



I hereby give notice that an Ordinary Meeting of Council will be held on:

Date: Wednesday, 21 February 2024
Time: 2:00 PM
Location: Condobolin Council Chambers

BUSINESS PAPER

Ordinary Council Meeting

21 February 2024



ACKNOWLEDGEMENT OF COUNTRY

Lachlan Shire Council acknowledges the Wiradjuri people as the Traditional custodians of this land.

We recognise their strength and resilience and pay respect to Elders past, present, and emerging and to all Aboriginal and Torres Strait Islander people who are part of the Lachlan Shire community.

Lachlan Shire –THE HEART OF NSW



Our Vision:

For the Lachlan Shire to be a resilient community providing economic and social growth, through evolving, agricultural, business and mineral activities

Mission:

To engage the community, providing and delivering progressive services whilst implementing a long term strategic plan leading to the social and economic benefit of the community

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1 WEBCASTING

Please note that today’s meeting, other than the confidential sessions, are being recorded and will be placed on Council’s website. All in attendance should refrain from making defamatory statements. Council takes all care when maintaining privacy, however members of the public gallery and those addressing Council should be aware that you may be recorded.

2 ACKNOWLEDGEMENT OF COUNTRY AND ELDERS

3 APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE

Clause 254A of the NSW Local Government Act 1993 state...

254A Circumstances in which annual fees may be withheld-

- (1) *Despite this Division, a council may resolve that an annual fee will not be paid to a councillor or that a councillor will be paid a reduced annual fee determined by the council—*
 - (a) *for any period of not more than 3 months for which the councillor is absent, with or without leave, from an ordinary meeting or ordinary meetings of the council, or*
 - (b) *in any other circumstances prescribed by the regulations.*
- (2) *Despite this Division, if a councillor is absent, with or without leave of the council, from ordinary meetings of the council for any period of more than 3 months, the council must not pay any annual fee, or part of an annual fee, to that councillor that relates to the period of absence that is in excess of 3 months.”*

Councillor	22/02/2023	22/03/2023	26/04/2023	24/05/2023	28/06/2023	26/07/2023	23/08/2023	27/09/2023	25/10/2023	29/11/2023	13/12/2023
John Medcalf OAM	P	P	P	P	P	P	P	P	P	P	P
Paul Phillips	P	P	P	P	P	P	P	P	P	P	P
Megan Mortimer	P	P	P	P	P	P	P	P	P	P	P
Melissa Blewitt	P	P	P	P	P	P	P	P	P	P	P
Melissa Rees	P	P	P	P	LoA	P	P	P	A	P	P
Peter Harris	P	P	P	P	P	P	P	P	P	P	P
Dave Carter	A	P	P	P	LoA	P	P	P	P	P	
Dennis Brady	LoA	P	A	P	P	LoA	P	P	LoA	P	P
Judith Bartholomew	P	P	P	P	P	P	P	P	P	P	
Robyn Turner					P	P	P	P	P	P	P
P - Present											
A - Apology											
LoA - Leave of Absence											

4 CONFIRMATION OF MINUTES

Ordinary Meeting - 13 December 2023

**MINUTES OF LACHLAN SHIRE
ORDINARY COUNCIL MEETING
HELD AT THE CONDOBOLIN COUNCIL CHAMBERS
ON WEDNESDAY, 13 DECEMBER 2023 AT 2:00 PM**

PRESENT: Mayor Paul Phillips, Cr John Medcalf (OAM), Cr Megan Mortimer, Cr Peter Harris, Cr Melissa Blewitt, Cr Melissa Rees, Cr Dennis Brady, Cr Robyn Turner.

IN ATTENDANCE: Greg Tory (General Manager), Karen Pegler (Director - Corporate and Community Services), Guy Marchant (Acting Director - Environment, Tourism and Economic Development), Adrian Milne (Director - Infrastructure Services), Cherise Small (Executive Assistant).

Meeting opened at 2:08pm.

1 WEBCASTING

The statement regarding the webcasting was read out by the Mayor.

2 ACKNOWLEDGEMENT OF COUNTRY AND ELDERS

The Acknowledgement of Country and Elders was made by **Cr. Melissa Blewitt**.

3 APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE

Nil

4 CONFIRMATION OF MINUTES

An amendment was moved by Cr Brady to the Minutes of the Ordinary Meeting held on 29 November 2023 that:

17.5 GOANNA MANOR - LIONEL HUNT PARK, 125 BATHURST STREET, CONDOBOLIN

RESOLUTION 2023/291

Moved: Cr Peter Harris

Seconded: Cr John Medcalf

That:

1. The Acting Director of Environment, Tourism and Economic Development Report No. R23/261 be received and noted.
2. The condition of the building be noted, the premises remain vacant, and \$60,000 from the current SRV building budget for 2023/2024 be allocated for the demolition of the building, including undertaking a historic and photographic record.
3. Stakeholder consultation be undertaken prior to the demolition of the building, subject to any regulatory requirements.

4. The Callara Cultural and Heritage Aboriginal Corporation be advised that the building is not available for their requested use.

CARRIED

Cr Brady requested that his name be noted as voted against the motion.

Cr Medcalf and Cr Mortimer had no objection to the amendment.

RESOLUTION 2023/292

Moved: Cr John Medcalf

Seconded: Cr Megan Mortimer

That the minutes of the Ordinary Meeting held on 29 November 2023 be confirmed.

CARRIED

5 MAYORAL MINUTE

5.1 MAYORAL MINUTE - MEETINGS AND FUNCTIONS DECEMBER

RESOLUTION 2023/293

Moved: Cr Peter Harris

Seconded: Cr Robyn Turner

That:

1. Mayoral Minute No. R23/368 be received and noted.

CARRIED

6 PUBLIC FORUM

Nil.

7 DISCLOSURE OF INTEREST

Cr Brady declared a non-pecuniary less than significant interest in item 17.5 Request for Water Account Adjustment 1023375, as he is the Vice Chairman of L.W.R.S.

8 READ AND NOTE**RESOLUTION 2023/294**

Moved: Cr Peter Harris

Seconded: Cr John Medcalf

That:

The recommendations included in the business paper to receive and note, the following items be adopted:

- 8.1 Building projects Monthly Update for November/December;
- 8.2 Investments as at 30 November 2023;
- 8.3 Development Data November 2023;
- 8.4 FY23/24 Urban Works Monthly Update for November;
- 8.5 Active Resolutions – December;
- 8.6 FY23/24 Utilities Monthly Update November;
- 8.7 FY23/24 Roadworks Monthly Update for November.

CARRIED

9 DECISION REPORTS**9.1 GENERAL MANAGER****9.1.1 WORKFORCE SHORTAGES****RESOLUTION 2023/295**

Moved: Cr Peter Harris

Seconded: Cr John Medcalf

That:

1. The General Manager's Report No R23/356 be received and noted.

CARRIED

The Acting Director - Environment, Tourism and Economic Development left the meeting.

9.1.2 RECRUITMENT UPDATE - DIRECTOR ENVIRONMENT AND PLANNING**RESOLUTION 2023/296**

Moved: Cr Peter Harris

Seconded: Cr John Medcalf

That:

1. The General Manager's Report No R23/367 be received and noted.

CARRIED

The Acting Director - Environment, Tourism and Economic Development returned to the meeting.

9.1.3 AUSTRALIA DAY AWARDS AND EVENT POLICY

RESOLUTION 2023/297

Moved: Cr John Medcalf

Seconded: Cr Peter Harris

That:

1. The General Manager's Report R23/369 be received and noted.
2. The Australia Day Awards and Event Policy be adopted.

CARRIED

9.1.4 ASSET MANAGEMENT MATURITY AUDIT 2023

RESOLUTION 2023/298

Moved: Cr Peter Harris

Seconded: Cr Melissa Rees

That:

1. The General Manager's Report No R23/372 be received and noted.

CARRIED

9.1.5 PROPOSED FM RADIO LICENCE LAKE CARGELLIGO

RESOLUTION 2023/299

Moved: Cr Peter Harris

Seconded: Cr Dennis Brady

That:

1. The General Manager's Report No. R23/375 be received and noted.
2. The General Manager be authorised to sign and return the ACMA Application for an apparatus licence in the broadcasting service bands for the establishment of an FM radio station licence in the Lake Cargelligo area.

CARRIED

9.2 CORPORATE AND COMMUNITY SERVICES

9.2.1 LACHLAN CHILDREN'S SERVICES CODE OF CONDUCT POLICY

RESOLUTION 2023/300

Moved: Cr Peter Harris

Seconded: Cr John Medcalf

That:

1. The Director Corporate & Community Services Report R23/370 be received and noted.
2. The Lachlan Children's Services Code of Conduct v6 be adopted.

CARRIED

9.3 ENVIRONMENT, TOURISM AND ECONOMIC DEVELOPMENT

Nil

9.4 INFRASTRUCTURE SERVICES**9.4.1 HOLT STREET STORMWATER UPDATE**

The **Director Infrastructure Services** made an amendment to the recommendation to read as follows:

That:

1. The Director Infrastructure Services Report No. R23/376 be received and noted.
2. The status of the drainage easement through Lot 4 section 26, DP 758595 be confirmed.
3. Council nominate the preferred stormwater treatment option.
4. Council modify the 2 page summary and report prepared by the consultant to be more “user friendly” and seek feedback from the community. Council will hold an information session with the impacted residents and present the finding of the investigation face-to-face providing an opportunity for the residents to ask direct questions.

Cr Harris and Cr Medcalf made no objection to the amendment.

RESOLUTION 2023/301

Moved: Cr Peter Harris

Seconded: Cr John Medcalf

That:

1. The Director Infrastructure Services Report No. R23/376 be received and noted.
2. The status of the drainage easement through Lot 4 section 26, DP 758595 be confirmed.
3. Council nominate the preferred stormwater treatment option.
4. Council modify the 2 page summary and report prepared by the consultant to be more “user friendly” and seek feedback from the community. Council will hold an information session with the impacted residents and present the finding of the investigation face-to-face providing an opportunity for the residents to ask direct questions.

CARRIED

10 DEPUTATIONS

Nil.

11 NOTICES OF MOTION

Nil

12 NOTICES OF RESCISSION

Nil

13 DELEGATES REPORT**13.1 DELEGATES REPORT****RESOLUTION 2023/302**

Moved: Cr Peter Harris

Seconded: Cr John Medcalf

That:

1. The Delegates Report No. R23/364 on the Country Mayors Association of NSW General and Annual General meetings be received and noted.

CARRIED**13.2 DELEGATES REPORT****RESOLUTION 2023/303**

Moved: Cr John Medcalf

Seconded: Cr Megan Mortimer

That:

1. The Delegate's Report No. R23/365 on the Central NSW Joint Organisation meeting held on 23 November 2023 be received and noted.

CARRIED**14 CORRESPONDENCE****14.1 CORRESPONDENCE****RESOLUTION 2023/304**

Moved: Cr Peter Harris

Seconded: Cr Megan Mortimer

That:

1. The Correspondence Report No. R23/363 be received and noted.

CARRIED

15 QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

16 PETITIONS

Nil

17 CLOSED SESSION

RESOLUTION 2023/305

Moved: Cr Melissa Rees

Seconded: Cr Megan Mortimer

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 10A(2) of the Local Government Act 1993:

17.1 Request for water account adjustment Assessment 1023359

This matter is considered to be confidential under Section 10A(2)a and b of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with personnel matters concerning particular individuals (other than councillors) and discussion in relation to the personal hardship of a resident or ratepayer.

17.2 Request for water account adjustment 1031899

This matter is considered to be confidential under Section 10A(2)a of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with personnel matters concerning particular individuals (other than councillors).

17.3 Short Term Licence Agreement -Tullibigeal Community Centre and Swimming Pool Reserve Management - Tullibigeal Fire Appliance Display

This matter is considered to be confidential under Section 10A(2)c and di of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

17.4 Water leak allowance application Assessment 1040018

This matter is considered to be confidential under Section 10A(2)a of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with personnel matters concerning particular individuals (other than councillors).

17.5 Request for water account adjustment 1023375

This matter is considered to be confidential under Section 10A(2)a of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with personnel matters concerning particular individuals (other than councillors).

17.6 Outstanding rates, charges and water consumption - Lake Cargelligo Sports Club Assessment 1034724

This matter is considered to be confidential under Section 10A(2)b of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with discussion in relation to the personal hardship of a resident or ratepayer.

17.7 LACHLAN SHIRE VISITOR INFORMATION CENTRE CAFE MANAGEMENT SUBMISSION

This matter is considered to be confidential under Section 10A(2)c and di of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

17.8 Tender Assessment - Project Management for NSW Natural Disaster Restoration of Essential Public Assets

This matter is considered to be confidential under Section 10A(2)dii of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a competitor of the council.

CARRIED**RESOLUTION 2023/306**

Moved: Cr Dennis Brady

Seconded: Cr Peter Harris

That Council moves out of Closed Council into Open Council.

CARRIED**17.1 REQUEST FOR WATER ACCOUNT ADJUSTMENT ASSESSMENT 1023359****RESOLUTION 2023/307**

Moved: Cr John Medcalf

Seconded: Cr Dennis Brady

That:

1. The Director of Corporate and Community Services Report R23/351 be received and noted.
2. Council approve a reduction in the water account for assessment 1023359 in relation to the 2024 FY period 1 billing cycle. A reduction totalling \$4,628.95, will be permitted due to hardship, and in compliance with section 582 of the *Local Government Act 1993 NSW*. The reduction is to be calculated utilising Council's Undetected Water Leak and Faulty Water Meter Policy.
3. The ratepayer be advised that no future applications under the Undetected Water Leak and Faulty Water Meter Policy will be permitted as they have received the maximum benefit allowable due to undetected leak.

CARRIED

17.2 REQUEST FOR WATER ACCOUNT ADJUSTMENT 1031899**RESOLUTION 2023/308**

Moved: Cr Peter Harris

Seconded: Cr Dennis Brady

That:

1. The Director of Corporate and Community Services Report R23/353 be received and noted.
2. Due to the extenuating circumstances, Council approve a reduction of the water account for the 2023 FY period 2 totalling \$3,383.45 as calculated under Council's adopted Undetected Water Leak and Faulty Water Meter Policy.
3. The ratepayer be advised this is the first and only application allowable under the Undetected Water Leak and Faulty Water Meter Policy.

CARRIED

17.3 SHORT TERM LICENCE AGREEMENT -TULLIBIGEAL COMMUNITY CENTRE AND SWIMMING POOL RESERVE MANAGEMENT - TULLIBIGEAL FIRE APPLIANCE DISPLAY**RESOLUTION 2023/309**

Moved: Cr Dennis Brady

Seconded: Cr Robyn Turner

That:

1. The Acting Director of Environmental and Planning Report No. R23/334 be received and noted.
2. Council enter into a short-term licence with Tullibigeal Community Centre and Swimming Pool Reserve Management for the use of the north western corner of Crown Reserve 559001 and make an annual contribution towards the cost of electricity of \$250.
3. The General Manager be authorised to sign the short-term licence agreement.

CARRIED

17.4 WATER LEAK ALLOWANCE APPLICATION ASSESSMENT 1040018**RESOLUTION 2023/310**

Moved: Cr Dennis Brady

Seconded: Cr John Medcalf

That:

1. The Director of Corporate and Community Services Report No. R23/352 be received and noted.

2. The property owner be advised the entire pipeline from the property owner’s side of the water meter to any connected property/ies on the property owner’s land must be replaced to avoid potential ongoing water leak problems.
 3. The ratepayer be advised, that due to faulty Council water infrastructure, the terms of the Undetected Water Leak and Faulty Water Meter Policy, will be applied on this occasion.
 4. The ratepayer to be advised that the previous 2017 successful application for an undetected water leak is the first and only application that will be permitted for an undetected water leak caused solely by the property owner’s infrastructure.
 5. Council apply a reduction of \$13,455.40 to the water consumption account for assessment number 1040018.
- CARRIED**

Cr Brady declared a non-pecuniary less than significant interest in item 17.5 Request for Water Account Adjustment 1023375, as he is the Vice Chairman of L.W.R.S.

- 17.5 REQUEST FOR WATER ACCOUNT ADJUSTMENT 1023375**
- RESOLUTION 2023/311**
- Moved: Cr John Medcalf
 Seconded: Cr Megan Mortimer
- That:
1. The Director of Corporate and Community Services Report R23/357 be received and noted.
 2. Council approve a reduction of the water account for the 2023 FY periods 1 and 2, totalling \$7,625.21, calculated as per Council’s Undetected Water Leak and Faulty Water Meter Policy.
 3. The ratepayer be advised this is the first and only application allowable under the Undetected Water Leak and Faulty Water Meter Policy.
- CARRIED**

- 17.6 OUTSTANDING RATES, CHARGES AND WATER CONSUMPTION - LAKE CARGELLIGO SPORTS CLUB ASSESSMENT 1034724**
- RESOLUTION 2023/312**
- Moved: Cr Dennis Brady
 Seconded: Cr John Medcalf
- That:
1. The Director of Corporate and Community Services Report No. R23/366 be received and noted.

2. With regards to the Lake Cargelligo Sports Club assessment number 1034724, due to the extenuating circumstances, advise Recovery and Reconstructions to:
 - a) place the Examination Notices on hold for 90 days; and
 - b) to seek a written resolution of Lachlan Shire Council before taking any further debt recovery action.

CARRIED

17.7 LACHLAN SHIRE VISITOR INFORMATION CENTRE CAFE MANAGEMENT SUBMISSION

RESOLUTION 2023/313

Moved: Cr Dennis Brady

Seconded: Cr Peter Harris

That:

1. The General Manager's Report No R23/373 be received and noted.
2. The proposal from Logan and Melissa Thorpe to operate the Lachlan Shire Visitor Information Centre café be accepted
3. The additional equipment requested for the café, as listed in the report, be purchased with funds allocated from the Tourism Capital Works – Tourist Information Centre Condobolin budget.
4. The General Manager be authorised to sign a 12-month lease agreement with Logan and Melissa Thorpe for the operation of the Lachlan Shire Visitor Information Centre café.

CARRIED

17.8 TENDER ASSESSMENT - PROJECT MANAGEMENT FOR NSW NATURAL DISTASTER RESTORATION OF ESSENTIAL PUBLIC ASSETS

RESOLUTION 2023/314

Moved: Cr Peter Harris

Seconded: Cr John Medcalf

That:

1. The Director Infrastructure Services Report No R23/344 be received and noted.
2. Council award a contract to Shepherd Services Pty Ltd for T2023/19 - Project Management for NSW Restoration of Essential Public Assets - Natural Disaster AGRN 1034.
3. The Mayor and General Manager be authorised to sign the contract documents and affix the Council seal if required.

CARRIED

The Meeting closed at 15:16.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 21 February 2024.

.....

CHAIRPERSON

5 MAYORAL MINUTE

5.1 MAYORAL MINUTE - MEETINGS AND FUNCTIONS

TRIM Number: R24/12

Author: Executive Assistant

RECOMMENDATION

1. That the Mayoral Minute No. R243/12 be received and noted.

PURPOSE

To provide council with details of the meetings and functions attended by the Mayor and Deputy Mayor for the month of January and February.

JANUARY:

- 11.01.2024 Meeting with Minister Aitchison – Lake Cargelligo.
- 23.01.2024 Meeting with Premier Minns, Minister Jihad Dibb and Member for Orange Phil Donato– Eugowra.
- 25.01.2024 Australia Day Ambassador Dinner – Lake Cargelligo.
- 26.01.2024 Australia Day – Lake Cargelligo, Tullibigeal & Burcher.

FEBRUARY:

- 6.02.2024 CMA Virtual Meeting - Aukus Forum – Nuclear Taskforce
- 7.02.2024 First Budget Workshop – Condobolin.
- 7.02.2024 Pre-Meeting Briefing – Condobolin.
- 14.02.2024 RA – Central West Resilience and Recovery Package meeting - Parkes
- 21.2.2024 Ordinary Council Meeting – Condobolin.

ATTACHMENTS

Nil

5.2 MAYORAL MINUTE - THE NEED FOR A PUBLIC POST OFFICE BANK**TRIM Number: R24/25****Author: Executive Assistant****RECOMMENDATION**

That:

1. The Mayoral Minute Report No. R24/25 be received and noted.
2. The generic draft resolution attached to this report (attachment 1) be noted.
3. The actions recommended in the generic draft resolution be undertaken.

PURPOSE

To provide Council with information regarding the creation of a new Public Bank.

SUPPORTING INFORMATION

This is a proposed reincarnation of the very effective original Australian Government owned Commonwealth Bank. This link gives a succinct but detailed update on a long term solution to the bank closure debacle - bank [Citizens Party Testimony to Rural Branch Closures Inquiry 1/12/2023](#) (26 min).

The bank branch closures have caused stress, strain and disruption far and wide and the Federal Government has sat back and done nothing. For the record, in August last year our Temora Shire Council colleagues apparently passed a council resolution and spoke up as follows:

Councillor Anthony Irwine said, 'If we don't help ourselves I think we are going to end up with no banking services in rural and regional NSW and Australia.'

Councillor Claire McLaren said, 'On her recent trip to Uluru cash could not be used because there are no banks for businesses to deposit their takings.'

Councillor Lindy Reinhold said, 'I think if we sit back and say nothing, we're compliant... We need to say, enough is enough.'

The Senators running the Inquiry are working very hard to resolve this issue in regional Australia. Many Senators have expressed a preferred solution - a new public bank. But the Senators need the support of as many councils as possible.

It will help the Senators to get the Federal ALP Government to agree to the creation of a public bank if councils pass a resolution to demonstrate this support. At least 21 regional councils have already done this. It is not complicated. There is a sample resolution attached.

Councils should notify their local MP and the Australian Citizens Party that they have passed the resolution.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

CSP 4.2 Strong effective and responsive Council.

ATTACHMENTS

- 1. Draft Resolution for a National Post Office Peoples Bank**
- 2. Seven Benefits of a Public Post Office Bank**
- 3. Temora Shire Council Ordinary Council Meeting Minutes 17 August 2023 - Resolution 141/2023.**

5.3 MAYORAL MINUTE - COST SHIFTING ONTO LOCAL GOVERNMENT**TRIM Number: R24/32****Author: General Manager****RECOMMENDATION**

That:

1. Mayoral Minute No. R24/32 be received and noted.
2. Council receive and note the findings of the LGNSW Cost Shifting report for the 2021/2022 financial year; and
3. A copy of the cost shifting report be placed on Council's website so that our communities can access it; and
4. Council write to the Premier, the NSW Treasurer and the NSW Minister for Local Government seeking that they urgently seek to address these costs through a combination of regulatory reform, budgetary provision and appropriate funding.

REPORT

Councillors,

The pressure on councils to continue to provide services of appropriate standard to our communities is now extraordinary.

The unrelenting growth of cost shifting to councils, coupled with rate pegging, is increasingly eroding any possibility of financially sustainable local government and risking the capacity of councils to deliver tailored, grassroots services to their communities and properly deliver and maintain vital local infrastructure.

Alarmingly, the latest research commissioned by Local Government NSW (LGNSW) shows that the increase in cost shifting has been accelerated by various NSW Government policies.

As shown in the latest cost shifting report produced by independent consultants Morrison Low on behalf of LGNSW for the 2021/2022 financial year (www.lgnsw.org.au/costshifting), an amount of \$1.36 billion of expense has been passed on to councils to fund. This is an increase of \$540 million since the last report from the 2017/2018 financial year and represents lost services, lost opportunity and lost amenity for all our residents and businesses.

On average, this represents an additional cost of \$460.67 for every ratepayer across the state.

With councils having to fund this ongoing subsidy for the State Government each and every year it means our communities get less or go without. They go without better roads, they go without better parks, they go without important community services that only councils provide, and they and their ratepayers are effectively paying hidden taxes to other levels of government.

Councillors, our communities deserve better and this must stop. Prior to the most recent state election the then Minns Opposition wrote to LGNSW acknowledging that cost shifting had undermined the financial sustainability of the local government sector.

Now in 2024, it is important to councils and communities that the NSW Government urgently seek to address cost shifting through a combination of regulatory reform, budgetary provision and appropriate funding.

As a result, I move the following:

1. That Council receive and note the findings of the LGNSW Cost Shifting report for the 2021/2022 financial year; and
2. That a copy be placed on Council's website so that our communities can access it; and
3. That Council write to the Premier, the NSW Treasurer and the NSW Minister for Local Government seeking that they urgently seek to address cost shifting through a combination of regulatory reform, budgetary provision and appropriate funding.

ATTACHMENTS

1. **Cost Shifting Flyer**
2. **ML - Annual Cost Shifting Report for LGNSW**
3. **Draft Cost Shifting Letter**

- 6 PUBLIC FORUM**
- 7 DISCLOSURE OF INTEREST**

8 READ AND NOTE**8.1 INVESTMENTS AS AT 31 DECEMBER 2023****TRIM Number: R24/1****Author: Manager - Finance****RECOMMENDATION**

That:

1. The Director Corporate and Community Services Report No. R24/1 be received and noted.

PURPOSE

The *Local Government (General) Regulation 2021 section 212* specifies that Council's Responsible Accounting Officer must provide elected members with a monthly written report detailing the funds invested by Council. The report must include information up to the last day of the month immediately preceding the meeting.

The Responsible Accounting Officer must also provide a certificate stating whether the investments have been made in accordance with the Act, the Regulations and Council's Investment Policy.

SUPPORTING INFORMATION

Council's general bank account reconciled balance at 31 December 2023 is \$3,596,311. Investments held at 31 December 2023 totalling \$67,660,454 are set out in Attachment 1.

Responsible Accounting Officer Certificate

I certify that the investments have been reconciled with the Council's general ledger as at 31 December 2023, and that investments have been made in accordance with the *Local Government Act, Local Government (General) Regulation 2021* and Council's Investment Policy.

Karen Pegler

Responsible Accounting Officer

FINANCIAL UPDATE

As at the end of December 2023, Council's portfolio is compliant across its counterparty and credit quality limits.

Over the past 12 months, the portfolio, excluding on call cash, returned 3.90% p.a., outperforming the AusBond Bank Bill Index (bank bills) by 0.01% p.a.

The Reserve Bank kept the cash rate 4.35% at the December Board meeting on 7 December 2023.

The updated agreement between the RBA Board and the Government on key aspects of Australia's monetary and central banking framework revealed two significant changes.

Firstly, the RBA will look to target the mid-point of the 2-3% inflation target. Secondly, the RBA has a dual mandate of sustained full employment and inflation (“current maximum level of employment that is consistent with low and stable inflation”).

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

Investments are made in accordance with Council’s Investment Policy and the Community Strategic Plan/Delivery Program Item 4.2.1, which aims to ensure that “Council is financially sustainable and provides services at a level expected by the community”.

CONCLUSION

Investments will continue to be managed so Council can meet its cash commitments as and when they fall due.

ATTACHMENTS

- 1. Investment Reports as at 31 December 2023**

8.2 BUILDING PROJECTS MONTHLY UPDATE FOR DECEMBER/JANUARY/FEBRUARY

TRIM Number: R24/6

Author: Manager - Projects and Building

RECOMMENDATION

That:

1. The Acting Director of Environment and Planning Report No. R24/6 be received and noted.

PURPOSE

The purpose of this report is to provide a summary of projects currently being undertaken by the Environment and Planning Department. The execution and completion of work varies on resource availability, weather conditions, work priorities and unforeseen circumstances. Work priority will be allocated based on safety and risk.

SUPPORTING INFORMATION

Nil.

BACKGROUND

Council has adopted the 2023/24 budget and associated Delivery and Operational Plans. This report provides updates on the delivery of the capital and grant funded projects regarding buildings.

ISSUES AND COMMENTS

Project	Budget	Funding Source	Expend. To Date	Forecast Expend.	Comments
Condobolin Works Depot	\$7,246,707.60	\$6,000,000 Loan and remaining \$1.25m from Council reserves	\$3,394,237.47	\$7,246,707.60	Contracts signed and work commenced 8 March 2021. Following contractual dispute, a mutual agreement was reached to terminate the contract. The termination agreement terms have been satisfied by both parties. Future delivery of the project to be

					determined in early 2024.
Willow Bend Sports Centre Renewal	\$300,000 (reduced by \$125K as per Council report)	LRCI P3	\$109k	\$176,600	A meeting has been held with the manager of the sports centre to discuss potential impacts of works as well as options. New fans have arrived and have been installed. New A/C has been installed. PO issued for cubical changes and new floor covering. Works where undertaken the week of 27 November 2023. Minor finishing works to be done.
Companion Animal Surrender Cages - Lake Cargelligo	\$50,000	LRCI P3	\$45.9k	\$50,000	Main structure has been erected, roofing & external cladding has been provided. Minor flashing & fencing work have been completed. Awaiting installation of CCTV
Tottenham Caravan Park Enhancement	\$190,000	LRCI P3 \$190k & Council funds \$35k	\$107.2k	\$190,000	Schedule of works being finalised. Quotes are being obtained and PO's to be issued for various items. Solar lighting has been installed throughout the park and on the footpath towards town. Works have been completed on the new office, patio slab and renewal of several rooms. Internal roads upgraded, drive thru sites have been

					provided. New smoke alarms have been provided throughout the accommodation units. External painting works are yet to commence.
Sign Replacement – Lake Cargelligo Foreshore walk	\$50,000	SCCF R3	Nil	\$50,000	Final designs are being prepared and frames have been painted.
Fire Appliance Display - Tullibigeal	\$125,000	SCCFR5	\$1.3k	\$125,000	Initial meeting held with community members on 16 January 2023. Discussion was held in regard to obtaining some local history of the appliance. Additional \$40,000 allocated directly to the committee through separate grant funding for appliance restoration. Site identified, awaiting approval for use of Crown land site. Works are progressing in regard to the appliance renewal. Shed plans have been finalised. Quotes to be called once licence agreement has been signed by both parties
Provision of Hearing Loop & PA to Fifield Hall	\$25,000	Capital - Council	Nil	\$25,000	Quotes currently being obtained. PO issued, awaiting installation.

Condobolin Works Depot Budget Update

Budget	\$7,816,707.60
Contract Value	\$7,246,707.60*
Other Works and Project Management Costs	\$570,000.00
Contingency (included in Contract Value)	\$400,000.00
Approved Variations	\$262,978.32
Remaining contingency	\$51,708.80
Current Expenditure	\$3,394,237.47

All figures include GST

** Figure includes Contingency*

Visitor Information Centre Budget Update

Budget	\$4,403,973.00
Contract Value	\$3,709,490.63
Other Works and Project Management Costs	\$341,058.56
Contingency	\$353,423.81
Approved Variations	\$81,820.18
Remaining contingency	\$11,678.92
Current Expenditure	\$4,392,294.08

All figures include GST

Work completed within budget. Minor finalisation costs to be settled. Project will be removed from future reports.

FINANCIAL AND RESOURCE IMPLICATIONS

Project management and financial controls are in place to manage financial expenditure and resource allocation.

LEGAL IMPLICATIONS

Nil. All project materials and services have been procured in accordance with the requirements of the NSW Local Government Act 1993 and Council’s procurement policy. Environmental Planning and Assessment Act provisions are being complied with regarding development approvals and planning controls.

RISK IMPLICATIONS

Project management and financial controls are in place to manage time and budget risks. The projects have been assessed against relevant legislative requirements to minimise Council’s exposure to risk.

Risks surrounding project delivery are being managed through the use of external project managers such as Public Works Advisory to assist with the delivery of building projects.

STAKEHOLDER CONSULTATION

Council's fortnightly news column, Talking Tottenham and Mayoral Newsletters update the community on the major improvement works being undertaken around the Shire.

Community consultation has been undertaken in relation to the projects, either through the Community Strategic Plan, through requests for projects to receive grant funding and/or through reports to Council advising of the projects which are being put forward for progression.

OPTIONS

Not applicable

CONCLUSION

This report updates Council on the capital improvements/new work being undertaken by the Environment and Planning Department.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

CSP 4.2 Strong effective and Responsive Council.

ATTACHMENTS

Nil

8.3 ACTIVE RESOLUTIONS

TRIM Number: R24/11

Author: Executive Assistant

RECOMMENDATION

1. The General Manager's Report No. R24/11 be received and noted.

PURPOSE

To provide Council with an update on Active Resolutions as at February 2024.

SUPPORTING INFORMATION

The Active Resolutions are attached.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

CSP 4.2 Strong effective and responsive Council.

ATTACHMENTS

1. Active Resolutions

8.4 INVESTMENTS AS AT 31 JANUARY 2024**TRIM Number: R24/13****Author: Manager - Finance****RECOMMENDATION**

That:

1. The Director Corporate and Community Services Report No. R24/13 be received and noted.

PURPOSE

The *Local Government (General) Regulation 2021 section 212* specifies that Council's Responsible Accounting Officer must provide elected members with a monthly written report detailing the funds invested by Council. The report must include information up to the last day of the month immediately preceding the meeting.

The Responsible Accounting Officer must also provide a certificate stating whether the investments have been made in accordance with the Act, the Regulations and Council's Investment Policy.

SUPPORTING INFORMATION

Council's general bank account reconciled balance at 31 January 2024 is \$2,201,919. Investments held at 31 January 2024 totalling \$67,698,621 are set out in Attachment 1.

Responsible Accounting Officer Certificate

I certify that the investments have been reconciled with the Council's general ledger as at 31 January 2024, and that investments have been made in accordance with the *Local Government Act, Local Government (General) Regulation 2021* and Council's Investment Policy.

Karen Pegler

Responsible Accounting Officer

FINANCIAL UPDATE

As at the end of January 2024, Council's portfolio is compliant across its counterparty and credit quality limits.

Over the past 12 months, the portfolio, excluding on call cash, returned 4.05% p.a., outperforming the AusBond Bank Bill Index (bank bills) by 0.05% p.a.

The Reserve Bank did not meet in January 2024 and the cash rate remains at 4.35%.

The consumer price index (CPI) rose +0.6% during Q4 2023, resulting in an annual increase of +4.1%. Inflation has fallen to its lowest level in two years, dampening the chances of a further interest rate rise.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

Investments are made in accordance with Council's Investment Policy and the Community Strategic Plan/Delivery Program Item 4.2.1, which aims to ensure that "Council is financially sustainable and provides services at a level expected by the community".

CONCLUSION

Investments will continue to be managed so Council can meet its cash commitments as and when they fall due.

ATTACHMENTS

- 1. Investment Report as at 31 January 2024**

8.5 FY23/24 UTILITIES MONTHLY UPDATE DECEMBER/JANUARY

TRIM Number: R24/15

Author: Manager - Utilities

RECOMMENDATION

That:

1. The Director Infrastructure Services Report No. R24/15 be received and noted.

PURPOSE

To provide a summary of the existing and future works and projects associated with the provision of water and sewerage services across Lachlan Shire. Items listed are works undertaken for December 2023 and January 2024, in progress for the month of February and forecast for the month of March 2024.

SUPPORTING INFORMATION

Nil.

BACKGROUND

Lachlan Shire Council is responsible for a suite of capital and operational works associated with the provision of water and sewerage services. This report provides status updates on projects and programmes of significance and interest to Council and stakeholders.

ISSUES AND COMMENTS

Condobolin

Project	Progress
SSWP401 Condobolin Water Treatment Works – Concept Design Stage	<ul style="list-style-type: none"> • Funding application for the concept design stage under Safe and Secure Water Program has been submitted to the Department of Climate Change, Energy, the Environment and Water (DCCEEW), formerly DPE Water, in November 2023. • Proposal from NSW Public Works to undertake the concept design stage has been received. Please see report no. R24/20.
SSWP402 Condobolin Sewage Treatment Works – Concept Design Stage	<ul style="list-style-type: none"> • Funding application for the concept and detailed design stage under Safe and Secure Water Program has been submitted to the Department of Climate Change, Energy, the Environment and Water (DCCEEW), formerly DPE Water, in December 2023. • NSW Public Works has commenced the concept design stage, as per Res 2022/265. Draft design is under review by Council staff.

RNSW 755 Condobolin Bore Fields II	<ul style="list-style-type: none"> The land acquisition plan has been prepared and lodged with NSW Land Registry Services (NSW LRS) for registration. See Council Report to authorise General Manager to execute the documents. The landowner has signed the acquisition agreement and it is expected to be finalised before 30 June 2024.
DWS072 Condobolin Drought Water Security Project	<ul style="list-style-type: none"> Contract 3: WTP Modifications – due to the requests from prospective tenderers, the closing date has been extended to 15 February 2024. Contract 5: Transfer Pump Station – waiting on the finalisation of the variation for the new aeration system.
Lachlan St Sewer Pump Station – Concept and Detailed Design Upgrade	<ul style="list-style-type: none"> Project has commenced and a new 7m deep additional manhole that will act as an additional wet well storage during the bypass has been constructed. Delay in supply of pumps has resulted in a pause in site works.
Officers Parade Sewer Pump Station – Concept and Detailed Design Upgrade	<ul style="list-style-type: none"> Final design has been received and tender documents are currently being prepared.

Lake Cargelligo

Project	Progress
Lake Cargelligo STP – Screen Extractor	<ul style="list-style-type: none"> Fittings and materials are currently being manufactured and ordered.
Lake Cargelligo STP – Sewer Lagoons	<ul style="list-style-type: none"> The water level in the Evaporation ponds has now dropped approximately 900mm since September. Approval was sought and provided from the EPA to stop treated effluent discharge to the old sludge pond and redirect flow back into the evaporation lagoons. Draft Options Assessment for the Evaporation Pond Rectification works has been received from NSW Public Works. This report focused on providing additional storage capacity within the treatment process. It does not have sufficient detail on rectifying the stakeholder concerns around the evaporation ponds. NSW Public Works is undertaking further assessment. Fortnightly updates are continuing to be provided to the stakeholders and the relevant landholders. Weekly sampling is continuing to be taken from the lagoons and the surrounding areas.
Lake Cargelligo WTP – Chemical Storage Upgrade	<ul style="list-style-type: none"> RFQ documents are currently under review and being finalised.

Lake Cargelligo WTP – GAC Filter Upgrade	<ul style="list-style-type: none"> The source of raw water has been changed to lake water. Preparation is now being undertaken to perform GAC Filter tests.
Lake Cargelligo Reservoir No.1 (4ML) and 16 Mile Reservoir Remediation	<ul style="list-style-type: none"> Due to other priorities, the review of the condition assessment report is currently on-hold.
Water Main Replacement Foster Street (Walker St to Grace St) and Extension Loughnan Street (Yelkin St to Conapaira St)	<ul style="list-style-type: none"> The water main works in Loughnan and Foster Streets are mostly complete. The Contractor is unable to complete the road crossings seal works. Council’s roads team will complete this work.

Tottenham

Project	Progress
RNSW 841 Tottenham Water Supply – New Albert Reservoir	<ul style="list-style-type: none"> The scope of the contract is to design and construct a new reservoir in Albert. The project is currently at the detail design stage with a 50% draft design stage meeting held in mid-January 2024.
RNSW 841 Tottenham Water Supply – Leg O Mutton Dam Upgrade	<ul style="list-style-type: none"> The construction works are anticipated to start towards the end of February 2024. This will allow the water level in Leg O Mutton Dam to drop further. The spillway and out bank rehabilitation work will be completed first, leaving the intermediate bank as the last activity in the project.

Shire Wide

Project	Progress
RNSW 842 Sewage Effluent Reuse Management System (Lake Cargelligo, Condobolin & Tottenham)	<ul style="list-style-type: none"> An expert assessment and preliminary report have outlined that the racecourse ground may not be suitable to receive the effluent due to the existing pH and salinity problem. It is currently being explored to determine if the effluent can be reused in agricultural application.
Integrated Water Cycle Management (IWCM) Strategy	<ul style="list-style-type: none"> The Project Reference Group Workshop was held on 12 December and was attended by various Council staff, stakeholders and community representative. There were 41 issues presented in the IWCM Issues Paper. These issues are being further considered and explored in the IWCM Options Assessment.

FINANCIAL AND RESOURCE IMPLICATIONS

Project	Budget	Funding Source	Spend to Date	Forecast Spend	Comments
SSWP401 Condobolin Water Treatment Works – Concept Design Stage	\$750K	SSWP	\$0	\$750K	SSWP funding offer ratio is 75/25. Budget will be requested through QBR2.
SSWP402 Condobolin Sewage Treatment Works – Concept Design Stage	\$413K	SSWP	\$233K	\$413K	SSWP funding offer ratio is 75/25. Budget is on track.
RNSW 755 Condobolin Bore Fields II	\$3.9M	Restart NSW	\$2.45M	\$3.9M	Power supply, bore works and chlorine system upgrade at Condobolin WTP remain. Budget is on track, but final tenders still have to be called.
DWS072 Contract 5: Transfer Pump Station	\$2.54M	SSWP	\$2.21M	\$2.54M	Approved variation, revised funding signed. Revised budget is on track
Lachlan St Sewer Pump Station – Construction	\$1.2M	Sewer Fund	\$73K	\$1.2M	Budget is on track
Officers Parade Sewer Pump Station Upgrade – Concept and Detail Design	\$145K	Sewer Fund	\$82K	\$135K	Budget is on track
Lake Cargelligo STP – Screen Extractor	\$66K	Sewer Fund	\$48K	\$66K	Budget is on track
Lake Cargelligo STP – Sewer Lagoons investigations	\$150K	Sewer Fund	\$26K	\$150K	Budget is on track.
Lake Cargelligo WTP – Chemical Storage Upgrade	\$210K	Water Fund	\$110K	\$210K	An additional \$100K funded from the existing budget will be transferred through QBR2.
Lake Cargelligo WTP – GAC Filter Upgrade	\$57K	Water Fund	\$12K	\$57K	Budget is on track
Lake Cargelligo Reservoir No.1 (4ML) and 16 Mile Reservoir Remediation	\$180K	Water Fund	\$25K	\$180K	Budget is on track

Project	Budget	Funding Source	Spend to Date	Forecast Spend	Comments
Water Main Replacement Foster Street (Walker St to Grace St) and extension Loughnan Street (Yelkin St to Conapaira St)	\$215K	Water Fund	\$249K	\$249K	An additional \$34K funded from the existing budget will be transferred in QBR2.
RNSW 841 Tottenham Water Supply	\$4.6M	Restart NSW	\$718K	\$4.6M	New Albert Res and Leg O Mutton Dam upgrade projects are on track
RNSW 842 Sewage Effluent Reuse Management System	\$2.556 M	Restart NSW	\$446K	\$2.556M	Budget is on track
Integrated Water Cycle Management (IWCM) Strategy	\$491K	Safe & Secure	\$190K	\$491K	Budget is on track

LEGAL IMPLICATIONS

In the Condobolin, Lake Cargelligo, Tottenham and Albert water supply schemes, sufficient high-quality drinking water, which meets the standards prescribed in the Australian Drinking Water Guidelines (ADWG), is being supplied to the community. The day to day operation of Council’s water supply system is governed by DCCEEW and the backwash discharge from the water treatment plant is administered by the EPA.

Non-potable water continues to be supplied to Tullibigeal, Fifield and Burcher.

Lachlan Shire Council is providing sewerage services to communities across the shire. The day to day operation of the sewerage services is governed by DCCEEW and the effluent discharge from the sewerage treatment plant is administered by the EPA. There are significant risks should Council fail to achieve satisfactory outcomes in the following areas:

- Water quality
- Water quantity
- Effluent discharge quality
- Workplace Health & Safety
- Environmental Impacts
- Environmental Impacts

Council has systems in place to mitigate all risks in the form of trained personnel, documented work systems and routine audits and reports to various NSW Government Departments. Water and effluent quality are checked regularly to identify any deviation from the current guidelines and standards.

RISK IMPLICATIONS

Risk associated with the engagement of NSW Public Works to assist with project delivery is mitigated by the formation of a project steering committee with INSW, DCCEEW, NSW Public Works and Council staff representation.

Council senior staff regularly attend NSW Government agency meetings to keep updated on issues affecting water supply to the Lower Lachlan River System. This includes the River Operations Stakeholder Consultation Committee (Roscco), Lachlan Airspace Reference Panel, NSW Govt Critical Water Advisory Panel (CWAP) and Central West Joint Organisation Water Utilities Alliance (CWUA).

STAKEHOLDER CONSULTATION

DCCEEW, Infrastructure NSW, NSW Public Works Advisory, the EPA, NSW Public Health Unit representatives and relevant Council staff have been consulted in relation to capital works & operational projects and compliance issues. Residents impacted by planned temporary disruption of services are provided reasonable notice where possible using a combination of letter box drops, public notices and media releases. Stakeholders for the Lake Cargelligo STP issues are being updated by fortnightly status updates and meetings are required.

OPTIONS

1. Council continue to implement the water and sewer capital, operational and maintenance programs as resources permit, i.e. as funds, staff and contractors are available.
2. Council amend the water and sewer capital, operational and maintenance program.

CONCLUSION

This report is provided to update Council on activities in the Utilities section in November, underway for December 2023 and January 2024, in progress for the month of February and forecast for the month of March 2024.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

- CSP 7.1 Water, sewer and energy utilities meet best practice standards with up to date technology.
- CSP 7.2 Water Security for All Towns and Villages.

ATTACHMENTS

Nil

8.6 FY23/24 URBAN WORKS MONTHLY UPDATE FOR DECEMBER/JANUARY**TRIM Number: R24/18****Author: Manager Urban Works****RECOMMENDATION**

That:

1. The Director Infrastructure Services Report No. R24/18 be received and noted.

PURPOSE

The purpose of this report is to provide an update of the capital improvements in the Urban Works section. The items listed are for works undertaken in December and January, in progress for the month of February and forecast for the month of March 2024.

SUPPORTING INFORMATION

Nil.

BACKGROUND

Council has adopted the 2023/2024 budget and associated Delivery and Operational Plans and Quarterly Budget Reviews. This report provides updates on the delivery of the Urban Works program, with some overlap with roads, utilities, tourism and buildings where required.

ISSUES AND COMMENTS

Project delivery has focused on grant funded projects with funding deadlines and capital works.

Overall the majority of the Urban Works projects are progressing with contractors and staff focusing on project priorities and delivery deadlines.

The month of January was a particularly quieter month due to the Christmas break and the new year holidays.

Works Completed in January

Scott Street Subdivision	The site was closed through most of January due to the Christmas Break. Work onsite recommenced on the 24 th of January with earthworks construction on the subbase for the roads. Contract Extensions of Time to be finalised. Program of works is predicting a revised completion date of June.
Footpaths	Footpath contactors recommenced Offices Parade works late January.
Gum Bend Lake Footpath scope variation	Due to the underspend on the footpath at Gum Bend Lake a variation was approved from the RTAF to rebuild the foreshore and add a beach to the swimming area. Earthwork contractors have been onsite to assess the scope of works. Work to commence at the end of the skiing season in March.
Condobolin Cemetery Plinth installation	Site works delayed. Work will continue when the contractor is available. No further work has progressed.
Lake Cargelligo Cricket Club toilet	The concrete slab has been poured and finished, power and water has been connected, no further work was complete in January.
Lake Cargelligo Netball Court refurbishment	PO has been issued to the court resurfacing contractor with site works to commence in February ready for the court installation in late March.
Tullibigeal Netball Court Refurbishment	PO has been issued to a second contractor to rectify the court defects in March.
Weja Shed	No work where undertaken in January.

Works Underway in February

Scott Street Subdivision	Continuation of the earthworks to the sub-base on the roads, kerb and guttering to commence.
Footpath Construction	Remaining Officers Parade footpath to be complete. Busby Street and Memorial Park works to commence.
Condobolin Cemetery Plinth installation	Site works to recommence when the contractor is available.
Lake Cargelligo Cricket Club toilet	Awning to be constructed when contractors are available.
Lake Cargelligo Netball Court	Earthworks to commence late February with court installation late March.
Tullibigeal Netball court resurfacing	Defects to be rectified in March.
Weja RFS Shed	Building work and defects to be complete. Gravel driveway and fencing to be complete when contractor becomes available.

Works Scheduled in March

Scott Street Subdivision	Kerb and gutter to be complete and the commencement of the watermain installation. Installation of the NBN, Power conduits and cables to have commenced.
Footpath Construction	Memorial Park foot path works to have commenced.
Condobolin Cemetery Plinth installation	Site works to recommence when the contractor is available.
Lake Cargelligo Cricket Club toilet	Facility to be operational.
Lake Cargelligo Netball Court	Site works commenced with earthworks complete.
Tullibigeal Netball court resurfacing	Defects to be rectified late March.

FINANCIAL AND RESOURCE IMPLICATIONS

Project	Budget	Funding Source	Expenditure to Date	Forecast Expenditure	Comments
Scott Street	\$4,233k	LRCI, land, stormwater, water, sewer reserves	\$2,940k	\$4,233k	Budget and time variations are being actively managed.
7 footpath locations	\$1,221k	FLR, LRCI3, SCCF4, General Rev	\$755k	\$1,221k	Budget is on track
Lake Cargelligo Cricket Club Toilet	\$65k	SCCF4	\$52k	\$65k	Budget is on track
Lake Cargelligo Netball Courts	\$303k	SCCF5	\$0k	\$303k	Budget is on track
Tullibigeal Netball Courts	\$135k	SCCF4	\$65k	\$70k	Budget underspent Correcting defects
Weja RFS Shed	\$150k	RFS	\$98k	\$150k	Budget is on track

LEGAL IMPLICATIONS

Nil.

RISK IMPLICATIONS

Priority will be given to grant funded works. Meetings held with Finance staff to confirm project completions and project funding roll over for incomplete works.

Inflation continues to present concerns with budgets together with the supply of goods and materials.

STAKEHOLDER CONSULTATION

Staff are engaging with specific stakeholders on each project, in accordance with Council's community consultation policy. Meetings have been held with the Tullibigeal Netball committee and Lake Cargelligo Junior & Senior Cricket Association and Lake Cargelligo Netball.

OPTIONS

1. Council continue to implement urban works capital improvements as programmed, as resources permit, i.e. as funds, staff and contractors are available.
2. Council amend the capital improvements program and budget.

CONCLUSION

This report updates Council on the capital improvements undertaken by the Urban Works team in December and January, in progress for February and forecast work for in March 2024.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

- 3.3 Upgrade Street Lighting.
- 4.2 Strong, Effective and Responsive Council.
- 4.4 Strategic Management of Villages and Crown Reserves.
- 6.1 Increase recreational use of the lakes and rivers.
- 6.3 New and visually appealing streetscapes.
- 6.4 Improved Parks, Gardens and Sporting Ovals.
- 6.5 Provision of neat, accessible and respectful cemeteries.

ATTACHMENTS

Nil

9 DECISION REPORTS

9.1 GENERAL MANAGER**9.1.1 ELECTION OF NON VOTING COUNCILLOR TO THE AUDIT, RISK AND IMPROVEMENT COMMITTEE EFFECTIVE 1 JULY 2024; TEMPORARY EXTENSION OF THE ARIC CHAIR APPOINTMENT, AND UPDATE ON INDEPENDENT ARIC MEMBERS.****TRIM Number: R24/26****Author: Director - Corporate and Community Services****RECOMMENDATION**

That:

1. The General Manager's Report No. R24/26 be received and noted.
2. Council nominate a Non-voting Councillor delegate to the ARIC effective from 1 July 2024.
3. The tenure of the ARIC Chair, Graeme Fleming PSM, be temporarily extended from 23 March 2024 until 30 June 2024 to allow time for his Performance Review to be undertaken.

PURPOSE

1. To provide Council with information on the new *Local Government (General) Amendment (Audit, Risk and Improvement Committees) Regulation 2023*, which is in force from 1 July 2024.
2. To nominate a non-voting Councillor delegate to the Audit, Risk & Improvement Committee (ARIC) effective 1 July 2024.
3. To seek Council's direction on temporarily extending the tenure of the ARIC Chair.

SUPPORTING INFORMATION

As attached.

BACKGROUND

The current ARIC committee comprises two council delegates being, Cr Medcalf OAM and Cr Harris with Cr Brady as an alternate. The three independent members Graeme Fleming PSM (Chair), Sean Row and Robert Hunt with the external Auditor, General Manager and Director Corporate and Community Services as non-voting members.

ISSUES AND COMMENTS

The new *Local Government (General) Amendment (Audit, Risk and Improvement Committees) Regulation 2023* comes into force from 1 July 2024. Amongst other things, this regulation prescribes the composition of the ARIC. A copy of the Regulation is attached.

216C Composition of Audit, Risk and Improvement Committee—the Act, Sch 6, cl 19B of the regulation states:

1. The Audit, Risk and Improvement Committee for a council must comprise of a chairperson, and at least 2 independent members.
2. One councillor, who must not be the mayor, of the council may also be appointed to the Audit, Risk and Improvement Committee.
3. The appointment of a member to the Audit, Risk and Improvement Committee must be made by resolution of the council.
4. A councillor appointed to the Audit, Risk and Improvement Committee must not vote on a matter being considered by the committee.

Lachlan Shire already has a chair & 2 independent members on the ARIC who have been appointed by a resolution of Council, and meet the independence criteria of the new Regulation.

The ARIC Independent members

- Chair Graeme Fleming PSM was appointed 23 March 2022 until 23 March 2024 with a further 2-year extension available subject to a satisfactory performance review.
- Sean Row was appointed 23 November 2022 until 30 June 2024.
- Robert Hunt was appointed 23 November 2022 for 4 years subject to satisfactory performance review by November 2024.

Clause 216G of the new regulation “Term of office” states a person cannot be appointed for more than 4 years however a person who continues to be eligible may be reappointed. This applies from 1 July 2024.

An Expression of Interest (EOI) is currently being drafted for the performance review of the ARIC Chair. The terms of the Performance Review were provided to the Chair on his appointment. An external facilitator will undertake the performance review in conjunction with a Review Panel which consists of the Internal Auditor, General Manager and one of the Councillor ARIC Representatives.

It is proposed to temporarily extend the appointment of the ARIC Chair until 30 June 2024 so there is time for the performance review to be undertaken, subject to Council’s approval. The appointment of the Chair was always subject to extension for a further 2 years subject to a satisfactory performance review. Due to the Governance Officer position being vacant, there were insufficient resources to undertake the EOI process. The outcome of this review will be provided to Council in closed session at a future meeting and Council’s direction will be requested regarding reappointment of the Chair for an additional 2 years.

A review of the independent members will be undertaken by the Chair. Feedback on this will be provided to the Council in closed session at the relevant time.

Appointment of a Councillor ARIC representative effective 1 July 2024

As there is only one Councillor permitted to be on the ARIC from 1 July 2024, there needs to be an appointment to the committee which is resolved by Council. This person cannot be the Mayor.

The current ARIC committee is functioning well as a group. Any councillor can be invited to attend by the ARIC Chair as an observer.

The Councillor member is only appointed for the term of a Council therefore a new appointment will need to be made after the September 2024 elections. The councillor member is to be appointed by the governing body at the first meeting of the council after the ordinary election.

FINANCIAL AND RESOURCE IMPLICATIONS

Council's 23.24FY budget includes an allocation to cover the costs of independent member remuneration and meeting expenses. There is no payment made for Councillor or Council staff members of the committee.

LEGAL IMPLICATIONS

The new Local Government (General) Amendment (Audit, Risk and Improvement Committees) Regulation 2023 effective from 1 July 2024.

216C Composition of Audit, Risk and Improvement Committee—the Act, Sch 6, cl 19B of the regulation states:

1. The Audit, Risk and Improvement Committee for a council must comprise of a chairperson, and at least 2 independent members.
2. One councillor, who must not be the mayor, of the council may also be appointed to the Audit, Risk and Improvement Committee.
3. The appointment of a member to the Audit, Risk and Improvement Committee must be made by resolution of the council.
4. A councillor appointed to the Audit, Risk and Improvement Committee must not vote on a matter being considered by the committee.

216G Term of office—the Act, Sch 6, cl 19B

5. A council may appoint a member of the council's Audit, Risk and Improvement Committee for a term of no more than 4 years.
6. A person who continues to be eligible for appointment may be reappointed.
7. A person must not be a member of an Audit, Risk and Improvement Committee for a particular council for more than 8 years in a 10-year period.

RISK IMPLICATIONS

Legislative risk if Council is not compliant with the new Regulation by 1 July 2024.

STAKEHOLDER CONSULTATION

ARIC – February 2024.

OPTIONS

1. Council resolves to appoint one of the existing ARIC Councillor members (Cr Harris or Cr Medcalf OAM) to the ARIC committee, from 1 July 2024.
2. Council resolves to make an appointment of a Councillor outside of the current ARIC Councillor Representatives, effective 1 July 2024.
3. Council resolves to temporarily extend the tenure of the ARIC Chair from 23 March 2024 until 30 June 2024 to allow for his Performance Review to be undertaken.
4. Council declines to temporarily extend the tenure of the ARIC Chair from 23 March 2024 until 30 June 2024 to allow for his Performance Review to be undertaken.

CONCLUSION

Council must elect a Councillor member to be appointed to the ARIC from the 1 July 2024. The Councillor member cannot be the Mayor. In addition, Council is requested to consider temporarily extending the appointment of the ARIC Chair from 23 March until 30 June 2024 to allow for his Performance Review to be undertaken.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

4.2 Strong, effective and responsive council.

4.2.1 Operate an effective Audit Committee.

ATTACHMENTS

- 1. Local Government General Amendment Audit, Risk and Improvement Committee Regulation 2023**

9.2 CORPORATE AND COMMUNITY SERVICES

9.2.1 INVESTMENT POLICY ANNUAL REVIEW

TRIM Number: R24/4

Author: Manager - Finance

RECOMMENDATION

That:

1. This Director Corporate & Community Services' Report No R24/4 be received and noted
2. The reviewed Investment Policy be adopted as presented.

PURPOSE

To present a copy of the reviewed Lachlan Shire Council (LSC) Investment Policy to Council for adoption.

SUPPORTING INFORMATION

Not applicable.

BACKGROUND

The Lachlan Shire Council Investment Policy has been developed to establish investment management guidelines for surplus funds that are not immediately required for any other purpose.

As per the Office of Local Government (OLG) Investment Policy Guidelines (issued May 2010), a review of Council's Investment Policy is required annually.

ISSUES AND COMMENTS

The Investment Policy provides a framework for the investing of surplus Council funds at the most favourable rate of interest available, whilst having due consideration of the risk and security of investments. The preservation of capital remains the principal objective of the investment portfolio ensuring Council's liquidity requirements can be met.

In particular, this policy aims to clearly state the types of investments that can be entered into, in compliance with section 625 of the *Local Government Act NSW 1993* and all other legislation. The policy also defines the types of institutions with which Council can invest and, the maximum proportion of funds that may be placed with individual organisations (based on credit rating).

No changes have been made in this review aside from minor formatting and staff position title updates. The Policy was reviewed and found to be compliant with all applicable legislation and guidelines.

In compliance with the Investment Policy, the current Investment Advisor, Arlo Advisory (formally Imperium Markets) was appointed by a resolution of Council in June 2018, after an Expression of

Interest process. As required by the Investment Policy, Arlo Advisory have provided a Statement of Independence which is attached.

FINANCIAL AND RESOURCE IMPLICATIONS

Adopting this reviewed Investment Policy ensures Council's investments are prudent, permitted by the most current Ministerial Investment Order, and protects Council financially by maintaining liquidity while earning interest.

LEGAL IMPLICATIONS

Council is required to comply with all relevant legislation, including but not limited to section 625 of the *Local Government Act NSW 1993*.

Section 625 How may councils invest?

1. A council may invest money that is not, for the time being, required by the council for any other purpose.
2. Money may be invested only in a form of investment notified by order of the Minister published in the Gazette.
3. An order of the Minister notifying a form of investment for the purposes of this section must not be made without the approval of the Treasurer.

The Investment Policy has been reviewed in line with current legislation, ministerial orders and OLG Guidelines including:

- NSW Office of Local Government Investment Policy Guidelines 2010
- Office of Local Government Circulars
- Ministerial Order

In accordance with any current Ministerial Investment Order, this investment policy prohibits any investment carried out for speculative purposes, including but not limited to:

- Derivative based instruments;
- Principal only investments or securities that provide potentially nil or negative cash flow; and
- Standalone securities issued that have underlying futures, options, forward contracts and swap of any kind.

RISK IMPLICATIONS

Council's investments are subject to a variety of risk including credit, interest rate, inflation, liquidity, and cyber-crime. Council uses Credit Ratings (such as Standard and Poors) to manage risk. Credit ratings are essentially opinions about exposure to risk. They can express a forward-looking opinion about the capacity and willingness of an entity to meet its financial commitments as they become due, and, the credit quality and the relative likelihood that the issuer may default.

Lachlan Shire Council's Investment Policy endeavours to minimise risk to Council by preserving capital as its principal objective. This means returns could be lower than otherwise permitted under the OLG guidelines, Ministerial Order and the Trustee Act.

STAKEHOLDER CONSULTATION

Council's management and External Financial Advisor reviewed the Policy. No changes were proposed or recommended.

CONCLUSION

The reviewed Lachlan Shire Council Investment Policy is submitted for adoption by Council.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

4.2 Strong, effective and responsive Council.

4.2.1 Council is financially sustainable and provides services at a level expected by the community
– Annual review of Investment Policy.

4.2.2 Council's decision making is equitable and ethical.

– Schedule policy reviews throughout Council term or within legislative requirements.

4.2.5 Council's exposure to risk is minimised.

ATTACHMENTS

1. **Investment Policy V10 reviewed**
2. **Investment Advisor - Statement of Independence**

9.2.2 QUARTERLY BUDGET REVIEW 2 2024 FY**TRIM Number: R24/14****Author: Manager - Finance****RECOMMENDATION**

That:

1. The Director Corporate and Community Services Report No. R24/14 be received and noted.
2. The Quarterly Budget adjustments including reserve movements be adopted as presented.

PURPOSE

To provide Council with a quarterly review of the Operational Plan budget as at 31 December 2023, as required by the *Local Government (General) Regulation 2021*.

SUPPORTING INFORMATION

A copy of Council's projected results and proposed reserve balances are included as attachments.

BACKGROUND

The *Local Government (General) Regulation 2021* requires the Council to prepare and consider a budget review statement each quarter (aside from June), which shows:

- Estimates of Income and Expenditure;
- Any relevant revisions of these estimates.

This review is completed in consultation with the responsible Director or Manager of the relevant department.

The statement must comply with the Local Government Code of Accounting Practice and be considered by the Council no later than 2 months past the conclusion of the quarter.

ISSUES AND COMMENTS

A review of the 2023-2024 budget has been completed to identify:

- Budget variations;
- Council resolutions impacting on budget; and
- Information that has become available since the adoption of the current year's budget which is not currently reflected in the 2023-2024 Operational Budget.

The actual year to date operating result as at 31 December 2023 shows an operating gain of \$8.0M before capital income.

Overall, actual operating income and expenses are within acceptable ranges as at 31 December 2023 at 61.9% and 47.5% respectively, with 50% of the financial year elapsed.

Whilst the income for the year to date appears, in percentage terms, high, this is not due to an excess of funds available, but is because rating revenue is recognised at the beginning of the year when the annual rates notices are levied.

Actual Operating Grant Income has increased by \$12.4M from the September 2023 quarter. This is predominantly made up of the Regional Emergency Road Repair Grant \$9.9M and the \$1M from the NSW Severe Water and Flood Grant.

Significant budget variances have been summarised below:

- *Capital Grants* – An increase of \$5.1M due to the Local Roads and Infrastructure Program Phase 3 projects (\$1.3M) and the NSW Severe Weather & Flood Event (\$1M). In addition, grants for the Condobolin Drought Water Security project (\$698K) and the VIC/Tourism precinct (\$1.5M) have been brought in this quarter.
- *Operating Expenditure* – Materials and services have increased by \$647K with \$484K relating to professional costs for the New Depot, and \$175K allocated to water consumption across various budget lines to reflect actuals, which vary each year depending on the climatic conditions. Regional Roads Repair works (relating to Regional Emergency Repair funding) have been adjusted down (\$800K) to reflect expectations of expenditure to the end of the year.
- *Capital Expenditure* – Budget allocated for Local Roads and Community Infrastructure Program Phase 3 projects (\$1.3M) and works relating to the NSW Severe Weather & Flood Event (\$1M). \$1.3M for the new Depot, and \$1.5M for the Visitor Information Centre and Freight Centre which are offset by transfers from reserve and grants respectively.

Council's expected net financial position as at 30 June 2024, after the proposed budget amendments, is reflected in **Attachment 1**, along with the actual financial results for the period ended 31 December 2023. This quarter's review adjustments have resulted in an operating budget gain of \$313K (before capital income). This is only slightly lower than the originally adopted budget of \$362k (before capital income).

REPORT BY RESPONSIBLE ACCOUNTING OFFICER

The following statement is made in accordance with Clause 203(2) of the *Local Government (General) Regulation 2021*:

Council's projected financial position as reflected in QBR2 will be satisfactory at year end, having regard to the projected estimates of income and expenditure, and the original budgeted income and expenditure. As budgets are subject to financial risk, it is critical that expenses are closely monitored.

LEGAL IMPLICATIONS

Nil to this report.

RISK IMPLICATIONS

There are financial risks with projecting budgeted income and expenditure as unexpected variances can occur. These can be mitigated by careful management of costs. As these figures are unaudited, they are subject to change.

STAKEHOLDER CONSULTATION

Council officers with budgetary responsibilities have been consulted in identifying these budget variations.

OPTIONS

That Council approve the budget variations as listed in the Quarterly Budget Review (2) adjustment documents.

CONCLUSION

Council's financial position remains sound.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

CSP: 4.2 - Strong effective and Responsive Council.

Delivery Program Action 4.2.1 - Council is financially sustainable and provides services at a level expected by the community.

ATTACHMENTS

1. **Operational Plan Budget and results as at 31 December 2023**
2. **QBR 2 Summary of adjustments**
3. **Reserve Balances as at 31 December 2023**

9.2.3 COMMUNITY DONATION AND EVENT SUPPORT PROGRAM**TRIM Number: R24/31****Author: Administration Officer - Corporate & Community Services****RECOMMENDATION**

That:

1. The Director of Corporate and Community Services Report R24/31 be received and noted.
2. Provide a financial donation of \$792 to the Aboriginal Evangelical Fellowship NSW. This donation is to be funded from the Annual Budget for General Donation Elected Members and is conditional on the event proceeding.
3. Provide sponsorship of \$250 to Condobolin Junior Rugby League Football Club. This donation is to be funded from the Annual Budget for General Donations Elected Members.
4. Provide sponsorship of \$500 for the Lower Lachlan Community Services Lake's Long Lunch event. This sponsorship is to be funded from the Annual Budget for General Donations Elected Members and is conditional on the event proceeding.
5. Provide the Mayfield Hotel Post Tullibigeal Picnic Race event with In-Kind support estimated to be worth \$1,306. The in-kind support is to be funded from the Special Events budget and is conditional on the event proceeding.
6. Provide Tottenham Races with in-kind support estimated to be worth \$12,330 for its race day. The in-kind support is to be funded from the Special Events budget and is conditional on the event proceeding.

PURPOSE

Council is asked to consider requests for monetary and in-kind support for community events to be held in the 2023/2024 financial year. For the purpose of this policy 'Donation' also means financial contribution, event in kind support, and Fee and Charge concessions, unless specified otherwise.

SUPPORTING INFORMATION

A copy of the requests for donation are included as an attachment.

BACKGROUND

Council adopted its Community Event and Donations Policy on 28 June 2023. As requests are submitted, they will be assessed against this policy. Where possible, approval under delegated authority will be utilised. Where delegated authority or another Council Policy does not apply, a request will be submitted to a Council meeting for determination.

As community groups' transition to funding rounds, there will be a further period where requests will continue to be submitted to Council for a decision.

ISSUES AND COMMENTS

There is sufficient budget to fund the recommended donations. Council should keep in mind there will be a second funding round later in the financial year.

ABORIGINAL EVANGELICAL FELLOWSHIP NSW

The event will be held from 3 to 7 October 2024. The donation encompasses:

1. Permission to use the SRA ground for camping before and during the camp.
2. Permission to gain access to the bathroom facilities external to the pavilion before and during our camp.
3. A donation/grant of \$2,000 to assist with the cost of hiring pavilion.
4. A further grant of \$2,000 to assist with the cost of hiring sufficient tables and chairs for both meetings inside and meals outside the pavilion. (Please note that Council provides crockery, cutlery, glassware, tables and chairs for up to 100 people with SRA Hall hire.)

Items 1 & 2 can only be supported if camping at the SRA grounds is approved.

Item 3 – The group has been invoiced \$3,184 by Council. All facility users must pay the security bond of \$1,600 and Council's policy does not permit subsidisation of this cost. The maximum amount Council could resolve to donate for this item is \$1,584.

Item 4 – The SRA Application form specifically states that Council provides crockery, cutlery, glassware, tables and chairs for up to 100 people with SRA Hall hire & any additional items required shall be supplied by the hirer. Therefore, it is recommended that no further donation be provided on this item.

Given Council's limited budget and that there is still one funding round left this financial year, it might be prudent to consider a donation of \$792. This equates to a 50% concession on item 3 hall hire which all not for profit organisations are entitled to.

Council's records do not show any previous financial or in-kind support for this event.

CONDOBOLIN JUNIOR RUGBY LEAGUE FOOTBALL CLUB

A request of \$250 sponsorship has been requested from this group. Their request is to subsidise the cost of training, equipment, uniforms, travel costs etc., as set out in their application.

Council's records do not show any previous financial support to this club.

LOWER LACHLAN COMMUNITY

This group held a popular and successful event called the Lake's Long Lunch in the 2023 FY. This year they are requesting Council consider sponsorship. There are 3 options to choose from:

Sponsorship packages options below:

Option 1 – Title Sponsorship partner - \$5,000 includes 4 tickets to the event

Option 2 – Premium partner - \$2,000 includes 2 tickets to the event.

Option 3 – Event Partner - \$500

Please find more details attached for each option.

In the 2023 FY, Council paid \$21,288 in costs for this event but this was funded through a NSW State Government grant program called Community Events Funding. As the event was first held in the 2023 FY, Council has not previously provided any financial support for this event.

MAYFIELD HOTEL TULLIBIGEAL POST PICNIC RACES EVENT

This organisation has requested a donation of in-kind support estimated to be valued at \$1,306 for an event to be held after the Tullibigeal Picnic races on 23rd March 2024.

Council have previously supported the Tullibigeal Picnic Races in the 2022FY with \$1,084 in kind support; 2023 FY with \$1,145 in kind support and a \$455 donation towards equipment hire. For the 2024 year to date Council has provided in kind support of \$521.

For the 2024 event in-kind support has been requested for the following items:

- Supply of labour to install traffic control;
- Plant – Travel;
- Supply Traffic Control Plan and traffic control items.

The in-kind support is recommended to be funded from the Special Events budget and is conditional on the event proceeding.

TOTTENHAM RACES

This organisation has requested a donation of in-kind support estimated to be valued at \$12,330 for the Tottenham Races to be held on 02nd March 2024.

Council have previously supported the Tottenham Races with in kind support of \$7,556 in the 2022 FY, in kind support of \$2,025 in the 2023 FY and for the 2024 year to date in kind support of \$944 has been provided.

For the 2024 event in-kind support has been requested for the following items:

- Supply of Bins
- Water truck including driver
- Grader Including driver
- Roller
- Additional grounds maintenances labour
- Mower plant
- Tractor and slasher
- Minor plant
- Supply of toilet items

The in-kind support is recommended to be funded from the Special Events budget and is conditional on the event proceeding.

FINANCIAL AND RESOURCE IMPLICATIONSCommunity Events Program

This Budget totals \$32,950. Refer to General Ledger number 3820.0460.0622.

The remaining budget available for utilisation is \$18,041.

Included in the Budget as a separate line item and will not come to Council for decision

The abovementioned budget includes \$2,400 for Welcome to Community events (\$600 each for Tullibigeal, Tottenham, Lake Cargelligo and Condobolin). Refer to Council Resolution 2023/50 March 2023. The \$600 for events will only be paid upon written application to Council.

Elected Members general donations

This Budget totals \$27,540. Refer to General Ledger number 3020.0405.0622.

The remaining budget available for utilisation is \$24,451.

Included in the Budget as a separate line item and will not come to Council for decision

The abovementioned budget includes \$100 per school for end of year School events. Refer to Council Resolution 2022/312 November 2022. The \$100 for events will only be paid upon written application to Council.

In kind contributions

This Budget totals \$123,229. Refer to General Ledger number 3230.0509.various.

The remaining budget available for utilisation is \$44,384.

Quarterly report to Council - Community Donations & Event Support approved under delegation

As agreed with Councillors, a quarterly report will be provided to Council showing all approvals made under delegated authority. Jointly the General Manager and the Mayor must approve or decline any applications made under delegated authority. Delegated authority approvals only apply to the following:

- (a) In kind Support \$500 or less;
- (b) Fee or Charge Concession \$500 or less;
- (c) A financial Donation less than \$500 (for the 12-month transition period 1 August 2023 to 31 July 2024).

The next report will come to Council in March 2024.

LEGAL IMPLICATIONS

Council can provide financial assistance through an annual donation program in accordance with section 356 of the *Local Government Act 1993*. A council may, in accordance with a resolution of the council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.

Donation requests made by organisations or individuals who act for personal gain will be subject to Section 356 (2) of the *Local Government Act 1993*.

“A proposed recipient who acts for private gain is not ineligible to be granted financial assistance but must not receive any benefit under this section until at least 28 days’ public notice of the council’s proposal to pass the necessary resolution has been given.”

Fee concessions are permissible in accordance with section 610E and 610F of the *Local Government Act 1993*.

RISK IMPLICATIONS

There is reputational risk for Council when making decisions to approve or not to approve particular requests.

STAKEHOLDER CONSULTATION

Council – February 2024 Pre Briefing meeting.

OPTIONS

1. Provide the full amount of the requested donations.
2. Decline the full amount of the requested donations.
3. Vary the amount of the donations.

CONCLUSION

Council is asked to consider and make a resolution on the amount of any donation it wishes to provide.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

CSP 4.2.1 Council is financially sustainable and provides services at a level expected by the community.

ATTACHMENTS

1. **The Aboriginal evangelical Fellowship NSW**
2. **Condobolin Junior Rugby League Football Club**
3. **Lower Lachlan Lake Long Lunch**
4. **Mayfield Hotel Post Picnic Race Event in kind costing**
5. **Tottenham Races - in kind support estimate**
6. **Donations Budget vs Actual 130224**

9.3 ENVIRONMENT, TOURISM AND ECONOMIC DEVELOPMENT

9.3.1 DEVELOPMENT DATA DECEMBER 2023 AND JANUARY 2024

TRIM Number: R24/19

Author: Manager- Town Planning

RECOMMENDATION

That:

1. The Acting Director Environment and Planning Report No. R24/19 be received and noted.

PURPOSE

This report is to provide Council with information in relation to development activity occurring within the Shire during December 2023 and January 2024.

SUPPORTING INFORMATION

Council’s Development Data.

BACKGROUND

December 2023

During the month of December 2023 there was four (4) applications lodged with a value totalling \$1,015,561. Three (3) approvals were issued within this time.

Development Applications and Complying Development Certificates Approved in December 2023.

Approval Number	Development Description	Location	Value	Delegated Authority/Council
DA 2023/41	Construction of Additional Dwelling (Dual Occupancy)	40 Walker Street, Lake Cargelligo	\$878,154	Delegated Authority
DA 2023/46	Construction of Outbuilding (Shed)	60 Officers Parade, Condobolin	\$28,000	Delegated Authority
DA 2023/52	Storage Shed	234 Hassans Lane, Condobolin	\$37,875	Delegated Authority

TOTAL No. OF APPROVED DEVELOPMENTS	3		\$944,029	
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Comparison to Previous Year: Applications Approved December 2022

Total **Number** of Applications **approved in December 2022: 2**

Total **Value** of Applications **approved for December 2022: \$607,700**

Development Applications and Complying Development Certificates Received in December 2023.

Development Identifier	Development Description	Location	Value
DA 2023/47	Five Lot Torrens Title Subdivision	95-99 Officers Parade, Condobolin	\$0
DA 2023/51	Three Lot Torrens Title Subdivision	50 Lachlan Street, Condobolin	\$5,000
DA 2023/53	Installation of Dwelling	32 McDonnell Street, Condobolin	\$930,561
DA 2023/54	Installation of Toilet Facility and Lighting	3 Ridgeland Road, Condobolin	\$80,000
TOTAL	4		\$1,015,561

Comparison to Previous Year: Applications Received December 2022

Total Number of Applications **received in December 2022: 1**

Total Value of Applications **received for December 2022: \$788,000**

January 2024

During the month of January 2024 there was three (3) applications lodged with a value totalling \$1,171,203. Two (2) approvals were issued within this time.

Development Applications and Complying Development Certificates Approved in January 2024.

Approval Number	Development Description	Location	Value	Delegated Authority/Council
DA 2023/49	Use of Existing Farm Building	146 North Forbes Road, Condobolin	\$106,733	Delegated Authority

DA 2023/51	Three Lot Torrens Title Subdivision	50 Lachlan Street, Condobolin	\$5,000	Delegated Authority
TOTAL No. OF APPROVED DEVELOPMENTS	2		\$115,733	

Comparison to Previous Year: Applications Approved January 2023

Total **Number** of Applications **approved in January 2023**: 5

Total **Value** of Applications **approved for January 2023**: \$2,123,647

Development Applications and Complying Development Certificates Received in January 2024

Development Identifier	Development Description	Location	Value
DA 2023/55	Alterations and Additions to Pub	101 Bathurst Street, Condobolin	\$259,703
DA 2023/52	Construction of Dwelling	12 Moulder Street, Condobolin	\$909,000
DA 2024/02	Use of Existing Buildings	4 High Street, Condobolin	\$2,500
TOTAL	3		\$1,171,203

Comparison to Previous Year: Applications Received January 2023

Total Number of Applications **received in January 2023**: 1

Total Value of Applications **received for January 2023**: \$24,000

ISSUES AND COMMENTS

A total of thirty-three (33) approvals have been issued this financial year at an average of 36 days, which is inside the legislative timeframe for approvals and below the average net days taken to determine a DA across all NSW Councils.

FINANCIAL AND RESOURCE IMPLICATIONS

No foreseeable issues.

LEGAL IMPLICATIONS

All applications are assessed in accordance with relevant legislation including the Environmental Planning and Assessment Act.

RISK IMPLICATIONS

All applications were assessed against relevant legislation to minimise Council's exposure to risk.

STAKEHOLDER CONSULTATION

Regular consultation and engagement with applicants of Development Applications and Complying Development Certificates occurs during the pre-lodgement, assessment and approval stages of each application in line with legislation and Council's planning instruments. Council also often engages with the community and adjoining owners in respect of applications.

OPTIONS

1. Receive and note the report.

CONCLUSION

Development Application and Complying Development Certificate approved data reveals a total development value of \$40,717,251.90 for applications approved in the 2023/2024 financial year.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

CSP 4.2 - Strong Effective Responsive Council.

DP 4.2.2 – Council's decision making is equitable and ethical.

ATTACHMENTS

Nil

9.3.2 ELECTRONIC FUNDS TRANSFER AT POINT OF SALE (EFTPOS) FOR WASTE FACILITIES.**TRIM Number: R24/23****Author: Environment & Waste Coordinator****RECOMMENDATION**

That:

1. The Acting Director of Environment and Planning Report No. R24/23 be received and noted.
2. Implement EFTPOS only payment for relevant waste disposal and provide a transition period of one month before ceasing cash transactions at the Condobolin, Lake Cargelligo and Tottenham Waste Facilities.

PURPOSE

The purpose of this report is to seek Council's approval to implement Electronic Funds Transfer at Point of Sale (EFTPOS) only and cease cash transactions at the Condobolin, Lake Cargelligo and Tottenham Waste Facilities for relevant waste disposal charges.

SUPPORTING INFORMATION

Nil.

BACKGROUND

During 2023 and recently in 2024 the Condobolin and Lake Cargelligo waste facilities have been subjected a number of break-ins to the site offices with the offenders targeting daily takings money and the onsite till float (\$200.00).

Plant and equipment are also targeted with offenders seeking fuel however this has been mitigated by the contractor by not leaving large amounts of fuel in the plant or onsite.

From October 2023 to January 2024, four (4) break-ins were recorded at Condobolin and two (2) in Lake Cargelligo where the float and cash have been stolen.

ISSUES AND COMMENTS

Council officers have installed sensor lights, alarms, reinforced hinges/locks and cameras however, this only deters offenders briefly.

Each incident is reported to the police however, delays in fingerprinting teams arriving, weather and site contamination has resulted in no findings.

A security report completed at Condobolin Waste Facility by NSW Police outlined the measures Council has taken to prevent break-ins and possible further actions. The report concluded due to the sites isolation it is difficult to resolve.

FINANCIAL AND RESOURCE IMPLICATIONS

Approximately \$6,000.00 has been spent installing sensor lights, cameras and alarms at the Condobolin Waste Facility to deter break-ins this financial year.

Each break-in results in significant damage to buildings and fences resulting in additional cost and staff resources in repairing damage.

When the float is stolen Council replaces the float out of the waste operation budget. This has totalled \$1400.00 to date in the 2023/24 financial year.

If the waste facilities removed cash transactions and operated EFTPOS only, this would remove all cash onsite and implement another measure in deterring offenders from breaking in to the facilities seeking money.

In addition, transferring to EFTPOS only payments would streamline Council's internal process and the finance/customer service department would not have to account money transactions. It will also remove the need to deposit the takings of each week.

The Condobolin, Lake Cargelligo and Tottenham Waste Facilities have EFTPOS available at each site and it is the main form of payment for domestic and commercial self-hauled waste disposal.

The majority of large commercial waste disposal e.g. dwelling demolitions or bulk disposals, are invoiced through Council's internal invoicing system. The domestic waste exemption (under 3 cubic metres) results in minimal fee transactions at the sites.

During the COVID-19 pandemic, the waste facilities did not accept cash transactions and were EFTPOS only with minimal disruptions experienced.

LEGAL IMPLICATIONS

Nil.

RISK IMPLICATIONS

While money remains onsite it will be an attraction for offenders to continue to break into the waste facilities.

There is also the risk offenders will cause further damage to Council property if all mitigation measures are not implemented.

STAKEHOLDER CONSULTATION

Residents and contractors will be notified of EFTPOS only payment using newsletters/information posted on Council's website, social media, local newspapers, signage at the facilities and informed by onsite staff. A transition period of one month can be implemented to allow residents to adjust to EFTPOS only payment system.

OPTIONS

Council is presented with the following options:

1. Implement payment for relevant waste disposal fees using EFTPOS only payment and provide a transition period of one month before ceasing cash transactions at the Condobolin, Lake Cargelligo and Tottenham Waste Facilities.
2. Continue current payment options for waste disposal with both EFTPOS and cash payment methods available at the waste facilities.

CONCLUSION

The removal of money/cash transactions and implementation of EFTPOS only payment for waste fees at Council's waste facilities will remove the need for cash (daily takings and float) to be onsite.

In addition to removing cash transactions and implementing EFTPOS only, daily takings in the form of money will not be required to be processed by Customer Service Staff. This will remove the need for weekly banking of cash transactions, resulting in the most efficient payment method.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

CSP Outcome No 5.1 - Modern Waste Management System.

ATTACHMENTS

Nil

9.4 INFRASTRUCTURE SERVICES

9.4.1 FY23/24 ROADWORKS MONTHLY UPDATE FOR DECEMBER/JANUARY

TRIM Number: R24/22

Author: Manager - Roads

RECOMMENDATION

That:

1. The Director Infrastructure Services report No R24/22 be received and noted.

PURPOSE

The purpose of this report is to provide a summary of road works undertaken by the Infrastructure Services Department completed in December 2023 and January 2024, works in progress in the month of February and works scheduled for the month of March. The execution and completion of works varies depending on resource availability, weather conditions, work priorities and unforeseen circumstances.

SUPPORTING INFORMATION

Nil.

BACKGROUND

TfNSW have provided an assessment of Council's Essential Public Asset Reconstruction Works (EPA-RW) claim for AGRN 1034 (NSW flooding from 14 September 2022 Natural Disaster) for the two most significantly affected roads – MR 347 Dandaloo Road and MR 7521 Kiacatoo Road with 95 of the 144 defects being approved – some with variation to treatment proposed. The value of the approved repairs will be confirmed after the Tenders are assessed and the preferred Tender selected. It is estimated that these repairs for Danadaloo and Kiacatoo Road will be between \$4.5M and \$9M depending on the Tender responses and final approved treatment method.

Shepherd Services will now prepare contract documents to undertake this repair work with the aim to advertise tenders by 22 February 2024 with tenders closing 22 March 2024 and a tender report being provided to Council at its Ordinary meeting on 17 April 2024. The contract documents for the MR 347 Dandaloo Road will include two schedules. One for the approved EPA-RW defects and a second schedule for other desirable work to restore the road to good condition. Once the value of the second schedule is known Council will be able to consider if and how they could fund these works.

Discussions will continue with TfNSW regarding the remaining EPA-RW claim.

ISSUES AND COMMENTS

The number of graders undertaking maintenance grading has been reduced as construction projects have commenced in the New Year. Five Council graders are on maintenance grading work and three on construction projects. One grader is stood down at present due to lack of operator and Council's tenth grader which was retained in early 2023 to assist with catching up on the backlog of work due to natural disaster events is being prepared for sale due to lack of operator.

Works undertaken in December and January

- **Heavy patching, re-sheeting and grade water and roll undertaken on the following roads**
 - Main Roads
 - nil
 - Shire Roads
 - SR 45 Boona Road – gwr
 - SR 230 Lachlan Valley Road – gwr
 - SR 1347 Albert Road - gwr

- **Road and culvert reconstruction undertaken on the following roads**
 - Main Roads
 - MR 57S The Gipps Way – Regional NSW/Block grant – Murie culvert, project completion
 - MR 57S The Gipps Way – FCR/Block grant – Nerathong Bridge replacement, project completion
 - MR 7521 Kiacatoo Road – failed culvert replacement
 - Shire Roads
 - SR 5 Lansdale Road – RTR – road reconstruction and widening 2.2 km in progress
 - SR 10 Meadowview Road – RTR – sealed causeways reconstruction in progress
 - SR 45 Boona Road – FLR/RTR – road widening, tree removal commenced
 - SR 60 Springvale Road – RTR/RLRRP - road reconstruction and widening 1 km completed
 - SR 64 Platina Road – RTR – road reconstruction and widening 2 km in progress
 - SR 343 Willis Road – RTR – road construction and sealing 2 km in progress
 - Town Streets
 - Walker Street, Lake Cargelligo – RLRRP – shoulder build up completed

- **Road reseals/sealing**
 - Regional and Shire Roads
 - nil
 - Town Streets
 - Walker Street, Lake Cargelligo – RTR – seal widen and reseal

- **Maintenance grading/sucker removal/storm damage repairs undertaken on the following unsealed roads**
 - Main Roads
 - nil
 - Shire Roads
 - SR 5 Lansdale Road – maintenance grading
 - SR 20 Braalghy Road – maintenance grading (contractor)

- SR 23 Jumble Plains Road – maintenance grading (contractor)
 - SR 25 Kerriwah Road – maintenance grading (contractor)
 - SR 28 East Woodlands Road – maintenance grading
 - SR 31 O’Deas Road – maintenance grading (contractor)
 - SR 36 Lorraine Lane – maintenance grading (contractor)
 - SR 37 Yambora Road – maintenance grading (contractor)
 - SR 62 Carlisle Road – maintenance grade
 - SR 63 Wilga Ridge Road – maintenance grade
 - SR 108 Fosters Lane – drainage repairs
 - SR 120 Merribogie Road – maintenance grading
 - SR 130 West Milby Road – maintenance grade
 - SR 142 Yarran Road – drainage repairs
 - SR 147 Four Corners Road – maintenance grade
 - SR 148 Halls Road – maintenance grade
 - SR 150 Slant Road – maintenance grade
 - SR 408 Deacons Lane – maintenance grade
 - SR 231 Toliman Road – drainage repairs
 - SR 338 Hassans lane – maintenance grading
 - SR 408 Deacons Lane – maintenance grading
 - SR 1006 Brothoney Road (Lake Cargelligo Road to Lachlan Valley Way) – maintenance grading
 - SR 1007 Begargo Road – drainage repairs
 - SR 1139 Weja Road – maintenance grade
 - SR 1169 Bobadah Road – maintenance grading
- **Shoulder grading/slashing/vegetation control/patching and flood damage undertaken on the following sealed roads**
 - Main Roads
 - MR 57N Fifield Road – overhanging tree removal/vegetation control/pothole patching
 - MR 57N The Bogan Way – slashing
 - MR 57S The Gipps Way – slashing/pothole patching
 - MR 231 Wyalong Road – slashing
 - MR 377 Lachlan Valley Way (aka South Forbes Road) – vegetation control/slashing
 - MR 423 Lachlan Valley Way – Lake Cargelligo to Murrin Bridge – slashing
 - MR 461 Henry Parkes Way – pavement failure repair
 - MR 501 Lachlan Valley Way (aka Hillston Road) - slashing
 - Pothole repairs on all Main Roads in December
 - Shire Roads
 - SR 341 Jones Lane – slashing
 - SR 342 Worthington Lane – slashing
 - SR 344 Browns Lane – slashing
 - Pothole repair on several roads in December

Works in progress or planned for February

- **Heavy patching, re-sheeting and grade water and roll in progress on the following unsealed roads**
 - Main Roads
 - MR 461 Henry Parkes Way – gwr
 - MR 7514 Nyngan Road - gwr
 - Shire Roads
 - SR 45 Boona Road – gwr

- **Road and culvert reconstruction in progress on the following roads**
 - Main Roads
 - MR 7513 Lake Cargelligo Road – failed culvert replacement
 - Shire Roads
 - SR 5 Lansdale Road – RTR – road reconstruction and widening 2.2 km in progress
 - SR 10 Meadowview Road – RTR – sealed causeways reconstruction in progress
 - SR 45 Boona Road – FLR/RTR – road widening, tree removal commenced
 - SR 64 Platina Road – RTR – road reconstruction and widening 2 km in progress
 - SR 343 Willis Road – RTR – road reconstruction and widening 2 km in progress
 - Town Streets
 - Turner St, Condobolin – reconstruction of 0.5 km

- **Road reseals/sealing**
 - Main Roads
 - MR 371 Rankin Springs Road 0.9 km reseal
 - MR 501 Lachlan Valley Way 7.7 km reseal
 - Shire Roads
 - SR 5 Lansdale Road 2.2 km two coat seal
 - SR 10 Meadowview Road 1.0 km two coat seal on causeways
 - SR 230 Lachlan Valley Way 3.2 km reseal
 - Town Streets
 - Turner Street, Condobolin 0.5 km two coat seal
 - Canada Street, Lake Cargelligo 0.2 km reseal
 - Walker Street, Lake Cargelligo 0.7 km reseal
 - Uabba Street, Lake Cargelligo 0.2 km reseal
 - Holt Street, Lake Cargelligo 0.2 km reseal
 - Lorne Street, Lake Cargelligo 0.6 km reseal
 - McInnes Street, Lake Cargelligo 0.7 km reseal
 - Wattle Street, Tullibigeal 0.6 km reseal
 - Currajong Street, Tullibigeal 0.4 km reseal

- **Maintenance grading/sucker removal/storm damage repairs in progress on the following roads**
 - Main Roads
 - nil
 - Shire Roads
 - SR 11 Moira Vale Road – maintenance grading (contractor)

- SR 149 Gubbata Road – maintenance grade
 - SR 151 Mudda Rocks Road – maintenance grade
 - SR 152 Thomas Lane – maintenance grade
 - SR 157 Hillgrove Road – maintenance grade
 - SR 160 Sunnyside Road – maintenance grading
 - SR 161 Bygalore Road – maintenance grade
 - SR 180 O’Reillys Road – maintenance grade
 - SR 268 Linton Lane – maintenance grading (contractor)
- **Shoulder grading/slashing/vegetation control and patching in progress on the following sealed roads**
 - All Roads
 - As required

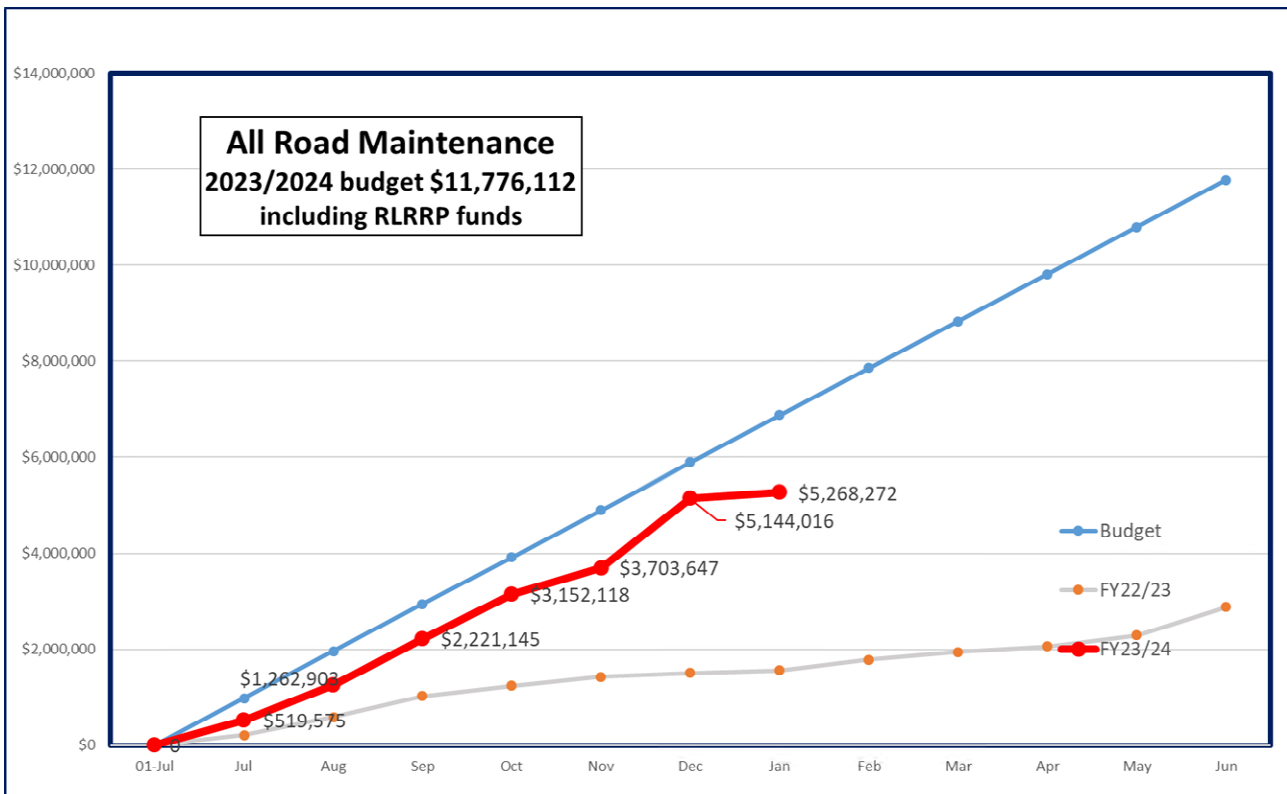
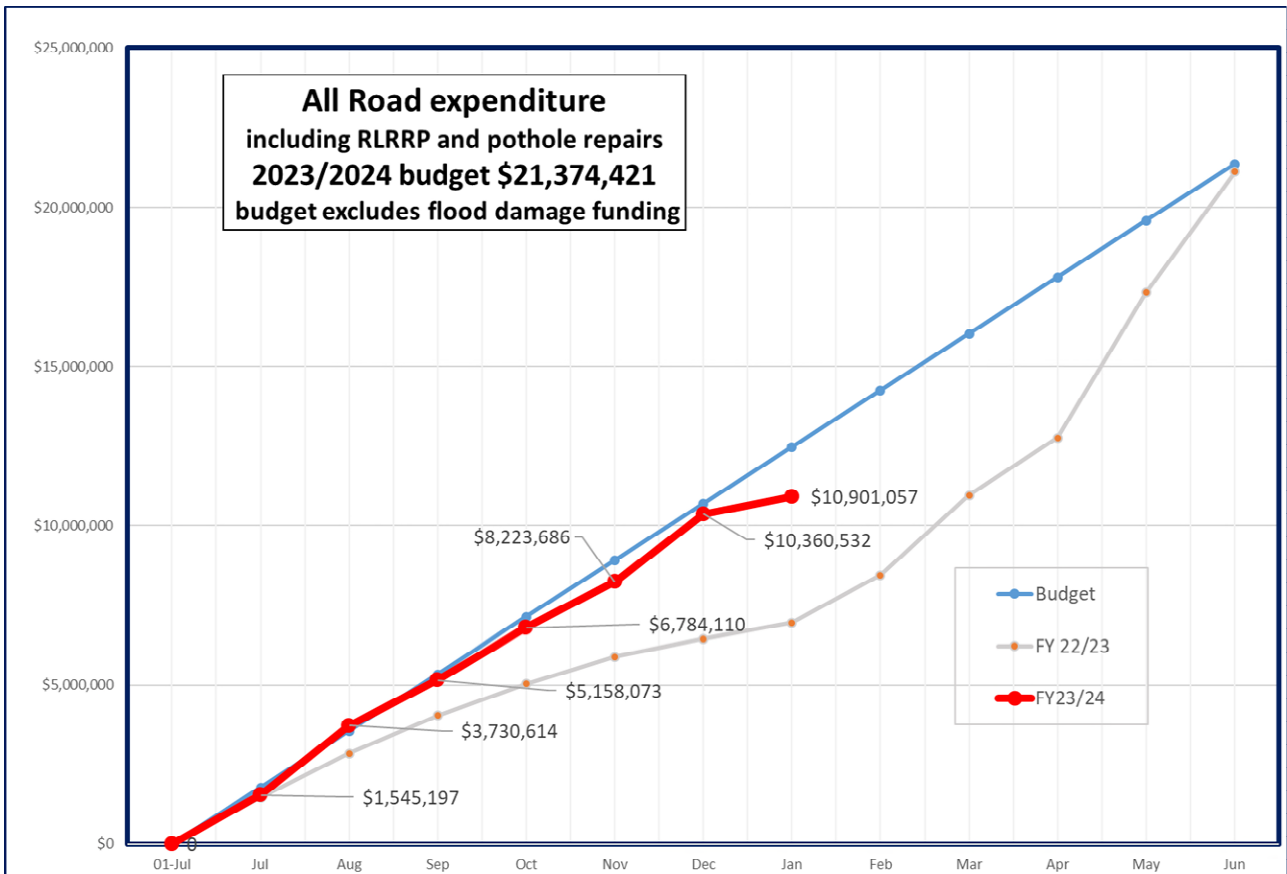
Works planned for March

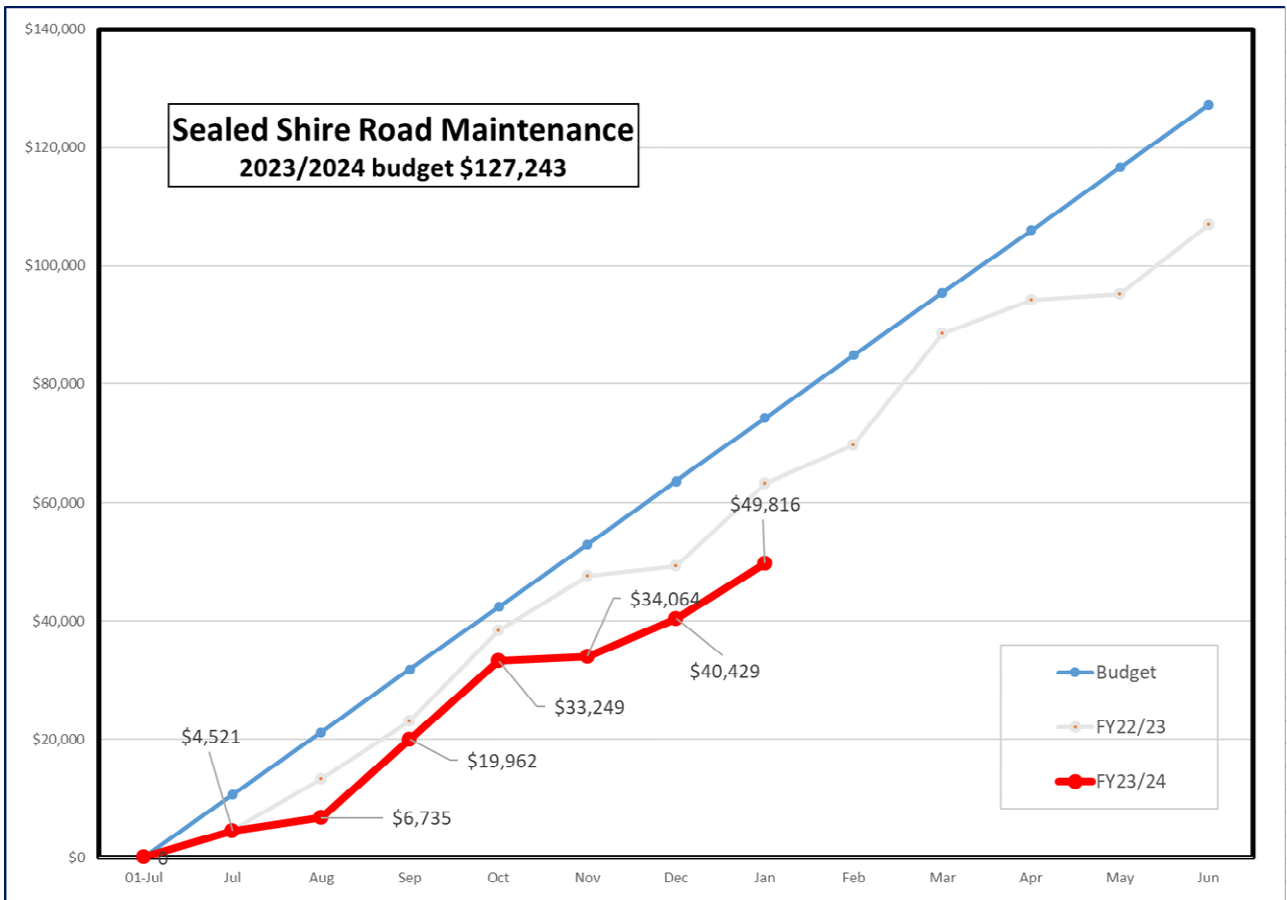
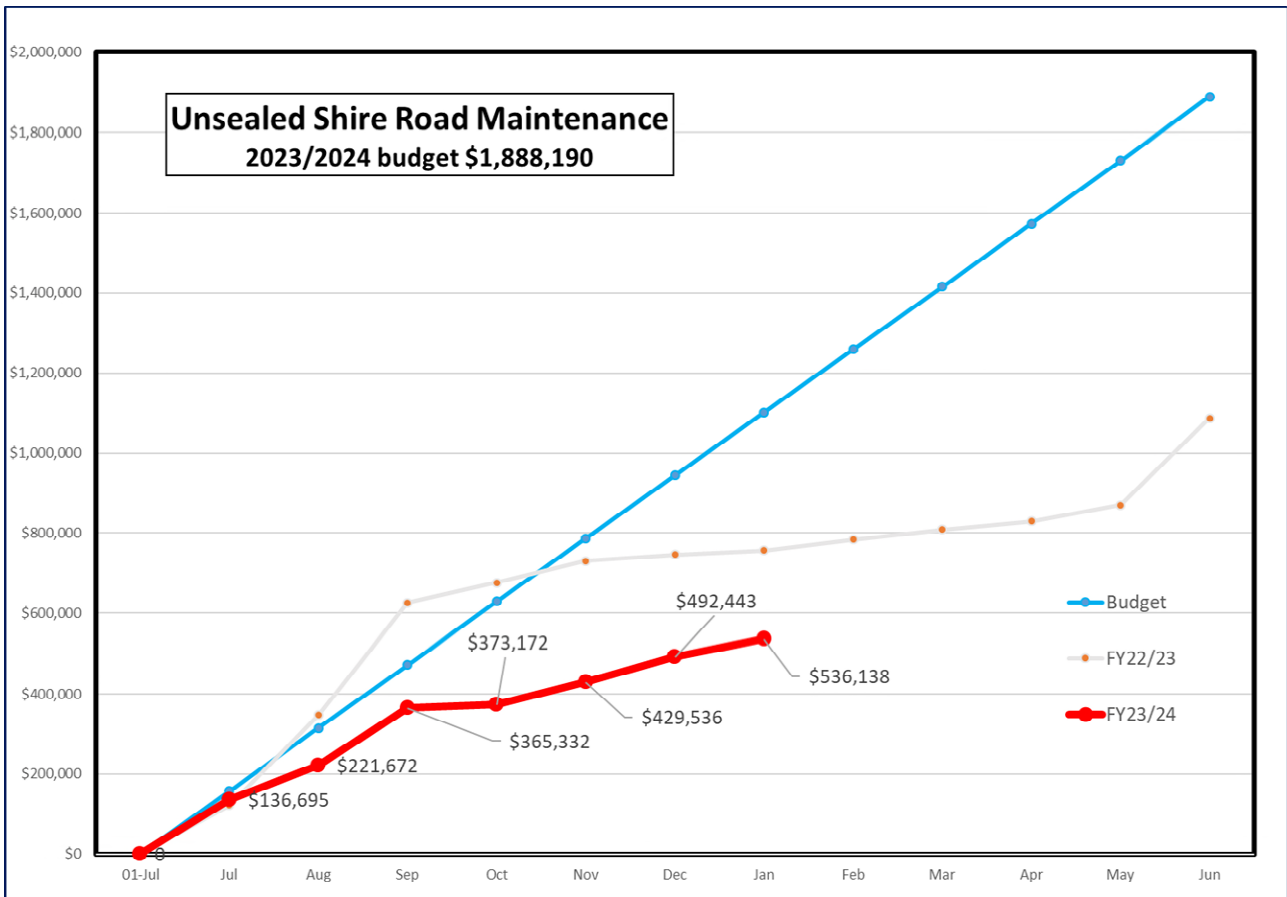
- **Heavy patching, re-sheeting and grade water and roll to be undertaken on the following unsealed roads**
 - All Roads
 - To be confirmed
- **Road resealing/sealing**
 - Main Roads
 - MR 461 Henry Parkes Way 10 km reseal
 - Shire Roads
 - SR 64 Platina Road 2 km of two coat seal
 - SR 343 Willis Lane 2 km of two coat seal
- **Road and culvert reconstruction to be undertaken on the following roads**
 - Main Roads
 - nil
 - Shire Roads
 - SR 45 Boona Road – FLR/RTR – commencement of 18 km of seal widen
 - SR 64 Platina Road – RTR – reconstruction and widen for 2 km Fifield Road to Bloomfield Road
 - SR 343 Willis Lane – RTR – Construction of pavement for 2 km seal extension
- **Maintenance grading/sucker removal/storm damage repairs undertaken on the following roads**
 - All Roads
 - To be confirmed
- **Shoulder grading/slashing/vegetation control and patching undertaken on the following sealed roads**
 - All Roads

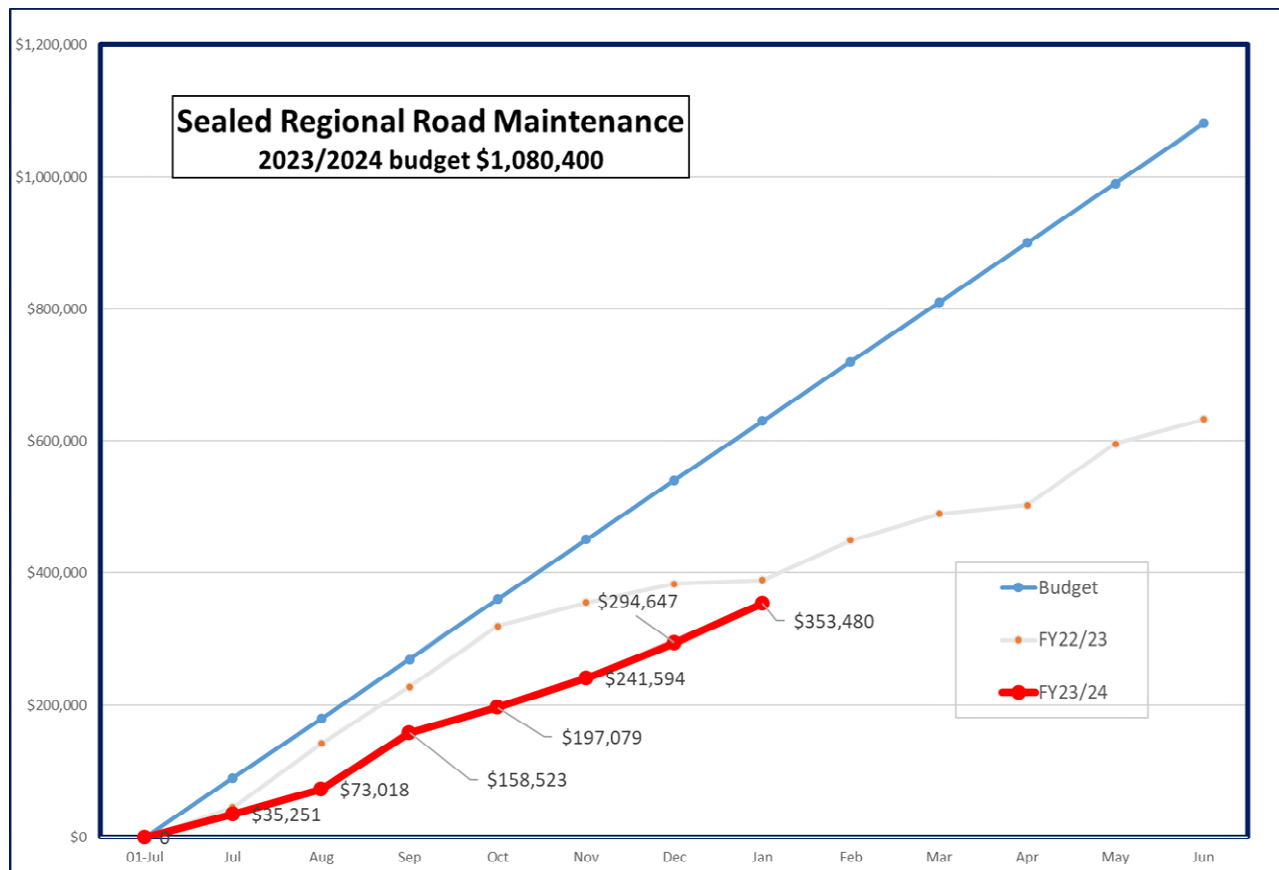
FINANCIAL AND RESOURCE IMPLICATIONS

CONSTRUCTION PROJECTS					
Regional Roads					
Project	Budget	Funding source	Expend to date	Forecast Expend	Comments
Regional Roads, reseals					
MR 371 Rankin Springs Road	\$240k	TfNSW Block Grant	\$0k	\$240k	7 km reseal. Programmed for Q3
MR 501 Lachlan Valley Way	\$100k		\$0k	\$100k	3 km reseal. Programmed for Q3
Balance	\$107k		\$0k	\$107k	To be determined
Total	\$447k		\$0k	\$447k	
Regional Roads, heavy patching	\$50k	TfNSW Block Grant	\$0k	\$0k	Program to be determined
Regional Roads, culvert renewal	\$60k	TfNSW Block Grant	\$0k	\$0k	Program to be determined
MR 371 Foster St, Lake Cargelligo, Lake St to Lorne St reconstruction	\$3.6m	RTR \$500k, State Government funding \$2,800k, LRCI \$300k	\$3.238m pre 1 July 2023, \$781k in FY23/24 Total \$4.018m	\$4.0m	Project complete. Over expenditure to be funded by FAGs Roads
MR 57N The Bogan Way, widening 28 km	\$3.9m	FCR \$2.686m, TfNSW Block Grant \$1.214m	\$3.216m pre 1 July 2023, \$544k in FY23/24 Total \$3.760m	\$3.9m	Project complete
MR 57S The Gipps Way, Nerathong Bridge replacement	\$2.808m	FCR \$2.387m, TfNSW Block Grant \$421k	\$1.579m pre 1 July 2023, \$257k in FY23/24 Total \$1.836m	\$2.808m	Asphalt of approaches has been completed. Line marking programmed for late December.
MR 57S, MR 377, Condobolin Freight Betterment and Visitor Centre road works	\$9.248m	Regional NSW funding \$5,599k, TfNSW Block grant \$2,149k, TfNSW Repair \$400k, RTR \$300k, Additional \$800k Regional NSW as a result of Natural Disaster	\$7.218m pre 1 July 2023, \$2.058m in FY23/24 Total \$9.276m	\$9.5m	Murie culvert replacement and road construction and sealing is complete. Line marking is programmed for late December. Over expenditure to be funded by TfNSW block
MR 231 Wyalong Road seal widening 8 km	\$900k	Repair \$450k, Block \$450k	\$0k	\$0k	TfNSW repair program has been cancelled for 4 years.

CONSTRUCTION PROJECTS					
Local Roads					
Project	Budget	Funding source	Expend to date	Forecast Expend	Comments
Local road reseals					
SR 60 Springvale Road	\$130k	FAG Roads \$140k, RTR \$450k	\$78k	\$78k	Project complete
SR 10 Meadowview Road	\$60k		\$41k	\$60k	Causeway reconstruction in progress
SR 230 Lachlan Valley Way	\$140k		\$0k	\$140k	4 km at Wallaroi Creek bridge. Programmed for Q3
SR 231 Curlew Road	\$160k		\$0k	\$160k	Length to be determined. Programmed for Q3
Total	\$490k		\$0k	\$490k	
Local roads gravel re-sheets					
SR 91 Marsden Road	\$300k	Special Rate Variation \$200k, RTR \$500k, Evolution Mining \$138k	\$0k	\$300k	10 km gravel re-sheeting Programmed for Q3
SR 194 North Uabba Road	\$60k		\$0k	\$60k	2 km gravel re-sheeting completed and funded by Repair funding.
Balance	\$476k		\$0k	\$476k	Gravel re-sheeting program to be determined
Total	\$838k		\$0k	\$838k	
Officers Parade upgrade	\$1.4m	Fixing Local Roads \$780k, RTR \$520k, \$100k FAG	\$1.17m pre 1 July 2023, \$215k in FY22/23 Total \$1.385m	\$1.4m	Footpath 95% complete
SR 5 Lansdale Road widening and upgrade	\$800k	Roads to Recovery	\$618k	\$800k	Road pavement construction in progress
SR 45 Boona Road 18 km seal widening	\$3.3 m	Fixing Local Roads \$2.97m, RTR \$330k	\$161k	\$3.3m	Removal of trees in progress
SR 64 Platina Road 2 km seal widening	\$300k	Roads to Recovery	\$33k	\$300k	Road reconstruction in progress
SR 343 Willis Lane seal extension	\$400k	Roads to Recovery	\$82k pre 1 July 2023, \$32k in FY23/24 Total \$114k	\$400k	Road reconstruction in progress
SR 1033 Boreamble Rd 1.8 km seal widening	\$248k	Roads to Recovery	\$420k	\$420k	Project complete
SR 1169 Bobadah Road 2 km seal widening	\$300k	Roads to Recovery	\$288k	\$288k	Project complete
Walker Street, Lake Cargelligo widening	\$50k	Roads to Recovery	\$46k	\$50k	Project complete
Turner Street, Condobolin 500 m reconstruction	\$150k	Roads to Recovery	\$0k	\$150k	Failed kerb and gutter replacement in progress







Note: To date this financial year \$3.688m has been spent of Regional and Local Roads Repair Program (RLRRP) funds and \$479k on pothole repairs. The Fixing Local Roads Pothole Repair funding program ended on 31 December 2023 and any unspent funds are required to be repaid to TfNSW. At present just over \$760k of expenditure has been identified on this program out of the available funding of \$1,336,350. The purpose of the funding is very specific and all eligible repairs have been completed.

LEGAL IMPLICATIONS

Roads Act 1993 and Roads Regulations 2008

RISK IMPLICATIONS

Delays in approval from TfNSW for the EPA-RW claim could put the completion date of this work at risk. An extension of time may need to be requested if approval delay continues.

STAKEHOLDER CONSULTATION

Roads to Recovery grant program officers, TfNSW Parkes Regional Office, Restart NSW program officers. Media Releases and council news columns will continue to update the community on works that are likely to cause significant traffic impacts.

OPTIONS

Continue to plan and implement the roads program as staff and contractors are available and as weather conditions permit.

CONCLUSION

Emphasis will continue on road construction projects particularly the Roads to Recovery funded projects as the five-year block of that program ends in June 2024.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

CSP No. 3.1 Efficient transport networks that meet community and business needs.
Transport Asset Management Plan.

ATTACHMENTS

Nil

9.4.2 PART ROAD CLOSURE - LACHLAN VALLEY WAY, FAIRHOLME**TRIM Number: R24/36****Author: Director Infrastructure Services****RECOMMENDATION**

That:

1. The Director Infrastructure Services Report No. R24/36 be received and noted.
2. Council resolve to close of part of MR 377 Lachlan Valley Way, Fairholme, as identified in the report.
3. Council undertake the necessary public notifications to close part of a public road.
4. Council resolve to have the land in the road reserve vest in Council when closed.
5. Council authorise the Mayor and General Manager to execute the necessary documents and affix the Council seal.

PURPOSE

To obtain Council Resolution to formally close part of Lachlan Valley Way, Fairholme.

SUPPORTING INFORMATION

Attachment 1, 2 and 3.

BACKGROUND

In September 2015 Council received \$3.9M under Water Security for Regions Program, (RNSW755 Condobolin Bore Fields II), for the development of three (3) new bores and their associated works.

In October 2020 Council received \$20M under the Safe and Secure Water Program (DWS072 Condobolin Drought Water Security Project) for the construction of the Condobolin pipeline and the augmentation of Water Treatment Plant to provide a reliable secondary water supply for Condobolin.

Both projects are managed by NSW Public Works on behalf of Lachlan Shire Council and DCCEEW. The project steering committee agreed to deliver the project as five separate contracts:

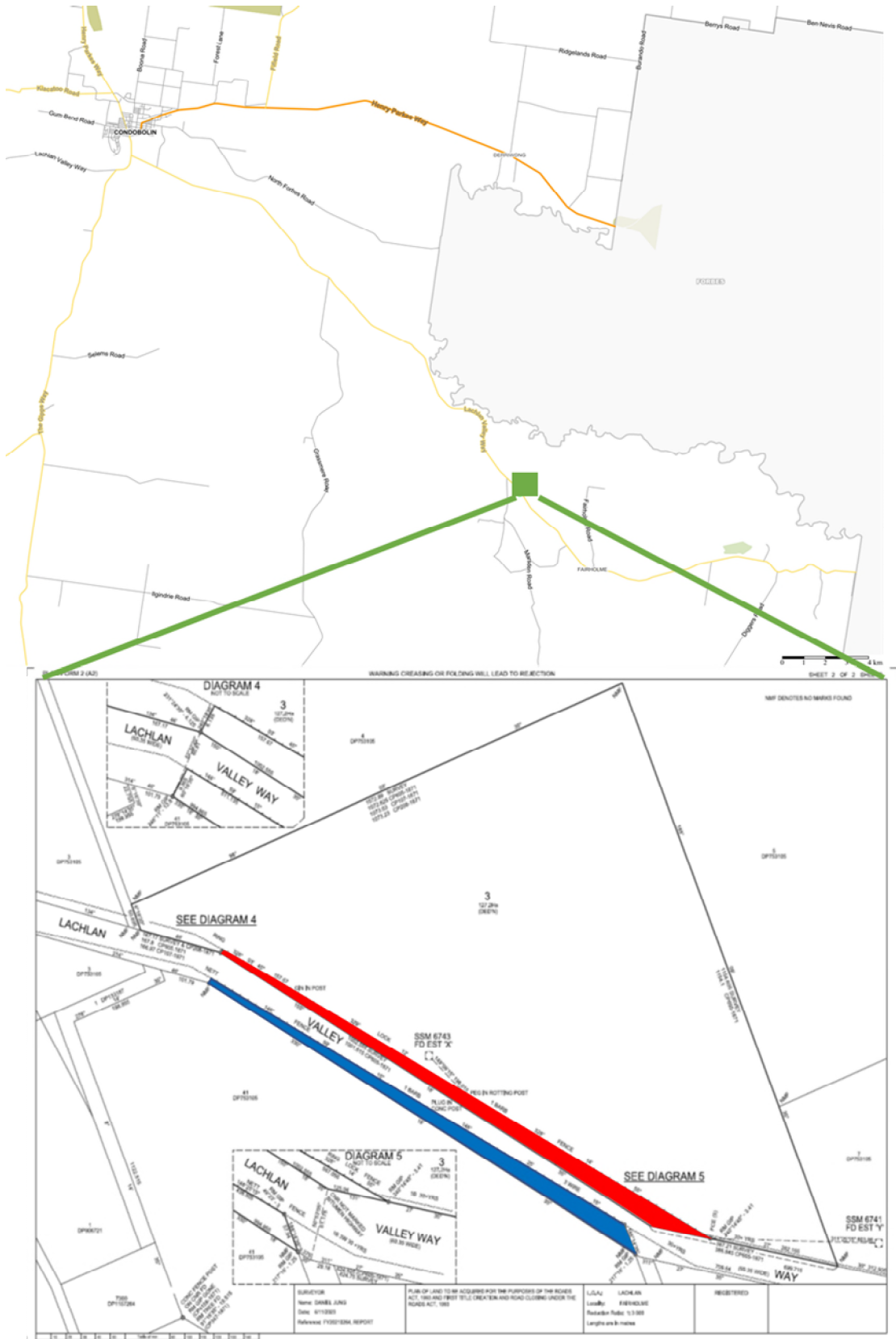
- Contract 1 – 26km Pipeline Construction – COMPLETE
- Contract 2 – Bore fit-out. Road issues need to be resolved to undertake this work.
- Contract 3 – Modifications to the existing WTP. Tenders being assessed.
- Contract 4 – Underbore of Goobang Creek and Lachlan River. COMPLETE
- Contract 5 – Pumping Transfer Station – 95% Complete.

ISSUES AND COMMENTS

During the negotiations with the adjoining landowner, it was discovered that there was a discrepancy with the paper road and the constructed road.

Therefore, the location of the bores was confirmed to not be in the road reserve and land acquisition was required to complete development of the bores.

In order to formally adjust the road reserve location to represent what has physical been constructed. Council is required to close the section of the paper road (Blue), acquire the land that is where the road was thought to be (red), then dispose of the closed road to the landholder.



Using the Process Map in attachment 2 – Council first needs to establish that the road is a council road. The relevant section of Lachlan Valley Way was gazetted as a Main Road in Gazette no. 110 dated 17 August, 1928, (Attachment 3 - No. 61 Schedule B). Further, pursuant to the Roads Act, the section of Lachlan Valley Way between Forbes and Condobolin was classified as a Regional Road, administered, managed and financed by Lachlan Shire Council, pursuant to the Roads Act by Transport for NSW in August 2022. A copy of this schedule can be found at the following website.

<https://www.transport.nsw.gov.au/system/files/media/documents/2023/classified-roads-schedule.pdf>

It is understood that this road is a Council Road, and therefore satisfies S38E (2) (a) and upon closure, the road should be vested in Council. This is necessary to expediate the transfer process. Following consideration and determination of this Council Report, a public notification process is required, where all relevant stakeholders will be notified of the proposal and invited to make submissions regarding the proposed transfer.

FINANCIAL AND RESOURCE IMPLICATIONS

There will be Administrative resources and legal conveyancing required to undertake the process outlined in this report. It is expected that these costs will be funded under the grant (RNSW755).

LEGAL IMPLICATIONS

Road Act 1993 – Part 4 - Sect 32B-45.

RISK IMPLICATIONS

Objections to the part closure of the road are possible, however this is considered unlikely. Time delays in undertaking this process have frustrated all parties. Attempts should be made to avoid further delays where possible. Therefore, the resolution is seeking the necessary authority for the Mayor and General Manager to complete the executed documents.

STAKEHOLDER CONSULTATION

Stakeholder consultation will be undertaken as part of the road closure process. This is necessary under Section 38 B of the Roads Act.

OPTIONS

Nil.

CONCLUSION

The report updates Council the formal process to close part of Lachlan Valley Way, Fairholme and outlines the expected next steps of the Condobolin Bore fields DWS072 and RNSW755 project.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

CSP 2.3 Encourage business activity.

CSP 7.1 Water, sewer and energy utilities meet best practice standards with up to date technology.

ATTACHMENTS

- 1. Survey Plan for part road to be closed**
- 2. Process Map for Road Closure**
- 3. NSW Gazette - Friday 17 August 1928 (No.110) page 3814**

10 DEPUTATIONS

11 NOTICES OF MOTION

Nil

12 NOTICES OF RESCISSION

Nil

13 DELEGATES REPORT**13.1 DELEGATES REPORT****TRIM Number: R24/10****Author: Executive Assistant****RECOMMENDATION**

That:

1. The Delegate Report No. R24/10 be received and noted.

PURPOSE

This report provides a summary of a very successful meeting held on 8/12/23 in Club York rooms, 99 York St Sydney for the Association Mining & Energy Related Councils NSW (MERC).

KEY MESSAGES/HIGHLIGHTS OF RELEVANCE TO COUNCILExecutive Committee Meeting held 7th December 2023

The meeting focussed on the engagement of Future Together Group from 8th December 2023 and their proposed "90 Day Plan" proposal (see later item). Michael Askew to be the Executive Officer 14 hours a week and Martin Rush as Director Policy, 7 hours a week. The package value is \$ 124,000 for 12 months then review. There is an expectation that membership will increase with target of 40 mentioned in due course.

Already Martin with his extensive contacts is working with other groups and with a group of 11 x GMs lead by Lithgow and Lake Macquarie, plus with Muswellbrook, Oberon and Cessnock have previously expressed an interest in re-joining. Future looks bright with new approach.

FTG gave a presentation on their 90 Day Action Plan to start policy development to improve MERC's value proposition and attract more members using a stronger focus on mining, energy. Resource sharing and quarrying, plus setting up a Workshop in February at Lithgow on the start of the month for members, their GMs and technical staff.

Michael is to develop a work plan for this 90 Day Plan. Current EO finishes 18th Dec 2023, which means current Finance Officer of many years, some of you will know her (Julie Goodwin) leaves MERC when the EO goes, unless FTG engage her to assist. Julie was always paid by EO out of his contract money after Gunnedah Shire Council dispensed with doing the MERC financials, some years back.

The transition to a new EO service providers (FTG) Michael and Martin required the Executive Committee to resolve to change over banking, public officer, ATO etc signatories.

MERC agreed to collaborate with NSW Minerals Councils' approach to prepare a joint submission on the review of the Regional Development Act 2004, where the changes proposed for Resources for Regions will come from via the Advisory Council being established to consider submissions and grant programs possibly be funded either of Working Regions Fund of \$350m and Regional Development Trust \$350 or combination.

Executive Officer has been invited to attend next meeting of MERC in Lithgow in February to acknowledge contribution to MERC last 7 years. Presentation to Owen Hasler for Life membership has been postponed until Lithgow or Dubbo in June.

Other matters were the recommendations to the AGM of:

- Fee increase for 2024/2025 year of 5% based on IPART recommendations and range of 4.5 to 5.5 % for all Councils in NSW.
- Finance Report results 2022-2023 to be lodged with Dept Fair Trading.
- Budget for 2024-2025.

Annual General Meeting

Executive Committee election results (same as last AGM):

- Chair Cr Kevin Duffy, Orange City Council.
- Deputy Chairs – Cr Dennis Brady, Lachlan Shire Council & Cr Phyllis Miller, OAM, Forbes Shire Council.
- Executive Committee – Crs Liz McGlynn, Bland Shire Council, Scott Ferguson, Blayney Shire Council and Cr Denis Todd, Warrumbungle Shire Council

Adopted the Fee increase with 5% Fee for 2024/2025 year based on IPART recommendations and range of 4.5 to 5.5 % for all Councils in NSW plus Finance Report results 2022-2023 to be lodged with Dept Fair Trading and Budget for 2024-2025.

Ordinary Meeting

All the Executive Committee decisions were adopted. Main issue was advocacy for Resources for Regions replacement, so it was resolved that:

- (a) the Executive Committee urgently develop an Action Plan to address the loss of the Resources for Regions program.
- (b) The Action Plan to identify common requirements for all MERC members including the existing recipients such as Wollondilly Shire and Wollongong City Councils ensuring that they are to be regarded as regional and others with no mines but have affectation and impacts from mining occurring in their LGA's.

There was only one speaker Georgina Beattie, Department Regional NSW, Executive Director, Mining, Exploration and Geosciences who mentioned following details:

- The Division supports & regulates the minerals and petroleum industry.
- This involves 45% of NSW exports.
- Government receives \$49billion in royalties pa, mainly from coal mining.
- Copper and scandium are becoming critical for renewable energy developments. The growth in minerals is in these Group 1 metals.

- Minister for Resources, Hon Courtney Houssos is establishing and driving with her country meetings with “Future Jobs and Investment” Authorities to address mine/power station closures and transitioning to renewable energy growth.
- Coal mining is strong & will continue for decades.
- See www.minview.geoscience.nsw.gov.au for data on the mining exploration and processing activities throughout NSW.
- Agrees that Councils should be more involved in the closure of mines with the development of the Rehabilitation Plans with miners.
- Planning Act is being reviewed by the Future Jobs & Investment Authorities.
- Ian Smith, Regions NSW, is the contact person for the Authorities for MERC to liaise with.

BENEFITS TO LACHLAN SHIRE COUNCIL

As a delegate of both the shire and the Mining and Energy Related Councils, the forum confirmed for me the need for us to be proactive in obtaining the best possible outcome, economically and socially for our communities. Our membership of this association will continue to empower us, as future mining and energy related endeavours are investigated and with some coming to fruition.

ATTACHMENTS

Nil

14 CORRESPONDENCE**14.1 CORRESPONDENCE****TRIM Number:** R24/9**Author:** Executive Assistant**RECOMMENDATION**

That:

1. The Correspondence Report No. R24/9 be received and noted.

PURPOSE

To provide Council with details of correspondence received in December 2023 and January 2024.

SUPPORTING INFORMATION

NBN Local Western NSW – Letter received from NBN.

Draft Terms of Reference for NSW Council Financial Model Review – Letter received from NSW Government.

Transport for NSW Have your say wrap up – Letter and summary received.

CMA calling for Budget Submissions – Letter received.

Murray Darling Association Inc to Host 80th National Conference in Tamworth – Letter received.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

CSP 4.2 Strong effective and responsive Council.

ATTACHMENTS

1. NBN Local Western NSW – Letter received.
2. Draft Terms of Reference for NSW Council Financial Model Review – Letter received from NSW Government.
3. Transport for NSW Have your say wrap up – E-mail received.
4. Transport for NSW Have your say wrap up – summary received.
5. CMA Calling for Budget Submissions.
6. Murray Darling Association Inc. to host 80th National conference Tamworth.
7. 2024 National Conference Media Release.
8. National Conference 8 - 11 July 2024 Tamworth - Flyer.

15 QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

16 PETITIONS

Nil

17 CLOSED SESSION

RECOMMENDATION

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 10A(2) of the Local Government Act 1993:

17.1 ARIC Fees Remuneration Review

This matter is considered to be confidential under Section 10A(2)a of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with personnel matters concerning particular individuals (other than councillors).

17.2 Records Management Policy and Records Management Policy for Councillors.

This matter is considered to be confidential under Section 10A(2)f of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with details of systems and/or arrangements that have been implemented to protect council, councillors, staff and Council property.

17.3 53-59 Bathurst Street, Condobolin - Former Target Building

This matter is considered to be confidential under Section 10A(2)c and dii of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and information that would, if disclosed, confer a commercial advantage on a competitor of the council.

17.4 SSWP401 Condobolin Water Treatment Works Concept Design

This matter is considered to be confidential under Section 10A(2)di of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

17.5 RNSW841 Tottenham Water Supply - Telemetry Upgrade

This matter is considered to be confidential under Section 10A(2)di of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

17.6 Final Audit Management Letter 2023 and update on appointment of new external Auditors

This matter is considered to be confidential under Section 10A(2)f of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with details of systems and/or arrangements that have been implemented to protect council, councillors, staff and Council property.

17.7 Outstanding Rates and Water recovery

This matter is considered to be confidential under Section 10A(2)b of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with discussion in relation to the personal hardship of a resident or ratepayer.

17.8 Tyre Disposal/ Recycle at Council's Waste Facilities

This matter is considered to be confidential under Section 10A(2)c of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.