



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

Date: Wednesday, 20 March 2024
Time: 2:00 PM
Location: Condobolin Council Chambers

BUSINESS PAPER

Ordinary Council Meeting

20 March 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

Order Of Business

1	Webcasting	5
2	Acknowledgement of Country and Elders	5
3	Apologies and Requests for Leave of Absence.....	5
4	Confirmation of Minutes	5
	Minutes of Ordinary Council Meeting 21 February 2024	6
5	Mayoral Minute	20
	5.1 Mayoral Minute - Meetings and functions	20
6	Public Forum	21
7	Disclosure of Interest.....	21
8	Read and Note	22
	8.1 Building Projects Monthly Update for February/March	22
	8.2 Development Data February 2024	27
	8.3 Active Resolutions	30
	8.4 Investments as at 29 February 2024	31
	8.5 FY23/24 Utilities Monthly Update February	33
	8.6 Delivery Program 6 monthly update to 31 December 2023	39
	8.7 FY23/24 Urban Works Monthly Update for February	41
	8.8 FY23/24 Roadworks Monthly Update February.....	45
9	Decision Reports	55
	9.1 General Manager.....	55
	Nil	
	9.2 Corporate and Community Services	56
	9.2.1 Adoption of Child Safe Organisation Commitment Statement	56
	9.2.2 Child Safe Standards - Action Plan 2024	59
	9.2.3 Adoption of a Privacy Management Plan	62
	9.2.4 ARIC Terms of Reference and Risk Management Policy.....	65
	9.2.5 Serious Incident Response Policy - HACC Service	69
	9.2.6 Conflict of Interest Policy V1.....	71
	9.3 Environment and Planning.....	74
	9.3.1 DA2024/6 - Farm Building - Request for Exemption to Lachlan Section 7.12 Development Contribution Plan	74
	9.3.2 Evolution Mining Open Cut Mining Extension Application - Road Maintenance Contribution.....	78

9.4	Infrastructure Services	82
9.4.1	Holt Street Drainage - consultation update.....	82
9.4.2	Crown Reserve 96552 and 96536 Lake Cargelligo.....	85
10	Deputations	90
11	Notices of Motion	91
11.1	Notice of Motion - Goanna Manor.....	91
12	Notices of Rescission	92
	Nil	
13	Delegates Report	93
13.1	Delegates Report	93
14	Correspondence	94
14.1	Correspondence	94
15	Questions of which Notice has been given	95
	Nil	
16	Petitions	95
	Nil	
17	Closed Session	96
17.1	Lake Cargelligo Museum - Upgrade	97
17.2	Notification of Liquidation - Lake Cargelligo Sports Club Assessment 1034724.....	97
17.3	Tender Assessment - RFT T2023/18 Sewer Rehabilitation and Investigation	97
17.4	Riverview Caravan Park Management - Contract Remuneration Review	97
17.5	Lachlan Shire Council Works Depot construction arrangements	97
17.6	Land Acquisition - Jones Lane Condobolin	97
17.7	SRL Ops Pty Ltd - Request for extension of S.138 Consent and Substratum Lease.....	98

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	18/10/2023	29/11/2023	13/12/2023	21/02/2024	20/03/2024	17/04/2024	15/05/2024	19/06/2024	17/07/2024	21/08/2024
John Medcalf OAM	P	P	P	P						
Paul Phillips	P	P	P	P						
Megan Mortimer	P	P	P	P						
Melissa Blewitt	P	P	P	P						
Melissa Rees	A	P	P	P						
Peter Harris	P	P	P	P						
Dave Carter	P	P	NA	NA						
Dennis Brady	LoA	P	P	P						
Judith Bartholomew	P	P	NA	P						
Robyn Turner	P	P	P	P						
P - Present										
A - Apology										
LoA - Leave of Absence										
NA - No Apology										

4 CONFIRMATION OF MINUTES

Ordinary Meeting - 21 February 2024

**MINUTES OF LACHLAN SHIRE
ORDINARY COUNCIL MEETING
HELD AT THE CONDOBOLIN COUNCIL CHAMBERS
ON WEDNESDAY, 21 FEBRUARY 2024 AT 2:00 PM**

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

IN ATTENDANCE: Karen Pegler (Director - Corporate and Community Services - zoom), Bryce Koop (Acting Director - Environment, Tourism and Economic Development), Adrian Milne (Director - Infrastructure Services), Cherise Small (Executive Assistant).

Meeting opened at 2:05pm.

1 WEBCASTING

The statement regarding 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

A motion was moved by **Cr Rees** and seconded by **Cr Blewitt** that:

1. **Cr Carter** not be paid his Councillor fee for the February Council Meeting.
The motion was put to a **VOTE** and the motion was **CARRIED**.

RESOLUTION 2024/1

Moved: Deputy Mayor John Medcalf
Seconded: Cr Melissa Blewitt

That Council moves out of Open Council into Closed Council.

CARRIED

RESOLUTION 2024/2

Moved: Mayor John Medcalf
Seconded: Cr Melissa Blewitt

That Council moves out of Closed Council into Open Council.

CARRIED

RESOLUTION 2024/3

Moved: Cr Melissa Rees
 Seconded: Cr Melissa Blewitt
 That:

Leave of Absence for Councillor Carter not be granted.

CARRIED

Cr Brady and Cr Turner requested that their names be recorded as voting against the motion.

4 CONFIRMATION OF MINUTES

RESOLUTION 2024/4

Moved: Cr Dennis Brady
 Seconded: Cr Robyn Turner

That the minutes of the Ordinary Meeting held on 13 December 2023 be confirmed.

CARRIED

5 MAYORAL MINUTE

5.1 MAYORAL MINUTE - MEETINGS AND FUNCTIONS

RESOLUTION 2024/5

Moved: Cr Melissa Rees
 Seconded: Cr Melissa Blewitt

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

CARRIED

5.2 MAYORAL MINUTE - THE NEED FOR A PUBLIC POST OFFICE BANK

RESOLUTION 2024/6

Moved: Cr Dennis Brady
 Seconded: Deputy Mayor John Medcalf

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.

CARRIED

5.3 MAYORAL MINUTE - COST SHIFTING ONTO LOCAL GOVERNMENT**RESOLUTION 2024/7**

Moved: Deputy Mayor John Medcalf

Seconded: Cr Judith Bartholomew

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.

CARRIED

6 PUBLIC FORUM

Nil.

7 DISCLOSURE OF INTEREST

Cr Blewitt declared a non-pecuniary less than significant interest in item 8.2 Building Projects Monthly Update for December/January/February, as her brother in law is the Manager of Willowbend Sport Centre.

8 READ AND NOTE**RESOLUTION 2024/8**

Moved: Cr Peter Harris

Seconded: Cr Megan Mortimer

That:

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

- 8.1 Investments as at 31 December 2023;
- 8.2 Building Projects Monthly Update for December/January/February;
- 8.3 Active Resolutions;
- 8.4 Investments as at 31 January 2024;
- 8.5 FY23/24 Utilities Monthly Update December/January;
- 8.6 FY23/24 Urban Works Monthly Update for December/January.

CARRIED

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.****RESOLUTION 2024/9**

Moved: Cr Peter Harris

Seconded: Cr Megan Mortimer

That:

1. The General Manager's Report No. R24/26 be received and noted.
2. Council nominate Cr Medcalf as the non-voting Councillor delegate to the ARIC effective 1 July 2024 and Councillor Harris as an observer.
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.

CARRIED

9.2 CORPORATE AND COMMUNITY SERVICES**9.2.1 INVESTMENT POLICY ANNUAL REVIEW****RESOLUTION 2024/10**

Moved: Cr Peter Harris

Seconded: Deputy Mayor John Medcalf

That:

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

CARRIED

9.2.2 QUARTERLY BUDGET REVIEW 2 2024 FY**RESOLUTION 2024/11**

Moved: Cr Dennis Brady

Seconded: Cr Melissa Rees

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.

CARRIED

9.2.3 COMMUNITY DONATION AND EVENT SUPPORT PROGRAM**RESOLUTION 2024/12**

Moved: Cr Peter Harris

Seconded: Cr Megan Mortimer

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.

CARRIED

9.3 ENVIRONMENT, TOURISM AND ECONOMIC DEVELOPMENT**9.3.1 DEVELOPMENT DATA DECEMBER 2023 AND JANUARY 2024****RESOLUTION 2024/13**

Moved: Cr Peter Harris

Seconded: Deputy Mayor John Medcalf

That:

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

CARRIED

9.3.2 ELECTRONIC FUNDS TRANSFER AT POINT OF SALE (EFTPOS) FOR WASTE FACILITIES.**RESOLUTION 2024/14**

Moved: Deputy Mayor John Medcalf

Seconded: Cr Robyn Turner

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.

CARRIED

Councillor Blewitt requested that her name be recorded as voting against the motion.

9.4 INFRASTRUCTURE SERVICES**9.4.1 FY23/24 ROADWORKS MONTHLY UPDATE FOR DECEMBER/JANUARY****RESOLUTION 2024/15**

Moved: Deputy Mayor John Medcalf

Seconded: Cr Judith Bartholomew

That:

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

CARRIED

9.4.2 PART ROAD CLOSURE - LACHLAN VALLEY WAY, FAIRHOLME**RESOLUTION 2024/16**

Moved: Cr Peter Harris

Seconded: Cr Megan Mortimer

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.

CARRIED

10 DEPUTATIONS

Nil.

11 NOTICES OF MOTION

Nil

12 NOTICES OF RESCISSION

Nil

13 DELEGATES REPORT**13.1 DELEGATES REPORT****RESOLUTION 2024/17**

Moved: Cr Dennis Brady

Seconded: Cr Robyn Turner

That:

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

CARRIED

14 CORRESPONDENCE**14.1 CORRESPONDENCE**

Cr Rees moved an amendment to the recommendation to read as follows:

1. The Correspondence Report No. R24/9 be received and noted.
2. Council to make representation for improved telecommunications for rural communities in black outs.
3. Mayor Phillips, and Councillor Brady as alternate, are hereby nominated to attend the Murry Darling Associations Inc. 80th National Conference Tamworth.

Cr Rees and Cr Brady made no objection to the amendment.

RESOLUTION 2024/18

Moved: Cr Melissa Rees

Seconded: Cr Dennis Brady

That:

1. The Correspondence Report No. R24/9 be received and noted.
2. Council to make representation for improved telecommunications for rural communities in black outs.
3. Mayor Phillips, and Councillor Brady as alternate, are hereby nominated to attend the Murry Darling Associations Inc. 80th National Conference Tamworth.

CARRIED

15 QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

16 PETITIONS

Nil

17 CLOSED SESSION

RESOLUTION 2024/19

Moved: Cr Peter Harris

Seconded: Cr Dennis Brady

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.

CARRIED

Meeting paused at 3:22pm.

Meeting resumed at 3:32pm

RESOLUTION 2024/20

Moved: Cr Melissa Rees.

Seconded: Cr Robyn Turner

That Council moves out of Closed Council into Open Council

CARRIED**17.1 ARIC FEES REMUNERATION REVIEW****RESOLUTION 2024/21**

Moved: Cr Dennis Brady

Seconded: Cr Judith Bartholomew

That:

1. The Director Corporate & Community Services Report R23/359 be received and noted.
2. That Council resolves to pay the Audit, Risk and Improvement Committee Chair a fee of \$1,385 per meeting from 1 July 2024.
3. That Council resolves to pay the Audit, Risk and Improvement Committee Independent members a fee of \$855 per meeting from 1 July 2024.
4. The ARIC Fees, Reasonable Expenses and Facilities Policy be updated to reflect changes to the remuneration structure.

CARRIED

Councillor Blewitt requested that her name be recorded as voting against the motion.

17.2 RECORDS MANAGEMENT POLICY AND RECORDS MANAGEMENT POLICY FOR COUNCILLORS.**RESOLUTION 2024/22**

Moved: Cr Melissa Rees

Seconded: Deputy Mayor John Medcalf

That:

1. The Director of Corporate and Community Services Report No R23/377 be received and noted.
2. Council adopt the following policies:
 - Records Management Policy for Council;
 - Records Management Policies and Procedures for Councillors.

CARRIED

17.3 53-59 BATHURST STREET, CONDOBOLIN - FORMER TARGET BUILDING**RESOLUTION 2024/23**

Moved: Cr Judith Bartholomew

Seconded: Cr Megan Mortimer

That:

1. The Acting Director of Environmental and Planning Report No. R24/7 be received and noted.
2. Council endorse option 3 of the report, and
3. A further report be presented to Council in regard the outcome of option 3.

CARRIED

17.4 SSWP401 CONDOBOLIN WATER TREATMENT WORKS CONCEPT DESIGN**RESOLUTION 2024/24**

Moved: Cr Dennis Brady

Seconded: Deputy Mayor John Medcalf

That:

1. The Director Infrastructure Services Report R24/20 be received and noted.
2. The proposal from NSW Public Works to undertake the Condobolin Water Treatment Plant Concept Design be accepted.
3. The General Manager be authorised to execute the necessary contract documents.
4. \$187,500 be allocated from the water reserve to complete the project.

CARRIED

17.5 RNSW841 TOTTENHAM WATER SUPPLY - TELEMETRY UPGRADE**RESOLUTION 2024/25**

Moved: Deputy Mayor John Medcalf

Seconded: Cr Megan Mortimer

That:

1. The Director Infrastructure Services Report R24/24 be received and noted.
2. The proposal from Alliance Automation Pty Ltd to undertake the Telemetry Upgrade in Tottenham be accepted.
3. The Mayor and General Manager be authorised to execute the necessary contract documents and affix the Council seal.
4. \$400,000 be allocated from the water reserve to complete the project.

CARRIED

17.6 FINAL AUDIT MANAGEMENT LETTER 2023 AND UPDATE ON APPOINTMENT OF NEW EXTERNAL AUDITORS**RESOLUTION 2024/26**

Moved: Cr Dennis Brady

Seconded: Deputy Mayor John Medcalf

That:

1. The Director Corporate & Community Services Report No. R24/28 be received and noted.
2. The Final Audit Management letter and associated comments for the financial year ended 30 June 2023 be noted.

CARRIED

17.7 OUTSTANDING RATES AND WATER RECOVERY

RESOLUTION 2024/27

Moved: Cr Dennis Brady
Seconded: Cr Robyn Turner

That:

1. The Director of Corporate and Community Services Report R24/21 be received and noted.
2. Council approve the commencement of debt recovery action including enforcing any legislative rights for the recovery of outstanding rates, charges, interest and water consumption on property assessments (as attached) commonly referred to in Council’s Authority system as Major Agents 9 & 29.

CARRIED

17.8 TYRE DISPOSAL/ RECYCLE AT COUNCIL'S WASTE FACILITIES

RESOLUTION 2024/28

Moved: Deputy Mayor John Medcalf
Seconded: Cr Judith Bartholomew

That:

1. The Acting Director Environment and Planning Report No. R24/34 be received and noted.
2. Council express its interest in the coming regional tyre recycling/processing tender to obtain the best competitive price and increase Council’s fees and charges (if required) for tyre disposal at the waste facilities.
3. Council implement a tyre recycling/reuse process using the Netwaste Regional tender/Contract.

CARRIED

The Meeting closed at 4:35

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 20 March 2024.

.....

CHAIRPERSON

5 MAYORAL MINUTE**5.1 MAYORAL MINUTE - MEETINGS AND FUNCTIONS****TRIM Number:** R24/48**Author:** Executive Assistant**RECOMMENDATION**

1. That the Mayoral Minute No. R24/48 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 March 2024.

FEBRUARY:

28.02.2024 CNSWJO Board Meeting Dinner – Condobolin.

29.02.2024 CNSWJO Board Meeting – Condobolin.

MARCH:

6.03.2024 Pre-Meeting Briefing – Condobolin.

6.03.2024 Second Budget Workshop – Condobolin.

12.03.2024 CMA Virtual Meeting Port of Newcastle Update – Zoom.

15.3.2024 Central West Community Leaders Forum – Zoom.

20.3.2024 Ordinary Council Meeting – Condobolin.

ATTACHMENTS

Nil

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

8 READ AND NOTE

8.1 BUILDING PROJECTS MONTHLY UPDATE FOR FEBRUARY/MARCH

TRIM Number: R24/45

Author: Manager - Projects and Building

RECOMMENDATION

That:

1. The Director of Environment and Planning Report No. R24/45 be received and noted.

PURPOSE

The purpose of this report is to provide a summary of projects currently being undertaken by the Lachlan Shire Council 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 mid-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 been installed. New A/C has been installed. Cubical & new floor covering have been provided. Minor finishing works to be done.
Companion Animal Surrender Cages - Lake Cargelligo	\$50,000	LRCI P3	\$45.9k	\$50,000	Main structure has been completed. Facility is in use. 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 through sites have been provided. New smoke alarms have been provided throughout the accommodation units. External

					painting works are yet to commence, awaiting cooler weather.
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	SCCF R5	\$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. Shed plans have been finalised. Licence agreement has been signed by both parties. RFQ issued for construction of building, closing on 15 March 2024.
Provision of Hearing Loop & PA to Fifield Hall	\$25,000	Capital - council	\$24,422.18	\$25,000	Quotes have been obtained. PO issued. System installed 21 February 2024 – Project completed.
Electronic Community Signs – Lake Cargelligo & Tottenham	\$170,000	LRCI P4	Nil	\$170,000	Initial site inspections have been undertaken.
Apex Park Amenities Renewal – Lake Cargelligo	\$120,000	LRCI P4	Nil	\$120,000	Initial site inspection has been undertaken and schedule of

					works has been identified.
--	--	--	--	--	----------------------------

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*

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 1979* 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.

STAKEHOLDER CONSULTATION

Council’s fortnightly news column, Talking Tottenham and Mayoral Newsletters update the community on the major improvement works being undertaken around the local government area.

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 1.7 Improved social outcomes for people with disability

CSP 4.2 Strong effective and Responsive Council.

CSP 6.2 6.2 - Upgrade community buildings.

ATTACHMENTS

Nil

8.2 DEVELOPMENT DATA FEBRUARY 2024

TRIM Number: R24/46

Author: Manager- Town Planning

RECOMMENDATION

That:

1. The Director Environment and Planning Report No. R24/46 be received and noted.

PURPOSE

This report is to provide Council with information in relation to development activity occurring within the Shire during February 2024.

SUPPORTING INFORMATION

Council’s Development Data.

BACKGROUND

During the month of February 2024 there were four (4) applications lodged with a value totalling \$640,000. Three (3) approvals were issued within this time.

Development Applications and Complying Development Certificates Approved in February 2024.

Approval Number	Development Description	Location	Value	Delegated Authority/Council
DA 2023/50	Installation of Swimming Pool	54-56 Officers Parade, Condobolin	\$55,000	Delegated Authority
DA 2023/53	Installation of Transportable Dwelling and Construction of Shed	Tasker Street, Condobolin	\$930,561	Delegated Authority
DA 2024/2	Use of Existing Patio and Veranda	4 High Street, Condobolin	\$2,500	Delegated Authority
TOTAL No. OF APPROVED DEVELOPMENTS	3		\$988,061	

Comparison to Previous Year: Applications Approved February 2023

Total **Number** of Applications **approved in February 2023**: 3

Total **Value** of Applications **approved for February 2023**: \$55,000

Development Applications and Complying Development Certificates Received in February 2024

Development Identifier	Development Description	Location	Value
DA 2024/3	Construction of Storage Shelter	2 Galari Circuit, Condobolin	\$10,000
DA 2024/4	Installation of Transportable Dwelling	37 Mahonga Street, Condobolin	\$500,000
DA 2024/5	Log (Fire Wood) Processing Facility	13-15 Wiradjuri Way, Condobolin	\$50,000
DA 2024/7	Construction of Farm Building	581 Stuart Drive, Curlew Waters	\$80,000
TOTAL	4		\$640,000

Comparison to Previous Year: Applications Received February 2023

Total Number of Applications **received in February 2023**: 5

Total Value of Applications **received for February 2023**: \$629,101

ISSUES AND COMMENTS

A total of thirty-six (36) approvals have been issued this financial year at an average of 35 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

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.

LEGAL IMPLICATIONS

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

RISK IMPLICATIONS

Council has assessed all applications 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 \$41,705,312.90 for applications approved in the 2023/2024 financial year.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

Build Civic Leadership and Pride

Community Strategic Plan - 4.2 Strong Effective Responsive Council.

ATTACHMENTS

Nil

8.3 ACTIVE RESOLUTIONS

TRIM Number: R24/47

Author: Executive Assistant

RECOMMENDATION

That:

1. The General Manager's Report No. R24/47 be received and noted.

PURPOSE

To provide Council with an update on Active Resolutions as at March 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 29 FEBRUARY 2024**TRIM Number: R24/51****Author: Manager - Finance****RECOMMENDATION**

That:

1. The Director Corporate and Community Services Report No. R24/51 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 29 February 2024 is \$3,076,154. Investments held at 29 February 2024 totalling \$67,732,065 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 29 February 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 February 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 4.19% p.a., outperforming the AusBond Bank Bill Index (bank bills) by 0.09% p.a.

The Reserve Bank held the cash rate steady at 4.35% in February 2024. The RBA currently remains on a mild tightening bias and appears to be comfortable with the current level of the cash rate indicating it is restrictive enough. The RBA February Board meeting minutes stated, "it was not yet possible to rule in or out further increases in interest rates" and it would take "some time" to have sufficient confidence inflation was on track. The Board therefore wants to keep the optionality in the event of future shocks. Nevertheless, financial markets anticipate the RBA to cut rates by year end.

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 29 February 2024**

8.5 FY23/24 UTILITIES MONTHLY UPDATE FEBRUARY

TRIM Number: R24/52

Author: Manager - Utilities

RECOMMENDATION

That:

1. The Director Infrastructure Services Report No. R24/52 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 February, in progress for the month of March and forecast for the month of April 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 has been assessed by DCCEEW’s Gateway Review Panel in late February 2024. Awaiting result of the assessment. • NSW Public Works has been engaged to undertake the concept design stage.
SSWP402 Condobolin Sewage Treatment Works – Concept Design Stage	<ul style="list-style-type: none"> • Funding application has been assessed by DCCEEW’s Gateway Review Panel in late February 2024. Awaiting result of the assessment. • Second draft of the concept design is currently being reviewed by Council staff. This includes multiple options for effluent reuse.
RNSW 755 Condobolin Bore Fields II	<ul style="list-style-type: none"> • A public consultation process is currently underway to partially close an unformed section of Lachlan Valley Way. All stakeholders

	have been notified and any comments on the proposed road closure are to be submitted by 3 April 2024.
DWS072 Condobolin Drought Water Security Project	<ul style="list-style-type: none"> Contract 3: WTP Modifications – one submission received and currently being evaluated. 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"> An alternative to the specified pumps has been agreed upon and ordered. Electrical design meeting on the temporary bypass switchboard was held. Conduit arrangements for the temporary switchboard, permanent switchboard and other electrical instruments have been agreed. This is critical due to the limited space on site.
Officers Parade Sewer Pump Station – Concept and Detailed Design Upgrade	<ul style="list-style-type: none"> The final design has been received and minor modifications to the specification have been completed. Finalising tender documents with the aim to be released by the end of March 2024.

Lake Cargelligo

Project	Progress
Lake Cargelligo STP – Screen Extractor	<ul style="list-style-type: none"> Awaiting delivery for the fittings and materials.
Lake Cargelligo STP – Sewer Lagoons	<ul style="list-style-type: none"> Treated effluent has been redirected back into the evaporation lagoons in the second week of February 2024. The water level has dropped a further 30mm since the end of February 2024 (the measuring gauge is located in the northern evaporation pond). The south eastern evaporation pond appears to have nil inflows from other upstream smaller ponds. The level continues to drop more than the other evaporation pond, where a considerable area of the base is currently visible. The abandoned effluent pond is now empty and could be used again if required. 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"> Finalisation of the RFQ documents has been delayed due to other priority projects.
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.

<p>Lake Cargelligo Reservoir No.1 (4ML) and 16 Mile Reservoir Remediation</p>	<ul style="list-style-type: none"> The condition assessment report has been reviewed with both Lake Cargelligo No.1 and 16 Mile reservoirs receiving a condition rating of 3 (moderate). Significant deterioration is evident, failure is unlikely within the next 2 years but further deterioration is likely. The assets are serviceable and refurbishment should be considered. If nothing is done, major replacement is likely to be required within the next 10-15years.
<p>Water Main Replacement Foster Street (Walker St to Grace St) and Extension Loughnan Street (Yelkin St to Conapaira St)</p>	<ul style="list-style-type: none"> The road crossings seal works have been completed.

Tottenham

Project	Progress
<p>RNSW 841 Tottenham Water Supply – New Albert Reservoir</p>	<ul style="list-style-type: none"> Awaiting the draft detailed design. Executive discussions taking place in relation to not utilising nominated sub-contractor for electrical and telemetry works.
<p>RNSW 841 Tottenham Water Supply – Leg O Mutton Dam Upgrade</p>	<ul style="list-style-type: none"> Due to the design variation of the spillway, works to remove the intermediate bank has commenced. 75% of the bank has been removed and a silt curtain has been installed for sediment control.

Shire Wide

Project	Progress
<p>RNSW 842 Sewage Effluent Reuse Management System (Lake Cargelligo, Condobolin & Tottenham)</p>	<ul style="list-style-type: none"> Soil samples taken at the race track identified areas that are extremely acid, very saline, and sodic and a very high amount of magnesium relative to its calcium content. Acidity is likely to have been caused by water interactions with ancient alluvium. Salinity and sodicity is likely to be caused by ponding of effluent following recent extreme weather events. The report concluded that any potential irrigation project on the race track would require significant soil amelioration. The alternative option of constructing of 12ML effluent storage at the STP provides the most flexibility for all potential reuse options. Irrigation of 2ha of Lucerne and 2ha of hay rotation on adjoining farmland provides sufficient reuse to manage the water balance and reduce the probability of uncontrolled discharges. This does not preclude the option of continued use at the motorcross track and cemetery, as long as the public health requirements can be met.

Integrated Water Cycle Management (IWCM) Strategy	<ul style="list-style-type: none"> Based on the comments received in the PRG workshop, the IWCM Issues Paper is being finalised. In parallel, IWCM Options Assessment and Scenario Analysis are also being developed.
Sewer Rehabilitation and Investigation	<ul style="list-style-type: none"> Tender assessment for Sewer Rehabilitation and Investigation is provided in a separate report no. R24/60.

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	\$2.48M	\$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	\$2.57M	SSWP	\$2.49M	\$2.57M	Approved variation, revised funding signed. Revised budget is on track
Lachlan St Sewer Pump Station – Construction	\$1.2M	Sewer Fund	\$218K	\$1.2M	Budget is on track
Officers Parade Sewer Pump Station Upgrade – Concept and Detail Design	\$145K	Sewer Fund	\$114K	\$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	Budget revisions have been made through QBR2

Project	Budget	Funding Source	Spend to Date	Forecast Spend	Comments
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
Water Main Replacement Foster Street (Walker St to Grace St) and extension Loughnan Street (Yelkin St to Conapaira St)	\$250K	Water Fund	\$249K	\$249K	Budget revisions have been made through QBR2
RNSW 841 Tottenham Water Supply	\$4.6M	Restart NSW	\$915K	\$4.6M	New Albert Res and Leg O Mutton Dam upgrade projects are on track
RNSW 842 Sewage Effluent Reuse Management System	\$2.55M	Restart NSW	\$446K	\$2.556M	Project scope under review
Integrated Water Cycle Management (IWCM) Strategy	\$491K	Safe & Secure	\$103K	\$491K	Budget is on track
Sewer Rehabilitation and Investigation	\$1.3M	Sewer Fund	\$0	\$1.3M	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 February, underway for March and planned for April 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 DELIVERY PROGRAM 6 MONTHLY UPDATE TO 31 DECEMBER 2023**TRIM Number: R24/53****Author: Administration Officer - Corporate & Community Services****RECOMMENDATION**

That:

1. The General Manager's Report No. R24/53 be received and noted.

PURPOSE

To provide Council with progress updates on the Delivery Program as at 31 December 2023, in compliance with the Local Government Act 1993 and IP&R Guidelines.

SUPPORTING INFORMATION

As attached.

BACKGROUND

The General Manager must ensure that progress reports are provided to the council, with respect to the principal activities detailed in the Delivery Program, at least every 6 months.

ISSUES AND COMMENTS

In compliance with the Integrated Planning and Reporting Guidelines, a 6-monthly update to Council on progress towards achieving the Delivery Program is attached.

FINANCIAL AND RESOURCE IMPLICATIONS

The Annual Budget and Long-Term Financial Plan, including the Resourcing Strategy, provide the financial resources to progress the Delivery Program.

LEGAL IMPLICATIONS

Local Government Act NSW 1993 clause 404 Delivery program

A council must have a program (called its delivery program) detailing the principal activities to be undertaken by the council to perform its functions (including implementing the strategies set out in the community strategic plan) within the resources available under the resourcing strategy.

Integrated Planning and Reporting Guidelines

The General Manager must ensure 6 monthly updates to Council on progress towards achieving the Delivery Program are provided.

RISK IMPLICATIONS

There are legislative risks if compliance with regulations and guidelines are not adhered to.

Reputational risk may stem from community dissatisfaction with the progress of the Delivery Program projects.

STAKEHOLDER CONSULTATION

Not applicable

OPTIONS

None

CONCLUSION

An update on progress toward the achievement of the objectives and outcomes in the Delivery Program is provided for Councils review, comment and adoption.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

CSP 4.2 Strong effective and Responsive Council

ATTACHMENTS

- 1. Delivery Program 6 monthly update to 31 December 2023**

8.7 FY23/24 URBAN WORKS MONTHLY UPDATE FOR FEBRUARY**TRIM Number: R24/63****Author: Manager Urban Works****RECOMMENDATION**

That:

1. The Director Infrastructure Services Report No. R24/63 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 February, in progress for the month of March and forecast for the month of April 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.

A number of capital projects are starting to commence as contractors and suppliers have become available after the Christmas and New Year break.

Works Completed in February

Scott Street Subdivision	Construction of the kerb and guttering within the subdivision was complete - Officers Parade kerb and gutter to continue. Contract Extensions of Time to be finalised. Program of works is predicting a revised completion date of June.
Footpaths	Remaining Officers Parade footpath was complete. William and Busby Street works to commenced Denison street footpath replacement commenced.
Gum Bend Lake Footpath scope variation	Due to savings on the Gum Bend Lake shared path a variation was approved from the RTAF to rebuild the foreshore and rehabilitate the beach to the swimming area. Earthwork contractors have been onsite to assess the scope of works. The water level is being allowed to drop in preparation for this work.
Lake Cargelligo Cricket Club toilet	No work was undertaken in February.
Lake Cargelligo Netball Court refurbishment	PO has been issued to the court resurfacing contractor who has confirmed site works to commence in March 2024.
Tullibigeal Netball Court Refurbishment	PO has been issued to a second contractor to rectify the court defects by the end of March.
Weja Shed	No work was undertaken in February.

Works Underway in March

Scott Street Subdivision	Road construction and stormwater inlet pit lintel installation underway. Kerb and guttering to continue along Officers Parade.
Footpath Construction	Remaining Busby Street works to be complete. Memorial Park works to commence.
Gum Bend Lake Footpath scope variation	Lake water level is being allowed to naturally drop to enable construction. Lake will be closed to motorised water activities in mid-March. Work to commence at the end of March.
Condobolin Rodeo and Pony Club Facility	Meetings held with stakeholders to confirm scope of works. Contractors engaged. Works to commence.
Lake Cargelligo Cricket Club toilet	Awning to be constructed when contractors are available.
Lake Cargelligo Netball Court	Earthworks commenced. Concrete edging to occur. Court installation late March.
Tottenham Skate Park and Multi-use facility	Meetings held with Recreation Ground Committee to consider options
Tullibigeal Netball court resurfacing	Defects to be rectified in late 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 April

Scott Street Subdivision	Kerb and gutter to be complete and the commencement of the water main installation. Installation of the NBN, Power conduits and cables to have commenced.
Footpath Construction	Memorial Park foot path works to have commenced.
Gum Bend Lake Footpath scope variation	Earthwork contractors to reconstruct the bank and begin installing the eco rock system.
Condobolin Rodeo and Pony Club Facility	Earthworks underway. Gravel and sand installation nearing completion.
Lake Cargelligo Cricket Club toilet	Facility to be operational.
Lake Cargelligo Netball Court	Court to be installed and complete ready for the season.
Tottenham Skate Park and Multi-use facility	Meetings held with community to provide feedback on concept
Tullibigeal Netball court resurfacing	Defects to be rectified and complete.

FINANCIAL AND RESOURCE IMPLICATIONS

Project	Budget	Funding Source	Expenditure to Date	Forecast Expenditure	Comments
Scott Street	\$4,233k	LRCI, land, stormwater, water, sewer reserves	\$3,060k	\$4,233k	Budget and time variations are being actively managed.
7 footpath locations	\$1,361k	FLR, LRCI3, SCCF4, General Rev	\$1,186k	\$1,361k	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

Project	Budget	Funding Source	Expenditure to Date	Forecast Expenditure	Comments
Weja RFS Shed	\$150k	RFS	\$152k	\$150k	Budget discussions to occur with RFS

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 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

8.8 FY23/24 ROADWORKS MONTHLY UPDATE FEBRUARY**TRIM Number: R24/61****Author: Manager - Roads****RECOMMENDATION**

That:

1. The Director Infrastructure Services report No R24/61 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 February, works in progress in the month of March and works scheduled for the month of April. The execution and completion of works varies depending on resource availability, weather conditions, work priorities and unforeseen circumstances.

SUPPORTING INFORMATION

Nil.

BACKGROUND

TfNSW are still assessing Council's Essential Public Asset Reconstruction Works (EPA-RW) claim for AGRN 1034 (NSW flooding from 14 September 2022 Natural Disaster). They have indicated that one of the eleven spreadsheets of the claim should be complete by 11 March. The spreadsheet covers the unsealed roads in the Lake Cargelligo area of the shire and of the claim it represents 11% of the defects and 6% of the value.

Of the two spreadsheets that have been approved – Kiacatoo Road and Dandaloo Road (14% value of the claim), tenders have been advertised for repair work on Kiacatoo Road with tenders closing on 22 March 2024. The tender has two main work schedules, one being the approved EPA-RW defects (50 items, 13,237 m²) which will be undertaken. A second schedule with other non-flood defects (14 items, 10,640 m²) which would be desirable to undertake while the contractor is on-site and provided there is sufficient Council funding, either from Regional and Local Road Repair funding (RLRRF) or Regional Road block grant.

Tenders for Dandaloo Road will be called soon, once some geotechnical testing of gravel from Council's gravel pits is completed. The tender documents will have similar schedules to the Kiacatoo Road tender.

UPDATE

Five Council graders are on maintenance grading work and three are on construction projects. One grader is stood down at present as there is no available operator. As a number of the Roads to Recovery projects are nearing completion a construction crew will be reassigned to grade/water/roll work.

Works undertaken in February

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

- **Road and culvert reconstruction undertaken on the following roads**
 - Main Roads
 - nil
 - 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 – tree removal completed
 - SR 64 Platina Road – RTR – road reconstruction and widening 2 km continuing
 - SR 343 Willis Road – RTR – road construction and sealing 2 km continuing
 - Town Streets
 - Turner Street, Condobolin – RTR – practical kerb and gutter replacement, road reconstruction completed

- **Road reseals/sealing**
 - Regional Roads
 - MR 371 Rankin Springs Road – 0.9 km reseal
 - MR 501 Lachlan Valley Way (aka Hillston Road) – 7.7 km reseal
 - Shire Roads
 - SR 60 Springvale Road – RTR – 2 km of two coat seal completed
 - Town Streets
 - Turner Street, Condobolin – RTR – 0.5km two coat seal
 - Foster St, Lake Cargelligo 0.4 km reseal
 - Walker Street, Lake Cargelligo 0.7 km reseal
 - Uabba Street, Lake Cargelligo 0.2 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 undertaken on the following unsealed roads**
 - Main Roads
 - nil
 - Shire Roads
 - SR 1 Wonga Road – maintenance grading (contractor)
 - SR 2 Hunts Road – maintenance grading (contractor)
 - SR 4 Currawong Road – maintenance grading (contractor)
 - SR 13 Millridge Road – maintenance grading (contractor)
 - SR 149 Gubbata Road – maintenance grade
 - SR 150 Slant Road – maintenance grade

- SR 151 Mudda Rocks Road – maintenance grade
 - SR 161 Bygalore Road – maintenance grade
 - SR 180 O’Reillys Road – maintenance grade
 - SR 1169 Bobadah Road – maintenance grading (contractor)
- **Shoulder grading/slashing/vegetation control/patching and flood damage undertaken on the following sealed roads**
 - Main Roads
 - MR 57N Fifield Road – pothole patching
 - MR 57N The Bogan Way – pothole patching
 - MR 57S The Gipps Way – pothole patching
 - MR 231 Wyalong Road – slashing/pothole patching
 - MR 371 Rankin Springs Road – pothole patching
 - MR 377 Lachlan Valley Way (aka South Forbes Road) – slashing
 - MR 423 Lachlan Valley Way – Lake Cargelligo to Murrin Bridge – pothole patching
 - MR 501 Lachlan Valley Way (aka Hillston Road) – pothole patching
 - MR 7513 Lake Cargelligo Road – pothole patching
 - Shire Roads
 - SR 273 Malcom Mawson Drive – slashing
 - SR 433 Brownies Lane - slashing

Works in progress or planned for March

- **Heavy patching, re-sheeting and grade water and roll in progress on the following unsealed roads**
 - Main Roads
 - MR 7514 Nyngan Road - gwr
 - Shire Roads
 - SR 43 Back Tullamore Road – gwr
 - SR 44 Melrose Plains Road – gwr
 - SR 51 Emeran Road – gwr
 - SR 53 Mumbil Tank Road – gwr
 - SR 88 Fairholme Road – gwr
 - SR 91 Marsden Road – gwr
 - SR 93 Bandalong Road – gwr
 - SR 94 Diggers Road - gwr
 - SR 101 Corinella Road – gwr
 - SR 1187 Palesthan Road – gwr
- **Road and culvert reconstruction in progress on the following roads**
 - Main Roads
 - nil
 - 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 programmed to commence

- SR 64 Platina Road – RTR – road reconstruction complete
- SR 343 Willis Road – RTR – road construction complete
- Town Streets
 - nil
- **Road reseals/sealing**
 - Main Roads
 - MR 371 Rankin Springs Road 0.9 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 64 Platina Road 2 km of two coat seal
 - SR 230 Lachlan Valley Way 3.2 km reseal
 - SR 343 Willis Lane 2 km of two coat seal
 - Town Streets
 - Canada Street, Lake Cargelligo 0.2 km reseal
 - Holt Street, Lake Cargelligo 0.2 km reseal
 - Lorne Street, Lake Cargelligo 0.6 km reseal
- **Maintenance grading/sucker removal/storm damage repairs in progress on the following roads**
 - Main Roads
 - nil
 - Shire Roads
 - SR 73 Reynella Road – maintenance grade
 - SR 74 Derriwong Road – maintenance grade
 - SR 75 Ridglands Road – maintenance grade
 - SR 76 Timmins Lane – maintenance grade
 - SR 138 Yaddra Road – maintenance grade
 - SR 140 Singh Road – maintenance grade
 - SR 148 Halls Road – maintenance grade
 - SR 152 Thomas Lane – maintenance grade
 - SR 163 Murphys Road – maintenance grade
 - SR 181 Pidgeons Road – maintenance grade
 - SR 182 Recreation Road – maintenance grade
 - SR 183 Killawarra Road – maintenance grade
 - SR 384 Karawah Road – maintenance grade
 - SR 385 Terrys Lane – maintenance grade
- **Shoulder grading/slashing/vegetation control and patching in progress on the following sealed roads**
 - All Roads
 - SR 1029 Tullibigeal Road – vegetation control

Works planned for April

- **Heavy patching, re-sheeting and grade water and roll to be undertaken on the following unsealed roads**
 - All Roads
 - Roads not complete in March

- **Road resealing/sealing**
 - Main Roads
 - MR 461 Henry Parkes Way 10 km reseal (to be confirmed depending on available budget)
 - Shire Roads
 - nil

- **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 1347 Albert Road – LRCI – seal extension to Albert cemetery 1 km

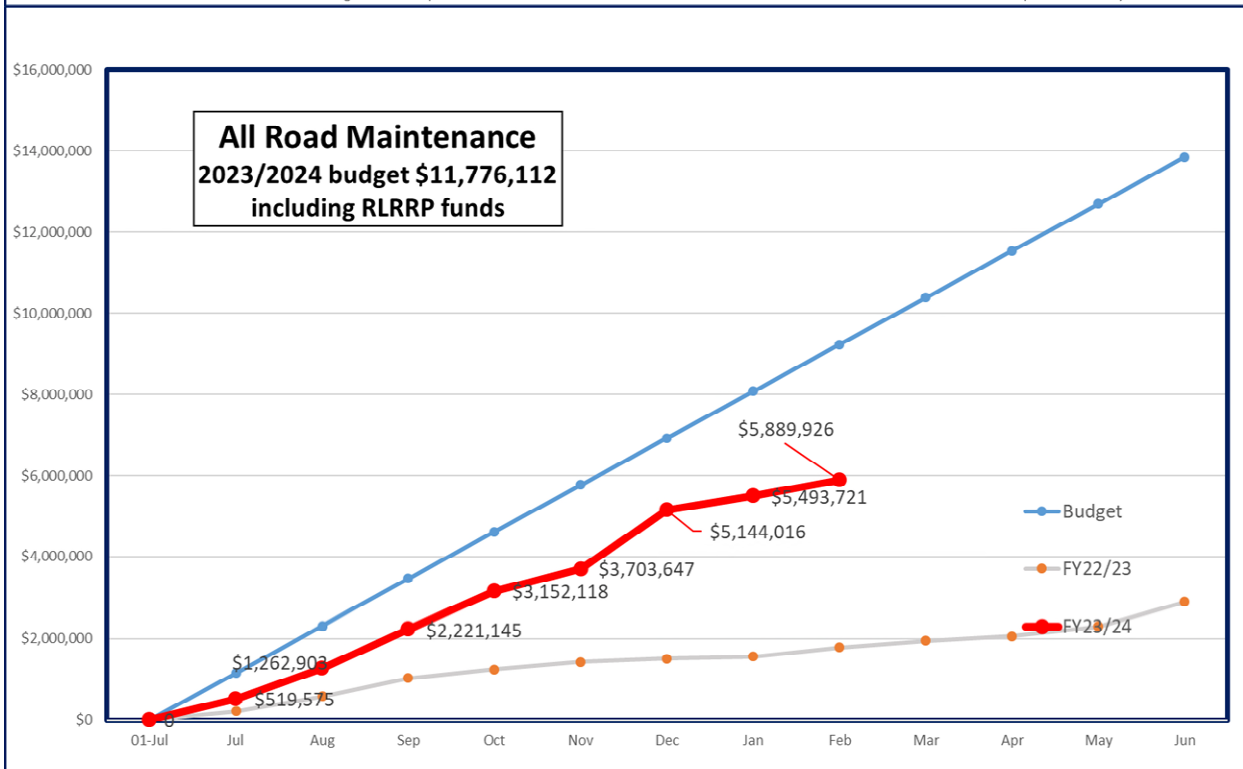
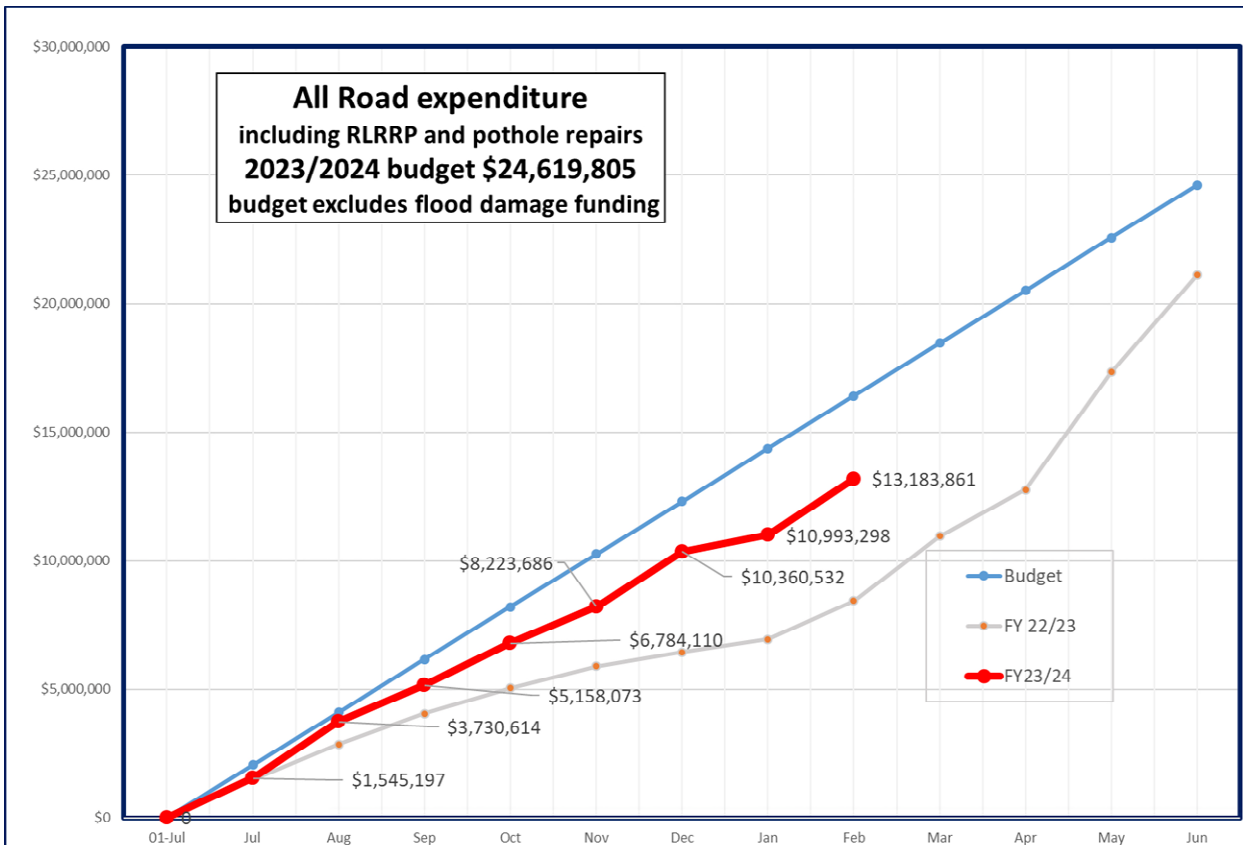
- **Maintenance grading/sucker removal/storm damage repairs undertaken on the following roads**
 - All Roads
 - Roads not complete in March

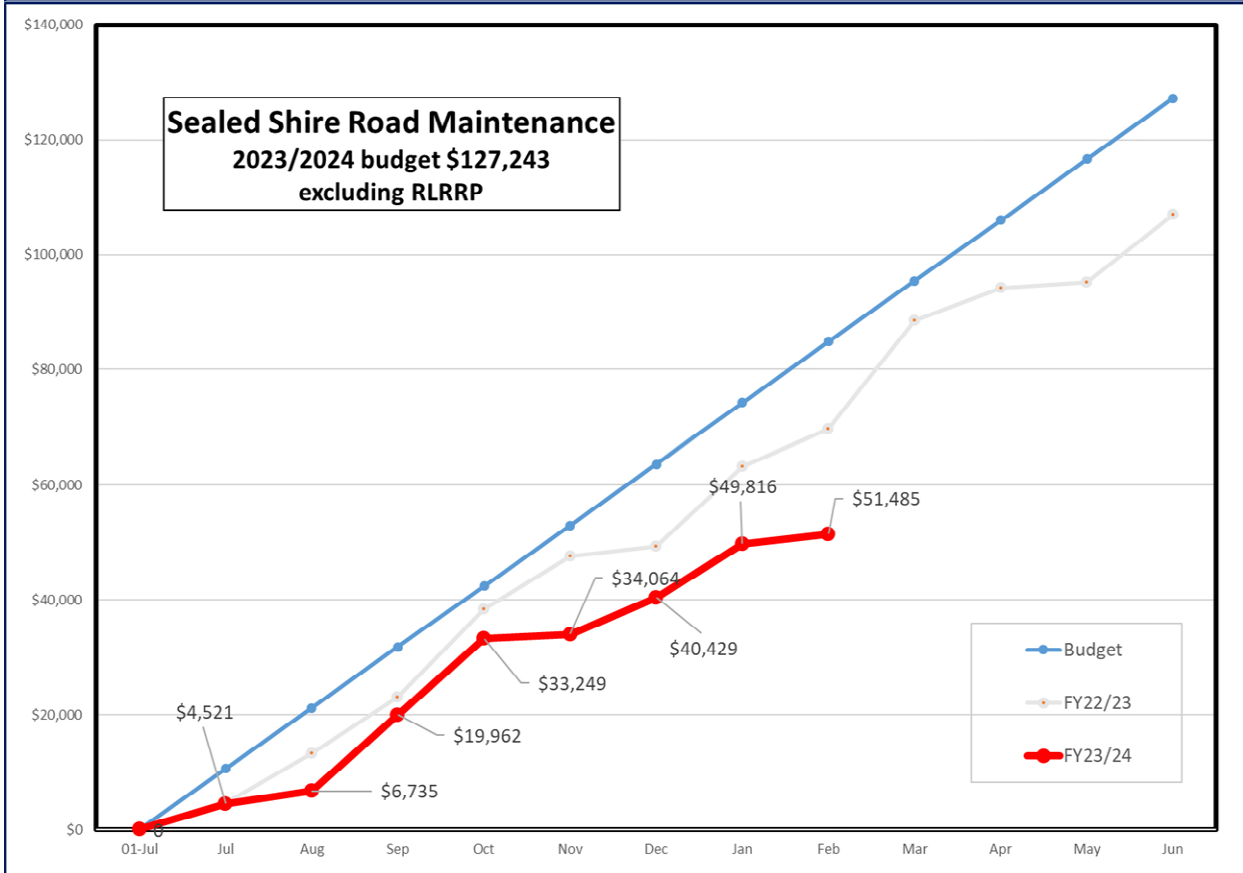
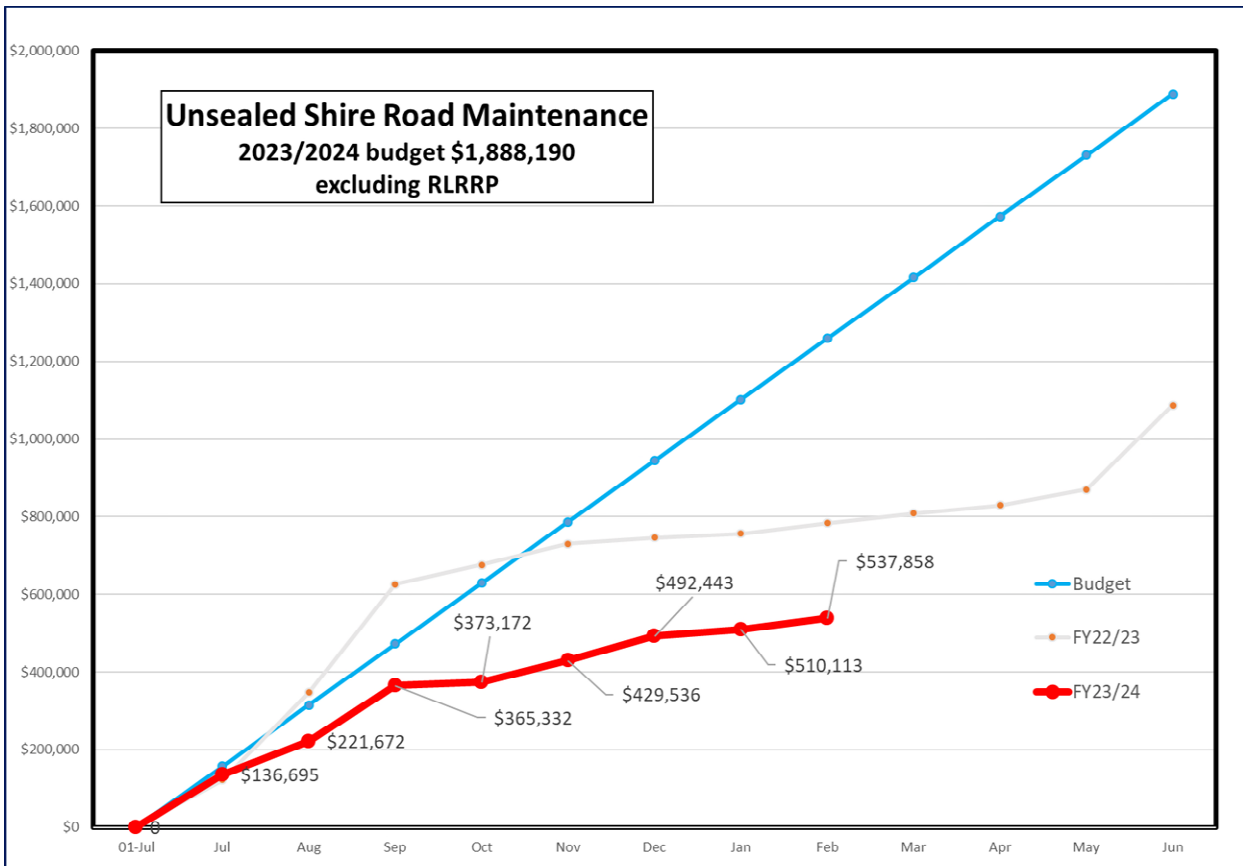
- **Shoulder grading/slashing/vegetation control and patching undertaken on the following sealed roads**
 - All Roads
 - nil

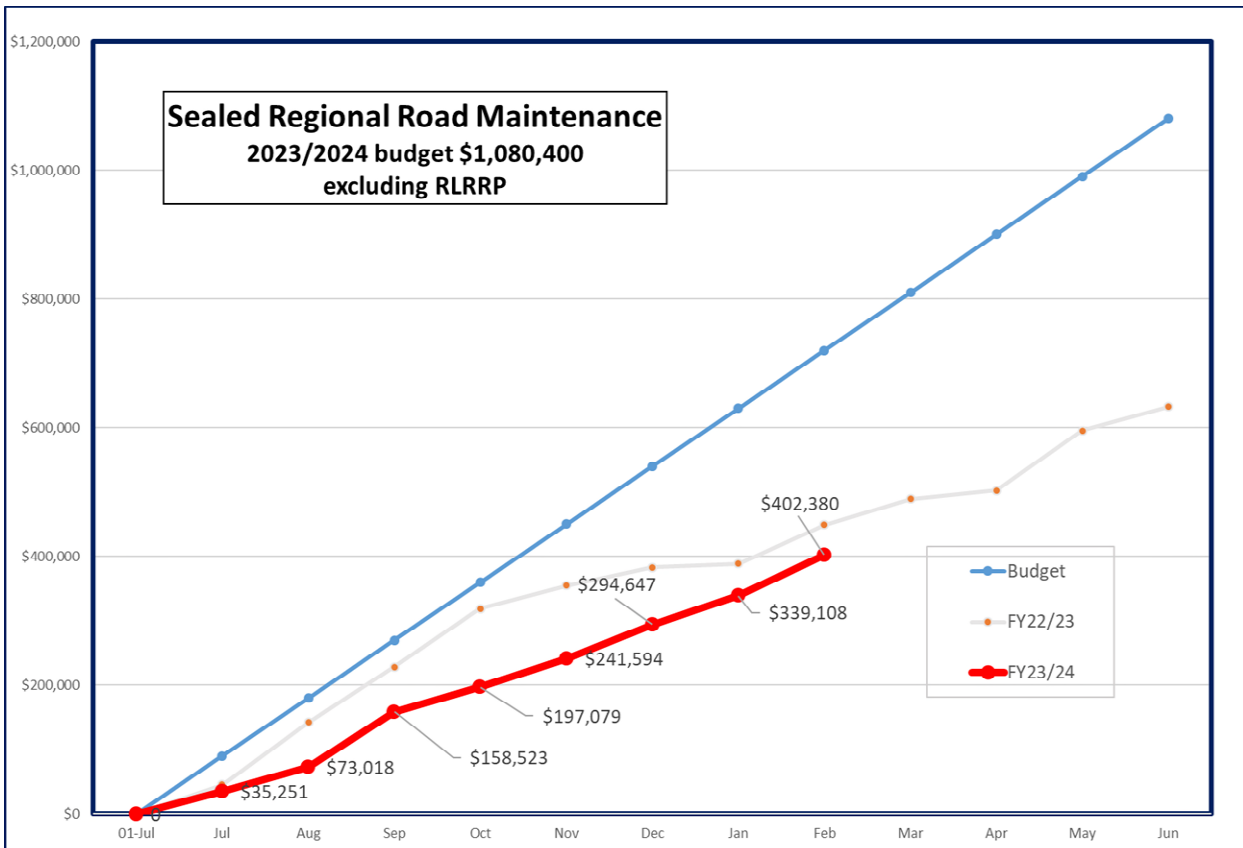
FINANCIAL UPDATE

CONSTRUCTION PROJECTS					
Regional Roads					
Project	Budget	Funding source	Expend to date	Forecast Expend	Comments
Regional Roads, reseals					
MR 501 Lachlan Valley Way	\$300k	TfNSW Block Grant	\$284k	\$300k	7km sealing complete, line marking programmed for April
MR 371 Rankin Springs Road	\$51k		\$51k	\$100k	1km sealing complete, line marking programmed for April
MR 371 Foster St, Lake Cargelligo	\$70k		\$60k	\$70k	0.4km sealing complete, line marking programmed for April
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, \$849k in FY23/24 Total \$4.083m	\$4.1m	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, \$643k in FY23/24 Total \$3.859m	\$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, \$404k in FY23/24 Total \$1.983m	\$2.808m	Project complete Scope change application to Infrastructure NSW to use remaining funds
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, \$2.110m in FY23/24 Total \$9.328m	\$9.5m	Project complete
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 \$190k	\$86k	\$86k	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
Lake Cargelligo - Walker St, Uabba St, McInnes St	\$88k		\$88k	\$88k	1.4 km town streets complete
Tullibigeal - Currajong St, Wattle St	\$112k		\$112k	\$112k	0.95 km town streets complete
Lake Cargelligo - Canada St, Lorne St	\$85k		\$0	\$85k	Programmed for Q3
Total	\$415k			\$0k	\$415k
Local roads gravel re-sheets					
SR 91 Marsden Road	\$338k	Special Rate Variation \$200k, RLRRP 60k, Evolution Mining \$138k	\$0k	\$300k	10 km gravel re-sheeting Programmed for Q3
SR 194 North Uabba Road	\$60k		\$60k	\$60k	2 km gravel re-sheeting completed and funded by Repair funding.
Total	\$398k		\$60k	\$398k	
Officers Parade upgrade	\$1.4m	Fixing Local Roads \$779k, RTR \$479k, \$329k FAG	\$1.17m pre 1/7/23, \$417k in FY23/24 Total \$1.587m	\$1.587m	Project complete
SR 5 Lansdale Road widening and upgrade	\$1.2m	Roads to Recovery	\$860k	\$1.2m	Road pavement construction in progress
SR 45 Boona Road 18 km seal widening	\$3.3 m	Fixing Local Roads \$2.97m, RTR \$330k	\$233k	\$3.3m	Road widening to commence in March
SR 64 Platina Road 2 km seal widening	\$450k	Roads to Recovery	\$267k	\$450k	Sealing in progress
SR 343 Willis Lane seal extension	\$400k	Roads to Recovery	\$82k pre 1 July 2023, \$187k in FY23/24 Total \$269k	\$400k	Sealing program for March
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	\$288k	Roads to Recovery	\$288k	\$288k	Project complete
Walker Street, Lake Cargelligo widening	\$46k	Roads to Recovery	\$46k	\$46k	Project complete
Turner Street, Condobolin 500 m reconstruction	\$200k	Roads to Recovery	\$200k	\$200k	Project complete







Note: To date this financial year \$3.927m has been spent of Regional and Local Roads Repair Program (RLRRP) funds and \$479k on pothole repairs.

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.

CONCLUSION

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

ATTACHMENTS

Nil

9 DECISION REPORTS

9.1 GENERAL MANAGER

Nil

9.2 CORPORATE AND COMMUNITY SERVICES

9.2.1 ADOPTION OF CHILD SAFE ORGANISATION COMMITMENT STATEMENT

TRIM Number: R23/18

Author: Administration Officer

RECOMMENDATION

That:

1. The Director of Corporate and Community Services Report No R23/18 be received and noted.
2. The Child Safe Organisation Commitment Statement be adopted and publicly advertised.

PURPOSE

The purpose of this report is two-fold:

- to provide a draft copy of the Child Safe Organisation Commitment Statement to Council for consideration and adoption.
- to obtain Council approval to make public the Commitment to Child Safe Standards Statement.

SUPPORTING INFORMATION

As attached.

BACKGROUND

A key outcome of child safety reforms has been the adoption in NSW of the 10 Child Safe Standards, and subsequent legislation. The *Children's Guardian Amendment (Child Safe Scheme) Bill 2021* passed parliament in November 2021, and activates new responsibilities for all council staff, volunteers and councillors to protect and listen to their youngest residents and workers.

ISSUES AND COMMENTS

As a result of the Royal Commission into Institutional Responses to Child Sexual Abuse, a National Framework for Protecting Australia's Children was developed. The key message of the national framework is protecting children is everyone's business.

Essentially, the *Children's Guardian Amendment (Child Safe Scheme) Bill 2021* stipulates that certain organisations, including all councils, will be required to implement the 10 child safe standards and become 'child-safe' organisations. The standards focus on education and training across the organisation, policies and processes, and engagement with children, young people and their families.

Through establishing and enforcing child safety policies Council will not only meet legal requirements but also demonstrate their commitment. In complying with Child Safe Standard 1 an organisation must make a public commitment to child safety and champion a child safe culture. This statement needs to be publicly available and displayed.

Councils, as leaders in the community and providers of spaces and services which children and young people have access to, have a responsibility to ensure councils are child safe institutions.

Services and spaces which fall under Councils responsibility;

- Direct service provision – children services, libraries, youth services
- Events and activities including children and youth activities
- Experiences involving children e.g. work experience, work placement, Local Government week activities
- Activities provided by others who lease or hire our buildings or facilities
- Raising community awareness and responsibilities

Prioritising Child Safety helps organisations build trust and enhance their reputation within the community.

FINANCIAL AND RESOURCE IMPLICATIONS

Any financial implications will be managed through the operational budget process. The types of additional costs that councils will be required to budget for include signage, consultation, advertising, and training. The quantum of this cost is not yet accurately known.

LEGAL IMPLICATIONS

Our work is guided by the following legislation and regulations:

Children's Guardian Act 2019

Children's Guardian Regulation 2022

Children and Young Persons (Care and Protection) Act 1998

The General Manager has overall responsibility for the implementation of the Child safe Standards.

RISK IMPLICATIONS

Organisations that neglect child safety may face legal action, hefty fines and reputational damage. By implementing the Child Safe Standards, it is expected to create an organisational culture which will improve and maintain child safe practices. This will reduce the risk of child harm and abuse occurring. It will also increase our preparedness to respond and report.

STAKEHOLDER CONSULTATION

By demonstrating a commitment to child safety, organisations provide leadership to stakeholders and peace of mind to the community.

It is an essential part of the process to communicate and consult with all relevant stakeholders, internal and external as appropriate, at each stage of the process. Council's communication and consultation process to date has been:

- Establishing a working party
- Report to the Executive Leadership Team (ELT)

- Consultation with staff of the draft Commitment Statement.
- Consultation with the Operational Management Team (OMT).

OPTIONS

1. Adopt the draft Child Safe Organisation Commitment Statement as presented, and make it publicly available.
2. Make recommendations to be incorporated before adopting the draft Child Safe Organisation Commitment Statement, and making it publicly available.

CONCLUSION

Compliance with, and implementation of, the Child Safe Standards is governed by an organisation's commitment to child safety. Council should review the Child Safe Organisation Commitment Statement, and adopt the draft statement.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

4.2 Strong effective and responsive Council

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. **Child Safe Standard Commitment Statement**

9.2.2 CHILD SAFE STANDARDS - ACTION PLAN 2024**TRIM Number: R23/371****Author: Administration Officer****RECOMMENDATION**

That:

1. The Director of Corporate and Community Services Report No. R23/371 be received and noted.
2. The Child Safe Standards Action Plan be adopted as presented.

PURPOSE

The purpose of this report is to present the Child Safe Action Plan 2024 and inform Council of the progress towards achieving its aims.

SUPPORTING INFORMATION

The Child Safe Standards Action Plan 2024 and the Child Safe Standards.

BACKGROUND

In November 2021 the *Children's Guardian Amendment (Child Safe Scheme) Bill 2021* was passed by the NSW Parliament. This Bill triggered new responsibilities for all council staff, volunteers and councillors to protect and listen to their youngest residents and workers. The Child Safe Standards are the primary framework that guides child safe practice in organisations in NSW, including councils.

From February 2023, Part 9A of the *Children's Guardian Act 2019* came into force which allows the Children's Guardian to ensure organisations, including councils, comply with the Child Safe Standards.

It should be noted that Libraries and Children's Services have had to comply with strict Child Safe practices for many years.

ISSUES AND COMMENTS

All child related organisations will benefit from implementing the Child Safe Standards. However, the new legislation stipulates that certain organisations, including all councils, will be required to implement the 10 Child Safe standards and become 'child-safe' organisations. The standards focus on education and training across the organisation, policies and processes, and engagement with children, young people and their families.

The Lachlan Shire Council Action Plan is a document that contains the strategies Council will take both in the service it provides, and with related bodies to build awareness, and improve the safety of children by implementing the Child Safe Standards.

An initial Working Party consisting of the Library Coordinator, Children's Services Coordinator, Manager Human Resources and the Director Corporate and Community Services was formed. A number of webinars were attended, meetings were held, a preliminary action plan was drafted, and information was provided to OMT and ELT. In addition, a number of policies were drafted. The Office of Children's Guardian provided feedback on the policies drafted to date & gave guidance that these policies were in compliance with their expectations.

The working party will now be expanded to include representatives from across all directorates. To progress this action an experienced former Council Childcare Director and qualified Teacher has been employed to coordinate the project. Child Safe Standards will impact every area of Council therefore, the key point to remember is that "keeping children safe is everyone's business".

FINANCIAL AND RESOURCE IMPLICATIONS

Any financial implications will be managed through the operational budget process. The types of additional costs that councils will be required to budget for include signage, consultation, advertising, and training. The quantum of this cost is not yet accurately known.

LEGAL IMPLICATIONS

The *Children's Guardian Act 2019* allows the Children's Guardian to ensure organisations comply with Child Safe Standards.

If Council does not comply with the Child Safe Standards, the Children's Guardian can issue a compliance notice to the organisation, or require an enforceable undertaking from the organisation.

The compliance notice will specify the action required to be undertaken by the organisation to implement the Child Safe Standards. Failure to comply with the notice may attract a penalty.

An enforceable undertaking is something that an organisation commits to do by a specific date. Failure to comply with an enforceable undertaking may attract a penalty.

RISK IMPLICATIONS

By implementing the Child Safe Standards, it is expected to create an organisational culture which will improve and maintain child safe practices. This will reduce the risk of child harm and abuse occurring. It will also increase our preparedness to respond and report.

STAKEHOLDER CONSULTATION

Child Safe Standards Working Party

ELT 8 February 2022.

OMT – various meetings.

OPTIONS

1. The Child Safe Standards Action Plan be adopted as presented.
2. The Child Safe Standards Action Plan be adopted with amendments recommended by Council.

CONCLUSION

The action plan will assist Council become a child safe organisation and should be adopted after recommending any amendments.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

4.2 Strong effective and responsive Council

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. **Child Safe Standards Action Plan Update 2024**
2. **Child Safe Standards 1 to 10**

9.2.3 ADOPTION OF A PRIVACY MANAGEMENT PLAN**TRIM Number:** R24/17**Author:** Governance and Risk Officer**RECOMMENDATION**

That:

1. The Director Corporate and Community Services Report R24/17 be received.
2. The Draft Lachlan Shire Council Privacy Management Plan 2024 be placed on public exhibition for 28 days, and be adopted as presented if no significant matters are raised.

PURPOSE

The purpose of this report is to provide Council with the Draft Lachlan Shire Council - Privacy Management Plan 2024. This plan has been prepared in compliance with amendments to the *Privacy and Personal Information Protection Act 1998* (PPIP Act).

SUPPORTING INFORMATION

As attached.

BACKGROUND

Amendments to the *Privacy and Personal Information Protection Act 1998* (PPIP Act) commenced on 28 November 2023. The amendments impact the responsibilities of agencies under the PPIP Act. They require agencies, including councils, to provide notifications to affected individuals in the event of an eligible data breach of their personal or health information by a NSW public sector agency or state-owned corporation subject to the PPIP Act.

ISSUES AND COMMENTS

Council is subject to the PPIP Act but does not have a current Privacy Management Plan.

Council is required to adopt a Privacy Management Plan (PMP) in accordance with section 33 of the PPIP Act, and in compliance with new section 33(2)(c1). This section requires the plan to include provisions relating to “the procedures and practices used by the agency to ensure compliance with the obligations and responsibilities set out in Part 6A for the mandatory notification of data breach scheme”. Council is required to include in its Privacy Management Plan reference to its data breach policy.

Council is also required, via the Mandatory Notification of Data Breaches (MNDB) Scheme, to satisfy other data management requirements. This includes maintaining an internal data breach incident register, and to regularly update Council’s data breach policy within this Draft Privacy Management Plan 2024. This Policy incorporates the required reference. MNDB Scheme requirements are being separately addressed.

Council must comply with the Privacy Code of Practice for Local Government as prepared by the Office of the Privacy Commissioner as revised on 20 December 2019.

If significant matters are raised during the public exhibition period, a further report will be submitted to Council.

FINANCIAL AND RESOURCE IMPLICATIONS

Resourcing of privacy management actions, staff training and public awareness will be funded from current budget allocations.

LEGAL IMPLICATIONS

Council is required to comply with statutory requirements including the PPIP Act and amendments.

It should be noted that:

Clause 5 *Government Information (Public Access) Act 2009* is not affected

1. Nothing in the PPIP Act affects the operation of the *Government Information (Public Access) Act 2009*.
2. In particular, this Act does not operate to lessen any obligations under the *Government Information (Public Access) Act 2009* in respect of a public sector agency.

Privacy and Personal Information Protection Regulation 2019

Clause 9 Local council CCTV camera exemptions

1. A council is exempt from section 11 of the PPIP Act with respect to the collection of personal information by using a CCTV camera that the council installs for the purpose of filming a public place if the camera is positioned so no other land is filmed (unless it is not reasonably practicable to avoid filming the other land when filming the public place).
2. The local council is also exempt from section 18 of the PPIP Act with respect to the disclosure to the NSW Police Force of personal information by way of live transmission from such a CCTV camera.
3. In this clause, public place has the same meaning as in the Local Government Act 1993.

Council must comply with the Privacy Code of Practice for Local Government as prepared by the Office of the Privacy Commissioner and revised in 20 December 2019. This Code does not affect the operation of any exemption provided under Part 2, Division 3 of the PPIP Act. This is consistent with section 29(6) of the PPIP Act.

RISK IMPLICATIONS

The Draft Privacy Management Plan 2024 provides a general summary of how council must manage personal and health information under the PPIP Act, the *Privacy and Personal Information Protection Regulation 2019*, the *Health Records and Information Privacy Act 2002* (HRIP Act) and other relevant legislation.

1. With sophisticated and complex hacking environments, cyber risk is increasing. Council is facing an increasing risk of a data breach, despite having quality software & rigorous systems in place.

STAKEHOLDER CONSULTATION

Internal consultation has been conducted with OMT & ELT. The Draft Privacy Management Plan 2024 was distributed for review on 30 January 2024 and staff consultation closed on 27 February 2024.

ARIC reviewed and endorsed the Draft Privacy Management Plan 2024 at its meeting on 21 February 2024.

Public exhibition of the plan will be open for at least 28 days.

OPTIONS

1. To place the Draft Privacy Management Plan 2024 on public exhibition for 28 days, and adopt the plan as presented, subject to no significant matters being raised.
2. If significant matters are raised, a report will be brought back to Council after the public exhibition period has closed.

CONCLUSION

It is recommended that Council place the Draft Privacy Management Plan 2024 on public exhibition for 28 days, after which the plan will be adopted subject to no significant matters being raised.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

CSP 4.2 Strong effective and responsive Council

4.2.5 Council's exposure to risk is minimised

ATTACHMENTS

1. **Privacy Management Plan v1**

9.2.4 ARIC TERMS OF REFERENCE AND RISK MANAGEMENT POLICY.**TRIM Number: R24/30****Author: Governance and Risk Officer****RECOMMENDATION**

That:

1. The Director Corporate and Community Services Report R24/30 be received and noted;
2. The Draft Lachlan Shire Council Audit, Risk and Improvement Committee Terms of Reference be adopted and take effect from 1 July 2024;
3. The Draft Lachlan Shire Council Risk Management Policy 2024 be adopted and take effect from 1 July 2024;
4. The Draft Lachlan Shire Council Attestation Template 2024 and regulation be noted.

PURPOSE

This report informs Council of the following draft documents and seeks their adoption to take effect from 1 July 2024:

- Audit, Risk and Improvement Committee (ARIC) Terms of Reference; and
- Risk Management Policy.

SUPPORTING INFORMATION

As attached.

BACKGROUND

The *Local Government (General) Amendment (Audit, Risk and Improvement Committees) Regulation 2023* takes effect from 1 July 2024 and requires amendments to the Audit Risk and Improvement Committee membership, Terms of Reference, Internal Audit Charter and Risk Management Policy.

The Office of Local Government (OLG) issued the *Risk Management and Internal Audit Guidelines* in November 2023, reflecting Regulation amendments.

ISSUES AND COMMENTS

Amendments have been made to the *Local Government (General) Regulation 2021* to require all councils to have a risk management framework and an internal audit function. The amendments also prescribe changes to the membership and operational requirements for the Audit Risk and Improvement Committee. Councils are required to comply with these requirements from 1 July 2024. Commencing with the 2024/25 annual report, councils are required to attest to their compliance with the requirements in their annual reports.

Actions Required

A summary of actions required by Lachlan Shire Council to meet the Regulation amendments are:

- Adoption of updated ARIC Terms of Reference
- Adoption of Internal Audit Charter – see comments below about this document.
- Adoption of Risk Management Policy
- Adoption of Attestation template
- Appointment of Internal Audit Coordinator
- Appointment of ARIC members in accordance with updated Terms of Reference
- Commencing 2024/25 Annual Report: Attestation of compliance

Documents for Council Adoption

Councils are required to adopt by resolution, documents prepared considering the example documents provided by the OLG. All changes are to be implemented by the 1 July 2024. The attestation Statement must be included in the Annual Report commencing 2024/25. The following draft documents have been prepared for Lachlan Shire Council in accordance with the requirements, and are attached for council consideration and adoption:

1. Draft Lachlan Shire Council Terms of Reference for Audit Risk and Improvement Committee 2024.
2. Draft Lachlan Shire Council Risk Management Policy 2024.

Internal Audit Charter

The OLG has released version 1 of the document. The OLG Manager of Governance has now advised that there are omissions in the document and a new version will be released in the future. Currently, there is no date for the release of the revised document. The Institute of Internal Auditors have advised that the draft OLG Internal Audit Charter is not in compliance with the newest Internal Audit Standard.

It is proposed to adoption version 1 of the Internal Audit Charter no later than 30 June 2024, if the second version is not available by the June council meeting. This will ensure Council remains compliant with the new guidelines and regulation.

Internal Auditor Appointment

The appointment of an Internal Audit Coordinator is required by 1 July 2024. The Internal Audit Coordinator can be a member of staff, is appointed by General Manager, reports to ARIC and is not to be subject to direction by council or staff in relation to the exercise of internal audit functions. This appointment has been made and was confirmed at Council's February meeting as the Director Corporate & Community Services.

ARIC Committee Structure and Appointments

The current committee structure comprises 3 independent voting members, 2 voting councillor members, and 2 non-voting staff being the General Manager and Director Corporate and Community Services.

Effective from 1 July 2024, the revised ARIC committee structure required comprises 3 independent voting members including the Chair, plus 1 non-voting councillor delegate who cannot be the Mayor. A second councillor delegate (not the Mayor) or any staff member may also

be invited to ARIC meetings as an observer. Staff to attend as non-voting observers are the General Manager and Director Corporate and Community Services.

The appointment of the ARIC Councillor member, Deputy Mayor Cr John Medcalf OAM, in accordance with the updated Draft Terms of Reference 2024, was resolved at Council's February meeting. This appointment will only be for the remaining term of council and a new appointment will need to be made after the September 2024 elections.

FINANCIAL AND RESOURCE IMPLICATIONS

All requirements will be funded within Council's operational budget.

LEGAL IMPLICATIONS

The *Local Government (General) Amendment (Audit, Risk and Improvement Committees) Regulation 2023* will be effective from 1 July 2024 and outlines the legislative requirements.

A copy of the Regulation is attached for Council's information.

216K Terms of reference—the Act, Sch 6, cl 19B

- (1) A council must adopt terms of reference for the council's Audit, Risk and Improvement Committee.
- (2) The adoption must occur by resolution of the council.

216O Internal audit charter—the Act, Sch 6, cl 8A

- (1) A council must adopt an internal audit charter setting out how the council will exercise its internal audit functions.
- (2) The adoption must occur by resolution of the council.

216P Internal audit co-ordinator—the Act, Sch 6, cl 8A

- (1) The general manager of a council must appoint a member of staff of the council to be the internal audit co-ordinator for the council

RISK IMPLICATIONS

Failure to have all the required legislative documents and processes in place by 1 July 2024 will expose Council to legislative risk.

STAKEHOLDER CONSULTATION

ARIC noted the Regulation amendments and endorsed the draft documents at its meeting of 21 February 2024

OPTIONS

- To adopt the ARIC Terms of Reference and Risk Management Policy, all effective 1 July 2024, as presented; or
- To adopt the ARIC Terms of Reference and Risk Management Policy, all effective 1 July 2024, after council recommended amendments.

CONCLUSION

To comply with the Regulation amendments, Council must adopt the draft documents before 1 July 2024. The Attestation Template and Regulation should be noted.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

CSP 4.2 Strong effective and responsive Council.

4.2.5 Council's exposure to risk is minimised.

ATTACHMENTS

- 1. ARIC Terms of Reference effective 1 July 2024**
- 2. Risk Management Policy effective 1 July 2024**
- 3. Attestation Template**
- 4. Local Government General Amendment ARIC Regulation 2023**

9.2.5 SERIOUS INCIDENT RESPONSE POLICY - HACC SERVICE**TRIM Number:** R24/35**Author:** Librarian**RECOMMENDATION**

That:

1. The Director Corporate and Community Services Report No. R24/35 be received and noted.
2. The Draft Serious Incident Response Policy – HACC Service be adopted as presented.

PURPOSE

The purpose of the Policy is aimed at reducing the risk of abuse and neglect of older Australians receiving aged care services. As a Commonwealth Aged Care provider Lachlan HACC has responsibilities under the Serious Incident Reporting Scheme (SIRS) to prevent and manage incidents and, to report any serious incident/s to the aged Care Quality and Safety Commission.

SUPPORTING INFORMATION

The Draft Serious Incident Response Policy is attached.

BACKGROUND

The Australian government is committed to improving the delivery of aged care through regulation, and embedding new aged care assessment arrangements to ensure the safety, dignity and respect of older people in the aged care sector. The Serious Incident Response Scheme gives aged care providers guidance about managing incidents and reporting incidents, and helps to strengthen aged care systems to reduce the risk of abuse and neglect.

ISSUES AND COMMENTS

The National aged care reforms are the result of the Royal Commission into Aged Care and as a result aged care providers are required to implement the reforms to meet their new regulatory obligations. One of the reforms was the Serious Incident Response Scheme that was extended from residential care to home care and flexible care delivered in a home or community setting on 1 December 2022. Lachlan HACC did not have a serious incident reporting system apart from Council's Incident Report Form and this does not cover the level of reporting required by SIRS.

FINANCIAL AND RESOURCE IMPLICATIONS

Resourcing implications will be the mandatory reporting of serious incidents to the Aged Care Quality and Safety Commission, however there are no financial implications.

LEGAL IMPLICATIONS

Council has a legal obligation under the *Aged Care Act 1997* and the national aged care reforms, introduced as a result of the Royal Commission into Aged Care Quality and Safety to implement the reforms. This includes the implementation of SIRS, to reduce the risk of abuse and neglect of older Australians receiving aged care services.

RISK IMPLICATIONS

There is a risk that staff may witness a case of abuse or neglect of an aged care client and not report the incident due to lack of information on process or procedure, or understanding of their responsibilities in relation to serious incident reporting.

STAKEHOLDER CONSULTATION

HACC staff have been consulted in regard to their responsibilities under SIRS and the Director of Corporate and Community Services has been consulted, in relation to Councils requirement to implement an appropriate management system. The system will allow the management and responding to all incidents, and take steps to ensure they are not repeated.

This Policy is not required to go on public exhibition.

OPTIONS

The options are;

1. The Policy be adopted as written in order to comply with the Serious Incident Reporting Scheme.
2. The Policy be modified to add or remove proposed content without impacting the intent.

CONCLUSION

To comply with the legislative requirements under the *Aged Care Act 1997* and adhere to national reforms in aged care, Council is required to implement the Serious Incident Response Policy so as to minimise the risk of abuse or neglect of Lachlan HACC clients.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

4.2 Strong effective and responsive Council

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. **Serious Incident Response Policy v1**

9.2.6 CONFLICT OF INTEREST POLICY V1**TRIM Number:** R24/37**Author:** Governance and Risk Officer**RECOMMENDATION**

That:

1. The Director Corporate and Community Services Report no. R24/37 be received and noted.
2. The Draft Conflict of Interest Policy 2024 be adopted.
3. The Conflict of Interest Declaration Form be noted.

PURPOSE

The Draft Conflict of Interest Policy 2024 has been prepared to address previous audit management letter requirements and internal audit recommendations.

SUPPORTING INFORMATION

See attached.

BACKGROUND

As part of the 2021 FY Audit Management letter, it was raised that Council did not maintain a central Conflicts of Interest Register. Audit acknowledged that conflict of interest documents were supplied and registered in Content Manager, Council's electronic document management system (EDMS). However, the Auditors felt that any trends could be overlooked if there was not a centralised register.

In addition, the Fraud and Corruption Internal Audit Report (completed June 2023), recommended a central conflicts of interest register be established.

Work commenced in 2021 on the register along with a policy however, due to staff vacancies, progress stalled. A draft of the conflict of interest register was provided to the external auditors as part of the 2022 FY audit.

The Development Application Conflict of Interest Policy was adopted by Council in March 2023, due to changes in the *Environmental Planning and Assessment (EP&A) Regulation*.

ISSUES AND COMMENTS

The Draft Conflict of Interest Policy 2024 sets standards and provides guidance on how to manage conflicts of interest in an ethical manner. It outlines the expected standards of behaviour and declarations required in relation to actual, potential or perceived conflicts of interest. It ensures all possible conflicts are reported, assessed and managed.

The Draft Conflict of Interest Policy 2024 applies to all who work with council including councillors, staff, committee members, volunteers, contractors, and operates in conjunction with Council's Code of Conduct policies and other related policies.

The NSW Independent Commission Against Corruption (ICAC) states "Conflicts of interest do not, in themselves, usually constitute corrupt conduct. Corrupt conduct can, however, arise when a conflict of interest is concealed, understated, mismanaged or abused".

ICAC stated their "experience shows that many, if not most, forms of corrupt conduct involve a conflict of interest". Examples of conduct that could be corrupt include:

- concealing or failing to disclose a conflict of interest
- making false or understated declarations about a conflict of interest
- favouring a personal interest over public duty
- improperly influencing others to favour a personal interest
- misusing resources in order to favour a personal interest.

The Draft Policy provides that all actual, potential or perceived Conflicts of Interest are to be recorded in a Central Register.

Council's records management currently includes copies of Pecuniary Interest declarations for councillors (TRIM Ref 13.4.2.0) and staff (TRIM Ref 22.5.1.2). Council's website includes copies of returns by councillors and designated persons.

As noted in the Lachlan Shire Council Code of Conduct for Councillors "4.15 Information contained in returns made and lodged under clause 4.9 is to be made publicly available in accordance with the requirements of the *Government Information (Public Access) Act 2009*, the *Government Information (Public Access) Regulation 2018* and any guidelines issued by the Information Commissioner."

FINANCIAL AND RESOURCE IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Pecuniary interest and conflict of interest information must be managed in accordance with legislative requirements.

Section 6 of the GIPA Act provides for the mandatory proactive release by NSW public sector agencies (including councils) of open access information. The GIPA Act provides that open access information must be made publicly available free of charge on a website maintained by the agency. Councillors' and designated persons' returns of interests are prescribed as open access information for local government under Schedule 1 to the *Government Information (Public Access) Regulation 2018*.

RISK IMPLICATIONS

Management of real, potential and perceived conflicts of interests.

STAKEHOLDER CONSULTATION

Documents were provided to OMT January 2022 and ELT February 2022 for internal review and consultation.

Internal Auditor – Lambourne Partners

Former External Auditor - Intentus

OPTIONS

1. Adopt the Draft Conflict of Interest Policy 2024 as presented.
2. Recommend amendments to the Draft Conflict of Interest Policy 2024 before adopting.

CONCLUSION

The Draft Conflict of Interest Policy 2024 provides for clear management of real, potential and perceived conflicts of interest. Council should adopt this Policy after considering any recommendations it might wish to make.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

4.2 Strong effective and responsive Council

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.

Related policies include Code of Conduct policies, Fraud and Corruption Policy, Gifts Benefits and Bribes Policy, Secondary Employment Policy, Related Parties Disclosure Policy, and the Public Interest Disclosure Policy.

ATTACHMENTS

1. **Draft Conflict of Interest Policy v1**
2. **Conflict of Interest Declaration Form V1**

9.3 ENVIRONMENT AND PLANNING

9.3.1 DA2024/6 - FARM BUILDING - REQUEST FOR EXEMPTION TO LACHLAN SECTION 7.12 DEVELOPMENT CONTRIBUTION PLAN

TRIM Number: R24/55

Author: Manager- Town Planning

RECOMMENDATION

That:

1. The Director of Environment and Planning Report No. R24/55 be received and noted.
2. DA2024/6 be approved in accordance with the Recommended Conditions of Consent provided in Attachment.
3. An exemption to Lachlan Section 7.12 Development Contribution Plan for the amount of \$14,701.50 not be granted.

Applicant	Entegra Trading Pty Ltd
Proposal	DA2024/6 – Farm Building
Land Details	Lot 19 DP 752341, 513 Tullibigeal Road, Tullibigeal
Owner	Darren J Frankel
Exhibition/Notification	01 March 2024 – 15 March 2024
Number of Submissions	None (0)
Zoning	RU1 Primary Production – Lachlan Local Environmental Plan 2013
Total Value of Works	\$1,470,150.00
List of all relevant S4.15(1)(a) matters	Refer to attached assessment report
Political Donations	None disclosed
Reason for referral to Council	Request for Exemption to Section 7.12 Contribution

PURPOSE

The purpose of this report is to seek Council’s determination of a Development Application (DA) for approval to construction a Farm Building to support an existing cattle feedlot business. The applicant has also requested an exemption from Council’s Section 7.12 Development Contribution Plan for the development on Lot 19, DP 752341, known as 513 Tullibigeal Road, Tullibigeal.

SUPPORTING INFORMATION

Request for exemption from Darren Frankel – Frampton Flat Pty Ltd

Development Application Assessment Report

Recommended Conditions of Consent

Plans of the Proposed Development

BACKGROUND

The owner for the subject proposal, has provided a detailed request for an exemption to what would be the applicable section 7.12 contribution amount of \$14,701.50. A copy of this request is provided in **Attachment 1** to this report.

Section 7.12 of the Environmental Planning and Assessment Act 1979 allows a levy, based on a percentage of the development cost, to be imposed when a development consent or complying development certificate is issued. Levies paid to Council are applied towards the provision, extension or augmentation of public facilities, or towards recouping the cost of their provision, extension or augmentation. However, those projects need to be specifically listed in a contributions plan.

Council’s Section 7.12 (formerly Section 94A) Contribution Plan (“the plan”) commenced 8 July 2015 and applies to all land within the local government area of Lachlan Shire Council. The levies, under the plan, are calculated as a percentage of the cost of development as follows:

Proposed cost of the development	Maximum percentage of the levy
Up to \$100,000	Nil
\$100,001 - \$200,000	0.5 percent
More than \$200,000	1.0 percent

For example, if the cost of a development is \$500,000, the levy is \$5,000 ($\$500,000 \times 0.01 = \5000).

The plan enables Council to provide high quality and diverse public amenities and services and as a consequence meet the expectations of the existing and future residents of Lachlan Shire.

ISSUES AND COMMENTS

In accordance with section 1.10 of Lachlan Shire Council Section 7.12 Contributions Plan, Council may exempt the following kinds of developments from the levy authorised to be imposed under the Plan:

- *A development by a registered charity, community organisation or service club that will, in the opinion of the Council, provide a material public benefit to the Lachlan Shire community.*

For such claims to be considered, any such development will need to include a comprehensive submission arguing the case for an exemption and include details of the mechanism ensuring that such development is, and will remain in the form proposed.

- *Works to raise an existing dwelling to be above the Flood Planning Level*
- *Public infrastructure to be carried out by or on behalf of any public authority including the Council*

The owner’s exemption request states the exemption is based on themselves being a major community contributor over many decades as the major Sponsor of Tullibigeal Football Club, Picnic Race Club, Tullibigeal Swimming Pool and Gymkhana, with many other contributions towards other organisations within the local community. There is also concern that the levy would not go directly to the local Tullibigeal community and rather could fund other projects within Lachlan Shire identified in the Plan.

A review confirms that neither the owner nor the business Frampton Flat Pty Ltd is registered with the Australian Charities and Not-for-profits Commission.

A review of Schedule 1 – Works Schedule, identifies that there is a project within the Tullibigeal community, which the contribution funds could be linked to:

D	Tullibigeal Park	\$40,000	Short-Medium Term
----------	------------------	----------	----------------------

The owner has undoubtedly provided great service to the Tullibigeal and Lachlan Shire Council for many decades through sponsorship of community clubs and events as well as employment benefit. Some of which could be considered a material public benefit, including donations to the Tullibigeal Swimming Pool.

Council has most recently provided two (2) exemptions to the Lachlan Section 7.12 Contribution Plan, at the Ordinary Meeting of Council on 27 April 2022, per resolution 2022/124 for DA2021/47 – Transitional Group Home - Catholic Care Wilcannia-Forbes and at the Ordinary Meeting of Council on 29 November 2023, per resolution 2023/263 for DA2023/29 – Medical Centre – Griffith Aboriginal Medical Service. Both applications satisfied the requirements of section 1.10 of Lachlan Section 7.12 Contributions Plan for such an exemption.

It is not recommended however that the exemption requested be granted in this instance, as the proposal does not meet the requirements of section 1.10 of the Contributions Plan.

All other Development Application issues and matters have been assessed in accordance with the relevant legislation, including the Environmental Planning and Assessment Act 1979. A detailed assessment of these can be found in **Attachment 2** to this report.

FINANCIAL AND RESOURCE IMPLICATIONS

The assessment and determination of the DA has all been carried out utilising the existing operational budget.

Providing an exemption to the development, from the levy under the Section 7.12 Contributions Plan, will mean that \$14,701.50 will not be provided to Council as a development contribution and could create a precedent for other development applicants.

LEGAL IMPLICATIONS

The application has been assessed in accordance with the relevant legislation, including the Environmental Planning and Assessment Act 1979. There are no legal implications identified to report. Should Council decide to refuse the Application, sufficient planning grounds would need to be provided.

RISK IMPLICATIONS

There are no risk implications identified to report.

STAKEHOLDER CONSULTATION

In accordance with the requirements of Council's Community Participation Plan, the proposed development was placed on public exhibition between 01 March 2024 and 15 March 2024. This included notification letters to surrounding properties and a notice on Council's website with application documentation. No (zero) submissions were received during this period.

OPTIONS

1. Resolve to approve the DA, subject to the recommended conditions and not grant the exemption to the Lachlan Section 7.12 Development Contribution Plan amount of \$14,701.50
2. Resolve to approve the DA and grant the exemption request to the Lachlan Section 7.12 Development Plan contribution amount of \$14,701.50
3. Resolve to refuse the DA, and provide reasons for the decision.
4. Resolve to defer the DA, and provide reasons for the decision.

CONCLUSION

DA2024/6 seeks approval for construction of a farm building to support an existing primary production undertaking including cattle feedlot business at 513 Tullibigeal Road, Tullibigeal.

The purpose of this report is to seek Council's determination of the DA, including the consideration of a request for exemption by the applicant to the Section 7.12 Development Contribution Plan.

The DA including the request for exemption to the Plan, has been assessed by Council staff and is recommended for approval of the DA subject to conditions however the exemption to the Plan not be granted.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

4.2 Strong effective and Responsive Council

ATTACHMENTS

1. **Request for Exemption from Darren Frankel - Frampton Flat Pty Ltd**
2. **Development Application Assessment Report**
3. **Recommended Conditions of Consent**
4. **Plans of Proposed Development**

9.3.2 EVOLUTION MINING OPEN CUT MINING EXTENSION APPLICATION - ROAD MAINTENCE CONTRIBUTION**TRIM Number: R24/54****Author: Manager- Town Planning****RECOMMENDATION**

That:

1. The Director Environment and Planning Report No. R24/54 be received and noted.
2. The offer from Evolution Mining to increase the road maintenance contribution under the Memorandum of Understanding (MoU) by 50% be accepted.
3. The Mayor and General Manager be authorised to sign the MoU variation.

PURPOSE

To advise Council of a State Significant Development Modification application by Evolution Mining (EVN) at the Cowal Gold Operations (CGO) site for the extension of their Open Cut Mining operations and seek Council's endorsement to accept an offer for a 50% increase in the road maintenance contribution paid by EVN under the existing Memorandum of Understanding.

SUPPORTING INFORMATION

Nil

BACKGROUND

In June 2023 Council were notified by the Department of Planning and Environment (Department) that an Environmental Impact Statement for the Cowal Operations Open Pit Continuation (SSD-42917792) had been received. The EIS was placed on public exhibition between 15 June and 12 July 2023. The proposal was reviewed by Council staff and a submission made to the Department on 21 July 2023.

The key items raised in Council's submission and Evolution Mining's response to the Department on those matters is provided below:

4.8 Lachlan Shire Council

4.8.1 Road impacts

The Applicant (Evolution Mining – EM) currently has a Memorandum of Understanding with Lachlan, Forbes and Bland Shire Council's in relation to road maintenance. As part of this agreement, Lachlan Shire Council receives \$150,000 every three (3) years which is spent on the roads that provide access to/from the mine through our Shire. However, it has been noted that during periods of wet weather people travelling to/from the mine towards Forbes take a different route which causes more of the Lachlan Shire's roads to deteriorate. During 2022 the wet weather caused disruption to the wider road network for more than six months and our road network was impacted by EM traffic given it was the only option. These situations occur on a frequent basis with similar impacts experienced during 2016. Should the Applicant seek to extend or expand the project the Applicant will need to provide increased funding for the maintenance of roads within Lachlan Shire.

Evolution recognises that one of the identified alternate traffic routes from Forbes in CGO's approved Traffic Management Plan is via Lachlan Shires Council (LSC) roads. This route is typically only used during or after flood events. Currently the normal situation is one bus, each way to the CGO site from Condobolin when the crew (20 staff or 4% of CGO's employees) is rostered on for 7 days. On the alternate weeks, the buses do not run.

As mentioned by LSC, CGO already provides \$150,000 once every three years to assist its road maintenance costs. Despite, the low volume of traffic using roads Evolution welcomes the opportunity to discuss with Council the support it provides through the current MoU on road maintenance to find a mutually agreeable outcome to address the impacts of these weather events.

4.8.3 Workforce accommodation

There is currently limited accommodation available in West Wyalong and Wyalong. It is highly likely that there will be a need for workers to be accommodated in both Condobolin and Forbes which also have limited availability in the current market. The Applicant believes that when a major development currently under construction finishes that this will free up the required accommodation for their workforce. We are not convinced that this is the case as all short term accommodation markets in regional NSW are running at or near capacity.

We would be willing to discuss how a construction workforce in Condobolin could be accommodated, with the Applicant.

Evolution thanks Lachlan Shire for its offer of assistance. The social impact assessment (SIA) carried out for the EIS (refer Appendix M of the EIS) undertook a thorough review of a) the Project's required temporary construction workforce; b) CGO's own on-going accommodation requirements which are partly met by the new accommodation village in West Wyalong; c) accommodation available in Bland Shire (particularly within West Wyalong); and d) in the region including Forbes and Lachlan Shire. The assessment also considered current projects such as the local solar farms that were under construction during the assessment process. The SIA concluded that the Project's construction workforce would not have a significant impact upon the availability of short-term accommodation in West Wyalong particularly considering the short duration of the Project's peak construction activities.

4.8.2 Voluntary planning agreement

We are of the view that these contributions should be consolidated into a Voluntary Planning Agreement (VPA) due to the direct and indirect impacts on the community within our Shire, not just in relation to the impact on our road network but also the social impacts on our community as well. We would like to ensure that there continues to be a high degree of transparency throughout the VPA process and to continue to preserve the integrity of the development assessment process. It is important that the public can see what additional benefits EM is offering to provide and believe that a VPA is the best way of doing this.

Evolution values its relationship with Lachlan Shire Council and its on-going support for the CGO. This Project is a continuation of CGO's open pit mining which continues local employment and local / regional economic benefits though to 2042. The economic assessment undertaken for the EIS found that the Project is not expected to result in any tangible changes in demand and requirements for local infrastructure and service provisions beyond what is currently available, especially outside of Bland Shire Council where most of the Project is situated. Bland Shire also supports over 80% of CGO's workforce compared to Lachlan which currently supports approximately 4% of CGO's workforce

The Cowal Gold Mine Memorandum of Understanding was previously entered into with the three impacted Local Government areas of Lachlan Shire Council, Bland Shire Council (BSC) and Forbes Shire Council (FSC) for a road maintenance contribution of \$50,000 per annum (plus CPI), to each council, paid every three (3) years.

Evolution Mining have also contributed to the Lachlan Shire Community through Shared Value Projects including contributing to the new Lachlan Visitor Information Centre and other community programs.

ISSUES AND COMMENTS

As part of the State Significant Development (SSDA) process for the Open Pit Continuation Project at Cowal Gold Mine, Evolution Mining has engaged with Council regarding the project, including impacts to local roads and community projects.

On 8 February 2024, the General Manager and Manager – Town Planning met with Evolution Mining representatives in a virtual meeting for a project update. The EVN officers outlined the findings within the Economic Report of the Environmental Impact Statement (EIS) for the Project which suggested that ongoing financial support should be based around EVN's existing contributions and community support over the extended life of CGO.

Evolution Mining advised that they were unwilling to enter into a Voluntary Planning Agreement (VPA) with Council for the project:

The economic assessment undertaken for the EIS found that the Project is not expected to result in any tangible changes in demand and requirements for local infrastructure and service provisions beyond what is currently available. Notwithstanding, and as set out above, Evolution welcomes the opportunity to discuss with Lachlan Shire Council the support it provides Council through increases to the current MoU.

In the spirit of collaboration and to demonstrate CGO's community commitment, CGO has made an offer to Council and suggest they accept a proposal to increase the contributions and community support by a 50% uplift to the contributions under the existing road memorandum of understanding (**MoU**). CGO proposes that this outcome be effected by a variation to the MoU, which would be effective from the date of the SSDA modification approval.

FINANCIAL AND RESOURCE IMPLICATIONS

The last payment made to Council under the current MoU was \$173,000 (Inc. CPI and GST) and the variation would result in an increase of at least \$30,000 per annum for local road maintenance.

Not accepting the variation offer may result in additional costs to Council for local road maintenance.

The proposal would not impact the Shared Value Projects which EVN indicate they will continue to work on with Council.

LEGAL IMPLICATIONS

Nil

RISK IMPLICATIONS

Not accepting the MoU variation offer may result in Council incurring additional cost for local road maintenance.

STAKEHOLDER CONSULTATION

Stakeholder consultation has been undertaken by the proponent with Lachlan Shire and the other impacted local government areas being Bland Shire Council (BSC) and Forbes Shire Council (FSC). It is understood that both BSC and FSC have been provided with the same MoU variation offer and have indicated they will accept the offer.

OPTIONS

1. The offer from Evolution Mining to increase the road maintenance contribution under the Memorandum of Understanding (MoU) by 50% be accepted.
2. The offer from Evolution Mining to increase the road maintenance contribution under the Memorandum of Understanding (MoU) by 50% be rejected and Evolution Mining be requested to increase the MoU offer. A further report be presented to Council on the response from Evolution Mining for consideration.
3. Council reject the variation to the MoU and request that Evolution Mining reconsider entering into a Voluntary Planning Agreement with Council for the project.

CONCLUSION

Evolution Mining at Cowal Gold Operations are seeking State Significant Development Application Modification approval for an extension to opening cut mining at the site.

As a result of the proposal Evolution Mining has engaged with Council and have offered to increase the existing Memorandum of Understanding for road maintenance contribution by 50%. It is recommended that Council accept the variation offer by Evolution Mining.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

CSP No. 4.2 – Strong effective and responsive Council

ATTACHMENTS

Nil

9.4 INFRASTRUCTURE SERVICES

9.4.1 HOLT STREET DRAINAGE - CONSULTATION UPDATE

TRIM Number: R24/69

Author: Director Infrastructure Services

RECOMMENDATION

That:

1. The Director Infrastructure Services Report No. R24/69 be received and noted.
2. Council continue discussions with land owners of Lot 3 Section 26 DP 75859 and Lot 4 Section 24 DP 758595 with the intention of formalising an additional drainage easement adjacent to the current drainage easement.
3. Council prepare detailed design drawings and cost estimate for drainage upgrade on the concrete trapezoidal drain option.

PURPOSE

To update Council on the consultation with residents adjacent to the stormwater drainage between Grace and Holt Streets in Lake Cargelligo. Seek input from Councillors on the preferred stormwater treatment option and future direction on improving the drainage issues.

SUPPORTING INFORMATION

Attachment 1 – 2 page summary sent to residents and owners

BACKGROUND

Report R23/376 Holt Street Drainage to the December 2023 Council meeting.

ISSUES AND COMMENTS

Council staff undertook a targeted stakeholder engagement process, sending a letter, with a 2-page summary of the design concepts and cost estimates to each resident and land owner adjacent to the drainage channel. Council staff invited resident and land owners to meet with the Director Infrastructure Services at one or both drop in sessions between 10am and 3pm on the 9th and 16th January 2024. Alternately for those residents unable to attend these sessions separate face to face meetings or phone conversations were held.

The below points summarise the comments and feedback received.

- Ongoing maintenance is a concern. I don't want to be mowing Council's drain.
- Not supportive of rock lined grassed swale option. Would prefer concrete lined channel.
- What do you do if the pipes block up?

- Is Council going to pay for a new fence?
- Large piped Option seems too expensive. I could do it cheaper.
- Can we apply for a grant to build the piped option?
- I don't mind which option, can we just sort it out so I can fix my fence and build my shed?
- I am willing to give up a bit of land if it means council is going to fix the problem.
- Can we just sort it out so I can move forward with my sub-division?
- Most of the problem would go away if council just cleaned out the culverts and the drain.
- The easement is fine – but I don't want to lose access to our back yard.
- How are you going to stop “anti-social” behaviour in the back lanes and in the drain?
- No strong preference on the options, just make it safer for kids.
- Why can't you just do it like the drain in Bendigo (Rosalind park)

Council would be required to formally establish additional easements over Lot 3 Section 26 DP 75859 and Lot 4 Section 24 DP 758595 (Red blocks in the below map), if the concept design is to be constructed. The report suggests an additional 2 metres. Through the stakeholder consultation, it was evident that there were no major objections to establishing additional easements if required. The topic of potential owner compensation for acquiring the easement was not discussed. The feedback focused on the need to provide a solution to the drainage issue.



FINANCIAL AND RESOURCE IMPLICATIONS

There was a general understanding from stakeholders that Council's limited stormwater budget was unlikely to be increased in order to construct the 1% piped option.

It is unlikely that a competitive grant would be available for the construction of the piped option.

It was understood that this could be delivered in a staged process. However, the staged construction timeline needs to consider the sections that require more urgent works.

LEGAL IMPLICATIONS

In order for Council to construct the least cost option, an additional easement would need to be established over Lot 3 Section 26 DP 75859 and Lot 4 Section 24 DP 758595, as well as confirm the easement over Lot 4 section 26, DP 758595.

This can be achieved through section 88B of the Conveyancing Act 1919.

RISK IMPLICATIONS

Risks to public safety has been considered throughout the discussion. Council is required to balance the actual risks with the perceived risks to persons and to property and also the financial risks.

STAKEHOLDER CONSULTATION

As described above.

OPTIONS

- 1) Undertake basic maintenance only of the drainage reserve
- 2) Develop the design options into a preferred design, including drawings and a revised cost estimate. Seek to establish the wider drainage easement. Reassess how to fund and construct the project after reviewing this further information.
- 3) Allocate additional Capital budgets in the FY24/25 and undertake construction works in the worst areas as a priority, working within the existing easement.

CONCLUSION

Council has been presented with a summary of the stakeholder feedback for the Holt street drainage. Council has an opportunity to discuss future steps for the project.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

CSP 7.3 Provide adequate town drainage.

ATTACHMENTS

1. 2 page summary sent to residents and owners

9.4.2 CROWN RESERVE 96552 AND 96536 LAKE CARGELLIGO**TRIM Number: R24/70****Author: Director Infrastructure Services****RECOMMENDATION**

That:

1. The Director Infrastructure Services Report No. R24/70 be received and noted.
2. Council acknowledge that Crown Reserve 96552 will be devolved to Council once the Lake Cargelligo Sport Club Ltd ceases to be the Crown Land Manager.
3. Council write to Department of Planning Housing & Infrastructure - Crown Lands and discuss possible future options for the Management of Crown Reserve 96536

PURPOSE

Update Council on Crown Land Reserve 96552 (the golf course and cricket grounds) and Reserve 96536 (the clubhouse) and the implications of the liquidation of the Lake Cargelligo Sports Club Ltd. Seek Council direction on the future management of Reserve 96536.

SUPPORTING INFORMATION

Attachment 1 – letter from Mr Daryl Lawrence on the liquidation of the Lake Cargelligo Sports Club Ltd, Crown Reserves 96536 (club house) and 96552 (golf course and cricket grounds)

Attachment 2 – Fact sheet for the Management of Devolved Crown Land

BACKGROUND

The Lake Cargelligo Sport Club Ltd (the club) is officially in liquidation. The club was formally the Crown Land Manager for the following Crown Land: -

- Reserve 96552 (the golf course and cricket grounds) was dedicated for the purpose of Public Recreation. Lot 204 DP45347 (Gazetted 7 Jan 1983) and Lot 71 DP752355 was added for potential expansion of the Golf course (Gazetted 30 Sept 1988).



- Reserve 96536 (the clubhouse) was dedicated for the purpose of Future Public Requirements, on which a special Lease 153563 was granted for the purpose of Erection of Buildings on Lot 203 DP45347 (Gazetted 31 December 1982)



ISSUES AND COMMENTS

Department of Planning Housing & Infrastructure - Crown Lands have written to Council (Attachment 1) advising that under Section 48 Local Government Act 1993 the management of Reserve 96552 will devolve to Council upon termination of the Club’s appointment as Crown Land Manager.

Council will need to consider if alternative land management options are worth pursuing. The 4 options for the land management are:-

1. Crown Land Devolved to Council
2. Crown Land management by First Nations people.
3. Crown Land where Council has been appointed as the Crown Land Manager
 - a. Similar to Lake Cargelligo Recreation Ground where Council undertakes all management.
 - b. Or as a 355 Committee like Lake Cargelligo Memorial Hall
 - c. Or hybrid Council/Community management similar to the Lake Cargelligo Showground.
4. Crown Land managed by a Trust where Council is not involved (similar to the Lake Cargelligo Common)

Attachment 2 is a factsheet outlining the difference between Devolved Crown Land and Crown Land where Council has been appointed the Crown Land Manager.

There is currently 3 undetermined Aboriginal Land Claims that cover on Reserve 96552 (the golf course, cricket grounds and lot 71). Crown Lands have requested these claims be prioritised for assessment. If one or all the claims are upheld, the land will be returned to the Murrin Bridge Local Aboriginal Land Council for ongoing management. There is not an Aboriginal Land Claim on the Clubhouse.

In the same letter, Crown Lands have advised that they are investigating future options for the management of Reserve 96536 (the clubhouse). In 2021, the Crown Lands Department wrote to Council to enquire if Council would be interested in becoming the Crown Land Manager of the site. At that time, Council staff declined the option, as there remained considerable uncertainty around the future of the Lake Cargelligo Sports Club Ltd, as a Club, and there was uncertainty around the management of the surrounding Crown Land. Given these issues are no longer uncertain, it is potentially time to reconsider the Management of the Clubhouse and the future use of the facility.

Future activity on the land would need to be in keeping with the gazetted Purpose of the Reserve. This precludes many activities including industrial development, intensive agriculture and residential housing. This does not preclude irrigating recreation areas with effluent, nor does it preclude grazing for the purpose of vegetation management/hazard reduction. Reserve Purposes can be added or changed to allow additional uses, however that requires a lengthy public consultation process and Minister approval.

FINANCIAL AND RESOURCE IMPLICATIONS

In order to inform the discussion around the future management framework, Council will also need to consider what level of service might be provided at the facility, the ongoing maintenance and operational resources required to achieve this level of service and how Council is going to fund these requirements.

There is not budget allocation for any Building modifications or improvements.

There are no budget allocations for the future management, operation or maintenance of either Crown Reserves.

Council has allocated \$250,000 of the LRCI phase 4A program towards “Lake Cargelligo Additional Sports Area”. This exact scope is to be determined, however the intention is to provide Capital investment in additional and improved sporting facilities in Lake Cargelligo. These additional facilities could include improvements to the cricket oval to improve the quality of the playing field and increase the usability of the area for winter sports.

LEGAL IMPLICATIONS

Local Government Act 1993,
Crown Land Management Act 2016

RISK IMPLICATIONS

There are community risks associated with the demise of another volunteer community organisation. There are long term financial risks for Council by acquiring more assets that require ongoing maintenance, with little potential for increased user fees or revenue.

Council should also note the issues highlighted in Council’s Building and Recreation Asset Management Plans.

STAKEHOLDER CONSULTATION

Discussions have taken place with the Crown Lands Office in Orange.

Informal discussions have occurred between representatives from the Cricket Club and Council staff when the club first ceased trading in 2021. Informal discussions have also taken place with a junior rugby league representative and Council staff around the need for increased field area.

Nil formal discussions have occurred between users of the facility and Council.

OPTIONS

Reserve 96552 (the grounds)

- 1) Council accept that the Crown reserve will be devolved to Council, engage with stakeholders and plan accordingly for future management of the facility.
- 2) Council make representation that the Aboriginal land claims over the land be resolved prior to any future decisions regarding the management of the Crown Reserve. If the claim is upheld, then the land shall be managed by the Murrin Bridge Local Aboriginal Land Council.
- 3) Council request that Council be appointed the Crown Land Manager of the Crown reserve under section 3.3 of the Crown Land Management Act. This would allow marginally more freedom in managing the land in accordance with an adopted Plan of Management. Council engage with stakeholders and plan for the appropriate future management of the facility.
- 4) Council make representation that the Crown land be managed by a new Trust made up of community members (similar to the Lake Cargelligo Common).

Reserve 96536 (the clubhouse)

- 1) Council decline to investigate becoming the Crown Land Manager for the Clubhouse.
- 2) Council discuss future management options for the Crown Land of the Clubhouse, with Council being the Crown Land Manager.

CONCLUSION

Council has been updated on the possible implications of the liquidation of the Lake Cargelligo Sports Club Ltd on the Crown Land Reserve 96552 and 96536. Council has an opportunity to consider the future direction of the Reserves and their management.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

Recreation and Building Asset Management Plans

CSP 4.1 Involved and active community groups.

CSP 4.4 Strategic management of villages and Crown Reserves.

CSP 6.4 Improved parks, gardens and sporting ovals.

ATTACHMENTS

- 1. Crown Lands letter regarding Lake Careglligo Sports Club Crown Reserves**
- 2. Factsheet - Management of Devolved Crown Land**

10 DEPUTATIONS

11 NOTICES OF MOTION**11.1 NOTICE OF MOTION - GOANNA MANOR****TRIM Number: R24/44**

I, Councillor Dennis Brady, give notice that at the next Ordinary Meeting of Council to be held on 20 March 2024, I intend to move the following motion: -

MOTION

That:

1. Notice of Motion Report No. R24/44 be received and noted.
2. Resolution 2023/276 titled Goanna Manor – Lionel Hunt park, 125 Bathurst street, Condobolin that was passed on 29 November 2023 be rescinded.

The following provides an outline for the proposal and reasons for this request:

At the Ordinary Meeting of Council on 29 November 2023 Council resolved as follows:

RESOLUTION 2023/1*Moved: Cr Peter Harris**Seconded: Cr John Medcalf*

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.

I want to move a motion to rescind resolution 2023/276 as I believe not all of the information on this was correct at the time. Councillors were advised the building was in a poor state and it could be contaminated with asbestos. This was said even though extensive renovations were done by Lachlan Shire Council before the youth group occupied the building.

12 NOTICES OF RESCISSION

Nil

13 DELEGATES REPORT**13.1 DELEGATES REPORT****TRIM Number:** R24/59**Author:** Executive Assistant**RECOMMENDATION**

That:

1. The report from the Deputy Mayor on the Central NSW Joint Organisation (CNSWJO) Board meeting 29 February 2024 be received and noted.
2. Note the return on investment from Council fees to the CNSWJO is 9.4:1;
3. Support the Simtables workshop at Council in disaster readiness; and
4. Note the CNSWJO Draft Statement of Budget and Revenue.

PURPOSE

To provide Council with a report on the Central NSW Joint Organisation Board Meeting held on 29 February 2024 in Condobolin, attended by the Deputy Mayor and General Manager.

SUPPORTING INFORMATION

The report from the Central NSW Joint Organisation is attached.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

CSP 4.2 Strong effective and responsive Council.

ATTACHMENTS

1. **Report on Central NSW Joint Organisation Board Meeting.**

14 CORRESPONDENCE**14.1 CORRESPONDENCE****TRIM Number: R24/42****Author: Executive Assistant****RECOMMENDATION**

That:

1. The Correspondence Report No. R24/42 be received and noted.

PURPOSE

To provide Council with details of correspondence received in March 2024.

SUPPORTING INFORMATION

Public Accounts Committee Invitation to make a submission to Public Accounts Committee inquiry with Terms of Reference – Letter received.

NSW Productivity Commission - Review of Funding Models for Local Water Utilities – Letter received with Issues Paper.

Telstra USO Reform Consultation - Material & Helpful Links – Letter received.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

CSP 4.2 Strong effective and responsive Council.

ATTACHMENTS

1. **Public Accounts Committee Invitation to make a submission to Public Accounts Committee Inquiry .**
2. **Terms of Reference - Assets, premises and funding of the NSW Rural Fire Service.**
3. **NSW Productivity Commission - Review of Funding Models for local water utilities.**
4. **20240222_Alternative-Funding-Models-for-Local-Water-Utilities_Issues_Paper_accessible**
5. **Telstra USO Reform Consultation - Material & Helpful Links.**
6. **Fact Sheet _ USO reform regional stakeholder engagement.**

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 Lake Cargelligo Museum - Upgrade

This matter is considered to be confidential under Section 10A(2)c and d 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.

17.2 Notification of Liquidation - 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.

17.3 Tender Assessment - RFT T2023/18 Sewer Rehabilitation and Investigation

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.

17.4 Riverview Caravan Park Management - Contract Remuneration Review

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.

17.5 Lachlan Shire Council Works Depot construction arrangements

This matter is considered to be confidential under Section 10A(2)c and 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 information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and details of systems and/or arrangements that have been implemented to protect council, councillors, staff and Council property.

17.6 Land Acquisition - Jones Lane Condobolin

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.

17.7 SRL Ops Pty Ltd - Request for extension of S.138 Consent and Substratum Lease

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.