



Image: Wolgan Valley

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

ORDER OF BUSINESS

1. Mayoral Minutes.....	4
2. Administration Reports.....	5
2.1. GM - 28/07/2025 - LGNSW Annual Conference	5
2.2. GM - 28/07/2025 - Council Resolution Action Register	8
2.3. F&G - 28/07/2025 - Draft Volunteer Policy	10
2.4. F&G - 28/07/2025 - Investment Report June 2025.....	13
3. Council Committee Reports	17
3.1. WWW - 28/07/2025 - Infrastructure Committee Meeting Minutes - 8 July 2025.....	17
3.2. P&P - 28/07/2025 - Community Development Minutes - 8 July 2025.....	19
3.3. GM - 28/07/2025 - Emerging Economy Committee Meeting Minutes - 9 July 2025.....	19
4. Delegates Reports	22
4.1. GM - 28/07/2025 - Delegates Report - National General Assembly (NGA 2025).....	22
5. Questions with Notice	24
5.1. QWN - 28/07/2025 - Cr Ticehurst - Hutchinson Road Ben Bullen.....	24
6. Notices of Motion.....	29
6.1. NOM - Cr Evangelidis - 28/07/2025 - Waiver of DSP Fee for Black and Gold Hotel	29
6.2. NOM - Cr Evangelidis - 28/07/2025 - Liquor License for the Union Theatre.....	32
6.3. NOM - Cr Evangelidis - 28/07/2025 - Lithgow City Council Appoint a Venue Manager/Booker.....	33
7. Business of Great Urgency.....	34

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 30 June 2025.

Commemorations and Announcements

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

Public Forum

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

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

2. Administration Reports

2.1. GM - 28/07/2025 - LGNSW Annual Conference

Strategic Context for this matter:

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

Author: Ross Gurney - General Manager

Responsible Officer: Ross Gurney - General Manager

Executive Summary

This purpose of this report is to put forward motions for the 2025 LGNSW Annual Conference and to confirm Council's position on attendance for the LGNSW Annual Conference.

Administration's Recommendation

THAT Council:

1. Endorse the two proposed motions for the 2025 LGNSW Annual State Conference.
2. Determine Councillor attendance, together with a supporting Executive senior staff member, for the LGNSW Annual Conference. The registrations would be funded from approved 2025/26 budgets.
3. Endorse a change to the date of the November Ordinary Meeting to 1 December 2025 due to the Conference conflicting with the planned 24 November 2025 meeting date.

Attachments

Nil

Reference to any relevant previous minute

N/A

Background and discussion

The LGNSW Annual Conference is the supreme policy-making body of LGNSW and an opportunity for Councillors to come together to share ideas and debate issues that shape the way LGNSW is governed and advocates on behalf of the local government sector.

The Annual Conference will be held from Sunday 23 to Tuesday 25 November at Panthers Penrith and Western Sydney Conference Centre.

As a member of Local Government NSW, Lithgow City Council is able to nominate three voting delegates to the conference and three voting delegates for the Board election. Cr Fredericks has expressed an interest in attending the 2025 LGNSW Annual Conference.

It is anticipated that the cost (registration, conference dinner, accommodation) will be approx. \$2,300 per attendee (with early bird registration). The key dates are as follows:

- 1 July 2025 - Early Bird Registration opens.
- 30 September 2025 - Early Bird offer ends.

- 30 September 2025 - Preferred deadline for submitting motions.
- 7 November 2025 - Voting delegates (for motions and the Board election) must be nominated.

Council-submitted motions will be debated and resolved to set the advocacy priorities for the year ahead, while a tradeshow, workshops and training sessions will also occur to support delegates in their efforts to effectively represent their communities.

Motions

With only about 100 motions able to be debated at the conference, members are encouraged to submit only their most important motions for consideration. Motions must meet the criteria endorsed by the LGNSW Board and be supported by your council.

The following Lithgow City Council motions are proposed for the 2025 LGNSW Annual Conference:

1. NSW Government Response – Financial Sustainability Inquiry.
That Local Government NSW calls on the NSW Government to prioritise the following actions arising from the Standing Committee on State Development Inquiry into Ability of local governments to fund infrastructure and services:
 - Recommendation 3 - improvements to the SRV process.
 - Recommendation 4 - requiring that all statutory fees and limits that apply to local government be finalised and conveyed to local government before 31/3 each year.
 - Recommendation 6 - more secure and sustainable grant models, with particular focus on non-competitive grants.
 - Recommendation 11 - incorporate betterment funding into disaster recovery funding arrangements.
 - Recommendation 12 - amendment to the Rural Fires Act 1997 such that Rural Fire Service assets are vested in the Rural Fire Service.
 - Recommendation 16 - review of accounting model - specifically, the fair valuation methodology mandate for IPP&E is not “fit for purpose” for public entities that provide infrastructure assets, and that the Code should instead be mandating “historical cost”.
2. Future Jobs and Investment Authority and Mining Impacts
That Local Government NSW:
 - Commends the NSW Government for establishing the Future Jobs and Investment Authorities and Fund as a response to coal-dependent region transition needs.
 - Acknowledges that smaller coal-dependent LGAs face disproportionate economic and social impacts, and often lack the scale to compete under current funding arrangements, despite significant historic contributions to the state’s prosperity.
 - Notes that while \$2.7 billion in coal royalties was generated by the NSW Government in 2023-24, only \$29.325 million per year - representing 1.1% of this revenue - is currently committed to economic transition support across 14 impacted Local Government Areas in four regional divisions (Hunter, Central West, Illawarra, and North West), equating to an average of just \$2.1 million per year per LGA if allocated evenly, despite the scale of transition risk and the historic role of these regions in powering the NSW economy.
 - Calls on the NSW Government to:
 - o Develop a transparent framework for assessing coal transition impact and local adaptive capacity in consultation with all impacted LGAs, industry, and unions.
 - o Guarantee 10-year recurrent transition funding to impacted LGAs based on this assessment, supporting long-term planning and investment in jobs, reskilling, and community resilience.
 - o Commit to reinvesting a minimum of 10% of annual coal royalties into coal mining and power generation regions to fund the transition to new industries, infrastructure, and workforce capability, in line with Australia’s net zero commitments.

- Ensure funding oversight and coordination through the Future Jobs and Investment Authorities in partnership with local transition stakeholders across the 14 impacted Local Government Areas.

November 2025 Ordinary Meeting Date

The date of the 2025 LGNSW Annual Conference conflicts with the planned 24 November 2025 Ordinary Meeting date.

It is recommended that Council endorse a change to the date of the November Ordinary Meeting to 1 December 2025 due to the conflict with the Conference date.

Consultation and Communication

N/A

Policy

Policy 9.5 Councillor Expenses and Facilities allows for a separate budget for State and National Local Government conferences.

Legal

N/A

Risk Management

N/A

Financial

- Budget approved - separate budget provided for State and National Local Government Conferences.
- Cost centre - 800154-8130-63205
- Expended to date - nil
- Future potential impact - nil

2.2. GM - 28/07/2025 - Council Resolution Action Register

Strategic Context for this matter:

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

Author: Ross Gurney - General Manager

Responsible Officer: Ross Gurney - General Manager

Executive Summary

The purpose of this report is to provide Council with information on the status of outstanding resolutions determined at Council meetings. As of 21 July 2025, there are 22 outstanding resolutions.

Administration's Recommendation

THAT Council note the July quarterly report on the Council Resolution Action Register.

Attachments

1. Council Term Action Register - Oct 2024 to May 2025 [2.2.1 - 6 pages]

Reference to any relevant previous minute

Min. No. 24-212 Ordinary Meeting of Council held on 28 October 2024.

Background and discussion

At the 28 October 2024 meeting, Council resolved:

24 -212 RESOLVED

THAT the Administration develop a tracking and reporting system for Council Resolutions to be implemented in February 2025 with a commencement date of July 2025.

It is the role of the General Manager to implement, without undue delay, lawful decisions of the Council, in accordance with s335 of the Local Government Act 1993.

The Resolution Action Sheet is an ongoing document, updated progressively by staff. As items are completed they are removed.

Resolutions relating to land transfers, purchase or sale can take up to 2-5 years to be completed. Completion of some actions have needed to be prioritised, due to competing priorities, staff turnover and delays in recruiting for vacant key staff positions.

The Resolution Action Sheet is presented to Council on a quarterly basis.

Consultation and Communication

N/A

Policy

N/A

Legal

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

Risk Management

N/A

Financial

Nil arising directly from this report.

2.3. F&G - 28/07/2025 - Draft Volunteer Policy

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: Vanessa Browning - Director Finance and Governance

Responsible Officer: Vanessa Browning - Director Finance and Governance

Executive Summary

At the 28 January 2025 Ordinary Meeting, Councillor Mahony submitted a Notice of Motion in relation to the Development of a Council Volunteer Policy. Council resolved to develop a Volunteer Policy, incorporating consultation with relevant committees and staff (Min. No. 25-13).

A Draft Policy, as attached, has been developed, and it was determined that the Community Development Committee was the most appropriate Council Committee to seek feedback on the draft Policy. The draft Policy was considered by the Committee on 13 May 2025.

It is recommended that the draft Policy be placed on public exhibition for a period of 28 days and dependent upon the submissions made, be either adopted, or reported back to Council if any changes are considered necessary.

Administration's Recommendation

THAT:

1. The draft Volunteer Policy be placed on public exhibition for a period of 28 days.
2. If no submissions are received during the public submission period or in the General Manager's view the submissions do not warrant referral to Council, the Policy be adopted.

Attachments

1. DRAFT Volunteer Policy [2.3.1 - 9 pages]

Reference to any relevant previous minute

Min. No. 25-13 Ordinary Meeting of Council held on 28 January 2025.

Min. No. 25-154 Ordinary Meeting of Council held 30 June 2025.

Background and discussion

At the 28 January 2025 Ordinary Meeting, Councillor Mahony submitted a Notice of Motion in relation to the Development of a Council Volunteer Policy. Council resolved to develop a Volunteer Policy, incorporating consultation with relevant committees and staff (Min. No. 25-13). The resolution was as follows:

THAT

1. *Council endorses the first stage of the development of the Lithgow City Council Volunteer Policy by referring the attached draft document to the relevant committees (suggested are*

Strategic Review Committee (formerly Operations Committee), Community Development, Environmental Advisory, Finance Committee), and staff for review.

2. The Draft Policy be brought back to the April Ordinary Meeting of Council.

A Draft Policy has been developed, and it was determined that the Community Development Committee was the most appropriate Council Committee to seek feedback on the draft Policy. The draft Policy was considered by the Committee on 13 May 2025 and the following recommendation was endorsed:

THAT the Committee review the draft Volunteer Policy and send feedback via email to Community & Culture Manager.

There was no feedback received from the Community & Culture Manager.

The draft Policy was also presented to the Corporate Leadership Team, consisting of a range of staff management levels, on 14 May 2025. Managers were requested to review and provide any feedback to the HR Manager, and no feedback was received.

It was also planned to consult with community volunteers during an event to be held during Volunteer Week in May 2025, however due to poor climatic conditions and the need for volunteers to assist, it was decided to postpone the event until 21 June 2025.

As outlined in the draft Policy, the core objective of the Volunteer Policy is to recognise the significant contribution of volunteers within our community and that they contribute to the following:

- Community participation and social connection;
- Delivery and augmentation of existing programs;
- Access to resources and information;
- The development of links between Council and the community; and
- Responsiveness to community needs.

This draft Policy is designed to provide guidance on how volunteers should be engaged, inducted and managed, and operates within the following principles:

- Volunteering is undertaken freely, by choice.
- Volunteering is an inclusive activity open to all who are able and suitable.
- Volunteers freely contribute their time, effort, knowledge and skills and develop formal and informal networks, while gaining experience and social inclusion.
- Volunteers are provided with appropriate induction, training, instruction and supervision to undertake volunteer activity.
- Volunteers are provided with a healthy and safe working environment.
- Volunteers have their contribution to the community recognised.
- Not place volunteers in roles that were previously held by paid employees or have been identified as paid jobs.
- Ensure volunteers are not required to take up additional work during industrial disputes or employment shortages.
- Ensure volunteers are not used in positions of responsibility for security issues, and/or health and safety issues.

It is recommended that the draft Policy be placed on public exhibition for a period of 28 days and dependent upon the submissions made, be either adopted, or reported back to Council if any changes are considered necessary.

Consultation and Communication

This policy has been reviewed in consultation with Human Resources, Risk & Governance, relevant Managers, the Health and Safety Committee, the Community Development Committee and current volunteers.

If the recommendation within this report is adopted, the draft Policy will be publicly exhibited for 28 days, and any submission will be considered to determine if any significant changes are required. If no significant changes are required, the Policy will then be adopted and placed on Council's website. If significant changes are required, the amended Policy will be reported back to the September Council Meeting.

Policy

If adopted, the attached document will become a formal Policy of Council.

Legal

As outlined in the attached draft Policy, a range of legislation has been considered in the development of the draft Policy.

Risk Management

This Policy provides a framework to address the risks posed when engaging volunteers.

Financial

N/A

2.4. F&G - 28/07/2025 - Investment Report June 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 as at 30 June 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 \$58.89M, 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.

Administration's Recommendation

THAT:

1. Investments of \$58,703,525 and cash of \$184,286 (which is mostly restricted for specific purposes) for the period ending 30 June 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 June 25 [2.4.1 - 1 page]

Reference to any relevant previous minute

Min No 25-150 Ordinary Meeting of Council held on 30 June 2025.

Background and discussion

Movements in the Cash and Investments Balance

Council's total investment portfolio as at 30 June 2025, when compared to 31 May 2025, has decreased from \$58,803,562 to \$58,703,525 Cash in Council's bank account decreased from \$1,165,320 to \$184,286.

June is usually a cashflow negative month, with grant income being the main funding source. In June 2025, there were high cash outflows relating to supplier payments (as expected), resulting in a decreased cash position.

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 June 2025 were as follows:

Opening Balance of cash and investments as 1 June 2025	\$59,968,882
Plus New Investments – June 2025	\$8,000,000
Less Investments redeemed – June 2025	\$9,081,071
Closing Balance of cash and investments as at 30 June 2025	\$58,887,811

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

Responsible Accounting Officer comment on the cash and investments balance – there was a \$1.08M decrease in cash and investments in June 2025. Lower cash inflows were more than offset by high payments to suppliers (\$7.97M) which 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:

- \$518K Grant funding returned as paid to Council twice in error.
- \$410K Water usage April and May from Fish River (water funded),
- \$392K for Glen Davis and Lake Lyell Playground replacements (SRV funded),
- \$323K Footpath upgrade of Main St, Lithgow (reserve and grant funded),
- \$321K Plant replacement Isuzu water tanker (SRV funded),
- \$311K Plant replacement 2 x Multivac 15t drum roller (SRV funded),
- \$279K Plant replacement Caterpillar BHL backhoe (SRV funded),
- \$237K Local Government elections 2024 (general funded),
- \$227K Road remediations Baaners Lane and Carsons Siding Road (SRV funded),
- \$224K Wolgan Valley Access Road design and project management (DRFA funded),
- \$221K Portland/Sunny Corner Road bus stop (grant funded),
- \$169K Sewer pumps - various locations (wastewater funded),
- \$128K Farmers Creek Precinct fitness exercise equipment (grant funded),
- \$119K Sewer mains realignment (grant and wastewater funded),
- \$105K for energy consumption - various Council buildings (general funded), and
- \$101K Wolgan Road biodiversity survey (DRFA 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, wastewater, domestic waste) or internally restricted assets which have been set aside by Council resolution. Some internal restrictions are held to fund specific liabilities such as employee leave entitlements and bonds and deposits.

Responsible Accounting Officer comment on restricted reserves – the draft Cash and Investments Statement indicates that Council had insufficient cash and investments at 30 June 2025 to fund \$51.4M of externally restricted reserves and \$11.0M of internally restricted reserves. It is to be noted that the 30 June 2025 position for reserves is yet to be finalised, as end of year processes continue and the reserve balances are reconciled.

The interim 30 June 2025 cash and investments balance indicates a (\$3.5M) shortfall in working capital. This shortfall relates to the timing of cash outflows and further work will be undertaken as part of completing the 2024/2025 financial statements to resolve the shortfall. An updated working capital balance for June will be confirmed upon lodgement of the financial statements.

The unspent balance of the \$33.8M advance payment for natural disaster restoration works has been included in the Special Purpose Grants Reserve. Council received \$3.4M as a 50% advance payment for the Financial Assistance Grant for 2025/2026, which has been restricted in reserves for use during 2025/2026. It is to be noted that Council received \$5.4M (80%) prepayment in 2023/2024, which is a \$2M reduction in the annual cash inflows for this time of the year.

Cash and Investments Statement (\$'000)					
	30 June 2024 Position	30 Sep 2024 Position	31 Dec 2024 Position	31 March 2025 Position	30 June 2025 Position
Externally Restricted					
Developer Contributions	1,851	1,741	1,937	1,891	1,956
Special Purpose Grants	44,441	42,429	37,213	34,496	30,148
Water Supplies	4,712	4,913	4,525	4,523	5,239
Sewerage Services	6,419	5,505	4,943	3,793	2,493
Domestic Waste	8,261	9,774	9,660	9,501	9,699
Unexpended Loans	1,342	754	241	217	1,868
	67,027	65,117	58,520	55,420	51,404
Internally Restricted					
Land & Buildings	2,184	2,184	2,184	2,184	2,184
FAGS	5,410	4,260	4,245	1,352	3,359
Plant & Equipment	643	643	297	97	44
Bonds, Deposits & Retentions	539	523	477	471	400
Works in Progress	637	637	637	637	637
Carry Over Works	407	117	76	64	63
Commercial Waste	1,405	306	681	2,580	2,781
ELE	668	754	754	754	754
Election	175	175	175	175	-
Other	2,332	2,332	2,018	1,310	806
Total Internally Restricted	14,401	11,933	11,542	9,624	11,027
Unrestricted (working capital)	-	3,302	118	2,584	-
Total Cash and Investments	81,428	80,251	70,180	66,629	62,432

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 \$3,828,500 (full year)
- Cost centre 3259
- YTD Income to date \$3,780,421
- Future potential impact Nil.

Council's budgeted investment interest income for 2024/25 is \$3.8M, approximately \$800k more than 2023/24 actual interest received. During June, rates achieved on average are 4.35%. Council's average investment balance for 2024/25 has been \$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 June, the cash and reserves balance decreased to \$58.89M 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. Council Committee Reports

3.1. WWW - 28/07/2025 - Infrastructure Committee Meeting Minutes - 8 July 2025

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.

Author: Rebecca Hodgson – Administration Assistant

Responsible Officer: Director - Water Wastewater and Waste

Executive Summary

This report provides details of the minutes of the WWW&W Infrastructure Committee Meeting held on 8 July 2025,

Administration's Recommendation

THAT Council:

1. Note the Minutes of the WWW&W Infrastructure Committee Meeting held on 8 July 2025.
2. Endorse a policy to continue to maintain common sewer lines until the extent of the issues
3. are understood via the infrastructure mapping program and that a Sewer Fix Program be investigated and determined for a way forward.
4. Not apply for membership with the Energy and Water Ombudsman and continue referring complaints to the Local Government Ombudsman NSW.

Attachments

1. Infrastructure Committee Meeting WWW 8 July Draft Minutes [3.1.1 - 6 pages]

Reference to any relevant previous minute

Min. No. 25-133 Ordinary Meeting of Council held on 26 May 2025.

Background and discussion

The Committee discussed a number of standing agenda items relating to strategy and potential future impacts to Council and the community arising from water, sewerage and waste management and related strategies.

A number of subjects were discussed such as Development Servicing Plans, public spaces and waste collection, common sewerage lines and their ongoing removal and the Energy and Water Ombudsman membership.

The following Committee recommendations require the Council's endorsement to enact:

- Endorsement of a policy to continue to maintain common sewer lines until the extent of the issues are understood via the infrastructure mapping program and that a Sewer Fix Program be investigated and determined for a way forward.
- That the Committee recommends to not apply for membership with the Energy and Water Ombudsman and continue referring complaints to the Local Government Ombudsman NSW.

Financial

As detailed in the Draft Minutes of the Committee Meeting.

3.2. P&P - 28/07/2025 - Community Development Minutes - 8 July 2025

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: Heather Chaffey - Manager Community and Culture

Responsible Officer: Shaun Elwood - Director People and Places

Executive Summary

The minutes of the Community Development Committee meeting held on 8 July 2025 are provided for Councillors to review.

Administration's Recommendation

THAT Council:

1. Note the minutes of the Community Development Committee held on 8 July 2025.
2. Investigate delivering a Health Expo in partnership with the community and the Chamber of Commerce.

Attachments

1. Draft Minutes - Community Development Committee Meeting - 8 July 2025 [3.2.1 - 6 pages]

Reference to any relevant previous minute

Min. No. 25-155 Ordinary Meeting of Council held on 30 June 2025.

Background and discussion

At this meeting the Committee was presented with an overview of planning for major events in Lithgow including Halloween Carnivale and Christmas Concert 2025 and a brief overview of initial planning for the Lithgow International Schnitzel Festival to be held in early 2026.

The Committee also received an update on the work of Council's Community and Culture Department. Of note was an update on the development of a '*What's On Lithgow*' newsletter which has been developed to respond to feedback from the Committee. The newsletter is now in development, and it is anticipated the first edition will be released in late August 2025.

The following Committee recommendation requires the Council's endorsement to enact:

- That the CDC recommend to Council that they investigate delivering a Health Expo in partnership with the community and the Chamber of Commerce.

Financial

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

3.3. GM - 28/07/2025 - Emerging Economy Committee Meeting Minutes - 9 July 2025

Strategic Context for this matter:

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

Author: Bruce Mills - Emerging Economy Manager

Responsible Officer: Jonathon Edgecombe - Director of Infrastructure and Economy

Executive Summary

The purpose of this report is to provide details of the minutes of the 9 July 2025 Emerging Economy Committee Meeting.

Administration's Recommendation

THAT Council:

1. Note the minutes of the 9 July 2025 Emerging Economy Committee Meeting.
2. Adopt Version 1.4 of the Emerging Economy Committee Terms of Reference.
3. Request the Administration to prepare draft policy framing documents to support Council's advocacy for improvements to the Bells Line of Road, the Great Western Highway, and Marangaroo Intersection.

Attachments

1. Emerging Economy Committee - Draft TOR June 2025 V 1.4 [3.3.1 - 4 pages]
2. Draft Minutes - Emerging Economy Committee - 9 July 2025 [3.3.2 - 8 pages]

Reference to any relevant previous minute

Min. No. 25-174 Ordinary Meeting of Council held on 30 June 2025.

Background and discussion

At the Emerging Economy Committee held on 9 July 2025, there were numerous items discussed by the Committee including:

- Item 6.1 Committee Functions,
- Item 6.2 LEEP Action Plan (deferred to the next meeting),
- Item 6.3 Outstanding Grant Applications update,
- Item 6.4 LEEP 2025/26 Budget,
- Item 6.5 Adaptive Skills Hub Update,
- Item 6.6 Policy Framing Bells Line – Great Western Highway – Marangaroo Interchange.
- Item 6.7 Proposed Membership - NSW Association of MERC (Mining and Energy Related Councils), to be referred to a Councillor Information Session, and
- Item 6.8 State Significant Development Position.

The following items were outside the Committee's delegations and require Council to formally approve the recommendation:

- Item 6.1 Committee Functions - That the Committee recommend that Council adopt Version 1.4 of the Emerging Economy Committee Terms of Reference (included as an attachment to this report).
- Item 6.6 Policy Framing - That the Committee recommend to Council that the Administration prepare draft policy framing documents to support Council's advocacy for improvements to the Bells Line of Road, the Great Western Highway, and Marangaroo Intersection.

Financial

In alignment with the budget report presented to the Emerging Economy Committee:

- Budget approved - \$1,924,837.24 including unspent funds from previous years.
- Cost centre - 100888
- Expended to date - \$0.00 (2025-26 budget cycle commencement commencing).
- Future potential impact - Full expenditure of 25/26 budget.

4. Delegates Reports

4.1. GM - 28/07/2025 - Delegates Report - National General Assembly (NGA 2025)

Report by Ross Gurney - General Manager

Executive Summary

This report is provided to give advice on the recent National General Assembly held in Canberra from 24-27 June 2025.

Attachments

Nil

Recommendation

THAT Council note the report from the Mayor, Deputy Mayor and General Manager on the National General Assembly, held in Canberra from 24-27 June 2025.

Commentary

More than 1,300 local government leaders from across Australia gathered in Canberra from 24- 27 June for the 31st National General Assembly of Local Government (NGA).

We were welcomed to country for the National General Assembly by Ngunnawal woman and Co-Chair of ACT Reconciliation Council, Selina Walker. The Assembly recognised the Ngunnawal and Ngambri peoples as traditional custodians of the ACT and recognised any other people or families with connection to the lands of the ACT and region. The Assembly paid its respects to their elders past, present and emerging, and acknowledged the vital and ongoing contributions First Nations peoples continue to make to our nation.

Her Excellency the Honourable Ms Sam Mostyn AC, Governor-General of Australia, formally opened the Assembly and spoke about the role of community leadership and local engagement in building national resilience and unity, including the importance of teaching our younger generation the importance of civic governance. The Mayor and General Manager met the Governor-General and briefly discussed an invitation to visit the Lithgow LGA.

We heard from a range of Federal Ministers across the Assembly including: The Honourable Kristy McBain MP, Senator the Hon Katy Gallagher, The Honourable Julian Hill MP, The Honourable Josh Wilson MP, The Honourable Darren Chester MP, Dr Anne Webster MP and the Honourable Kevin Hogan MP.

There was broad acknowledgement from Ministers that Councils play a critical role in supporting their communities and that the role has expanded significantly, as has the financial pressure councils face. That is why local government is calling for urgent action to ensure the financial sustainability of Councils.

Delegates heard from Mark Bouris AM and Dr Merriden Varrall who unpacked global economic forces shaping Australia's local economies, including trends in trade, security, and investment.

Jason Clarke, world leading consultant on issues of leadership and innovation, closed Day 1 of the NGA with an energising and practical presentation on how councils can take bold ideas and translate them into tangible, community-focused change.

Day 2 of the NGA featured the launch of ALGA's exciting new research "Adapting Together: Local Government Leadership in a Changing Climate". The report finds that Australia's councils are expected to spend more than \$2 billion over the next five years to future-proof their communities from the changing climate, resulting in up to \$4.7 billion in avoided costs to communities.

ALGA President Mayor Matt Burnett noted "Climate-resilient infrastructure is expensive and takes time to build, so we need sustainable funding from the Federal Government to implement long-term planning and adaptation now and into the future". That is why "We are asking the Government for a new \$400 million climate adaptation fund, distributed to all Australia's councils each year, to deliver ongoing and sustainable place-based climate solutions" Mayor Burnett said.

Councils considered the way AI is shaping the future with presentations from Stephen Scheeler, founder of The Digital CEO and co-founder and CEO of Omniscient, and Tim Golsby-Smith, cofounder and CEO of myLot.

The 2025 NGA saw the return of concurrent listening sessions providing an interactive platform for delegates to engage directly with federal agencies and sector experts on key policy issues. The listening sessions included:

- Housing and community infrastructure – where the discussion covered a range of challenges from housing affordability, the prohibitive cost of housing infrastructure, ideas around housing and homelessness.
- Emergency management capacity and capability – where attendees shared examples of what has worked in their communities and highlighted remaining challenges. This included the need for long-term funding certainty and better integration of local knowledge in disaster preparedness and recovery frameworks.
- Local government jobs and skills – where attendees highlighted key issues attracting workers to the regions, promoting council careers to young values-led workers, better access to local training, cost-shifting concerns, migrant workforce support, and housing shortages as a major staffing barrier.
- Safer roads - discussed infrastructure funding and general maintenance, speed management, driver behaviour, and the broader questions of regional vs urban specific problems.

Motions and Assembly Outcomes

Almost 190 motions were debated across a range of policy areas including financial sustainability, roads, disaster resilience, health, housing, and climate. Motions passed by the NGA will be referred to relevant Ministers for response and also used by the ALGA Board to inform national policy positions.

Lithgow Council Advocacy Meetings

The Mayor asked questions of Federal Ministers during their appearances at the NGA,

In addition, one-on-one meetings were held with:

- Senator the Hon Tim Ayres, Minister for Industry and Innovation, Minister for Science.
- Senator the Hon Anthony Chisholm, Assistant Minister for Regional Development
- Rebecca Dunstan, Senior Adviser, Office of the Hon Kristy McBain MP.

5. Questions with Notice

5.1. QWN - 28/07/2025 - Cr Ticehurst - Hutchinson Road Ben Bullen

Report by Councillor Martin Ticehurst

Commentary

Could the General Manager and Senior Council staff advise on the following Questions.

1. What is the brief history of the Lithgow City Council signposted and mapped Hutchinson Road Ben Bullen?
2. Is it correct that the Lithgow City Council has responsibility for the regular and ongoing maintenance of Hutchinson Road Ben Bullen?
3. If so, what has been and is the future maintenance schedule of Hutchinson Road Ben Bullen?

Attached is two Photos.





Attachments

Nil

Management Comment

Council's Administration has provided advice to the community residing on Hutchison Road, Ben Bullen on several occasions. Excerpts from some of that advice is as follows:

- Hutchinson Road, Ben Bullen is not an asset under the care and control of Lithgow City Council. The information available reflects that, initially, Hutchison Road is owned by National Parks and Wildlife Services for 1.2 kilometres and thereafter becomes a Crown road.
- In 2014, whilst undertaking an audit of roads within the Lithgow LGA to determine ownership and responsible authority, Council enquired through the NSW Land and Property Information service (LPI) of the road's ownership, and Council's GIS system listed the owner as "Unknown". The reply from NSW LPI was that the road was shown as unidentified on their system as well.
- With this information, Council staff investigated further and reviewed the Ben Bullen Parish map, which provides information as to road ownership of Council and Crown Public Roads. From this Parish map it was determined that the road known as Hutchison Road, Ben Bullen is a shared Private / Crown Road, with no ownership or authority by Lithgow City Council.

This information is shown in the map below.

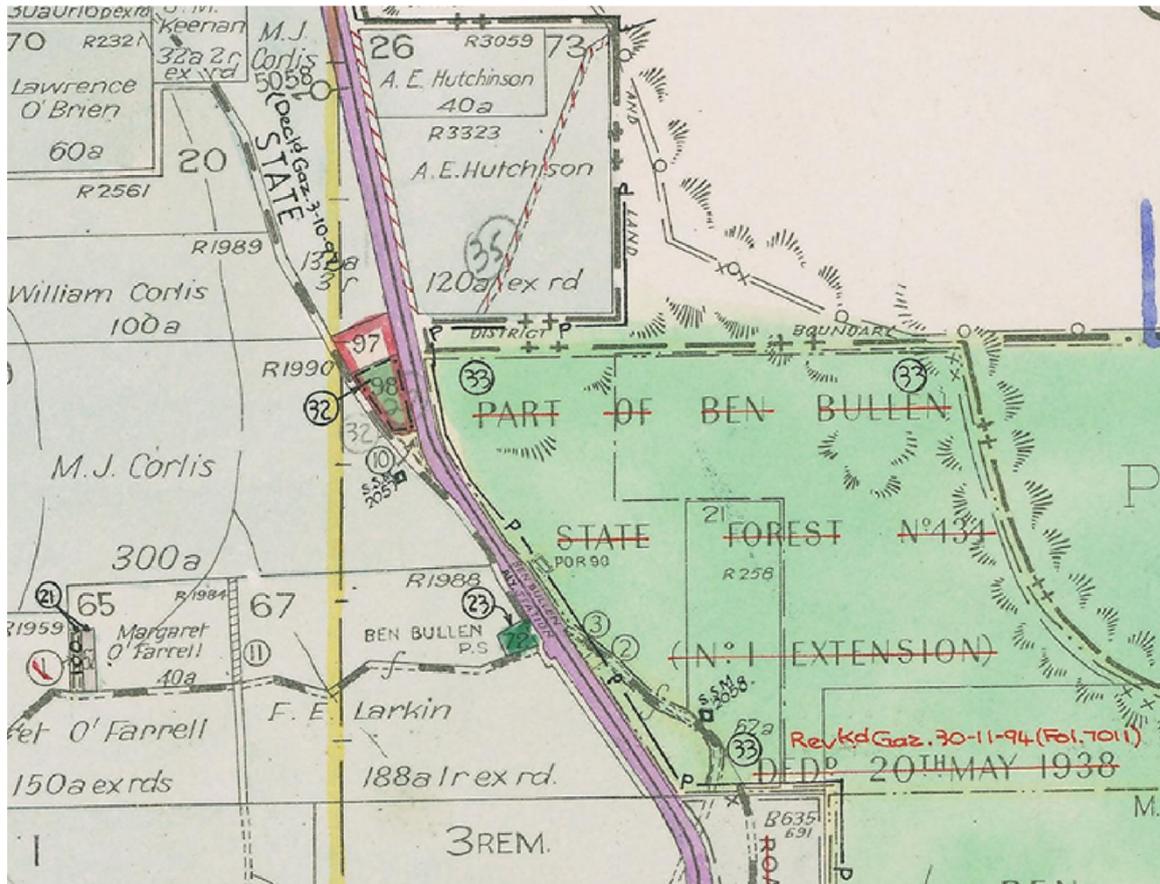


Image 1: Parish map

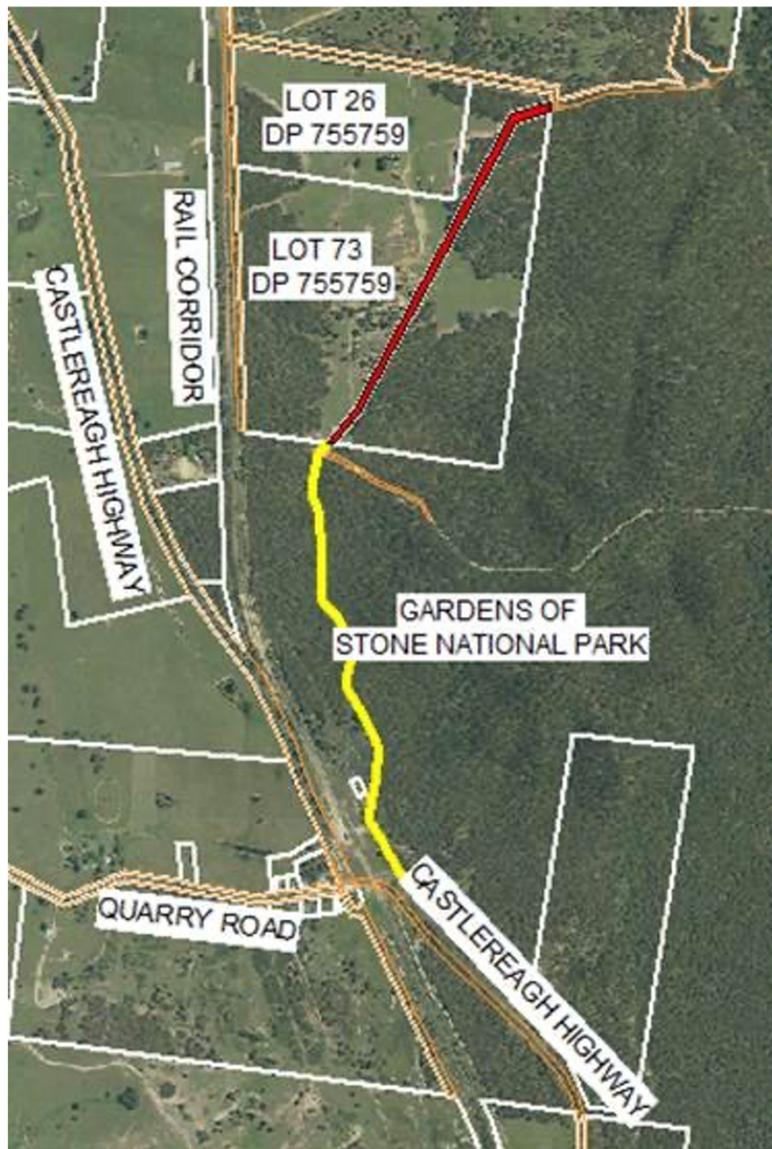


Image 2: Council's GIS database

The road from the intersection with the Castlereagh Highway intersection traverses for 1.2km through the land formerly known as Ben Bullen State Forest (shown in yellow on the above map), and now known as Garden of Stone National Park, proclaimed in 30/11/1997 (Fol. 7033) (see OR-42b) – listed as Note 33 on the Parish map (below).

(32) Add^d to R.190027 for Public Recreation (Not^d 30-1-87) Gaz.24-2-89 (Fol.1184) (3.09 ha)
 (33) Pt. Gardens of Stone National Park. Proclaimed 30-11-94 (Fol.7033) (See OR-42b)
 (34) Acquired by R.T.A. (Just Terms Compensation Act, 1991) Gaz.10-2-95 (Fol.807) Lots 13 & 14,

From this information, it is Council's understanding that this section of road is owned and maintained by National Parks and Wildlife Service, and the Parish Map does not show this road as being a formal public road (which is the case for roads on property owned by NSW Forestry Corporation and NPWS in most instances).

The road continues through Lot 73 DP 755759 (Owned by Mr JK Hutchinson, 123 Hutchinsons Road Ben Bullen), where it is a Crown Public Road. It should also be noted that the existing road, shown in green on the below map, has not been constructed within the legal road reserve which is shown in red on the below map.

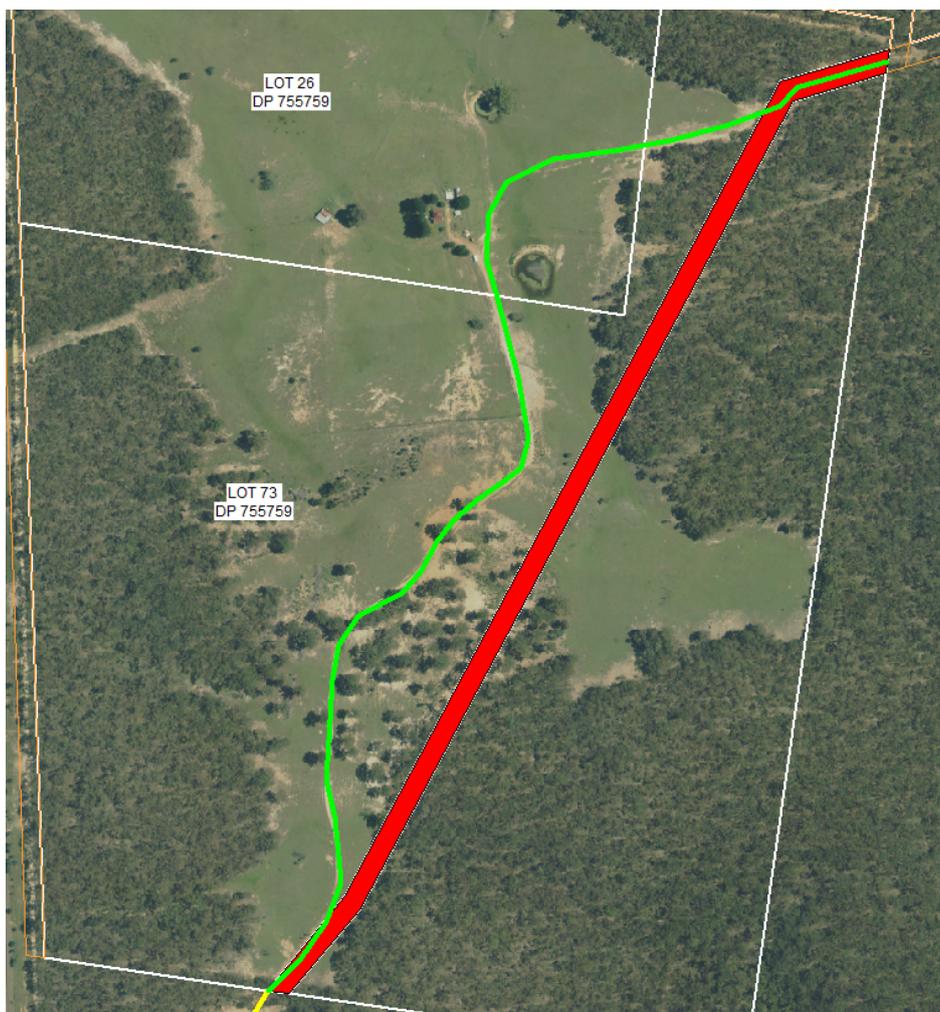


Image 3: Crown section of Hutchison Road, Ben Bullen.

As Hutchison Road, Ben Bullen is not a Council asset, it is suggested that Council cannot and should not allocate its limited resources to maintenance. Should the landowners benefitting from the use of Hutchison Road wish to maintain the route, Council may be able to provide a reasonable quote for such work, either to the private landowners or National Parks and Wildlife Services.

Other points of relevance:

1. Council signposts many roads that it does and does not maintain. A named and signposted road assists with determining its location but does not give rise to questions of ownership. This is the case even if the street blade reflects a Lithgow City Council logo.
2. Council somewhat regularly maintained the route in the very distant past. However, recently Council has audited those roads that it does and does not maintain with respect to their ownership. Council now has an excellent understanding of which roads are owned by the Council and maintains a consistent approach to maintain only those roads that fall within its care and control.
3. The route was maintained during the 2019/20 bushfires in response to the damage caused by firefighting efforts. These costs were reimbursed to the Council by the RFS post-event.
4. Should any agency have information contrary to the information gleaned by LPI and lands title databases, Council will update its own information and reconsider the matter of maintenance.

Jonathon Edgecombe
Director Infrastructure Services

6. Notices of Motion

6.1. NOM - Cr Evangelidis - 28/07/2025 - Waiver of DSP Fee for Black and Gold Hotel

Report by Councillor Tommy Evangelidis

Commentary

I am seeking that LCC waiver the DSP payment for Black and Gold Hotel for their up-coming DA application to add forty hotel rooms. LCC has the ability to waiver a DSP fee where appropriate.

The Black and Gold hotel allotment is currently not on the DSP plan, until this plan is revised I feel council should encourage much needed accommodation for tourists and workers in our LGA. We currently do not have any proposals in the near future addressing our accommodation shortage. Workers will be forced to stay outside of the LGA and quite simply that means their money goes to supporting businesses outside of our region.

If the DSP waiver is granted council isn't left short changed. LCC will still profit from contributions, additional rates and Black & Gold have also agreed to fund a \$40,000 low pressure sewer system due to the current inadequate infrastructure.

I understand the DSP plan will soon be revised and no doubt when it has been, businesses will accept and adhere future plans knowingly and accordingly. I might add that currently our council doesn't have on record where the pipes actually are on the allotment for the developer to connect to, so this kind of even gives a touch more of a case for the DSP to be waived for this particular proposal.

Attachments

Nil

Recommendation

THAT Lithgow City Council waiver the DSP fee for the Black and Gold Hotel for their upcoming DA for the addition of forty hotel rooms.

Management Comment

Strategic / Financial Implications

As per the guidelines from Department of Climate Change, Energy, the Environment and Water, " Developer charges serve three related functions:

1. they provide a source of funding for infrastructure required for new urban development.
2. they provide signals regarding the cost of urban development and thus encourage less costly forms and areas of development; and
3. are an integral part of the fair pricing of water related services."

The current Development Servicing Plan incorporates sites that were zoned for development requiring water and sewerage services from Lithgow City Council at the time of adoption in 2018. This site was not zoned for future development and was subsequently rezoned in 2021. The rezoning allowed for future connection and addition to the system, however, the planning proposal for the subject allotments in the rezoning does not specify the connections to Council infrastructure or how future development would be serviced with water and sewerage. As time progresses and

zonings/developments change or are approved, the DSP can change as per the guidelines from Department of Climate Change, Energy, the Environment and Water.

“2.2.6 Development outside boundaries of DSP

After the adoption of a DSP, an unforeseen new development may occur outside the boundaries of the DSP. In such cases, the utility may either:

- apply the developer charges adopted for the DSP to the new development; or
- Prepare a new DSP for the new development.

Such a development is likely to require the construction of specific assets. Refer to section 4.3.6 on page 25 for discussion on funding of out of sequence development.”

Lithgow City Council’s DSP also allows for negotiation to occur between Council and the developer. The DSP will be revised shortly and include the various inputs such as new developments and planned areas so infrastructure can be appropriately planned for, as well as funded.

Council infrastructure in this area is not inadequate and the purchase of a low-pressure system from Council is at cost and so no profit is generated. During the time of a development application, similar to other developers, all options for servicing should be explored including a single new pumping unit to serve the whole site, however, this is for the developer to determine which is most economical for their development, future and existing site. DSP charges are used to pay for the contributions from industry and development to downstream infrastructure upgrades and assets the Council provides.

Council does have the information on the assets and their location noting the site is connected independently to Council’s sewerage system via a package pumping station which is privately owned.

For the council’s consideration, should a waiver be completed for development, whether there is a strategic or operational requirement for the type of development within the LGA, the cost for development servicing plans will need to be recouped via a different method. This is to say the proposed charges would be calculated and the following options approved and adopted by Council:

- A Cross-subsidy of the payments to the other connections in the system to be determined by Council.
- A payment from the General fund and general rates.

It should be noted that the DCCEEW guidelines have a section as it relates to Cross subsidies:

“Disclosure of Cross-Subsidies

The calculated developer charges are the maximum value that may be levied by a utility. In adopting a DSP for water supply, sewerage or stormwater, the utility may elect to levy less than the calculated amounts.

If a utility elects to levy less than the calculated developer charges, then the resulting cross-subsidy from the existing customers in the typical residential bill must be calculated and disclosed in the relevant DSP, in the utility’s Annual Report, annual Operational Plan and in communication materials for consultation with stakeholders. The impact of cross-subsidies for new development on the typical residential bill must also be prominently disclosed and explained on the utility’s website and reported to DPI Water.”

This is to say that the waiver of development servicing plan charges will need to be recouped from the rate base with the calculated charge advertised and disclosed on bills, annual plans, and the Council website. Any cross-subsidies for development will need to be calculated and applied to the rate base via the water bills to account for the income difference.

Council may also stage payments with outstanding payments adjusted with CPI, register the payment as a debt on the property with a timeframe attached or to be paid before sale or via

agreement between developer and Council. These style of agreements where the developer pays less than the charge is usually reserved for works-in-kind where the infrastructure is built by the developer to serve their developments and others or as out-of-sequence development.

Matthew Trapp
Director – Water, Wastewater and Waste

6.2. NOM - Cr Evangelidis - 28/07/2025 - Liquor License for the Union Theatre

Report by Councillor Tommy Evangelidis

Commentary

I am seeking that LCC apply for a liquor license for the Union theatre. The LCC are missing an additional income source by not installing and operating a liquor license at the Union Theatre. Each event would provide income and seek to help establish the Union Theatre as a functional and professional operation. A member of staff can be chosen to apply for the license (as is the case on other councils including Bathurst). If granted the license would only apply to future bookings not current ones.

Attachments

Nil

Recommendation

THAT Lithgow City Council obtain a liquor license for the Union Theatre.

Management Comment**Strategic Implications**

Council is reviewing current and future management models and options for the Union Theatre (including approaches relating to the serving of liquor and relevant licences and approvals) and will be bringing the management option proposals to Council when complete.

Liquor and Gaming NSW have a range of liquor licences available, including single use, multiple function licence, special event licence. At present an organisation who books the Union Theatre for an event or function has the option of applying for one of these licences itself.

One current consideration is that if Council assumes the risk of holding a liquor licence, as the nominated licensee Council will be liable for compliance with all of the conditions attached to the licence, which would then require the licensee (Council) to oversee the event.

Shaun Elwood
Director People and Places

6.3. NOM - Cr Evangelidis - 28/07/2025 - Lithgow City Council Appoint a Venue Manager/Booker

Report by Councillor Tommy Evangelidis

Commentary

I feel we are not maximising our assets to generate income for the LGA. One such area is we don't have an active booker or venue manager for our council owned venues. An online booking form is not an adequate way of encouraging event bookers, talent managers, wedding planners and the corporate businesses community to choose our region above others. We need to hustle, we need to compete.

Having a direct contact by the way of a booker (that is constantly seeking and canvassing opportunities) will give our venues a new lease of life and generate much needed funds for our LGA. This isn't a fulltime job, it is an hour a day at most (we only have a few venues) and I believe we have the necessary talent currently on staff to take on this role.

Attachments

Nil

Recommendation

THAT appoint an active venue booker/manager for our venues and remove the online booking form.

Management Comment**Strategic Implications**

Active promotion of the Union Theatre to ensure externally generated bookings is essential to the theatre's viability. The engagement of a booking agent (potentially on commission or retainer) has been identified as an option to assist in achieving greater utilisation of the theatre.

Online booking options for facilities with the limited seating capacity and functionality of the Union Theatre provide an additional means of facility booking, especially for community groups or other less commercial users.

Council is reviewing future management models and options for the Union Theatre. This review includes approaches relating to financial sustainability, booking options, facility marketing, commissionable product and viable capital investments in line with the constraints presented by the facilities, limited seating capacity and features.

The administration will be bringing the Union Theatre management option proposals to Council upon completion.

Shaun Elwood
Director People and Places

7. Business of Great Urgency

The General Manager / Acting General Manager publicly confirms, that before and during this Ordinary / Extra-Ordinary Meeting of the Lithgow City Council, that they have provided all Councillors with full access to all relevant information necessary for the performance of their official functions and necessary to effectively discharge their official functions.

The General Manager / Acting General Manager is aware that Council Staff Members have provided full and timely relevant information to all Councillors, sufficient to enable them to exercise their official functions and in accordance with Council Procedures.

Ross Gurney
General Manager

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.