



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

Date: Wednesday, 23 August 2023
Time: 2:00 PM
Location: Condobolin Council Chambers

BUSINESS PAPER

Ordinary Council Meeting

23 August 2023



ACKNOWLEDGEMENT OF COUNTRY

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

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

Lachlan Shire –THE HEART OF NSW



Our Vision:

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

Mission:

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

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1 WEBCASTING

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

2 ACKNOWLEDGEMENT OF COUNTRY AND ELDERS

3 APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE

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

254A Circumstances in which annual fees may be withheld-

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

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

4 CONFIRMATION OF MINUTES

Ordinary Meeting - 26 July 2023

**MINUTES OF LACHLAN SHIRE
ORDINARY COUNCIL MEETING
HELD AT THE CONDOBOLIN COUNCIL CHAMBERS
ON WEDNESDAY, 26 JULY 2023 AT 2:00 PM**

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

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

Meeting opened at 02:06pm

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 Robyn Turner.

3 APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE

RESOLUTION 2023/157

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Robyn Turner

That:

1. The request for Leave of Absence received from Cr Brady be accepted.

CARRIED

4. CONFIRMATION OF MINUTES

RESOLUTION 2023/158

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Megan Mortimer

That:

1. The minutes of the Ordinary Meeting held on 28 June 2023 be confirmed.

CARRIED

5 MAYORAL MINUTE**5.1 MAYORAL MINUTE - MEETINGS AND FUNCTIONS JULY****RESOLUTION 2023/159**

Moved: Cr Dave Carter

Seconded: Cr Melissa Rees

That:

1. The Mayoral Minute No. R23/210 be received and noted.

CARRIED

6 PUBLIC FORUM

Condobolin Junior Cricket Association – Ian Grimshaw.

7 DISCLOSURE OF INTEREST

Cr Blewitt declared a non-pecuniary less than significant interest in item 17.5 Willowbend Sport Centre Improvements, as her brother in law is the Manager of Willowbend Sport Centre.

8 READ AND NOTE**RESOLUTION 2023/160**

Moved: Cr Melissa Blewitt

Seconded: Cr Megan Mortimer

That:

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

- 8.1 Building Projects Monthly Update for June/July;
- 8.2 Investments as at 30 June 2023;
- 8.3 Customer Requests – Month Ended 30 June 2023;
- 8.4 FY22/23 Urban Works Monthly Update for June 2023;
- 8.5 FY22/23 Utilities Monthly Update June;
- 8.6 Development Date June 2023.

CARRIED

8.7 FY22/23 ROADWORKS MONTHLY UPDATE FOR JUNE**RESOLUTION 2023/161**

Moved: Cr Melissa Blewitt

Seconded: Cr Dave Carter

That:

1. The Director Infrastructure Services report No R23/196 be received and noted.

CARRIED

RESOLUTION 2023/162

Moved: Cr Megan Mortimer

Seconded: Deputy Mayor Paul Phillips

That:

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

- 8.8 Statecover Mutual LTD – Executive Review;
- 8.9 Active Resolutions.

CARRIED

9. DECISION REPORTS**9.1 GENERAL MANAGER****9.1.1 DELEGATES AND MOTIONS FOR THE NSW LOCAL GOVERNMENT ANNUAL CONFERENCE 2023****RESOLUTION 2023/163**

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Dave Carter

That:

1. The General Manager's Report No. R23/204 be received and noted.
2. The following motion be endorsed for submission to the Local Government NSW 2023 Annual Conference;
 - (a) LGNSW lobby the NSW Government to remove the requirement for compulsory voting in NSW local government by-elections due to poor voter turnout at recent by-elections, the relatively small penalty for not voting and the administrative burden of issuing infringement notices.

3. The Mayor and General Manager be delegated authority to authorise the submission of any further motions that may be suggested before the motion submission deadline closes on 15 September 2023.
4. Up to 3 Councillor delegates be nominated to attend the conference with the Mayor and General Manager.

CARRIED

Councillors Carter, Bartholomew and Brady were nominated to attend.

9.2 CORPORATE AND COMMUNITY SERVICES

9.2.1 ARIC FEES, REASONABLE EXPENSES AND FACILITIES POLICY V2

RESOLUTION 2023/164

Moved: Cr Peter Harris

Seconded: Cr Judith Bartholomew

That:

1. The Director Corporate & Community Services Report R23/83 be received and noted.
2. Subject to any changes Council wishes to make being incorporated, the ARIC Fees, Reasonable Expenses and Facilities Policy v2 be adopted.

CARRIED

9.2.2 COMMUNITY DONATION AND EVENT SUPPORT PROGRAM

RESOLUTION 2023/165

Moved: Cr Peter Harris

Seconded: Deputy Mayor Paul Phillips

That:

1. The Director of Corporate and Community Services Report No. R23/192 be received and noted.
2. Council approve a \$1,245.62 contribution for the cost of mobile lighting towers for the Condobolin and District Kennel Club, to be funded from the Community Events Program budget. This donation is conditional on the All Breeds Championship Dog Shows event proceeding.
3. Council approve a \$400 donation to the Condobolin Sports Club for their Triple Bowls event, to be funded from the Community Events Program budget. This donation is conditional on the event proceeding.
4. Council approve the \$1,000 donation requested by West Milby Rodeo & Gymkhana Inc. to be funded from the Community Events Program budget. This donation is conditional on the event proceeding.

5. Council approve the in kind support estimated to be \$806.48 requested by Condobolin Junior Cricket Association. This contribution is to be funded from the In Kind Contributions budget and covers the dry hire cost of the vehicle only.

CARRIED

9.3 ENVIRONMENT, TOURISM AND ECONOMIC DEVELOPMENT

Nil

9.4 INFRASTRUCTURE SERVICES

9.4.1 TREE MANAGEMENT POLICY

RESOLUTION 2023/166

Moved: Cr Dave Carter

Seconded: Cr Peter Harris

That:

1. The Director Infrastructure Services Report R23/199 be received and noted.
2. The Tree Management Policy and Guidelines be adopted.

CARRIED

9.4.2 NATURE STRIPS: MOWING, PLANTING AND LANDSCAPING POLICY

RESOLUTION 2023/167

Moved: Cr Peter Harris

Seconded: Cr Dave Carter

That:

1. The Director Infrastructure Services Report R23/200 be received and noted.
2. The Nature Strips: Mowing, Planting and Landscaping Policy be adopted.

CARRIED

10 DEPUTATIONS

Nil.

11 NOTICES OF MOTION

Nil

12 NOTICES OF RESCISSION

Nil

13 DELEGATES REPORT

Nil

14 CORRESPONDENCE

14.1 CORRESPONDENCE

RESOLUTION 2023/168

Moved: Cr Melissa Rees

Seconded: Deputy Mayor Paul Phillips

That:

1. The Correspondence Report No. R23/212 be received and noted.

CARRIED

15 QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

16 PETITIONS

Nil.

RESOLUTION 2023/169

Moved: Cr Dave Carter

Seconded: Cr Megan Mortimer

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

CARRIED**Meeting paused at 3:06pm****Meeting resumed at 3:20pm****17 CLOSED SESSION****17.1 Tender 2022/8 - Management Contract for Lakeview Caravan park - Submission**

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

17.2 Interim Audit Management Letter 2023

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 Rural Fire Services - update to Council and direction sought

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.

17.4 Property Valuation

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

17.5 Willow Bend Sports Centre Improvements

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 Executive Staff Performance Reviews

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).

17.7 1 McInnes Street Lake Cargelligo Master Plan

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

17.8 Request for use of Council Facilities - Marathon Health

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.

RESOLUTION 2023/170

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Melissa Rees

That Council moves out of Closed Council into Open Council.

CARRIED

17.1 TENDER 2022/8 - MANAGEMENT CONTRACT FOR LAKEVIEW CARAVAN PARK - SUBMISSION**RESOLUTION 2023/171**

Moved: Cr Dave Carter

Seconded: Deputy Mayor Paul Phillips

That:

1. The Director Environment, Tourism and Economic Development Report No. R23/150 be received and noted.
2. Council reject all tenders submitted and authorise the General Manager or delegate to negotiate with all tenderers or any other person, with the aim of achieving Option 2 within this report.
3. A further report be provided to Council detailing the outcome of the negotiations.

CARRIED

17.2 INTERIM AUDIT MANAGEMENT LETTER 2023**RESOLUTION 2023/172**

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Judith Bartholomew

That:

1. The Director Corporate & Community Services Report No. R23/167 be received and noted.
2. The Interim Audit Management letter and associated comments for the financial year ended 30 June 2023 be noted.

CARRIED

17.3 RURAL FIRE SERVICES - UPDATE TO COUNCIL AND DIRECTION SOUGHT**RESOLUTION 2023/173**

Moved: Cr Peter Harris

Seconded: Deputy Mayor Paul Phillips

That:

1. The Director of Corporate and Community Services Report No. R23/185 be received and noted.
2. Council consents to the release of the 2022 Audit Management Letter to the Office of Local Government.

3. Council, with the support of LGNSW and the Lachlan Shire Council ARIC, continues to exclude assets which it does not control, including Rural Fire Service assets, from Council's Asset Register while acknowledging that this may lead to a qualified audit opinion for the 2022/23FY.

CARRIED

17.4 PROPERTY VALUATION

RESOLUTION 2023/174

Moved: Cr Peter Harris

Seconded: Cr Judith Bartholomew

That:

1. The Director of Environment, Tourism and Economic Development Report No. R23/190 be received and noted.
2. The General Manager be authorised to commence negotiations with the landowner with a view to purchasing of the property in accordance with option 1 of the report.
3. A further report be provided advising Council on the outcome of the negotiations.

CARRIED

Cr Blewitt declared a non-pecuniary less than significant interest in item 17.5 Willowbend Sport Centre Improvements, as her brother in law is the Manager of Willowbend Sport Centre.

Cr Blewitt vacated her chair.

17.5 WILLOW BEND SPORTS CENTRE IMPROVEMENTS

RESOLUTION 2023/175

Moved: Cr Peter Harris

Seconded: Cr Megan Mortimer

That:

1. The Director Environment, Tourism and Economic Development Report No. R23/195 be received and noted.
2. That Council proceed with Option 3 as outlined in this report.

CARRIED

Cr Blewitt resumed her chair.

Karen Pegler (Director - Corporate and Community Services) vacated her chair.

Jon Shillito (Director - Environment, Tourism and Economic Development) vacated his chair.

Adrian Milne (Director - Infrastructure Services) vacated his chair.

17.6 EXECUTIVE STAFF PERFORMANCE REVIEWS**RESOLUTION 2023/176**

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Judith Bartholomew

That:

1. The General Manager's Report No. R23/197 be received and noted.

CARRIED

Karen Pegler (Director - Corporate and Community Services) resumed her chair.

Jon Shillito (Director - Environment, Tourism and Economic Development) resumed his chair.

Adrian Milne (Director - Infrastructure Services) resumed his chair.

17.7 1 MCINNES STREET LAKE CARGELLIGO MASTER PLAN**RESOLUTION 2023/177**

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Dave Carter

That:

1. The Director of Environment, Tourism and Economic Development Report No. R23/211 be received and noted.
2. A planning proposal be prepared and lodged with Department of Planning and Environment to re-zone the site RU5 Village under Lachlan Local Environmental Plan 2013.
3. Detailed contamination and geotechnical soil investigations be undertaken by the preferred consultant.
4. A further \$100,000 from the Housing and Development reserve be approved to continue investigations into 1 McInnes Street to determine the development potential of the site and prepare the preliminary design for the site.
5. A further report be presented to Council in the final quarter of 2023 with an update on the budget, the findings of the investigations and the progression of the planning proposal.

CARRIED

17.8 REQUEST FOR USE OF COUNCIL FACILITIES - MARATHON HEALTH

RESOLUTION 2023/178

Moved: Cr Dave Carter

Seconded: Deputy Mayor Paul Phillips

That:

1. The General Manager’s Report No. R23/213 be received and noted.
2. Marathon Health be granted approval to lease part (approximately two thirds) of the Community Facility building at 7 Hay Street Condobolin or the Council facility at 3 Melrose Street Condobolin for the purpose of delivering health and wellbeing services within the Condobolin community.
3. The fee for either premise be set at \$2,500 per month payable in advance.
4. The initial lease term to expire on 30 June 2024 with two 12 months options to extend the lease subject to the agreement of Council and Marathon Health.
5. The rent for the property be increased annually by CPI.
6. The Lessee be responsible for outgoing costs such as rates, water, sewer and electrical costs.
7. The General Manager be authorised to sign a commercial lease for either part 7 Hay Street or 3 Melrose Street Condobolin, subject to Marathon Health identifying their preferred property and any required planning approval being obtained.

CARRIED

Cr. Rees left the meeting at 3:50pm

The Meeting closed at 4:00pm

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 23 August 2023.

.....
CHAIRPERSON

5 MAYORAL MINUTE**5.1 MAYORAL MINUTE - MEETINGS AND FUNCTIONS AUGUST****TRIM Number: R23/225****Author: Executive Assistant****RECOMMENDATION**

That:

1. The Mayoral Minute No. R23/225 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 August.

AUGUST:

- 04.08.2023 Country Mayors Association General Meeting – Sydney.
- 08.08.2023 CNSWJO Board meeting with The Hon Paul Scully, Minister for Planning and Public Spaces and The Hon Jihab Dib Minister for Customer Service and Digital Government, Minister for Emergency Services, and Minister for Youth Justice and Member Phil Donato – Forbes Shire Council Chambers
- 09.08.2023 Pre-Meeting Briefing – Condobolin.
- 09.08.2023 Western Division Councils of NSW Annual General Meeting - Cobar.
- 10.08.2023 Western Division Councils of NSW Annual General Meeting - Cobar.
- 10.08.2023 CNSWJO – Health and Ageing Portfolio Mayors Subcommittee (HAPMS) – Zoom.
- 11.08.2023 Western Division Councils of NSW Annual General Meeting - Cobar.
- 23.08.2023 Ordinary Council Meeting – Condobolin.

ATTACHMENTS

Nil

5.2 MAYORAL MINUTE - NAB BRANCH CLOSURE LAKE CARGELLIGO**TRIM Number: R23/251****Author: Mayor****RECOMMENDATION**

That:

1. Mayoral Minute R23/251 be received and noted.
2. Council send a letter to the General Manager/CEO of the NAB expressing our disappointment and concern at the closure of the Lake Cargelligo NAB bank branch and other branches in rural and regional communities.

NAB CLOSURE LAKE CARGELLIGO

It is very disappointing that the NAB branch in Lake Cargelligo is closing this month (August 2023).

These institutions are the fabric of our society and they help to keep our communities together. We seem to be losing that one-on-one connection with everyone seeming to become just a number.

I would like to support the Lake Cargelligo community by writing a letter, on their behalf, to the NAB General Manager expressing our displeasure at the closing of the branch and all other branches in regional NSW.

ATTACHMENTS

Nil

6 PUBLIC FORUM

The Tottenham Skatepark Development Group.

7 DISCLOSURE OF INTEREST

8 READ AND NOTE**8.1 YOUTH SERVICES UPDATE TO COUNCIL - JANUARY TO JUNE 2023****TRIM Number: R23/217****Author: Director - Corporate and Community Services****RECOMMENDATION**

That:

1. The Director Corporate & Community Services Report No. R23/217 be received and noted.

PURPOSE

The purpose of this report is to provide Council with a summary of activities undertaken by Lachlan and Western Regional Services (LWRS) in relation to funding provided by Council for provision of Youth Services across the Shire. The documents are required to report on outcomes from the objectives identified in the Youth Strategy.

SUPPORTING INFORMATION

LWRS has provided the attached reports for Council's information:

- Written report – three months 1 January to 31 March 2023
- Financial report budgets vs actuals for the year ended 30 June 2023
- Written Annual Report for the year ended 30 June 2023.

BACKGROUND

Council signed a funding agreement in 2021 with Western Plains Regional Services now Lachlan & Western Regional Services (LWRS) to deliver youth services on behalf of Council, through to 30 June 2025.

ISSUES AND COMMENTS

The reports refer to objectives achieved in line with the Youth Strategy as well as Council's Delivery and Operational Plans.

Financial documents are also provided to show funds received and how these funds have been spent for the financial year to 31 March 2023.

A copy of the written 2023 Annual Report is provided however the financial report to 30 June 2023 has not yet been provided.

FINANCIAL AND RESOURCE IMPLICATIONS

The youth services funding agreement allows for a Council contribution towards two (2) distinct components. Council's 2024 FY budget provided for the following allocations:

Youth services \$194,965 excluding GST

Administration component \$58,860 excluding GST

LEGAL IMPLICATIONS

None identified.

RISK IMPLICATIONS

None identified.

STAKEHOLDER CONSULTATION

Lachlan & Western Regional Services Executive Officers.

OPTIONS

Not applicable.

CONCLUSION

The attached reports are provided for Council's information.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

CSP 1.8 Wellbeing of Youth.

CSP 4.2 Strong Effective & Responsive Council

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

ATTACHMENTS

1. **LWRS Youth Services Annual Report FY 2022 - 2023**
2. **LWRS Written report quarter ended 31 March 2023**
3. **LWRS Financial Report to 30-6-23**

8.2 INVESTMENTS AS AT 31 JULY 2023**TRIM Number: R23/218****Author: Manager - Finance****RECOMMENDATION**

That:

1. The Director Corporate and Community Services Report No. R23/218 be received and noted.

PURPOSE

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

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

SUPPORTING INFORMATION

Council's general bank account reconciled balance at 31 July 2023 is \$1,905,712.54. Investments held at 31 July 2023 totalling \$68,545,746 are set out in Attachment 1.

Responsible Accounting Officer Certificate

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

Karen Pegler

Responsible Accounting Officer

FINANCIAL UPDATE

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

Over the past 12 months, the portfolio, excluding on call cash, returned 3.02% p.a., just underperforming compared to AusBond Bank Bill Index (bank bills) by 0.13% p.a. Aggressive interest rate rises have been reducing Council's performance against the AusBond Bank Bill Index.

The RBA again held the cash rate at 4.10%, on 1 August 2023. In his last statement as Governor of the Reserve Bank of Australia, Philip Lowe stated "Inflation in Australia is declining but is still too high at 6 per cent. Returning inflation to target within a reasonable timeframe remains the Board's priority. Some further tightening of monetary policy may be required to ensure that inflation returns to target in a reasonable timeframe, but that will depend upon the data and the evolving assessment of risks. In making its decisions, the Board will continue to pay close attention to developments in the global economy, trends in household spending, and the outlook for inflation and the labour market".

Investment returns around 5.25% – 5.5% p.a. now appear likely if Council can place the majority of its surplus funds for terms of 12 months to 3 years.

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 Register 31 July 2023**

8.3 DEVELOPMENT DATA JULY 2023

TRIM Number: R23/219

Author: Manager- Town Planning

RECOMMENDATION

That:

1. The Director Environment, Tourism and Economic Development Report No. R23/219 be received and noted.

PURPOSE

This report is to provide Council with information in relation to development activity occurring within the Shire during July 2023.

SUPPORTING INFORMATION

Council’s Development Data.

BACKGROUND

During the month of July 2023 there were (4) applications lodged with a value totalling \$269,500. Five (5) approvals were issued within this time.

Development Applications and Complying Development Certificates Approved in July 2023.

Approval Number	Development Description	Location	Value	Delegated Authority/Council
DA 2022/50	Electricity generating works in the form of a 3MW solar photovoltaic farm coupled with energy storage systems (battery energy storage, thermal energy storage and hydrogen energy storage), hydrogen production, as well as tank-based aquaculture (fish farm) and greenhouse horticulture. The proposal also includes demolition of existing electricity generating	210 Lake Cargelligo Road & 8247 Wyalong Road, Lake Cargelligo	\$29,276,500	Western Regional Planning Panel

	works and ancillary buildings.			
DA 2023/13	Extractive Industry (Quarry)	341 Bobadah Road, Tottenham	\$12,320	Delegated Authority
DA 2023/15	Four Lot Torrens Title Subdivision	80 Walker Street, Lake Cargelligo	\$0	Delegated Authority
DA 2023/22	Construction of Outbuilding (Garage)	216 Bathurst Street, Condobolin	\$7,150	Delegated Authority
DA2023/24	Demolition of Dwelling	1649 Boona Road, Condobolin	\$10,000	Delegated Authority
TOTAL No. OF APPROVED DEVELOPMENTS	5		\$29,305,970	

Comparison to Previous Year: Applications Approved July 2022

Total ***Number*** of Applications ***approved in July 2022***: 5

Total ***Value*** of Applications ***approved for July 2022***: \$32,986

Development Applications and Complying Development Certificates Received in July 2023

Development Identifier	Development Description	Location	Value
DA 2023/25	Construction of Garage	29 Loughnan Street, Lake Cargelligo	\$20,000
DA 2023/26	Construction of Dwelling	103 Hodges Road, Condobolin	\$220,000
CDC 2023/3	Demolition of Dwelling	14 McDonnell Street, Condobolin	\$20,000
CDC 2023/4	Construction of Garage	9 Gatenby Street, Condobolin	\$9,500
TOTAL	4		\$269,500

Comparison to Previous Year: Applications Received July 2022

Total Number of Applications ***received in July 2022***: 9

Total Value of Applications ***received for July 2022***: \$3,105,231

ISSUES AND COMMENTS

A total of five (5) approvals have been issued this financial year at an average of 72 days, which is outside the legislative timeframe for approvals and above the average net days taken to determine a DA across all NSW Councils. This was largely due to the determination of the DA by the Western Regional Planning Panel for which the timeline for determination is outlined by the Panel.

FINANCIAL AND RESOURCE IMPLICATIONS

No foreseeable issues.

LEGAL IMPLICATIONS

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

RISK IMPLICATIONS

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

STAKEHOLDER CONSULTATION

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

OPTIONS

1. Receive and note the report.

CONCLUSION

Development Application and Complying Development Certificate approved data reveals a total development value of \$29,305,970 for applications approved in the 2023/2024 financial year.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

CSP 4.2 - Strong Effective Responsive Council.

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

ATTACHMENTS

Nil

8.4 DELIVERY PROGRAM 6 MONTHLY UPDATE TO 30 JUNE 2023**TRIM Number: R23/222****Author: Executive Assitant****RECOMMENDATION**

That:

1. The General Manager's Report No. R23/222 be received and noted.

PURPOSE

To provide Council with progress updates on the Delivery Program as at 30 June 2023, in compliance with legislation.

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.

Council will note a new format for reporting. The Pulse Corporate Reporting & Planning template has been implemented to provide streamlined reporting and a consistent format.

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 period ending 30 June 2023.**

8.5 ACTIVE RESOLUTIONS - AUGUST 2023

TRIM Number: R23/224

Author: Executive Assistant

RECOMMENDATION

That:

1. The General Manager's Report No. R23/224 be received and noted.

PURPOSE

To provide Council with an update on Active Resolutions as at August 2023.

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

8.6 FY23/24 UTILITIES MONTHLY UPDATE JULY

TRIM Number: R23/229

Author: Manager - Utilities

RECOMMENDATION

That:

1. The Director Infrastructure Services Report No. R23/229 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 July, in progress for the month of August and forecast for the month of September 2023.

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
RNSW 1879 Condobolin Water Supply Upgrade Scoping Study	<ul style="list-style-type: none"> • Hunter H2O are reviewing the scoping study to address DPE Water’s comments.
RNSW 755 Condobolin Bore Fields II	<ul style="list-style-type: none"> • NSW Public Works Infrastructure and Property teams are currently preparing documentation required for the formal land acquisition process. • Tender documents and specification for the upgrade of the chlorination system are currently being finalised.
DWS072 Condobolin Drought Water Security Project	<ul style="list-style-type: none"> • Contract 5: Transfer Pump Station – the brickworks for the pump shed have been completed. Civil and mechanical works inside the pump shed are nearly complete. • Roof is planned to be installed by the end of the month.

	<ul style="list-style-type: none"> • Designs for the new aeration system is currently being finalised, this includes civil, mechanical and electrical components.
Lachlan St Sewer Pump Station – Concept and Detailed Design Upgrade	<ul style="list-style-type: none"> • Tender documents, specification and final designs are currently being finalised.
Officers Parade Sewer Pump Station – Concept and Detailed Design Upgrade	<ul style="list-style-type: none"> • Waiting for the first draft design from NSW Public Works.

Lake Cargelligo

Project	Progress
Lake Cargelligo STP – Screen Extractor	<ul style="list-style-type: none"> • Finalising the specification of the work by including the flow diversion.
Lake Cargelligo STP – Sewer Lagoons	<ul style="list-style-type: none"> • Meeting between Council and the neighbouring property owners was held on 21 July. The neighbouring property owners have reported effluent overflow issues to the EPA. Council staff have met with and provided information to the EPA. Historical information about the Lake Cargelligo STP and the lagoons is being collected and collated as a complete review of the issues. • NSW Public Works, EPA and Council officers will be visiting the site on 17 August to investigate site constraints and develop options for improvements.
Lake Cargelligo WTP – Chemical Storages Upgrade	<ul style="list-style-type: none"> • This project is progressing. The scope of work is currently being reviewed before quotations are invited.
Lake Cargelligo Reservoir No.1 (4ML) and 16 Mile Reservoir Remediation	<ul style="list-style-type: none"> • Due to other priorities, the review of the condition assessment report is currently on-hold.

Tottenham

Project	Progress
RNSW 841 Tottenham Water Supply	<ul style="list-style-type: none"> • The tender for the new Albert Reservoir was extended to 3 August. Seven (7) submissions were received. A detailed tender assessment report will be presented to the September Council meeting. • The tender for the Leg O Mutton Dam upgrade was extended to 10 August. Three (3) submissions were received. A detailed tender assessment report will be presented to the September Council meeting.

Shire Wide

Project	Progress
RNSW 842 Sewage Effluent Reuse Management System (Lake Condobolin & Tottenham)	<ul style="list-style-type: none"> • A further meeting will be arranged to present the revised design to the stakeholders for their final comment and concurrence. It is important to assure the motocross stakeholders that the grass will be regularly mowed and will not encroach onto the track. • Once the stakeholders agree, an approval from INSW is required to proceed with the scope change.
Integrated Water Cycle Management (IWCM) Strategy	<ul style="list-style-type: none"> • The final draft IWCM Issues Paper was received at the end of July. The document is currently under review. • The next step is to organise a Project Reference Group Workshop with all agency stakeholders, such as DPE Water, the EPA, NSW Health and representatives from Council (staff and Councillor/s).
Natural Resources Access Regulator (NRAR) – metering requirements	<ul style="list-style-type: none"> • Project complete pending modification of existing pipework to ensure accurate measurement by flow meters. Awaiting delivery of material and fittings for the upgrade of the Merri Abba Bore pipe arrangements.

FINANCIAL AND RESOURCE IMPLICATIONS

Project	Budget	Funding Source	Expenditure to Date	Forecast Expenditure	Comments
RNSW 1879 Condobolin Water Supply Upgrade Scoping Study	\$110K	Restart NSW	\$64K	\$110K	Budget is on track
RNSW 755 Condobolin Bore Fields II	\$3.9M	Restart NSW	\$2.35M	\$3.9M	Power supply and Bore works remain. Budget is on track
DWS072 Contract 5: Transfer Pump Station	\$2.43M	Safe & Secure	\$1.99M	\$2.43M	Approved variation is being funded from the total project contingency Revised budget is on track
Lachlan St Sewer Pump Station – Concept and Detail Design Upgrade	\$150K	Sewer Fund	\$88K	\$136K	Budget is on track
Officers Parade Sewer Pump Station – Concept	\$145K	Sewer Fund	\$18K	\$135K	Budget is on track

Project	Budget	Funding Source	Expenditure to Date	Forecast Expenditure	Comments
and Detail Design Upgrade					
Lake Cargelligo STP – Screen Extractor	\$66K	Sewer Fund	\$48K	\$66K	Budget is on track
Lake Cargelligo STP – Sewer Lagoons	\$150K	Sewer Fund	\$8K	\$150K	Budget is on track
Lake Cargelligo WTP – Chemical Storages Upgrade	\$137K	Water Fund	\$27K	\$137K	Budget is on track
Lake Cargelligo Reservoir No.1 (4ML) and 16 Mile Reservoir Remediation	\$180K	Water Fund	\$25K	\$180K	Budget is on track
RNSW 841 Tottenham Water Supply	\$4.6M	Restart NSW	\$588K	\$4.6M	Budget is on track. Albert Res and Leg-o-mutton dam to be funded
RNSW 842 Sewage Effluent Reuse Management System	\$2.556M	Restart NSW	\$446K	\$2.556M	Budget is on track
Integrated Water Cycle Management (IWCM) Strategy	\$491K	Safe & Secure Water Program	\$98K	\$491K	Budget is on track
Natural Resources Access Regulator (NRAR) – metering requirements	\$102K	Water Fund	\$105K	\$105K	The minor over expenditure will be funded within the existing budget.

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 DPE Water 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 DPE 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

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 PWA to assist with project delivery is mitigated by the formation of a project steering committee with INSW, DPE Water, PWA 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

DPE Water, 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.

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 July, underway for August and planned for September 2023.

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

8.7 BUILDING PROJECTS MONTHLY UPDATE FOR JULY/AUGUST

TRIM Number: R23/234

Author: Manager - Projects and Building

RECOMMENDATION

That:

1. The Director of Environment, Tourism and Economic Development Report No. R23/234 be received and noted.

PURPOSE

The purpose of this report is to provide a summary of projects currently being undertaken by the Environment, Tourism and Economic Development 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

Please note that all projects were heavily impacted by the October/November/December flooding events. No work was undertaken in November/December 2023. The majority of the projects recommenced in mid-January 2023.

Project	Budget	Funding Source	Expend. To Date	Forecast Expend.	Comments
Condobolin and District Historical Museum - Extension to Museum and Display Enhancements	\$77,765	SCCF R3	\$56.8K	\$77,765	The main structure has now been completed. Rear fence and gate have been installed. Furniture for the new structure has arrived and is awaiting installation.

<p>Condobolin Works Depot</p>	<p>\$7,246,707.60</p>	<p>\$6,000,000 Loan and remaining \$1.25m from Council reserves</p>	<p>\$2,953,289.97</p>	<p>\$7,246,707.60</p>	<p>Contracts signed. Works commenced 8 March 2021. Ongoing issue with alleged subsoil moisture which is the subject of a formal dispute raised by the contractor. The contractor has ceased works on-site whilst the dispute remains unresolved. Final arbitration award has been received. Now the subject of a legal matter. No progress can occur until such time that the legal matter is resolved.</p>
<p>Lachlan Shire Visitor Information Centre</p>	<p>\$4,403,973.00 above includes contingency of \$347,836.03</p>	<p>Growing Local Economies Fund</p>	<p>\$3,659,564.51</p>	<p>\$4,403,973.00</p>	<p>PWA engaged to provide Project Management Services. PCG established to oversee project delivery. Contract has been issued to Patterson Building Group (PBG) to construct the VIC. PBG commenced works. PBG had to leave the site due to flooding in November & December. Works recommenced in the middle of January 2023. Staff currently working with PWA & PBG in regard to outstanding defects.</p>
<p>Willow Bend Sport Centre – Roof Repair</p>	<p>\$75,000</p>	<p>SCCF R4</p>	<p>\$75k</p>	<p>\$75,000</p>	<p>All items purchased. Internal windows have been installed. All</p>

					vents have been installed. Project Completed.
Willow Bend Sports Centre Renewal	\$300,000	LRCI P3	\$51.6k	\$125,000	A meeting has been held with the manager of the sports centre to discuss potential impacts of works as well as options. Meeting held onsite with builders in regard to the amenities renewal. Initial quote received. Scope has been reviewed. New fans have arrived, awaiting installation. New A/C has been installed. Further quote received, quote well in excess of budget. Staff now re-scoping as per Council resolution. PO issued for cubical changes and new floor covering.
Companion Animal Surrender Cages - Lake Cargelligo	\$50,000	LRCI P3	\$1.7k	\$50,000	Preferred site has been identified. Plans have been finalised, quote has been received and purchase order has been issued to local builder. Project was delayed due to the flooding in November & December. Site works have commenced.
Administration Centre Upgrade	\$320,000	LRCI P3	\$283.7k	\$320,000	Works have commenced. New A/C system has been installed, new lighting throughout.

					Carpet, Electrical, IT equipment, partition wall have been completed. The main internal works have been completed, with some minor internal works remaining. External painting has commenced. Landscaping improvement works are to be finalised.
Tottenham Caravan Park Enhancement	\$190,000	LRCI P3 \$190k & Council funds \$35k	\$105.7k	\$190,000	Schedule of works being finalised. Quotes are being obtained and PO's to be issued for various items. Solar lighting has been installed throughout the park and on the footpath towards town. Works have been completed on the new office, patio slab and renewal of several rooms. Internal roads upgraded, drive thru sites have been provided. New smoke alarms have been provided throughout the accommodation units. External painting works are yet to commence.
Sign Replacement – Lake Cargelligo Foreshore walk	\$50,000	SCCF R3	Nil	\$50,000	Audit undertaken. Meeting was held with relevant parties on Monday 20 June 2022. Sign details are now being prepared with the stakeholders but

					have been delayed due to the flooding events. A funding variation has been approved until November 2023.
Fire Appliance Display - Tullibigeal	\$125,000	SCCFR5	Nil	\$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, photographs, fire stories and interest in community members fixing up the appliance locally. Further meetings have occurred. Additional \$40,000 allocated directly to the committee through separate grant funding for appliance restoration. Site identified, awaiting approval for use of Crown land site. Works are progressing in regard to the appliance renewal. Shed plans have been finalised. Quotes to be called for once the site has been confirmed and Council have endorsed a lease agreement.
Installation of Air Conditioning at Tullibigeal Hall	\$28,400	CBP (State)	\$23.5k	\$28,400	Quotes obtained. PO issued. Installation to commence 21 August 2023.

Provision of Hearing Loop & PA to Fifield Hall	\$25,000	Capital - Council	Nil	\$25,000	Quotes currently being obtained.
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Condobolin Works Depot Budget Update

Please note there has been no change to these figures due to suspension of the work by the contractor.

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	\$2,953,289.97

All figures include GST

** Figure includes Contingency*

A saving of \$69,679.03 was achieved for the electrical substation, which has been reflected in the above approved variation figure.

Visitor Information Centre Budget Update

Budget	\$4,403,973.00
Contract Value	\$3,709,490.63
Other Works and Project Management Costs	\$341,058.56
Contingency	\$353,423.81
Approved Variations	\$73,880.86
Remaining contingency	\$247,413.14
Current Expenditure	\$3,659,564.51

All figures include GST

FINANCIAL AND RESOURCE IMPLICATIONS

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

LEGAL IMPLICATIONS

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

RISK IMPLICATIONS

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

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

The cost of the formal arbitration process associated with the resolution of the contractual dispute with the Works Depot construction contractor possess a financial risk to this project that cannot be quantified at this time.

STAKEHOLDER CONSULTATION

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

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

OPTIONS

Not applicable

CONCLUSION

This report updates Council on the capital improvements/new work being undertaken by the Environment, Tourism and Economic Development Department.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

4.2 Strong effective and Responsive Council

ATTACHMENTS

Nil

8.8 FY23/24 URBAN WORKS MONTHLY UPDATE FOR JULY**TRIM Number: R23/237****Author: Manager Urban Works****RECOMMENDATION**

That:

1. The Director Infrastructure Services Report No. R23/237 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 July, in progress for the month of August and forecast for the month of September 2023.

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.

Moving into the new financial year, overall the majority of the Urban Works projects are progressing well with contractors and staff focusing on project priorities and delivery deadlines.

Works Completed in July

Tourism Precinct – stage 3. BBRF	Installation of the colorbond fence was complete. Installation of the rural boundary fence was complete. Jockeys Memorial rose garden planted. Landscaping works continued with the planting of trees, grasses and mulch.
Scott Street Subdivision	Commence stormwater pipe installation along Offices Parade. There was a design change to the sewer and stormwater along Offices Parade due to unforeseen conditions. Contractors recommenced and are continuing works.
Footpaths	Contractors completed the installation of the Gum Bend Lake stage 3 walk way with minor defects, backfilling and cleaning to continue. Offices Parade works have commenced. Riverwalk to commence after the Condobolin show.
SRA power upgrade	Site works have continued with the installation of power boards and connections. Ground works are now complete. Essential energy has completed repairs to network/Council asset defects.
SRA Ground Changeroom upgrade	Fit-out works commenced with electrical and plumbing rough ins, Plasterboard ceiling installation, waterproofing and tiling also commenced. Project on track for completion before the Condobolin show.
Lake Cargelligo Apex Park Pontoon	Contractors continued the installation of the Gabion basket works.
Lake Cargelligo Cricket Nets	Installation of the synthetic grass and fit off of the netting was complete. Project complete
Lake Cargelligo Cricket Club toilet	The toilet block has been manufactured and is ready for installation. Footings, electrical and plumbing to commence.
Tullibigeal Netball Court Refurbishment	Project is complete and has been underspent, additional works to be confirmed.
Tottenham Swimming pool Solar Heating	The Solar System was installed and fencing works commenced.
Condobolin Pool Leak remediation	Site works have continued with the application of the fibre glass laminate.
Condobolin Cemetery Plinth installation	Site works have commenced with the levelling of the area. 25% of the plinth was constructed with works to continue in September due to contractor availability.
Condobolin Cemetery Irrigation	Contractors have been engaged and works to commence in August.
Wiradjuri Park irrigation	Contractors engaged and POs issued, works to commence in August.
Burcher Tennis Court upgrades	Contractors refurbished existing surface and installed the new synthetic grass and fencing.

Works Underway in August

Tourism Precinct – stage 3. BBRF	Landscaping works to continue including the purchase and installation of seating, bins and bubbler.
Scott Street Subdivision	The continuation of the installation of the stormwater and sewer along Offices Parade.
Footpath Construction	Footpath in Offices Parade to continue and be complete. Riverwalk and Memorial Park to follow.
SRA power upgrade	Power has energized to existing facilities with the removal of the overhead power line to be complete when possible.
SRA Ground Changeroom upgrade	Fit-out and external works have continued with completion of the project expected on the Friday prior to the Condobolin Show.
SRA Ground fencing upgrade	Removal of the existing fence and installation of the new fence has been complete.
Condobolin Pool Leak remediation	Continuation of the application of the Fibre glass laminate. Expected completion mid-September.
Condobolin Cemetery Plinth installation	Site works to recommence in September.
Condobolin Cemetery Irrigation	Installation of the irrigation system has been complete and is now operational.
Wiradjuri Park irrigation	Installation of the irrigation system has been complete and is now operational.
Apex Park Pontoon	The gabion baskets have been installed and complete.
Lake Cargelligo Cricket Nets	Project is complete.
Lake Cargelligo Cricket Club toilet	Toilet building has been manufactured ready for installation. Footings to be poured and services to be run to the facility.
Tottenham Swimming Pool Solar Heating	Fencing installation to be complete. Solar system to be commissioned and heat blankets installed. Expected project completion late August.
Tullibigeal Netball court resurfacing	Additional scope to be confirmed.
Burcher Tennis Court upgrades	Project has been complete excluding lighting upgrade works.

Works Scheduled in September

Tourism Precinct – stage 3. BBRF	All works are expected to be complete late September.
Scott Street Subdivision	Offices Parade stormwater and sewer to be complete and then continuation of the stormwater in Scott street.
Footpath Construction	Offices Parade to be complete, followed by the river walk.
SRA Ground Changeroom upgrade	Construction of the changeroom to be completed and the facility to be operational and project to be complete.
SRA Ground fencing upgrade	Removal of the existing galvanised pipe fencing and installation of the new fencing to be completed.
Condobolin Pool Leak remediation	Final colour Fibre Glass application to be applied and the project complete.
Condobolin Cemetery Plinth installation	Site works to continue and project to be complete.
Lake Cargelligo Cricket Club toilet	Main services and toilet building installation to be complete.
Tottenham Swimming Pool Solar Heating	Installation of the solar heating and fencing work to be complete and the system operational.
Tullibigeal Netball court resurfacing	Additional works to be confirmed and works to commence.

FINANCIAL AND RESOURCE IMPLICATIONS

Project	Budget	Funding Source	Expenditure to Date	Forecast Expenditure	Comments
Tourism Precinct Stage 3	\$600K	BBRF 4 SCCF2	\$412K	\$600K	Budget is on track
7 footpath locations	\$1,221k	FLR, LRCI3, SCCF4, General Rev	\$327k	\$1,221k	Budget is on track
SRA Power Upgrade	\$267k	Showground Stimulus	\$276k	\$276k	Project complete
SRA Changeroom Upgrade	\$890k	MSCFF & Council	\$740k	\$890k	Budget is on track
SRA Fencing upgrade	\$150k	MSCFF & Council	\$120k	\$150k	Budget is on track
Condobolin Swimming Pool leak remediation	\$500k	LRCI3	\$260k	\$500k	On Budget
Apex Park pontoon	\$200K	Boating now	\$157K	\$200K	Budget is on track
Tottenham Recreation Security fencing	\$50k	SCCFR4	\$19k	\$50k	Budget underspent
Tullibigeal Netball Courts	\$135k	SCCF4	\$65k	\$70k	Budget underspent
Lake Cargelligo Cricket Nets	\$40k	Cricket NSW	\$31k	\$40k	Complete
Lake Cargelligo Cricket Club Toilet	\$65k	SCCF4	\$26k	\$65k	Budget is on track
Tottenham Swimming Pool Solar Heating	\$115k	SCCR5	\$99k	\$115k	On Budget

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 is causing some concern with budgets and 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, Condobolin Rugby, Junior League, Junior Cricket, Show Society 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 July, in progress for August and forecast work for September 2023.

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

8.9 FY23/24 ROADWORKS MONTHLY UPDATE FOR JULY**TRIM Number: R23/220****Author: Manager - Roads****RECOMMENDATION**

That:

1. The Director Infrastructure Services report No R23/220 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 July, works in progress in the month of August and works scheduled for the month of September. The execution and completion of works varies depending on resource availability, weather conditions, work priorities and unforeseen circumstances.

SUPPORTING INFORMATION

Nil

BACKGROUND

Restoration of the unsealed road network continues to be the main focus as a significant number of construction projects were completed in June/July.

UPDATE

Grading of Council's unsealed road network will continue but will be funded from the NSW Regional and Local Road Repair program, Council's allocation being \$7,095,067. Six council graders and two contractor graders are continuing to undertake routine maintenance grading on the unsealed road network. Four of these graders are operating with water carts and rollers undertaking grade/water/roll operations.

Shepherd Services have been finalising Council's submission for the emergency response and immediate restoration work components of the FY22/23 Natural Disaster event. Council have been prepaid \$2.5 million for this work and should receive \$1.5 to \$2 million for remaining expenditure incurred. The permanent restoration submission does include some defects that have been repaired under immediate restoration work and these will be deleted from the submission as the approval process is progressed with TfNSW.

Works undertaken in July

- **Heavy patching, re-sheeting and grade water and roll undertaken on the following roads**
 - Main Roads
 - MR 57S The Gipps Way – pavement failure repair
 - Shire Roads
 - SR 56 Bimbella Road - gwr
 - SR 193 River Road - gwr
 - SR 195 Elwins Road – gwr
 - SR 206 Mt Daylight Road – gwr
 - SR 208 Brewer Lane – gwr
 - SR 230 Lachlan Valley Way – gwr
 - SR 352 Gubondery Tank Road – gwr (contractor)
 - SR 1347 Albert Road - gwr
- **Road and culvert reconstruction and sealing undertaken on the following roads**
 - Main Roads
 - MR 57S Lachlan Valley Way/The Gipps Way/Smythes culvert and intersection – Regional NSW/Block grant – Line marking installed, project construction complete only side track removal, replacement fencing and tidy-up remaining
 - MR 57S The Gipps Way – Regional NSW/Block grant – Murie culvert, concrete slab has been constructed
 - MR 57S The Gipps Way – FCR/Block grant – Nerathong Bridge replacement, approaches completed and sealed.
 - MR 57NN The Bogan Way – FCR/Block grant – Jumble Plains Road intersection reconstruction and widening, culvert installation and formation
 - Shire Roads
 - nil
 - Town Streets
 - Foster Street – Tourism Activation – Kerb and gutter replacement completed on Foster St and Canada St. Footpath works at Canada St intersection. Concrete infill in roundabout completed. Installation of concrete foundation for relocation of CCTV cameras.

Road reseals/sealing

- Main Roads
 - MR 57S The Gipps Way – two coat seal on Nerathong Bridge approaches seal
 - Shire Roads
 - nil
 - Town Streets
 - Officers Parade – two coat seal on reconstructed pavement
- **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 25 Kerriwah Road – maintenance grading (contractor)
 - SR 109 Ungarie Road – maintenance grading
 - SR 135 Wardy Bus Road – maintenance grading
 - SR 165 Bryants Road – maintenance grading
 - SR 177 Trig Hill Road – maintenance grading
 - SR 218 Kellys Road – maintenance grading
 - SR 251 Queens Plains Road – maintenance grading (contractor)
 - SR 372 Woods Road – maintenance grading
- **Shoulder grading/slashing/vegetation control/patching and flood damage undertaken on the following sealed roads**
 - Main Roads
 - MR 57N Fifield Road – slashing
 - MR 57 NN The Bogan Way – slashing
 - MR 347 Dandaloo road – slashing
 - Pothole repair on all Main Roads
 - Shire Roads
 - SR 37 Yambora Road – slashing
 - SR 64 Platina Road – slashing
 - SR 85 North Forbes Road – shoulder grading
 - Pothole repair on several roads

Works in progress or planned for August

- **Heavy patching, re-sheeting and grade water and roll in progress on the following unsealed roads**
 - Main Roads
 - MR461 Henry Parkes Way – gwr
 - MR7514 Nyngan Road – gwr
 - Shire Roads
 - SR 56 Bimbella Road – gwr
 - SR 199 Bootoowa Road – gwr
 - SR 200 Morris Lane – gwr
 - SR 201 Keeleys Lane – gwr
 - SR 202 Quinanes Lane – gwr
 - SR 203 Alexanders Lane – gwr
 - SR 204 Bartholmews Lane – gwr
 - SR 205 Contario Road – gwr
 - SR 207 Kynwoor Road – gwr
 - SR 305 Bensons Road – gwr
 - SR 377 Waitohi Lane – gwr
 - SR 1030 Glenderry Road – gwr
 - SR 1031 Kiargathur Road – gwr
- **Road and culvert reconstruction in progress on the following roads**

- Main Roads
 - MR 57S Lachlan Valley Way/Smythes Culvert – Regional NSW/Block grant – Removal of side track in progress
 - MR 57S The Gipps Way – FCR/Block grant – Nerathong bridge replacement, pavement failure repair in progress. Following this site clean up and temporary bridge removal.
 - MR 57S The Gipps Way – regional NSW/Block grant – Murie culvert, completion of culvert installation, wing walls, ballast and back fill of culverts
 - MR 57NN The Bogan Way – FCR/Block grant – Jumble Plains Road intersection reconstruction and widening.
- Shire Roads
 - nil
- Town Streets
 - Officers Parade – FLR/RTR – Footpath installation in progress
 - Foster Street – Tourism Activation – Footpath paving and tree planting will be completed. Linemarking, signage, bollards, seating, bins and sealing over trenches to be finalised.

Road reseals/sealing

- All Roads
 - nil
- **Maintenance grading/sucker removal/storm damage repairs in progress on the following roads**
 - Main Roads
 - nil
 - Shire Roads
 - SR 66 Ootha Road – maintenance grade (contractor)
 - SR 69 Matthews Road – maintenance grade (contractor)
 - SR 70 Burando Road – maintenance grade (contractor)
 - SR 90 Grassmere Road – maintenance grade
 - SR 95 Ilgindrie Road – maintenance grade
 - SR 102 Clargo Road – maintenance grade
 - SR 113 Selems Road – maintenance grade
 - SR 114 Sandy Camp Road – maintenance grade
 - SR 118 Bolo Road – maintenance grading
 - SR 383 Glenowra Road – maintenance grade (contractor)
- **Shoulder grading/slashing/vegetation control and patching in progress on the following sealed roads**
 - Main Roads
 - As required
 - Shire Roads
 - SR 5 Lansdale Road – shoulder grading
 - SR 11 Moira Vale Road – shoulder grading narrow seal (contractor)
 - SR 1169 Bobadah Road – shoulder grading narrow seal (contractor)

Works planned for September

- **Heavy patching, re-sheeting and grade water and roll to be undertaken on the following unsealed roads**
 - Main Roads
 - MR 461 Henry Parkes Way – gwr
 - Shire Roads
 - As required
- **Road resealing/sealing**
 - All Roads
 - Nil
- **Road and culvert reconstruction and sealing to be undertaken on the following roads**
 - Main Roads
 - MR 57S The Gipps Way – FCR/Block grant – Nerathong bridge replacement. Project completion.
 - MR 57S The Gipps Way – Regional NSW/Block grant – Murie Culvert. Road construction
 - MR 57NN The Bogan Way – FCR/Block grant – Jumble Plains Road intersection final sealing
 - Shire Roads
 - SR 343 Willis Lane – RTR – Construction of pavement for 2 km seal extension
 - Town Streets
 - Visitor information centre – Regional NSW – completion of carpark construction
 - Foster Street – Footpath paving and tree planting will be completed. Linemarking, signage, bollards, seating and bins to be finalised.
- **Maintenance grading/sucker removal/storm damage repairs undertaken on the following roads**
 - Main Roads
 - nil
 - Shire Roads
 - Roads not completed in August
- **Shoulder grading/slashing/vegetation control and patching undertaken on the following sealed roads**
 - Main Roads
 - Ongoing pothole patching
 -
 - Shire Roads
 - SR 11 Moira Vale Road – shoulder grading narrow seal (contractor)
 - SR 1169 Bobadah Road – shoulder grading narrow seal (contractor)
 - Ongoing pothole patching

FINANCIAL UPDATE

CONSTRUCTION PROJECTS					
Regional Roads					
Project	Budget	Funding source	Expend to date	Forecast Expend	Comments
Regional Roads, reseals					
Total	\$447k		\$0k	\$447k	Resealing program to be determined
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, \$511k in FY23/24 Total \$3.749m	\$3.6m	Construction in Progress. Over expenditure to be funded by FAGs Roads
MR 57N The Bogan Way, widening 28 km	\$3.5m	FCR \$2.686m, TfNSW Block Grant \$814k	\$3.216m pre 1 July 2023, \$107k in FY23/24 Total \$3.332m	\$3.5m	Jumble Plains Road intersection reconstruction in progress
MR 57S The Gipps Way, Nerathong Bridge replacement	\$2.808m	FCR \$2.387m, TfNSW Block Grant \$421k	\$1.579m pre 1 July 2023, \$10 k in FY23/24 Total \$1.589m	\$2.808m	Bridge open to traffic, tidy up and repair work to complete
MR 57S, MR 377, Condobolin Freight Betterment and Visitor Centre road works	\$8.448m	Regional NSW funding \$5,599k, TfNSW Block grant \$2,149k, TfNSW Repair \$400k, RTR \$300k	\$7.218m pre 1 July 2023, \$75k in FY23/24 Total \$7.293m	\$8.448m	Murie Creek replacement culverts installed
MR 231 Wyalong Road seal widening 8 km	\$900k	Repair \$450k, Block \$450k	\$0k	\$800k	Repair funding will not be approved until after State Government budget

CONSTRUCTION PROJECTS					
Local Roads					
Project	Budget	Funding source	Expend to date	Forecast Expend	Comments
Local road reseals					
SR 60 Springvale Road	\$130k	FAG Roads \$140k, RTR \$450k	\$0k	\$130k	Programmed for Q2
SR 10 Meadowview Road	\$60k		\$0k	\$60k	
Balance	\$300k		\$0k	\$300k	Resealing program to be determined
Total	\$490k		\$0k	\$237.8k	
Local roads gravel re-sheets					
SR 91 Marsden Road	\$300k	Special Rate Variation \$200k, RTR \$500k, Evolution Mining \$138k	\$0k	\$300k	Programmed for Q3
Balance	\$536k		\$0k	\$536k	Gravel re-sheeting program to be determined
Total	\$838k		\$0k	\$838k	
Officers Parade upgrade	\$1.4m	Fixing Local Roads \$780k, RTR \$520k, \$100k FAG	\$1.17m pre 1 July 2023, \$127k in FY22/23 Total \$1,297m	\$1.4m	Road reconstruction in progress. Over expenditure to be funded from other FLR under expenditure and RTR
SR 5 Lansdale Road widening and upgrade	\$400k	Roads to Recovery	\$0k	\$400k	Programmed for Q2
Willis Lane seal extension	\$400k	Roads to Recovery	\$82k	\$400k	Vegetation cleared, road pavement construction will commence in Q2
SR 64 Platina Road 2 km seal widening	\$300k	Roads to Recovery	\$0k	\$300k	Programmed for Q2
SR 1169 Bobadah Road 2 km seal widening	\$300k	Roads to Recovery	\$0k	\$300k	Programmed for Q2
SR 1033 Boreamble Rd 1.8 km seal widening	\$248k	Roads to Recovery	\$0k	\$248k	Programmed for Q3

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

Good progress on restoring the unsealed road network is being made in preparation for the coming harvest season.

ATTACHMENTS

Nil

9 DECISION REPORTS

9.1 GENERAL MANAGER

9.1.1 REVIEW OF WARD BOUNDARIES AND COUNCILLOR REPRESENTATIVES FOR THE SEPTEMBER 2024 ELECTION

TRIM Number: R23/231

Author: Information Services Manager

RECOMMENDATION

That:

1. The General Manager's Report No. R23/231 be received and noted.
2. The number of councillors to be elected at the September 2024 Lachlan Shire Local Government election remain at 10 including the Mayor.
3. No adjustment to Ward boundaries be made as the variance in the number of electors between the Wards is less than 10%.
4. Council note a further review of Ward boundaries may be required at the end of the first year of the following Council term to ensure the variance remains less than 10%.

PURPOSE

The purpose of this report is to seek Council's confirmation on the number of councillors to be elected at the September 2024 local government election and to inform Council of the outcome of the review of the Lachlan Shire Council Ward boundaries.

SUPPORTING INFORMATION

The number of enrolled electors in the current wards of Lachlan Shire Council, as at 26 April 2023 and 25 July 2023, has been obtained from the NSW Electoral Commission. These numbers are detailed in the Issues and Comments section of this report.

BACKGROUND

The *Local Government Act 1993* section 224 states:

224 How many councillors does a council have?

(1) A council must have at least 5 and not more than 15 councillors (one of whom is the mayor).

(2) Not less than 12 months before the next ordinary election, the council must determine the number, in accordance with subsection (1), of its councillors for the following term of office.

(3) If the council proposes to change the number of councillors, it must, before determining the number, obtain approval for the change at a constitutional referendum.

Section 211 of the *Local Government Act 1993* also states:

211 Ward boundaries

(1) *The council of an area divided into wards must keep the ward boundaries under review.*

(2) *If—*

(a) *during a council’s term of office, the council becomes aware that the number of electors in one ward in its area differs by more than 10 per cent from the number of electors in any other ward in its area, and*

(b) *that difference remains at the end of the first year of the following term of office of the council,*

the council must, as soon as practicable, alter the ward boundaries in a manner that will result in each ward containing a number of electors that does not differ by more than 10 per cent from the number of electors in each other ward in the area.

(3) *Nothing in subsection (2) prevents a council that has become aware of the discrepancy referred to in subsection (2)(a) from altering its ward boundaries before the end of the first year of the following term of office of the council.*

ISSUES AND COMMENTS

Currently Lachlan Shire Council has a total of 10 councillors comprised of 2 representatives from each ward, including the Mayor who is elected by and from the councillors. Before September 2023, Council must determine the number of Councillors to be elected at the 2024 election.

If the council proposes to change the number of Councillors, it must, before determining the number, obtain approval for the change at a constitutional referendum.

On 5 June 2023 the NSW Electoral Commission wrote to council advising that Lachlan Shire Council may need to make ward boundary changes for the September 2024 Local Government election.

An initial review of ward numbers as at 26 April 2023 resulted in a greater than 10% variance in elector numbers between wards.

Ward	No Electors	Variance
C Ward	813	12.5%
A Ward	856	6.89%
B Ward	862	6.15%
E Ward	901	1.55%
D Ward	915	

After receiving updated elector numbers from the NSW Electoral Commission, as at 25 July 2023, a further review of Council’s ward boundary was undertaken. This revealed a less than 10% variance in elector numbers between wards.

Ward	No Electors	Variance
C Ward	853	8.7%
A Ward	864	7.41%
B Ward	870	6.67%
D Ward	911	1.87%
E Ward	928	

The NSW Electoral Commission was contacted to obtain guidance on whether or not the ward boundaries should be adjusted as the variance was less than 10% at 25 July 2023.

The Electoral Commission suggested two options:

- Change the boundaries based on the 26 April 2023 elector numbers OR
- Make no adjustment as the 25 July 2023 numbers are within the 10% Ward boundary tolerance required. However, the NSW Electoral Commission also advised a review may need to be undertaken at the end of the first year of the following term of council.

As the difference in elector numbers is currently within the allowable tolerance of 10% the adjustment of the ward boundaries is not required prior to the September 2024 Local Government elections.

FINANCIAL AND RESOURCE IMPLICATIONS

There are no financial and resource implications.

LEGAL IMPLICATIONS

Council is complying with Sections 210, 211 & 224 of the *Local Government Act 1993* regarding ward boundaries and the number of Councillor representatives.

RISK IMPLICATIONS

There are legal risks related to non-compliance with *NSW Local Government Act 1993* & associated regulations.

STAKEHOLDER CONSULTATION

NSW Electoral Commission.

OPTIONS

1. Council determine if it wishes to increase, decrease or maintain the current number of Councillors, for the 2024 Local Government election; and
2. Maintain the current ward boundaries;
3. Direct that the ward boundaries be altered to more closely balance the number of electors between wards.

CONCLUSION

Council must meet its legislative requirements with regards to ward boundaries and the number of councillors for the 2024 election. This process will ensure council remains compliant with the *Local Government Act 1993* and associated Regulations.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

4.2 Strong effective and Responsive Council.

ATTACHMENTS

Nil

9.1.2 ATTRACTION AND RETENTION POLICY**TRIM Number: R23/247****Author: Manager - Human Resources****RECOMMENDATION**

That:

1. The General Manager's Report No. R23/247 be received and noted.
2. The Draft Attraction and Retention policy be adopted.

PURPOSE

The purpose of the Policy is to set out initiatives and benefits that will attract, motivate, reward and develop high performing staff. The policy should encourage new employees to apply for positions with Lachlan Shire Council and encourage existing staff to stay and continue working in an organisation that is supportive and exhibits a positive culture.

SUPPORTING INFORMATION

The Draft Attraction and Retention Policy is attached.

BACKGROUND

Council has been impacted by a low unemployment rate and the fallout from the "Great Resignations" which has also impacted almost every industry in the last few years. This has resulted in a smaller pool of applicants applying for positions.

Council is currently experiencing difficulties in recruiting staff and currently has thirty job vacancies. Some of which have been readvertised on many occasions or left open with no closing date in the hope of catching possible candidates.

ISSUES AND COMMENTS

The ARIC Committee have encouraged the finalisation and implementation of an Attraction and Retention Policy to assist with the employment of staff.

Some of the benefits included in the Policy are already being provided by Council. These include workplace flexibility, education assistance, leaseback motor vehicle and the employee assistance program.

Other benefits suggested during staff consultation are being investigated and may be incorporated into future revisions of the Policy. Some of these benefits include; a service bonus, discounted admission to the Pool and Gym, an extra five (5) days annual leave per year, installing solar on council buildings, an opportunity for cheaper electricity through access to Council's procurement contract, a reduction in childcare fees and diversity days.

FINANCIAL AND RESOURCE IMPLICATIONS

The resourcing implications of having job vacancies is that other staff are undertaking multiple jobs to ensure there is a continuity of service and services are not being downgraded or cut.

The financial cost to recruit staff is much higher than the cost of the benefits and initiatives which we are proposing with this policy.

There is a financial cost to engage contractors to fill vacancy gaps.

LEGAL IMPLICATIONS

We have a legal obligation under the Local Government (State) Award to ensure Council provides adequate staff and resources to ensure that employees can carry out their duties and functions over the course of their working hours that are not unreasonable.

RISK IMPLICATIONS

There is a risk that staff may experience burnout if positions are not filled or staff leave as they are picking up additional workloads and working longer hours.

Another risk is that Council does not meet the expectations of the Community, services were to be downgraded, or cut due to staff shortages.

STAKEHOLDER CONSULTATION

Consultation of this Policy has been undertaken with the Consultative Committee, the Operational Managers Team and the Executive Leadership Team.

This Policy is a Staff Policy and is not required to go on public exhibition.

OPTIONS

The options are;

1. The Policy be adopted as written in order to attract and retain staff,
2. The Policy be modified to add or remove proposed staff benefits.
3. Council reject adoption of the draft policy.

CONCLUSION

To remain an 'Employee of Choice' it would be beneficial to implement the Attraction and Retention Policy including the benefits and initiatives it provides.

To be attractive in the current labour market, with the smaller pool of applicants in our shire and with competition from neighbouring councils and private industry, Council needs to promote the benefits of working for Lachlan Shire Council and establish points of difference from other employers.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

4.4.8 Ensure that Council has a skilled and competent workforce to achieve its strategic outcomes.

4.2.5 Council's exposure to risk is minimised.

ATTACHMENTS

1. **Draft Attraction and Retention Policy**

9.1.3 GENERAL MANAGER PERFORMANCE REVIEW AND CONTRACT ADJUSTMENT**TRIM Number: R23/248****Author: General Manager****RECOMMENDATION**

That:

1. The Mayoral Report No R23/248 be received and noted.
2. Council determine the appropriate adjustment, if any, to the General Manager's employment contract, noting an adjustment of 5% would maintain parity between the General Manager, Directors and other Council staff.
3. Any change in the General Manager's TRP is to take effect from the contract anniversary date of 1 September 2023.

PURPOSE

To report on the General Manager's Performance Review for the period 1 July 2022 to 30 June 2023 and obtain Council approval to adjust the Total Remuneration Payment (TRP) value of the General Manager's employment contract in line with the report provided by Mason Blackadder (see attachments).

SUPPORTING INFORMATION

A copy of the Mason Blackadder report – Performance Assessment and TRP advice is attached.

BACKGROUND

The results of the General Manager's Performance Review have been considered by Council at this meeting in report number R23/239.

ISSUES AND COMMENTS

The Performance Review Panel (PRP), in undertaking the General Manager's 2023 performance review, determined the following position on the General Manager's performance;

1. *“That the record of performance assessment as recorded in the General Manager's Performance Agreement Annual Review be submitted to Council for information.*
2. *That it be noted in the opinion of the Performance Review Panel, the General Manager, Greg Tory, is performing at a level that is at an Excellent standard.*

That it be noted the Panel has made the following summary assessment on the General Manager's Performance for the annual review period 1 July 2022 to 30 June 2023:

The Panel noted the outstanding achievements outlined by the General Manager in his report to the Panel. It was very extensive

and provided a great record of what Lachlan Shire Council had achieved for all its communities during the past year. These achievements would not have occurred except for the excellent leadership shown by the General Manager during 2022/23. The Panel congratulates him on these accomplishments.”

The Panel considers that his ability to retain Director and Manager level staff is clear evidence of the team-based approach that he has developed with Councillors and staff. In addition, his communication with Councillors, Staff and the Community is of an extremely high standard and particularly proficient in resolving matters of high community interest and/or concern.

*His overall rating is **8.82**, which exceeds the Excellent standard.*

That for the 2023/24 Performance Review period the Performance Agreement Part D – Annual Projects & Priorities be included following determination by the Panel and the General Manager.”

In finalising the performance review the Performance Review Committee requested the consultants supporting the committee, Mr Terry Kiss and Mr Steven Pinnuck of Mason Blackadder, to provide advice on the remuneration paid to other general manager’s in similar sized Council’s.

The following points from the Mason Blackadder report should be noted;

- NSW Remuneration Tribunal, in their 2023 determination, ruled that a nil increase be awarded to Senior Executive employees of the NSW Public Service in accordance with the directive from the NSW State Government that no increase be awarded before 1 July 2025. The Standard Contract of Employment for General Managers is tied to increases determined by the tribunal for NSW Senior Executive Public Service officers.
- The Local Government State Award granted a 4.5% increase for all award based employees from the first full pay period after 1 July 2023. The General Manager is the only Council employee employed under a contract of employment and not the Award in accordance with the Local Government Act requirement for the employment of General Managers and Senior Staff.
- The Superannuation Guarantee levy payable by employers for all employees other than contract staff increased by 0.5% from 10.5% to 11% from 1 July 2023. The General Manager’s superannuation payment is included in the total value of the TRP and is not automatically increased, when the Superannuation Guarantee levy is increased.
- The Standard Contract of Employment for General Managers requires the TRP of the contract to be inclusive of all benefits together with the Fringe Benefit Tax (FBT) payable on those benefits. The current contract provides a contract value of \$286,931 plus the private use of a Council motor vehicle in accordance with Council’s Vehicle Leaseback Protocol and Council resolution 2019/35. Resolution 2019/35 regards leaseback charges for Senior Staff and was adopted when Council’s Directors were also employed on Senior Staff Contracts. The actual TRP value of the General Manager’s contract, inclusive of current FBT payments for private use of Council’s vehicle, is \$294,895 i.e. \$286,931 (contract value) plus \$7,964 (FBT).
- The councils selected by the consultants, for comparison of the Total Remuneration Package paid to general managers, are mostly Group 9 and 10 councils. With the exception of Greater Hume Council they have smaller populations, smaller rates and annual charge income, smaller grants and budgets, shorter road lengths and fewer employees.

- While it is indicated that the TRP values shown on page 6 of the consultant's report, in the table titled Total Remuneration Package Comparison table, are collected from the respective council's 2021/2022 Annual Reports, and have been adjusted by the 2022 SOORT determination of 2%, 7 of 11 TRP values are unchanged.

FINANCIAL AND RESOURCE IMPLICATIONS

There are no financial implications associated with increasing the actual TRP value of the General Manager's employment contract between 3.7% and 5% as the 2023/2024 budget included a 5% increase for all employees to cover the expected Award and Superannuation Guarantee increases.

LEGAL IMPLICATIONS

The Local Government Act 1993 – Clause 334 states;

“a) A council must appoint a person to be its general manager. The person must not be a body corporate.

b) The position of general manager is a senior staff position.”

RISK IMPLICATIONS

No risks identified.

STAKEHOLDER CONSULTATION

Nil

OPTIONS

1. Decline to offer an increase in the actual TRP remuneration for the General Manager.
2. Approve an increase in the actual TRP remuneration for the General Manager of 3.7% in line with the approved IPART Rate Peg increase.
3. Approve an increase in the actual TRP remuneration for the General Manager of 5.0% in line with the recent Local Government State Award increase and Superannuation Guarantee Levy increases to maintain parity between the General Manager's salary to that of other Council employees.

CONCLUSION

The Performance Review Panel have undertaken the General Manager's 2023 Performance Review and have obtained a consultant report on comparative remuneration packages paid to general managers by other local government councils.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

CSP 4.2 – Strong, Effective and Responsive Council.

DP No. 4.2.8 – Ensure that Council has a skilled and competent workforce necessary to achieve its strategic outcomes.

ATTACHMENTS

1. **Mason Blackadder - Performance Assessment and TRP Advice**

9.2 CORPORATE AND COMMUNITY SERVICES**9.2.1 COMMUNITY DONATION AND EVENT SUPPORT PROGRAM - REPORT TO COUNCIL****TRIM Number: R23/209****Author: Revenue/Finance Support Officer****RECOMMENDATION**

That:

1. The Director of Corporate and Community Services Report No. R23/209 be received and noted.
2. Council approve a concession of \$337.50 on SRA Hall hire for the Central West Farming System's Rural and Regional Women and Youth Conference. This concession is to be funded from the Elected Members budget. The concession is conditional on the event proceeding.
3. Council approve the in kind support request, estimated to be worth \$2,703.50, for the Yellow Mountain event. This contribution is to be funded from the In Kind Contributions budget.
4. Council approve the in kind support request, estimated to be worth \$15,250.00, for the Condobolin Show. This contribution is to be funded from the In Kind Contributions budget. This is conditional on the event proceeding.
5. Council approve the in kind support request, estimated to be worth \$5,980.00, for the Lake Cargelligo Show. This contribution is to be funded from the In Kind Contributions budget. This is conditional on the event proceeding.
6. Council approve the in kind support request, estimated to be worth \$2,924.00, for the Poppers in the Pines event. This contribution is to be funded from the In Kind Contributions budget. This contribution is conditional on the event proceeding.

PURPOSE

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

SUPPORTING INFORMATION

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

BACKGROUND

Council adopted its Community Event and Donations Policy on 28 June 2023. As requests are submitted, they will be assessed against this policy. Where possible, approval under delegated

authority will be utilised. Where delegated authority or another Council Policy does not apply, a request will be submitted to a Council meeting.

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

ISSUES AND COMMENTS

Central West Farming Systems

Central West Farming Systems are seeking a donation towards the SRA Hall Hire including Kitchen, Bar and Function Room for their Rural and Regional Women and Youth Conference to be held on the 12 October 2023 in Condobolin.

The purpose of the Conference is to engage and empower women and youth to participate more fully in agriculture, and rural and regional communities. They are expecting 150 attendees from across the region and the event is open to public. This meets the terms of the Community Donation and Event Support Policy but cannot be approved under delegation as the request is over \$500.00.

Council provided a \$500 donation and a \$275 fee waiver in the 2019 FY. In the 2020 FY, Council provided a donation of \$500.

The full cost of the hall hire \$675.00. They also requested a concession on the security bond but have been advised this is not permitted. A concession of 50% is recommended which is to be funded from the Elected Member budget.

Yellow Mountain event

This request is presented to Council after the event for consideration under the new policy. Council may use its discretion to approve the in kind support requested. This meets the terms of the Community Donation and Event Support Policy but cannot be approved under delegation. Council has supported this event in the past. In the 2023 FY, support of \$1,937 was provided and in the 2022 FY, in kind support valued at \$1,206 was provided.

This cost will be funded from the in kind donations budget.

The total estimated cost is \$2,703.50, made up as follows:

- Colour map printing \$ 210.00
- Toilet supplies – hand soap, disinfectant etc., \$ 193.50
- Labour & plant for Portable toilets \$2,300.00

Condobolin Show

As in prior years, Council has been requested to provide in kind support to the Show Society. The request includes plant, labour, saw dust, bins, toilet supplies, and an allowance for ad hoc requests made between now and the conclusion of the Show. The total estimated cost is \$15,250 and an estimate is attached.

This meets the terms of the Community Donation and Event Support Policy but cannot be approved under delegation.

Council has supported this event in the past. In the 2023 FY, the cost was \$23,046 and in the 2020 FY, the cost was \$17,187. There was no Show in 2022 or 2021 due to the COVID-19 pandemic.

The cost will be funded from the in kind donations budget and is conditional on the event proceeding.

Lake Cargelligo Show

As in prior years, Council has been requested to provide in kind support to the Show Society. The request includes plant, labour, bins, toilet supplies, and an allowance for ad hoc requests made between now and the conclusion of the Show.

This request meets the terms of the Community Donation and Event Support Policy but cannot be approved under delegation. The total estimated cost is \$5,980 and an estimate is attached.

Please note the water truck may not be available. Water will be available; the word truck was left off the email in error.

Council has supported this event in the past. In the 2023 FY, the cost was \$14,129 and in the 2020 FY, the cost was \$10,242. There was no Show in 2022 or 2021 due to the COVID-19 pandemic.

To be funded from the in kind donations budget and is conditional on the event proceeding.

Poppers in the Pines

As in prior years, Council has been requested to provide in kind support to this event. The request includes plant, labour, bins, one portable toilet and toilet supplies. **Please note the water truck and additional portable toilet are not available.**

The total estimated cost is \$2,924.00 and an estimate is attached.

This meets the terms of the Community Donation and Event Support Policy but cannot be approved under delegation. Council has supported this event in the past. In the 2021 FY, the cost was \$581 and in the 2020 FY, the cost was \$1,083. There was no support requested in the 2022 FY and 2023 FY.

To be funded from the in kind donations budget and is conditional on the event proceeding.

FINANCIAL AND RESOURCE IMPLICATIONS

1. Community Events Program

Budget \$32,950. Refer to General Ledger Number 3820.460.622

The remaining budget available for utilisation is \$30,304

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

2. Elected Members general donations

This Budget totals \$27,450. Refer to General Ledger number 3020.0405.0622.

The remaining budget available for utilisation is \$27,450.

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

3. In kind donations

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

The remaining budget available for utilisation is \$123,229.

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

Rates concessions \$9,900 General Ledger number 3020.0406.623. Applications are made under the Revenue Policy and approved by staff. If the applicant is not eligible for assistance under the Revenue Policy, it may come to Council for a decision, with funding from an alternative budget.

LEGAL IMPLICATIONS

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

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

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

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

RISK IMPLICATIONS

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

STAKEHOLDER CONSULTATION

August 2023 Strategic Briefing

OPTIONS

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

CONCLUSION

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

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

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

ATTACHMENTS

1. **Central West Farming Systems**
2. **Yellow Mountain in kind support request**
3. **Condobolin Show**
4. **Lake Cargelligo Show**
5. **Poppers in the Pines in kind support**
6. **Donations spreadsheet**

9.2.2 UPDATES TO BUDGET 2023-2024: REVOTES AND ADDITIONAL GRANT FUNDED PROJECTS**TRIM Number: R23/240****Author: Manager - Finance****RECOMMENDATION**

That:

1. The Director Corporate & Community Services Report No. R23/240 be received and noted.
2. The transfers from Reserves as noted in the “Revotes” be adopted, as presented.
3. The 2023-2024 Amended Budget be adopted to include revotes, carry forwards and additional grant funded projects not included in the original Annual 2023-2024 Budget.

PURPOSE

Council is required to formally revoke 2022-2023 budget allocations which remain unspent and/or are incomplete at the end of the 2022-2023 financial year.

SUPPORTING INFORMATION

A list of the projects is attached to this report.

BACKGROUND

A number of projects, included in the 2022-2023 operational plan budget, had not commenced, or were incomplete at the end of the 2023 financial year.

ISSUES AND COMMENTS

Under the *Local Government (General) Regulation 2021* budget allocations for projects that have not commenced, lapse at the end of each financial year, and must be formally reapproved by Council for the projects to proceed in the new financial year.

When a Council approved project commenced in 2023 and remains unfinished, this process is not required, however, they are included in this report for completeness and to formally include them in the 2023-24 budget.

This report is made up of 2 parts:

1. Revoted and carry over projects from the 2022-2023 year which will be funded from reserves; and
2. Projects that were not included in the 2023-2024 Budget and will be funded from approved grants to be received in the 2023-2024 financial year.

Revoted projects total \$14,940,095.

Significant items for the revotes include procurement of plant items which were ordered in 2023 but which will not be delivered until 2024 (Approx. \$1.020M); Road Repair and Pothole grants

received in 2023 of which \$7.932M remained unspent at the end of the 2023 financial year; and \$2.756M of Water fund capital works. Specific details of the 'revotes' are set out in Attachment 1.

Additional approved grant funded projects not included in the Budget for 2023-2024 total \$2,148,362. The main item being the Local Road & Infrastructure Program Phase 3 with the 2nd payment not yet received, to fund the approved projects. Specific details of the additional grant funded projects are set out in Attachment 2.

FINANCIAL AND RESOURCE IMPLICATIONS

Council is required to formally adopt the revotes and additional grant funded projects for inclusion in the 2023-2024 Operational Plan Budget.

As at 30 June 2023, unfinished works and unspent grant income were restricted in the financial statements to ensure there were sufficient monies to fund these projects.

LEGAL IMPLICATIONS

There are no known legal implications.

RISK IMPLICATIONS

If the unspent grant items are not revoted, there may be risks associated with not meeting conditions in grant funding agreements.

Council is subject to reputational and political risk if it resolves to commence projects but does not deliver within the timeframes expected by the community or the funding bodies.

STAKEHOLDER CONSULTATION

The original allocations for 2022-2023 were adopted by Council as part of its 2022-2023 annual budget. Other items were approved by Council at subsequent quarterly budget reviews or by resolutions of Council, as a result of Council receiving additional grants or notifications of specific projects.

The listing of non-commenced and incomplete projects with budget allocations has been reviewed by the Executive Leadership Team and the Operational Management Team.

OPTIONS

1. Revote the funds, as listed on the attachment to this report, for expenditure in 2023-2024.
2. Amend the listing attached for revote of expenditure in 2023-2024.

CONCLUSION

Council should consider those budget allocations remaining unspent from the 2022-2023 financial year for incomplete or not commenced projects and "revote" those allocations as appropriate.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

CSP No. 4.2: Strong effective and responsive Council.

DP No. 4.2.1 - Council is financially sustainable and provides services at a level expected by the community.

ATTACHMENTS

- 1. Revotes and Carry Forwards from 2023**
- 2. Grant funded projects not included in Annual 2024 budget**
- 3. 2024 Revised budget - Profit and Loss**

9.3 ENVIRONMENT, TOURISM AND ECONOMIC DEVELOPMENT

Nil

9.4 INFRASTRUCTURE SERVICES

9.4.1 MANAGEMENT OF CEMETERIES POLICY

TRIM Number: R23/228

Author: Administration Officer

RECOMMENDATION

That:

1. The Director Infrastructure Services Report R23/228 be received and noted.
2. The Management of Cemeteries Policy be adopted

PURPOSE

To present to Council the feedback received from the community during the public exhibition period for the Management of Cemeteries policy.

SUPPORTING INFORMATION

See attachment – Management of Cemeteries Policy

BACKGROUND

At the Ordinary Council meeting on 28 June 2023, Council considered report number R23/155 – Draft Management of Cemeteries and resolved;

RESOLUTION 2023/142

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Dennis Brady

That:

1. *The Director Infrastructure Services Report R23/155 be received and noted.*
2. *The draft Management of Cemeteries policy be placed on public exhibition for a minimum of 28 days.*
3. *Following the completion of the public exhibition period a further report be presented to Council summarising any submissions and feedback received from the public throughout the exhibition period*

ISSUES AND COMMENTS

The draft policy was placed on public exhibition from 2 to 30 July 2023, there were no public submissions received.

During the Ordinary Council meeting on 28 June 2023, there were comments from Councillors that the policy should:

- include a two-hour gap between services when held at the Cemetery.

Answer - This requirement was already included in the draft policy presented to Council.

- Were there any plans for a 355 committee to be created for Murrin Bridge Cemetery?

Answer - Murrin Bridge Cemetery is a private cemetery, that is on land managed by the Murrin Bridge Local Aboriginal Land Council. Section 355 Committees are only able to perform a function of Council on land which Council has the responsibility of managing. Therefore, Council has no mechanism under the Local Government Act to form a 355 committee for the Murrin Bridge Cemetery. All references to Murrin Bridge Cemetery have been removed from the policy.

Other changes to the draft document that was placed on public exhibition are highlighted in yellow in the version of the document attached to this report. These changes aim to provide further clarity to the document, the changes include references to the recently adopted Tree Management guidelines and provide clarity around monuments in the Rose Garden section of the cemeteries.

FINANCIAL AND RESOURCE IMPLICATIONS

The policy is not expected to have any additional impact on Council's resources or finances.

LEGAL IMPLICATIONS

Local Government Act 1993

Government Information (Public Access) Act 2009 (GIPA Act)

Privacy and Personal Information Protection Act 1998 (PPIP Act)

Cemeteries and Crematoria Act 2013

Public Health Regulation NSW 2012

RISK IMPLICATIONS

It is considered that transparency and consistency in approach will minimise the risk of disputes, as well as educate communities on the processes required for interment, reservations, monumental works and information requests.

STAKEHOLDER CONSULTATION

The draft policy has been provided to;

- The Condobolin Advisory Cemetery Committee for comment and feedback.
- Various 355 Committees have been consulted throughout this policy revision.
- Public exhibition from 2 July 2023 until 30 July 2023.

It is proposed to hold follow up meetings with relevant stakeholders and committees to reiterate the Policy, attempt to improve administration and record keeping and information exchange between Council and the committees.

OPTIONS

- 1) Adopt the Management of Cemeteries policy as written.
- 2) Amend the Management of Cemeteries policy and then adopt.
- 3) Decline to adopt the Management of Cemeteries policy.

CONCLUSION

The Management of Cemeteries policy will streamline procedures and information for the public and other stakeholders, ensuring consistency and transparency when dealing with cemetery related enquiries throughout the Lachlan Shire.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

CSP No. 4.1 – Involved and active community groups.

CSP No. 4.2 – Strong effective and responsive Council.

CSP No. 4.4 – Strategic management of villages and Crown Reserves.

CSP No. 6.5 – The provision of neat, accessible and respectful cemeteries.

ATTACHMENTS

1. **Management of Cemeteries Policy**

9.4.2 WATER MAIN EXTENSION AND CONNECTION POLICY**TRIM Number: R23/230****Author: Manager - Utilities****RECOMMENDATION**

That:

1. The Director Infrastructure Services Report R23/230 be received and noted.
2. The Water Main Extension and Connection Policy be adopted.

PURPOSE

To present to Council the feedback received from the community during the public exhibition period for the draft Water Main Extension and Connection Policy.

SUPPORTING INFORMATION

Attachment 1 – Water Main Extension and Connection Policy

BACKGROUND

Council at its Ordinary meeting on 28 June 2023 considered a report no. R23/175 – Draft Water Main Extension and Connection Policy and resolved:

RESOLUTION 2023/143

Moved: Cr Peter Harris

Seconded: Deputy Mayor Paul Phillips

That:

1. *The Director Infrastructure Services Report R23/175 be received and noted.*
2. *The draft Water Main Extension and Connection Policy be placed on public exhibition for a minimum of 28 days.*
3. *Following the completion of the public exhibition period a further report be presented to Council summarising any submissions and feedback received from the public throughout the exhibition period.*

ISSUES AND COMMENTS

The draft policy was placed on public exhibition period from 2 July to 30 July 2023 and no submissions received.

FINANCIAL AND RESOURCE IMPLICATIONS

The policy only allows water main extension and connection that provide sufficient financial return to cover the ongoing operation, maintenance and replacement costs. The rationale for this is to

improve the financial sustainability of the Water Reserve and ensure Council minimises the construction of assets that become financial liabilities.

LEGAL IMPLICATIONS

Local Government Act 1993

Local Government (General) Regulation 2005

Water Act 2000

RISK IMPLICATIONS

The policy will provide a clear framework that is transparent, appropriate and consistent to the community in assessing water main extension and connection requests.

STAKEHOLDER CONSULTATION

Councillors Pre-meeting Briefing on 14 June 2023

Ordinary Council Meeting on 28 June 2023

Public Exhibition period from 2 July to 30 July 2023

OPTIONS

1. Council adopt the Water Main Extension and Connection Policy as written.
2. Council amend the Water Main Extension and Connection Policy and then adopt.
3. Council decline the Water Main Extension and Connection Policy and review further.

CONCLUSION

The Water Main Extension and Connection Policy will ensure that new water main extension and connection requests are only considered if they provide sufficient financial return to cover the ongoing operation, maintenance and replacement costs in accordance with Best-Practice Management of Water Supply and Sewerage Guidelines.

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

1. **Water Main Extension and Connection Policy**

9.4.3 ESTATE AND STREET NAMING - EXPRESSION OF INTEREST**TRIM Number: R23/243****Author: Director Infrastructure Services****RECOMMENDATION**

That:

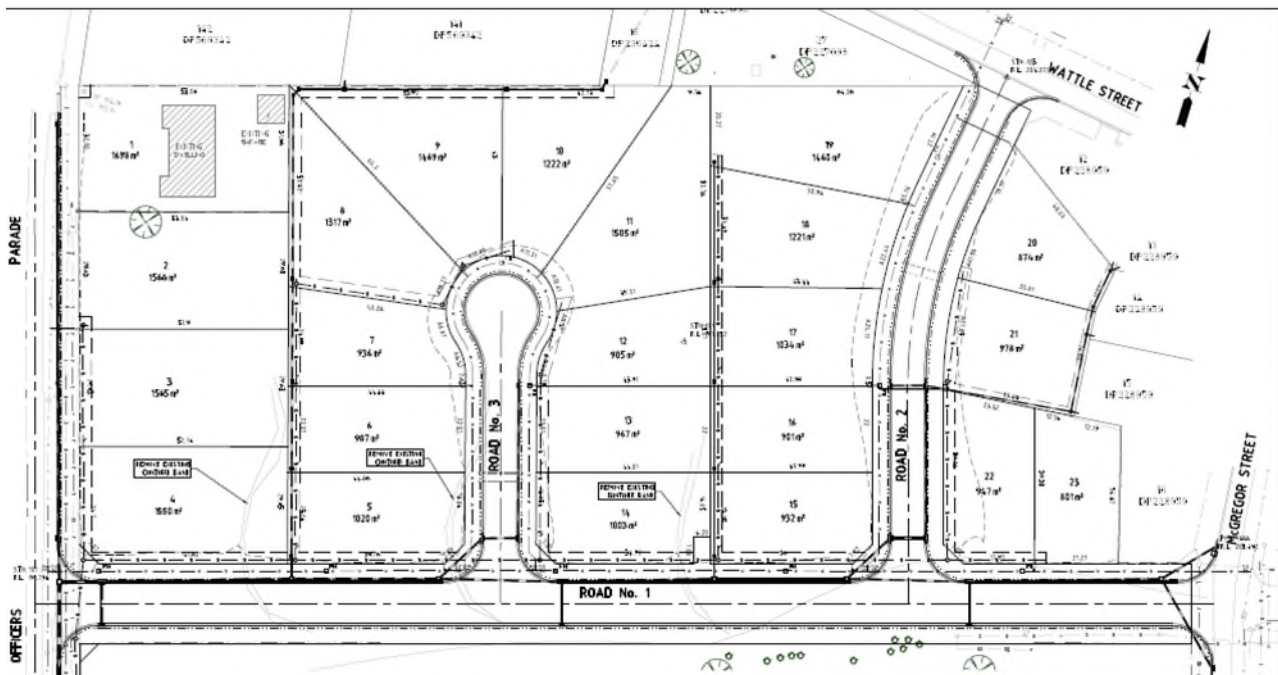
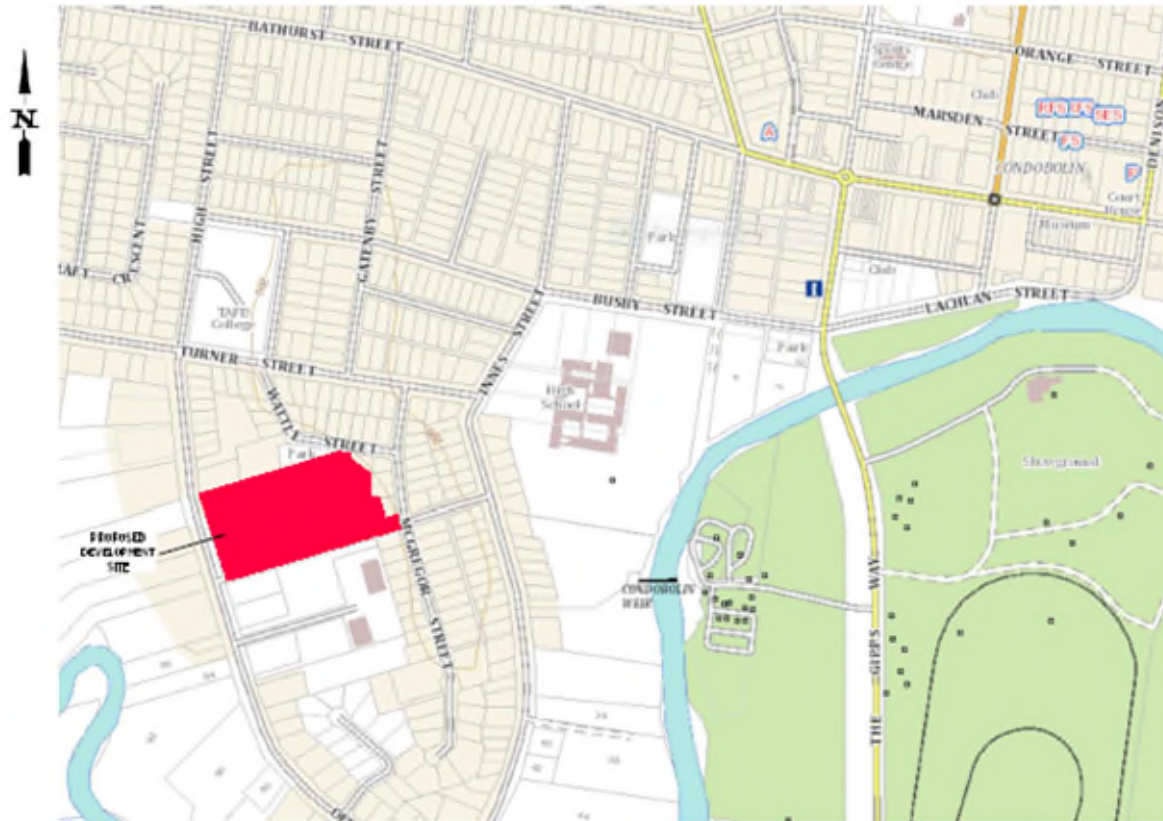
1. The Director Infrastructure Services Report R23/243 be received and noted.
2. Council call for Expressions of Interest from the public for name suggestions for the new housing estate in Condobolin.
3. Council call for Expressions of Interest from the public for new street names within the new estate.

PURPOSE

To seek direction from Council on a proposal to run an Expression of Interest (EOI) process for the naming of the residential sub-division which has - up until now - been referred to as the Scott Street sub-division.

To seek direction from Council on a proposal to run an EOI process for the naming of new streets in the residential sub-division in Condobolin.

SUPPORTING INFORMATION



BACKGROUND

Council approved the Development Application Scott Street sub-division in 2018 (DA2017/31).

Council conducted a tender process for the construction in 2022 and construction commenced on the supporting infrastructure in May earlier this year.

ISSUES AND COMMENTS

The General Manager has received proposals from Real Estate Agents on marketing and possible staging strategies for the sale of the lots. To assist with the marketing and sale of the lots, it would be advantageous to have an Estate name for the 22 lots.

Furthermore, confirming the naming of the 3 new roads will ensure that addressing can be allocated prior to the marketing and the sale of the new land parcels.

Within the Development Application, the streets were referred to as Road 1, Road 2 and Road 3.

Road 1 commences at the intersection of McGregor and Scott Street. It appears logical that "Road 1" would be called Scott Street, however, a different name could be proposed.

Road 2 is the link between Wattle Street and Road 1.

Road 3 is the cul-de-sac with the development and is located off Road 1.

It is suggested that Council undertake an EOI process to obtain community suggestions for the naming of the roads.

Council is the relevant road naming authority for these roads. However, Council must follow the road naming requirements as set out by the Geographical Names Board. This outlines the process which must be followed, as well as the Principles of road naming (e.g. must be unique, avoid duplication, non-offensive etc). The road naming user guide and user manual can be found at the Geographical Names Board website <https://www.gnb.nsw.gov.au>.

It is not a requirement that Council undertake an EOI process for the naming of roads. It is only a requirement to publicly advertise the preferred road name. However, given the broad possibilities, this is an opportunity for Council to seek local opinions and use this as an opportunity to garner community support for the works being undertaken.

FINANCIAL AND RESOURCE IMPLICATIONS

Financial costs and resources to undertake this EOI is expected to be limited to administration of the EOI, web site, social media and costs for a print media advertisement.

The road naming process will require further administration, advertisement and gazettal costs.

LEGAL IMPLICATIONS

There is no legal status or regulations around naming of the Housing Estate. The Estate name is purely a marketing tool. The house address will refer to the Street name, within the Town of Condobolin.

Council is the relevant road naming authority for the roads, however Council must follow the road naming requirements as set out by the Geographical Names Board. The road naming user guide can be found at the following link. https://www.gnb.nsw.gov.au/road_naming

Roads Regulations 2018 section 7- outlines the Procedure for road naming. This Procedure for naming roads must be followed once the EOI process has been completed and a preferred name has been selected by Council.

RISK IMPLICATIONS

Given the possible variety of opinions for both estate naming and street naming, this EOI gives the opportunity for all members of the community to have input into the process and put forward naming suggestions.

STAKEHOLDER CONSULTATION

Nil to date. After the proposed Council EOI process, it is proposed that a further report be submitted to Council to confirm a preferred name for the Estate and for the streets. Once Council resolves to support the street names, the formal notification process of all relevant stakeholders will commence.

OPTIONS

- 1) Undertake an EOI process for the Estate Name and three (3) streets within the Estate
- 2) Undertake an EOI process for the Estate Name and two (2) streets within the Estate and select Scott Street as the preferred name for "Road 1"
- 3) Decline to conduct an EOI process and nominate preferred Estate and street names.

CONCLUSION

Council has been provided with a report that suggests an Expression of Interest process be undertaken for selecting an Estate name for the Scott Street sub-division and for selecting street names for the streets within the Estate.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

CSP 2.3.7 Access to residential land

CSP. 2.6.1 Promote the benefits of a rural lifestyle

CSP 4.3.1 Enhanced communication with the community

ATTACHMENTS

Nil

9.4.4 LACHLAN SHIRE TRAFFIC COMMITTEE MEETING AUGUST 2023**TRIM Number: R23/246****Author: Director Infrastructure Services****RECOMMENDATION**

That:

1. Director Infrastructure Services Report No D23/246 be received and noted
2. The status of outstanding and completed matters from previous Traffic Committee Meetings be noted
3. Council support the following recommendations from Traffic Committee:
 - (a) The options for Jones Lane, Henry Parkes Way Intersections be noted and provide in principal support for Option 1b to be developed further.
 - (b) Endorse the installation of a disabled parking space at the Mayfield Hotel Tullibigeal on the condition that the Hotel install a footpath at the same time as the disabled parking to ensure building accessibility is achieved.

PURPOSE

Lachlan Traffic Committee is a statutory technical review committee. This committee meets to consider the technical merits of traffic matters and ensure that any requests or proposals meet current technical guidelines and takes into consideration the advice received from Transport for NSW (TfNSW), NSW Police and the community through the local members nominated representative.

SUPPORTING INFORMATION

Agenda and draft Minutes are attached

BACKGROUND

The Lachlan Shire Traffic Committee Meeting was held on 3 August 2023. The details of the matters considered by the Traffic Committee are outlined in the attached minutes.

ISSUES AND COMMENTS

Outstanding and ongoing matters are noted within the Lachlan Traffic Committee Minutes. Items considered by the Committee include: -

1. Jones Lane, Henry Parkes Way level crossing and Intersection options.
Preferred option is 1b.
2. Mayfield Hotel request for disabled parking space.

Request has merit, however there are additional building accessibility issues to be considered in addition to the disabled parking space to improve accessibility for patrons.

3. Traffic Guidance Schemes for Yellow Mountain Rally and Condobolin Show events.

FINANCIAL AND RESOURCE IMPLICATIONS

Jones Lane, Henry Parkes Way level crossing and Intersection options do not have any financial or resource implications at this initial concept stage.

Mayfield hotel – the costs to install the disabled parking pram ramp, signs and line marking is estimated below;

- Cut out K&G, install new concrete pram ramp = \$2,500
- Sign purchase and installation = \$ 300
- Line marking = \$ 1,250

Regarding the Yellow Mountain and Condobolin show events - Council has in the past provided labour and signs for events that require Traffic Control Management and Plans. The cost to provide traffic control and other in-kind support for these events has been considered by Council in other reports.

LEGAL IMPLICATIONS

There is a legal requirement for Council to exercise their delegated function as limited and appointed by Transport for NSW in the “Delegation to Councils – Regulation of Traffic” documentation.

RISK IMPLICATIONS

Each item considered by the Traffic Committee considers the traffic related risks associated with the proposed recommendation.

STAKEHOLDER CONSULTATION

Feedback from Council staff has been provided to TfNSW at the initial presentation of the options. Feedback from the Traffic Committee has also been provided to TfNSW.

St Francis Xavier School - Council staff and the Director Infrastructure Services have been liaising with school staff regarding their request for a school crossing. No contact has been made since last year, as the matter had to go before the Traffic Committee. The School has been advised that their request for a pedestrian crossing or school crossing is unlikely to be supported, however, other safety measures are being investigated.

OPTIONS

Further feedback can be provided for Council on the positives and negatives of each design option for the Jones Lane, Henry Parkes Way level crossing and Intersection options.

Mayfield hotel – Council has the option to

1. Support the TfNSW and Traffic Committee recommendations.
2. Agree to install the disabled parking space with no obligation on the hotel to undertake the other improvements.
3. Decline the request to install a disabled parking space.

CONCLUSION

Council will continue to provide support and resources to meet the outcomes and recommendations of the Lachlan Traffic Committee

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

CSP 2.5 Improve the appearance of each town.

CSP3.1: Improved transport networks that meet community and business needs.

CSP 3.2: Improved pedestrian and cycle paths

ATTACHMENTS

1. **Traffic Committee Agenda**
2. **Traffic Committee Minutes**

9.4.5 WATER ALLOCATIONS - JULY 2022 TO JUNE 2023

TRIM Number: R23/250

Author: Manager Urban Works

RECOMMENDATION

That:

1. The Director Infrastructure Services Report No 23/250 be received and noted.

PURPOSE

To report to Council on the water allocation transfers and usage for the period between 1 July 2022 to 30 June 2023.

SUPPORTING INFORMATION

Attachment – Water Allocation Statement – Lachlan

BACKGROUND

Lachlan Shire Council holds thirteen water access licences (WAL) from which it draws raw water to supply the community.

Wyangala Dam is at 98% capacity as at 15 August 2023. The water levels within the dam are being managed to retain airspace within the dam for the purpose of flood mitigation, while aiming to be at 100% capacity for the commencement of the irrigation season. The airspace committee stakeholders have indicated that the dam operators should expect an increase in irrigation demand from late August.

On 8 August 2023, Department of Planning, Industry & Environment, revised the following allocations for the Lachlan River regulated system for the 2023/24 year:

General Security	120%
High Security	100%
Stock and Domestic	100%
Local Water Utilities	100%

ISSUES AND COMMENTS

The following table outlines the volume of water utilised from each of Council’s Allocations and water transferred. Water consumption is significantly lower than usual, owing to the wetter than average conditions over the last 12 months and the most recent flooding event.

Extraction Site	FY22/23 Allocation	Metered Usage 01/07/22 to 30/06/23	Comment
Condobolin Goobang Creek Town water	1500ML	762.1ML (meter read 30.06.2023)	Local Water Utility High security non-transferable
Lake Cargelligo town water supply	699ML	310.2ML (meter read 30.06.2023)	Local Water Utility High security non-transferable
Condobolin Booberoi Weir (Abattoir)	60ML	0ML (No meter for Site)	High Security, Transferable 3ML Transferred to Memorial Park Condobolin 55.5ML transferred to Gum Bend Lake
Condobolin Memorial Park	3.5ML	6.9ML (meter read 30.06.2023)	General Security, Transferable Shortfall on licence covered by transfer from Abattoir and carryover.
Lake Cargelligo (Gibsonvale)	800ML	0ML	High Security, Transferable 800ML sold @\$50/ML on 8/2/23
Lake Cargelligo (Tullibigeal)	160ML	0ML (meter read 30.06.2023)	High Security, Non-Transferable
Kiacatoo Hall	3.5ML	0ML (No meter for site)	General Security, transferable
Lake Cargelligo Parks & Gardens	50.7ML	3.6ML (meter read 30.06.2023)	General Security, transferable
Merri Abba Bore ground water Supply	600ML	533.5ML (meter read 30.06.2023)	High Security, Non-Transferrable
Condobolin Bore Ground water supply	800ML	0ML	Currently inactive High security non-Transferable
SRA Ground & Riverview Caravan Park	206.4ML	10.9ML (meter read 30.06.2023)	General Security, transferable
Gum Bend Lake	795.5ML	510ML (estimate due to failure)	General Security, transferable
Tullibigeal Non-portable Bore Ground Water	100ML	7ML (estimate)	Ground Water Town Water Supply High security Non-transferable
TOTAL		2144.2ML	

Due to the flooding event the replacement Gum Bend Lake transfer pump was unable to be installed prior to the season, when the flood water subsided the new pump was installed and the lake was filled in the Christmas break 2022. The flooding damaged the meter and rendered it inoperable. Section 91i forms have been used to estimate water consumption against the water licence. The late start to the ski season resulted in a significantly lower than normal water use for the season.

Due to the flooding and extended wet period, all water consumption in Parks and Gardens and Sports fields have a lower water consumption than average. Most irrigation systems were not turned on until the early months of 2023.

FINANCIAL AND RESOURCE IMPLICATIONS

It is likely that Council will again have excess water allocations this financial year. This may again present a further opportunity for temporary transfer (sale) of these excess allocations, creating a small increase in revenue for Council. With the drying trend in the weather and dry seasonal outlook, transfers of excess water allocations will be considered with a conservative mindset.

LEGAL IMPLICATIONS

Council must adhere to the NSW Water Management Act 2000 and its regulations. This Act is used for the sustainable and integrated management of the state's water. The Water Management Act 2000 secures a sustainable basis for water management for NSW. Council staff are improving processes to ensure accurate and timely ordering of water and reporting of usage.

Water Management (General) Regulation 2018 was enacted 24 August 2018. This requires water meters to be upgraded to ensure improved water management and accurate extractions and reporting. Council has completed the requirements to install new pattern approved meters on most sites, however the flooding and difficulty in sourcing parts and qualified meter installers has delayed the commissioning of a number of sites.

RISK IMPLICATIONS

Council must continue to improve processes to ensure accurate and timely ordering of water and reporting of water usage to comply with the necessary Acts and regulations.

STAKEHOLDER CONSULTATION

Council has held meetings with Gum Bend Lake Advisory Committee.

Council is in communication with WaterNSW, DPIE and NRAR staff as required

OPTIONS

1. Council has the option of continuing to temporarily transfer allocations between licences for use on parks & gardens, sporting and recreational facilities, while ever there is water allocation available.
2. Council has the option to alter the temporarily transferring allocations between licences.

CONCLUSION

Council continues to transfers between its own water licences to minimise the loss of water allocation and to allow the continued operation of the water supply and recreation facilities.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

CSP 6.1 Increased recreational use of lakes and rivers

CSP 6.4 Improved Parks and Gardens

CSP 7.1 Water, Sewer and energy utilities meet best practise standards with up to date technology

CSP 7.2 Water Security for all towns and villages.

ATTACHMENTS

- 1. Water Allocation Statment - Lachlan 8 August**

10 DEPUTATIONS

11 NOTICES OF MOTION**11.1 NOTICE OF MOTION - PROMOTING INCLUSIVITY AND STRENGTHENING GRASSROOTS ENGAGEMENT TO BETTER REFLECT THE DIVERSE VOICES AND PERSPECTIVES OF OUR COMMUNITY****TRIM Number: R23/249**

I, Councillor Dave Carter, give notice that at the next Ordinary Meeting of Council be held on 23 August 2023, I intend to move the following motion:-

MOTION

That:

1. Notice of Motion Report No. R23/249 be received and noted.
2. Council investigate and explore the following options to foster an environment that encourages open dialogue in collaboration with all council members through the inclusion of grassroots thinkers, councillor's and broader community which is essential for effective governance:
 - a) Establish a platform or forum where community members can engage in meaningful dialogue and share their perspectives on various issues affecting the community.
 - b) Encourage council members to actively seek input from grassroots thinkers and councillor's, ensuring their voices are heard and valued in decision-making processes.
 - c) Implement a rotating list of topics to be discussed at each council meeting, with a specific focus on issues relevant to the diverse needs and concerns of the community.
 - d) Provide training or workshops for council members on effective communication and collaboration to create a more inclusive environment.
 - e) Periodically review and assess the progress made in promoting inclusivity and grassroots engagement, seeking feedback from community members.

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

This motion aims to address concerns raised by constituents and certain groups while fostering an environment that values the input of grassroots thinkers and councillors.

By implementing these actions, we can ensure that the council truly represents the diverse voices and perspectives of our communities.

General Managers comment:

The Notice of Motion does not indicate a requirement for additional funding. However, the establishment of platforms or forums, the consideration of a rotating list of topics at Council meetings other than the matters listed in the respective business paper agenda and the periodic review and assessment of progress made toward inclusivity, grassroots engagement and feedback from community members may incur additional unbudgeted costs or resource commitments.

Council's Code of Meeting Practice, at clause 10.9 states...

"10.9 A motion or an amendment to a motion which if passed would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the motion. If the motion does not identify a funding source, the council must defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the motion if adopted."

Accordingly, until such time as the resource and cost requirements of the motion are understood and costs estimated the motion should be deferred.

Councillor's should also note that opportunities for open dialogue, collaboration, inclusivity and community engagement have been and will continue to be provided as follows;

- Public forum at Council meetings.
- Annual informal "Meet Your Councillor" sessions in every town and village.
- Local Government week community stalls.
- Council stands at community events such as Annual shows.
- Bi-annual community satisfaction surveys.
- Pre-meeting Briefing sessions for Councillors.
- Councillor training opportunities communicated at Pre-meeting Briefings.
- Council pop-up stands, when and as necessary, for community engagement of specific issues or projects.
- Community meetings for the development of Council documents such as the Community Strategic Plan, Youth Strategy, Rural and Industrial Land Use Strategy etc.

12 NOTICES OF RESCISSION

Nil

13 DELEGATES REPORT**13.1 DELEGATES REPORT****TRIM Number: R23/232****Author: Executive Assistant****RECOMMENDATION**

That:

1. Deputy Mayor Paul Phillip's Delegates Report No. R23/232 be received and noted.

PURPOSE

On Friday, 4 August, I had the opportunity to attend the Country Mayors Association of NSW August General Meeting. The meeting was held at Parliament House which included an agenda packed with presentations from the NSW Government Ministries of Agriculture, Regional and Western NSW, Energy, Environment, Climate Change and Heritage along with the Opposition Shadow Ministries of Agriculture, Regional NSW, Natural Resources, Local Government, Small Business, and an address by the NSW Opposition Leader the Hon Mark Speakman.

KEY MESSAGES/HIGHLIGHTS OF RELEVANCE TO COUNCIL

The CEO of NSW Reconstruction Authority, Mr. Simon Draper, explained to the CMA members the history of the authority, along with its functions and delegations under the Minns Government. The Department is accountable to two State Ministers - the Planning Minister and the Minister for Emergency Services. The authority has four main functions being: prevention, preparedness, recovery and funding. Mr draper made it very clear that the authority is willing to work with councils to gather the local knowledge necessary and benefit from the years of experience held by councils and community volunteers.

The following motions from CMA members also formed part of the agenda for the meeting:

1. Members voted unanimously to endorse four new members being: Cessnock City Council and Wollondilly Shire Council as full voting members; and Newcastle City Council and Riverina Eastern Regional Organisation of Councils as associate members.
2. The Deputy Chairman, Mayor Rick Firman OAM, gave a heartfelt acknowledgment of the outgoing Mayors for their dedication and service to their communities over the many years in office. The CMA thanked Mayor Neil Smith from Junee Shire Council, Mayor Ron Campbell from Narrabri Shire Council, and Mayor Peter Abbott from Cobar Shire Council.

3. Applications were opened for councils wishing to host a general meeting outside of Parliament House during 2024. Applications will close on Friday, October 27 at 5pm. Successful councils will be announced at the CMA AGM in November 2023.
4. CMA Members voted unanimously to endorse the signing of a Memorandum of Understanding (MoU) with the NSW Rural Doctors Network. The aim of the MoU is to provide a foundation for ongoing cooperation and collaboration activities that support achievements of shared priorities between CMA and RDN.
5. The CMA Budget Priorities document was shared to MPs from the Government, Opposition and Cross bench during the sitting week. The document lists the endorsed position of the top five issues that CMA took to the NSW State election in March, and highlighted the financial commitment needed to deliver the outcomes in the September 19 budget.
6. During the last sitting week, a new “NSW Parliamentarian Friends Group” for Local Government was established. The Chairman of the CMA was offered the opportunity to attend the first meeting. The intent of the bipartisan “friends’ group” is to encourage a safe zone for those currently serving in State Government and Local Government from all sides of politics to share conversations that may lead to greater outcomes for Local Government.

BENEFITS TO LACHLAN SHIRE COUNCIL

Lachlan Shire Council together with the CMA continue to work hard to keep the significant concerns of regional and rural residents in the forefront of the minds of State and Federal decision makers.

ATTACHMENTS

1. **Country Mayors Association of NSW Meeting Minutes 4 August 2023.**

13.2 DELEGATES REPORT**TRIM Number: R23/242****Author: Executive Assistant****RECOMMENDATION**

That:

1. Councillor Dennis Brady's Delegates Report No. R23/242 be received and noted.

PURPOSE

This report provides a summary of a very successful meeting held 3 August 2023 at NSW Parliament House, Jubilee Room for Association of Mining & Energy Related Councils NSW (MERC). Cr Lauren Trembath and General Manager Gary Wallace attended the meeting as observers in consideration of joining MERC.

KEY MESSAGES/HIGHLIGHTS OF RELEVANCE TO COUNCIL

There were 3 speakers, unfortunately there were late withdrawals from Ministers, which was disappointing, however having Jonathon Wheaton, Acting Deputy Secretary, Department Regional NSW enabled matters to be clarified by delegates.

(a) Future Together Group (FTG) speakers Martin Rush & Amer Hussein

MERC received an initial presentation from FTG on 9th June 2023 where they asked if they could address delegates as they had to share their findings with other like Councils in NSW as part of their State Government funding brief with Lithgow City Council by: -

- undertaking the development of Lithgow Councils transition to renewables and emerging economies plan.
- reviewing its financial sustainability and transition preparedness.
- review its quarrying, mining & energy impacted road network.
- develop Councils transition policy framework and next step.

Because of this presentation, FTG offered to submit a proposal to review and refresh MERC's value proposition, review its constitution, develop a policy platform to be more relevant to potential members, update MERC's financial and resourcing plan, look at associate membership options, involving more senior staff from members etc. The cost is discounted at \$7,500 plus GST.

Delegates felt that an external review is timely for MERC given the uncertainties that exist in the mining and energy space in NSW Local Government with a change of government, their review of funding programs, emergence of small groups and the need to have a closer look at MERC's value proposition to attract more members and be a stronger voice for the respective communities.

Delegates agreed to accept the FTG proposal to undertake the aforementioned actions and report back in a month.

(b) Robert Parker – Nuclear for Climate Australia

Robert first came to MERCs attention at the Dubbo forum where he gave a presentation on nuclear energy as the answer to Australia's impending energy crisis and the content on what he said delegates needed to know as an energy option. Using slides to illustrate his presentation, Robert described the problems inherent in attempting to achieve deep carbon reductions and power Australia using 100% renewables.

He described a lower cost, reliable, safe, and better integrated plan, developed from this research. Under his plan, the eastern states could be optimally powered by a mix of over 70% nuclear power combined with approximately 30% renewable wind, solar and hydropower. He demonstrated how, by using successful precedent this mix would also deliver much lower carbon emissions and allow for the increasing demands on our electricity that will be needed in the future, without despoiling farmland.

Mr Parker then described the findings from a research trip he undertook in 2022, investigating the success of nuclear power in Ontario, Canada (the size of NSW and Victoria combined). He described the similarities between Ontario and NSW/ Victoria, illustrating a pathway for an Australian roll out of similar technology.

He pointed out that Federal and State governments are closing fossil fuel fired electricity generation and relying almost solely on renewable energy to keep the lights on. Renewables don't represent diversity in power generation but rather a concentration on a variable resource which requires storage back up by the means of pumped hydro and batteries. Both are proving extraordinarily expensive to build and acquire.

Nuclear energy will provide reliable 24/7 power to firming up our energy production needs into the future. It is forecast by the Victorian Government that by 2035 the demand for power to charge electric vehicles will exceed residential electricity use. How can we cater for this without nuclear?

Nuclear energy unlocks a future of reliable and affordable electricity to power our nation and achieve our climate goals. He called for immediate action at all levels of government to lift bans and begin the planning and development of nuclear electrical generation capacity in Australia.

(c) Jonathon Wheaton, Acting Deputy Secretary, Department of Regional NSW:

Delegates were keen to hear if the Resources for Regions program was going to be retained by the State Government and Jonathon informed delegates that the September 2023 budget would reveal all, fielded questions and clarified some issues as follows:

- Resources for Regions Program now under Hon Tara Moriarty, MLC who is Minister for Regional NSW, Minister for Western NSW, and Minister for Agriculture.
- Royalties for Rejuvenation Program now under Hon Courtney Houssos, MLC, Minister for Finance and Minister for Natural Resources.
- Renewable Energy Zones roll out now with Hon Penny Sharpe, MLC, Minister for Climate Change, Minister for Energy, Minister for the Environment, Minister for Heritage, Leader of the Government in the Legislative Assembly.

- Resources for Regions Program is reviewed each year, and this has been done for Round 9, but he is not able to comment on any changes to the program that is the responsibility of the relevant Minister as part of September budget details to be released next month.
- Royalties for Rejuvenation is a program locked in legislation under the Mining Act and there was an election commitment by the Labor Government to establish Transition Authorities in NSW, to be aligned with Federal Government on cleaner emissions targets e.g. have established the Hunter Clean Energy Authority already (This is what the Future Together Group were talking about on June 9th & 3rd August)
- REZ issues are many and are being considered by Minister Sharpe's department.

Following the success of the recent REIF in Dubbo 5-9th June 2023, delegates resolved to partner with RDA Orana to conduct another in Dubbo with them in period 5-7th June 2024, with a locked in date, early marketing and a reversal of the speaker and forum schedule, so it's at the front of the forum when the politicians and experts are in attendance. On this basis, it should be another successful cost positive event in 2024. Profit over and above the event cost on 50:50 split with RDA Orana was \$6348.50 each.

Conducting another forum with technical content from industry, government and innovators in a changed forum with more council's present will assist with the value proposition of MERC and attract more members and potential members. Delegates want to have more meetings in NSW Parliament House to have access to Ministers and so the next meeting in November will be set by Executive Committee to fit in with the LGNSW Conference, Country Mayors etc.

A Parliamentary Enquiry into the Effects of Pollution from Mining on Health, Air, Land & Water Quality was discussed by delegates who decided to take a monitoring brief, at this stage and write to the Enquiry to be kept informed of developments.

Minerals Legislation Amendment (Offshore Drilling and Associated Infrastructure Prohibition) Bill 2023 was raised and briefly discussed but no action to be taken at this stage.

BENEFITS TO LACHLAN SHIRE COUNCIL

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

ATTACHMENTS

1. MERC Ordinary Meeting Draft Minutes

14 CORRESPONDENCE**14.1 CORRESPONDENCE****TRIM Number: R23/223****Author: Executive Assitant****RECOMMENDATION**

That:

1. The Correspondence Report No. R23/223 be received and noted.

PURPOSE

To provide Council with details of correspondence received in August.

SUPPORTING INFORMATION

NSW Reconstruction Authority response to Lachlan Shire Council - letter received.

Tottenham Skatepark Development Group - letter received.

ALGA 2023 National Local Roads, Transport and Infrastructure Congress - letter received.

Support for Murrin Bridge Preschool – letter received.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

CSP 4.2 Strong effective and responsive Council.

ATTACHMENTS

1. **NSW Reconstruction Authority response to LSC.**
2. **Tottenham Skatepark Development Group letter to LSC.**
3. **ALGA 2023 National Local Roads, Transport and Infrastructure Congress.**
4. **Support for Murrin Bridge Preschool.**

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 Lease - 6 Townsend St Lake Cargelligo

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 Request for water account adjustment - 1041624

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

17.3 Tender 2022/8 - Management Contract for Lakeview Caravan park - Revised Submissions

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

17.4 General Manager Annual Performance Review - period ending 30 June 2023

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

17.5 Tender Assessment - Tourism Precint Parking areas

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 Expression of Interest 6 Reef Street Lake Cargelligo

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 Use of Community Radio Infrastructure

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.