



*Lithgow*  
CITY COUNCIL



'Home for the Holidays' Christmas Concert – December 2025

Ordinary Meeting of Council

to be held at

Council Administration Centre

180 Mort Street, Lithgow

on

Wednesday 28 January 2026

at 6:30 PM

Business Paper

# ORDER OF BUSINESS

<b>1. Administration Reports</b> .....	<b>6</b>
1.1. GM - 28/01/2026 - Update Ordinary Meetings of Council Dates 2026 .....	6
1.2. GM - 28/01/2026 - National General Assembly NGA26 - Call for Motions.....	8
1.3. GM - 28/01/2026 - Council Resolution Action Register .....	10
1.4. F&G - 28/01/2026 - Investment Report November 2025.....	12
1.5. F&G - 28/01/2026 - Investment Report December 2025.....	16
1.6. F&G - 28/01/2026 - Proposal to Enter Licence Agreement with LSMR Limited .....	20
1.7. I&PD - 28/01/2026 - Tender Evaluation - Pavement Rehabilitation & Sealing, Sodwalls Road, Sodwalls – TEN15/25 .....	24
1.8. I&PD - 28/01/2026 - Tender Evaluation - Road Patching & Resheeting - Portland Sunny Corner Rd - TEN18/25.....	28
1.9. I&PD - 28/01/2026 - Disaster Recovery Support Services.....	31
1.10. P&P - 28/01/2026 - 2024/2025 Annual Report .....	37
<b>2. Council Committee Reports</b> .....	<b>39</b>
2.1. P&P - 28/01/2026 - Seven Valleys Tourism Meeting Minutes - 25 November 2025.....	39
2.2. F&G - 28/01/2026 - Finance Committee Meeting Minutes - 8 December 2025.....	40
2.3. I&PD - 28/01/2026 - Infrastructure Committee Meeting Minutes - 8 December 2025 ..	41
2.4. F&G - 28/01/2026 - Audit Risk Improvement Committee (ARIC) Minutes - 9 December 2025.....	43
2.5. I&PD - 28/01/2026 - Sports Advisory Committee Meeting Minutes - 10 December 2025 .....	45
<b>3. Questions with Notice</b> .....	<b>46</b>
3.1. QWM - 28/01/2026 - Cr Ticehurst - Workers Compensation Matters.....	46
3.2. QWN - 28/01/2026 - Cr Fredericks - Residential Vacancy, Conversion and Uninhabitable Dwellings within the Lithgow LGA .....	48
<b>4. Notices of Motion</b> .....	<b>51</b>
4.1. NOM - 28/01/2026 - Cr Fredericks - Flood Warning Services – Federal Cost Shifting to Local Government.....	51

**4.2. NOM - 28/01/2026 - Cr Ticehurst - Cessation of various outstanding Council  
Community Programs .....54**

**5. Business of Great Urgency.....57**

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## Acknowledgement of Country

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### Acknowledgement of Country

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

### Declaration of Webcasting

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

### Public Attendance

In accordance with the mandatory requirements of the NSW Local Government Code of Meeting Practice, clause 15.20, members of the public attending a meeting of Council

- (a) must remain silent during the meeting unless invited by the chairperson to speak,
- (b) must not bring flags, signs or protest symbols to the meeting, and
- (c) must not disrupt the meeting.

### Council Meeting Emergency Procedures

Procedures to be outlined in the meeting.

## Present

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## Apologies

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## Declaration of Interest

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### Ethical Decision Making and Conflicts of Interest

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

#### Oath or Affirmation of Office

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

#### Ethical decision making

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

#### Conflict of interest

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

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

- Important to consider public perceptions of whether you have a conflict of interest.

**There are two types of conflict:**

- **Pecuniary** – regulated by the *Local Government Act 1993* and Office of Local Government. A person with a pecuniary interest should at least disclose and not vote, but it would also in these cases be appropriate to leave the chamber.
- **Non-pecuniary** – regulated by Codes of Conduct and policy. ICAC, Ombudsman, Office of Local Government (advice only). If declaring a Non-Pecuniary Conflict of Interest, a person with a non-pecuniary interest can choose to either disclose and vote, disclose and not vote or leave the Chamber.
- Local Government Act 1993 and Model Code of Conduct  
For more detailed definitions refer to the *Local Government Act 1993*, Chapter 14 Honesty and Disclosure of Interest and adopted Code of Conduct.

**Identifying problems**

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

**Disclosure of pecuniary interests / non-pecuniary interests**

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

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

**Confirmation of Minutes**

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Confirmation of the Minutes of the Ordinary Meeting of Council held 1 December 2025 and reconvened 10 December 2025.

## 1. Administration Reports

### 1.1. GM - 28/01/2026 - Update Ordinary Meetings of Council Dates 2026

#### 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:** Sarah Lewis – Executive Assistant

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

#### Executive Summary

The purpose of this report is to present to Council updated proposed Ordinary Meeting of Council dates for 2026. Ordinary Meeting dates are generally set for the fourth Monday of each month, in accordance with the current Code of Meeting Practice (3.1) and Council resolution Min No. 20-285 (Ordinary Meeting of Council held 23 November 2020).

The Ordinary Meetings scheduled for June and November 2026 were subject to the confirmation of dates for the National General Assembly and the LGNSW Conference, respectively. These dates have now been advised to Council with proposed new dates as the 5<sup>th</sup> Monday of the month, for both June and November.

#### Administration's Recommendation

THAT Council endorse the schedule of Ordinary Meetings of Council for 2026, usually being the fourth Monday of each month (except for January, June and November; and December there being no meeting):

- 28 January 2026 (Wednesday due to the Australia Day Public Holiday)
- 23 February 2026
- 23 March 2026
- 27 April 2026
- 25 May 2026
- 29 June 2026 (5<sup>th</sup> Monday due to the National General Assembly)
- 27 July 2026
- 24 August 2026
- 28 September 2026
- 26 October 2026
- 30 November 2026 (5<sup>th</sup> Monday due to the LGNSW Conference)

#### Attachments

Nil

#### Reference to any relevant previous minute

Min 20-285: Ordinary Meeting of Council held 23 November 2020

Min 21-192: Ordinary Meeting of Council held 23 August 2021

Min 22-239: Ordinary Meeting of Council held 28 November 2022

Min 23-218: Ordinary Meeting of Council held 27 November 2023

Min 24-255: Ordinary Meeting of Council held 25 November 2024

Min 25-273: Ordinary Meeting of Council held 1 December 2025

### **Background and discussion**

Ordinary Meeting of Council dates are generally proposed for the fourth Monday of each month, in accordance with the current Code of Meeting Practice (3.1) and Council resolution Min. No. 20-285 (Ordinary Meeting of Council held 23 November 2020).

No meeting is proposed for December 2026, consistent with the practice of recent years.

Due to the following events, changes have been made to the proposed meeting dates.

- January meeting is to be held on the 4th Wednesday due to the Australia Day Public Holiday.
- June meeting is to be held on the 5<sup>th</sup> Monday due to the National General Assembly.
- November meeting is to be held on the 5<sup>th</sup> Monday due to the LGNSW Conference.

The proposed Council meeting dates for 2026, generally being the fourth Monday of each month, are as follows:

- 28 January 2026 (Wednesday due to the Australia Day Public Holiday)
- 23 February 2026
- 23 March 2026
- 27 April 2026
- 25 May 2026
- 29 June 2026 (5<sup>th</sup> Monday due to the National General Assembly)
- 27 July 2026
- 24 August 2026
- 28 September 2026
- 26 October 2026
- 30 November 2026 (5<sup>th</sup> Monday due to the LGNSW Conference)

Council meetings will commence at 6:30 pm as resolved at the 28 October 2024 meeting (Min. No. 24-203). From January 2026, Public Forum will be held prior to the Council meeting, at 6:00pm, as per the adopted new Code of Meeting Practice.

### **Consultation and Communication**

Council meeting dates are listed on the Lithgow City Council website. Business papers are added to the website in the week prior to each Council meeting.

### **Policy**

The timing of Ordinary Meetings of Council is set by Council resolution.

### **Legal**

Nil

### **Risk Management**

Nil

### **Financial**

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

## 1.2. GM - 28/01/2026 - National General Assembly NGA26 - Call for Motions

### Strategic Context for this matter:

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

**Author:** Trinity Newton – Executive Assistant

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

### Executive Summary

The purpose of this report is to inform Council of the 2026 National General Assembly of Local Government (NGA) Conference being held from Tuesday 23 June to Thursday 25 June 2025 in Canberra and for Council to determine its delegates to the event.

The report also seeks Councillor motions for the NGA. Motions require a resolution of the Council.

### Administration's Recommendation

THAT Council:

1. Appoint the Mayor and Deputy Mayor as attendees to the 2026 NGA Conference.
2. Authorise the General Manager to also attend the 2026 NGA Conference.
3. Determine motions to the 2026 NGA Conference, which are due to be submitted by Friday 27 February 2026.

### Attachments

1. Discussion Paper NG A 26 [1.2.1 - 22 pages]

### Reference to any relevant previous minute

Min 25-50 Ordinary Meeting of Council held on 24 February 2025.

### Background and discussion

The Australian Local Government Association (ALGA) is convening the National General Assembly of Local Government (NGA), to be held in Canberra in June 2026. The NGA is held at the National Convention Centre.

The cost per delegate to attend this event (incorporating the Regional Forum) is \$999 if registered and paid by 30 April 2026. In addition, the annual Regional Forum is held on Tuesday 23 June at a cost per delegate of \$355. Accommodation from Monday 23 June to Friday 27 June is estimated at \$1,583 each for a four-night stay. The approximate total cost is \$2,937 per delegate plus reasonable expenses.

Based on past delegations to the National General Assembly Conferences, Council has sent two delegates (typically the Mayor and Deputy Mayor) and the General Manager. The total cost of this would be a minimum of \$8,811. Funding is available in the Councillor expenses / recurrent operating budgets.

Councils can send as many delegates as they wish to the National General Assembly, however councils must select one voting delegate only to vote on behalf of their council.

The 2026 National General Assembly of Local Government (NGA) incorporates the Regional Forum.

### Proposed Motions

The theme for the 2026 NGA is “Stronger Together: Resilient. Productive. United.” The theme encourages debate on how councils across Australia can become more resilient, contribute to the nation’s productivity agenda, and present a united voice to the federal government on key issues in the national sphere.

ALGA is seeking motions that align with this theme and identify opportunities for new federal programs and policies that will support councils to build trust, both in our communities and as a local delivery partner for the Australian Government.

The 2026 NGA Discussion Paper is included as an attachment. The paper includes the criteria for motion, such as motions must be relevant to the work of local government nationally.

This year’s call for motion focusses on ten priority areas:

- Financial sustainability
- Emergency management
- Housing and planning
- Roads and infrastructure
- Closing the Gap
- Jobs and skills
- Environment
- Cyber security
- Climate change
- Intergovernmental relations.

Many current advocacy items, e.g. increasing the federal Financial Assistance Grants, are already included in ALGA’s national policy position.

Lithgow Council motions which were resolved by delegates at the 2025 NGA Conference were:

- This National General Assembly calls on the Australian Government to make improvements to better support local government in the context of an operating environment characterised by climate change and an increase in natural disasters.
- This National General Assembly calls on the Australian Government to improve grant funding opportunities to ensure that regional areas are catered for with water and sewer services.

### **Consultation and Communication**

N/A

### **Policy**

Policy 9.5 Councillor Expenses and Facilities.

### **Legal**

N/A

### **Risk Management**

N/A

### **Financial**

- Budget approved – Councillor expenses / recurrent operating budgets. A separate budget is provided for State and National Local Government Conferences.
- Cost centre – PJ 800154
- Expended to date – accommodation only has been reserved.
- Future potential impact – N/A

### 1.3. GM - 28/01/2026 - Council Resolution Action Register

#### Strategic Context for this matter:

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

**Author:** Ross Gurney - General Manager

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

#### Executive Summary

The purpose of this report is to provide Council with information on the status of outstanding resolutions determined at Council meetings during the current term from October 2024. As of 22 January 2026, there are 44 resolutions to be finalised.

#### Administration's Recommendation

THAT Council note the January 2026 quarterly report on the Council Resolution Action Register.

#### Attachments

1. October 2024 to December 2025 - Council Resolution Action Register - as of 22 January 2026 [1.3.1 - 13 pages]

#### Reference to any relevant previous minute

Min. No. 25-186 - Ordinary Meeting of Council held on 28 July 2025

Min. No. 25-252 - Ordinary Meeting of Council held on 27 October 2025

#### Background and discussion

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

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

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

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

The current reporting period covers the period from October 2024 (start of the Council term) to 10 December 2025.

#### Consultation and Communication

N/A

#### Policy

N/A

#### Legal

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

**Risk Management**

N/A

**Financial**

Nil arising directly from this report.

**1.4. F&G - 28/01/2026 - Investment Report November 2025****Strategic Context for this matter:**

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

**Author:** Jonathon Reid - Financial Services Manager

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

**Executive Summary**

The purpose of this report is to advise Council of investments held as at 30 November 2025 and to note the certification of the Responsible Accounting Officer that funds have been invested in accordance with legislation, regulations and Council's Investment 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 \$50.9M, it is fully restricted (internally or externally). Therefore, those funds are not available for any purpose beyond that for which they have been restricted, with an internal borrowing from internal reserves for working capital currently required.

**Administration's Recommendation**

THAT:

1. Investments of \$49,200,000 and cash of \$1,714,263 (which is restricted for specific purposes) for the period ending 30 November 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. Nov Investment Report Attachment [1.4.1 - 1 page]

**Reference to any relevant previous minute**

Min No 25-274 Ordinary Meeting of Council held on 1 December 2025.

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

Council's total investment portfolio as at 30 November 2025, when compared to 31 October 2025, has decreased from \$49,900,000 to \$49,200,000. Cash in Council's bank account increased from \$822,998 to \$1,714,263.

November is usually a cashflow positive month, with grant income and rates charges being the main funding source. In November 2025, there were high cash inflows, together with high cash outflows resulting in a small increase in the 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 November 2025 were as follows:

Opening Balance of cash and investments as 1 November 2025	\$50,722,998
<u>Plus</u> New Investments – November 2025	\$10,191,265
<u>Less</u> Investments redeemed – November 2025	\$10,000,000
Closing Balance of cash and investments as at 30 November 2025	\$50,914,263

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 relates 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 \$191K increase in cash and investments in November 2025. High cash inflows were accompanied by payments to suppliers (\$5M) which has resulted in a small increase in the 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:

- \$843K Wolgan Valley Access Road design and project management (DRFA funded),
- \$632K Lithgow Sewerage Treatment Plant Progress Claim (Sewer Fund),
- \$345K Domestic Waste collection for September (Waste Fund),
- \$339K Gangbenang/Glen David Road Sealing (SRV & DRFA funded),
- \$124K Plant Replacement Kubota Cab Tractor (SRV funded),
- \$104K Rural Road Bore Hole Testing (DRFA funded, SRV, General Fund),

#### Funding Requirements for Restricted Reserves

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

**Responsible Accounting Officer comment on restricted reserves** – Council had insufficient cash and investments at 30 November 2025 to fund \$45.3M of externally restricted reserves and \$6.9M of internally restricted reserves. An internal borrowing of (\$1.3M) from internally restricted reserves was required for general purposes due to timing of annual payments for the period to 30 November, relating to late payment of rates. This is expected to be repaid over the balance of the year, with no significant annual payments remaining and as further rates instalments are received.

<b>Cash and Investments Statement (\$'000)</b>			
	<b>30 June 2025 Position</b>	<b>30 September 2025 Position</b>	<b>30 November 2025 Position</b>
<b>Externally Restricted</b>			
Developer Contributions	1,913	2,060	1,967
Special Purpose Grants	33,822	30,667	28,163
Water Supplies	3,864	4,922	4,585
Sewerage Services	294	410	(73)
Domestic Waste	8,531	9,857	9,790
Unexpended Loans	1,700	984	849
	<b>50,124</b>	<b>48,901</b>	<b>45,281</b>
<b>Internally Restricted</b>			
Land & Buildings	85	85	80
FAGs	3,359	-	-
Plant & Equipment	-	-	-
Bonds, Deposits & Retentions	400	352	275
Works in Progress	137	137	137
Carry Over Works	63	66	45
Commercial Waste	2,769	3,910	4,001
ELE	661	661	161
Election	77	77	77
Other	1,223	350	2,155
Internal Borrowing to General Fund	0	(2,196)	(1,298)
<b>Total Internally Restricted</b>	<b>8,774</b>	<b>3,442</b>	<b>5,633</b>
<b>Unrestricted (working capital)</b>	-	-	-
<b>Total Cash and Investments</b>	<b>58,898</b>	<b>52,343</b>	<b>50,914</b>

### CERTIFICATION OF THE RESPONSIBLE ACCOUNTING OFFICER

I hereby certify that the investments listed in the report have been made in accordance with Section 625 of the Local Government Act 1993, clause 212 of the Local Government (General) Regulation 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      \$2,813,000 (full year)
- Cost centre                                      800152-8130-41500
- YTD Income to date                          \$1,052,478
- Future potential impact                      Nil.

Council's budgeted investment interest income for 2025/26 is \$2.8M, approximately \$653K less than 2024/25 actual interest received. During November, the average rate achieved was 4.32% on an investment balance of \$48M, 53% of which is due to 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.

**1.5. F&G - 28/01/2026 - Investment Report December 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 December 2025 and to note the certification of the Responsible Accounting Officer that funds have been invested in accordance with legislation, regulations and Council's Investment 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 \$47.1M, it is fully restricted (internally or externally). Therefore, those funds are not available for any purpose beyond that for which they have been restricted, with an internal borrowing from internal reserves for working capital currently required.

**Administration's Recommendation**

THAT:

1. Investments of \$46,200,000 and cash of \$915,284 (which is restricted for specific purposes) for the period ending 31 December 2025 be noted.
2. The enclosed certificate of the Responsible Accounting Officer be noted.
3. The commentary on cashflow and funding requirements for restricted reserves be noted.

**Attachments**

1. Investment Report Attachment - December 2025 [1.5.1 - 1 page]

**Reference to any relevant previous minute**

Min No 25-274 Ordinary Meeting of Council held on 1 December 2025.

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

Council's total investment portfolio as at 31 December 2025, when compared to 30 November 2025, has decreased from \$49,200,000 to \$46,200,000. Cash in Council's bank account decreased from \$1,714,263 to \$915,284.

December is usually a cashflow negative month, with no significant sources of income. In December 2025, there were high cash outflows relating to supplier payments and no significant grant income.

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

The movements in Investments for the month of December 2025 were as follows:

Opening Balance of cash and investments as 1 December 2025	\$50,914,263
Plus New Investments – December 2025	\$5,000,000
Less Investments redeemed – December 2025	\$8,798,979
Closing Balance of cash and investments as at 31 December 2025	\$47,115,284

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 relates to the recognition of interest earned but not yet received by Council.

**Responsible Accounting Officer comment on the cash and investments balance** – there was a \$3.8M decrease in cash and investments in December 2025. Low cash inflows combined with payments to suppliers (\$5.8M) has resulted in a decrease in the 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:

- \$391K Water usage September and October 2025 from Fish River (Water Fund),
- \$316K Domestic Waste collection for November (Waste Fund),
- \$241K Footpath upgrade of Main St, Lithgow (Reserve and Grant funded),
- \$215K Rural Road spay seal upgrades (SRV & DRFA funded),
- \$211K Lithgow Sewerage Treatment Plant Progress Claim (Sewer Fund),
- \$183K Magpie Hollow Road, South Bowenfels Repair Works (DRFA funded and General),
- \$174K Wolgan Valley Access Road design and project management (DRFA funded),
- \$177K Electricity Account October and November (General Fund),
- \$174K Fleet Plant Replacement (General Fund and SRV Funded),
- \$163K Sewerage Pumping Station South Bowenfels (Sewer Fund),
- \$128K Heavy duty hooks bins Rural Waste Transfer Stations (Waste Fund),
- \$107K Growth Management Strategy (SRV Funded) and
- \$101K Komatsu Excavator (Water Fund)

#### Funding Requirements for Restricted Reserves

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

**Responsible Accounting Officer comment on restricted reserves** – Council had insufficient cash and investments at 31 December 2025 to fund \$42.8M of externally restricted reserves and \$7.5M of internally restricted reserves. An internal borrowing of (\$3.3M) from internally restricted reserves was required for general purposes due to timing of annual payments for the period to 31 December, relating to late payments for rates accounts. Action has been taken to encourage payment of the rates accounts and at the time of writing this report, a contingency plan is being developed to defer works and programs to ensure that Council does not require the use of externally restricted reserves, should the rates accounts remain unpaid.

<b>Cash and Investments Statement (\$'000)</b>			
	<b>30 June 2025 Position</b>	<b>30 September 2025 Position</b>	<b>31 December 2025 Position</b>
<b>Externally Restricted</b>			
Developer Contributions	1,913	2,060	1,979
Special Purpose Grants	33,822	30,667	26,749
Water Supplies	3,864	4,922	4,298
Sewerage Services	294	410	(316)
Domestic Waste	8,531	9,857	9,547
Unexpended Loans	1,700	984	593
	<b>50,124</b>	<b>48,901</b>	<b>42,849</b>
<b>Internally Restricted</b>			
Land & Buildings	85	85	80
FAGs	3,359	-	-
Plant & Equipment	-	-	-
Bonds, Deposits & Retentions	400	352	261
Works in Progress	137	137	137
Carry Over Works	63	66	43
Commercial Waste	2,769	3,910	4,225
ELE	661	661	161
Election	77	77	77
Other	1,223	350	2,545
Internal Borrowing to General Fund	0	(2,196)	(3,264)
<b>Total Internally Restricted</b>	<b>8,774</b>	<b>3,442</b>	<b>4,266</b>
<b>Unrestricted (working capital)</b>	-	-	-
<b>Total Cash and Investments</b>	<b>58,898</b>	<b>52,343</b>	<b>47,115</b>

### CERTIFICATION OF THE RESPONSIBLE ACCOUNTING OFFICER

I hereby certify that the investments listed in the report have been made in accordance with Section 625 of the Local Government Act 1993, clause 212 of the Local Government (General) Regulation 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      \$2,813,000 (full year)
- Cost centre                                      800152-8130-41500
- YTD Income to date                          \$1,247,159
- Future potential impact                      Nil.

Council's budgeted investment interest income for 2025/26 is \$2.8M, approximately \$653K less than 2024/25 actual interest received. During December, the average rate achieved was 4.55% on an investment balance of \$46M, 60% of which is due to 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.

## 1.6. F&G - 28/01/2026 - Proposal to Enter Licence Agreement with LSMR Limited

### Strategic Context for this matter:

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

**Author:** Vanessa Browning - Director Finance and Governance

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

### Executive Summary

This report requests preliminary approval to enter a licence agreement with Lithgow State Mine Railway Limited (LSMR) and to initiate steps to re-classify part of Council land from "community" to "operational".

### Administration's Recommendation

THAT Council:

1. Grant preliminary approval to enter a 12-month licence agreement with Lithgow State Mine Railway Limited for the Rail Line Section of Lot 1 in DP433264.
2. Authorise the General Manager to negotiate the terms and conditions of a licence agreement having regard to Council's Leasing and Licensing Policy 10.20.
3. Give public notice of the proposed licence agreement and place it on public exhibition for at least 28 days, in accordance with section 47 of the Local Government Act 1993.
4. Authorise the General Manager to sign all documents and do all things necessary to give effect to the licence agreement, if no submissions are received during the public exhibition period.
5. Note that the matter will be returned to Council for further consideration, if any submissions are received during the public exhibition period.
6. Commence action to re-classify the Rail Line Section of Lot 1 in DP433264 from "community" to "operational" land via LEP amendment under section 30 of the Local Government Act 1993.

### Attachments

Nil

### Reference to any relevant previous minute

Minute 22-238 Ordinary Meeting of Council held on 28 November 2022

Minute 23-95 Ordinary Meeting of Council held on 22 May 2023

Minute 24-171 Ordinary Meeting of Council held on 22 July 2024

### Background and discussion

#### Council Land

Lot 1 in DP433264 is situated off Inch Street, Lithgow (Council Land) and forms part of the Blast Furnace Park and Lake Pillans area. The Council Land is shown framed in red on the image below.



The Council Land came to be in Council's ownership when it, together with the adjoining Lake Pillans lot (1/435393), were transferred from the State Rail Authority to Council in June 2000.

#### Attributes of the Council Land

The Council Land is zoned RE1 public recreation and comprises an area of 1.93 ha. It is classified "community" and categorised "cultural significance" under the Local Government Act 1993 (the Act).

The Council Land includes an area of about 3,330m<sup>2</sup> containing a tourist rail line (Rail Line Section), which is the subject of this report. The Rail Line Section is shown framed in red on the image below.



#### Background

On 28 November 2022, Council agreed to enter a 12 month licence agreement with C.O.C Limited (C.O.C.) for the rail line section of the Council owned land, Lot 1 in DP 433264. C.O.C. Limited managed the land at the Lithgow State Mine Railway site.

Additionally, Council authorised the Administration to take steps to re-classify the rail line section to operational land via an LEP amendment.

Subsequently, no licence agreement was entered with C.O.C. and at the 22 July 2024 Ordinary Meeting, Council resolved that work will cease on the proposal to enter a licence agreement with C.O.C. Ltd.

### LSMR's use of the Rail Line Section

LSMR is a local non-profit organisation committed to protecting and promoting Lithgow's rail and industrial heritage. Plans include operating a rail heritage experience from State Mine to Eskbank Station.

In November 2025, LSMR requested to temporarily store one locomotive and three wagons on the Council Land, which is required as the current storage location is now under a licence agreement with the Southern Shorthaul Railway (SSR) with restricted access. It is anticipated that an Expressions of Interest process for a more suitable and long-term location will commence from July 2026.

While the Administration have not been able to locate documentation in Council's records, previous advice has been that in 2001 a rail extension was constructed to connect the tourist rail line from the Eskbank branch to the railway workshop located at State Mine Gully. The rail connection was part of a joint project between LSMR and Council and that the project was supported by a grant awarded under the Centenary of Federation scheme.

### Restrictions on dealing with Community Land

The Council Land (including the Rail Line Section) is classified "community" land. The Act restricts how councils can deal with community land. In particular, the Act provides that councils may only grant a lease, licence or other estate if a Plan of Management (POM) for the land expressly authorises it.

There is no POM for the Council Land, and it is estimated that development of a POM would cost between \$65K and \$85K. The land is categorised cultural significance (together with the other parcels of land that make-up Blast Furnace and Lake Pillans). Land that is categorised "cultural significance" requires a plan of management that applies exclusively to that land. Strict compliance with the Act would mean that Council is not able to grant a licence to LSMR until a POM is adopted.

However, it is suggested that the Rail Line Section of the Council Land is inadvertently classified "community" and should be re-classified "operational" land for the following reasons:

- it contains operational rail infrastructure that connects to rail infrastructure on private land. LSMR has indicated that locomotives move across it to head to the railway workshop located in the State Mine Gully;
- the Rail Line Section of the Council Land should not be accessible to the public, for safety reasons;
- the Rail Line Section directly benefits one party and not the broader community; and
- Council should not bear any risk in relation to the Rail Line Section.

### Suggested approach to correct the situation

With the above in mind, the following steps are recommended to correct the situation:

1. Grant a 12-month licence agreement to LSMR for access, use and maintenance of the Rail Line Section, subject to public notice and exhibition in accordance with section 47 of the Act.
2. Take steps to re-classify the Rail Line Section of the Council Land from "community" to "operational" via LEP amendment (s.30 of the Act).

3. Following re-classification, Council may consider subdividing the Rail Line Section from the Council Land and either disposing of it or retaining it, then granting a long-term lease over the land.

### **Consultation and Communication**

The report recommends that the proposed licence agreement to LSMR is placed on public notice and exhibition for a period of 28 days. If any submissions are made, a further report will be tabled to Council.

### **Policy**

Policy 9.16 - Compliance Policy.

Policy 10.20 - Leasing and Licensing Policy.

### **Legal**

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

### **Risk Management**

Entering into a licence agreement will mitigate the risks associated with the proposal.

### **Financial**

Any legal costs incurred to enter into the licence agreement are to be borne by LSMR. There will be unbudgeted income generated in terms licence fees, which will be immaterial, in accordance with Policy 10.20, under Category C – being the minimum base rent under the Crown Management Act 2016.

## 1.7. Pavement Rehabilitation and Sealing at Sodwalls Road Sodwalls

### 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:** Nimalika Wijetunga – Project Officer

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

### Executive Summary

This report summarises the tender evaluation process undertaken for the Pavement Rehabilitation & Sealing at Sodwalls Road project (tender number TEN15/25).

The project is co-funded under the NSW Disaster Recovery Funding Arrangements for Essential Public Asset Restoration works and Council revenue sources, with a total project budget of \$3,436,973. (DRFA funding amount \$1,499,714 and Council funding amount \$1,937,259).

### Administration's Recommendation

THAT Council:

1. In accordance with Clause 178 (1)(b) of the *Local Government (General) Regulation 2021*, declines to accept any of the tender submissions for Pavement Rehabilitation and Sealing at Sodwalls Road, tender number TEN15/25;
2. In accordance with Clause 178 (3)(e) of the *Local Government (General) Regulation 2021*, enter into negotiations with the highest ranked tenderer to confirm tendered pricing.
3. Authorise the General Manager to approve the outcome of the negotiations and execute a contract with the highest ranked tenderer, with the details reported to an upcoming Infrastructure Committee meeting.

### Attachments

1. CONFIDENTIAL - Tender Evaluation for TEN 15-25 Pavement Rehabilitation & Sealing for Sodwalls [1.7.1 - 1 page]

### Background and discussion

This project covers the section of Sodwalls Road from 5.7km west of Hampton Road, for a distance of 7.9km, and is a project identified in Council's ongoing road rehabilitation program. The project enables Council to maintain and improve the condition of the road network within the Lithgow Local Government Area.

The scope of works includes rehabilitation of the existing road pavement, sealing, shoulder construction, stormwater drainage replacement, clearing, road marking, and signposting. These works are essential for preserving the integrity of the road network, extending pavement life, and enhancing safety and serviceability for all road users. Sodwalls Road is a key route for both residents and commercial traffic; its rehabilitation will ensure continued accessibility and reduce future maintenance costs.

Overall, this pavement rehabilitation and sealing project will significantly improve road safety, pavement longevity, and serviceability, supporting the Council's objective of maintaining a reliable and sustainable road network.

## Tender Process

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

Name	Position	Role on TEP
Nimalika Wijetunga	Project Officer	Chair
Paul Creelman	Transport Manager	Member
Peter Fisher	Team Leader- Projects	Member
Cameron Shields	General Manager Civil and Disaster Recovery – Shepherd Services Pty Ltd	Member

Council's Director of Finance and Governance, Vanessa Browning, acted as a Probity Officer and independently oversaw the tender process to ensure that Council's procurement processes were followed and the evaluation was carried out in a fair and transparent manner.

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

- Value for money (40%),
- Methodology (20%),
- Capacity (15%),
- Capability (12.5%), and
- Local Preference Policy (5%).

An open tender process was used to attract the maximum number of respondents for evaluation. The documentation was available for interested parties to download from Council's VendorPanel system from 5 December 2025. Four (4) responses were received by the tender closing time at 5:00pm on 12 January 2026, from the following organisations:

- Durack Civil Pty Ltd,
- Gracey's Earthmoving & Excavations Pty Ltd,
- Peter's Earthmoving Pty Limited, and
- Wils Training Pty Ltd.

## Tender Evaluation

The TEP reviewed the submissions and met on 15 January 2026 to discuss the proposals in accordance with the pre-determined evaluation criteria. The detailed result of this evaluation contains information that is commercial-in-confidence and is presented in the confidential attachment for Councillors, Tender Evaluation Scoresheet.

Wils Training Pty Ltd did not submit any price proposal or any relevant response documents, and therefore this response was excluded from the final evaluation.

The recommended Tenderer scored highest on price, understanding of the project, proposed timeframe, proven experience and prior application of WHS and Environmental Management practices. Previous project reference checks verified the work performance detailed in the Tenderer's responses. This Tenderer also meets the requirements of Council's Local Procurement Policy.

At this stage all tender submissions are above the current budget allocation. Given the tight timeframe for reporting this to the January Council meeting, and ensuring that works commence on the roads as soon as possible, the Administration recommends to Council that all tenders be declined, in accordance with Clause 178 (1)(b) of the Local Government (General) Regulation 2021.

It is recommended that the TEP would then negotiate with all tenderers in accordance with Clause 178 (3)(e) of the Regulation. These negotiations would simply involve asking tenderers to confirm their pricing, using a spreadsheet that would be emailed to all tenderers to ensure consistency of response. Following the outcome of the negotiations, the Council would authorise the General Manager to approve the outcome of the negotiations and execute a contract with the highest-ranked tenderer. The results of this would then be reported back to Council at the next Infrastructure Committee meeting.

*Note:*

Councillors will note that the Tender Evaluation Spreadsheet attached to this report indicates that both Gracey's Earthmoving and Excavations P/L and Peters Earthmoving P/L did not submit insurances as part of their tender submission. This is the case but does not affect the conformity of their response as the required insurances will be required from the recommended tenderer prior to Award. Similarly, Officers are aware that both Gracey's and Peters' hold the required insurances, having sighted it for other projects in recent weeks.

### **Consultation and Communication**

Council has received many requests from residents for repair works on Sodwalls Roads and this has resulted in Council splitting the works into two stages to allow for repair works to commence as quickly as possible. Stage 1 of these works have substantially commenced.

Once the tender has been awarded, and the successful tenderer notified, the timing of the works will be communicated to the residents via letterbox drop and Council's social media channels.

### **Policy**

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

### **Legal**

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

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

### **Risk Management**

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

### **Financial**

- Budget approved - \$3,436,973, funded via the NSW Disaster Recovery Funding Arrangements and council funding.
- Cost Centre - PJ 100908, PJ 101028
- Expended to date - \$621,339

- Future potential impact – Construction Cost for this tender: \$2,845,472, in addition to projected internal projected management and ancillary works of \$122,107 will result in a projected shortfall of \$151,945.  
It is recommended that additional negotiation is undertaken to minimise the construction cost amount as far as is reasonably practicable.

Expenditure allocated to this portion of the project will be expended within the 2025/26 financial year. Works have been specified to be completed by 30 June 2026.

## 1.8. I&PD - 28/01/2026 - Tender Evaluation - Road Patching & Resheeting - Portland Sunny Corner Rd - TEN18/25

### 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:** Sean Quick – Project Officer

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

### Executive Summary

This report summarises the tender process that was undertaken to seek a contractor to complete road repairs to Portland Sunny Corner Road, tender number TEN18/25, and recommends a tenderer to undertake the works.

### Administration's Recommendation

THAT Council:

1. Note the tender evaluation report for Road Patching and Sealing – Portland Sunny Corner Road.
2. Accept the Administration's Recommendations, shown in the confidential tender evaluation attachment, in accordance with Clause 178(1)(a) of the Local Government (General) Regulation 2021.
3. Authorise the General Manager to execute the contract on behalf of Council under delegated authority.

### Attachments

1. CONFIDENTIAL Attachment - Tender Evaluation - Portland Sunny Corner Road Repairs TEN 18-25 [1.8.1 - 1 page]

### Commentary

Tenders were called to undertake heavy patching, resealing and drainage cleaning works on damaged sections of Portland Sunny Corner Road. These works will preserve the integrity of the road network and enhance safety and serviceability for road users, following the damage sustained during heavy rain events of the past few years.

This project has been partially funded by the Disaster Recovery Funding Arrangements (DRFA), administered by the NSW Reconstruction Authority. Portland Sunny Corner Road has a total allocated budget of \$1,723,756 for repair works.

Repair works will involve heavy patching and sealing along the length of Sunny Corner Road, from the intersection with Falnash Street, through to the intersection with Sunny Corner Road.

This project will be undertaken using Council's new approach to road renewal where we do not simply focus on those areas that have reached a critical point of failure. This project combines both the reactive and proactive measures by both reconstructing failed sections with DRFA funding (reactive) and renewing the full length of the road by application of a two-coat bitumen overlay (proactive). Alongside associated drainage renewals that will also occur, this approach ensures that

driveability is immediately improved, and that resilience is built back into the asset, for it to remain in good condition for much longer.

### Tender Process

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

Name	Position	Role on TEP
Sean Quick	Project Officer – Lithgow City Council	Chair
Peter Fisher	Projects Team Leader – Lithgow City Council	Member
Cameron Shields	General Manager Civil & Disaster Recovery – Shepherd Services	Member

Council's Director of Finance and Governance, Mrs Vanessa Browning, acted as a Probity Officer and independently oversaw the tender process to ensure that Council's procurement processes were followed and the evaluation was carried out in a fair and transparent manner.

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

- Value for money (40%),
- Methodology (30%),
- Capacity (15%),
- Capability (12.5%), and
- Local Procurement (2.5%).

An open tender process was used to attract the maximum number of respondents for evaluation. The documentation was available for interested parties to download from Council's VendorPanel system from 19 December 2025. Two tenders were received by the closing time at 10:00am on Monday 19 January 2026 from the following organisations:

- Gracey's Earthmoving and Excavations Pty Ltd
- Stabilised Pavements of Australia Pty Ltd

### Tender Evaluation

The TEP met on 20 January 2026 to discuss the tendered submissions.

It was determined that the submission tendered by Stabilised Pavements of Australia did not include pricing for all components of the works. Pricing was only submitted for the sealing component for the works and the tenderer indicate that they only wished to tender for the sealing component. The tender documents noted that contractors were to price highlighted columns in the pricing schedule and Stabilised Pavements did not complete all sections. As a result, the evaluation panel ruled this submission as non-conforming.

The submission tendered by Gracey's Earthmoving and Excavations (Gracey's) was a conforming submission. The pricing quoted by Gracey's met expectations for the type and scale of works and is well within budget. Gracey's methodology was rated as satisfactory to good, showing a strong understanding of the scope of works. Gracey's has demonstrated that they can perform works of this scale by undertaking multiple road repair projects for Council in the past, as well as completing similar projects for Bathurst Regional Council and the National Parks and Wildlife Service.

If awarded the contract for these works, Gracey's propose to commence work from early February, with sealing and completion in early March.

A confidential tender evaluation document is attached as Attachment 1. Please note that the tender assessment states that a professional indemnity certificate of currency was not issued. This is not required because all geotechnical assessment and design work has been completed by others prior to issuing this tender. Gracey's are required to deliver upon the developed scope in the form of physical work only, hence requiring public liability insurance only.

The tender evaluation panel recommends that Gracey's Earthmoving and Excavations are awarded the contract for these works, at the tendered price of \$728,841.65 (plus GST).

### **Consultation and Communication**

Local residents will be notified of works via a letterbox drop, whilst Council will undertake a Media Release, notifying the broader community of the scheduled works.

### **Policy**

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

### **Legal**

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

### **Risk Management**

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

### **Financial**

- Budget approved – Total budget \$1,723,756. This consists of DRFA funding, \$184,651 and internal Council funding, \$1,539,105.
- Cost centre – 100906
- Expended to date - \$91,755.
- Future potential impact – These works are scheduled to be completed prior to the end of the 2025/26 financial year. Works are scheduled to be completed by early March 2026.

## 1.9. I&PD - 28/01/2026 - Disaster Recovery Support 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.

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

**Author:** Jonathon Edgecombe - Director Infrastructure and Project Delivery

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

### Executive Summary

The Disaster Recovery Funding Arrangements (DRFA) are a cost-sharing framework between the Australian and NSW Governments designed to support the recovery of communities and infrastructure after natural disasters. It provides financial assistance for the restoration of essential public assets and other eligible recovery measures following declared disasters.

Under the DRFA framework, Councils can access reimbursement or upfront funding for repair and reconstruction works (Category B and, where relevant, Category D support) once eligible disaster damage has been assessed and claims processed through the administering body, now the NSW Reconstruction Authority (RA).

Lithgow City Council has had \$4.69M of Essential Public Asset Reconstruction projects approved over 15 locations. This report seeks to vary the engagement of Shepherd Services Pty Ltd to heighten their involvement in the administration and delivery of these works to ensure value for money and the minimisation of any risk associated with the compensability of these projects under the DRFA program.

### Administration's Recommendation

THAT Council:

1. On the basis of the reasoning provided in the report, approve an exemption from tendering under Section 55 (3) (i) of the Local Government Act (1993) for Disaster Recovery Support Services, due to "extenuating circumstances, remoteness of locality or the unavailability of competitive or reliable tenderers, a satisfactory result would not be achieved by inviting tenders."
2. Approve a variation to the Shepherd Services Pty Ltd engagement of \$475,167.00 over the term of the engagement (through to the end of 2027/28) for the purpose of providing dedicated oversight and structured coordination of the DRFA program, with all costs being compensable under the DRFA.

### Attachments

1. Quote-4027 DRFA Delivery Support [1.9.1 - 2 pages]

### Reference to any relevant previous minute

- Min. No.: 25-237 – Ordinary Meeting of Council held 22 September 2025 (I&PD - 22/09/2025 - Professional Services Tender)

## Background and discussion

Lithgow City Council has been approved for \$4.6M of disaster recovery works under the 'Essential Public Asset Reconstruction' phase of the DRFA. To achieve the greatest value for money and associated economies of scale, Council has combined these funds with general revenue, special rate revenue and grant revenue (in the form of Roads to Recovery) to prepare a program valued at approximately \$16 million.

Expanding the DRFA program using alternative revenue sources bridges the gap between simply repairing defects 'like-for-like' and thus disregarding the concept of asset resilience, and embedding resilience into road assets through Council's strategic investment. Without this additional expenditure, the same vulnerabilities that resulted in widespread asset failure would remain a feature of Lithgow's road network, thereby significantly increasing the likelihood of compounding asset failures in the wake of the inevitability of future natural disasters.

Rather than simple patching, which is the extent of the scope covered by the DRFA, Council's additional investment will extend to the repair of neighbouring defects, and thereafter, full length drain clearing and bitumen resealing of these road lengths.

While expensive (and arguably expenditure which should be DRFA compensable under the terms of a more logical approach to disaster recovery), this shared cost approach to disaster recovery creates administrative challenges associated with properly accounting for, and evidencing appropriate expenditure of, the approved DRFA program funds.

To mitigate the risk to Council associated with this program, staff have reached out to Shepherd Services Pty Ltd to provide the necessary support to facilitate program delivery. This support provides the following benefits.

### 1. Small Rate Bases and Financial Constraints

Many regional councils, like Lithgow, operate with small ratepayer bases and limited financial reserves. Councils often lack the cashflow or financial flexibility to fund large-scale repairs up front and wait for reimbursement through DRFA processes.

Without delivery support, Lithgow may face significant financial strain when required to mobilise resources for extensive infrastructure repair works before funding is received. Engagement of dedicated delivery support for the DRFA program will ensure Council remains ahead of claims and appropriately matches expenditures to income claims.

### 2. Workforce and Technical Skills Shortages

With a growing capital works program, Lithgow City Council has limited professional staffing with technical expertise in areas such as project management, engineering design, geotechnical investigations, contract administration, and compliance with the technical guidelines that underpin the DRFA.

Infrastructure repair under DRFA requires:

- a. Detailed engineering assessments,
- b. Preparation of cost estimates,
- c. Compliance with state and federal reporting, and
- d. Strict project planning and execution oversight.

In the short term, the Council does not have sufficient internal personnel with these capabilities to apply to the program. As the program has a limited term, it is unlikely that the Council would be able to secure such resources through formal recruitment processes. This embeds risk of non-compensability into Lithgow's DRFA program. Those staff that do have these skills are already

committed to other operational roles and projects, such as leading the Council-funded components of its capital program. Delivery support fills this critical capability gap.

### 3. Complexity and Administrative Burden of DRFA Processes

#### a. Rigorous Eligibility and Reporting Requirements

The DRFA framework involves multiple steps, including:

- Damage assessment and classification,
- Cost estimation and claim preparation,
- Reporting requirements to both state and Commonwealth bodies, and
- Compliance with technical standards for reconstruction.

These processes can be complex and administratively intensive, particularly when Councils like Lithgow, that have been disaster impacted across a broad region, manage a portfolio of eligible works across large geographic footprints. Additionally, Council is seeking to deliver DRFA projects alongside internally funded works, to maximise the value of this expenditure. Currently, DRFA technical guidelines do not make co-funded projects simple to administer. If anything, while co-funded projects enhance community outcomes, they increase the administrative burden of quantifying and supporting eligible claims with appropriate evidence.

Delivery support is necessary to help the Council to meet these requirements accurately and efficiently, reducing the risk of delayed reimbursement or ineligible claims.

#### b. Centralised Administration and Governance Standards

From October 2025, the NSW Reconstruction Authority became the single point of accountability for Category B funding, including Emergency Works and Immediate Reconstruction Works. This centralisation aims to streamline communications, approvals, and reporting but also increases the procedural standards which Councils must meet. Delivery support will include guidance and practical assistance to navigate these evolving governance and compliance frameworks.

#### c. Time Sensitivity and Urgency of Infrastructure Repairs

Essential infrastructure such as local roads, bridges, and drainage systems are critical to community connectivity, emergency access, economic activity, and safety. After a major disaster, timely restoration is vital to:

- Reconnect communities,
- Enable supply chains and emergency services, and
- Support economic recovery.

Delivery support (including DRFA financial advance mechanisms like Tripartite Agreements) have enabled Lithgow to commence works quickly rather than waiting months for reimbursement, which could otherwise delay critical repairs. We must match resourcing to this financial capacity to allow the Council to deliver works concurrently rather than consecutively, tightening the scheduling of the works delivery program.

Lastly, the DRFA works cover projects over a fixed period. The final date for completion (for most projects) is 30 June 2027. It is unlikely that Council will be able to recruit an expert in this field for a fixed term. Obtaining these services by consultancy is the most efficient pathway forward, the costs of which are compensable under the DRFA guidelines.

### 5. Enhancing Resilience and Betterment Opportunities

The DRFA does not automatically fund betterment, that is, improvements that make rebuilt infrastructure more resilient to future disasters (unless specifically included through programs such

as the Infrastructure Betterment Fund or Category D initiatives). The Council has not been successful in applying for more than the bare minimum (and in some circumstances, less than the bare minimum) for required recovery works.

Delivery support will help council to:

- Design and implement resilient infrastructure solutions through effective use of the Council's co-funding of these projects,
- Integrate betterment work into DRFA works where budgets permit, and
- Prioritise interventions that reduce future disaster costs.

Given increasing frequency and severity of natural disasters, enhancing resilience is both a financial and community priority, yet it requires technical expertise and forward planning that many councils lack internally.

## 6. Geographic and Logistical Challenges

Regional and rural Council areas in NSW often cover large, sparsely populated territories with extensive road and asset networks. Responding to, coordinating, and executing repairs across wide areas requires substantial logistical planning — particularly in harsh or inaccessible terrain.

Delivery support through use of third-party delivery partners with DRFA experience at a national level, is critical in ensuring that Lithgow Council manages project logistics efficiently and safely.

## 7. Lessons from Experience and Ongoing Reform

Recent reviews and feedback from Councils have highlighted that existing DRFA arrangements can lead to:

- Delays due to administrative red tape,
- Complex eligibility and compliance hurdles,
- Barriers to betterment funding, and
- Financial pressure due to reimbursement timing.

These challenges reinforce the need for practical delivery support to ensure Councils like Lithgow are not overwhelmed by the procedural demands of reconstruction, enabling a smoother and faster recovery. Reform efforts (e.g. centralised RA oversight and Tripartite Agreements) are also signalling a shift towards more effective collaborative delivery models.

### *Summary*

Lithgow City Council requires delivery support for infrastructure repair projects under the DRFA due to:

1. Limited financial and human resource capacity, making it difficult to manage large, technically complex recovery works.
2. Administrative and regulatory complexity of DRFA processes, requiring specialist skills and compliance support.
3. The urgent nature of post-disaster infrastructure needs, where delays can exacerbate community and economic impacts.
4. The need for timely access to funding, strengthened by mechanisms such as Tripartite Agreements.
5. The push towards building resilience and betterment into reconstruction, which requires expert planning and delivery oversight.

It is critical that we get in front of this challenge before the program substantially commences, which is set to occur in the coming weeks. Providing delivery support ensures that the Council can fulfil its

role in community recovery effectively, meet DRFA requirements, and support resilient, sustainable post-disaster infrastructure outcomes.

### *Procurement*

The subject matter of this report, being the management of road assets and the tendering for services to assist with this task, is a function of Council conferred by the Local Government Act 1993.

Under Section 55 (3) (i) of the Local Government Act (1993), tenders for works valued over \$250,000 are not required in cases where “because of extenuating circumstances, remoteness of locality or the unavailability of competitive or reliable tenderers, a council decides by resolution (which states the reasons for the decision) that a satisfactory result would not be achieved by inviting tenders.”

Council tested the market in August/September 2025, seeking professional support services to develop better asset management planning and prioritisation of funding in long-term financial plans, thereby optimising council expenditure, addressing asset vulnerabilities, building resilience to climate-related risks and natural disasters and reducing local government exposure to legal and financial liabilities. As a result of this external, open and competitive tender process, it was determined that Shepherd Services Pty Ltd had the necessary expertise, offered greatest value to Council, and submitted the most cost-effective proposal.

With the same unit rates applied to this proposed variation as was submitted under their September 2025 tender response, this variation request also represents a competitive and cost-effective option, as was the case when it was originally assessed.

Secondly, the DRFA program has highly complex funding arrangements that are further challenged by the addition of Council funding that will improve community outcomes but add complexity to the DRFA administration effort. These programs already have a significant delivery timeframe. Choosing a different Project Management partner will inevitably negatively impact the critical path of these projects, extending the closure the length of time required for Council to expend DRFA funding, thereby extending the impact to the Lithgow community.

Thirdly, options for extension of the project management contract were embedded in the original tender and project brief.

For these reasons, it is advised that the extension and variation of Shepherd Services contract with Council to cover discrete project management and administration services related to the DRFA should not require a renewed tender process and the approval of this variation may occur by resolution of Council within the provisions of the Local Government Act.

The quote for \$475,167.00 is an upper limit cost and covers services provided to support the DRFA program for the extent of its delivery timeframe, spanning the remainder of the 2025/26 financial year and the full length of the 2026/27 financial year. These requirements were not built into the original professional services tender advertised over the course of August/September 2025. The bulk of the costs are related to the engagement of Civil Works Inspectors, as required to physically control project delivery and scope on-site, alongside contract management and technical support services.

Noting that this is an upper limiting fee, in large part, Council staff will cover contract management services, which is an opportunity to reduce the cost of this engagement over time.

### **Consultation and Communication**

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. Tourism Committee Meeting of 20 August 2025.

This is an ongoing project that is evolving over time. The Administration will continue to report on the progress of the I&PD asset management improvement initiatives at the Infrastructure and Finance Committees and, as well as at Councillor Workshops, as required.

## **Policy**

The original tender process was undertaken in accordance with Policy 1.4 - Tendering and Policy 1.7 - Local Procurement. It also generally aligns with the requirements of Policy 1.5 - Asset Management.

## **Legal**

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

Each road renewal project will be subject to a thorough assessment of key environmental issues by way of formal Review of Environmental Factors, to ensure compliance with the Environmental Planning and Assessment Act 1979.

## **Risk Management**

As identified within the report.

## **Financial**

- Budget approved - \$1,609,464
- Cost centre - Various – all road rehabilitation, reseal, and reconstruction projects
- Expended to date - \$120,468.35
- Future potential impact - A project variation of \$475,167.00 over the length of the Shepherd Services engagement. It is entirely compensable under the DRFA. This engagement fits within Council's allocation for project management services, noting that only one employee within Council (not Council's appointed Project Managers) are able to claim their time under the program.

## 1.10. P&P - 28/01/2026 - 2024/2025 Annual Report

### Strategic Context for this matter:

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

**Author:** Deborah McGrath – Organisation Performance and Communication Manager

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

### Executive Summary

It is a requirement of the Local Government Act 1993 (s428) that Council prepare its Annual Report within 5 months of the end of the financial year, with details of its achievements in implementing its Delivery Program and the effectiveness of the principal activities undertaken in achieving the objectives of the Operational Plan. Due to resourcing constraints, a requirement to extend the presentation of the annual report to Council to the 28 January Council meeting was notified to the Office of Local Government.

### Administration's Recommendation

THAT Council endorse the 2024/2025 Annual Report.

### Attachments

Nil

### Reference to any relevant previous minute

Min 24-130 Ordinary Meeting of Council held on 24 June 2024

### Background and discussion

This report provides a summary of the achievements of Council in delivering on the Community Strategic Plan.

Key outcomes delivered over the 2024/2025 financial year include are outlined below.

#### Roads Repair Program

One of the most significant achievements has been Council's endorsement of a comprehensive Road Repairs Program, enabled by the Special Rates Variation funding. Informed by an extensive road-testing program, this work has provided our engineers with the most detailed understanding of our road network ever achieved. This evidence-based approach will guide a targeted remediation program, scheduled to commence in 2026, to address the challenges across our extensive and ageing road network.

#### Natural Disaster Recovery

Council has worked with the Australian and NSW Governments, recognising the urgent need to restore access to the Wolgan Valley. The approval of up to \$385 million in disaster recovery funding represents one of the largest infrastructure commitments ever made. Council will continue to work

closely with the community to construct the access road into the valley as quickly and safely as possible. In addition, Council has secured funding to fully restore Browns Gap Road—another long-standing community priority—with repair works planned for 2026.

### Lithgow Emerging Economy Plan (LEEP)

A key focus for Council has been preparing our community for the future. As part of the Lithgow Emerging Economy Plan, Council—working in partnership with the Federal Government and local high schools—launched a pilot STEAM program through the Central West Adaptive Skills Hub. Students participated in weekly classes building drones and developing science and technology skills to better prepare them for future careers. The program will culminate in a highlight moment, with students showcasing their work in the Lights Above Lithgow drone show. This initiative represents just one step in a broader transition, supported by the LEEP report and Workforce Transition Plan, toward a more resilient and diverse local economy.

### Main Street Footpath Revitalisation

Positive progress has also been made in our town centre. Footpath replacement works at the Top End of Main Street (between Bridge and Eskbank Streets) are well advanced and are expected to be completed by March 2026. The improvement is already evident, and Council will continue working collaboratively with local businesses to enhance Main Street and support increased visitation to our CBD.

### **Consultation and Communication**

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

### **Policy**

Nil

### **Legal**

The Annual Report has been prepared in accordance with the requirements of the Local Government Act 1993 and Local Government (General) Regulation 2021.

### **Risk Management**

Nil

### **Financial**

As detailed in the Annual Report.

## 2. Council Committee Reports

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### 2.1. P&P - 28/01/2026 - Seven Valleys Tourism Meeting Minutes - 25 November 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:** Simon Francis – Tourism Manager

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

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### Executive Summary

The purpose of this report is to present the minutes of the Seven Valleys Tourism Committee meeting of 25 November 2025.

### Administration's Recommendation

THAT Council note the minutes of the Seven Valleys Tourism Committee meeting held on 25 November 2025.

### Attachments

1. Seven Valleys Tourism Committee Meeting Minutes - 25 November 2025 [2.1.1 - 6 pages]

### Reference to any relevant previous minute

25-227 Ordinary Meeting of Council held on 22 September 2025.

### Background and discussion

At the Seven Valleys Tourism Committee meeting held on 25 November 2025 the following items were discussed:

- 7V Website Presentation – Headjam.
- Elevate Group Presentation – Rhonda Taylor CEO.
- Wolgan Road implications and impacts on tourism .
- Additional meeting scheduled – 21 January 2026.

### Financial

As detailed in the meeting minutes.

**2.2. F&G - 28/01/2026 - Finance Committee Meeting Minutes - 8 December 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

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**Executive Summary**

The purpose of this report is to provide a summary of matters discussed and considered at the Extra Ordinary Finance Committee Meeting held on 8 December 2025 and recommends that Council note the attached minutes.

**Administration's Recommendation**

THAT Council note the minutes of the Extra Ordinary Finance Committee meeting held on 8 December 2025, and the business paper recommendations endorsed by the Committee.

**Attachments**

1. DRAFT Minutes - Extra Ordinary Finance Committee Meeting - 8 December 2025 [2.2.1 - 4 pages]

**Reference to any relevant previous minute**

Nil.

**Background and discussion**

At the 8 December 2025 Extra Ordinary Finance Committee Meeting, the Committee received a presentation from Centennial Coal Limited in relation to Rates, and an accompanying report from the Administration.

The following business paper recommendation was endorsed by the Committee:

THAT the Finance Committee note the information within the report, the presentation made by Centennial Coal and establish a working group to meet mid-January 2026 to consider the impacts of the proposal.

**Financial**

As detailed in the attached Extra Ordinary Finance Committee meeting minutes.

## 2.3. I&PD - 28/01/2026 - Infrastructure Committee Meeting Minutes - 8 December 2025

### Strategic Context for this matter:

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

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

**Author:** Leah Stubbs – Executive Assistant Infrastructure and Project Delivery  
**Responsible Officer:** Jonathon Edgecombe - Director of Infrastructure and Project Delivery

### Executive Summary

This report provides details of the minutes of the Infrastructure Committee Meeting held on 8 December 2025.

### Administration's Recommendation

THAT Council note the minutes of the Infrastructure Committee Meeting held on 8 December 2025.

### Attachments

1. Minutes - Infrastructure Committee Meeting - 8 December 2025 [2.3.1 - 13 pages]

### Reference to any relevant previous minute

Nil.

### Background and discussion

At the Infrastructure Committee Meeting held on 8 December 2025, there were several items discussed by the Committee including:

- Tender Evaluation – Road Repairs on Sodwalls and Magpie Hollow Roads – TEN13/25: the Committee noted the outcome of the tender evaluation process.
- Land Dedicated as Public Roads: the Committee noted the dedication of Council owned land as public road for Atkinson Street, Lithgow, Ernest Street, Lithgow and Boulder Road, Blackmans Flat.
- Monument Matter – Lithgow Cemetery: the Infrastructure Committee and Council Administration will work within the new guidelines of the Cemeteries and Crematoria Act to develop a more suitable long-term solution to resolve this matter.
- Sporting Fields and Facilities Fees and Charges Review: the Committee decided to defer this matter to another meeting scheduled for January 2026.
- Projects Update - >\$500,000 or grant funded: the Committee noted the update provided relating to capital infrastructure projects.
- Wolgan Road Reconstruction – Update: the Committee noted the report, with further information to be provided once TfNSW and NSWRA advise on their preferred approach to approving this scope.

- Maintenance of Genowlan Road, Glen Alice/Bogee: the Committee requested the Administration to prepare a scope and cost for works to resheet and upgrade the drainage infrastructure on Genowlan Road for inclusion in the draft 2026/27 Operational Plan. The Committee endorsed a maintenance grade to be performed on Genowlan Road in advance of the 26/27 Operational Plan, within the next three months.
- Potential Demolition of Remaining Inch Street Rail Overbridge: the Committee supported retaining the rail overbridge adjacent to the entrance of Blast Furnace Park and to develop a maintenance and risk management plan to support the bridge remaining in place.
- Traffic Matters – Marrangaroo Estate: the matter was deferred pending further information to be provided at an upcoming Committee meeting.

### **Financial**

As detailed in the Committee meeting minutes.

## 2.4. F&G - 28/01/2026 - Audit Risk Improvement Committee (ARIC) Minutes - 9 December 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

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### Executive Summary

This report summarises the business discussed at the Audit Risk & Improvement Committee (ARIC) meeting held on 9 December 2025 and recommends that Council note the minutes.

### Administration's Recommendation

THAT Council note the minutes of the 9 December 2025 ARIC Meeting.

### Attachments

1. DRAFT - ARIC - Minutes - 9 December 2025 [2.4.1 - 7 pages]

### Reference to any relevant previous minute

Nil.

### Background and discussion

At the ARIC meeting held on 9 December 2025, the following items were presented and discussed:

- **Business Arising:** ARIC noted and discussed items within the Recommendations Tracking List.
- **External Audit:** The Committee discussed the 2024/2025 Financial Statements, draft Final Management Letter, and the status of management actions identified as part of the 2023/2024 Management Letter and 2024/2025 Interim Audit.
- **Financial Management:** the Financial Management Report, including the October 2025 Investment Report and September 2025 Quarterly Budget Review were presented and discussed. The Committee discussed the current negative unrestricted cash balance, causes of the issue, and how this is being managed.
- **Internal Audit:** the Committee discussed the review of the Internal Audit Charter, the progress of the Project Management Framework Internal Audit, provided feedback on actions needed to finalise the Internal Audit Plan, and received an update on management actions from several prior internal audits. The Committee endorsed the minor amendments to the Internal Audit Charter and endorsed the Internal Audit Manual.
- **Management Reviews, Self-Assessments and Non-ARIC Audits:** The Committee discussed the results of the Local Government Customer Service National Benchmarking Survey. The Administration outlined that due to the low numbers of participants, the Council would not be participating in future surveys. Updates on the management actions arising from prior management reviews and self-assessments were also discussed.

- **Risk Management:** The Committee discussed the Review of Water Outage report and commended the Administration on the review undertaken and the approach to analysing how to improve in future. The Committee also discussed the delays in actions relating to the Strategic and Operational Risk Register, Business Continuity Plans and recommendations arising from the Risk Maturity Review arising from the vacancy of the Governance & Risk Manager position.
- **Asset Management:** discussions were held on the progress of the continuous improvement program relating to Roads Asset Management.
- **Service Reviews:** an update on Service Reviews was received and noted.
- **Policies / Standard Work Procedures:** an update was presented and noted by ARIC, on reviewed and new policies and SWPs.
- **Strategic Planning – IP&R Framework Documents:** an update regarding the Integrated Planning & Reporting (IP&R) Frameworks was provided and noted.
- **Standing Items:** the following items were discussed:
  - Non-Compliance – The Annual Report will be tabled at the January 2026 Council Meeting, which is after the legislative deadline of 30 November 2025. The OLG has been notified.
  - Fraud and Corruption – there have been no reports of fraud or corruption.
  - Conflicts of Interest – annual declarations were collated and tabled at the October 2025 Council Meeting.
  - Major Projects – the Committee discussed the progress of Wolgan Road and the risks arising from a project of this scale and complexity.
  - Change in Risk Profile – there were no changes to Council’s risk profile outside those covered in other reports.
  - OLG Circulars – there were no items of note.
  - Governance – an update was provided on vacancies that impact upon the functions overseen by the Committee.
- **General Business:** the following items were discussed:
  - The following meeting dates were set for 2026:
    - 20 March 2026
    - 9 June 2026
    - 8 September 2026
    - 8 December 2026
  - The Committee discussed a potential, and the alternatives to, undertaking an internal audit of its plant and equipment, to understand the utilisation of the resources Council has, and to identify improvements that will assist in optimal use of all resources.

## Financial

As detailed within the report and the attached Minutes.

## 2.5. I&PD - 28/01/2026 - Sports Advisory Committee Meeting Minutes - 10 December 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.

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

**Author:** Leah Stubbs – Executive Assistant Infrastructure and Project Delivery  
**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 10 December 2025.

### Administration's Recommendation

THAT Council:

1. Note the minutes of this Sports Advisory Committee held on 10<sup>th</sup> December 2025; and
2. Provide *Rylee Millar* with \$500.00 toward the cost of participating in Australian Country Women's Hockey Team competing in Malaysia in April 2026; and
3. Provide *Sienna Hemmy* with \$300.00 toward the cost of participating in the NSW Under 14s Indoor Hockey Team to compete in Goulburn in January 2026.

### Attachments

1. Minutes - 10 December - Sports Advisory Committee [2.5.1 - 8 pages]

### Reference to any relevant previous minute

Nil.

### Background and discussion

At the Sports Advisory Committee meeting held on 10 December 2025, there were several items discussed by the Committee including:

1. 2025 LJ Hooker Reg Cowden Memorial Sports Star of the Year Awards.
2. Booking Requests.

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

- Item 6.1 Financial Assistance Requests.

### Financial

- Budget approved - \$2,500 for financial assistance requests.
- Cost centre – PJ 800158
- Expended to date - \$600.00 (\$1,900 remaining in budget).
- Future potential impact - Should the financial assistance request be approved (\$500.00 - Rylee & \$ 300.00 - Sienna) there would be a total budget of \$1,100.00 remaining for the 2025/26 financial year.

### 3. Questions with Notice

#### 3.1. QWM - 28/01/2026 - Cr Ticehurst - Workers Compensation Matters

**Report by** Councillor Martin Ticehurst

#### **Commentary**

At the Ordinary Meeting of Council on Monday 1 December 2025, Item 2.7. a Finance & Governance report relating to the 2025/26 Quarter One Budget Review, referred to the primary impact on the projected operating result for Quarter One was the unfunded \$305,000 increase to the Council's Workers Compensation insurance premium, which was higher than projected at the time of preparing the draft budget.

#### **Attachments**

Nil

#### Question

1. Could the Council and Councillors be provided with a full and detailed financial report on the Lithgow City Council's Workers Compensation costs for the both the past 2024/2025 and current/projected 2025/2026 financial years; and
2. What internal (employees injured, stress, etc.) or external (State Government) causal factors are bringing about these funded and/or unfunded premium increases to the Lithgow City Council?

#### **Management Comment**

There are two main costs captured within the Workers' Compensation cost category: the annual insurance premiums and adjustments made in relation to the Employee Benefits Provision, as required by accounting standards.

Council is insured by Statewide Mutual for Worker's Compensation and pays annual premiums; the history of which is outlined below:

- 2022/23 \$440,162
- 2023/24 \$578,294 (increase of 31.4% from 2022/23)
- 2024/25 \$730,886 (increase of 26.4% from 2023/24)
- 2025/26 \$1,054,578 (increase of 37% from 2024/25)

The adjustments to the Employee Benefits Provision are based on the outstanding leave balances of staff at the end of each year, which incorporates a proportion relating to workers' compensation. This is an accounting entry and not cashed based and will increase or decrease each year. The movements in the provision relating to workers' compensation are outlined below:

- 2022/23 (\$26,698)
- 2023/24 \$63,999
- 2024/25 \$38,695

Costs associated with payment of staff on workers' compensation leave are also incurred and are accounted for within Salaries and Wages. In most cases, a staff member on this leave is not backfilled, therefore does not result in an additional cost to Council.

As outlined above, the main contributing cost incurred by Council in relation to Workers' Compensation is the annual insurance premium. The premium is calculated based on a number of factors including:

- declared wages,
- the risk profile of the Local Government industry,
- the broader scheme (legislative inputs, costs of medical care), and
- Council's WHS and return to work performance (based on past three years).

While Council's claim frequency trend has reduced since 2021 (from 9.8 per 100 employees to 6.98 per 100 employees), the nature of injuries has resulted in longer return to work timeframes and higher average claim costs. This, in part, has contributed to the increase in premiums in recent years. The other Council specific input is increasing employment costs as a result of filling vacancies and new positions arising from the programs funded by the Special Rates Variation.

There has been a notable increase in the number of psychosocial claims. This is being experienced across industries, both public and private, and was outlined as the basis for the recent workers' compensation reforms moved in parliament. It was identified that 40% of workers with psychological injuries are off work one year after the incident and has increased from an average of \$146,000 in 2019/20 to \$288,542 in 2024/25.

Out of the 15 claims made in 2024/25, 9 related to psychosocial injuries. The Administration have undertaken the following since September 2024 to reduce the future risks of psychosocial injuries:

- People at Work (PAW) survey undertaken and focus groups conducted;
- Development of a Psychological Strategic and Action Plan;
- Prevention Response to Workplace Agreement and Violence Standard Working Procedure (SWP) developed;
- Managing Psychological Hazards at Work SWP developed;
- Staff Recognition and Service Awards updated;
- Dignity and Respect in the Workplace SWP developed and all of staff training undertaken;
- Review and determination of new Organisational Values;
- Implementation of a Compliments and Shout-Out Recognition Program; and
- Development and trial of an Employee Care Program.

Over the next 12 months, the following activities are planned:

- Develop and implement a Health and Wellbeing Program;
- Undertake a pulse PAW survey to assess the effectiveness of the Action Plan; and
- Program to embed the new Organisational Values.

Response provided by Director Finance and Governance

### 3.2. QWN - 28/01/2026 - Cr Fredericks - Residential Vacancy, Conversion and Uninhabitable Dwellings within the Lithgow LGA

**Report by** Councillor Elizabeth Fredericks

#### **Attachments**

Nil

#### Question

- 1. How many residential dwellings within the Lithgow Local Government Area are currently identified as vacant?**

*1,261 residential dwellings in the Lithgow Local Government Area were identified as vacant or unoccupied in the most recent 2021 Australian Bureau of Statistics (ABS) Census data. This represents 12.3% of all dwellings in the LGA.*

*The Lithgow LGA vacancy rate is 1.8 percentage points higher than the average for Regional NSW, indicating a slightly elevated level of unoccupied housing stock in the LGA.*

*It is important to note that ABS Census vacancy figures capture a point-in-time snapshot of dwellings that were unoccupied on Census night. As such, the total includes a mix of personal circumstances which may affect the data, such as properties that may be temporarily vacant due to sale or rental turnover, holiday or second homes, homes under renovation, or properties that are not currently habitable. Consequently, the Census vacancy rate does not equate directly to the number of dwellings that are immediately available for long-term housing, nor does it give reasons to why the dwelling may be vacant.*

- 2. Of the vacant residential dwellings identified, how many have been vacant for two (2) years or more?**

*The Council does not collect or hold data identifying how long individual residential dwellings within the Lithgow LGA have been vacant as this is not a function of Council. There is no locally held information that distinguishes dwellings vacant for two (2) years or more from those that are temporarily unoccupied.*

*The ABS Census data identifies dwellings that were unoccupied on Census night only and does not provide information on the duration of vacancy. Accordingly, it is not possible to use this dataset to validate the long-term vacancy status of any dwelling.*

- 3. Does Council maintain records or data that identify and track long-term vacant residential properties? If so, what methodology is used to determine vacancy duration?**

*Council does not maintain records or datasets that identify or track long-term vacant residential properties as this is not a function of Council.*

- 4. Over the past five (5) years, how many residential properties within the Lithgow LGA have been approved for conversion to commercial or non-residential use, including but not limited to medical or allied health practices, massage or wellness premises, professional offices, or other commercial uses?**

*Any change of use of a residential property to a commercial or non-residential use generally requires development consent for a change of use under the Environmental Planning and Assessment Act 1979.*

*A review of Council's development application approval records for the five-year period from 1 January 2021 to 31 December 2025 identified one approval involving the conversion of a dwelling to a non-residential use. That approval related to a change of use from a dwelling to a medical services facility.*

*No other development approvals for the conversion of residential properties to commercial or non-residential uses were identified within this period.*

- 5. Based on development approvals issued, what is the estimated number of residential dwellings lost to non-residential use within the Lithgow LGA over the last five years?**

*As per Question 4, 1 residential dwelling has been converted for non-residential use.*

- 6. How many residential properties within the Lithgow LGA are currently classified as condemned, uninhabitable, or unsafe for occupation?**

*Based on Council's records for the previous five (5) years, one residential property within the Lithgow Local Government Area is currently subject to orders issued under Division 9.3 of the Environmental Planning and Assessment Act 1979 relating to conditions that render the dwelling uninhabitable or unsafe for occupation.*

- 7. Of the properties identified as condemned or uninhabitable, how many have been approved for demolition, how many demolitions have been completed, and how many remain standing without demolition or remediation?**

*Based on Council's records, one residential dwelling identified as uninhabitable was subject to a demolition works order, subsequently approved for demolition, and has since been demolished. A further one residential dwelling is currently subject to an active repair order, with remedial works underway to resolve the issues identified. Accordingly, there are no residential properties identified as condemned or uninhabitable currently remaining standing without either demolition approval or an active remediation process in place.*

- 8. For condemned or uninhabitable residential properties that remain standing, what is the average length of time they have remained in this condition, and what compliance or enforcement actions has Council undertaken to address prolonged inaction?**

*For the two condemned or uninhabitable residential properties identified above, both have been served orders under Division 9.3 of the Environmental Planning and Assessment Act 1979, which is Council's formal mechanism for initiating compliance action. One property has remained standing in an uninhabitable condition for approximately six months and remains subject to ongoing action. The second property was resolved within six months of the order being issued, ultimately resulting in demolition. Based on these cases, the average length of time that condemned or uninhabitable residential properties have remained in this condition is approximately six months.*

- 9. What risks do long-term vacant, condemned, or uninhabitable residential properties present in relation to community safety, public health, fire risk, and anti-social behaviour?**

*Long-term vacant, condemned, or uninhabitable residential properties can present a range of risks to the community if not appropriately acted upon and/or managed.*

*From a community safety perspective, such properties may deteriorate over time, increasing the risk of structural failure, falling debris, or unsafe access, particularly when buildings are left unsecured.*

*In terms of public health, uninhabited and poorly maintained dwellings can attract vermin, pests, and illegal dumping, creating potential health hazards and unsanitary conditions for neighbouring properties. Fire risk is also heightened, as vacant buildings are more susceptible to arson, vandalism, or the accumulation of combustible materials, particularly where maintenance has lapsed.*

*Additionally, long-term vacant or derelict properties can contribute to anti-social behaviour, including trespassing, vandalism, and unauthorised occupation, which may negatively impact local amenity and residents' perceptions of safety.*

**10. Does Council have any current or proposed strategies or policy positions aimed at reducing long-term residential vacancy, preventing unnecessary loss of residential housing stock, and expediting remediation or demolition of condemned or uninhabitable dwellings?**

*Council does not currently have, nor is it proposing, specific strategies or policy positions aimed at reducing long-term residential vacancy or compelling the reoccupation of privately-owned dwellings as this is not a Council function. Neither the Environmental Planning and Assessment Act 1979 nor the Local Government Act 1993 confer powers on a Council to require a landowner to make a vacant residential property available for rent or purchase or otherwise dictate the use of a lawfully vacant dwelling.*

*Council's regulatory role is limited to matters relating to building condition, safety, and habitability. In this regard, Council may issue orders under Schedule 5 (Development Control Orders) of the EP&A Act 1979 to require remediation, repair, or demolition of condemned or uninhabitable. These powers are directed toward risk mitigation rather than housing supply outcomes.*

### **Management Comment**

Responses above in *italics* prepared by Director People and Places.

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## 4. Notices of Motion

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### 4.1. NOM - 28/01/2026 - Cr Fredericks - Flood Warning Services – Federal Cost Shifting to Local Government

**Report by** Councillor Elizabeth Fredericks

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#### **Commentary**

It has come to my attention that the Federal Albanese Labor Government has implemented, or is in the process of implementing, legislative changes that remove Local Government access to free flood warning information, instead requiring councils to subscribe to a paid, overseas-based service in order to receive flood warnings.

Flood warnings are a critical public safety function. Historically, Local Government has relied on freely available, government-supported sources to inform communities, coordinate emergency responses, and protect lives, property, agriculture, and essential infrastructure.

This change represents a clear example of cost shifting from the Federal Government to Local Government, with the financial burden ultimately falling on local ratepayers, including residential, commercial, and farming communities. Ratepayers should not be required to fund access to essential, life-saving information as a result of policy decisions made by another level of government.

Should Council be compelled to comply with these changes, full transparency is required regarding the financial implications and the broader risks this sets for Local Government.

#### Financial Risk and Community Impact

Lithgow City Council is already operating in a significantly constrained financial position.

In 2024, Council ratepayers were subjected to a special rate variation in excess of 40 per cent, placing considerable pressure on households, farmers, and local businesses during an ongoing cost-of-living crisis.

At the same time, Lithgow's small business sector is under strain, with businesses leaving Main Street, contributing to economic decline and reduced local employment opportunities.

Council also faces severe infrastructure challenges, particularly in relation to road conditions, with many local roads in significant disrepair and a growing maintenance backlog. Council's financial capacity to address these issues is already limited.

The requirement to fund access to flood warning services introduces an additional unfunded obligation that will further strain Council's budget. This will inevitably result in either increased financial pressure on ratepayers, reduced service delivery, or further delays to essential infrastructure works.

There is also serious concern that this change sets a precedent whereby other critical emergency warning services — including bushfire warnings, severe storm alerts, and heatwave notifications — may also be transitioned to paid subscription services in the future, compounding both financial risk and community safety concerns.

#### **Attachments**

Nil

### Recommendation

THAT Council:

1. Write to the Prime Minister, the Hon. Anthony Albanese MP, and the relevant Federal Labor Ministers, expressing Council's strong opposition to the cost shifting of flood warning services onto Local Government.
2. Write to the Federal Member for Calare, Mr Andrew Gee MP, outlining Council's opposition to these changes and requesting his advocacy on behalf of the Lithgow community.
3. Lodge Notices of Motion at all relevant Local Government conferences, calling for collective opposition to these changes and advocating for the reversal of this legislation.
4. Publicly exhibit the full financial impact of these legislative changes on Lithgow City Council, including all initial and ongoing costs associated with subscription to flood warning services.
5. Seek formal clarification from the Federal Government as to whether other critical emergency warning services — including bushfire warnings, severe storm warnings, and heatwave alerts — are intended to be transitioned to paid services in the future.

### **Management Comment**

Flood warnings are a critical public safety function. Timely and reliable access to this information is essential if public authorities are to protect lives, property, agriculture and vital infrastructure. In most cases, Councils rely on publicly funded and government-supported warning systems to inform communities and coordinate emergency responses.

Media reports indicate that:

- The current free flood warning tool will be phased out as it no longer meets cyber security, stability and resilience standards.
- The current system (Enviromon) has been in place for nearly 30 years.
- The Bureau of Meteorology will be ending ongoing support and maintenance for this service by no later than July.
- It will be replaced with a US-developed software system called 'OneRain'. This system cannot be sub-licensed so access to it cannot be provided for free to Councils or other public authorities.
- Rainfall and river level data can still be accessed via the BoM website and Council can sign up for updates, but these occur in 15-minute intervals rather than 5 minute intervals currently provided by Enviromon.
- Brisbane Council is considering its own system, at a cost of \$500,000.

*(Source: <https://www.theguardian.com/australia-news/2025/nov/08/bureau-of-meteorology-bom-removal-free-flood-warning-tool-has-potentially-deadly-consequences>)*

While Queensland Councils are rightly advocating against this change, it should be noted that in Queensland, flood warnings are a legislated responsibility of Local Government. In New South Wales, this responsibility falls to the State Emergency Services (SES).

While it is unlikely that the specific changes will result in a direct cost impact to Councils in NSW, it raises two very significant challenges for our communities:

1. The reduced level of service relating to flood update intervals extending from 5 minutes to 15 minutes can significantly inhibit the capacity for Local Government and other core emergency services to respond, particularly in volatile stormwater catchments.
2. This change creates a dangerous precedent. There is now the prospect that other critical emergency warning services—such as bushfire, severe storm, or heatwave alerts—could be transitioned to subscription-based models. This raises serious issues for both financial sustainability and community safety across Local Government.

All levels of Government should be united in the effort to both respond to and mitigate the impacts of natural disasters. Any change to historic practice, regardless of where legislated responsibility for a given function lies, should be collaborative and consultative. This is especially true when it can be

reasonably expected that a level of Government will lose capacity to respond as a result, as will occur due to the reduction of update interval timing.

In this circumstance, together the recommendation above, it is suggested that Council also:

1. Immediately reach out to the Central NSW Joint Organisation (JO), and request that our JO reach out to all other JOs, to form an inter-regional advocacy group to support the Council's initiatives. This could occur through the Joint Organisation's Regional Resilience Group, of which Lithgow Council is the chair.
2. Engage with the State Emergency Services, including their Minister, the Hon. Jihad Dib, seeking feedback on the matters above and how they propose to mitigate the undeniable impacts on disaster response. If there are concerns about cyber security, a transition to different software would be supported so long as there is no cost shifting or reduction in service.

Jonathon Edgecombe  
Director Infrastructure and Project Delivery

## 4.2. NOM - 28/01/2026 - Cr Ticehurst - Cessation of various outstanding Council Community Programs

**Report by** Councillor Martin Ticehurst

### **Commentary**

With respect to the tabling of the General Managers Council Resolution Action Register at the Ordinary Meeting of the Lithgow City Council on 27 October 2025, I firstly note the following four Council Resolutions that still remain as outstanding / not actioned as at the end of 2025.

#### **Lithgow City Council Resolution 24 – 211 made on 28 October 2024.**

‘THAT the Mayor and Council invite students, selected by their own School, Teachers and Students from 15 years of age up to Year 12; from both the Lithgow High School (4), the La Salle Academy (3) and the Portland Central School (2), to each act in a Trial of the Honorary position of ‘Young Mayor’ at a Lithgow City Council’s Meetings commencing and during 2025.’

The General Managers Council Resolution Action Register latest update is:

04/03/2025 Ross Gurney Director People and Place to write to each of the schools asking them to select students to act in a Trial of the Honorary position of ‘Young Mayor’ at Lithgow City Council’s Ordinary Meetings commencing ASAP during 2025.

#### **Lithgow City Council Resolution 25 – 43 made on 24 February 2025.**

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

The General Managers Council Resolution Action Register latest update is:

01/07/2025 Review of Financial Assistance Grants Program to be conducted 25/26. Inclusive of impact and implications of the music in the community program.

Separately, it is noted that at the Ordinary Meeting of the Lithgow City Council on Monday 1 December 2025, the Council with Resolution 25 – 277 resolved, ‘That the Administration work with the Finance Committee to determine appropriate areas for cost savings during the current year, inclusive of endorsed Councillor projects, such as Music in the Community.’

#### **Lithgow City Council Resolution 25 – 82 made on 24 March 2025.**

‘THAT Council change their current Fund Rules of the Lithgow City Council’s Mayoral Relief Fund so as to assist on a non-judgemental basis, it’s fellow community members, who as a result of any other severe or tragic incident, (local bush fire or flooding, house fire, serious medical or motor vehicle accident, an act-of-God incident, etc.) find themselves in necessitous financial circumstances.’

01/10/2025 Meeting held between Director Finance & Governance and General Manager on 30 July 2025. Due to current vacancies, external advice will be sought to determine and implement steps to enact this resolution, and timing will be determined based on other priorities.

**Lithgow City Council Resolution 25 – 83 made on 24 March 2025.**

‘THAT Council refer the determination of the length of the trial period, the identification of the events a Mayoral ambassador would attend, and the development of the eligibility criteria, nomination process, assessment criteria and selection process to determine the Mayoral ambassadors to the next Community Development Committee.

The General Managers Council Resolution Action Register latest update is:

22/7/25 - Program proposal report under preparation.

**Attachments**

Nil

**Recommendation**

THAT Council:

1. Take no further action on LCC Resolution 24 – 211: Trial of Honorary Young Mayors; and
2. Take no further action on LCC Resolution 25 – 43: Music in the Community Program; and
3. Take no further action on LCC Resolution 25 – 82: Rule changes to Mayoral Relief Fund; and
4. Take no further action on LCC Resolution 25 – 83: Trial of Mayoral Ambassadors.

**Management Comment****Resolution 24-211**

Council Officers consulted local High Schools regarding this program with mixed responses. There was some interest in the program and also notable barriers for the participation of young people which Council Officers have been working with representatives of the schools to further consider.

Challenges to delivering this program included staff vacancies within the Community and Culture Department, both the Manager and Community Development Officer roles were vacant at the time of the resolution. These roles have since been filled and the new staff have consulted relevant stakeholders regarding the proposed Young Mayor Program.

This program was not a deliverable listed and resourced within the Council adopted 2025/26 operational plan and the youth related activities which are listed in this plan have been prioritised.

The Community and Culture team consists of only 2.2 FTE staff. Due to other high priorities and ongoing vacancies, no further action has been able to be taken on this item.

Comment by Director People and Places

**Resolution 25-43**

Work has been undertaken to develop the Music in the Community Program, including consultation with relevant music and culture groups, local musicians and businesses, and consideration of relevant regulations and legislation. Draft grant guidelines and mechanisms for grant application and management have been developed.

A report was presented to the Events Working Group in September 2025 detailing the proposal for the delivery of this initiative and identifying the impact of implementation of this proposal on the Financial Assistance Program (FAP) for 2025-26. Utilising the FAP community grants funding

allocation to fund the Music in the Community Program would have resulted in the standard FAP community grants process (to fund fee waivers for community events/projects, sports sponsorship through Councils Sport Advisory Committee, and Community Grants) being placed on hold.

Due to the significant impact of this initiative on the FAP community grants funding, members of the Events Working Group resolved to raise the matter at Council for further discussion.

Comment by Director People and Places

Resolution 25-82

A meeting was held between the Director Finance & Governance and General Manager on 30 July 2025. Due to current vacancies, external advice was to be sought to determine and implement steps to enact this resolution. Due to other high priorities and ongoing vacancies, no further action has been able to be taken on this item.

Comment by Director Finance and Governance

Resolution 25-83

Due to other Council adopted priorities and ongoing vacancies, no further action has progressed on this item.

Comment by Director People and Places

## 5. Business of Great Urgency

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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.