



First Wednesday Club Ukulele Muster

Ordinary Meeting of Council
to be held at
Council Administration Centre
180 Mort Street, Lithgow
on
Monday 25 August 2025
at 6:30 PM

ORDER OF BUSINESS

| | |
|---|-----------|
| 1. Mayoral Minutes..... | 5 |
| 2. Administration Reports | 6 |
| 2.1. F&G - 25/08/2025 - Investment Report July 2025 | 6 |
| 2.2. F&G - 25/08/2025 - Review of Code of Meeting Practice..... | 9 |
| 2.3. F&G - 25/08/2025 - Review of Code of Conduct | 13 |
| 2.4. I&PD - 25/08/2025 - Variation Report - Wolgan Road Reconstruction Project – Concept Design and Environmental Assessment Services..... | 15 |
| 2.5. P&P - 25/08/2025 - MODDA024/23, Modification- Subdivision into 98 lots, 74 Hillcrest Avenue Bowenfels | 18 |
| 2.6. P&P - 25/08/2025 - Lithgow Local Environmental Plan 2014 Housekeeping Amendments - Public Exhibition | 23 |
| 2.7. P&P - 25/08/2025 - Six Month Progress Report..... | 30 |
| 2.8. WWW - 25/08/2025 - Waste Collection Services Contract Community Consultation | 32 |
| 2.9. WWW - 25/08/2025 - Development Servicing Plans - Mapping and Service Area Amendments | 38 |
| 2.10. WWW - 25/08/2025 - Draft Water Services Restriction Policy | 42 |
| 3. Council Committee Reports..... | 45 |
| 3.1. GM - 25/08/2025 - Emerging Economy Committee Meeting Minutes - 9 July 2025 | 45 |
| 3.2. I&PD - 25/08/2025 - Infrastructure Committee Meeting Minutes - 5 August 2025 | 47 |
| 3.3. GM - 25/08/2025 - Emerging Economy Committee Meeting Minutes - 6 August 2025 | 49 |
| 3.4. F&G - 25/08/2025 - Finance Committee Meeting Minutes - 11 August 2025 | 50 |
| 3.5. I&PD - 25/08/2025 - Sports Advisory Committee Meeting Minutes - 13 August 2025 | 52 |
| 4. Delegates Reports | 54 |
| 4.1. GM - 25/08/205 - CNSWJO Report..... | 54 |
| 5. Questions with Notice | 59 |
| 5.1. QWN - 25/08/2025 - Councillor M Ticehurst - Model Code of Conduct Enquiry | 59 |
| 5.2. QWN - 25/08/2025 - Councillor E Fredericks - Progress on Resolution from 28 January 2025 Regarding Local Health Services | 61 |

| | |
|--|-----------|
| 5.3. QWN - 25/08/2025 - Councillor M Ticehurst - Lithgow City Council's Seven Valley Visitors Information Centre | 62 |
| 6. Notices of Motion..... | 63 |
| 6.1. NOM - Councillor M Ticehurst - 25/08/2025 - \$385m Funding for restoring road access into the Wolgan Valley | 63 |
| 6.2. NOM - Councillor E Mahony - 25/08/2025 - Progress Report Local Road Network.... | 65 |
| 6.3. NOM - Councillor E Mahony - 25/08/2025 - 2025 NSW Local Government Conference - Development of State Assistance Grants to support the delivery of essential infrastructure across regional NSW | 68 |
| 6.4. NOM - Councillor S Ring - State Significant Developments..... | 70 |
| 7. Business of Great Urgency | 73 |
| 8. Closed Council..... | 74 |

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 on the Councillor Hub.

Confirmation of Minutes

Confirmation of the Minutes of the Ordinary Meeting of Council held 28 July 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. F&G - 25/08/2025 - Investment Report July 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 31 July 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 \$52.4M, 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 \$51,801,705 and cash of \$570,581 (which is mostly restricted for specific purposes) for the period ending 31 July 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. Market Value by Issuer [2.1.1 - 1 page]

Reference to any relevant previous minute

Min No 25-150 Ordinary Meeting of Council held on 28 July 2025.

Background and discussion

Movements in the Cash and Investments Balance

Council's total investment portfolio as at 31 July 2025, when compared to 30 June 2025, has decreased from \$58,703,525 to \$51,801,705. Cash in Council's bank account increased from \$184,286 to \$570,581.

July is usually a cashflow negative month, with grant income being the main funding source. In July 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 July 2025 were as follows:

| | |
|--|--------------|
| Opening Balance of cash and investments as 1 July 2025 | \$58,887,811 |
| <u>Plus</u> New Investments – July 2025 | \$3,484,475 |
| <u>Less</u> Investments redeemed – July 2025 | \$10,000,000 |
| Closing Balance of cash and investments as at 31 July 2025 | \$52,372,286 |

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 \$6.5M decrease in cash and investments in July 2025. Cash inflows were offset by high payments to suppliers (\$8.6M) 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:

- \$1.3M Wolgan Valley Access Road design and project management (DRFA funded),
- \$1.0M Annual Software Licence (general fund),
- \$588K for domestic waste collection for May & June (waste income funded),
- \$519K Flood damage rehabilitation Hampton Road, Hampton (grant funded),
- \$473K Col Drewe Drive Link Road, Lithgow Asphalt works (LRCI Phase 4 grant funded),
- \$355K Main St / Cupro St Stormwater Drainage Improvements (grant funded),
- \$332K Glen Alice Road Stabilisation (SRV funded),
- \$172K Footpath upgrade of Main St, Lithgow (reserve and grant funded),
- \$151K Sewer pumps - various locations (wastewater funded),
- \$150K LEEP Adaptive Skills (grant funded),
- \$124K Sunny Corner Road, Portland, Timber and Pipe works (Resources for Regions Round 9 grant funded),
- \$115K Stormwater upgrade and mitigations works (SRV and grant funded), and
- \$111K Joint Organisation Annual Membership (general / water / wastewater 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 – a July 2025 Cash and Investment Statement cannot be prepared with accuracy until 30 June 2025 reserve balances are finalised with the completion of work to determine carryover budgets and recognise prior year expenditure. At the time of preparation of this report, all investments are required to fund restricted assets for specific purposes.

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 2021 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 \$3,023,000 (full year)
- Cost centre 3259
- YTD Income to date \$239,568
- Future potential impact Nil.

Council's budgeted investment interest income for 2025/26 is \$3.0M, approximately \$780k less than 2024/25 actual interest received. During July, the average rate achieved was 4.28% on an investment balance of \$52M, which is mainly due to the balance of the \$3.4M 50% upfront payment of the 2025/26 Financial Assistance Grant and the remaining balance of the \$33.8M advance payment for natural disaster restoration works.

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

2.2. F&G - 25/08/2025 - Review of Code of Meeting Practice

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

In accordance with Section 360 of the Local Government Act, 1993, Council must adopt a code of meeting practice that incorporates the mandatory provisions of the OLG's Model Code of Conduct (Model Code), as included as an attachment. Council's current Code of Meeting Practice (LCC Code) has been reviewed, and an amended version is attached, for Council's consideration to adopt to place on public exhibition.

Administration's Recommendation

THAT:

1. The draft Code of Meeting Practice 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 Code of Meeting Practice be adopted.
3. Should Council endorse Section 18 Time Limits on Council meetings, that Council set a conclusion time for meetings.

Attachments

1. OLG Model Code of Meeting Practice 2021 [2.2.1 - 80 pages]
2. LCC Draft Code Meeting Practice 2025 [2.2.2 - 41 pages]

Reference to any relevant previous minute

Min. No. 22-86 Ordinary Meeting of Council 26 April 2022
Min. No. 23-202 - Ordinary Meeting of Council 27 November 2023
Min. No. 24-59 - Ordinary Meeting of Council 25 March 2024
Min. No. 24-203 - Ordinary Meeting of Council 28 October 2024
Min. No. 25-42 - Ordinary Meeting of Council 24 February 2025
Min. No. 25- 86 – Ordinary Meeting of Council 24 March 2025
Min. No. 25-110 - Ordinary Meeting of Council 28 April 2025

Background and discussion

Under Section 360 of the Act, Councils must adopt a code of meeting practice that incorporates the mandatory provisions of the Model Code of Meeting Practice for Local Councils in NSW prescribed by the Regulation within 12 months of the elections.

360 Conduct of meetings of councils and committees

- 1) *The regulations may prescribe a model code of meeting practice for the conduct of meetings of councils and committees of councils of which all the members are councillors.*
- 2) *The model code may contain both mandatory and non-mandatory provisions.*
- 3) *A council must, not later than 12 months after an ordinary election of councillors, adopt a code of meeting practice that incorporates the mandatory provisions of the model code prescribed by the regulations. The adopted code may also incorporate the non-mandatory provisions and other provisions.*
- 4) *A code adopted or amended by the council must not contain provisions that are inconsistent with the mandatory provisions.*
- 5) *A council and a committee of the council of which all the members are councillors must conduct its meeting in accordance with the code of meeting practice adopted by it.*

A review of the current Code for Council has been undertaken, to consider the inclusion or deletion of non-mandatory provisions of the Model Code. The most significant amendment proposed relates to the separation of the Public Forum from the main Council Meeting. The Public Forum is proposed to be held for half an hour immediately preceding each Council Meeting. The Model Code states that Public Forums should not be held as part of a Council meeting. Council meetings should be reserved for decision-making by the Council.

An overview of the changes proposed are outlined below.

Chapter 3 – Before the Meeting

- Inclusion of clauses 3.12 and 3.13.

This will enable the General Manager to table a report to address a notice of motion (i.e. as a management comment). It will also require a notice of motion for the expenditure of funds on works and/or services other than those already provided for in the Council's current adopted operational plan to identify the source of funding for the expenditure that is the subject of the notice of motion.

Chapter 4 – Public Forums

- Inclusion of Chapter 4, excluding clauses 4.5, 4.8, 4.9, 4.10, 4.15, 4.16.
- Stipulation of 3 minutes for clauses 4.13 and 4.18.

This will move the Public Forum to the 30 minutes immediately preceding the Council Meeting, which is recommended in the current Model Code.

Chapter 5 – Coming Together

- Inclusion of clauses 5.14 and 5.15

This will enable the Mayor, in consultation with the General Manager to cancel a Council Meeting when there are safety or welfare concerns, or if it is apparent that a quorum will not be present.

Chapter 9 – Consideration of Business at Council Meetings

- Inclusion of clause 9.10

This will stipulate that Mayoral Minutes that require expenditure of funds need to identify a funding source.

Chapter 10 – Rules of Debate

- Inclusion of clause 10.9

This will stipulate that motions and amendments that require expenditure of funds need to identify a funding source. Advice can sought from officers at the time of proposing a motion or amendment.

Chapter 18 – Time Limits on Council Meetings

The recommendation of the review was for Councillors to consider inclusion of Chapter 18. This section enables the setting of time limits of council and committee meetings.

Chapter 19 – After the Meeting

- Inclusion of clause 19.2(a)

This will include the names of all Councillors in attendance and whether they attended in person or via audio-visual links in the minutes of Council Meetings.

Chapter 20 Council Committees

- Inclusion of clause 20.23(a)

This will include the names of all Councillors in attendance and whether they attended in person or via audio-visual links in the minutes of Committee Meetings.

Appendix 1 – Order of Business

- Removal of 6. Acknowledgements and Commemorations

The attached draft LCC Code shows the proposed inclusions in blue font and the proposed deletions in red font.

The OLG's Model Code has been reviewed, amended and consultation undertaken by the OLG and is anticipated to be enacted by the end of the year. Further information on the reform of the Model Code is available at [Reforms to the Model Code of Meeting Practice – Office of Local Government NSW](#). Once the Model Code has been enacted, a further review of the LCC Code to incorporate the mandatory provisions and to consider the voluntary provisions will be undertaken.

Consultation and Communication

If the recommendation is adopted by Council, the draft LCC Code will be placed on public exhibition for a period of 28 days.

Policy

This report relates to the proposed revision of the Code of Meeting Practice.

Legal

The Local Government Act (1993) (the Act) requires Council to adopt a Code of Meeting Practice that incorporates the requirements of the Local Government (General) Regulation 2021 (the Regulation).

Risk Management

The revision of the Code reduces Council's Legal Compliance Risk, as it meets legislative requirements. Conducting meetings in accordance with a Code of Meeting Practice ensures appropriate behaviour and a standardised approach with transparency to our community, reducing reputational risk.

Financial

There are no financial implications applicable to this report.

2.3. F&G - 25/08/2025 - Review of Code of Conduct

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

Section 440 (7) of the Local Government Act, 1993 requires Councils to review their adopted Code of Conduct within 12 months of a Council election and make such adjustments as they consider appropriate.

The Administration has undertaken a review and as there has been no amendments to the Office of Local Government's (OLG) Model Code of Conduct for Local Councils in NSW 2020 (the Model Code), only minor changes are required to Council's current Code of Conduct (Code). The OLG's Model Code and the Council's current Code are attached for reference.

A review was also undertaken on the accompanying Procedures for the Administration of the Model Code of Conduct (Procedures). There has been no change to the OLG's Model Procedures, and it was identified that only minor changes were required to Council's Procedures. The OLG's Procedures and Council's Procedures are also attached for reference.

Administration's Recommendation

THAT Council adopts the Code of Conduct and Procedures for the Administration of the Code of Conduct for Lithgow Council with only minor changes, as outlined within this report.

Attachments

1. OLG Model Code of Conduct 2020 [2.3.1 - 62 pages]
2. LCC Code of Conduct August 2022 [2.3.2 - 47 pages]
3. OLG Procedures for the Administration of the Model Code of Conduct 2020 [2.3.3 - 52 pages]
4. LCC Procedures for the Administration of the Model Code of Conduct 2022 [2.3.4 - 35 pages]

Reference to any relevant previous minute

Min. No. 22-161 Ordinary Meeting of Council 22 August 2022

Background and discussion

The most recent version of the Model Code of Conduct for Local Councils in NSW and associated Procedures for the Administration of the Model Code of Conduct for Local Councils (Procedures) in NSW were prescribed in 2020. Council adopted current versions of the Code and Procedures on 22 August 2022.

The Model Code of Conduct and Procedures are prescribed under the Local Government (General) Regulation 2021 (Regulation) and are effective immediately upon adoption by Council. When the Model Code and Procedures were developed, the Local Government (General) Regulation 2005 were in effect. In 2021, the Regulation were amended, therefore both Council's Code and Procedure require an update to reflect that change.

Councils may include supplementary provisions in their adopted codes of conduct and may also impose more onerous requirements than those prescribed under the Model Code of Conduct. However, councils must not dilute the standards prescribed in the Model Code of Conduct.

Councillors received training on the Code of Conduct on 22 November 2024.

Staff have also received separate comprehensive training on the Code of Conduct, and it is part of the staff induction program.

The OLG has advised that the Councillor Conduct Framework is under review with the aim to facilitate and support local decision making.

Consultation and Communication

The Model Code of Conduct and Procedures are prescribed under the Local Government (General) Regulation 2021 and are effective immediately upon adoption by Council. There is no public exhibition period or consultation required.

Policy

If adopted, there will be minor changes to Council's Code of Conduct and the associated Procedures for the Administration of the Code of Conduct.

Legal

Under section 440 of the Local Government Act 1993, each Council is required to adopt a Code of Conduct based on the Model Code of Conduct prescribed under the Regulation. Under section 440AA, each council is required to adopt procedures for the administration of their adopted Code of Conduct.

Risk Management

The adoption of the reviewed Code of Conduct prevents legal compliance risk and signals to our community the expectations of conduct of both Councillors and Council staff, reducing reputation risk and is a key measure in reducing the risk of fraud and corruption.

Financial

There are no financial implications arising from this report.

2.4. I&PD - 25/08/2025 - Variation Report - Wolgan Road Reconstruction Project – Concept Design and Environmental Assessment Services

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 Project Delivery
Responsible Officer: Jonathon Edgecombe - Director of Infrastructure and Project Delivery

Executive Summary

This report provides the Council with an update on the status of project variations approved by the Administration under delegated authority, relating to WSP's engagement under the Concept Design and Environmental Assessment (**CD&EA**) contract.

This contract was endorsed by the Council during confidential session at the Ordinary Meeting of Council held 30 June 2025.

Administration's Recommendation

THAT Council note the report detailing approved variations relating to the relating to WSP's engagement under the Concept Design and Environmental Assessment (CD&EA) contract.

Attachments

1. WRRP Variation Status [2.4.1 - 3 pages]

Reference to any relevant previous minute

Min. No.: 25-181 – Ordinary Meeting of Council held 30 June 2025 (CONFIDENTIAL - I&E - 30/06/2025 - Wolgan Road Reconstruction – Additional Alignment Option Development)

Background and discussion

In line with Council's Standard Working Procedure 4.5 - Purchasing and Contracting:

Contractors are to alert the Contract Manager and provide a written variation with a proposed fee. The Contract Manager (depending on their level of delegation) is then to approve the variation before the contractor can carry out the work. If the value of variations exceed \$250,000, the variation will need to be reported to Council at the next available meeting as an information item. If a single variation exceeds \$250,000, it will need to be reported to Council before acceptance. Variations to budgets are managed through the budget review process, including SWP 4.2 – Budget Variations.

To date, Council has received 15 written requests for variations under the CD&EA contract. Of these, four have been rejected and one withdrawn. Of the 10 that remain, one was referred to the Ordinary Meeting of Council on 30 June 2025 (Donkey Steps Alignment and EIS Development). Of the final

9 variations, cumulatively exceeding a value of \$250,000, three have been negotiated down to about half their original submitted value.

A comprehensive outline of all variations (including those that were rejected, withdrawn or were otherwise approved by Council previously), their values and scope is attached to this report. However, in summary, the following variations have been approved under the CD&EA contract.

| Var. No. | Description | Date finalised | Value (excl. GST) |
|-----------------|--|-----------------------|--------------------------|
| LCC-001 | Additional Bore Hole 07 Additional Laboratory Testing | 27/03/2025 | \$15,618 |
| LCC-002 | Community Information Boards | 16/04/2025 | \$272 |
| LCC-003 | Instruction to Suspend Biodiversity Survey | 27/5/2025 | \$27,503 |
| LCC-004 | Increase Provisional Sum to engage Surveyor | 29/05/2025 | \$77,307 |
| LCC-005 | Changes to EIS specialist methodologies as a result of the SEARs | 6/06/2025 | \$51,425 |
| LCC-006 | Donkey Steps Alignment Technical Memo | 9/06/2025 | \$28,589 |
| LCC-008 | Diospatial Portal Quarterly Subscription Fee | 18/07/2025 | \$1,572 |
| LCC-009 | Mansfield property boundary survey | 18/07/2025 | \$14,650 |
| LCC-010 | Trafficability on Donkey Steps during construction | 14/07/2025 | \$74,105 |
| | | TOTAL | \$291,121 |

This report seeks to advise Council of the status of approved variations to date, per the requirements of Council's Standard Working Procedures. The process followed for approving these variations was an initial review by Wassabi Group, negotiation as required, then presentation to Council officers for review. Officers then review the variation against available budget, including Wassabi's recommendation which aligns with the provisions of the contract, and is then approved.

Consultation and Communication

Since the closure of Wolgan Road, Council has continued to meet with the Wolgan community. Initially, these meetings occurred weekly, online. These then changed to once per three weeks, remaining online. Today, to ensure Council's engagement with the community responds to the needs of the community, engagement occurs monthly, in-person and online. Additionally, through a community Expression of Interest process, a Community Working Party has been formed to dive deeper into specific project issues.

Council and its consultants have also met on several occasions with the Mingaan Wiradjuri Aboriginal Corporation. The first of these meetings was held to discuss the various design options and the second was held to conduct a site walkthrough and visually step through the options. Mingaan remain opposed to options that significantly impact on the Aboriginal Place. However, the process of detailed environmental and cultural impact assessment and subsequent planning approvals has not yet been completed or decided.

A change in approach to re-assess risks associated with use of the Old Wolgan Road is also occurring, to ensure any options to minimise environmental and cultural impacts are thoroughly considered.

A Project Control Group (PCG) which comprises representatives of Council, Transport for NSW, Department of Regional NSW, NSW Reconstruction Authority, and Council's design team (WSP) continues to meet fortnightly to keep abreast of all project developments.

Policy

Nil.

Legal

Nil. This is a variation to an existing Contract.

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. Development of feasible, value for money design options is a critical component of this strategy to 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 upon request.

Financial

- Budget approved – Total contingency approved by Council is \$858,935.50
- Cost centre - 100982
- Expended to date – Total variations are valued at \$291,121
- Future potential impact - Full expenditure of project budget. Funded from Disaster Recovery Funding Arrangements. Adjustments to the budget will be incorporated into Quarterly Budget Reviews, which are submitted to Council.

2.5. P&P - 25/08/2025 - MODDA024/23, Modification- Subdivision into 98 lots, 74 Hillcrest Avenue Bowenfels

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

Author: Lauren Stevens-Development Planner

Department: People and Place

Responsible Officer: Shaun Elwood - Director People and Place

Property Details Lot 22 DP1301637, 74 Hillcrest Avenue, Bowenfels NSW 2790 and Lot 4 DP 1230208 is proposed to contain three (3) drainage reserves / bioretention basins.

Property Owner Lot 22 DP1301637: The Trustee for Hillcrest Developments NSW Unit Trust
Lot 4 DP 1230208: Lightweight Pty Ltd

Applicant Anthony Daintith Town Planning

Executive Summary

This report is submitted to Council for consideration of a Section 4.55 (2) Modification Application (MODDA024/23 of DA021/18). The application seeks consent to modify the original approval to include twelve (12) additional residential allotments from 86 to 98 allotments, relocate 3 drainage reserves / bioretention basins to new lots on the adjoining land, and alter the subdivision layout.

The application relates to the following land descriptions:

- Lot 22 DP1301637, 74 Hillcrest Avenue Bowenfels - Subdivision allotments; and
- Lot 4 DP 1230208, 13A Thornton Avenue - proposed 3 drainage reserves/bioretention basins.

A Subdivision Certificate in relation to Stage 1 was registered on 11 April 2024. Stage 1 created the first 20 residential allotments, and one drainage reserve in Council ownership being Lot 21 in DP1301637. Lot 22 DP1301637 is the residual allotment.

DA021/18 was determined by Council because the application involved drainage reserves / bioretention basins to be dedicated to Council. Council's Policy 7.6 - Development Applications by Councillors and Staff or on Council Owned Land, requires any application that proposes to dedicate land or an asset to Council is to be determined by Council.

Clause 5 of Policy 7.6 states that "This policy does not apply to applications for the modification of development consent unless the modification represents a significant departure from the original application".

As the proposed modification increases the residential allotments and relocates the drainage reserves/bioretention basins to 3 new lots on the adjoining land, Council staff consider this change is notable enough to warrant consideration by the Council.

The Assessment Report is included as Attachment 1 to this report. The Assessment Report records the matters that have been considered during the assessment of this modification application. The

report identifies the requirements under legislation, environmental planning instruments, standards and controls that apply to this development and are required to be considered.

The modification application was referred to external agencies such as NSW Rural Fire Service, Water NSW, Department of Planning and Environment – Water, and Transport for NSW. No objections were raised by the agencies, and they have recommended conditions of consent.

The application was placed on public exhibition and neighbour notified between the period 26 July 2023 and concluded 11 August 2023 (14 days), in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and the Lithgow Community Participation Plan. No written submissions were received during the notification period.

The applicant has proposed to amend the original Voluntary Planning Agreement so that monetary contributions reflect the increase in residential allotments from 86 to 98.

This report is submitted to Council for consideration and determination of MODDA024/23 of DA021/18.

Administration's Recommendation

THAT

1. Modification of Development Consent MODDA024/23 of DA021/18 be APPROVED subject to conditions of consent as detailed in the attached planning assessment report.
2. Council endorse the amended Draft Voluntary Planning Agreement proposed for MODDA024/23 of DA021/18 being for a contribution of \$6,000 per residential allotment for community facilities, \$200 per residential allotment for public open space, and \$3,200 per residential allotment as a contribution towards Council's provision a link road between James O'Donnell Drive and Col Drewe Drive Bowenfels.
3. The amended Draft Voluntary Planning Agreement for MODDA024/23 of DA021/18 be placed on public exhibition for a period of 28 days.
4. Should no submissions be received during the public exhibition period, the Voluntary Planning Agreement be endorsed by Council's General Manager under delegated authority.
5. A DIVISION be called in accordance with the requirements of Section 375A(3) of the Local Government Act, 1993.

Attachments

1. Assessment Report [2.5.1 - 56 pages]
2. Subdivision Plan [2.5.2 - 4 pages]
3. VPA Hillcrest [2.5.3 - 12 pages]

Reference to any relevant previous minute

Min.18-279 Ordinary Meeting of Council dated 29 October 2018 for an 86 Lot Subdivision in two stages as per DA021/18.

Min. 21-115 Ordinary Meeting of Council dated 24 May 2021 Modification to amend the provision of a link road and enter a Voluntary Planning Agreement as per MOD039/19.

Min. 23-9 Ordinary Meeting of Council dated 23 January 2023 Modification relating to stormwater discharge points to an outlet on Council land as per MODDA049/22.

Background and discussion

This report is submitted to Council for consideration of a Section 4.55 (2) Modification Application (MODDA024/23 of DA021/18). The application seeks consent to modify the original approval to include additional residential allotments from 86 to 98, relocate 3 drainage reserves / bioretention basins to new lots on adjoining land and alter the subdivision layout.

The original development consent (DA021/18) gives approval for subdivision of land in the R2 Low Density Residential zone, which is permissible under clause 4.1 of the Lithgow Local Environmental Plan 2014.

The development is proposed to be undertaken in the following stages:

- Stage 1 – Lots 1 to 20 (plus one (1) drainage reserve/bioretention basin, Lot 21) - **completed**; *(note: Lots 13 and 14 to be consolidated into proposed Lot 403 under MODDA024/23)*
- Stage 2 – Lots 201 to 213 (plus one (1) drainage reserve/bioretention basin, Lot 318);
- Stage 3 – Lots 301 to 317 (plus one (1) drainage reserve/bioretention basin, Lot 422);
- Stage 4 – Lots 401 to 421 (plus one (1) drainage reserve/bioretention basin, Lot 517);
- Stage 5 – Lots 501 to 516; and
- Stage 6 – Lot 601 to 615.

Modification of DA021/18

The modification application proposes the following:

- Increase the number of residential allotments from 86 to 98 (increase of 12 lots);
- Creation of 3 drainage reserve / bioretention basin lots on the adjoining land (the drainage reserve lots approved under DA021/18 will now be used for residential lots, forming part of the increase of 12 lots);
- Alteration to layout; and
- Straightening of Hillcrest Avenue.

About the site

Lot 22 DP1301637 contains a total area of 9.27ha and is situated along two ridgelines, bordering the Hillcrest Estate to the South. Minimal vegetation exists on the property with all the proposed allotments being over 800m². Two loop roads were previously approved (and will remain as part of the modification) to provide access from Hillcrest Avenue and Thornton Avenue.

Additional allotments proposed under the modification

The modification proposes an increase of residential allotments from 86 to 98. Each residential allotment meets the minimum lot size (MLS) of 800m² in accordance with the Lot Size Map under Lithgow LEP 2014. It is noted that a few residential lots will contain slivers of land within the C4 Environmental Living zone.

The proposed new lots for the 3 drainage reserves/bioretention basins will be located wholly within the C4 zone in which a MLS of 20ha applies. While the drainage reserve lots will not meet the MLS, clause 4.1B of the Lithgow LEP 2014 provides an avenue for compliance where the resulting lot will be used for a public purpose, such as drainage reserves.

Integrated development and external referrals

As the site is mapped bushfire prone land, the development is categorised as 'integrated development' and requires an approval under section 100B of the Rural Fires Act 1997 (RF Act) in addition to modification consent. Accordingly, the application was referred to the NSW Rural Fire Service (RFS). The RFS assessed the application and provided its general terms of approval (GTA) on 15 May 2025.

The application was also referred to the Department of Planning and Environment – Water pursuant to section 91 of the Water Management Act 2000. The Department assessed the application and provided its general terms of approval (GTA) on 15 May 2025.

The application was referred to Water NSW pursuant to section 6.5 of State Environmental Planning Policy (Biodiversity and Conservation) 2021. Water NSW requested that the applicant provide additional information in relation to stormwater and drainage, which was addressed by the applicant. Water NSW subsequently issued concurrence conditions on 28 August 2023. Updated concurrence response received 26 June 2025.

Additionally, the application was referred to Transport for NSW in accordance with Section 38 (Amendment of development application) under the Environmental Planning and Assessment Regulation 2021.

The government authorities raised no objection to the application and have recommended conditions on the consent.

The key environmental planning issues arising from the assessment of the proposal include bushfire impacts, traffic/access and stormwater management, which have been satisfactorily addressed and can be appropriately managed through the recommended conditions of consent.

Consultation and Communication

The application was placed on public exhibition in accordance with the EP&A Act and the Lithgow Community Participation Plan, and nearby landowners and occupiers were notified of the proposal. The public exhibition period commenced on 26 July 2023 and concluded 11 August 2023.

Policy

Lithgow Community Participation Plan

The application was placed on public exhibition in accordance with the EP&A Act and the Lithgow Community Participation Plan, and nearby landowners and occupiers were notified of the proposal. No known written submissions were received during the notification period.

Policy 7.8 Voluntary Planning Agreements

As part of the original approval DA021/18 and modification, the developer agreed to make the following contributions:

- \$607,600.00 being \$6,000 per residential lot for community facilities plus \$200 per residential lot for public open space ($\$6,200 \times 98 = \$607,600.00$)

The payment is to be made in the following instalments:

- Stage 1 – Lots 1 to 21 (20 lots – residue) (including the basin lot), (Lots 13 and 14 to be consolidated into proposed Lot 403), = \$124,000.00;
- Stage 2 – Lots 201 to 213 (13 lots), = \$80,600.00;
- Stage 3 – Lots 301 to 317 (17 lots), = \$105,400.00;

- Stage 4 – Lots 401 to 421 (17 lots), = \$105,400.00 (Lot 403 not included since VPA amount paid in Stage 1);
 - Stage 5 – Lots 501 to 516 (16 lots), = \$99,200.00;
 - Stage 6 – Lot 601 to 615 (15 lots) = \$93,000.00;
- an amount of \$313,600.00 being \$3,200 per residential lot to be created, to go towards Council's provision of a link road between James O'Donnell Drive and Col Drew Drive, Bowenfels (\$3,200 x 98 = \$313,600); and
The payment is to be paid prior to the release of the subdivision certificate for the 21st lot (Stage 2) to be created under DA021/18, MOD039/19 and MODDA024/23.
 - install a concrete island and "No Right Turn" signage on the James O'Donnell Drive approach to the Great Western Highway.
The intersection works are to be completed prior to the release of the subdivision certificate for the 30th lot to be created under DA021/18 and subsequent modifications.

The details of the VPA were incorporated and assessed in the original and previous modification applications. The VPA is required to be updated to reflect the increase in allotments, should this modification application be approved.

Policy 7.6 Development Applications by Councillors and Staff (including immediate relatives), or on Council Owned Land & Conflicts of Interest

Clause 5 of Policy 7.6 (Development Applications by Councillors and Staff or on Council Owned Land) states that "This policy does not apply to applications for the modification of development consent unless the modification represents a significant departure from the original application". As the proposed modification increases the residential allotments and relocates the drainage reserves/bioretention basins to 3 new lots on the adjoining land, Council staff consider this change is notable enough to warrant Council's consideration.

Legal

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

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

Risk Management

N/A.

Financial

- Budget approved - N/A for the assessment of the development application.
- Cost centre - N/A for the assessment of the development application.
- Expended to date - N/A for the assessment of the development application.
- Future potential impact - A Voluntary Planning Agreement was conditioned on the original consent and will remain as a condition should the modification application be approved. Water and Sewerage Development Contributions also apply and would remain as conditions on the consent, as well as maintenance bonds for the road work and bio-retention basins.

2.6. P&P - 25/08/2025 - Lithgow Local Environmental Plan 2014 Housekeeping Amendments - Public Exhibition

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.

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.

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: Christian Matthews – Strategic Land Use Planner

Department: Development and Building

Responsible Officer: Shaun Elwood - Director People and Place

Executive Summary

The purpose of this report is to seek the Council's approval to place the *Lithgow Local Environmental Plan 2014: Housekeeping Amendments March 2025* and amendments to the *Lithgow Development Control Plan 2021* on public exhibition for a period of 28 days in accordance with condition 4 (a) of the Gateway Determination and the *Lithgow Community Participation Plan 2020*.

At the Ordinary Meeting of Council held on 22 July 2024, Council resolved to prepare a Housekeeping Planning Proposal to make minor amendments to the *Lithgow Local Environmental Plan 2014* (LLEP 2014). The purpose of the Housekeeping Planning Proposal is to make alterations to the LLEP 2014 to address inconsistencies, errors and to add additional minor clauses to ensure that the planning framework for the Lithgow Local Government Area (LGA) gives effect to Council's direction and removes uncertainty in the application of the LLEP 2014.

On 23 September 2024, Council staff lodged a Draft Housekeeping Planning Proposal with the NSW Department of Planning, Housing and Infrastructure (DPHI). Following discussions with the Department, the Planning Proposal was withdrawn and later re-submitted. A favourable Gateway Determination was received by Council on 25 July 2025. The Gateway Determination permits Council to proceed with public exhibition pending satisfaction of the issued conditions.

Administration's Recommendation

THAT:

1. Council places the *Lithgow Local Environmental Plan 2014: Housekeeping Amendments March 2025* on public exhibition for a period of 28 days upon the satisfaction of all pre-exhibition Gateway Determination Conditions.
2. Council places the amendments to the *Lithgow Development Control Plan 2021* on public exhibition concurrently with the Housekeeping Planning Proposal for a period of 28 days.
3. Council conducts a public hearing for the four (4) lands proposed to be re-classified from community to operational, in accordance with Chapter 6, Part 2, Division 1 of the *Local Government Act 1993*.

4. Authorise the General Manager to make minor amendments prior to the public exhibition of the *Lithgow Local Environmental Plan 2014: Housekeeping Amendments March 2025 and Lithgow Development Control Plan 2021* to address written advice made by either the Minister of Planning and Public Spaces or by the NSW Rural Fire Service.
5. A report on the Planning Proposal, Development Control Plan, and outcomes of the public hearing be provided to Council following the conclusion of the public consultation period.
6. A **DIVISION** be called in accordance with the requirements of Section 375A (3) of the *Local Government Act, 1993*.

Attachments

1. Pre-Exhibition Lithgow Housekeeping LEP Planning Proposal [2.6.1 - 111 pages]
2. Lithgow LEP 2014 Housekeeping Proposal Gateway Determination [2.6.2 - 2 pages]
3. Agritourism DCP Section for Public Exhibition [2.6.3 - 17 pages]
4. Flood Prone Land DCP Section for Public Exhibition [2.6.4 - 17 pages]
5. Flood Planning Constraint Category DCP Maps for Public Exhibition [2.6.5 - 4 pages]

Reference to any relevant previous minute

Min 24 -167 – Ordinary Meeting of Council held on 22 July 2024

Background and discussion

Preparation of Draft Housekeeping Planning Proposal

In accordance with Council resolution minute 24 –167, Council's Strategic Planning team prepared a Draft Housekeeping Planning Proposal to amend the LLEP 2014 (**the Planning Proposal**). The amendments included the following:

- Updating Schedule 5 – Environmental Heritage to correct errors, removal of an incorrect listing over 993 Great Western Highway, omissions and update significance of newly registered state heritage listings.
- Adding additional LEP provisions in relation to:
 - Calculation of minimum lot size standards for battle axe lots,
 - Standard Instrument Clause 5.22 Special Flood considerations,
 - Requiring strata subdivision in RU5 Village and R5 Large Lot Residential zones to meet relevant minimum lot size provisions of the LLEP 2014, and
 - Reinstating dwelling entitlements for existing lots or holdings below 4000m² within RU5 Village at Cullen Bullen that can be serviced with reticulated sewer.
- Updating the land use table of zones RU1 Primary Production, RU2 Rural Landscape, RU5 Village to include *artisan food and drink industry* as a land use permitted with consent.

Artisan Food and Drink Industry means a building or place the principal purpose of which is the making or manufacture of boutique, artisan or craft food or drink products only. It must also include at least one of the following—

(a) a retail area for the sale of the products,

(b) the preparation and serving, on a retail basis, of food and drink to people for consumption on the premises, whether or not liquor, take away meals and drinks or entertainment are also provided,

(c) facilities for holding tastings, tours or workshops.

- Include *Recreation Facility (Outdoor)* as a land use permitted with consent in the C3 Environmental Management zone.

Recreation Facility (Outdoor) means a building or place used predominantly for indoor recreation, whether or not operated for the purposes of gain, including a squash court, indoor swimming pool, gymnasium, table tennis centre, health studio, bowling alley, ice rink or any other building or place of a like character used for indoor recreation, but does not include an entertainment facility, a recreation facility (major) or a registered club.

- Rezoning of small parcels of site-specific lands to correct zoning and land use anomalies and updating rural lands gazetted as National Park estate.
- Amendments to the title of the Biodiversity Overlay, Sensitive Lands Overlay and Water Overlay maps to remove reference to Environmentally Sensitive Areas.
- Seek the reclassification of four (4) Council owned lands from Community to Operational.
 - Lake Lyell, Lot 1 DP 246233,
 - Lake Lyell, Lot 5 DP 1304125,
 - Queen Elizabeth Park, Lot 2 DP 1077295 and
 - Lithgow Union Theatre Lot 45 DP 1096536.

Submission of the Planning Proposal to DPHI

On 23 September 2024, Council staff submitted the Planning Proposal to the NSW Department of Planning, Housing and Infrastructure (DPHI) for Gateway Determination. Following subsequent discussions with DPHI's regional office, Council was requested to withdraw the Planning Proposal. This request was based on the Planning Proposal requiring further justification in accordance with the 9.1(2) Ministerial Directions, along with issues related to the clarity of mapping and the substantial number of public land reclassifications proposed.

Council formally withdrew the Planning Proposal on 12th March 2025.

Amendments to the Planning Proposal

Council staff undertook amendments to the Proposal in preparation for resubmission. Key revisions included a reduction in the number of public land reclassifications from over forty to four, the removal of any items not included in the original Council resolution, and other minor modifications. These included the provision of additional evidence aligning the Planning Proposal and the 9.1(2) Ministerial Directions, updated mapping, and the removal or amendment of minor, non-substantive clauses.

The revised Planning Proposal was submitted on 26th March 2025.

Favourable Gateway Determination received

On the 25th July 2025, Council received a favourable Gateway Determination from DPHI, permitting Council to proceed with public exhibition of the Planning Proposal pending the satisfaction of the conditions issued.

The table below summarises the conditions of the Gateway Determination and the actions that have been or will be taken by the administration to address the conditions imposed by DPHI.

| Condition | Administration Action |
|---|--|
| Clarify whether a change or extinguishment of any interests is sought, including the removal of any public reserve status, for all public land proposed to be reclassified from community land to operational land. | Revised the Planning Proposal to identify Council will be seeking the removal of the public reserve status over the areas proposed for reclassification: <ul style="list-style-type: none"> • Lot 1 DP 246233 – Lake Lyell • Lot 45 DP 1096536 – Queen Elizabeth Park |
| Refer to all land added to the National Park estate consistent with the schedule listing in the NSW Government Gazette, including full legal description and provide corresponding mapping with figure references. | A request for legal descriptions was sent to the NSW National Parks and Wildlife Service. The Planning Proposal has been updated to include the advice provided by NPWS. The identification of lands for rezoning has also been updated to better reflect the NSW Government Gazettal notations. |

| | |
|--|---|
| Propose a more appropriate zone for the Lithgow City Council Works Depot at Wallerawang, being Zone E4 General Industrial or SP2 Infrastructure. | The Planning Proposal has been updated to recommend the future zone applicable to the Wallerawang Depot be SP2 – Council Depot. This zone was chosen instead of E4 General Industrial to reduce the potential of land use conflict with the commercial operations of Main Street Wallerawang. |
| Ensure all zones are correctly referenced, in particular, the renaming of E Zones to C Zones. | Changed two abbreviated zoning descriptions to their proper conservation zone abbreviations. |
| Remove all references to proposed Amendment No. 10 'Rezoning of Crown and Bathurst Aboriginal Land Council land in Portland' and any associated mapping. | Removed all references from the Planning Proposal. |
| Ensure all mapping includes labels, map title references and figure numbers. | <p>The Planning Proposal will be updated prior to public exhibition and referred back to the Minister with labels, LEP PDF compliant maps and figure numbers.</p> <p>Council is currently in the process of making amendments to the maps provided by our GIS contractor to ensure consistency with the contents of the Planning Proposal and Gateway Determination, in addition to the <i>Spatial Technical Requirements for Spatial Datasets and Maps August 2017</i>.</p> |
| The amended planning proposal shall be submitted to the Minister for review and approval, prior to the commencement of agency and/or community consultation. | Upon addressing the relevant Gateway Conditions, Council will send the updated Planning Proposal to the Minister for approval prior to public exhibition. |
| <p>Prior to public exhibition, consultation is required with the following public authority:</p> <ul style="list-style-type: none"> • NSW Rural Fire Service (regarding satisfaction of Direction 4.3 Planning for Bushfire Protection). | A letter has been sent to NSW Rural Fire Service seeking feedback on the Planning Proposal. Should correspondence be provided to Council from NSW Rural Fire Service that there is no objection to the Planning Proposal proceeding, the Planning Proposal will be placed on public exhibition subject to the recommendation of this report. |
| <p>Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:</p> <p>(a) the planning proposal is categorised as principal and must be made publicly available for community consultation for a minimum of 20 working days; and</p> <p>(b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that PP-2025-566 (IRF25/769) must be made publicly available along with planning proposals as identified in Local Environmental Plan Making Guideline (Department of Planning and Environment, August 2023).</p> | <p>The Planning Proposal will be placed on public exhibition for a period of 28 working days in accordance with the Lithgow Community Participation Plan 2020. The number of working days the Planning Proposal will be placed on public exhibition will comply with the minimum 20 working days required by the Gateway Determination.</p> <p>Council will exhibit the Planning Proposal on Council's Website, Council's Administration Office and the NSW Planning Portal consistent with the NSW Plan Making Guidelines.</p> |
| Consultation is required with the following public authorities and government agencies under | Council will liaise with WaterNSW, National Parks and Wildlife Service and Heritage NSW |

| | |
|---|---|
| <p>section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act:</p> <ul style="list-style-type: none"> • Water NSW (regarding the proposed inclusion of 'recreation facilities (outdoor)' in Zone C3 Environmental Management). • National Parks and Wildlife Service Division of the NSW Department of Climate Change, Energy, the Environment and Water (regarding the proposed rezoning of land that has been notified in the NSW Government Gazette for reservation as a national park or nature reserve). • Heritage NSW (regarding the proposed amendments to the heritage schedule and mapping). <p>Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 working days to comment on the proposal.</p> | <p>as part of the public exhibition process regarding the matters listed in the Gateway Determination.</p> |
| <p>Council must arrange a public hearing in respect of the planning proposal to reclassify community land as operational land in accordance with the requirements of section 29 of the Local Government Act 1993.</p> | <p>Council will hold a public hearing no sooner than 21 days after the completion of the public exhibition period in accordance with Part 2 Division 1 of the <i>Local Government Act 1993</i> (LG Act).</p> <p>Council will be appointing an Independent body in accordance with s.47G of the LG Act to preside over the public hearing and prepare a report regarding the results of the hearing.</p> |
| <p>Council must ensure that all relevant obligations in relation to the reclassification of public land through a local environmental plan are undertaken in accordance with the Local Environmental Plan Making Guidelines (Department of Planning and Environment, 2023) and Practice Note PN16-001 Classification and reclassification of public land through a local environmental plan.</p> | <p>Council has reviewed the reclassification sheets and explanation of provisions to align more closely with the practice note and guidelines.</p> |

In addition to the Planning Proposal, it is proposed to amend the Lithgow Development Control Plan 2021 (DCP) to ensure consistency between the LEP and DCP that will address implementation issues and updated State Government advice. The nature of changes to the DCP are either housekeeping related amendments or general amendments.

Housekeeping-Related Amendments

- Incorporate the updated flood-related development controls from Appendix D of the Council adopted Lithgow Floodplain Risk Management Study and Plan (FPRMS&P) 2023 into the Development Control Plan (DCP). This will include replacing the maps in Section 3.5 of the DCP with the Flood Planning Constraint Category maps from the 2023 FPRMS&P. These updates will provide clearer guidance to prospective developers regarding construction standards required in Flood Prone Areas (up to the Probable Maximum Flood level) and clearly identify where different

development control standards apply. The proposed development controls and maps have been attached to this report.

General Amendments

- Introduce development standards for Agritourism developments consistent with the model clauses prepared by the Department of Planning, Housing and Infrastructure. In December 2022, the NSW Government implemented agritourism reforms, introducing new definitions into Council's LEP such as *farm gate premises*, *farm experience premises*, and an amended definition of *farm stay accommodation*. These reforms also established exempt and complying development pathways for certain agritourism activities. In August 2023, the State Government through an amending SEPP, updated the Lithgow LEP 2014 to permit agritourism with consent in the RU1 Primary Production and RU2 Rural Landscape zones. At the same time, DPHI released model DCP clauses for Councils, as the development standards originally intended for inclusion through the amending SEPP were ultimately not incorporated into the LLEP 2014. The proposed development controls have been attached to this report.
- Remove **Section 5.4 - Urban Release Areas & South Bowenfels** and replace controls in Section 5.3 - Urban Residential Subdivision and 5.5 - Large Lot Residential & Rural Subdivision where relevant as per the points below:
 - **Remove Section 5.4.1 – Corner Lots:**
 - This control is already addressed in Section 5.3.1 (2c) – Urban Residential Subdivision.
 - **Remove Section 5.4.2 – Battle-Axe Lots:**
 - This control is already addressed in Section 5.3.2 (1 and 2) – Urban Residential Subdivision, and Section 5.5.2 (1 and 2) – Large Lot Residential & Rural Subdivision.
 - **Relocate Section 5.4.3 – Public Open Space & Facilities:**
 - This control will be moved to Section 5.3 – Urban Residential Subdivision. A new clause will also be created in Section 5.5 – Large Lot Residential & Rural Subdivision, which will apply only to R5 Large Lot Residential lots with a minimum lot size of 2,000 m² or less.
- Inconsequential administrative changes to amend numbering, grammar and general presentation.

After public exhibition of Planning Proposal and DCP and public hearing, a report will be prepared for Council outlining the submissions received in relation to the Planning Proposal and the associated Development Control Plan amendments. The report will include a summary of any issues raised and provide commentary and recommendations by Council Officers.

As the Minister for Planning and Public Spaces is the designated local plan making authority for this Planning Proposal, the Planning Proposal will need to be referred back to DPHI for finalisation in due course.

Consultation and Communication

The Gateway Determination has confirmed under condition 4 that the Planning Proposal is categorised as a Principal Planning Proposal and should be made available for community consultation for a period of no less than 20 working days. This is consistent with the *Lithgow Community Participation Plan 2020* which required Planning Proposal's to be publicly exhibited for a period of 28 days (non-working included). Should public exhibition fall over a public holiday period, or another period as prescribed by the EP&A Act, the exhibition period will be extended accordingly.

The Draft Planning Proposal will be public notified by:

- A notice in the Village Voice each week of the exhibition,
- Written notification to landowners in the Cullen Bullen township,
- Notification on Council's website,
- Display at Council's customer service centre and libraries, and
- NSW Planning Portal.

Council will also notify relevant government agencies concurrently with the public exhibition period as directed by the NSW Gateway Determination. This includes:

- WaterNSW,
- National Parks and Wildlife Service, and
- Heritage NSW.

A public hearing will be scheduled no sooner than 21 days after the conclusion of the public exhibition of the Planning Proposal.

Policy

Nil.

Legal

The subject matter of this report is a function of Council conferred by the *Environmental Planning and Assessment Act 1979* and the *Local Government Act 1993*.

Risk Management

Nil.

Financial

- Budget approved - \$2,500
- Cost centre - 800104
- Expended to date - Nil
- Future potential impact - \$2,500 (Public exhibition costs)

2.7. P&P - 25/08/2025 - Six Month Progress Report

Strategic Context for this matter:

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

Author: Deborah McGrath – Manager Organisation Performance and Communications

Responsible Officer: Shaun Elwood - Director People and Place

Executive Summary

During the January to June 2025 reporting period, the Administration has balanced delivery of the projects and programs for 2024/25 whilst strategically positioning the Council and the Local Government Area (LGA) for the future, as well as dealing with emerging issues.

Administration's Recommendation

THAT Council note the following documents:

- 2022-2026 January - June Delivery Program Progress Report; and
- 2024/2025 January - June Operational Plan Progress Report.

Attachments

1. Delivery Program Six Month Progress Report [2.7.1 - 34 pages]
2. Operational Plan Six Month Progress Report [2.7.2 - 97 pages]

Reference to any relevant previous minute

Min No. 24-130 Ordinary Meeting of Council 24 June 2024

Min 25-53 Ordinary Meeting of Council 24 February 2025

Min 25-88 24 Ordinary Meeting of Council 24 March 2025

Background and discussion

The 2024/2025 January-June six month reporting documents highlight the Council's progress towards completing our 2022-2026 Delivery Program and 2024/2025 Operational Plan priorities. Council was able to deliver over \$34.5M in capital works, which is a 21% increase on the value of works delivered during 2023/2024.

Key projects which are progressing or completed include:

- **Wolgan Valley Access** - The tender for the slope risk assessment for the new, modified and existing access to Wolgan Valley has been awarded and a consultant engaged. In July, Council received approval of a funding application under Disaster Recovery Funding Arrangements and is committed to delivering the most cost-effective solution, in the shortest possible time, with the least possible environmental impact.

- **Growth Management Strategy** - Council has completed initial scoping and key stages of the procurement process to engage an external consultant for the preparation of the Growth Management Strategy which will include integration of the Employment Lands Strategy.
- **Events Management Strategy** - Council endorsed the Events Management Strategy for the Lithgow LGA which will see a new focus for the annual Halloween Event and the second annual Christmas Concert. Council was successful in obtaining \$340,000 in funding through the Open Streets Program to host the Lithgow International Schnitzel Festival, over three years with the first event scheduled to be held in February 2026.
- **Clarence to Wallerawang Pipeline Project** - Over the past six months, Council has engaged a consultancy firm to conduct a gap analysis of studies completed under the Review of Environmental Factors. Council is currently awaiting further advice regarding the scope of future aquatic ecology assessments.

In support of the next project phase, Council has held meetings with key stakeholders and partners to review the new guidelines for the Regional Precinct Partnership Program. The aim is to submit a joint funding application for the design of the pipeline and Water Treatment Plant.

This report acknowledges the commitment to the community by the Mayor and Councillors as well as our teams for their dedication to delivering outcomes that matter. The highlights, stories and challenges provided in the 6-month reports are only a small representation of the many services and projects delivered over January to June 2025.

Consultation and Communication

The purpose of this report to provide key information on the progress on key actions, programs and projects to our community.

Policy

N/A

Legal

The subject matter of this report is a function of Council conferred by the Local Government Act 1993 s404(5).

Risk Management

This report as required under legislation, is a key mechanism to Council's Legal Compliance Risk and due to the level of transparency to the community, reduces reputation risk to Council.

Financial

As detailed in the reports.

2.8. WWW - 25/08/2025 - Waste Collection Services Contract Community Consultation

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: Nigel Campbell – Waste and Recycling Manager

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

Executive Summary

The purpose of this report is to provide the outcome of the community consultation process for the Waste Collection Services contract with a recommendation for the final collection area and frequency of service for the Council's determination.

Administration's Recommendation

THAT Council:

1. Note the community consultation process undertaken for kerbside waste services under the new Waste Collection Services Contract (new Contract) commencing 4 November 2026;
2. Endorse the option of continuing weekly red-bin collections under the new Contract;
3. Endorse the option of continuing Collection Area A (same as existing) and decline the option of Collection Area B (extending to include Capertee, Glen Davis, Glen Alice, Rydal, Tarana and Sodwalls) under the new Contract;
4. Note the intention to review the provision of a transfer station at Glen Davis; and
5. Note that a review of all waste infrastructure will occur as part of the next Waste Strategy to be developed from 2026.

Attachments

Nil

Reference to any relevant previous minute

Min. No. 25-58 Ordinary Meeting of Council held on 24 February 2025.

Background and discussion

At the Ordinary Meeting of Council on 24 February 2025, a resolution was passed which included:

6. Note a report will be brought to a future Ordinary Meeting of Council, following a community consultation program, to recommend the final collection area and frequency of service under Part A of the Waste Services Tender for Council approval.

The new contract will commence 4 November 2026.

Collection area option

The tender specified that the Approved Collection Area would be determined by Council following the evaluation of tenders. The tender called for collection area pricing to include both:

- *Collection Area A*: including the areas of Lithgow, Rydal, Portland, Wallerawang, Lidsdale, Hartley (and Little Hartley), Cullen Bullen, Clarence, Capertee, Marrangaroo and Dargan; and
- *Collection Area B*: Collection Area A plus Tarana and Glen Davis / Glen Alice.

Collection Area A is the same as the existing kerbside collection area. Collection Area B was included as an option for Council to extend the kerbside area subject to cost impacts, impact on the Domestic Waste Charge and community consultation.

Weekly versus fortnightly garbage collection option

The tender specified two options for the frequency of garbage (red bin) collection that would be determined by Council following assessment of tenders:

- Option 1: Weekly garbage (same as existing); or
- Option 2: Fortnightly garbage.

Fortnightly garbage was included as an option for conforming tenders as this is common with a 3-bin kerbside system that includes a weekly organics (FOGO) service. A fortnightly garbage service is an option for Council subject to cost impacts, impact on the Domestic Waste Charge and community consultation.

Consultation and Communication

Community consultation was undertaken between 10 June 2025 and 18 July 2025, to determine the level of support for the options of:

1. Weekly or fortnightly red-bin collection; and
2. Continue with existing collection areas or extend to include areas within Capertee, Glen Davis, Glen Alice, Rydal, Tarana and Sodwalls.

A "Community Consultation on Kerbside Services" document was prepared for the community and was available online through Council's website and a version was prepared as an email attachment.

The Community Consultation on Kerbside Services contained two proposals.

Each proposal explained

- why the community was being consulted on the proposal,
- what the service options were,
- why a particular service was being proposed, and
- what the alternative service options are expected to cost households.

The community was informed about the two proposals by:

- Council's website,
- Council's Facebook page,
- Council's e-newsletter,
- Council's Waste Info App,
- Printed flyers at Council's library branches and the Lithgow Solid Waste Facility, and
- Email to Community Progress Associations to share with their members.

Progress Associations were contacted directly regarding the consultation.

It was explained in the community consultation documents that although at present the 'Waste Disposal – Rural' charge is less than the 'Garbage Service – Residential' charge, this is changing because the cost of providing rural waste services is increasing and the amount being charged at present does not cover the actual costs. All rural waste facilities will continue to be rationalised, secured and supervised. This will include a review of the location and services of each facility.

The community consultation stated that the proposal to extend the kerbside collection area was aimed to:

- Provide residents with the best possible level of service,
- Provide residents with ongoing waste service in their locality,
- Deliver best practice waste management, and
- Help protect all of the community from higher costs for the provision of waste service in the future.

Results of the community consultation

The Community Consultation on Kerbside Services invited feedback on Proposal 1 and on Proposal 2. The consultation asked the following questions:

Proposal 1:

Do you agree with the proposal to continue with a weekly collection of the red-bin, rather than change to a fortnightly collection of the red bin?

Proposal 2:

Do you agree with the proposal to extend the kerbside collection to areas within Capertee, Glen Davis, Glen Alice, Rydal, Tarana and Sodwalls, rather than continue with only the existing collection areas.

A feedback form was prepared for community submissions on each of the two Proposals. The feedback form could be completed online or by email.

A total of 804 residents submitted feedback. There were 775 responses to Proposal 1 and 672 responses to Proposal 2.

Survey results

Proposal 1:

Out of 775 responses, 718 (93%) agreed to the continuation of the weekly red-bin collection. Based on the overwhelming support on Proposal 1, it is recommended to continue weekly red-bin collection under the new contract.

Out of 672 responses across the entire LGA, 512 (76%) agreed to the extension of the kerbside collection area. However, for those households within the affected area, more than 71% disagreed with the option to have a kerbside service.

A summary of responses for Proposal 2 for those in the extension area is provided below:

| Area | Agree | Disagree |
|---------------|--------------|-----------------|
| Glen Alice | 1 | 18 |
| Glen Davis | 9 | 5 |
| Capertee | 1 | 8 |
| Dunville Loop | 1 | 0 |
| Bogee | 1 | 1 |
| Tarana | 2 | 0 |
| Sodwalls | 0 | 1 |
| Round Swamp | 0 | 1 |
| Upper Nile | 0 | 2 |
| Total | 15 | 36 |

It is acknowledged that the above feedback is based on those who responded to the consultation process only and is only a sample of affected people.

Based on comments received in the consultation process, those who disagree with extension of the kerbside area had the following reasons:

- Wind-blown litter from bins falling over,
- Increase in vermin and wildlife impacts,
- Distance of house from the kerbside collection point,
- Minimal or no benefit from taking waste to the kerbside in a vehicle versus continuing in the vehicle to a waste facility,
- Increased cost of service,
- Damage to roads from truck movements,
- Number of weekenders and risk of theft if bins left out,
- Danger of trucks on the road,
- Small amount of red-bin waste as a component of waste for rural households,
- Loss of rural ambience and attractiveness due to bins beside the roads, and
- Will never use the service as take waste to Sydney

Those who agreed had the following reasons:

- Wind-blown litter from transfer station bins,
- Increase in vermin and wildlife impacts,
- Misuse of waste facilities by those who live outside of the area (out of area waste),
- Misuse of waste facilities by those who live within the area (prohibited waste),
- The kerbside service would enhance the community, and
- The kerbside service would provide excellent assistance with waste disposal

Discussion and considerations

Consultation for Proposal 2 has identified the complexity in providing the kerbside service to some areas in the LGA. There are a number of unique factors that require consideration, such as:

- Number of weekenders and absentee owners,
- Distance of house from collection point for a large number of properties, and
- Desire to retain rural ambience unimpacted by waste services

Extending the collection area would have the following advantages:

- Equality – provision of the same service as other areas in the Lithgow LGA,
- Best practice - waste services provided with appropriate recycling,
- Risk minimisation – provision of a kerbside service could remove the need for a new transfer station at Glen Davis and the associated risks of operating a transfer station, and
- Bulky waste options – the kerbside service includes 2 x bulky waste and 2 x bulky green waste collections per year.

Extending the collection area would have the following disadvantages:

- Service abuse – stemming from dissatisfaction of the service,
- Absenteeism – bins left unattended or service unable to be utilised,
- Higher ratepayer costs – with a higher service level the 'Garbage Service' charge for the kerbside service (\$602.60 for 2025/26) is considerably higher than the "Waste Disposal – Rural" charge (\$290.30 for 2025/26),
- Dissatisfaction - majority of respondents in extension area don't want the service, and
- Higher administration costs – as a result of ratepayers seeking exemptions to the service due to distance to collection point and increased lost/stolen/damaged bins due to bins being left out for long periods.

The disadvantages could inhibit the effective delivery of a kerbside service, particularly when the majority of affected respondents disagree with the provision of the service.

Impact on other waste services

The decision on whether or not to extend the kerbside area impacts other waste services provided by Council, mainly the location and setup of transfer stations. The consultation information noted the challenges and risks with the provision of rural waste services and that these services are being reviewed. These challenges and risks are increasing with time due to new waste types and increases in disposal charges that incentivise illegal dumping. A prime example of the challenges and risks are fires created by lithium batteries that are having a significant impact on many waste services, including Lithgow Council waste facilities.

The Glen Davis transfer station has specific challenges due to the remote location, lack of telecommunications, lack of identified suitable land and proximity to bushland areas. These challenges will add considerable cost to the ongoing provision of the service that is funded through the 'Waste Disposal – Rural' Charge. The provision of this transfer station requires review in line with Council's overall waste strategy.

Council's current *Waste Management and Resource Recovery Strategy 2022-26* is due for update from 2026. A review of all waste infrastructure will occur as part of the next Waste Strategy update.

Conclusion

Proposal 1 (weekly versus fortnightly red-bin):

Based on the overwhelming support on Proposal 1, it is recommended to continue weekly red-bin collection under the new contract.

Proposal 2 (collection area):

Based on the potential for adverse impacts on service delivery, it is recommended that the kerbside collection area not be extended and continues as per the existing collection area. It is noted that as residential dwellings are built on land adjacent to the collection area that these properties, subject to efficiency and safety of bin collection, will be included in the current kerbside collection area.

It is further recommended to review the provision of the Glen Davis transfer station, along with the review of all waste infrastructure as part of Council's next Waste Strategy.

Policy

N/A

Legal

N/A

Risk Management

There are risks associated with the provision of all waste services that are managed in accordance with relevant legislation and Council policies. Some of the specific risks for the options are identified in the body of this report.

Financial

- Budget approved - to be included in Waste operational budget from 2026/27
- Cost centre - 800091, 800093, 800094, 800095, 800096
- Expended to date – n/a
- Future potential impact - costs to be built into the Waste long-term financial plan and funded through the Domestic Waste Charge

2.9. WWW - 25/08/2025 - Development Servicing Plans - Mapping and Service Area Amendments

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: Matthew Trapp - Director Water, Wastewater and Waste

Responsible Officer: Matthew Trapp - Director Water, Wastewater and Waste

Executive Summary

This report is provided for the Council's review and consideration to place amended mapping for the Water and Wastewater Development Servicing Plan (DSP) on public exhibition. The DSP contains maps that identify properties that would be serviced by Lithgow City Council's water and sewerage utilities. As time passes, the land usages and zonings can change and, as such, plans should be reviewed and changed as the properties require services.

The attached maps, with Council's endorsement, will be placed on public exhibition for community consultation before inclusion in the current adopted DSP documents.

Administration's Recommendation

THAT

1. Council endorses the proposed mapping changes for the Water and Wastewater Development Servicing Plan to be placed on exhibition for twenty-eight (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 DSP mapping changes be adopted.

Attachments

1. Current Wallerawang DSP Mapping [2.9.1 - 1 page]
2. Proposed - Wallerawang DSP Mapping [2.9.2 - 1 page]

Reference to any relevant previous minute

Min 18-222 Ordinary Meeting of Council 27 August 2018 – DSP adoption

Min 20-222 Ordinary Meeting of Council 28 September 2020 - Draft Planning Proposal - Spot Rezoning

Min 21-41 Ordinary Meeting of Council 22 February 2021 – DSP charges

Min 21-88 Ordinary Meeting of Council 26 April 2021 - Lithgow Local Environmental Plan 2014 (Amendment 4)

Background and discussion

Development Servicing Plans (DSPs) are critical planning and financial instruments that enable local water utilities (LWUs) in New South Wales (NSW) to manage infrastructure delivery and cost recovery associated with new developments. They are prepared in accordance with the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) guidelines and help to ensure water supply, sewerage, and stormwater infrastructure keeps pace with urban growth.

Purpose and Importance of DSPs

1. Infrastructure Planning: DSPs identify the infrastructure required to service new developments over a defined planning horizon (typically 30 years).
2. Cost Recovery: They provide a transparent mechanism for levying developer charges, ensuring that the cost burden of growth-related infrastructure is equitably shared.
3. Equity and Sustainability: DSPs prevent existing customers from subsidising infrastructure needed solely for new developments.
4. Financial Management: They help LWUs maintain financial viability by forecasting capital and operational costs associated with growth.
5. Compliance: Ensures LWUs align with regulatory frameworks and best practices established by the NSW Government.

An essential component of a Development Servicing Plan (DSP) is the definition and mapping of service areas. These are the geographic zones within which the utility intends to provide water, sewerage, or stormwater services and for which developer charges will apply.

Purpose of Service Area Mapping

Service area mapping ensures that:

- Infrastructure planning is spatially accurate and aligns with land use zoning and growth areas.
- The cost of growth-related infrastructure is equitably distributed amongst benefitting developments.
- Developer contributions are calculated only for areas receiving, or expected to receive, services.

Maps must be included in the DSP documentation and should clearly delineate:

- Existing serviced areas.
- Areas intended to be serviced within the DSP planning horizon.
- Major infrastructure (e.g., trunk mains, pumping stations, treatment plants).
- Catchment boundaries for sewerage and stormwater systems.

Criteria for Service Area Selection

The process of determining which areas to include in a DSP is based on the following considerations:

- Alignment with Strategic Land Use Planning: Service areas typically align with land identified for urban expansion, as set out in local environmental plans (LEPs), regional plans, or precinct structure plans.
- Feasibility of Servicing: The utility must assess whether providing services to a proposed area is technically feasible and economically viable, considering topography, distance from existing infrastructure, and capacity constraints.
- Demand Projections: Areas with forecast population or employment growth are prioritised, particularly where development is expected to occur within the 30-year DSP horizon.
- Infrastructure Staging and Capital Works Programs: Areas targeted for infrastructure investment in the utility's capital works program are prime candidates for inclusion in DSPs.
- Equity and Cost Recovery: The utility ensures that included areas are expected to benefit from the planned infrastructure, supporting equitable charging and avoiding subsidisation from outside the DSP area.
- Boundary Management: Service area boundaries should avoid fragmented or irregular shapes and be consistent with hydraulic, sewer catchment, or zoning boundaries where possible.

Updating and Managing Service Areas

As development patterns change, councils must regularly:

- Review service area boundaries as part of a DSP update.
- Engage with planning authorities and developers to anticipate new servicing needs.

- Amend DSP maps in response to infrastructure upgrades, rezoning, or development agreements.
- This ensures DSPs remain accurate, relevant, and financially sustainable over time.

Proposed Update

The update to the mapping is shown in the attachment - Proposed Wallerawang DSP Mapping. These allotments were subject to a planning proposal approved by Council as per:

- 28 September 2020 – Minute No.20-222.
- 26 April 2021 – Minute No.21-88.

This map shows the inclusion of allotments previously rezoned were zoned SP2 – Electricity Generation to IN2 – Light Industrial with an additional permitted use to apply to Lot 20 DP 1207089 and Lot 1 DP 213770 to permit development for the purposes of Hotel or Motel Accommodation. As of 26/04/2023 the IN2 – Light Industrial Zoning is now E4 – General Industrial.

This is the only proposed change to the service areas at this stage, to include these allotments to be in the DSP service area. This reflects that the servicing area only requires change to accommodate one site since the DSP inception.

Consultation and Communication

The report is to place updated mapping on exhibition for community consultation so the administration can collate commentary and provide back to Council any areas of concern or issues that may be presented by the proposed changes.

Policy

Council adopted the Development Servicing Plan for Water and Wastewater in August 2018. This proposal will change the mapping of the DSP and adjust the servicing area.

Legal

The subject matter of this report is a function of Council conferred by the Local Government Act 1993 and Water Management Act 2000.

Local Government Act 1993

64 Construction of works for developers

Division 5 of Part 2 of Chapter 6 of the Water Management Act 2000 applies to a council exercising functions under this Division in the same way as it applies to a water supply authority exercising functions under that Act.

Water Management Act 2000

Division 5 Developer contributions to the construction of works

305 Application for certificate of compliance

(1) A person may apply to a water supply authority for a certificate of compliance for development carried out, or proposed to be carried out, within the water supply authority's area.

(2) An application must be accompanied by such information as the regulations may prescribe.

306 Authority may impose certain requirements before granting certificate of compliance

(1) This section applies to such kinds of development as are prescribed by the regulations for the purposes of this section.

(2) *As a precondition to granting a certificate of compliance for development, a water supply authority may, by notice in writing served on the applicant, require the applicant to do either or both of the following—*

(a) *to pay a specified amount to the water supply authority by way of contribution towards the cost of such water management works as are specified in the notice, being existing works or projected works, or both,*

(b) *to construct water management works to serve the development.*

(3) *In calculating an amount for the purposes of subsection (2) (a)—*

(a) *the value of existing water management works and the estimated cost of projected water management works may be taken into consideration, and*

(b) *the amount of any government subsidy or similar payment is not to be deducted from the relevant value or cost of the water management works, and*

(c) *consideration is to be given to any guidelines issued for the time being for the purposes of this section by the Minister.*

(4) *If a water supply authority imposes a requirement under this section on the Crown, the Crown may request the Minister for Urban Affairs and Planning to determine whether such a requirement should be imposed and, if so, in what terms.*

(5) *The determination made by the Minister for Urban Affairs and Planning in response to such a request is final and is taken to be the determination of the water supply authority.*

(6) *Any water management works constructed in compliance with a requirement under this section are the property of the water supply authority.*

307 Granting of certificates of compliance

(1) *A water supply authority must grant a certificate of compliance for development—*

(a) *within 60 days after an application for the granting of such a certificate is made, or*

(b) *if, within that period, the water supply authority imposes a requirement on the applicant under this Division, as soon as it is satisfied that the requirement has been complied with.*

(2) *A water supply authority may be satisfied that a requirement under this Division has been complied with if the applicant lodges with the water supply authority such security for compliance with the requirement as the water supply authority may approve.*

(3) *If a water supply authority fails or refuses to give a compliance certificate within the period of 60 days after an application is duly made in that regard, the applicant may appeal to the Land and Environment Court, within 12 months after the expiration of that period, against the failure or refusal.*

Risk Management

This proposed change manages the risk of Council being unable to fund infrastructure for future connections or rezoned areas trying to connect to the water and sewerage system.

Financial

- Budget approved - nil
- Cost centre – N/A
- Expended to date – N/A
- Future potential impact – Mapping change will apply DSP charges to proposed land and property identified in the maps, as well as ensuring Council provides water and sewerage services to these lands.

2.10. WWW - 25/08/2025 - Draft Water Services Restriction Policy

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: Matthew Trapp - Director Water, Wastewater and Waste

Responsible Officer: Matthew Trapp - Director Water, Wastewater and Waste

Executive Summary

The purpose of this report is to put to Council a new policy relating to the restriction of water services. The new policy is attached to this report and has been created in order to outline a pathway for restriction and disconnection of water services from Council's water and wastewater system and to provide Council a way to restrict leakage, waste and misuse of water through connections to the Council system.

Administration's Recommendation

THAT

1. Council endorses the draft Water Services Restriction Policy for public exhibition and comment for 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 - Policy - 3.9 Water Services Restriction Policy [2.10.1 - 5 pages]

Reference to any relevant previous minute

Nil

Background and discussion

As a local water utility under the Local Government Act 1993 (NSW) and the Water Management Act 2000 (NSW), Lithgow City Council is responsible for ensuring the sustainable, safe, and efficient supply of potable water to the community.

Water restrictions are an essential tool for managing water resource uses in the potable water system, to restrict services to those who are not actioning misuse and wastage of water via leaks or are not paying for the service provided by the Council. The policy has been developed to provide Council with an ability to restrict water flows to properties if issues present of non-payment of accounts or significant leakage or waste at a property, due to breakages on the private plumbing connected to Council's metering system.

Importance of a Water Restriction Policy

1. Ensures Water Supply Security

- Provides a proactive mechanism to manage consumption when properties are showing signs of misuse or wastage of water.
- Protects the water resource for the community by limiting wastage and ensures that usage costs are recovered.

1. Protects Public Health and Essential Services

- Ensures that priority water use (e.g., hospitals, firefighting, aged care) can be maintained.
- Reduces the likelihood of supply interruptions or quality compromises.

2. Provides Transparency and Consistency

- Ensures equitable treatment of all customers, avoiding ad-hoc or inconsistent decisions.

3. Supports Environmental Sustainability

- Encourages efficient water use and reduces wastage.
- Protects water resources and assets used by the community and customers.

4. Strengthens Community Engagement and Compliance

- Clear public messaging increases understanding and compliance.
- Reduces disputes and confusion about permitted and prohibited activities.

5. Minimises Economic Impacts of Water Shortages

- Addressing leakage and misuse early ensures property owners are not issued with large bills due to leaking plumbing services.
- Ensures undue costs are not received or burdening the community due to ongoing usage or waste of water that Council has produced for consumption

Consultation and Communication

The policy will be placed on exhibition for community consultation.

Policy

This policy relates to other Council policies.

- 3.1 Water Service and Meter Installation.
- 3.8 Excessive Water Usage Allowance for Breakages.

Legal

The subject matter of this report is a function of Council conferred by the Local Government Regulation 2021.

144 Cutting off or restricting water supply

- (1) The council may cut off or restrict the supply of water to premises—*
- (a) if any water meter used to measure that supply is out of repair or, in the opinion of the council, incorrectly registers the supply of water, or*
 - (b) if any rates or charges in respect of the water supplied to the premises are unpaid, or*
 - (c) if, in the opinion of the council, that action is necessary because of unusual drought or other unavoidable cause or any accident, or*
 - (d) if the owner or occupier or person requiring a supply of water fails to comply with a lawful order or requirement of the council as to installing water meters or instruments for measuring the quantity of water supplied, or*
 - (e) if the owner or occupier or person requiring a supply of water fails to comply with a lawful order or requirement of the council to repair or alter water connections, pipes, fittings or fixtures connected to the council's water supply system, or*
 - (f) if the occupier of the premises contravenes a provision of Division 3 of this Part or fails to comply with any council order or public notice requiring consumers of water to economise its use in time of drought or scarcity of supply, or*
 - (g) if the owner or occupier of the premises fails to comply with a requirement of a council order to remove, replace, alter, extend, repair or stop using a water pipe, fitting or fixture.*
- (2) The cutting off of the supply of water under this section for non-payment of rates or charges does not affect the liability of the rateable person to pay those rates or charges.*
- (3) If the council cuts off the supply of water to premises because—*
- (a) there is no water meter installed on the premises, or*
 - (b) the water meter on the premises registers incorrectly, or*
 - (c) water rates or charges for the premises are unpaid,*
- the council may refuse to supply water to those premises until a water meter is installed on the premises, the water meter registers correctly or the water rates or charges are paid (as the case may require).*

Risk Management

The policy provides a risk management strategy to Council to ensure the protection of its assets and water resources. The policy also provides protection to the property owner that they will not be financially burdened by ongoing charges for water misuse or leakage once water service is restricted.

Financial

- Budget approved - nil
- Cost centre – N/A
- Expended to date – N/A
- Future potential impact – as per report.

3. Council Committee Reports

3.1. GM - 25/08/2025 - 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. Draft Minutes - Emerging Economy Committee - 9 July 2025 - RG Amended [3.1.1 - 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.
- The Committee also resolved as follows:
 1. On rail services and potential upgrades to enhance regional connectivity;
 2. On traffic management between McKanes Falls Rd and the Correctional Centre, including potential roundabouts and safety upgrades;
 3. Clarification that Council is not actively promoting the Marrangaroo urban release area until market demand exists, though noting recent Transport for NSW openness to revised staging and signalised access.

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.

3.2. I&PD - 25/08/2025 - Infrastructure Committee Meeting Minutes - 5 August 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: Kaitlin Cibulka – Cemeteries & Administration Supervisors

Responsible Officer: Jonathon Edgecombe - Director of Infrastructure and Project Delivery

Executive Summary

This report provides details of the Minutes of Infrastructure Committee Meeting held on 5 August 2025.

Administration's Recommendation

THAT

1. Council notes the minutes of the Infrastructure Committee meeting held on 5th August 2025; and
2. For Item 7.2 - Claret Ash Subdivision – Stormwater Impacts, the Administration organises community consultation to discuss options with the residents to proceed.

Attachments

1. DRAFT Minutes Infrastructure Committee 5 August 2025 [3.2.1 - 8 pages]

Reference to any relevant previous minute

Nil

Background and discussion

At the Infrastructure Committee meeting held on 5 August 2025, there are numerous items discussed by the Committee including:

- Claret Ash Subdivision - Stormwater impacts.
- Great Western Highway Median – Concreting.
- Roads Infrastructure Assest Management – Continuous Improvement Update.
- Council Leaseback Transition Program.
- Projects Update - >\$500,000 or grant funded.
- Infrastructure Projects Grant Applications / Outcomes.

The following item was outside of the Committee's delegation and requires Council to formally approve the recommendation:

- Item 7.2 - Claret Ash Subdivision – Stormwater Impacts

THAT

1. Council notes the detailed report on the future treatment of the retention basin and ongoing flooding of adjacent private properties.
2. The administration organises a community consultation to discuss options with the residents to proceed.

Financial

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

3.3. GM - 25/08/2025 - Emerging Economy Committee Meeting Minutes - 6 August 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: Sarah Lewis – Executive Assistant

Responsible Officer: Ross Gurney - General Manager

Executive Summary

The purpose of this report is to provide details of the minutes of the 6 August 2025 Emerging Economy Committee Meeting.

Administration's Recommendation

THAT Council note the minutes of the 6 August 2025 Emerging Economy Committee Meeting.

Attachments

1. DRAFT - Minutes - Emerging Economy Committee Meeting - 6 August 2025 [3.3.1 - 5 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 meeting held on 6 August 2025, there were three items discussed by the Committee:

- Item 6.1 Regional Precincts and Partnerships Program (RPPP) Grant Application - the Committee noted the report and agreed that the LEEP team have one-on-one meetings with Councillors to discuss the EOI for the Lithgow Rail Yard site.
- Item 6.2 Charles Hoskins Building – Update - a verbal update was provided to the Committee regarding potential uses of the building moving forward, and
- Item 6.3 - Lithgow Locomotive Workshop Site Sale - the Committee noted the presentation from Michelle Zeibots and action in progress with regard to the current EOI for sale of the Lithgow Rail Yard.

Financial

N/A

3.4. F&G - 25/08/2025 - Finance Committee Meeting Minutes - 11 August 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: Vanessa Browning - Director Finance and Governance

Responsible Officer: Vanessa Browning - Director Finance and Governance

Executive Summary

The purpose of this report is to provide a summary of matters discussed and considered at the Finance Committee Meeting held on 11 August 2025 and recommends that Council note the attached minutes.

Administration's Recommendation

THAT Council note the minutes of the Finance Committee meeting held 11 August 2025, and the business paper recommendations endorsed by the Committee.

Attachments

1. DRAFT Minutes - Finance Committee Meeting - 11 August 2025 [3.4.1 - 6 pages]

Reference to any relevant previous minute

Min 25-151 Ordinary Meeting of Council 30 June 2025

Background and discussion

At the 11 August 2025 Finance Committee Meeting, the following reports were discussed by the Committee:

- Cost Shifting 2025.
- Interim Audit Management Letter for the year ended 30 June 2025.
- Capital Projects Delivery 2024/2025 and Carryovers to 2025/2026.
- SRV Program – 2024/2025 Update and 2025/2026 Budget.

The following business paper recommendations were endorsed by the Committee.

5.1 Cost Shifting 2025

THAT the Finance Committee note the report on Cost Shifting and the implications for services and programs that can be provided to the community in an affordable and financially sustainable manner.

5.2 Interim Audit Management Letter for the year ended 30 June 2025

THAT the Finance Committee note the 2024/2025 Interim Audit Management Letter.

5.3 Capital Projects Delivery 2024/2025 and Carryovers to 2025/2026

THAT the Finance Committee note the capital works delivery for 2024/2025 and the carryovers to the 2025/2026 Operational Plan.

5.4 SRV Program - 2024/2025 Update and 2025/2026 Budget

THAT the Finance Committee note the update on the SRV Program.

Financial

As detailed in the Finance Committee meeting minutes.

3.5. I&PD - 25/08/2025 - Sports Advisory Committee Meeting Minutes - 13 August 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: Kaitlin Cibulka – Cemeteries & Administration Supervisor
Responsible Officer: Jonathon Edgecombe - Director of Infrastructure and Project Delivery

Executive Summary

This report provides details of the Minutes of the Sports Advisory Committee Meeting held on 13 August 2025.

Administration's Recommendation

THAT Council:

1. Notes the minutes of the Sports Advisory Committee meeting held 13th August 2025; and
2. Provides Lyndall Peychers with \$300.00 toward the cost of participating in the 2025 NSW PSSA Swim Team.
3. Provides Adeline Hemmy with \$300.00 toward the cost of participating in the 2025 PSSA NSW Hockey Team.

Attachments

1. DRAFT Minutes Sports Advisory Committee 13 August 2025 [3.5.1 - 10 pages]

Reference to any relevant previous minute

Nil

Background and discussion

At the Sports Advisory Committee held on 13th August 2025, there were numerous items discussed by the Committee including:

- 2025 LJ Hooker Reg Cowden Memorial Sports Star of the Year Awards.
- Booking Requests.
- New Members.

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

- Item 6.1 - Financial Assistance Request
 THAT
 1. Council provide Lyndall Peychers with \$300.00 toward the cost of participating in the 2025 NSW PSSA Swim Team.
 2. Council provide Adeline Hemmy with \$300.00 toward the cost of participating in the 2025 PSSA NSW Hockey Team.

Financial

- Budget approved -\$2,500.00
- Cost centre - PJ 800158 – Governance – Section 356 Donations & Contributions
- Expended to date - Nil
- Future potential impact - Budget remaining would be \$1,900.00 for the 2025/26 Financial year, should the recommendation be approved.

4. Delegates Reports

4.1. GM - 25/08/205 - CNSWJO Report

Report by Ross Gurney - General Manager

Executive Summary

This report is provided to give advice from the recent meeting of the Central NSW Joint Organisation Board held in Parkes on 31 July 2025. The minutes from the meeting are included as an attachment.

Attachments

1. Draft Minutes of the CNSWJO Board Meeting on 31 July held in Parkes [4.1.1 - 7 pages]

Recommendation

That Council note the report from the General Manager on the Central NSW Joint Organisation (CNSWJO) Board meeting on 31 July 2025 held in Parkes.

Commentary

Please find following, advice from the recent meeting of the Central NSW Joint Organisation Board held in Parkes on 31 July 2025.

Delegates were welcomed to Parkes by Parkes Shire Council Mayor, Cr Neil Westcott. Speakers to the Board meeting were Mr. Simon Bourke, General Manager – Advocacy and New Zealand Australasian Railway Association, Ms. Julia Andrews – Director of Regional Government Relations, Charles Sturt University, and Ms. Kate Barker – Interim Executive Officer, CNSWJO who provided a presentation on the draft Strategic Plan and Statement of Strategic Regional Priorities 2025-2029.

More detail on reports to the meeting are below where the agenda can be found on the [CNSWJO website](#).

Advocacy

Updates on advocacy in relation to the regional prosperity, health, transport, water and energy portfolios were provided.

Mayors have advised that they would like the CNSWJO to develop a Regional Community Benefit Sharing Framework to support member councils to have informed and timely discussions with developers on renewable developments. A number of councils in the Central NSW region have been identified for future renewable energy developments including Bathurst, Lithgow, Oberon, Orange and Cabonne which have State forests earmarked for significant wind farm developments. As such, the Board approved CNSWJO to develop a regional framework.

In light of the recent postponement of the Federal Parliament visit, input was sought from the Board on alternate and additional options for engaging with Ministers.

Submissions seeking endorsement were:

- [Net Zero Commission – 2025 Consultation](#),
- [NSW Health – Draft MPS Strategy](#),
- [AEMO – Proposed Type 9 Metering Approach Under Flexible Trading Arrangements 2025](#),
- [IPART – Draft WAMC Pricing, and](#)
- [Joint Standing Committee on Road Safety - Inquiry into the interventions to reduce road trauma in regional NSW caused by speeding, fatigue, drink and drug driving](#).

Media releases issued in the past quarter were:

- [Media Release – MoU with Skillset](#)
- [JONZA Round 3 funding – media release](#)
- [CNSWJO urges member councils to encourage community feedback on Transport Plan](#)
- [No relief in sight from the Federal Budget for cash strapped councils](#)
- [Federal Government’s aspirations for regional communities needs to just add water](#)
- [Nuclear or not nuclear is the wrong question](#)
- [Central NSW Councils take action on disaster preparedness with \\$743k in funding](#)
- [Collaborating for a better workforce](#)
- [Central NSW receives Grant to support councils working together towards Net Zero](#)

Strategic Plan and Statement of Strategic Regional Priorities (SSRP) 2025-2029 Report

Delegates to the Board meeting were provided an update on the progress of the development of the [Strategic Plan and Statement of Strategic Regional Priorities \(SSRP\) 2025-2029](#). Under the Local Government Act, Joint Organisations are required to renew their SSRP with each new term of the Board.

Over the past 10 months, the review of the Strategic Plan and SSRP has been underway with various opportunities for engagement with members and key stakeholders. This engagement has led to the refinement of the 7 key priorities of the Board, including:

- Priority One: Leveraging our reputation and strength in collaboration.
- Priority Two: Regional Prosperity through better connected infrastructure and services.
- Priority Three: Improved and fit-for-purpose infrastructure and services in health and ageing.
- Priority Four: Telecommunications.
- Priority Five: Regional Transport Planning and Infrastructure Prioritisation.
- Priority Six: Regional Water Security and Productive Water.
- Priority Seven: Climate Change Adaptation and Mitigation.

Under each of these priorities is a series of sub-priorities which then inform the Action Plan.

The Strategic Plan and SSRP are informed by the 11 member councils’ Community Strategic Plans (CSPs), the Local Strategic Planning Statements (LSPSs) and the CNSWJO Social and Environmental Scan.

The Board agreed to place the [Draft Strategic Plan and SSRP 2025-2029](#) on exhibition for 30 days. Feedback is sought until **Friday 5 September 2025**, and details can be found on the CNSWJO website.

A further requirement of the SSRP review process is to adopt an organisational structure in line with the SSRP. A report will be provided to the November meeting with organisational structure advice.

CNSWJO staff have also conducted a [Community Strategic Plan Environmental Scan](#) which pulls together the priorities from all member councils to identify commonalities and ensure all major aspects are incorporated into the SSRP.

Operational support for councils - highlights

CNSWJO provides a substantial program of operational support to members through 18 regional operational teams of council staff. The CNSWJO continues to deliver a significant return on investment each year.

Regional Procurement and Contract Management

Delegates to the Board meeting noted the ongoing growth of the Regional Procurement and Contract Management Program with its associated cost savings to member councils. There are currently 20+

regional contracts available for use by members, with a further 10 under development. Details of the available contracts can be found here - www.centraljo.nsw.gov.au/contracts-register.

Regional Resilience Program Report

An update was provided on:

- the commencement of the Regional Resilience Group including governance arrangement,
- an update on the Integrated Preparedness project funded through Disaster Ready Fund Round 2, and
- NSW Reconstruction Authority (NSWRA) Community Consequences of Infrastructure Assessment pilot and Regional Disaster Adaptation Plan update.

The Regional Resilience Group has been established and has met twice. It includes representatives from all 11 member councils and NSWRA and also functions as the Project Control Group for the Integrated Preparedness Project funded through the Disaster Ready Fund Round 2.

NSWRA has also advised that the DAP Guidelines have been approved by the Minister and have been released since the meeting of the Board. It is expected that the Regional DAP development for Central West will begin later this year.

Regional Prosperity

Delegates to the Board meeting were provided an update on activity in the areas of:

- Skills shortages,
- Housing shortages,
- Tourism marketing,
- Planning,
- Collaborations with Skillset, Regional Development Australia – Central West and the Regional Australia Institute, and
- Future Jobs and Investment Authority.

A review of tourism marketing is underway by the Central NSW Joint Organisation (CNSWJO) Tourism Marketing Sub-committee and a report on this will be provided in due course.

Collaboration with Skillset

The Memorandum of Understanding (MoU) with Skillset was signed on 11 June. A follow up meeting was held between CNSWJO staff and the Executive of Skillset on 4 July to discuss opportunities to work together to grow the regions' workforce, address critical skills shortages and to support essential workers who have recently moved to the area with navigating housing, schooling and other services.

Transport

Updates were provided to the Board on the following:

- CNSWJO Transport Technical Committee, including the Regional Freight Strategy project plan,
- IPWEA Local Roads Congress held in early June at NSW Parliament House, and
- Master Access Deed negotiations.

The CNSWJO Transport Technical Committee (TTC) has continued to progress priority projects identified earlier this year, with the Regional Freight Strategy confirmed as the priority.

Water

Delegates to the Board meeting were provided an update on:

- Regional Water Loss Management and Efficiency Hub Project,
- University of Sydney Major Industry Project Placement Scheme,
- Water Quality- Per-and polyfluoroalkyl substances (PFAS),
- Transitioning Local Water Utility Strategic Planning to Integrated Planning and Reporting,
- Regional Water Strategies – Macquarie-Castlereagh progress on actions, and

- 2025-2026 NSW State Budget for secure water.

Of note is the granting by NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) of an additional \$400k for the CNSWJO's work in water loss management (WLM) and water efficiency. This is a variation to funding of \$500k previously provided to implement the WLM program co-designed in phase 1 within member councils operations and to extend the program into the Western Councils and the Riverina and Murray Joint Organisation (RAMJO) regions. This variation extends the grant funded program until 30 June 2027. In total the region has been successful in securing \$1.8M for this program since 2022.

A Regional Water Loss Management Group meets monthly to support the implementation of the Local Steps to Success and Regional Support Program recommended in the Final Report from phase 1. Supporting the embedment of WLM practices within business-as-usual operations, this group is also working on water efficiency initiatives in partnership with member councils and the DCCEEW Water Efficiency team utilising tools developed for state-wide application. The CNSWJO Water Utilities Alliance is leading the state in this work with growing interest from other Local Water Utilities in the approach being taken.

Good news for the region in the 2025-26 NSW State Budget was commitment of \$27M for repair and restoration of water and sewer infrastructure for Parkes, Lachlan, Cabonne and Central Tablelands Water damaged by severe weather and flooding in 2022.

The \$7.8M noted in the 2025-2026 Budget for the Belubula Water Security project is the existing funding committed for the business case due to be completed in 2026. Aside from these investments funding for water infrastructure is constrained in the state budget.

Energy

CNSWJO has been successful in receiving \$243k in funding under JONZA Round 3 and an additional \$200k as a variation to JONZA Round 3, funded by the NSW EPA. Both are 18-month programs until December 2026.

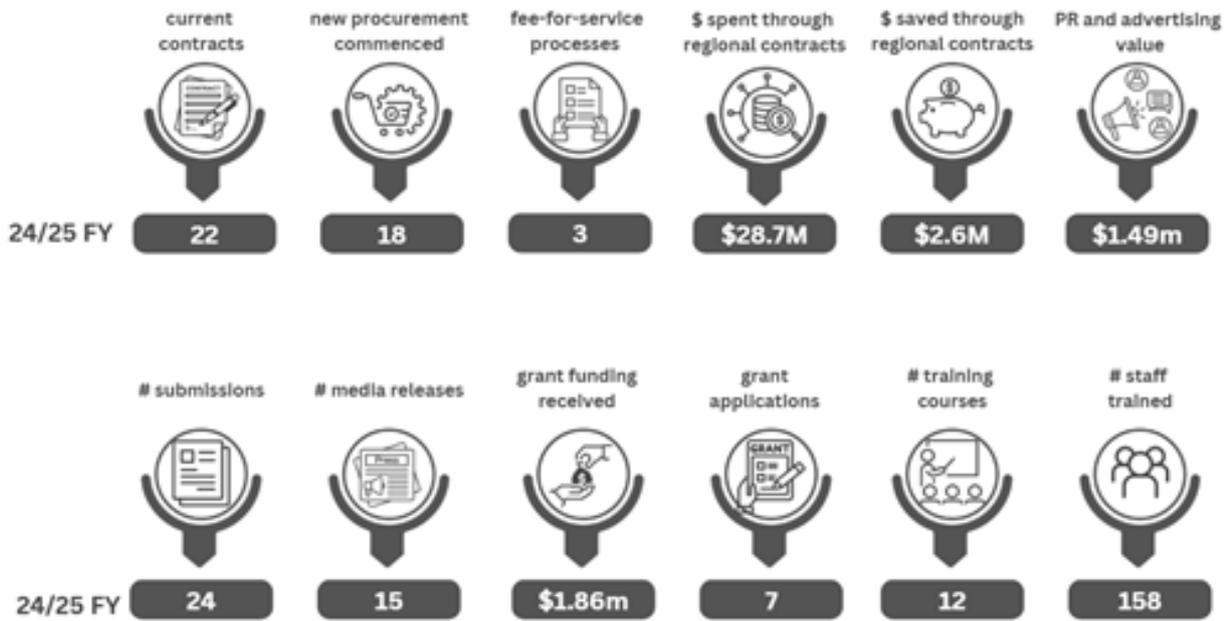
JONZA Round 3 will focus on:

- Distributed Energy Resources (on site solar and battery)
- Energy security, capacity and affordability
- Emissions reduction, particularly around landfill
- Fleet transition
- Data and cost savings
- Collaboration
- Advocacy

Member councils participating in the aggregated procurement process for the supply of electricity for small market sites have recently signed a 4.75 year contract with AGL. This contract was procured when there was a dip in the volatile electricity market, and sees Councils save 15.6% when compared to the alternate contract that they would have otherwise been purchasing from. This will save councils an estimated \$204k in FY26.

Value to Council

Value is consistently measured and reported to the Board. The following graphic shows the value across 12 quantitative metrics:



80% of CNSWJO resources are dedicated to providing its operational support program. For the 2023/2024 year this program delivered an average return on investments of 9.3:1 for every dollar members spent on JO membership fees. The indicative ROI for 2024/2025 is 6.38:1. This value is made up of grant income, monies saved through the CNSWJO procurement program and public relations value from its tourism marketing. The main reason for the reduction in ROI from 2023/2024 to 2024/2025 is that the comparative large sites electricity contract concluded on 31 December 2024 and therefore savings for the latter 6 months of the financial year could not be calculated.

The work that CNSWJO does in writing submissions, media, supporting projects and project teams, developing collateral and providing opportunities for members in various forums to represent their views, is not included in the above ROI figure. However, this value is reported quarterly to the Board. Please go to the CNSWJO website to review past [Board agendas](#) or to review last year's [Annual Statement](#).

5. Questions with Notice

5.1. QWN - 25/08/2025 - Councillor M Ticehurst - Model Code of Conduct Enquiry

Report by Councillor Martin Ticehurst

Attachments

1. Procedures for the Administration of the Model Code of Conduct - LCC [5.1.1 - 35 pages]

Question with Notice

I request that the General Manager and Senior Council staff provide detailed answers to the following Questions with Notice.

With respect to the period from the 8 October 2024 and up until the 30 June 2025; under the Lithgow City Council's Model Code of Conduct:

1. How many written complaints were received by the Mayor and General Manager with respect to the Mayor, Councillors and Council Senior Executive staff?
2. How many of these received written complaints were finalised during this period by the Mayor and General Manager with respect to the Mayor, Councillors and Council Senior Executive staff and how many still remain outstanding as at the 30 June 2025?
3. What were the total financial costs incurred during this period by the Lithgow City Council in dealing with all of these received written complaints, including Staff costs?
4. What were the total financial costs incurred by the Lithgow City Council in dealing with the recent complaint by Timber Fix Pty Ltd, as detailed in the Consultant's Centium 145-page Lithgow City Council Code of Conduct Investigation Report 2025, including Staff costs?
5. What number, if any of these received written Code of Conduct complaints that were referred by the Mayor and General Manager to:
 - ICAC?
 - NSW Ombudsman?
 - Office of Local Government?
 - NSW Police?

And if applicable, the date or dates on which each Code of Conduct complaint was referred?

Management Comment

Information to be provided to Council regarding Code of Conduct complaints is mandated within Part 11.1 of the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*, (the Procedures) which was adopted by Council 22 August 2022.

11.1 The complaints coordinator must arrange for the following statistics to be reported to the council within 3 months of the end of September of each year:

- a) the total number of code of conduct complaints made about councillors and the general manager under the code of conduct in the year to September (the reporting period)*
- b) the number of code of conduct complaints referred to a conduct reviewer during the reporting period*

- c) the number of code of conduct complaints finalised by a conduct reviewer at the preliminary assessment stage during the reporting period and the outcome of those complaints*
- d) the number of code of conduct complaints investigated by a conduct reviewer during the reporting period*
- e) without identifying particular matters, the outcome of investigations completed under these procedures during the reporting period*
- f) the number of matters reviewed by the Office during the reporting period and, without identifying particular matters, the outcome of the reviews, and*
- g) the total cost of dealing with code of conduct complaints made about councillors and the general manager during the reporting period, including staff costs.*

Therefore, in order to adhere to 11.1(e) and (g) of the Procedures, answers to question 4 and the final part of question 5 are unable to be provided. The answers to the questions posed are provided below.

Q1. There were **17** code of conduct complaints made about Councillors and the General Manager under the code of conduct between 8 October 2024 and 30 June 2025.

Q2. There were **5** code of conduct complaints finalised and **12** code of conduct complaints in progress as at 30 June 2025.

Q3. The total cost of dealing with code of conduct complaints made about Councillors and the General Manager, including staff costs amount to **\$62,770**.

Q4. This is unable to be answered as outlined above.

Q5. There were **7** code of conduct complaints referred to the Office of Local Government. There were no referrals to other agencies. As outlined above, the Council does not report on the specific dates of referral.

Vanessa Browning
Director Finance & Governance

5.2. QWN - 25/08/2025 - Councillor E Fredericks - Progress on Resolution from 28 January 2025 Regarding Local Health Services

Report by Councillor Elizabeth Fredericks

Attachments

Nil

Recommendation

When will the resolution from 28 January 2025, that:

1. The Mayor, Councillors and Health Working Group petition Ryan Park MP, Health NSW and the NSW Government for the following:
 - A full-time paediatrician to be based at Lithgow Hospital.
 - A paediatrics wing to be created and reopened at Lithgow Hospital.
 - Extra staff to be funded and employed in radiology and pathology to reduce issues arising with calling any in during out-of-hours.
 - Funding for more paramedics.
 - A change in transport procedures to cut back on transport times, and push transfers via paramedics to be prioritised ahead of emergency departments to prevent redoing triage at the transfer hospital.
 - Seeing if possible, having some emergencies being transferred to Bathurst Hospital, depending on severity.
 - Funding for more surgical doctors to be enticed to Lithgow Hospital.
 - Funding for a minimum of another two nurses/midwives.
2. The issues raised in the report be referred to the Health Working Group for consideration.
3. Council creates an anonymous online survey seeking community feedback on local health services.

Be fulfilled, and if parts of it have been, which ones specifically?

What is the expected timeframe for completion of any outstanding components, and what are the reasons for delay or inaction in relation to those that have not yet progressed?

Management Response

Following the above Council resolution the Administration approached Minister Park to open the Lithgow Health Dialogue with attendance from local health providers. The Minister was unable to attend and subsequently the Chief Executive Nepean Blue Mountains Local Health District attended the health dialogue in Lithgow on 6 June 2025.

Following the Lithgow Health Dialogue and detailed discussion amongst representatives on the Council raised issues, a letter, in line with the resolution from 28 January, has been prepared for release to Minister Park.

The Health Working Group is scheduled to meet in September 2025 to further discuss findings of recent health sector reports relevant to Lithgow, the Lithgow Health Expo being coordinated by Council and local health service providers in early 2026, and the inclusion of health services questions in the Community Strategic Plan consultation program scheduled for October and November 2025.

Shaun Elwood
Director People and Places

5.3. QWN - 25/08/2025 - Councillor M Ticehurst - Lithgow City Council's Seven Valley Visitors Information Centre

Report by Councillor Martin Ticehurst

Commentary

Could the General Manager and Senior Council staff provide the Council and all Councillors at this Council Meeting with all financial (i.e. Income and Expenses) information for the most recent Financial Year of 2024/2025, with respect to the day-to-day, annual Council operations of the Lithgow City Council's Seven Valley Visitors Information Centre on the Great Western Highway, Bowenfels?

Attachments

Nil

Management Response

Information regarding the operating income and expenses of the daily operations of the Visitors Information Centre is provided in the table below.

| | |
|--|------------------|
| Employee costs (including oncosts) | \$ 369,388 |
| Asset Depreciation | \$ 17,302 |
| Operating costs (i.e. advertising/general building maintenance/ materials/printing). | \$ 50,515 |
| Total Expenditure | \$437,205 |
| | |
| Revenue (Merchandise sales) | (58,566) |
| | |
| Net Expenditure | \$378,639 |

Shaun Elwood
Director People and Places

6. Notices of Motion

6.1. NOM - Councillor M Ticehurst - 25/08/2025 - \$385m Funding for restoring road access into the Wolgan Valley

Report by Councillor Martin Ticehurst

Commentary

References: Lithgow City Council Media Release on the 22 July 2025: 'Funding approved for Lithgow City Council to restore access to Wolgan Valley'.

The above referenced Lithgow City Council Media Release informed our ratepayers and residents, in particular Wolgan Valley residents in part that:

'Lithgow City Council has announced that their application for funding for the restoration of access to the Wolgan Valley has been approved in full.

The Wolgan Valley has had restricted vehicle access since November 2022 due to the compounding effects on the access road from multiple declared natural disasters since 2019 severely impacting the Wolgan Valley Community.

With the scale of the project far beyond any work ever undertaken by Lithgow City Council, the successful application for this funding is a significant achievement.

This funding (later publicly revealed as \$385 million dollars) for the recovery of the Wolgan Road represents a maximum project value, funded by the NSW Government and Australian Government's under their Disaster Recovery Funding Arrangements.

These funds cannot be spent on other projects in the LGA. Council must continue to meet stringent program requirements around time and cost effectiveness throughout the delivery of these initiatives.'

Attachments

Nil

Recommendation

THAT Council, given the future scale and \$385m cost of the project of restoring road access into the Wolgan Valley, request that Premier Chris Minns and his NSW State Government, appoint as soon as possible, NSW for Transport as the Project Managers.

Management Comment

Strategic Implications

Council's Administration have never shied away from the fact that Local Government is not equipped to deliver projects of the scale of the Wolgan access road restoration. Council's Director Infrastructure and Project Delivery requested that this project be taken from Council and be adopted as a NSW Government project, at its inception, before the funding application was made. This

request was made of the Minister for Regional Transport and Roads, and the Transport for NSW and NSW Reconstruction Authority Departments.

At that time, Council was told that this was a project that must be delivered by Local Government and that the NSW Government would provide advice and assistance wherever possible. The NSW Government maintains this position. In a meeting with Transport for NSW and NSW Reconstruction Authority held 29 August 2025, Transport for NSW reaffirmed this position.

The Council has engaged Wassabi Group as project managers. Wassabi Group have experience in delivering large and complex projects.

Jonathon Edgecombe
Director Infrastructure and Project Delivery

6.2. NOM - Councillor E Mahony - 25/08/2025 - Progress Report Local Road Network

Report by Councillor Eric Mahony

Commentary

Notice of motion - Request for progress report detailing current works programs and proposed strategic directions to address the condition of our local road network. With particular emphasis on urban collector roads and link roads between our rural communities.

Background:

Lithgow City Council is responsible for 975km of roads, 48 bridges, 130km of footpaths and cycleways and 279 kilometres of kerb and gutters, as outlined in the Transport Plan.

Discussion:

In our local urban areas, collector roads play a vital role in connecting local roads to major arterial routes (Great Western Highway, Bells Line of Road and the Castlereagh Highway) and facilitating traffic flow within and between our urban areas.

They also play an important role as part of daily commutes, school and other bus routes, tourism and industry, and emergency services access to our community.

As a result of this, they also are subject to significant wear and tear due to the increased traffic flows, presenting significant maintenance challenges. Urban collector roads of concern in Lithgow include but not limited to roads such as;

- Coerwull Road
- Coalbrook/Geordie Street/Sandford Avenue
- Bayonet Street
- Methven Street
- Inch Street and Atkinson Street
- Hartley Valley Road
- Landa Street

Like our urban collector roads, roads linking our rural communities and smaller townships are also critical to the safe connection of our communities across the Local Government Area.

As part of this a report be provided can consideration of line marking and other traffic safety features be included.

Attachments

Nil

Recommendation

THAT a report be provided to the Infrastructure and Finance Committees detailing current proposed works programs to address the condition of our local road network. With particular emphasis on collector and link roads between our rural communities.

Management Comment

Strategic Implications

Development of a comprehensive strategy to guide Lithgow Council's strategic investment in its road assets is ongoing.

To date, the Council's administration has delivered on the following objectives:

1. Comprehensive asset condition assessment, using innovative LiDAR assessment technology to inform a strategic and proactive renewal plan.
2. Verification of the LiDAR condition assessment through personalised inspections, including the development of repair strategies and costs for all defects, forming a whole-of-network repair plan.
3. Appointment of an internal position, and the purchase and set up of a vehicle, so that Council can now condition assess its own network on a regular basis, but also test the success of future renewal efforts, using this innovative technology.
4. Documentation and implementation of a Sealed Road Asset Renewal Strategy and Procedure, used to guide the development of all future renewal programs, ensuring a consistent and strategic approach.
5. Development of a six-year renewal strategy, subject to ongoing negotiation with the Council.
6. Development of a register of defined tourist routes across the LGA, allowing consultation with the Council's Tourism Committee, and thereafter integration into Council's prioritisation matrix for yearly renewals, transitioning Council from a reliance on pure engineering and risk principles for decision making, toward a softer approach that recognises a wider variety of stakeholders in maintaining sound and fit-for-purpose road assets,
7. Development of a new Quality Assurance procedure, involving the testing of all road pavements using a Falling Weight Deflectometer, and thereafter invasive pavement testing as required, to verify scope and to improve the longevity and resilience of Council's renewal efforts.
8. Integration of the Council's self-funded renewal strategy into the Disaster Recovery program, to ensure efficient delivery of this blended program.
9. Internal restructure, with Disaster Recovery administration, project management, technical support services and general maintenance split across four individual positions. This action has improved efficiency compared with the previous structure where the responsibility for the delivery of maintenance and renewal obligations sat with one position.
10. Implementation of interim Field Operations Software (Fulcrum) to digitise the process of identifying road defects, repairing road defects, reporting on repair progress, collecting photographic repair evidence, issuing works orders, and maintaining registers of works delivered over time. This is very new, having only been set up over the past few weeks, but is now in active use under a trial scenario.
11. Development of a comprehensive tender for Technical Support Services, specifically aiming at:
 - a. Support for the delivery of a ~\$16 million renewal program,
 - b. Accelerating Council's progress toward best-practice asset management processes, and
 - c. Building internal capacity to engage with new road asset management methodologies.

Previous updates have been provided at the following sessions:

1. Councillor Information Session on 4 February 2025

2. Audit Risk and Improvement Committee on 3 June 2025
3. Infrastructure Committee Meeting of 3 June 2025
4. Infrastructure Committee Meeting of 17 June 2025
5. Infrastructure Committee Meeting of 5 August 2025
6. Upcoming Tourism Committee scheduled for 20 August 2025

This is an ongoing, exciting project that is evolving regularly. The Administration would be pleased to continue reporting on the progress of this important initiative at the Infrastructure and Finance Committees and, as well as at Councillor Information Sessions.

Jonathon Edgecombe
Director of Infrastructure and Project Delivery

6.3. NOM - Councillor E Mahony - 25/08/2025 - 2025 NSW Local Government Conference - Development of State Assistance Grants to support the delivery of essential infrastructure across regional NSW

Report by Councillor Eric Mahony

Commentary**Background**

Small population centres are often at the heart of many of the 92 regional Councils across NSW. Lithgow City Council is one of these and faces significant financial challenges delivering essential infrastructure including but not limited to non-NSW State managed regional and collector roads, water, sewerage, stormwater, flood management and public open space and recreation infrastructure.

Discussion

It is proposed that the State Assistance Grants will provide financial assistance to complement the support provided to regional councils through the Commonwealth Government's Financial Assistance Grants (FAGs). These grants will have a general-purpose component and an identified local road component, which are untied and can be used for local priorities. It should be noted that being a recipient of these grants should not preclude regional councils from applying for NSW Statewide grants and funding rounds.

This proposal recognises the limited income streams that are available for NSW regional local government which operate in smaller economies and are struggling with their financial sustainability.

As a result, much of the above infrastructure is increasingly found in a declining condition due to its age and no longer fit for purpose and at particular risk of failure during natural disasters.

The resulting costs of these natural disasters are often shared across all three levels of government in an unplanned and unbudgeted manner as part of a resource intensive response to disaster recovery creating economic shocks and significant disruption to local service and program delivery.

The funding will provide for locally driven projects aimed at renewing failing infrastructure, stimulating economic growth, development and financial resilience in regional areas.

Attachments

Nil

Recommendation

THAT:

1. Council supports the Notice of motion - Development of State Assistance Grants to support the delivery of essential infrastructure across regional NSW and the Notice of Motion be submitted to 2025 NSW Local Government Conference.
2. the Mayor, Deputy Mayor and the General Manager seek support from regional organisations such as The Central NSW Joint Organisation and The Country Mayors Association (CMA) of New South Wales for the Notice of Motion.

Management CommentStrategic Implications

The recommended NSW Local Government Conference motion is consistent with the Local Government NSW 2025/26 Advocacy Priority for financially sustainable Councils.

Ross Gurney
General Manager

6.4. NOM - Councillor S Ring - State Significant Developments

Report by Councillor Steve Ring

Commentary

Background and Discussion

At the Council meeting of the 28th July, it was resolved that two motions be submitted for consideration at the Annual LGNSW Conference.

The Deputy Mayor attended the Central NSW Joint Organisation on the 31 July and discussed at length the need for a joint submission to address numerous issues with the management of State Significant Developments. There was unanimous support for such a motion and support was also provided by Midwestern and Dubbo Councils.

The following motion represents collaboration between Lithgow, Oberon, Blayney and Forbes Councils. Other Councils may submit similar or slightly different version of this motion

Motion -State Significant Developments

That LGNSW calls on the NSW Government to work with LGNSW to establish guidelines for current and proposed State Significant Development proposals for Renewable Projects (including Solar, Wind, Battery, Pumped Hydro) which are and will significantly impact Councils and their communities inclusive of:

- f) The Time frame for Councils to review the Environmental Impact Statements and to respond to it be extended to a minimum of 90 days.
- f) Requiring prior to any transport of any oversize/overweight renewable infrastructure components within the LGA:
 - a. a dilapidating report on roads and associated infrastructure to be undertaken by the proponent; and
 - b. The lodgement of a bank guarantee equivalent to 50% of the cost of reconstructing the roads on which the proposed oversize/overweight renewable infrastructure components is to traverse with the relevant LGA.
 - c. An enforceable undertaking supported by ii above to reconstruct and repair roads damaged during the transport of renewable components within the relevant LGA within 90 days of completion of the transport on those roads of oversize/overweight components for the relevant project.
- f) Workers accommodation guidelines during construction phase that address:
 - a. Effect on rental accommodation including availability for current residents of the Council area and affordability with increased rents.
 - b. Establishment of worker camps in lieu or in addition to rental accommodation
 - c. in relation to i and ii above, how the influx of workers, and in some cases dependents, will be managed and financed in relation to:
 - Provision of potable & non potable water
 - Sewerage wastewater services,
 - Waste services,
 - policing for an increase in workers
 - Health services for the, increased population noting the potential for significant strain to be placed on already stretched/under resourced health services,

- f) The EIS must fully detail the effect on local industries and how that is to be mitigated during construction phase including restrictions on use of roads. The EIS needs to address how those industries are to be compensated financially if there is a detrimental effect on their revenue.
- f) Parameters for Council and community consultation by the proponents and feedback prior to and following the preparation of the EIS.
- f) The decommissioning of renewable projects at the end of their life including requirements to:
 - a. Determine what Deconstruction requires including the level of removal of concrete sub structure foundations.
 - b. Include in the EIS an independent report on the estimated cost of deconstruction of Renewable project infrastructure at date of construction in accordance with i above.
 - c. To provide a Bank Guarantee by the proponent for the full value of deconstruction of the infrastructure in renewable projects adjusted yearly by the Non-residential building Construction materials and Labour index.
 - d. Ensure that future purchases are obligated to deconstruction by mandating a pre-condition for any sale of any Renewable project is that the buyer must lodge a replacement bank guarantee escalated by the Non-residential building Construction materials and Labour index. The sale does not take effect until the precondition is met, and the buyer agrees to escalate the bank guarantee yearly in accordance with Non-residential building Construction materials and Labour index.

Note from Council

A number of NSW Councils are dealing with State Significant Developments (and some Critical State Significant Developments) . In some cases, there are multiple proposed developments in the Local Government Area. These developments are being inadequately managed by the NSW Government and numerous Councils (particularly in the regions) are all dealing with similar problems without adequate guidance or support.

For example, only 28 days is allowed for reviewing complex Environmental Impact Statements that can exceed 9,000 pages in length which places significant resourcing issues on Councils.

The issue of worker accommodation has been identified by a number of Councils with existing renewable projects under construction. The effect on housing availability and rental prices has been significant. The alternative of having workers camps has meant ancillary water, sewerage and waste services have to be provided. Health services have been strained without adequate hospital, medical practitioners and trained nurses.

The closure of roads during the construction period for transporting renewable componentry to site has markedly affected industries reliant on transport such as livestock companies, timber companies and other industries.

The failure of companies to properly reconstruct or repair roads damaged by the oversize/weight vehicles has been an acknowledged issue despite assurances prior to construction this would be addressed by proponents

Attachments

Nil

Recommendation

THAT the Council endorse the motion on State Significant Development for consideration at the 2025 Annual LGNSW Conference.

Management CommentStrategic Implications

The recommended NSW Local Government Conference motion is consistent with the Local Government NSW 2025/26 Advocacy Priority for Well-Planned Communities.

Ross Gurney
General Manager

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.

8. Closed Council

Recommendation

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