPS are required to remove the need for several smaller Sewage Pumping Stations with the construction of some larger pumping stations, rising mains and gravity mains from the existing SPSs.

The subject of this request for tender is a new SPS named Sweet Briar which will replace the existing Bowen Vista No.1 and No.2 and Hospital SPS within the network to rationalise and minimise operational expenses of running many sewage pumping stations. This new SPS will allow for additional growth in the South Bowenfels area whilst catering for the current supply through the area. This includes a future SPS and development to the south of Magpie Hollow Road development area.

An open tender process was conducted to obtain the maximum number of respondents for evaluation. The documentation was available from 15 November 2024 for any interested parties to download from the Vendor Panel E-Tendering system.

Six (6) responses were received electronically by the closing time on 11th February 2025 responses were received from the following parties:

- Keane Civil & Construction Pty Ltd,
- National Civil Projects Pty Ltd,
- Precision Civil Infrastructure Pty Ltd,
- SNG Engineering Pty Ltd,
- TCM Civil Pty Ltd, and
- Utilstra Pty Ltd.

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

Member	Position	Role
Samuel Lenkaak	Project Engineer – Water & Wastewater	Chair
Steven May	Plant and Pump Station Operator – Water & Wastewater	Member
Matthew Trapp	Executive Manager – Water, Wastewater and Waste	Member
James Gilbert	Purchasing Coordinator	Probity

Respondents to the tender were required to submit to Council a schedule detailing their methodology for undertaking the works, the timeframe 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 (40% weighting),
- Program Schedule & Design (15% weighting),
- Experience with similar projects (20% weighting),
- Capability Technical & Financial (10% weighting)
- Methodology (10% weighting), and
- Local Procurement Policy (5% weighting).

Tender Evaluation Process

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	
Tenderer	Value for Money score out of 10
Keane Civil & Construction Pty	7.3
National Civil Projects Pty	5.3
Precision Civil Infrastructure Pty	7
SNG Engineering Pty	10
TCM Civil Pty	5.3
Utilstra Pty	6.5

As shown above, the pricing scores are based on the Lump Sum prices from each tenderer which accounts for 40% of the total score. A detailed evaluation report (master score sheet) has been included with this report for the Council's information as a confidential attachment.

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

Tenderer	Tender Evaluation Score (out of 100)
Keane Civil & Construction Pty	71
National Civil Projects Pty	59
Precision Civil Infrastructure Pty	70
SNG Engineering Pty	77
TCM Civil Pty	60
Utilstra Pty Ltd	59

As a result of the evaluation, the TEC recommends that Council enter into an agreement SNG Engineering Pty Ltd for the Detailed Design & Construction of Sweet Briar Sewage Pumping Station Project, accepting the lump sum pricing submitted via the tender process.

Consultation and Communication

As a result of the Christmas shutdown period, the tender date was extended up to 11th February 2025, to allow enough time for the bidders to engage suppliers and subcontractors. The project delivery will be implemented in accordance with the Council's Operational Plan 2024/25 & 2025/26 and Delivery Program 2022-2026. Contractors and the administration will be communicating regularly with the community and with Council via its reporting frameworks, such as the Infrastructure Committee.

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 - \$1,000,000
- Cost centre - PJ 300073
- Expended to date - \$35,160 (including commitments of \$11,245).
- Future potential impact - adjustments based on the anticipated expenditure to be incurred during 2024/2025 will be included as part of the March Quarterly Budget Review.

Upon the completion of the Sweet Briar Sewage Pumping Station project, Council is expected to save on the costs of the operation and maintenance of Bowen Vista 1, Bowen Vista 2 and Hospital Sewage Pumping stations as they will be decommissioned on project completion. In addition, inflows from the new subdivisions at South Bowenfels Development areas and other future developments / population growth will be serviced by the new Sewage Pumping station bringing Council infrastructure delivery ready for future demand management.

3.5. P&P - 28/04/2025 - Proposed Shed at 1A Caroline Avenue Lithgow

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:	Cassandra Ford – Executive Assistant
Department:	Building & Planning
Responsible Officer:	Shaun Elwood - Director People and Place
Property Details	Lot 7 DP 263999, 1A Caroline Avenue LITHGOW NSW 2790
Property Owner	Phillip Peace
Applicant	Fernleigh Drafting Pty Ltd

Executive Summary

DA007/24 for development of a detached garage/shed at 1A Caroline Avenue, Lithgow was considered at the Ordinary Meeting of Council held on 25 November 2024 wherein it was resolved that an onsite visit be arranged for Councillors, Council officers, the applicant and residents to attend (Min 24-252).

The onsite visit occurred on 23 January 2025, and the development application was further considered at the Ordinary Meeting of Council on 24 March 2025 with the following resolution:

25 -73 RESOLVED

THAT

1. Development Application DA007/24 be APPROVED subject to conditions and that such conditions be deferred for the Administration to provide for Council's consideration at the 28 April 2025 Ordinary Meeting of Council.
2. A DIVISION be called in accordance with the requirements of Section 375A(3) of the Local Government Act, 1993.

In accordance with Point 1. of Min 25-73, attached to this report are conditions of consent for Council's consideration and approval.

Administration's Recommendation

THAT:

1. The conditions of consent attached to this report in relation to Development Application DA007/24 be approved and the administration issue a notice of determination granting development consent with conditions to the applicant.
2. A DIVISION be called in accordance with the requirements of Section 375A(3) of the Local Government Act, 1993.

Attachments

1. D A 007 24 1 A Caroline Ave Schedule A Conditions [**3.5.1** - 6 pages]

Reference to any relevant previous minute

Min No. 24-252 Ordinary Meeting of Council - 25 November 2024

Min No. 25-73 Ordinary Meeting of Council - 24 March 2025

Background and discussion

A detached garage / shed building is proposed on 1A Caroline Avenue, Lithgow through Development Application No DA007/24.

Clause 3.1(4) of the administration's Standard Working Procedure 14.1 provides that an application must be determined by Council where a development proposal does not comply with a development standard of any relevant Environmental Planning Instrument and justification has been provided but is not supported by the assessing officer.

This matter was considered by Council at its Ordinary Meeting of 25 November 2024 wherein it was resolved that an onsite visit be arranged for Councillors, Council officers, the applicant and residents to attend (Min 24-252).

The onsite visit was held on 23 January 2025, and the applicant was subsequently invited to submit further design revisions for consideration of Council.

The development application was further considered by Council at the Ordinary Meeting on 24 March 2025 wherein Council resolved as follows:

25 -73 RESOLVED

THAT

1. Development Application DA007/24 be APPROVED subject to conditions and that such conditions be deferred for the Administration to provide for Council's consideration at the 28 April 2025 Ordinary Meeting of Council.
2. A DIVISION be called in accordance with the requirements of Section 375A(3) of the Local Government Act, 1993.

In accordance with resolution 1. of Min 25-73, attached to this report is conditions of consent for Council's consideration and approval.

Policy

AS the subject application was recommended to be determined by refusal. Council's SWP 14.1 (Refusal of Development Applications) was therefore invoked. This provides that "*where the development proposal does not comply with a development standard provided within any relevant Environmental Planning Instrument and justification has been provided but not supported by the assessing officer the application must be determined by Council.*"

Legal

No specific implications at this point of the process.

Risk Management

N/A

Financial

Budget approved – N/A

Cost centre – N/A

Expended to date – N/A

Future potential impact – N/A

3.6. P&P - 28/04/2025 - Integrated Planning Framework

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.

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.

Enhancing Our Natural Environment: To balance, protect and enhance our diverse environmental elements, both natural and built, for the enjoyment and support of both current and future generations.

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 & Communication Manager

Responsible Officer: Shaun Elwood - Director People and Place

Executive Summary

The Council's Integrated Planning Framework documentation has been prepared and is provided for the consideration of Council to place on public exhibition. The framework consists of the following suite of documents:

- Draft Community Strategic Plan 2040 (to be revised in 2025/26)
- Draft Delivery Program 2026-2030
- Draft Operational Plan 2025/2026 which includes the Draft Revenue Policy and Draft Fees and Charges.

Administration's Recommendation

THAT Council:

1. Endorse the Integrated Planning Framework document suite to be placed on public exhibition for no less than 28 days. This will include the following documents:
 - a. The Draft Community Strategic Plan 2040,
 - b. The Draft Delivery Program 2026-2030, and
 - c. The Draft Operational Plan 2025/26 including the Draft Revenue Policy and Draft Fees and Charges.
2. Note the proposed changes to the rating structure from 1 July 2025 to introduce the following Business sub-categories:
 - a. Wind Power Generation, and
 - b. Rail Related Manufacture, Maintenance or Storage.
3. Note that the closing date for submissions is intended to be Sunday 2 June 2025.

Attachments

1. Draft Community Strategic Plan 2040 [3.6.1 - 49 pages]
2. Community Strategic Plan 2040 Plan on a page [3.6.2 - 1 page]
3. Draft Delivery Program 2026-2030 [3.6.3 - 36 pages]
4. Fees And Charges Report 2025 26 Draft [3.6.4 - 103 pages]
5. Discontinued Fees and Charges 2025-2026 [3.6.5 - 1 page]
6. New Fees and Charges 2025-2026 [3.6.6 - 1 page]
7. Draft Revenue Policy 2025-2026 [3.6.7 - 17 pages]
8. 2025 Councillor Visioning Workshop Report [3.6.8 - 25 pages]
9. 2024 Community Visioning Telephone Survey Report [3.6.9 - 67 pages]
10. 2024 Community Visioning Survey Online Report [3.6.10 - 54 pages]
11. Draft Operational Plan 2025-26 [3.6.11 – 131 pages]

Reference to any relevant previous minute

N/A

Background and discussion**Community Strategic Plan**

The Community Strategic Plan (CSP) is the highest-level plan within a Council's Integrated Planning and Reporting Framework. It provides an overarching vision and sets the strategic direction for the future of the local government area. The CSP has been developed taking into consideration the values and aspirations of our community for the future of the Lithgow LGA and identifies strategies for achieving these goals and is a shared blueprint for the future direction of the Lithgow Local Government Area.

It is intended that this CSP will be thoroughly reviewed and updated during 2025/26 including the undertaking of focussed community engagement across the LGA.

This Plan builds upon previous Community Strategic Plans and considers the changing needs of our community. The Plan has taken into consideration conversations had with the community over the past four years. Throughout these conversations there have been recurring concerns and themes. The Council has listened to the community and worked to find a balance that will provide growth whilst ensuring harmony with the environment and the wellbeing of the community.

The CSP guides the long-term strategic direction for the local government area, in some areas we will have quick wins, but other plans take many years to come to fruition. By working in partnership with local communities, state and federal governments together we will:

- drive economic transition in Lithgow,
- implement our exciting vision for tourism in Lithgow,
- celebrate the unique qualities of the Lithgow LGA,
- celebrate and support creative industries,
- create a vibrant civic precinct,
- enhancing transport connectivity,
- secure the water supply,
- reimagine public spaces,
- reduce waste and promote sustainability,
- protect and manage the natural environment, and
- ensure that Lithgow City Council is sustainable and prepared for the future.

Delivery Program

The Delivery Program (DP) 2026-2030 has been developed following engagement with the community and in consultation with Councillors at their Visioning Workshop held on 20 January. The Delivery Program 2026-2030 is a 4-year plan developed to translate the community's long-term goals from the Community Strategic Plan (CSP) 2040 into deliverable outcomes.

The Delivery Program (DP) is a statement of commitment to the community from each newly elected Council and translates the community's strategic goals into clear actions. It allows Council to determine what is achievable over the next four years, what the priorities are, and how programs will be scheduled.

There is a clear link between the CSP, the DP and the Operational Plan (OP). Activities in the DP link to the strategic objectives identified in the CSP and appear as more detailed actions in the OP.

The DP must demonstrate Council's commitment to the community to perform all of its functions by outlining the activities for which it is responsible over the term of the Council, including how those activities will be prioritised, measured and implemented.

Operational Plan

The Operational Plan (OP) is council's action plan for achieving the community priorities outlined in the Community Strategic Plan (CSP) and Delivery Program (DP).

An OP is prepared each year and adopted. Each OP identifies the projects, programs, and activities that council will conduct to achieve the commitments of the DP.

This OP reaffirms Council's commitment to delivering high-quality, cost-effective services and timely programs to the community. It also ensures there is transparency with Council budgets and capital works.

The Operational Plan 2025/26:

- identifies of all council's activities, demonstrating how each will deliver CSP strategic objectives
- reflects activities identified in other strategic planning documents
- Identifies key performance indicators
- details delivery of planned projects and services for each year, aligning each action to a budget and outlining all resourcing issues
- outlines timeframes for each action
- considers any proposed land acquisition related expenditures.

Fees and Charges

Pricing considerations include the need to fund the cost of services impacted by higher inflation, equity, capacity to pay and benchmarking with neighbouring Councils.

- For 2025/26, management has undertaken a comprehensive review of fees and charges, utilising a methodology which includes:
- 3.5% CPI was applied to all non-regulatory / non legislated fees and charges with a critical review of fees and charges for key areas;
- Simplifying fee structures where possible;
- Fees and Charges being reviewed to identify:

- conscious pricing principles,
- new market opportunities and marketing of facilities,
- cost to provide the service vs income generated; and

- Regulatory / legislated fees and charges are applied on advice from relevant authorities.

The CPI increase on fees & charges was set at the weighted average of the December 2024 Producer Price Index and the NSW Local Government (State) Award increase, both key inputs to service and good provision when preparation of 2025/26 fees and charges commenced.

The following documents are included as an attachment to this report:

1. Draft fees and charges report 2025/26
2. Discontinued 2025/26 fees and charges - these fees and charges are redundant.
3. New fees and charges report 2025/26.

Draft 2025/26 Budget Standards

Council's budgeting aims to achieve the following standards:

- Meet the Office of Local Government's (OLG) financial and asset management performance benchmarks;
- Cashflow positive – no use of internal restrictions to fund operational activities;
- Meet audit requirements - compliance with all accounting standards; and
- Match service delivery to the community's identified priorities and standards – within available capacity.

Operating Result (Before Capital)

The OLG considers the operating result (before capital) to be an important indicator of financial performance. The result is calculated by deducting capital grants and contributions from the net operating result for the year (i.e. income less expenses).

In a time of significant financial challenges, the draft 2025/26 budget is presented to Council with a balanced General Fund operating result. The consolidated operating result (before capital) is a surplus of \$1.1M.

A key OLG performance measure is the Operating Performance Ratio. The ratio measures Council's achievement of containing operating expenditure within operating revenue. The OLG benchmark for the Operating Performance Ratio is 0% which equates to a balanced operating result (before capital). The draft 2025/26 budget consolidated operating performance ratio is 0%.

The table below shows the draft 2025/26 budget operating result budget (before capital) by fund.

	General Fund	Water Fund	Sewer Fund	Consolidated
Income excluding capital grants	\$47.5M	\$10.1M	\$9.2M	\$66.9M
Expenditure	\$47.3M	\$9.8M	\$8.6M	\$65.7M
Operating Result	\$0.2M	\$0.3M	\$0.6M	\$1.2M

Strategies / Factors to Help Deliver a Balanced Budget

A number of actions have been necessary to achieve a draft balanced budget for the 2025/26 year. Some actions are short-term responses, and these circumstances are not likely to be sustainable beyond this year. A summary of actions taken are:

- Employment costs - estimated savings due to time taken to fill vacancies and a pause on vacancies with limited service impacts - \$1.6M, qualified as the difference between draft 2025/2026 budget and 2024/2025 current revised budget plus 3% award increase.
- No additional positions granted, despite being identified as high priorities – saving \$232K.
- A range of Operational Business Cases were not included, despite being identified as high priorities – saving \$465K.
- Materials and contracts – \$1.8M saving, quantified as the difference between draft 2025/26 budget and 2024/25 original budget plus 3.5% CPI.
- Depreciation – change in accounting policy to derecognise RFS Red Fleet Assets to commence 1 July 2025, reduction in deprecation of \$690K.

Increase in Employment Costs

The draft 2025/26 budget includes a \$1.8M (7.6%) increase in employment costs. The key drivers of the increase in employment costs are:

- Market conditions – a range of positions required appointment with market premiums to fill vacancies in key roles.
- Award increase – 3% award increase in salaries and wages.
- Superannuation - the superannuation guarantee rises from 11.5% to 12%.
- Workers compensation - \$750K - Council's premium continues to trend upwards. An increase in salaries and wages also adds to workers compensation costs.
- \$403K training budget to ensure adequate learning and development for staff.

Grant Funding

A strategic approach is taken to seeking grant funding. Capital grant funding applications have generally been focussed on asset renewal projects, rather than adding to new assets (which require ongoing maintenance and future renewal). Business cases are prepared prior to applying for funding. Business cases consider the whole-of-life cycle costs relating to funding applications for new assets. Business cases are only approved if recurrent and renewal costs can be covered.

At 30 March 2025, Council had \$34.5M of prepaid grant funding in the unexpended grants reserve. It will be a focus of the 2025/26 Capital Works Program to complete the projects which are funded from these grants, in particular flood recovery projects.

Events Strategy

The 2024-2026 Events Plan was endorsed by Council at the Ordinary Meeting 24 March 2025. In line with this resolution, \$250K has been allocated to an events program.

S7.12 2025/26 Contributions Plan

The draft Section 7.12 2025/26 Contributions Plan totals \$490K, including the following projects, some which will be continued from 2024/25:

- Kerbside Pram and Accessibility Ramp Enhancement Program

- Great Western Highway Shared Pathway from Mudgee to Main Street
- Bowenfels Gun Enhancements Improvement Program
- Endeavour Park Masterplan
- Town Tree Planting Project Stage 1 Strategy and Stage 2 Implementation
- Plan Administration

Operational Projects

Operational business case inclusions total \$30K for the development of the Stormwater Management Plan. Continuation of current programs and business-as-usual has not been included in this list.

Capital Works Program

Capital business base inclusions - \$34.4M.

The draft 2025/26 Capital Works Program requires further refinement to ensure that the program can be delivered in the year, given Council's resource constraints.

Grant Funded

- War Memorial Upgrade - \$20K.
- Browns Gap Road - \$1.9M.
- Hartley Vale Road - \$178K.
- Mid-Hartley Road - \$43K.
- Blackheath Creek Road - \$316K.
- Magpie Hollow Road - \$336K.
- Sodwalls Road - \$1.4M.
- Lowther Siding Road - \$198K.
- Dark Corner Road - \$102K.
- Range Road - \$ 67K.
- Portland Sunny Corner Road - \$185K.
- Fields Road - \$195K.
- Glen Davis Road - \$465K.
- Wolgan Road (Valley Floor) - \$415K.
- Hampton Road - \$521K.
- Marsden Swamp Road Landslip - \$1.4M.
- Wolgan Road (North) Landslip - \$726K.
- Lowther Siding Road Landslip - \$881K.
- Old Bathurst Road Landslip - \$721K.
- Magpie Hollow Road Landslip - \$711K.
- Sir Thomas Mitchell Drive Landslip - \$1.7M.
- Lithgow Evolving Economy Plan - \$373K.
- Library - \$23K.

General Fund Revenue / Reserves

- Road Renewals - \$6.7M.
- Information Technology - \$230K.
- War Memorial Upgrade - \$30K.
- Master Key System - \$92K.
- Aquatic Centre - \$274K.

- Queen Elizabeth Park Nursery - \$132K.
- Visitor Information Centre - \$80K.
- Union Theatre - \$30K.
- Parks Lighting Upgrades - \$300K.
- Crystal Theatre - \$40K.
- Civic Ballroom Stormwater Protection - \$96K.
- Playground Renewals - \$180K.
- Cemeteries - \$320K.
- Lithgow Animal Shelter - \$53K.
- Main Street Bridge, Wallerawang Replacement - \$550K.
- Safer Local Roads and Infrastructure Program - \$200K.
- Seven Valleys Website - \$80K.
- Safety Fencing at Blast Furnace - \$84K.
- Hartley Building Electrical Upgrade - \$240K.
- Upgrade Airconditioning Building Management System - \$66K.
- Minor Capital Works - \$84K.
- Plant Replacement Program - \$2.4M.

Waste

- Capertee Transfer Station - \$50K
- Implementation of capital works related to Lithgow City Council Waste Strategy - \$340K
- Lithgow Solid Waste Facility Gatehouse & Weighbridge Upgrade - \$1M.

Water & Wastewater

- Dams Works Program - \$220K.
- Waste & Wastewater Infrastructure - \$300K.
- Clarence to Wallerawang Pipeline - \$100K.
- Construction Truck & Excavator - \$170K.
- Watermains Renewal - \$500K.
- Reservoirs Renewal - \$300K.
- Sewerage Treatment Plant Works - \$1.8M.
- Sewerage Pumping Stations - \$350K.
- Sewer Mains Renewal - \$610K.
- Water Treatment Plant Renewal - \$150K.

The draft Capital Works Program summary is provided below:

Capital Works Program	2025/26 Budget
General Fund Projects	\$13.2M
Waste Projects	\$1.4M
Water Fund Projects	\$1.5M
Sewer Fund Projects	\$2.9M
IT Projects	\$0.4M
Plant	\$2.4M
Grant Funded Projects	\$12.6M
Total	\$34.4M

Draft 2025/26 Special Rates Variation (SRV) Program

The total draft SRV Program value, including use of funds in reserve is \$7.6M.

The draft 2025/26 SRV Program is summarised below.

- General Asset Transport Maintenance - \$1.6M
 - Asset Systems Officer - \$141K.
 - Traffic Officer - \$141K.
 - Road Asset Renewal Backlog Reduction Program - \$1.3M*
- General Asset Stormwater Maintenance - \$304K
 - Urban kerb and gutter replacement - \$163K.
 - Rural roadside drain reformation - \$141K.
- General Other Asset Classes Maintenance - \$520K
 - Natural Area Management Officer - \$145K.
 - Natural Area Management Projects - \$115K.
 - Community Buildings Maintenance & Repairs - \$156K.
 - Playground Maintenance & Repairs - \$104K.
- Other Operational - \$767K
 - Governance, risk and internal audit capacity improvement - \$365K.
 - Business improvement - including service reviews and other initiatives focused on improving productivity - \$402K.
- Transition Management - \$1.2M
 - Staff Salaries and Oncosts - \$490K.
 - Lease fees - \$36K.
 - Travel and accommodation - \$5K.
 - Employment Land Development - \$440K.

- Residential Land Development - \$25K.
- LEEP Engagement and Communications - \$65K.
- Cadetship, Internship & Graduate Program - \$90K.
- Council Capacity Building and Transition Management Training - \$45K.
- Roads Renewal - \$2.6M
 - Browns Gap Road - \$477K.
 - Hartley Vale Road - \$642K.
 - Mid-Hartley Road - \$972K.
 - Blackheath Creek Road - \$466K.
- Stormwater Drainage Renewal - \$195K
 - Urban Drainage Improvements - \$195K.
- Other Asset Classes Renewal - \$393K
 - Playground Renewal and Safety - \$268K.
 - Footpath Continuous Improvement Program - \$125K

*It is to be noted that because of detailed analysis undertaken on the condition of the sealed road network, it is recommended that Council is focused on the renewal of roads, rather than enhanced maintenance. This is in line with the intent of the SRV application, being General Asset Transport Maintenance, with an optimised transition from operational maintenance to capital maintenance (i.e. renewal). Modelling undertaken by a specialised consultation projects that this will reduce the current asset backlog and result in operational savings over the long-term.

In line with the requirements of the approval of the SRV, this change will be reported in future Annual Reports.

Financial Performance Indicators

Below is a summary of the draft 2025/26 budget results for the OLG's key financial performance indicators.

Ratio	Benchmark	25/26 Budget	Result
Operating Performance Ratio	>0	0	PASS
Own Sourcing Operating Revenue Ratio	>60%	64%	PASS
Debt Service Result	0-20%	0.59%	PASS
Building & Infrastructure Renewal Ratio	> 100%	201%	PASS

The budget forecasts that Council will meet all key financial performance benchmarks.

Loan Borrowings

Nil loan borrowings are planned for the 2025/26 year.

Revenue Policy

Council's Revenue Policy has been comprehensively reviewed and is attached.

Proposed Changes to Rating Structure

Each year, the rating structure is reviewed to determine if adjustments are required, with the proposed changes outlined below.

1. Addition of Business – Wind Power Generation Sub-Category

Three Wind Power Generation Major Projects are presently proposed within, or partly within, the Lithgow Local Government Area. Capturing local value and benefit from the projects from the key income components of wages, rent, interest and profit will be difficult without capturing value by way of taxing.

The infrastructure is highly capital intensive, and, in almost all instances, the other components of income will substantially leave the LGA. More importantly, although the business valuations are likely to be relatively low, the developments will have a substantial impact on the consumption of Council (and therefore the community's) finite road resources many times the proportion attributable to business category assessments more generally.

For these reasons, it is recommended that an *ad valorem* rate approximately ten times that of the Business – Other rating is implemented.

At this stage, the proposed projects are not sufficiently progressed to enable the sub-category to be levied for the 2025/2026 financial year.

2. Addition of Business – Rail Related Manufacture, Maintenance or Storage Sub-Category

The former State Railyard workshop is assessed to be a strategically important asset in the context of Lithgow's emerging economy. With key access to the State roads network, the Western Rail Line and the Western Sydney Airport, the site is considered very valuable – even if largely idled. The site is assessed to be activated for rail and logistic related manufacture in alignment with the NSW Freight Policy Reform together with the Net Zero policy framings of the Commonwealth and NSW governments.

For these reasons, it is recommended an *ad valorem* rate approximately three times that of the Business – Lithgow rating.

Consultation and Communication

In preparation for the Community Strategic Plan in September 2024, the Council engaged Micromex Research and Consulting to undertake

- A statistically valid surveying methodology to canvas community attitudes and perceptions, aspirations, and priorities for the LGA in the future. This included a random telephone survey of residents (n= 401 respondents) from across the Lithgow LGA (Local Government Area). They also developed an online version of the survey for interested residents to complete (n=167 respondents).
- Conduct a Visioning Workshop with the Councillors on 20 January to identify the key values, strengths, and challenges of the Lithgow Council area, establish how these fit within the Community Strategic Plan (CSP), identify Councillor focus areas and propose projects and ideas to support and address these issues.

The community survey confirmed that the most loved aspects of living in the Lithgow region continue to be the sense of community and friendly people, natural environment, beautiful clean area and scenery, convenient central location and relaxed/peaceful lifestyle. When asked what could be changed about living in Lithgow the top responses were:

- Economic growth / development e.g. attract business/jobs/shops.
- Upgrading and maintaining our roads
- Council management /planning / action
- Recreational opportunities.

In response, the Councillor Visioning Workshop identified 7 areas of focus which Council will progress through the Combined 2026-2030 Delivery Program and annual Operational Plan:

1. Improved Expressway and Freight Connectivity to Sydney.
2. Health Forum and advocate more funding for specific services e.g. mental health, drug/alcohol rehabilitation.
3. Attracting tourism via Entertainment precincts, eco-tourism, recreational activities.
4. Beautification, streetscape planting/lighting and re-igniting the 'night economy'.
5. Greater communication & transparency from Council to Community.
6. Creating job opportunities and career pathways for youth and retaining families.
7. Improve signage and upgrade infrastructure.

Policy

Nil arising from this report.

Legal

The Local Government Act 1993, Local Government Amendment (Planning and Reporting) Bill 2009 and Local Government (General) Regulation 2021 outlines requirements for the preparation, exhibition and adoption of the Integrated Planning and Reporting Framework. The Draft documents must be exhibited for a minimum period of 28 days.

Risk Management

The draft plans presented for public exhibition address and respond to a range of medium to longer term financial, asset and service provision risks, while the Draft Capital Works Program addresses some of Council's assets at greatest risk of failure.

Financial

The Delivery Program 2026-2030 and Draft Operational Plan 2025/26 presents a financially prudent and cashflow positive budget. Council needs to continue to implement the Financial Sustainability Plan actions to maintain a balanced operating result (before capital) budget for the General Fund.

3.7. I&E - 28/04/2025 - Great Western Highway Median

Strategic Context for this matter:

Enhancing Our Natural Environment To balance, protect and enhance our diverse environmental elements, both natural and built, for the enjoyment and support of both current and future generations.

Author: Jonathon Edgecombe - Director of Infrastructure and Economy

Responsible Officer: Jonathon Edgecombe - Director of Infrastructure and Economy

Executive Summary

This report provides the Council with an update on the status of regular median mowing of the Great Western Highway between the intersection of Magpie Hollow Road and the Visitors Information Centre, Lithgow.

Administration's Recommendation

THAT Council:

1. Note the information provided on the status of regular median mowing of the Great Western Highway; and
2. Write to the Hon. Jenny Aitchison MP, Minister for Roads and Regional Transport, requesting her intervention and assistance in finding a solution to the matter of Council's maintenance of the Great Western Highway median within the bounds of the urban 70km/h zone.

Attachments

Nil

Reference to any relevant previous minute

Nil

Background and discussion*Background*

Lithgow City Council maintains the Great Western Highway median between the Main Street intersection and Magpie Hollow Road. The Transport for NSW specification for median maintenance results in three visits per year. Based on a historic agreement with Transport for NSW, the Council performs the median maintenance in the urban 70km/h footprint (between the Visitors Information Centre and Magpie Hollow Road). Generally, Council performs median mowing four times per year. During heavy growing seasons, the Council may add a fifth visit.

Mowing the highway median used to cost about \$10,000 per service (or \$40,000 per year) when Council maintained from Girraween Drive through to Magpie Hollow Road. The median was maintained to Marrangaroo as part of an agreement entered when the trees were planted between the Visitors Info Centre and Marrangaroo. I do not know when the trees were planted, nor when the agreement was entered.

About 3 years ago. Council's Director Infrastructure and Economy commenced a negotiation with TfNSW and reached consensus that this area was well outside the urban fringe of Lithgow. A new agreement was brokered where Lithgow would only maintain the median in the 70km/h zone.

Each time that median is mowed, Council must apply for a Road Occupancy Licence from Transport for NSW to allow for the closure of one lane of the highway in each direction. Previously, this service accrued a cost of approximately \$5,000 per visit, including traffic control and the mowing/whipper snipping. This would result in a total yearly cost between \$20,000 and \$25,000. The same traffic control arrangements were always applied for, and approved, to conduct this work safely.

Current Issue

Council recently attempted to perform maintenance on the median under an approved Road Occupancy Licence. This occurred during the months of November and December 2024. However, on both occasions, the site was closed by Transport for NSW inspectors, even though the traffic control on-site complied with relevant approvals. Council made further enquiries and were told that it needed to implement improvements to the previously approved traffic control plans.

In developing these revised traffic control plans, it was found that their implementation would result in an increased cost of works from \$5,000 per visit to between \$10,000 and \$15,000 per visit. The reasons for this cost increase are explained further, later in this report.

Council continues to pursue the matter of Great Western Highway median maintenance between Main Street and Magpie Hollow Road. Council's Director Infrastructure and Economy recently met with Transport for NSW representatives to explain the issue in detail. Staff also informed Transport for NSW that the Council would be halting current maintenance arrangements until the matter is resolved.

In the shortest terms, the Council has ceased maintaining the median due to changes to traffic control arrangements which have more than doubled Council's costs of works. These changes were not communicated with Council before they were implemented.

Staff have thoroughly investigated the matter and compiled all the relevant documentation for TfNSW review. The specific findings are:

1. Occupancy hours have changed from the previous 7am to 5pm, now cut back to 9:30am to 2:30pm. This is a reduction in productive hours from 9 hours to 5. Previously works could be carried out in one day to two days and will now increase to four days. Ultimately Council will need to pay for this reduction in productivity.
2. TfNSW have advised that they now expect the side roads to be closed off which is additional set up and traffic management. We feel that this is not necessary as only the middle two lanes are proposed for closure, therefore traffic entering side streets could easily access the highway in the open lanes without risk.
3. With this new requirement Council has been limited in the length of traffic control that can be implemented at one time. This has shortened the area we can maintain before having to move the traffic control. Once maintenance on this section has been completed, the barriers have to be removed and reset to the following section, all while the contractor sits and waits for this to be set up again.
4. There are additional costs for production of these new Traffic Guidance Schemes, a minimum of double the cost for Contractors to complete these works.
5. To date costs incurred to council because of TfNSW stoppages and interference are at \$10,870 for no result.

Correspondence and communication

Council continues to receive correspondence from the community about this matter, asking for it to advocate for improved service. Staff have held off on this advocacy, waiting to resolve the issue directly with TfNSW.

Transport for NSW responded to Council's enquiries on 04 April 2025. They advised:

"NAME REDACTED has reached out to a few teams within Transport and it sounds like that any changes to ROL hours may have been to avoid delays around school times.

The access team who issues the ROLs have advised that they are open to reviewing the timeframes when Council submit new ROLs. There has been some discussion about potentially increasing ROL hours with conditions about end of queue management with monitoring and management. Ultimately the ROL hours are at the discretion of the access team but we would suggest Council resubmit the ROLs for the median maintenance so the access team can review and consider any potential longer work times.

NAME REDACTED is happy to continue to be part of the conversation and advocate from our end once the ROLs are resubmitted

Also, NAME REDACTED as per our minutes from our earlier meeting has there been any discussions regarding number of trees, vegetation, and opportunities to create better visibility"

Council's response to this email, issued 07 April 2025, was:

"I appreciate you following up with me.

Whilst I greatly appreciate your efforts, I must push back. A "try again and see" approach is not acceptable.

Council's capacity to deliver this work is very limited. The service we were providing previously, while greater than that which could be provided by TfNSW, was still borderline unacceptable to the community. After all, it is the main entrance to our main town centre. If anything needs to be well-manicured, it is these medians.

Council has already sunk \$10,000 into this task by trying to start the work twice, without success. I ask for an urgent meeting between the teams responsible for assessing these ROL applications and Council. In our view, the previous traffic control arrangements were acceptable, with the works delivered safety and cost-effectively. We ask for TfNSW confirmation that these requirements will be reinstated, or some other agreement wherein the costs to provide this service do not increase.

I have spoken with the Mayor and she's advised that she wants a report to the April Ordinary Meeting if we can't resolve this matter by then. That meeting is scheduled for 28 April 2025.

Again, I really appreciate your efforts. I feel like Transport for NSW are more approachable than they have ever been. However, in this instance, we need some form of appropriate recognition of the expectations of the Lithgow community and the available resources of this Council."

Suggested action

Council has made every attempt to meet with Transport for NSW and negotiate a reasonable approach to solving this problem. Unfortunately, no solution has been forthcoming.

It is recommended that Council now write to the Minister for Roads and Minister for Regional Roads, the Hon. Jenny Aitchison MP, requesting her intervention and assistance in finding a solution to this matter.

Consultation and Communication

This detail is included in the body of the report.

Policy

While no Policy exists that covers Council's maintenance of the Great Western Highway median (within the bounds of the urban 70km/h zone), Council has historically maintained this section. Council may seek to refine this position.

Legal

Nil

Risk Management

Lengthy grass, while posing a concern related to amenity, does contribute to the risks of pedestrians crossing outside of the two formalised crossings at the Main Street and Bayonet Street intersections. It inhibits the ability for motorists to see pedestrians as they wait to cross.

Financial

- Budget approved - \$517,456
- Cost centre - 800061
- Expended to date - \$374,224 with \$37,637 committed – Remaining budget - \$105,595
- Future potential impact - Budget will be expended by June 30, 2025

3.8. I&E - 28/04/2025 - Financial Assistance - Sporting Representative

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: Kaitlin Cibulka – Cemeteries and Administration Supervisor

Responsible Officer: Jonathon Edgecombe - Director of Infrastructure and Economy

Executive Summary

This report provides details of a request for financial assistance that Council has received for sporting representation. Similar financial assistance requests are usually reported through the Sports Advisory Committee, with recommendations made by the Committee subsequently reported to Council for resolution. However, this request was made outside the regular meeting schedule of the Sports Advisory Committee and has therefore been presented directly to Council for endorsement of the recommendation to ensure prompt consideration of the request.

Administration's Recommendation

THAT Council provided Tyler McManus with financial assistance of \$300.00 from the 2024/25 allocation toward the cost of Tyler's sporting representation in swimming.

Attachments

Nil

Reference to any relevant previous minute

Nil

Background and discussion

Council is in receipt of an application for financial assistance for Tyler McManus who has been selected to compete at the 2025 National Age Swimming Championship held in Brisbane in April 2025. The funding will assist Tyler with the costs of travelling and accommodation to compete at the championships.

Consultation and Communication

Nil

Policy

Policy 4.2 - Financial Assistance – Section 356 of the Local Government Act.

Legal

N/A

Risk Management

N/A

Financial

- Budget approved - \$2,500.00
- Cost centre - PJ 800158 – Governance – Section 356 Donations & Contributions
- Expended to date - \$900.00
- Future potential impact - if the request is approved for \$300.00, there would be \$1,600.00 remaining in the 2024/25 budget

3.9. I&E - 28/04/2025 - Tender - Col Drewe Drive Reconstruction

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

Executive Summary

This report summarises the tender evaluation process that has been undertaken for road rehabilitation works on Col Drewe Drive, Bowenfels.

The scope of works extends for a distance of approximately 316 metres. Col Drewe Drive requires pavement reconstruction and stabilisation due to the quality of its pavement and sub-base. The area of full rehabilitation measures approximately 3157 square metres.

The tender included a request for a schedule of rates for any additional works that may be required due to unearthing of unsuitable road building material whilst the works progress. The rehabilitation works are fully funded by Phase 4 of the Local Roads and Community Infrastructure Program, provided by the Australian Government.

The tender was sent to the approved contractors as per resolution 24-160 of the Council Meeting held on 22 July 2024, and 3 responses were received. At the end of the tender process, Stabilised Pavements of Australia are the recommended tenderer.

Administration's Recommendation

THAT Council:

1. Note the appointment under the General Manager's delegation of Stabilised Pavements of Australia to undertake the rehabilitation of Col Drewe Drive, Bowenfels, for a cost of \$356,739 ex GST and,
2. Accept the schedule of rates provided by Stabilised Pavements of Australia for additional works as may be required for the rehabilitation of Col Drewe Drive, Bowenfels.

Attachments

Nil

Reference to any relevant previous minute

The tender was opened to the approved contractors as per resolution 24-160 of the Council meeting held on 22 July 2024.

Background and discussion

Tender Process

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

Name	Position	Role on TEP
Paul Creelman	Transport Manager	Chair
James McGee	Principal Civil Engineer - Roads	Member
Dave Anderson	Manager Buildings and Recreation	Member

The tender was assessed on the following criteria:

1. Relative Value for Money (30%),
2. Requisite insurances and WHS Procedures held (25%),
3. Type of Treatment (15%), and
4. Availability to start (30%).

The process followed was a closed tender using the Civil Works Panel of five civil works and pavement stabilisation contractors which was approved by Council at the 22 July 2024 meeting (resolution 24-160) and was run via Local Government Procurement. Included were several specifications addressing the scope and conditions the successful applicant will be required to follow. See below:

1. An area of 3,157 square meters of the road will require full pavement rehabilitation and stabilisation.
2. The areas of full remediation shall be stabilised with lime to a depth of 300mm at a 3-4% ratio.
3. Geotechnical core testing will occur to confirm the suitability of the treatment chosen, for review by a pavement specialist.
4. Once the areas of works are exposed, there may be the requirement to remove unsuitable material and replace with roadbase (DGB20 or DGB40, depending on the depth of the unsuitable patch).
5. Existing widths will be maintained in all instances.
6. The contractor will also be responsible for the application of seal with a 60mm AC14 asphalt overlay.

Tender Evaluation

Council received 3 responses to the tender request. They were from:

1. Bernipave Pty Ltd
2. Stabilcorp Pty Ltd
3. Stabilised Pavements of Australia Pty Ltd

Tender evaluation was carried out and the following scores were tabulated.

Contractor	Beripave P. L.	Stabilcorp P.L.	Stabilised Pavments of Australia P. L.
Total score	50%	50%	70%

Stabilised Pavements of Australia Pty Ltd are the preferred tenderer, particularly due to their availability. Works would commence on 28 April 2025 and will be delivered by 26 May 2025, subject to weather and contractor availability.

Use of the General Manager's Delegated Authority

Council's General Manager approved this engagement through use of their delegated authority afforded to them by Council as follows:

18 – 195 RESOLVED**THAT:**

1. Council delegate the General Manager authority to accept Council tenders with a Contract value of up to \$500,000 where all other tender requirements of the Local Government Act 1993 and the Local Government (General) Regulation 2005 are met; and
2. The Council delegate the General Manager authority to execute the resulting contract and any associated documentation under this delegation; and
3. If required, the relevant amendments to Policy 1.4 – Tendering be adopted and implemented immediately.
4. The General Manager report to each Council meeting on the tenders that he has authorised and that the Mayor be advised of each tender determined by the General Manager. This be carried out for a trial period of 6 months.

18-215 RESOLVED**THAT** the:

1. Council note that there were no exercised delegations to approve tenders between 24 July and 22 August 2018.
2. Report only be brought to Council when the delegation has been exercised.

Consultation and Communication

It is acknowledged that this is a high traffic area that services a medical centre, hospital, aged care facility and a church. Good communication and consultation is critical.

All business owners will be consulted comprehensively prior to commencing works. Access will be retained at all times by delivering works one lane at a time. The phone numbers of Council staff and site supervisors will be provided to all stakeholders. In the event of an emergency that requires unfettered access, works will temporarily cease.

Policy

The tender 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 of the *Local Government (General) Regulation 2021*.

Prior to commencement, the project will be 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

All the ranked applicants have good work health and safety systems, quality control measures and environmental management systems, with most having ISO 14001 and 45001 accreditations. Similarly, the preferred tenderer has the required Public Liability Insurance to work for Lithgow Council.

Financial

- Budget approved - \$384,612
- Cost centre - 100947
- Expended to date - \$349,623 (including \$345,455 in commitments)
- Future potential impact – nil.

3.10. I&E - 28/04/2025 - TEN24/24 - Property Acquisition Specialist - Wolgan Road Reconstruction Project

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: Jonathon Edgecombe - Director of Infrastructure and Economy

Responsible Officer: Jonathon Edgecombe - Director of Infrastructure and Economy

Executive Summary

This report outlines the process undertaken and the recommendation made by the Tender Evaluation Committee (TEC) for the Request for Tender (RFT) for Property Acquisition services (TEN24/24) associated with the Wolgan Road Reconstruction Project.

Administration's Recommendation

THAT Council note the tender process undertaken and the appointment under the General Manager's delegation, of A Abrahams & Others trading as Lander & Rogers for \$252,000 as the Property Acquisition Specialists for the Wolgan Road Reconstruction project funded by Disaster Recovery Funding Arrangements.

Attachments

Nil

Reference to any relevant previous minute

- Min. No: 24-188 Ordinary Meeting of Council held 26 August 2024 (I&E – 26/08/24 - Continuation of the Wolgan Road Reconstruction – Interim budget allocation)
- Min. No: 25-36 Ordinary Meeting of Council held 28 January 2025 (I&E – 28/01/25 - Approval of Specialist Services for Wolgan Road Reconstruction Project)

Background and discussion*Background*

Lithgow City Council engaged Wassabi Group to provide project management services for the Wolgan Road Reconstruction Project (**WRRP**). A contract has been awarded to WSP Australia Pty Ltd for the Concept Design and Environmental Approvals (**CD&EA**) services, which will cover the selection of a preferred option for the new road, the concept design and obtaining all planning approvals.

The WRRP was initiated in response to the permanent closure of Wolgan Road in November 2022, following extensive damage caused by bushfires, landslides, and prolonged rainfall. This road is the only access route into Wolgan Valley, a geographically isolated area within the UNESCO-listed Greater Blue Mountains World Heritage Area. The closure has significantly disrupted resident access, tourism, and the operations of essential services, including emergency responders.

Given the ongoing geological instability at Wolgan Gap, restoring the existing road is neither safe nor cost-effective. A temporary detour via the historic Donkey Steps route has been constructed;

however, this access is steep, limited to four-wheel drive vehicles, and frequently closed during adverse weather. Its continued use is not sustainable.

To address these challenges, Council commissioned a series of technical studies and alignment assessments to identify a viable long-term solution. The preferred option included in the funding application involves a new 2.5-kilometer road alignment designed to navigate more stable geological conditions. This design includes critical engineering features, such as cut faces up to 65 meters and a switchback arrangement to accommodate the steep terrain, ensuring safe and reliable access.

Council has secured initial funding under the Disaster Recovery Funding Arrangements (**DRFA**) and is now seeking approval to advance the project to the next phase. This involves finalising the preferred strategic design by preferred option management and progressing the selected option to a 100% Concept Design with environmental approvals. Advancing the design is essential to ensure the project remains on track for timely delivery, mitigates risks associated with ongoing access disruptions, and prepares the project for the subsequent Detailed Design and Construction phase.

Engagement of Specialist Services (consultants) strengthens technical project oversight and governance, supports environmental and community outcomes, and fills skill gaps in the across the project team, mitigates risks associated with the recent awarding of the Professional Services Contractor role to WSP Australia Pty Limited.

Six specialist services tenders have been or are under procurement to support the project, as listed below:

1. Technical Subject Matter Experts (SMEs) – Providing specialised technical expertise to address project-specific challenges and peer review the work of the PSC. - **Awarded**
2. Environmental & Sustainability and Community and Stakeholder Specialists – Ensuring adherence to environmental standards, sustainable practices, and robust community engagement - **Awarded**
3. Cost, Risk, and Schedule Specialists – Assisting in accurate cost estimation, risk management, and schedule planning. **Awarded**
4. Constructability and Value Management Specialists – Reviewing designs and methodologies to optimise construction feasibility, minimise risks, and ensure value for money outcomes. **Awarded**
5. Aboriginal Cultural Values Study and Aboriginal Heritage and Community Advisor – preparing a Cultural Values Study and advice as required. **Awarded**
6. Property Acquisition Specialists – Managing property acquisition to support project development - **Covered in this Tender Evaluation Report.**

Tender Process

No Registration of Interest (ROI) was undertaken to identify respondents to participate in this Request for Tender. There were no mandatory prequalification requirements for tenderers.

To obtain the tender documents, tenderers were directed to download, complete and sign the Confidentiality Deed Poll and email it to wolgan.reconstruction@lithgow.nsw.gov.au.

The date of issue for this Request for Tender (RFT) was 16 January 2025. The RFT closed at 4pm on 11 February 2025.

The tender briefing was held via Teams at 3pm on 04 February 2025 and included representatives from:

- Colliers
- Landers & Rogers
- Sage Development

- Sovereign Valuations.

Tender submissions were received from three tenderers prior to the closing time of 16:00 (AUS Eastern Daylight Time) Tuesday, 11 February 2025. All three tenders were deemed to be conforming. Those three tenderers were:

Tender	Tenderer Name
Property Acquisition Specialists tender	A Abrahams & Others - Trading as: Lander & Rogers
	CIVAS (NSW) Pty Ltd - Trading as Colliers
	Sage Developments Pty Ltd

Tender Evaluation

The evaluation was conducted in accordance with Revision 2 of the RFT Tender Evaluation Plan (TEP) titled 'Wolgan Road Reconstruction Project Specialist Services.' A detailed account of the evaluation process and outcomes is provided within that TER.

The Tender Evaluation Committee comprised the following representatives:

Role	Name	Company & Position	TEC Role
Convenor of the TEC (Voting)	Michael Dunn	Wassabi Group, Senior Project Manager	Voting TEC Member
Voting Members	Michael Ferguson	Wassabi Group, Senior Project Manager	Voting TEC Member
	Mark Schofield	Wassabi Group, Senior Technical Manager	Voting TEC Member

Any conflicts of interest that were declared by the members of the TEC were managed and approved by the Probity Advisor. The details of the independent, third-party Probity Advisor is as follows:

Role	Name	Company & Position	TEC Role
Advisors (non-voting)	Greg Grebert	Charles Kendall Australia	Independent Probity Advisor

An establishment meeting was held for the TEC at 2.00pm on Wednesday 5 February 2025. This meeting discussed the following items:

- Role/ Members of the TEC and Advisors, and
- Tender evaluation overview, including timeframes, criteria and scoring sheets.

It was confirmed during this meeting that all members of the TEC had updated their Conflict of Interest forms. The Independent Probity Advisor also attended the meeting.

The TEC and the Independent Probity Advisor met via MS Teams to reach consensus scoring on the non-price evaluation criteria and then the final evaluation with the addition of the prices. The meetings were held on 25 February 2025, as follows:

1. 12:30pm to 1:40pm. Non-price evaluation
2. 1:40pm to 2:00pm. Price.

The TEC members confirmed that they had had sufficient time to assess the submissions and that there were no changes required to the Conflict of Interest forms previously submitted to the Probity Advisor.

The assessment process was based on the approved Tender Evaluation Plan. A combination of Non-price and Price Criteria were adopted and agreed upon. The non-price criteria were weighted to 70% with price being allocated a weighting of 30%. Weightings were as follows:

RFT Evaluation Criteria		Weightings
Non-Price	Proposed Approach: Methodology including details of (a) Early Collaboration with Designers, (b) Accelerating Property Acquisition Timelines, (c) Stakeholder Coordination, (d) Access for Temporary Facilities, and (e) Dynamic Problem Solving.	15%
	Experience: details of at least two similar projects, including referees contact details and details of (a) Working Under Tight Timelines, (b) Design Collaboration and Land Identification, (c) Legal and Technical Expertise, (d) Conflict Resolution and Stakeholder Buy-In, (e) Access Negotiations in Parallel with Design Progress.	25%
	Key Personnel and Experience: details of experience of proposed key personnel and ensure their availability for interviews and commitment to the project as outlined in the tender schedule.	30%
Price	Submit lump sum fees for deliverables and hourly rates for the nominated SMEs based on a time plus disbursements method. Payment on actual hours worked and estimated hours provided for assessment purposes only	30%

The pricing for this project was evaluated based on two primary schedules:

- **Schedule 3 Hourly rates for nominated roles:** Each role was assigned an estimated number of hours for ad hoc advice due to the challenges in defining exact scope for each specialist. Each rate and hours quantity was multiplied to provide a total tender price.
- **Disbursements** were covered by an estimated quantity of return vehicle trips to Lithgow and overnight accommodation per night.

Price was assessed using the below formula. The source of the formula is the Transport for NSW Engineering Contracts Manual Section 6, Appendix 6E – Rating of Prices.

$$= 5 + 10 \times \frac{(\text{Median Conforming Tender Price} - \text{Tender Price})}{\text{Median Conforming Tender Price}}$$

Recommendation:

Based on the consensus ratings of the TEC against the evaluation criteria, the TEC recommended that the following tender be awarded based on offering the best value to Council:

- Property Acquisition Specialists (TEN24/24) to A Abrahams & Others (trading as Lander & Rogers) for \$252,050.00 (excluding GST) on a time and disbursement arrangement and subject to the execution of a contract agreement.

Use of the General Manager's Delegated Authority

Council's General Manager approved this engagement through use of their delegated authority afforded to them by Council as follows:

18 – 195 RESOLVED

THAT:

1. Council delegate the General Manager authority to accept Council tenders with a Contract value of up to \$500,000 where all other tender requirements of the Local Government Act 1993 and the Local Government (General) Regulation 2005 are met; and
2. The Council delegate the General Manager authority to execute the resulting contract and any associated documentation under this delegation; and
3. If required, the relevant amendments to Policy 1.4 – Tendering be adopted and implemented immediately.
4. The General Manager report to each Council meeting on the tenders that he has authorised and that the Mayor be advised of each tender determined by the General Manager. This be carried out for a trial period of 6 months.

18-215 RESOLVED

THAT the:

1. Council note that there were no exercised delegations to approve tenders between 24 July and 22 August 2018.
2. Report only be brought to Council when the delegation has been exercised.

Consultation and Communication

Council has consulted key stakeholders to ensure effective communication and alignment with project objectives. Industry engagement was facilitated through non-compulsory briefing sessions with interested tenders. Community and stakeholder engagement continue to be actively managed to ensure transparent communication and robust consultation throughout the Wolgan Road Reconstruction Project.

Policy

The purchasing process was undertaken in accordance with Standard Working Procedure 4.5 Purchasing and Contracting 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 Clauses 163 to 179 of the Local Government (General) Regulation 2021.

Risk Management

A detailed risk assessment and mitigation strategy was prepared as part of the funding application to the NSW Government for the Wolgan Road Reconstruction Project. The engagement of the specialist advisors is a critical component of this strategy, as these providers will address technical, environmental, and community-related risks while ensuring project delivery aligns with Council's objectives. Copies of the risk management documents are available to Councillors and the community upon request.

Financial

Key Wolgan Road Engagements (100982)	
Technical Subject Matter Experts	\$605,749
Environmental & Sustainability and Community and Stakeholder Specialists	\$671,290
Property Acquisition Specialists	\$226,090
Cost, Risk, and Schedule Specialists	\$324,013
Constructability and Value Management Specialists	\$107,410
Aboriginal Cultural Values Study and Aboriginal Heritage and Community Advisor	\$271,100
Asset Management Specialist	\$35,000
Probity Advisor	\$25,000
Legal Review	\$85,000
RAPS	\$400,000
Budget approval TOTAL	\$2,750,651

- Expended to date - \$0.00 (on this scope)
- Future potential impact - Full expenditure of the quoted sum of \$2,750,651 ex GST. Adjustments for projected expenditure to be incurred in 2024/2025 will be included as part of the March Quarterly Budget Review and are funded under DRFA.

3.11. I&E - 28/04/2025 - TEN17/24 Main Street CBD Footpath Improvements Stage 2b - Variation Request

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: Leanne Kearney – Assets & Infrastructure Planning Manager
Responsible Officer: Jonathon Edgecombe – Director Infrastructure & Economy

Executive Summary

The purpose of this report is to provide the Council with an update on the construction of the Main Street Lithgow CBD Footpath Improvement Project Stage 2a, and to outline the reasoning for seeking an approval from Council for a variation to the current contract (TEN 17/24).

Administration's Recommendation

THAT Council:

1. Note the report regarding the contract variation for the Main Street Lithgow CBD Footpath Improvement Project Stage 2b.
2. Accept a contract variation of \$1,155,974.60 (ex GST) from Civil Construction Pty Limited for the completion of footpath improvements, drainage improvements, and landscaping on the southern side of Main Street, Lithgow between Bridge Street and Eskbank Street, and bringing the total contract amount to 2,886,805.60 (ex GST)
3. Council extend the engagement of ESM for project management services at a cost of up to \$264,000 (ex GST).

Attachments

Nil

Reference to any relevant previous minute

- Min-No 24-232 Ordinary Meeting of Council held on 28 October 2024.
- Strategic Review Committee meeting held on 4 February 2025.
- Strategic Review Committee meeting held on 18 February 2025.
- Min-No 24- Ordinary Meeting of Council held on 24 February 2025.
- Min –No 24- Extraordinary Meeting of Council held on 5 March 2025

Background and discussion

The original scope of works for the Main Street CBD Footpath Improvements project included works on both the southern and northern sides of Main Street, Lithgow, between Cook Street and Bridge Street. Based on the available funding (after the cancellation of the Building Better Regions Fund grant), to fit within the bounds of the remaining budget, Council had no alternative but to revise the scope of works to only the northern side, a small part of the western side of Bridge Street and the proposed raised pedestrian crossing between Eskbank Street and Bridge Street and negotiate a

reduced contract with the successful Tenderer. Council awarded a contract for this work (TEN17/24) to Civil Constructions Pty Limited in December 2024 and works commenced promptly.

Works have been progressing without major delays, and affected businesses have been individually contacted as works progress to ensure disruptions are kept to a minimum and businesses are still able to trade (when possible). It is expected that the completion of the works under the awarded contract for TEN17/24 will be completed by 30 May 2025.

The current project expenditure (ex GST) has been:

- Civil Construction Progress Claims \$1,111,715 (up to progress claim for March 2025).
- ESM Project Management \$137,120.
- Utility relocation (Telstra and NBN – from original contingency budget) \$55,178
- Approved variations:
 - Change to specified blue stone pavers \$0,
 - Additional kerb footing \$28,422,
 - Electrical Cable Encasing \$15,660, and
 - Electrical Pit and Lid Replacement \$6,050.

The remaining budget for this project is \$1,022,679.51, including \$257,993.51 for any other minor construction variations that may occur as works progress or project management costs.

At Council's Extraordinary meeting held on 5 March 2025, Council resolved:

25-67 RESOLVED

THAT:

1. Administration table the costing for undertaking the upgrade of footpath on the Southern Side of Main Street between Bridge and Eskbank Streets.
2. Council authorises the General Manager to negotiate a price for the additional work and to seek a loan not exceeding \$2.1 million.
3. The Finance and Infrastructure Committee develop a borrowing strategy for capital works for inclusion in Council's Long Term Financial Plan.
4. A grant register be established and the progress of individual projects be reported bi-monthly to the Infrastructure, Finance and/or other relevant Committees.

Civil Constructions Pty Limited have advised that they are in a position to be able to complete the works in a timely manner, flowing on from their current approved contract with no delays. A revised costing and project timeframe for works withdrawn from their original tender has been provided and the negotiated price submitted is \$1,155,974.60 (ex GST) and a project timeline estimated to be 28-30 weeks.

Estimated costs are broken down in the table below and were reported to Council's Infrastructure Committee on 1 April 2025.

DESCRIPTION	AMOUNT
Demolition	\$ 136,745.00
Earthworks	\$ 62,290.00
Paving	\$ 566,516.60
Landscaping	\$ 120,499.00
Street Furniture	
Signage and Linemarking	\$ 7,140.00
Pit Lids	\$ 103,640.00
Electrical Services	\$ 80,400.00
Stormwater	\$ 4,144.00
Traffic Management	\$ 46,200.00
Preliminaries	\$ 16,400.00
Site Establishment	\$ 6,750.00
Dis-establishment	\$ 5,250.00
Margin	\$ -
VARIATION TO CONSTRUCTION COSTS	\$ 1,155,974.60
Utility Payments (NBN / Telstra / Endeavour Energy / Jemena)	\$ 60,000.00
Contingency for Construction Variations (15%)	\$ 182,396.19
	\$ 1,398,370.79
GST	\$ 139,837.08
REVISED CONSTRUCTION TOTAL	\$ 1,538,207.87
Project Management (\$220 per hour, 40 hours per week, 30 weeks)	\$ 264,000.00
EXPECTED PROJECT COSTS	\$ 1,802,207.87

In addition to these costs, Council's engaged project management company ESM have confirmed that they are also able to continue project managing an extension of their original engagement to see out the additional section of the project. Estimated costs for this service are \$264,000 and cover the 30-week extra construction period.

At this time, with only two Project Managers appointed by Council (two positions remain vacant), it is recommended that Council approve the engagement of this external project management consultant. It is essential that the project is delivered without delay, and with full consideration and respect paid to the importance of close engagement with the community and local businesses. This is an impactful project that requires adequate resourcing.

Consultation and Communication

Affected business have been individually contacted by the Contractor as works progress to ensure disruptions are kept to a minimum and businesses are still able to trade (when possible).

Council's Project Manager continues to work closely with Council's Communication Department to ensure that businesses and the community are kept informed of the progress of the project, and any expected impacts. This includes regular updating of the Council's website to be the single source of project information. Corflute posters have been installed on street bins, with details of the website as well as a QR code provided for easy redirection to Council's Key Projects web page. The same posters have been distributed to interested businesses to provide information for their customers and the general community.

The Contractor distributed a notification to all the businesses in Main Street prior to and during works to ensure that any of their concerns are addressed. To date, Council has only received two enquiries / requests for information regarding the project, both of which have received responses.

Business owners on the southern side of Main Street will be individually contacted when commencement dates are known, and as the date for works in front of their premises approaches.

Policy

The request for variations is being undertaken in accordance with Policy 1.4 - Tendering and Policy 1.7 - Local Procurement.

Provision of information to residents, business and the community has been undertaken in accordance with Policy 4.10 Community Engagement and Communications Policy

Legal

Awarding of the construction contract under tender is a function of Council conferred by Section 55 of the Local Government Act 1993 and Part 7 the Local Government (General) Regulation 2021.

Risk Management

Council's Project Manager 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 - \$2,376,824
- Cost centre – PJ 100832
- Expended to date - \$1,990,626 (including \$753,366 of commitments)
- Future potential impact – adjustments for additional funding will be made as part of the March Quarterly Budget Review, based on expected works to be delivered this financial year. \$257,993.51 for construction (including contingency) and Project Management costs for Stage 2a, with savings may be made if contingency is not fully required. Additional costs required for Stage 2 b will be \$1,802,207.87.

4. Council Committee Reports

4.1. COMM - 28/04/2025 - Community Development Minutes - 19 March 2025

Author: Heather Chaffey - Community & Culture Manager
Responsible Officer: Shaun Elwood – Director People and Places

Executive Summary

This report provides details of the minutes of the Community Development Committee held on Wednesday 19 March 2025.

Administration's Recommendation

THAT Council note the minutes of the Community Development Committee held on 19 March 2025.

Attachments

1. Community Development Meeting Minutes 19 March 2025 [4.1.1 - 1 page]

Reference to any relevant previous minute

24-174 Ordinary Meeting of Council – 22 July 2024

Background and discussion

At the Community Development Committee meeting held on 19 March 2025, the following items were discussed:

- Structure & Focus of the Community Development Committee.
 - Terms of Reference
 - Code of Meeting Practice
 - Social Media Policy
- Proposed Standard of Agenda and Schedule of Meetings in 2025.
- Social Capital Model
- General Business
 - Financial Assistance Program
 - Community Requests
 - Community Improvement District Funding
 - Health Forum
 - Access to Services within Footpaths
 - Volunteer Policy
 - Digital Notice Board

Financial

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

4.2. FIN - 28/04/2025 - Audit Risk Improvement Committee (ARIC) Minutes 26 March 2025 and Four Year Work Plan

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 and Governance

Responsible Officer: Vanessa Browning - Director Finance and Governance

Executive Summary

This report summarises the business considered at the Audit Risk & Improvement Committee (ARIC) meeting held 26 March 2025 and recommends that Council note the minutes and endorses the ARIC Four Year Work Plan, covering the Council Term 2024-2028.

Administration's Recommendation

THAT Council:

1. Note the Minutes of the 26 March 2025 Audit Risk & Improvement Committee Meeting.
2. Endorse the final version of the four-year ARIC Work Plan which is included as an attachment.

Attachments

1. Minutes ARIC Meeting 26 March and 3 April 2025 [4.2.1 - 11 pages]
2. ARIC 4 Year Workplan [4.2.2 - 7 pages]

Reference to any relevant previous minute

Min No. 25-30 Ordinary Meeting of Council held on 28 January 2025.

Background and discussion

At the ARIC meeting held on 26 March 2025, the following items were presented and discussed:

- **Business Arising:** ARIC was provided with an updated recommendations tracking list, and a gap analysis regarding the findings of ICAC Operation Hector.
- **External Audit:** the Final Management Letter for the year ended 30 June 2024 and the Audit Engagement Plan for the year ended 30 June 2025 was presented. An Audit Readiness Improvement Plan is to be developed and implemented. 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. A draft Management Certification Checklist is to be provided out of session prior to the to the June 2025 ARIC Meeting. The Internal Control Effectiveness – Management Checklist was presented and endorsed.
- **Financial Management:** the Financial Management Report was presented and discussed, outlining the results from the December 2024 Quarterly Budget Review Statement, including the current working capital level and the change in the projected financial position from the Original Budget.

- **Internal Audit:** the Committee received and noted updates in relation to the Internal Audit Manual and Internal Audit Standard Working Procedures. An update on the appointment of Centium as Council Internal Audit Service Provider was received and noted.
- **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 overview on the Statewide Continual Improvement Plan was provided. An update on the Business Continuity Plan Review and Cyber Security Self-Assessment were received and noted.
- **Asset Management:** discussions were held on the outcomes of the Road Renewal Review.
- **Service Management Framework:** the update on the development of the Service Management Framework was received and noted.
- **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:
 - Office of Local Government Gap Analysis,
 - Main Street Footpath Revitalisation Program – which recommended that the Project Management Framework be prioritised as part of the development of the Internal Audit Plan, and that an internal review be undertaken in relation to communications and the timeline regarding the Building Better Regions Fund grant between May and August 2024.

The ARIC Four Year Work Plan was endorsed by the Committee at the Meeting held 10 December 2024 and provides the items to be considered by the Committee in accordance with section 428A of the Local Government Act 1993.

Financial

Nil.

4.3. I&S - 28/04/2025 - Infrastructure Committee Meeting Minutes 1 April 2025

Author: Penny Way - Executive Assistant, Infrastructure & Economy
Responsible Officer: Jonathon Edgecombe - Director of Infrastructure and Economy

Executive Summary

This report provides details of the Minutes of the Infrastructure Committee Meeting held on 1st April 2025.

Administration's Recommendation

THAT Council:

1. Note the minutes of the Infrastructure Committee held on the 1st April 2025; and
2. Endorse the options selected by the Committee for Treatment options – Main Street between Eskbank and Lithgow Streets; Geordie Street Causeway; and Town Entry Signage.

Attachments

1. Draft Minutes Infrastructure Committee 1.4.2025 [4.3.1 - 8 pages]

Reference to any relevant previous minute

Nil

Background and discussion

At the Infrastructure Committee held on 1 April 2025, there were numerous items discussed by the Committee including:

1. Treatment options – Main Street between Eskbank and Lithgow Streets: the Committee determined Option 3 to be the most appropriate solution for providing slip treatment for Stage 3-6 of the Main Street footpath in Lithgow CBD.
2. Wolgan Road Update.
3. Geordie Street Causeway – Options report: the Committee endorsed the selection of option 2 from the SLR Consulting Australia Pty Ltd report dated 31 January 2025 for the proposed new crossing of Farmers Creek at Geordie Street Lithgow.
4. Town Entry Signage – Temporary options: the Committee endorsed the interim design option relating to the aluminium sleeves proposed to be placed over existing town entry signage, pending completion of Lithgow's branding strategy and the subsequent delivery of an aligned tiered town entry signage strategy.
5. Cemetery Requests – Maintenance (enquiry from 6-month review of Operation Plan)

Financial

- Budget approved - Nil
- Cost centre - NA
- Expended to date - Nil
- Future potential impact - Nil

4.4. I&S - 28/04/2025 - TALC Minutes 3 April 2025

Author: Penny Way - Executive Assistant Infrastructure & Economy
Responsible Officer: Jonathon Edgecombe - Director of Infrastructure and Economy

Executive Summary

This report provides details of the Minutes of the TALC Committee Meeting held on 3 April 2025.

Administration's Recommendation

THAT Council:

1. Note the minutes of the TALC Committee held on the 3 April 2025; and
2. Engage a traffic consultant to prepare a traffic report on Valley Drive / Kirkland Link intersection and Lithgow Street / Kirkland Link intersection. The report will outline various options for the Committee to evaluate and determine the best course of action; and
3. Liaise with the schools to ensure school crossing flags are placed to activate a school crossing and provide information stating the road rules that can be shared with families by the school. Transport for NSW will look at employing additional crossing supervisors. The issue be revisited in the future should the actions not resolve the issues; and
4. Decline the restricted parking zones in Lee Street, Lithgow; and
5. Approve No Stopping and Give way signage in addition to compliant line marking that is proposed to be installed as part of the intersection works for DA022/18 on Magpie Hollow Road, South Bowenfels.

Attachments

1. Draft TALC Minutes 3-4-25 [4.4.1 - 7 pages]

Reference to any relevant previous minute

Nil

Background and discussion

At the TALC Committee held on 3rd April 2025, there were numerous items discussed by the Committee however were outside the Committee's delegations and require Council to formally approve the recommendations:

1. Kirkland Link / Hassans Walls Road, Lithgow – Intersection Issues.
2. Pedestrian Crossing request - Bent Street, Lithgow.
3. Requested for Parking Restrictions – Lee Street, Lithgow.
4. DA022 18 - Magpie Hollow Road subdivision intersection works.

Financial

- Budget approved - Nil
- Cost centre - NA
- Expended to date - Nil
- Future potential impact - Nil

4.5. WWW - 28/04/2025 - Extra Ordinary Infrastructure Committee meeting - 8 April 2025 - Draft Minutes

Author: Matthew Trapp – Executive Manager Water, Wastewater and Waste
Responsible Officer: Matthew Trapp - Executive Manager Water, Wastewater and Waste

Executive Summary

This report provides the draft minutes of the Extra Ordinary Water, Wastewater and Waste Infrastructure Committee meeting held on 8 April 2025.

Administration's Recommendation

THAT Council:

1. Note the minutes of the WWW&W Infrastructure Committee meeting held on 8 April 2025.
2. Endorse the Mayor and General Manager to engage with EPA and Forestry Corporation NSW at Ministerial level with regard to a potential Resource Recovery Precinct (including a replacement landfill) at the Pinedale site.

Attachments

1. WWW Extra Ordinary Infrastructure Committee Meeting Draft Minutes 8 April 2025 [4.5.1 - 5 pages]

Reference to any relevant previous minute

Min. No. 25-60 Ordinary Meeting of Council held on 24 February 2025

Background and discussion

At the WWW&W Infrastructure Committee meeting held on 8 April 2025, there was a single item discussed by the committee. This was the Waste Infrastructure Opportunities Report and presentations provided by Council staff and consultant. The recommendation from this was:

That the Infrastructure Committee recommends that Council endorse the Mayor and General Manager to engage with EPA and Forestry Corporation NSW at Ministerial level with regards to a potential Resource Recovery Precinct (including a replacement landfill) at the Pinedale site.

Financial

- Budget approved - nil
- Cost centre - nil
- Expended to date - nil
- Future potential impact - nil

4.6. ENVIR - 28/04/2025 - Environmental Advisory Committee Minutes 9 April 2025

Author: Cassandra Turner – Executive Assistant
Responsible Officer: Shaun Elwood - Director People and Places

Executive Summary

This report provides details of the minutes of the Environmental Advisory Committee held on Wednesday 9 April 2025.

Administration's Recommendation

THAT Council note the minutes of the Environmental Advisory Committee held on 9 April 2025.

Attachments

1. Environmental Advisory Committee Meeting Minutes - 9 April 2025 [4.6.1 - 8 pages]

Reference to any relevant previous minute

Min 25-93 Ordinary Meeting of Council held on 19 February 2025

Background and discussion

At the Environmental Advisory Committee held on 9 April 2025, the following items were discussed:

- Vehicle Access – Hyde Park Reserve Hartley.
- Management of Native Vegetation at Lake Pillans Wetland.
- LEGs Indian Myna Project to update the Committee and future continuity for the project.
- Indigenous Rangers Program IRP.
- Event Licensing and Environmental Controls to reduce impacts on Council Reserves.

Financial

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

5. Business of Great Urgency

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.