



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

Date: Wednesday, 22 September 2021
Time: 2:00pm
Location: Zoom Meeting

BUSINESS PAPER

Ordinary Council Meeting

22 September 2021

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 ACKNOWLEDGEMENT OF COUNTRY AND ELDERS**
- 2 APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE**
- 3 CONFIRMATION OF MINUTES**

Ordinary Meeting - 25 August 2021

**MINUTES OF LACHLAN SHIRE
ORDINARY COUNCIL MEETING
HELD ONLINE VIA ZOOM
ON WEDNESDAY, 25 AUGUST 2021 AT 2:02PM**

PRESENT: Mayor John Medcalf (OAM) , Cr Melissa Blewitt, Cr Dennis Brady, Cr Mark Hall, Cr Peter Harris, Cr Brian Nelson, Deputy Mayor Paul Phillips, Cr Melissa Rees

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

1 ACKNOWLEDGEMENT OF COUNTRY AND ELDERS

Clr Mark Hall read out the acknowledgement.

2 APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE

Clr Dave Carter

Clr Elaine Bendall

RESOLUTION 2021/156

Moved: Cr Brian Nelson

Seconded: Cr Mark Hall

3 CONFIRMATION OF MINUTES

RESOLUTION 2021/157

Moved: Cr Peter Harris

Seconded: Cr Mark Hall

That the minutes of the Ordinary Meeting held on 28 July 2021 be confirmed.

CARRIED

4 MAYORAL MINUTE

4.1 MAYORAL MINUTE - AUGUST

RESOLUTION 2021/158

Moved: Cr Peter Harris

Seconded: Cr Melissa Blewitt

That Council

1. Receive and note Mayoral Minute R21/237.

CARRIED

4.2 MAYORAL MINUTE - MEETINGS AND FUNCTIONS ATTENDED BY THE MAYOR AND DEPUTY MAYOR FOR THE MONTH OF AUGUST.

RESOLUTION 2021/159

Moved: Cr Melissa Rees

Seconded: Cr Melissa Blewitt

That Council

1. Read and note Mayoral Minute R21/238.

CARRIED

4.3 MAYORAL MINUTE - INFRASTRUCTURE CONTRIBUTIONS REFORM

RESOLUTION 2021/160

Moved: Cr Dennis Brady

Seconded: Cr Peter Harris

That:

1. Mayoral Minute R21/242 be received and noted.
2. Council calls on the NSW Government to withdraw the Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021 (the Bill) from the NSW Parliament.
3. Council calls on the NSW Government to undertake further consultation with the local government sector on any proposed reforms to the infrastructure contributions system.
4. Council calls on the NSW Government to de-couple the Independent Pricing and Regulatory Tribunal led review of the rate peg to include population growth from the infrastructure contributions reforms.
5. Council writes to the local State Member the Hon Roy Butler MP, the Premier the Hon Gladys Berejiklian MP, Treasurer the Hon Dominic Perrottet MP, Minister for Planning and Public Spaces the Hon Rob Stokes MP and Minister for Local Government the Hon Shelley Hancock MP seeking them to withdraw the Bill.
6. Council writes to the Shadow Treasurer the Hon Daniel Mookhey MLC, Shadow Minister for Planning and Public Spaces Mr Paul Scully MP, Shadow Minister for Local Government Mr Greg Warren MP, The Greens Mr David Shoebridge MLC, Shooters, Fishers and Farmers Party the Hon Robert Borsak MLC, Pauline Hanson's One Nation the Hon Mark Latham MLC, Animal Justice Party the Hon Emma Hurst MLC, Christian Democratic Party (Fred Nile Group) the Hon Fred Nile MLC, Independent Mr Justin Field, Portfolio Committee Chair The Greens Ms Cate Faehmann, Portfolio Committee Deputy Chair Animal Justice Party the Hon Mark Pearson MLC and Committee members Liberal Party

the Hon Catherine Cusack MLC and the Hon Shayne Mallard MLC, The Nationals the Hon Ben Franklin MLC and Australian Labor Party the Hon Rose Jackson MLC and the Hon Adam Searle MLC seeking their support in securing the withdrawal of the Bill from the NSW Parliament and outlining Council's concerns with the Bill.

7. Council alerts the local media to the threat of future ratepayer funds being expended rather than developer levies for new infrastructure brought about by increased development under the proposed legislation and shares and promotes these messages via its digital and social media channels and via its networks.
 - (i) Council affirms its support to LGNSW and requests LGNSW continue advocating on our behalf to protect local government from any amendments to infrastructure contributions which leaves councils and communities exposed to expending ratepayer funds on new infrastructure made necessary by new development, currently the responsibility of developers.

CARRIED

Councillor Paul Phillips joined the meeting at 2:09pm

5 PUBLIC FORUM

Ian Kemp – Lake Cargelligo RSL Sub Branch in regards to a donation for repairs to the Cenataph in Liberty Park.– Ian was not present for public forum.

6 DISCLOSURE OF INTEREST

Councillor Blewitt declared a non-significant, non-pecuniary interest in Item 7.1 as her brother in-law has the lease at Willowbend Sports Centre as well as Item 10.7 as she works with the applicants mother.

Councillor Rees declared a non-significant, non-pecuniary interest in Item 10.7 as she works with the applicant.

Councillor Brady declared a non-significant, non-pecuniary interest in Item 8.2 as he is a Member of Rotary of Condobolin.

The General Manager declared an a significant pecuniary interest in Item 18.3.

7 GENERAL MANAGER

7.1 ACTIVE RESOLUTIONS - AUGUST 2021

RESOLUTION 2021/161

Moved: Cr Dennis Brady

Seconded: Cr Peter Harris

That:

1. The General Manager's Report No R21/236 be received and noted.

CARRIED**8 CORPORATE AND COMMUNITY SERVICES****8.1 SATISFACTION SURVEY - INFORMATION FOR COUNCILLORS AND COMMUNITY****RESOLUTION 2021/162**

Moved: Cr Mark Hall
Seconded: Cr Peter Harris

That:

1. The Director Corporate & Community Services Report No. R21/178 be received and noted.
2. The Satisfaction Survey 2021 be shared with the community via Council's website.

CARRIED**8.2 DONATIONS****RESOLUTION 2021/163**

Moved: Cr Peter Harris
Seconded: Deputy Mayor Paul Phillips

That

1. The Director of Corporate and Community Services Report No. R21/190 be received and noted.
2. Any donation approved be subject to the event actually being held.

RESOLUTION 2021/164

Moved: Cr Dennis Brady
Seconded: Cr Melissa Blewitt

3. Council determine the amount of any donation for:
 - a. West Milby Rodeo & Gymkhana Inc. - \$1000.00

RESOLUTION 2021/165

Moved: Cr Melissa Rees
Seconded: Cr Melissa Blewitt

- b. Rotary Club fee waiver –

A 50% fee reduction to use the SRA pavilion in line with Council's fees and charges waiver.

- c. Condobolin Preschool and Childcare Centre

50% fee reduction to use the SRA Pavilion in line with Council's fees and charges waiver.

d. Condobolin Chamber of Commerce

A 50% fee reduction to use the SRA Pavilion in line with Council's fees and charges waiver.

RESOLUTION 2021/166

Moved: Cr Dennis Brady
 Seconded: Cr Melissa Blewitt

e. Condobolin RSL Pipe Band – Council's contribution be left in place.

CARRIED

8.3 INVESTMENTS AS AT 31 JULY 2021

RESOLUTION 2021/167

Moved: Cr Dennis Brady
 Seconded: Cr Mark Hall

That:

1. The Director Corporate and Community Services Report No. R21/222 be received and noted.

CARRIED

9 ENVIRONMENT, TOURISM AND ECONOMIC DEVELOPMENT

9.1 MEMORANDUM OF UNDERSTANDING BETWEEN ARTS OUTWEST AND LACHLAN SHIRE COUNCIL

RESOLUTION 2021/168

Moved: Cr Dennis Brady
 Seconded: Deputy Mayor Paul Phillips

That

1. The Director of Environment, Tourism and Economic Development Report No. R21/215 be received and noted.
2. The Mayor and General Manager be authorised to sign the MOU with Arts OutWest.

CARRIED

9.2 FY2021 PROJECT MONTHLY UPDATE FOR JULY/AUGUST

RESOLUTION 2021/169

Moved: Cr Peter Harris

Seconded: Deputy Mayor Paul Phillips

That:

1. The Director of Environment, Tourism and Economic Development Report No.R21/223 be received and noted.

CARRIED

9.3 DEVELOPMENT DATA JULY 2021

RESOLUTION 2021/170

Moved: Cr Peter Harris

Seconded: Cr Mark Hall

That:

1. The Director Environment, Tourism and Economic Development Report No. R21/230 be received and noted.

CARRIED

9.4 AMENDED SECTION 7.12 CONTRIBUTIONS PLAN

RESOLUTION 2021/171

Moved: Cr Dennis Brady

Seconded: Deputy Mayor Paul Phillips

That:

1. The Director of Environment, Tourism and Economic Development Report No. R21/232 be received and noted.
2. The amended Section 7.12 Contributions Plan, as attached, be adopted by Council.
3. A notice of Councils decision be published on Councils website, within 28 days, advising the public.
4. A copy of the amended contributions plan be provided to the Minister for Planning, Industry and Environment.

CARRIED

9.5 DRAFT BUSHFIRE PRONE LAND MAP

RESOLUTION 2021/172

Moved: Cr Peter Harris

Seconded: Cr Dennis Brady

That

1. The Director of Environment, Tourism and Economic Development Report No. R21/233 be received and noted.

2. Following receipt of the revised mapping from the NSW RFS, the revised draft Bush Fire Prone Land Map be placed on public exhibition for a minimum period of 28 days and public submissions be invited on the revised draft map.
3. A further report be presented to Council, following the completion of the public exhibition period, detailing any submissions received during the public exhibition period and to allow Council to consider the adoption of the map prior to it being sent to the Commissioner of NSW RFS for review and certification.

CARRIED

9.6 ABORIGINAL CULTURAL HERITAGE STUDY

RESOLUTION 2021/173

Moved: Cr Peter Harris

Seconded: Cr Mark Hall

That

1. The Director Environment Tourism and Economic Development Report No R21/88 be received and noted.
2. The Lachlan Aboriginal Cultural Heritage Study, as attached under separate cover, be adopted by Council.
3. The Lachlan Aboriginal Cultural Heritage Study be issued to Office of Environment and Heritage for publication together with the grant funding acquittal.

CARRIED

9.7 DRAFT KEEPING OF DOMESTIC ANIMALS POLICY

RECOMMENDATION

That:

1. The Director of Environment, Tourism and Economic Development Report No. R21/240 be received and noted.
2. The Keeping of Domestic Animals Policy, as attached, be adopted as a Council Policy.
3. The policy be uploaded to Council's website.

RESOLUTION 2021/174

Moved: Cr Melissa Blewitt

Seconded: Cr Dennis Brady

That Council defer the report Item 9.7 until the September meeting and staff work with Councillors for further input into the policy.

CARRIED

10 INFRASTRUCTURE SERVICES**10.1 FY2122 UTILITIES MONTHLY UPDATE FOR JULY****RESOLUTION 2021/175**

Moved: Cr Peter Harris
Seconded: Cr Dennis Brady

That

1. The Director Infrastructure Services Report No. R21/224 be received and noted.

CARRIED

10.2 FY2122 ROADWORKS MONTHLY UPDATE FOR JULY**RESOLUTION 2021/176**

Moved: Cr Mark Hall
Seconded: Cr Peter Harris

That

1. The Director of Infrastructure Services Report No. R21/225 be received and noted.

CARRIED

10.3 WATER ALLOCATIONS JULY 2020 TO JUNE 2021**RESOLUTION 2021/177**

Moved: Cr Peter Harris
Seconded: Deputy Mayor Paul Phillips

That

1. The Director Infrastructure Services Report No R21/226 be received and noted.

CARRIED

10.4 OFFICERS PARADE - WAIVE KERB & GUTTER CO-CONTRIBUTION POLICY**RESOLUTION 2021/178**

Moved: Cr Dennis Brady
Seconded: Cr Peter Harris

That

1. Council receive and note the Director Infrastructure Services Report no R21/227.

2. Council resolve not to apply the policy for contributions to the cost of Kerb & Gutter construction to the Officers Parade Upgrade Project, as this project is 100% externally grant funded.

CARRIED

Councillor Brady declared a non-significant, non-pecuniary interest in Item 10.4 as his wife owns a property in the vicinity of this project.

The Director of Infrastructure Services, Adrian Milne, declared a non-significant, non-pecuniary interest in Item 10.4 as he owns a property opposite the proposed Kerb and Gutter location in Officers Parade Condobolin.

10.5 LAKE CARGELLIGO SWIMMING POOL - PROPOSED CHANGE OF OPERATING HOURS

RESOLUTION 2021/179

Moved: Cr Mark Hall
Seconded: Cr Dennis Brady

That

1. The Director Infrastructure Services Report No R21/228 be received and noted.
2. Council accept the proposal from Leisure and Recreation Group to vary the hours of operation of the Lake Cargelligo Swimming Pool on the condition they publicly advertise the change of hours and the net benefit the community will receive.

CARRIED

10.6 FY2122 - URBAN WORKS REPORT UPDATE FOR JULY

RESOLUTION 2021/180

Moved: Cr Peter Harris
Seconded: Deputy Mayor Paul Phillips

That:

1. The Director Infrastructure Services Report No. R21/234 be received and noted.

CARRIED

Councillor Blewitt declared a non-significant, non-pecuniary interest in Item 10.7 as she works with the applicant's mother and left the meeting at 3:33pm.

Councillor Rees declared a non-significant, non-pecuniary interest in Item 10.7 as she works with the applicant and left the meeting at 3:33pm.

10.7 REQUEST TO TRANSFER A CROWN ROAD - NEAR TO NORTH FORBES ROAD**RECOMMENDATION**

That

1. The Director Infrastructure Services Report No. R21/235 be received and noted.
2. The application for Council to take over the Crown road off North Forbes Road to upgrade and maintain be declined.
3. Council consents to the closure of the unnamed section of public road linking lot 13 DP1053434 to the Crown road at the applicant's full cost.
4. Council acknowledge that the land in the unnamed road will vest in the Crown if closed and any proceeds from the sale of the road will be returned to the Crown.

CARRIED

RESOLUTION 2021/181

Moved: Cr Dennis Brady

Seconded: Cr Mark Hall

That Council defer the report to the September meeting.

At 3:35pm Councillors Blewitt and Rees returned to the meeting.

11 DEPUTATIONS

Nil

12 NOTICES OF MOTION

Nil

13 NOTICES OF RESCISSION

Nil

14 DELEGATES REPORT**14.1 MINING AND ENERGY RELATED COUNCILS (NSW) ORDINARY MEETING HELD 30TH JULY 2021.****RESOLUTION 2021/182**

Moved: Cr Dennis Brady

Seconded: Deputy Mayor Paul Phillips

That:

1. The Delegates Report No R21/241 be received and noted.

CARRIED

14.2 CENTRAL NSW JOINT ORGANISATION BOARD MEETING - AUGUST

RESOLUTION 2021/183

Moved: Cr Peter Harris

Seconded: Cr Dennis Brady

That Council

1. Read and note Delegates Report R21/243.

CARRIED

15 CORRESPONDENCE

Nil

16 QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

17 PETITIONS

Nil

18 CLOSED SESSION**RESOLUTION 2021/184**

Moved: Cr Peter Harris

Seconded: Cr Dennis Brady

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

18.1 Rates and Charges Donations - 2021/22

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

18.2 Contract for Collection and Recycling of Scrap Metal for Councils in the Netwaste Region.

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.

18.3 General Manager's Performance Review

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

CARRIED

At 3:39pm Council paused for a break.

At 3:46pm Council resumed.

RESOLUTION 2021/185

Moved: Cr Peter Harris

Seconded: Deputy Mayor Paul Phillips

That Council moves out of Closed Council into Open Council.

CARRIED

18.1 RATES AND CHARGES DONATIONS - 2021/22**RESOLUTION 2021/186**

Moved: Cr Peter Harris

Seconded: Deputy Mayor Paul Phillips

That:

- 1) The Director of Corporate and Community Services Report No. R21/214 be received and noted.
- 2) Council grant the full amount of the rates and charges concession to:
 - Country Women's Association of NSW Tottenham Branch
 - Catholic Church Lake Cargelligo
 - Catholic Church Tullibigeal

CARRIED

18.2 CONTRACT FOR COLLECTION AND RECYCLING OF SCRAP METAL FOR COUNCILS IN THE NETWASTE REGION.**RESOLUTION 2021/187**

Moved: Cr Peter Harris

Seconded: Cr Mark Hall

That:

1. The Director Environment Tourism and Economic Development Report No. R21/231 be received and noted.
2. Council accept the NetWaste tender (F2959) submitted by Sims Metal Management for Collection and Recycling of Scrap Metal.
3. The Mayor and General Manager be authorised to sign the contract documents and affix the Council seal.

CARRIED

At 3:49pm The Directors and General Manager left the meeting.

18.3 GENERAL MANAGER'S PERFORMANCE REVIEW**RESOLUTION 2021/188**

Moved: Cr Peter Harris

Seconded: Deputy Mayor Paul Phillips

That Council

1. Note the report of the General Manager's Performance Review Panel.
2. Note the finding of the Panel on the General Manager's Annual Performance Review for the period ending 30 June 2021, in particular the Panel's summary assessment:

3. That it be noted in the opinion of the Performance Review Panel, the General Manager, Greg Tory, is performing at a level that is Better than Satisfactory 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 2020 to 30 June 2021:

“The General Manager presented to the Panel a list of the Council’s achievements in 2020/21. It was quite extensive and provided a great record of what Lachlan Shire 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 2020/21. The Panel congratulates him on these accomplishments.”

His overall rating is **7.54**, which exceeds a Better than Satisfactory

4. That for the 2021/22 Performance Review period the Performance Agreement Part D – Annual Projects & Priorities be included following determination by the Panel and the General Manager.

CARRIED

The Directors and General Manager returned to the meeting at 3:53pm.

LATE ITEM –SALE OF LAND

RESOLUTION 2021/189

Moved: Cr Dennis Brady

Seconded: Cr Mark Hall

That Council

1. Accept the offer to sell Lots 3, 4, 5 and 6 Walker Street Lake Cargelligo subject to further information and discussion at the September 2021 Strategic Briefing,
2. Authorise the Mayor and General Manager to sign and execute the contract documents.

CARRIED

The Meeting closed at 4:48pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 28 September 2021.

.....
CHAIRPERSON

4 MAYORAL MINUTE**4.1 MAYORAL MINUTE - MEETINGS AND FUNCTIONS SEPTEMBER****TRIM Number: R21/271****Author: Administration Coordinator - General Management****MEETINGS AND FUNCTIONS ATTENDED BY THE MAYOR AND DEPUTY MAYOR**

- 31 August - CNSWJO, Catchup on Wyangala Project & Media, zoom meeting, (Mayor)
- 31 August – Meeting with Mark Coulton MP, zoom meeting, (Mayor)
- 6 September - Western Sydney Dialogue, zoom meeting, (Mayor)
- 8 September - Condobolin Bore Fields Meeting (Mayor) (Deputy Mayor)
- 8 September – Strategic Briefing, zoom meeting, (Mayor) (Deputy Mayor)
- 10 September – Lachlan Regional Water Strategy Workshop, Microsoft teams meeting, (Mayor)
- 14 September – OLG Covid Update for Councils, online meeting, (Mayor)
- 15 September – Small Towns Reference Group Meeting, online meeting, (Mayor)
- 16 September - OLG Webinar COVID-19 and mental health support, (Mayor)
- 17 September – LGNSW meeting with Deputy Premier re Public Health Order impacts on Regional NSW, (Mayor)
- 22 September – Audit Risk and Improvement Committee Meeting, (Mayor)
- 22 September – Meeting with Jeremy Voss and Malcom Buckland –Rapid Relief Team, (Mayor)
- 22 September – Ordinary Meeting of Council, zoom meeting, (Mayor) (Deputy Mayor)

ATTACHMENTS

Nil

RECOMMENDATION

That Council

- (i) Receive and note Mayoral Minute no R21/271.

4.2 MAYORAL MINUTE - SEPTEMBER**TRIM Number: R21/277****Author: Administration Coordinator - General Management****COVID- 19 VACCINATIONS**

The councillors and staff of Lachlan Shire Council would like to congratulate the Lachlan community on stepping forward to get their vaccination for the Covid-19 virus. We have figures close to 90% with first vaccination and 50% of a double vaccination, this is great.

Lachlan Shire is an LGA leading the state in getting our residents vaccinated. We must congratulate all our health and medical facilities and staff on the way they have promoted and encouraged the community to come forward for their vaccination .With these high vaccination numbers it certainly gives us a chance on how we are going to manage this virus in the future.

We encourage our community in the next few weeks to come forward to have your second vaccination or if you have not had your first please do so to help our community get through this pandemic.

Stay safe and please comply with the Government and NSW Health orders and guidelines.

ATTACHMENTS

Nil

RECOMMENDATION

That Council

- (i) Receive and note Mayoral Minute no R21/277.

5 PUBLIC FORUM

6 DISCLOSURE OF INTEREST

7 GENERAL MANAGER

7.1 ELECTION OF DEPUTY MAYOR AND DELEGATES TO COMMITTEES

TRIM Number: R21/254

Author: General Manager

PURPOSE

To elect the Deputy Mayor and representatives on Council and community committees and to set times and days for Council meetings and Strategic Briefing Workshops.

SUPPORTING INFORMATION

Nil

BACKGROUND

The elections of Mayor and Deputy Mayor of Lachlan Shire Council must be conducted in accordance with Clause 394 and Schedule 7 of the Local Government (General) Regulation 2005. The Mayor is elected for a term of two (2) years while Council resolved in 2016 that the term of the Deputy Mayor be one (1) year.

The Mayor was elected in September 2020 so an election is only required for the position of Deputy Mayor and Delegates to Committees.

ISSUES AND COMMENTS

1. ELECTION OF DEPUTY MAYOR

Nominations for the position of Deputy Mayor must be made in writing by two or more Councillors, one of whom may be the nominee. The nomination is not valid unless the nominee has indicated consent to the nomination in writing. The nomination should be delivered to the General Manager (Returning Officer) prior to the day of the election.

NOTE: If more than one Councillor is nominated, the Council is to resolve whether the election is to proceed by preferential ballot, by ordinary ballot (one mark) or by open voting (show of hands).

The Preferential Voting System has traditionally been the preferred manner by which Council elects the Mayor and Deputy Mayor however, due to Council meetings currently being held electronically Council should consider a ballot by open voting.

The preferential system (marking with a "1", "2", etc.) simply requires that the candidate with the highest number of votes with an absolute majority (more than one half of the number of formal ballot papers) is elected. Where three or more candidates remain and no candidate has an absolute majority on the first count, then the candidate with the least number of first preference votes is eliminated and votes distributed according to the next highest preference until one candidate has an absolute majority.

(Council to resolve voting system)

i) BALLOT FOR DEPUTY MAYOR to be conducted

2. FIXING OF THE DAY AND HOUR OF REGULAR MONTHLY MEETINGS

It is proposed for Council to hold Ordinary Meetings on the fourth Wednesday of each month commencing at 2.00 p.m.

Council may determine the day and time of Ordinary Meetings in view of each Councillor's work commitments and the expectations of the public.

(Council to resolve day and time for regular monthly meetings)

3. COUNCILLOR STRATEGIC BRIEFING WORKSHOPS

The Strategic Briefing Sessions allow Councillors to meet informally and discuss emerging issues for the Council, Long Term Financial Plan, review Strategic Plans and Delivery and Operational Plans, LEP and any other matters.

The workshops are held on the second Wednesday of the month, commencing at 2.00 pm and are for a period of up to four hours, depending on the meeting agenda.

(Council to resolve day and time for regular strategic briefing workshops)

4. COUNCIL COMMITTEES

Clause 11.10 of the Model Code of Meeting Practice for Councils in NSW requires voting at meetings (except for the position of Mayor and Deputy Mayor), including voting in an election, to be by open means (such as voices or a show of hands).

GENERAL MANAGER'S PERFORMANCE REVIEW COMMITTEE

In terms of the General Manager's performance based contract, this Committee monitors the General Manager's performance and annually reports to Council. The Committee consists of the Mayor, Deputy Mayor, a Councillor selected by the Council (currently Cr Harris) and one other Councillor selected by the General Manager. The process is facilitated by an independent consultant.

Nominations to be called for member selected by Council

INTERNAL AUDIT COMMITTEE

This committee comprises two councillors (currently Mayor Medcalf and Cr Hall) and two community members plus the Internal Auditor, GM and Director Corporate and Community Services as non-voting members.

Nominations to be called for members

AUSTRALIA DAY COMMITTEES

Australia Day celebrations are held across the shire and Council normally allows each community to organise its own celebration. Councillors should continue to work with those committees however an Australia Day Committee for the Shire has been established. This Committee comprises the Mayor, Deputy Mayor and a Councillor (currently Cr Bendall), immediate past category winners and a representative from each of the various local Australia Day committees.

The Executive Assistant coordinates advertising calling for nominations and works with the Australia Day Council to recruit an ambassador.

Nominations to be called for members

Council also allocates a budget to meet the cost of staging the various events and these are included below.

Location	Organisation	2017/18 Budget
Condobolin	To be confirmed	\$3,500
Lake Cargelligo	Lower Lachlan Community Services	\$2,700
Tottenham	Tottenham Welfare Council	\$1,500
Tullibigeal	Tullibigeal and District Progress Association	\$800
Burcher	Burcher Progress Association	\$700
Fifield	Fifield Community facilities Committee	\$700

5. DELEGATES TO ORGANISATIONS

Nominations to be called.

Appointment of Committees

The Mayor is an ex-officio member of all committees of Council and under the terms of the contract the General Manager is expected to attend all meetings of Council and its Standing Committees, if held. At this time there are no standing committees as these have been replaced by the Strategic Briefing Workshops which are not formal meetings of Council.

Committee	Membership
ADVISORY COMMITTEES	
<p>Council has established a number of Advisory Committees that meet as required to consider matters relative to their establishment. Those committees include delegates of Council, members of the public and for some committees, representatives from statutory bodies and community organisations. Each Committee will be chaired by a Councillor and will provide recommendations to Council.</p>	

<p>Gum Bend Lake Committee</p> <p>To consider matters referred to it in relation to the Gum Bend Lake facility and make recommendations to Council on those matters.</p>	<p>Two Councillors (currently Cr Brady and Cr Blewitt) and representatives of the community.</p> <p>Committee to be serviced by the Director of Infrastructure Service and other Departmental staff as appropriate.</p> <p>Meets quarterly.</p>
<p>Lake Cargelligo Foreshore Committee</p> <p>To consider matters referred to it in relation to Lake Cargelligo and make recommendations to Council on those matters.</p>	<p>Recommendation up to two local Councillors (currently Cr Hall and Cr Phillips) and representatives of the community.</p> <p>Committee to be serviced by the Director of Infrastructure Services and other departmental staff as appropriate.</p>
<p>Aboriginal Advisory Committee</p> <p>To provide Council with advice direction and recommendations on project, programs, policy and other initiatives relevant to the Indigenous community.</p>	<p>Two Councillors (currently Cr Carter and Cr Hall) and nine representatives from the community who identify as Aboriginal.</p> <p>Committee to be serviced by the Director, Corporate and Community Services and other departmental staff as appropriate.</p> <p>The General Manager is also a member of this Committee</p> <p>Meets quarterly</p> <p>Committee under review</p>
<p>Floodplain Risk Management Committee</p> <p>To prepare for consideration by Council the Floodplain Study for those areas in the Council area affected by flooding from the Lachlan River.</p> <p>Council is required under the terms of the legislation to establish and use a Community Committee during the preparation of the study.</p>	<p>Membership of two Councillors (currently Cr Hall and Cr Harris) and representatives of the community.</p> <p>Committee to be serviced by the Director of Infrastructure Services and Director of Environment, Tourism and Economic Development and other departmental staff as appropriate.</p>
<p>Willow Bend Sports Centre Committee</p> <p>To develop and recommend policy to Council for the operation of the Willow Bend Sports Centre.</p>	<p>Membership of one Councillor (currently Cr Rees) plus two Department of Education representatives and two community representatives.</p> <p>Committee to be serviced by the Director Environment, Tourism and Economic Development and other departmental staff as appropriate.</p>

<p>Heritage Advisory Committee</p> <p>Provide recommendations to Council on the distribution of heritage funding and other general heritage matters.</p>	<p>Two Councillors (currently Cr Medcalf and Cr Harris) and community representatives.</p> <p>Committee to be serviced by the Director Environment, Tourism and Economic Development and other departmental staff as appropriate.</p>
<p>Condobolin Cemetery Advisory Committee</p> <p>Provide advice to Council on the management and improvement of the Condobolin Cemetery.</p>	<p>Membership of two Councillors (Currently Cr Blewitt & Cr Brady) and community representatives.</p> <p>Committee to be serviced by the Director Infrastructure Services and other departmental staff as appropriate.</p>
<p>Condobolin Showground and Recreation Area Users Committee</p> <p>Provides advice to Council on the operation and infrastructure requirements at the SRA Grounds.</p>	<p>Membership comprises representatives of user groups, three Councillor delegates (currently Cr Blewitt, Cr Harris and Cr Rees), GM, Director Infrastructure and Director Environment Tourism and Economic Development.</p>

In addition to the above Council also appoints delegates annually and alternate delegates (if the delegate is unavailable to attend a meeting) to represent it on other local and regional bodies, as follows:

ORGANISATION	DELEGATE(S)
<p>Ambassador to Penrith Alliance</p> <p>The ambassador is expected to play a lead role in alliance activities including attendance at Council and community organised events at both locations. Likely involve at least two trips per year to Penrith and attendance at local functions.</p>	<p>One Councillor and an alternate delegate. (Currently Cr Rees)</p>
<p>Delegates to CNSW Joint Organisation of Councils</p> <p>CNSW Joint Organisation’s Board meets quarterly with meetings held throughout the region on a rotating basis. Council pays an annual subscription to CNSW Joint Organisation which is currently based on population and use of services.</p>	<p>Constitution of CNSW Joint Organisation states Mayor and General Manager.</p>
<p>Delegates to the Mid-Lachlan Alliance (Parkes, Forbes, Weddin & Lachlan Councils)</p> <p>The MLA is a local alliance that is designed to allow member councils to address issues on a joint</p>	<p>Mayor and the General Manager.</p>

<p>basis and to resource share wherever possible. The Board meets when required.</p>	
<p>Delegates to Western Plains Regional Development</p> <p>The organisation facilitates and provides a number of services to the community and receives annual funding from Lachlan Shire Council. Board meetings are held every two months in Condobolin</p>	<p>Mayor and Director Corporate and Community Services.</p>
<p>Delegate to Arts Out West</p> <p>Lachlan Shire Council is a member of this regional organisation based in Orange and pays an annual subscription.</p>	<p>Council is represented on the group by a local resident whose appointment is confirmed annually (currently Heather Blackley).</p>
<p>Delegates to the Evolution Lake Cowal Community Environmental and Monitoring Consultative Committee</p> <p>This Committee was established under the Development Consent for the former Barrick Lake Cowal Mine and comprises representatives from Council, the community and Evolution Mining. It meets regularly at the mine.</p>	<p>Councillor delegate and alternate delegate. (Currently Cr Brady and Cr Hall)</p>
<p>Delegates to the Association of Mining and Energy Related Councils</p> <p>This Association comprises Councils throughout NSW that have mining and renewable energy activities within their local government areas and meets quarterly at venues on a rotational basis.</p> <p>Councils pay an annual subscription to the association.</p>	<p>One Councillor delegate and an alternate delegate plus General Manager. (Currently Cr Hall and Cr Blewitt)</p>
<p>Delegates to Murray Darling Association</p> <p>The Association comprises members from across NSW, Victoria and South Australia and meets quarterly with an annual conference at venues on a rotational basis.</p>	<p>One Councillor delegate and alternate delegate. (Currently Cr Phillips and Cr Hall)</p>
<p>Delegates to the Bush Fire Management Committee</p> <p>This Committee comprises delegates from the Lachlan Zone Councils, Brigades and the Rural Fire Service</p> <p>Meetings are held quarterly at venues on a rotational basis</p>	<p>Mayor and one other Councillor alternate delegate plus Director Infrastructure. (Current Alt Delegate is Cr Carter)</p>

<p>Local Emergency Management Committee (LEMC)</p> <p>This committee comprises delegates from emergency management organisations and Council so that a coordinated response to an emergency can be undertaken.</p>	<p>One Councillor delegate and an alternate delegate plus the Director Infrastructure Services and relevant departmental staff.</p> <p>(Currently Cr Phillips and Cr Harris)</p>
<p>Lachlan Local Area Command Community Safety Precinct Meeting</p> <p>Mayors and General Managers from Forbes, Parkes & Lachlan LGA's.</p> <p>Meets quarterly on a rotational basis.</p>	<p>Mayor and General Manager</p>
<p>Parkes, Forbes and Lachlan Shire Council's Road Safety Steering Committee</p> <p>To consider road and traffic related safety issues from across the three LGAs of Parkes, Forbes and Lachlan in an effort to pool resources and provide a consistent approach to these issues.</p>	<p>Membership of elected representatives, Engineering staff and the Road Safety Injury Prevention Officer (RSIPO).</p> <p>Recommendation of one Councillor and an alternate delegate plus the Director of Infrastructure Services.</p> <p>(Currently Cr Nelson and Cr Carter)</p>
<p>Traffic Committee</p> <p>To consider and recommend policy to Council on traffic related issues and developments.</p>	<p>Membership is State Local Member's representative(s), Police representatives, TNSW representatives and the Director Infrastructure Services.</p> <p>Recommendation that one Councillor and an alternate delegate plus other departmental staff as required.</p> <p>(Currently Cr Carter and Cr Nelson)</p>
<p>Condobolin Chamber of Commerce</p> <p>Established to expand business opportunities and economic development in Condobolin.</p>	<p>Council Delegate and alternate delegate as well as GM & Director Environment, Tourism and Economic Development.</p> <p>(Currently Cr Harris and Cr Blewitt)</p>
<p>Western Joint Regional Planning Panel</p> <p>For large development applications over \$10m or \$5m if Council Development – these DA's are submitted to the Joint Regional Panel for a decision.</p>	<p>Comprises three State appointed members and two Councillor delegates experienced in business, economic development and/or planning. Meet as required.</p> <p>(Currently Cr Harris and Cr Phillips)</p>
<p>Newell Highway Committee</p> <p>Promotion of tourism and diversion off the Newell Highway</p>	

	One delegate and Director Environment, Tourism and Economic Development. (Currently Cr Carter)
CleanTeq Community Consultative Committee For consultation between CleanTeq and community stakeholders	One Councillor delegate (Currently Cr Hall)
Western Slopes Pipeline – Murray Darling Basin	One Councillor delegate (Currently Cr Carter)

6. DELEGATES TO SECTION 355 (S.355) COMMITTEES

There is an important distinction between Section 355 committees and Advisory Committees. Section 355 committees have the power delegated to them to perform functions on behalf of Council and have public liability cover under Council’s insurance policy. Advisory committees have no such power or cover and can only advise Council which may or may not accept the advice.

Nominations to be called

ORGANISATION	DELEGATE(S)
Bena Cemetery Management Committee Provides for the care, control and management of the Bena Cemetery.	Council delegate and alternate delegate as well as Director Infrastructure Services. (Currently Cr Brady)
Burcher Development Management Committee Provides for the care, control and management of the Burcher Hall and Recreation Ground & development of Burcher.	Council delegate and alternate delegate plus the Director Infrastructure and Director Corporate and Community Services. (Currently Cr Brady)
Condobolin Community Centre Management Committee Provides for the care, control and management of the community centre.	Council delegate and alternate delegate as well as Director Corporate and Community Services. (Currently Cr Harris & Cr Blewitt)
Condobolin Senior Citizens Hall Management Committee Provides for the care, control and management of the hall.	Council delegate and alternate delegate plus the Director Environment, Tourism & Economic Development. (Currently Cr Blewitt & Cr Rees)
Fifield Development Management Committee Provides for the care, control and management of the hall and other infrastructure & development of Fifield	Council delegate and alternate delegate plus the Director Infrastructure and Director Environment, Tourism & Economic Development.

	(Currently Cr Nelson)
<p>Kiacatoo Hall & Recreation Ground Committee</p> <p>Provides for the care, control and management of the hall and recreation ground.</p>	<p>Council delegate and alternate delegate plus the Director Environment Tourism & Economic Development and Director Infrastructure Services</p> <p>(Currently Clr Blewitt)</p>
<p>Lachlan Shire Health Education Trust Committee</p> <p>To consider and recommend the allocation of trust monies to students in the field of providing health services to the community within the Lachlan Shire.</p> <p>This could be in the form of scholarships or financial assistance to assist students undertake courses in health related disciplines</p>	<p>This Committee was formed to replace the former Lachlan Shire Health Education Trust Inc. which was deregistered as an incorporated Association.</p> <p>Council as founder has formally appointed this S355 Committee as Trustee of the Trust.</p> <p>This will then enable the allocation of the estimated \$22,000 still remaining in the old Trust.</p> <p>Membership to be three Councillors and supported by the General Manager and Director Corporate and Community Services. There are no members of the community on this committee.</p> <p>(Currently Cr Blewitt, Cr Rees and Cr Harris)</p>
<p>Lake Cargelligo Australia Day Committee</p> <p>Organise events on Australia Day and select Australia Day Award recipients for Lake Cargelligo.</p>	<p>Two Council delegates and Director Corporate and Community Services.</p> <p>(Currently Cr Phillips & Cr Hall)</p>
<p>Lake Cargelligo Cemetery Management Committee</p> <p>Provides for the care, control and management of the Lake Cargelligo Cemetery</p>	<p>Committee has disbanded.</p>
<p>Lake Cargelligo Memorial Hall Management Committee</p> <p>Provides for the care, control and management of the hall.</p>	<p>Council delegate and alternate delegate plus the Director Environment, Tourism & Economic Development.</p> <p>(Currently Cr Hall & Cr Phillips)</p>
<p>Lake Cargelligo Showground & Recreation Management Committee</p> <p>Provides for the care, control and management of the showground.</p>	<p>Council delegate and alternate delegate plus the Director Infrastructure Services.</p> <p>(Currently Cr Phillips & Cr Hall)</p>
<p>Lake Cargelligo Tennis Club</p> <p>Provides for the care, control and management of the tennis club and courts</p>	<p>Council delegate and alternate delegate plus the Director Infrastructure Services</p> <p>(Currently Cr Hall)</p>

<p>Lake Cargelligo Tourism Management Committee</p> <p>Provides a volunteer tourism service from the Visitor Information Centre in Lake Cargelligo.</p>	<p>Council delegate and alternate delegate plus the Director Environment, Tourism and Economic Development.</p> <p>(Currently Cr Hall & Cr Phillips)</p>
<p>Tottenham Memorial Hall Management Committee</p> <p>Provides for the care, control and management of the hall.</p>	<p>Council delegate and alternate delegate as well as Director Environment, Tourism & Economic Development.</p> <p>(Currently Cr Medcalf)</p>
<p>Tottenham Racecourse Management Committee</p> <p>Provides for the care, control and management of the racecourse.</p>	<p>Council delegate and alternate delegate plus the Director Infrastructure Services.</p> <p>(Currently Cr Medcalf)</p>
<p>Tottenham Recreation Ground Management Committee</p> <p>Provides for the care, control and management of the hall and recreation ground</p>	<p>Council delegate and alternate delegate plus the Director Environment, Tourism & Economic Development and the Director Infrastructure Services.</p> <p>(Currently Cr Medcalf)</p>
<p>Tottenham/Albert Cemetery Management Committee</p> <p>Provides for the care, control and management of the Tottenham and Albert Cemeteries</p>	<p>Council delegate and alternate delegate plus the Director Infrastructure Services.</p> <p>(Currently Cr Medcalf)</p>
<p>Tottenham Tourist Committee</p> <p>Provides a volunteer tourism service from the Visitor Information Centre in Tottenham</p>	<p>Council delegate and alternate delegate plus the Director Environment, Tourism & Economic Development.</p> <p>(Currently Cr Medcalf)</p>
<p>Tullibigeal Hall, Cemetery & Recreation Ground Management Committee</p> <p>Provides for the care, control and management of the hall, cemetery and recreation ground</p>	<p>Council delegate and alternate delegate plus the Director Environment, Tourism & Economic Development and the Director Infrastructure Services.</p> <p>(Currently Cr Bendall)</p>
<p>Vermont Hill Hall & Recreation Ground Management Committee</p> <p>Provides for the care, control and management of the hall and recreation ground</p>	<p>Council delegate and alternate delegate plus the Director Environment, Tourism & Economic Development and the Director Infrastructure Services.</p> <p>(Currently Cr Rees)</p>

FINANCIAL AND RESOURCE IMPLICATIONS

The annual budget provides for payments to the Mayor and Deputy Mayor. Council's Fees and Charges adopted annually contain the relevant fees to be used by S355 Committees.

LEGAL IMPLICATIONS

The election of the Deputy Mayor and delegates to Council committees is required under the Local Government Act 1993.

RISK IMPLICATIONS

Nil

STAKEHOLDER CONSULTATION

Nil

OPTIONS

Nil

CONCLUSION

Council must elect a Deputy Mayor and appoint Councillors to Council and community committees.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

CSP No. 4.2.2 Council's decision making is equitable and ethical.

ATTACHMENTS

Nil

RECOMMENDATION

That:

1. The General Manager's Report No. R21/254 be received and noted.
2. Council resolve the voting system for the election of the Deputy Mayor.
3. Council elect the Deputy Mayor and delegates to committees as outlined in the Report.
4. Council set the time and dates for Ordinary meetings of Council and Strategic Briefing Sessions.

7.2 SENIOR STAFF HIGHER GRADE DUTIES POLICY

TRIM Number: R21/259

Author: Manager - Human Resources

PURPOSE

For Council to consider the adoption of a Senior Staff Higher Grade Duties Policy that provides a consistent and transparent approach to the allocation of, and payment for, higher grade relief duties for Senior Staff when undertaking the role of Acting General Manager.

SUPPORTING INFORMATION

The Draft Senior Staff Higher Grade Duties Policy is attached.

BACKGROUND

The importance of developing Senior Staff and encouraging them to gain additional skills and experience through the performance of higher duties as and when appropriate should be recognised and acknowledged.

Currently a clause dealing with the payment of an allowance for undertaking higher duties is not included in the Standard Contract of Employment for Senior Staff (Directors). In the past when Senior Staff have been given the opportunity to act in the higher grade position of General Manager they have been remunerated at the General Manager's rate of pay. This is consistent with how other staff are paid when acting in higher grade roles. The payment of a Higher Grade Duties allowance is a requirement of the NSW Local Government State Award for award based employees.

ISSUES AND COMMENTS

Recent industrial advice has suggested that as the Standard Contract of Employment for Senior Staff (other than General Managers) has a fixed Total Remuneration value the payment of a Higher Grade Duties allowance may breach the contract terms unless Council has a Senior Staff Higher Grade Duties Policy. This is because the total remuneration paid in any financial year should not exceed the contract value without justification through a policy.

When a Senior Staff Officer undertakes the position of Acting General Manager additional responsibility and work is undertaken that is not considered in their employment contract. The additional work is usually undertaken concurrently with their substantive position and without a Higher Grade Duties Allowance being provided the additional work is unrecognised and unrewarded.

The problem can be easily rectified by Council adopting a Senior Staff Higher Grade Duties Policy and referencing the policy in Schedule 'A' – Council Policies of the employment contract.

FINANCIAL AND RESOURCE IMPLICATIONS

When Senior Staff Officers undertake higher grade duties they should receive a Higher Grade Duties Allowance. The allowance can usually be funded from savings in the wages and salaries budget which accrue through other position vacancies that occur while recruitment processes are being undertaken.

LEGAL IMPLICATIONS

In accordance with the clause 334 of the Local Government Act 1993, Councils must appoint a person to be its General Manager.

RISK IMPLICATIONS

Senior staff should be remunerated for the added responsibilities and accountabilities when acting in the General Manager position. Without a General Manager Council would be in breach of the Local Government Act 1993 and the functions of the General Manager would not be undertaken.

STAKEHOLDER CONSULTATION

The Senior Staff Higher Grade Duties Policy has been reviewed by Council's staff Consultative Committee, Operational Management Team and the Executive Leadership Team.

OPTIONS

- 1) Adopt the Senior Staff Higher Grade Duties Policy as presented, or amended by Council.
- 2) Not adopt the Senior Staff Higher Grade Duties Policy and do not authorise the payment of a Higher Grade Duties allowance when Senior Staff perform the responsibilities of Acting General Manager.

CONCLUSION

The Senior Staff Higher Grade Duties Policy was developed to resolve potential contractual issues around the payment of a Higher Duties allowance to Senior Staff when relieving in the position of Acting General Manager. An allowance has traditionally been paid to Senior Staff when they relieved in that position.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

4.2.2 Councils decision making is equitable and ethical - Ensure that policies are reviewed regularly

4.2.5 Council's exposure to risk is minimised.

ATTACHMENTS

1. **Draft Senior Staff Higher Duties Policy** [↓](#)

RECOMMENDATION

That:

1. The General Manager's Report No. R21/259 be received and noted.
2. Council adopt the Senior Staff Higher Grade Duties Policy.
3. The Senior Staff Higher Grade Duties Policy be included in Schedule 'A' – Council Policies on the respective Senior Staff contracts of employment.



Policies, Procedures and Guidelines

DRAFT SENIOR STAFF HIGHER GRADE DUTIES POLICY

BACKGROUND

Council acknowledges the importance of developing Senior Staff and will encourage them to gain additional skills and experience through the performance of higher duties as and when appropriate.

OBJECTIVE

The aim of this policy is to provide a consistent and transparent approach to the allocation of, and payment for, higher grade relief duties for Senior Staff when acting in the General Manager position when the General Manager is on leave.

SCOPE

The policy applies to Senior Staff positions at the Executive Team Leader level.

DEFINITION

Senior Staff, means positions in Council as defined under the Local Government Act as ‘Senior Staff Positions’.

POLICY

In accordance with the Local Government Act 1993, Councils must appoint a General Manager, noting that Section 335 of that Act prescribes the functions of the General Manager role.

When the General Manager is absent from work during periods of leave, an Acting General Manager will be appointed from the Executive Leadership Team to act in the position.

There will not be a relief appointment made if the General Manager is absent from work to attend conferences or other work related functions, irrespective of the length of absence.

The remuneration paid to the Senior Staff acting in the General Manager position will be calculated at the base salary component of the General Manager’s total remuneration package.

To authorise an acting General Manager, the General Manager will complete a Higher Grade Duties Authorisation Form and submit it to Human Resources and Payroll in advance of the period of Higher Grade Duties.

It is at the General Manager’s discretion as to who and when ELT members will be appointed to acting opportunities, noting Senior Staff development goals will be identified through standard performance review processes.

Further information: Lachlan Shire Council ☎ 0268951900 ✉ Email: council@lachlan.nsw.gov.au				Page 1 of 2
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SENIOR STAFF HIGHER GRADE DUTIES POLICY

Similarly, it is at the General Manager’s discretion to appoint one or more Senior Staff to cover a period of leave; however, only one acting General Manager will be in the role at any one time. The intent of this provision is that:

- Several different ELT members could take turns throughout the leave period, for specified intervals as pre-determined / authorised by the General Manager;
- There will only be one acting General Manager at any time.

Upon receipt of a Higher Grade Duties Authorisation Form from the General Manager, the Manager Human Resources will issue a Higher Grade Duties letter to the relevant Senior Staff (ELT member/s) , accompanied by the Delegations of Authority for the role.

RELATED DOCUMENTS

Local Government Act 1993

Greg Tory

GENERAL MANAGER

/ /

Further Information: 📞 250 ✉ Email:				Page 2 of 2
Version:	Commencement Date:	Last Review Date:	Next Review Date:	TRIM No.

7.3 ACIVE RESOLTUTIONS SEPTEMBER

TRIM Number: R21/263

Author: Administration Coordinator - General Management

PURPOSE

To update Councillors with any Active Resolutions as at September 2021.

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. Attachment A [↓](#)

RECOMMENDATION

That:

1. The General Manager's Report No. R21/263 be received and noted.

ACTIVE RESOLUTIONS AS AT 22 SEPTEMBER 2021

**LACHLAN SHIRE COUNCIL
REPORT TO COUNCIL MEETING
TO BE HELD ON 22 SEPTEMBER 2021**

AUTHOR: GENERAL MANAGER

Date	Dept.	Resolution	Action Taken to Date	Expected Completion
AUGUST 21	GM	<p>189/2021 SALE OF LAND RESOLVED THAT Accept the offer to sell Lots 3, 4, 5 and 6 Walker Street Lake Cargelligo subject to further information and discussion at the September 2021 Strategic Briefing, Authorise the Mayor and General Mangager to sign and execute the contract documents. Brady/Hall</p>	Additional information requested from interested purchaser received after strategic briefing, report included in the September business paper.	JANUARY 2022
AUGUST 21	GM	<p>188/2021 GENERAL MANAGER'S PERFORMANCE REVIEW RESOLVED THAT That for the 2021/22 Performance Review period the Performance Agreement Part D – Annual Projects & Priorities be included following determination by the Panel and the General Manager. Harris/Phillips</p>	COMPLETE	COMPLETE
AUGUST 21	GM	<p>160/2021 MAYORAL MINUTE – INFRASTRUCTURE CONTRIBUTIONS REFORM RESOLVED THAT Council calls on the NSW Government to withdraw the Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021 (the Bill) from the NSW Parliament. Council calls on the NSW Government to undertake further consultation with the local government sector on any proposed reforms to the infrastructure contributions system.</p>	COMPLETE	COMPLETE

	<p>Council calls on the NSW Government to de-couple the Independent Pricing and Regulatory Tribunal led review of the rate peg to include population growth from the infrastructure contributions reforms.</p> <p>Council writes to the local State Member the Hon Roy Butler MP, the Premier the Hon Gladys Berejiklian MP, Treasurer the Hon Dominic Perrottet MP, Minister for Planning and Public Spaces the Hon Rob Stokes MP and Minister for Local Government the Hon Shelley Hancock MP seeking them to withdraw the Bill.</p> <p>Council writes to the Shadow Treasurer the Hon Daniel Mookhey MLC, Shadow Minister for Planning and Public Spaces Mr Paul Scully MP, Shadow Minister for Local Government Mr Greg Warren MP, The Greens Mr David Shoebridge MLC, Shooters, Fishers and Farmers Party the Hon Robert Borsak MLC, Pauline Hanson's One Nation the Hon Mark Latham MLC, Animal Justice Party the Hon Emma Hurst MLC, Christian Democratic Party (Fred Nile Group) the Hon Fred Nile MLC, Independent Mr Justin Field, Portfolio Committee Chair The Greens Ms Cate Faehmann, Portfolio Committee Deputy Chair Animal Justice Party the Hon Mark Pearson MLC and Committee members Liberal Party the Hon Catherine Cusack MLC and the Hon Shayne Mallard MLC, The Nationals the Hon Ben Franklin MLC and Australian Labor Party the Hon Rose Jackson MLC and the Hon Adam Searle MLC seeking their support in securing the withdrawal of the Bill from the NSW Parliament and outlining Council's concerns with the Bill.</p> <p>Council alerts the local media to the threat of future ratepayer funds being expended rather than developer levies for new infrastructure brought about by increased development under the proposed legislation and shares and promotes these messages via its digital and social media channels and via its networks.</p> <p>Council affirms its support to LGNSW and requests LGNSW continue advocating on our behalf to protect local government from any amendments to infrastructure contributions which leaves councils and</p>		
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		<p>communities exposed to expending ratepayer funds on new infrastructure made necessary by new development, currently the responsibility of developers.</p> <p style="text-align: right;">Brady/Harris</p>		
JULY 21	GM	<p>150/2021 OFFER TO PURCHASE LAND – MERILBA STREET TOTTENHAM</p> <p>RESOLVED THAT</p> <p>Council adopt option 1 of the report for the sale of Lot 16 Section 10 DP 758989 Merilba Street, Tottenham.</p> <p>The General Manager engage Council’s legal representative to prepare the contract documents and transact the sale.</p> <p>The Mayor and General Manager be delegated authority to sign the contract documents and affix the Council Seal.</p> <p style="text-align: right;">Brady/Hall</p>	<p>Council’s Solicitor engaged to prepare contract of sale. Purchaser advised of Council’s decision. Purchaser is not proceeding</p>	COMPLETE
JULY 21	GM	<p>123/2021 MAYORAL MINUTE – ELIZABETH MCGREGOR PLAQUE</p> <p>RESOLVED THAT:</p> <p>Council support the unveiling of a plaque for Elizabeth McGregor at Memorial Park Condobolin and agree to contribute a maximum of \$6,800 to the cost of the project as detailed in the request from the Operation Pilgrimage Group.</p> <p style="text-align: right;">Harris/Blewitt</p>	Ongoing	DECEMBER 2021
AUGUST 21	ETED	<p>187/2021 CONTRACT FOR COLLECTION AND RECYCLING OF SCRAP METAL FOR COUNCILS IN THE NETWASTE REGION</p> <p>RESOLVED THAT</p> <p>Council accept the NetWaste tender (F2959) submitted by Sims Metal Management for Collection and Recycling of Scrap Metal.</p> <p>The Mayor and General Manager be authorised to sign the contract documents and affix the Council seal.</p> <p style="text-align: right;">Harris/Hall</p>	<p>Contract documents have been signed. COMPLETE</p>	COMPLETE

AUGUST 21	ETED	<p>174/2021 DRAFT KEEPING OF ANIMALS POLICY</p> <p>RESOLVED THAT</p> <p>That Council defer the report Item 9.7 until the September meeting and staff work with Councillors for further input into the policy.</p> <p style="text-align: right;">Blewitt/Brady</p>	<p>A report is presented as part of this month's business paper.</p> <p>COMPLETE</p>	COMPLETE
AUGUST 21	ETED	<p>173/2021 ABORIGINAL CULTURAL HERITAGE STUDY</p> <p>RESOLVED THAT</p> <p>The Lachlan Aboriginal Cultural Heritage Study, as attached under separate cover, be adopted by Council.</p> <p>The Lachlan Aboriginal Cultural Heritage Study be issued to Office of Environment and Heritage for publication together with the grant funding acquittal.</p> <p style="text-align: right;">Harris/Hall</p>	<p>The study has been issued to the Office of Environment and Heritage for publication and acquittal.</p> <p>COMPLETE</p>	COMPLETE
AUGUST 21	ETED	<p>172/2021 DRAFT BUSHFIRE PRONE LAND MAP</p> <p>RESOLVED THAT</p> <p>Following receipt of the revised mapping from the NSW RFS, the revised draft Bush Fire Prone Land Map be placed on public exhibition for a minimum period of 28 days and public submissions be invited on the revised draft map.</p> <p>A further report be presented to Council, following the completion of the public exhibition period, detailing any submissions received during the public exhibition period and to allow Council to consider the adoption of the map prior to it being sent to the Commissioner of NSW RFS for review and certification.</p> <p style="text-align: right;">Harris/Brady</p>	<p>Staff have met with the RFS and are now awaiting a revised map from the RFS before the public exhibition period can commence.</p>	January 2022
AUGUST 21	ETED	<p>171/2021 AMENDED SECTION 7.12 CONTRIBUTIONS PLAN</p> <p>RESOLVED THAT</p> <p>The amended Section 7.12 Contributions Plan, as attached, be adopted by Council.</p> <p>A notice of Councils decision be published on Councils website, within 28 days, advising the public.</p>	<p>A notice has been published on Councils website advising the public and the amended plan has</p>	COMPLETE

		<p>A copy of the amended contributions plan be provided to the Minister for Planning, Industry and Environment.</p> <p style="text-align: right;">Brady/Phillips</p>	<p>been provided to the Minister. COMPLETE</p>	
AUGUST 21	ETED	<p>168/2021 MEMORANDUM OF UNDERSTANDING BETWEEN ARTS OUTWEST AND LACHLAN SHIRE COUNCIL</p> <p>RESOLVED THAT</p> <p>The Mayor and General Manager be authorised to sign the MOU with Arts OutWest.</p> <p style="text-align: right;">Brady/Phillips</p>	<p>The MOU has been signed. COMPLETE</p>	COMPLETE
JULY 21	ETED	<p>134/2021 PLANNING PROPOSAL – ADDITION OF ‘ANIMAL SHELTER’ AS A PERMITTED USE ON THE CONDOBOLIN SEWERAGE TREATMENT PLANT SITE</p> <p>RESOLVED THAT</p> <p>Council endorse the finalisation of the Planning Proposal (PP-2021-146) to amend Lachlan Local Environmental Plan 2013 (LLEP 2013) allowing “Animal Shelter”, as an Additional Permitted Use in Schedule 1 on Lot 16 DP 914643, 301 Golf Links Road, Condobolin.</p> <p>Development Application 2021/07 for the Construction of the Animal Shelter be determined under delegation by the General Manager (or his delegate) following finalisation of the Planning Proposal and assessment of the DA.</p> <p style="text-align: right;">Harris/Phillips</p>	<p>The instrument has been made and the DA is awaiting determination. COMPLETE</p>	COMPLETE

JUNE 21	ETED	<p>142/2021 UPDATE ON GOVERNMENT FLOOD PRONE LAND PACKAGE</p> <p>RESOLVED THAT</p> <p>Council decide not to opt in to the new optional "special flood considerations" clause at this time.</p> <p>A further report be presented to Council in relation to the implications for the new flood planning package.</p> <p style="text-align: right;">Harris/Hall</p>	<p>A report will be provided to the Council meeting in October.</p>	OCTOBER 2021
JUNE 21	ETED	<p>141/2021 PLANNING PROPOSAL - AMENDMENT TO LACHLAN LOCAL ENVIRONMENTAL PLAN 2013 TO ALLOW AN ADDITIONAL PERMITTED USE FOR A "VEHICLE REPAIR STATION" AT 48 BROWNIES LANE, TOTTENHAM</p> <p>RESOLVED THAT</p> <p>Council endorse the preparation and lodgement of a planning proposal to amend Lachlan Local Environmental Plan 2013, to have "Vehicle Repair Station" listed as an Additional Permitted Use in Schedule 1 at 48 Brownies Lane, Tottenham, being Lots 68, 69 and 162 DP 753968 that is currently zoned R5 Large Lot Residential.</p> <ol style="list-style-type: none"> 3. Council approve the Planning Proposal for public authority consultation and public exhibition in accordance with any conditions imposed under the Gateway Determination. 4. Council seek authority from the Department of Planning, Industry and Environment to exercise the delegation of all functions of the relevant local plan making authority under Section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan to put into effect the Planning Proposal. 5. Authority be delegated to the General Manager to make any minor variations to the Planning Proposal, following receipt of the Gateway Determination. 6. A further report be brought back to Council following the public exhibition of the Planning Proposal detailing any submissions received during the public exhibition period. 	<p>The planning proposal is currently being prepared and will be lodged with DPIE in September.</p>	January 2022

		<p><u>In Favour:</u> Crs John Medcalf, Paul Phillips, Elaine Bendall, Melissa Blewitt, Dennis Brady, Mark Hall, Peter Harris, Melissa Rees and Brian Nelson</p> <p><u>Against:</u> Nil</p>		
MAY 21	ETED	<p>115/2021 FIRE DAMAGED PROPERTIES IN LACHLAN SHIRE</p> <p>RESOLVED THAT</p> <p>Remediation/repair works be undertaken in accordance with the terms of the development control orders on each property and seek to recover the costs through legal action.</p> <p>The cost of the remediation/repair work be spread across the 20.21 and 21.22 financial years and be charged against the Vacant Land Expenses budget.</p> <p style="text-align: right;">Harris/Brady</p>	<p>Works have now been completed. COMPLETE</p>	COMPLETE
MAY 21	ETED	<p>94/2021 DRAFT ABORIGINAL AND TORRES STRAIT ISLANDER PROTOCOL</p> <p>RESOLVED THAT</p> <p>The Draft Lachlan Shire Aboriginal and Torres Strait Islander Protocol be placed on public exhibition for a minimum period of fifty six (56) days.</p> <p>Following expiry of the exhibition period a further report be presented to Council for the consideration of any submissions received during the exhibition period.</p> <p style="text-align: right;">Harris/Hall</p>	<p>The draft protocol was on public exhibition until 13 August 2021. No submissions were received during the notification period. A report is presented as part of the business paper. COMPLETE</p>	COMPLETE

MAY 21	ETED	<p>93/2021 AMENDED SECTION 7.12 CONTRIBUTIONS PLAN</p> <p>RESOLVED THAT</p> <p>The amended Section 7.12 Contributions Plan be placed on public exhibition for a period of 28 days and public submissions be invited on the draft plan.</p> <p>A further report be presented to Council, following the public exhibition of the amended Section 7.12 Contributions Plan, detailing any submissions received during the public exhibition period and to allow Council to consider the adoption of the amended plan.</p> <p style="text-align: right;">Harris/Hall</p>	<p>Council, at the August meeting, resolved to adopt the Section 7.12 Contributions plan.</p> <p>COMPLETE</p>	COMPLETE
MAY 21	ETED	<p>92/2021 HONOUR ROLL/ACKNOWLEDGEMENT BOARD</p> <p>RESOLVED THAT</p> <p>That an Acknowledgement Board project be considered, along with other meritorious projects, for a funding application under the Stronger Country Communities Fund – Round 4.</p> <p>Subject to Council approval, and a successful grant application for the Acknowledgement Board project, expressions of interest be invited from community members to assist with the determination of appropriate criteria for a person's name to be considered for inclusion on the board. The advisory group is also to make recommendations to Council on the initial list of people's names for inclusion on the board.</p> <p>A further report be presented to Council following determination of the project funding application.</p> <p style="text-align: right;">Harris/Brady</p>	<p>The project was not supported by Council for funding under the Stronger Country Communities Fund – Round 4. Other funding opportunities will now need to be identified.</p>	DECEMBER 2021
APR 21	ETED	<p>90/2021 DRAFT KEEPING OF DOMESTIC ANIMALS POLICY</p> <p>RESOLVED THAT</p> <p>The draft Keeping of Domestic Animals Policy be placed on public exhibition for a minimum period of 28 days, allowing for public submissions to be made.</p>	<p>A report is presented to Council, as part of the business paper, for consideration and adoption of the final policy.</p>	September 2021

		<p>A further report be presented to Council detailing any submissions received on the draft Policy during the exhibition period for the consideration of Council prior to finalisation / adoption of the policy.</p> <p style="text-align: right;">Harris/Phillips</p>		
FEB 21	ETED	<p>35/2021 CARAVAN PARK REVIEW AND OPTIONS</p> <p>RESOLVED THAT</p> <p>Council proceed with option 2 in relation to Riverview and Lakeview Caravan Parks.</p> <p>A further report be presented to Council in relation to the master plans for both parks, following community consultation, to allow Council to consider what master plans are advertised with the tenders to enter into a long term lease to operate and manage the two (2) parks.</p> <p>Council proceed with option 6 in relation to State Centre (Tottenham) Caravan Park and authorises the General Manager to commence an investigation into this option, including community consultation.</p> <p>A further report be presented on the costs, savings and potential offsets associated with option 6 following community consultation and feedback.</p> <p style="text-align: right;">Harris/Bendall</p>	<p>Master plans for Lakeview and Riverview have been endorsed by Council.</p> <p>A meeting was held in Tottenham on 28 June to discuss the future plans for the State Centre (Tottenham) Caravan Park. A report was presented at the July meeting in relation to the feedback received. Potential costs, savings and offsets associated with the management options are now being investigated and will be reported back to Council.</p>	OCTOBER 2021
DEC 20	ETED	<p>348/2020 DRAFT BUSH FIRE PRONE LAND MAP</p> <p>RESOLVED THAT</p> <p>Council adopt the recommendations of the report prepared by Integrated Consulting, as attached to this report.</p> <p>Following the completion of the tasks, recommended in Integrated Consulting's report, the draft Bush Fire Prone Land map be placed on public exhibition for a minimum period of 28 days (which will be extended over the Christmas period in accordance with the Community Participation Plan) and public submissions be invited on the draft map.</p>	<p>The draft Bush Fire Prone Land Map (BFPLM) was on public exhibition until 7 April 2021.</p>	January 2022

		<p>A further report be presented to Council, following the completion of the public exhibition period, detailing any submissions received during the public exhibition period and to allow Council to consider the adoption of the plan prior to it being sent to the Commissioner of NSW RFS for review and certification.</p> <p style="text-align: right;">Harris/Bendall</p>	<p>Public submissions have been reviewed by Council officers and a response was sent in June to NSW RFS to review.</p> <p>NSWRFS have met with Council staff to provide further feedback.</p> <p>Council have resolved to re-exhibit the draft maps once received from the NSW RFS before a report is presented to Council for consideration/adoption of the draft maps.</p>	
DEC 20	ETED	<p>346/20 DRAFT LACHLAN ABORIGINAL CULTURAL HERITAGE STUDY</p> <p>RESOLVED THAT:</p> <p>The draft Lachlan Aboriginal Cultural Heritage Study be placed on public exhibition for a minimum period of 28 days and public submissions be invited on the draft Study. During the exhibition period, further consultation be undertaken with the Aboriginal community in accordance with the recommendation of the Study, prepared by OzArk Environment and Heritage.</p> <p>A further report be presented to Council in February 2021, following the completion of the public exhibition period and further consultation, detailing any submissions received during the public exhibition period and to allow Council to consider the adoption of the final study.</p> <p style="text-align: right;">Harris/Phillips</p>	<p>Council resolved to adopt the study at the August Council meeting. COMPLETE</p>	COMPLETE

SEPT 20	ETED	<p>275/20 EXCLUSIVE USE LICENSE - WILLOW BEND SPORT CENTRE - DEPARTMENT OF EDUCATION SCHOOL INFRASTRUCTURE NSW</p> <p>RESOLVED THAT</p> <p>Council enter into a ten (10) year license agreement with the Department of Education for a fee not less than \$35,000 per year inclusive of GST, plus annual CPI increases for use of the facility of up to 800 hours per year.</p> <p>The Mayor and General Manager be authorised to sign the license agreement and affix the Council seal.</p> <p style="text-align: right;">Harris/Brady</p>	<p>The license has been finalised and is awaiting signature.</p>	<p>COMPLETE</p>
SEPT 20	ETED	<p>PLANNING PROPOSAL-AMENDMENT OF LACHLAN LOCAL ENVIRONMENTAL PLAN 2013 TO INCLUDE MURRIN BRIDGE</p> <p>RESOLVED THAT</p> <p>Council endorse the preparation and lodgement of a planning proposal to amend Lachlan Local Environmental Plan 2013 to include the Murrin Bridge area.</p> <p>Council approve the Planning Proposal for public authority consultation and public exhibition in accordance with any conditions imposed under the Gateway Determination.</p> <p>Council seek authority from the Department of Planning, Industry and Environment to exercise the delegation of all functions of the relevant local plan making authority under Section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan to put into effect the Planning Proposal.</p> <p>Authority be delegated to the General Manager to make any minor variations to the Planning Proposal, following receipt of the Gateway Determination.</p> <p>A further report be brought back to Council following the public exhibition of the Planning Proposal detailing any submissions received during the public exhibition period.</p> <p style="text-align: right;">Hall/Phillips</p>	<p>Discussions were held with representatives of the Department of Planning, Industry and Environment. They advised that a Planning Proposal may not be required and undertook an internal review to determine if this was the case. Unfortunately DPIE have now advised that this cannot be done and that we need to proceed with a Planning Proposal. The documentation is currently being prepared and will be lodged with the Department in September.</p>	<p>January 2022</p>

MAY 20	ETED	<p>95/20 COUNCIL RESIDENCE – 123 OFFICERS PARADE, CONDOBOLIN</p> <p>RESOLVED THAT</p> <p>A Development Application be lodged to subdivide 123 Officers Parade Condobolin from Council's current land holding;</p> <p>Authorise the Mayor and General Manager to enter into a contract for sale of No. 123 Officers Parade, Condobolin (once subdivision is complete) with a reserve price to be determined at that time.</p> <p>Investigations commence into possible replacement dwelling options and a further report be provided to Council on the outcomes of the investigation and options identified, including cost and funding implications.</p> <p style="text-align: right;">Brady/Carter</p>	<p>A further application will not be required. A process is being completed to issue a subdivision certificate to subdivide 123 Officers Parade, Condobolin from Council's current land holding. The surveyor has been to the site and the subdivision certificate application has been approved. The surveyor has lodged the required documentation with NSW Land Registry Services and we are awaiting the new title before the sale can proceed.</p>	September 2021
FEB 20	ETED	<p>353/2019 COMPULSORY ACQUISITION OF CROWN LAND FOR THE EXPANSION OF THE WASTE FACILITY AND THE CREATION OF A NEW ACCESS ROAD AT LAKE CARGELLIGO.</p> <p>RESOLVED THAT</p> <p>Council proceed with the compulsory acquisition of the land known as Lot: 7308 and DP: 1151003 and Lot: 79 DP: 752333 for the purpose of Lake Cargelligo Waste Facility Landfill Expansion in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991.</p> <p>Council make an application to the Minister and the Governor for approval to acquire Lot: 7308 DP: 1151003 and Lot: 79 DP: 752333 by compulsory process under section [186(1) of the Local Government Act.</p> <p>That the land is to be classified as operational land.</p> <p>Council proceed with the compulsory acquisition of the land described as Lot: 7006 DP: 1029763, Lot: 7005 DP: 1029763, Lot: 7009 DP: 1057453</p>	<p>The Minister for Local Government has approved Council undertaking pre-acquisition procedures and the additional procedures to address Native Title in relation to the land. Proposed Acquisition Notices (PANs) will now be issued to the relevant parties in accordance with the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>.</p>	NOVEMBER 2021

		<p>and Lot: 7308 DP: 1151003 for the purpose of road access in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991.</p> <p>Council make an application to the Minister and the Governor for approval to acquire Lot: 7006 DP: 1029763, Lot: 7005 DP: 1029763, Lot: 7009 DP: 1057453 and Lot: 7308 DP: 1151003 by compulsory process under section 177(1) of the Roads Act.</p> <p>The General Manager be delegated authority to sign the application and affix Council's Seal.</p> <p style="text-align: right;">Brady/Hall</p>		
FEB 18	ETED	<p>28/18 LAKE CARGELLIGO WASTE FACILITY – LAND ACQUISITION RESOLVED THAT: Approve the proposal to acquire 72,700 square metres of crown land comprising part lot 7308 DP 1151003, lot 7009 DP 1057453 and lots 7005 and 7006 DP: 1029763.</p> <p>Authorise the General Manager to lodge a Compulsory Acquisition Consent to Acquire Crown Land Application to the Department of Industry – Lands.</p> <p>The DIS provide an estimated cost of the access road to the March Ordinary Council meeting.</p> <p style="text-align: right;">Phillips/Hall</p>	<p>NSW Aboriginal Land Council has sent a letter to the Minister requesting a part withdrawal of the Aboriginal Land Claim (ALC) from respective lots identified for acquisition, resolving the ALC matter.</p> <p>Status search undertaken by NSW Crown Lands revealed no past use has extinguished or resolved Native Title. Council's Native Title Manager is investigating the process to resolve or extinguish Native Title.</p> <p>Refer to resolutions above. The matter above needs to be resolved before the</p>	NOVEMBER 2021

			acquisition process can continue.	
DEC 2017	ETED	<p>326/17 HERITAGE COMMITTEE MEETING 22 NOVEMBER 2017</p> <p>RESOLVED THAT:</p> <p>Adopt the recommendations made by the Heritage Advisory Committee as follows;</p> <p>a) That Council implement a Conservation Management Plan for small rural cemeteries within the Shire.</p> <p>b) That Council award \$6,000 to Meredith Ervin for works to the NAB and residence in Lake Cargelligo; \$6,000 to Katrina & Jim Thomas for restoration works at Melrose Homestead, and \$2,000 to the Tottenham & Albert Cemetery Committee for headstone restoration.</p> <p style="text-align: right;">Rees/ Frankel</p>	<p>Melrose Homestead – funds acquitted.</p> <p>Cemetery funds acquitted. Ervin – works not complete and funds now no longer available. The Heritage Advisor has provided a quote for the preparation of the CCMP for \$9,900. The Heritage Advisor was initially to prepare the plan for Condobolin in December 2018. However the heritage advisor was focused on the completion of the Beech Periscope in Memorial Park and ensuring that Council submitted applications for a number of grants which were available in the heritage space, including the grant for the Aboriginal Heritage Study. The Heritage Advisor visited Tottenham, Albert and Fifield cemeteries in May 2020. Draft Plans</p>	<p>2021– Progressive delivery and completion.</p>

			for Albert, Tottenham, Tullibigeal and Fifield have been provided by the Heritage Advisor and are being reviewed by Council Officers.	
AUGUST 21	C&CS	<p>186/2021 RATES AND CHARGES DONATIONS – 2021/22 RESOLVED THAT Council grant the full amount of the rates and charges concession to: Country Women’s Association of NSW Tottenham Branch Catholic Church Lake Cargelligo Catholic Church Tullibigeal</p> <p style="text-align: right;">Harris/Phillips</p>	Correspondence issued to all applicants 26/8/21. Sent to creditors for payment. COMPLETE	COMPLETE
AUGUST 21	C&CS	<p>2021/163 DONATIONS RESOLVED THAT Any donation approved be subject to the event actually being held.</p> <p>RESOLUTION 2021/1 Moved: Cr Dennis Brady Seconded: Cr Melissa Blewitt</p> <p>Council determine the amount of any donation for:</p> <p>a. West Milby Rodeo & Gymkhana Inc. - \$1000.00</p> <p>RESOLUTION 2021/2 Moved: Cr Melissa Rees Seconded: Cr Melissa Blewitt</p> <p>b. Rotary Club fee waiver – A 50% fee reduction to use the SRA pavilion in line with Council’s fees and charges waiver.</p> <p>c. Condobolin Preschool and Childcare Centre 50% fee reduction to use the SRA Pavilion in line with Council’s fees and charges waiver.</p> <p>d. Condobolin Chamber of Commerce A 50% fee reduction to use the SRA Pavilion in line with Council’s fees and charges waiver.</p> <p>RESOLUTION 2021/3 Moved: Cr Dennis Brady</p>	<p>Correspondence issued 31/8/521</p> <p>Correspondence issued 31/8/521</p> <p>Correspondence issued 31/8/521</p> <p>Correspondence issued 31/8/521-event cancelled. Correspondence issued 31/8/521-event</p>	<p>COMPLETE</p> <p>COMPLETE</p> <p>COMPLETE</p> <p>COMPLETE</p> <p>COMPLETE</p>

		<p>Seconded: Cr Melissa Blewitt</p> <p>e. Condobolin RSL Pipe Band – Council’s contribution be left in place.</p> <p>Harris/Phillips</p>	<p>cancelled for 2021. Noted for budget to be carried over</p> <p>COMPLETE</p>	
AUGUST 21	C&CS	<p>162 /2021 SATISFACTION SURVEY – INFORMATION FOR COUNCILLORS AND COMMUNITY</p> <p>RESOLVED THAT The Satisfaction Survey 2021 be shared with the community via Council’s website.</p> <p>Hall/Harris</p>	<p>Emailed to Council’s Communications Officer 27/8/21 to place onto website</p> <p>COMPLETE</p>	COMPLETE
JULY 21	C&CS	<p>149/2021 RATES AND CHARGES DONATIONS – 2021/22</p> <p>RESOLVED THAT Council grant the full concessional amount of rates and charges requested to the Country Women’s Association of NSW Tullibigeal Branch.</p> <p>Harris/Hall</p>	<p>Correspondence issued 3/8/21. Payment made to rates assessment 12/8/21.</p> <p>COMPLETE</p>	COMPLETE
JUNE 21	C&CS	<p>155/21 PROVISION OF YOUTH SERVICES FROM 1 JULY 2021</p> <p>RESOLVED THAT A single provider model be retained for the delivery of youth services in the Lachlan Shire Council area.</p> <p>The 4 year youth services contract be awarded to Western Plains Regional Development as recommended by the tender evaluation panel.</p> <p>Council delegate authority to the General Manager to sign the contract for the provision of youth services commencing 2 August 2021 and terminating on 30 June 2025.</p> <p>Council authorise the affixing of the Council seal to the contract documents.</p> <p>Harris/Hall</p>	<p>WPRD advised. Karen Legge scheduled an induction with youth project manager & executive officer for 16/7/21 Induction conducted. CONTRACT SIGNED BY BOTH PARTIES.</p> <p>COMPLETE</p>	COMPLETE
APR 21	C&CS	<p>87/21 ADOPTION OF YOUTH STRATEGY 2021-2030 REALISING OUR POTENTIAL</p> <p>RESOLVED THAT</p>	<p>Adopted with minor changes to document requested. PLACED ONLINE.</p>	COMPLETE

		Council adopt the Youth Strategy 2021-2030 Realising Our Potential as presented subject to the inclusion of additional actions regarding Dental Health. Brady/Carter	COMPLETE	
DEC 20	C&CS	344/20 ABORIGINAL ADVISORY COMMITTEE - PROPOSED EXPRESSION OF INTEREST FORM, PROPOSED ADVERTISEMENT, REVIEWED TERMS OF REFERENCE AND UPDATE TO COUNCIL RESOLVED THAT Council review the attached documents and provide feedback to the Director Corporate and Community Services. Authorise advertising inviting nominations for appointment to the Aboriginal Advisory Committee to commence in late January 2021. Harris/Rees	Advertised & documents distributed. Nominations closed 26 February 2021. Seeking Council permission to extend date as only 5 applications received. Extended closing date of 16/4/21	In progress
AUGUST 21	IS	181/2021 REQUEST TO TRANSFER A CROWN ROAD – NEAR TO NORTH FORBES ROAD RESOLVED THAT That Council defer the report to the September meeting. Brady/Hall	All interested parties have been notified of the request from Council to present in the September public forum. Mrs Doyle to present on the topic.	OCTOBER 2021
AUGUST 21	IS	179/2021 LAKE CARGELLIGO SWIMMING POOL – PROPOSED CHANGE OF OPERATING HOURS RESOLVED THAT Council accept the proposal from Leisure and Recreation Group to vary the hours of operation of the Lake Cargelligo Swimming Pool on the condition they publicly advertise the change of hours and the net benefit the community will receive. Hall/Brady	Operator Notified of the outcome and is preparing public notification material	COMPLETE
AUGUST 21	IS	178/2021 OFFICERS PARADE – WAIVE KERB & GUTTER CONTRIBUTION POLICY RESOLVED THAT Council resolve not to apply the policy for contributions to the cost of Kerb & Gutter construction to the Officers Parade Upgrade Project, as this project is 100% externally grant funded.	No action required. COMPLETE	COMPLETE

			Brady/Harris	
JULY 21	IS	<p>153/2021 IFT T2021/12 CONDOBOLIN BORE FIELDS II SCHEME – CONTRACT 1- PIPELINE</p> <p>RESOLVED THAT</p> <p>The Leed Engineering and Construction P/L tender submission be accepted.</p> <p>The Mayor and General Manager be authorised to execute the contract documents and affix the Council seal.</p>		COMPLETED
			Harris/Phillips	
JULY 21	IS	<p>142/2021 PROJECT DELIVERY – THE MURIE CREEK AND SMYTH’S DRAINAGE STRUCTURES</p> <p>RESOLVED THAT</p> <p>Due to extenuating circumstances and remoteness of locality the box culvert drainage structures for the Murie Creek and Smyth’s corner be procured by inviting quotations from 3 suitable companies, rather than through an open tender process.</p> <p>Expressions of Interest be called for the installation of the Murie Creek and Smyth’s Corner drainage structures and competitive quotations then be invited from the preferred Contractors identified in the EOI process.</p> <p>A further report be presented to Council outline details of the quotations received, with a recommendation of a preferred Contractor or Contractors for the installation of the Murie Creek and Smyth’s Corner drainage structures.</p>	<p>See Tender Assessment Report</p> <p>EOI closed. Seven Contractors have been deemed suitable to construct.</p> <p>Construction Tenders to be called and reported back to Council</p>	<p>SEPTEMBER 2021</p> <p>COMPLETE</p> <p>OCTOBER 2021.</p>
			Hall/Blewitt	
JULY 21	IS	<p>140/2021 DIGGERS AVENUE TREES</p> <p>RESOLVED THAT</p> <p>Council refer the tree condition report to the Lachlan Heritage Advisory and the RSL Sub-Branch for comment.</p>		Yet to progress
			Brady/Blewitt	

JUNE 21	IS	<p>161/2021 TOTTENHAM TENNIS COURT LIGHTING</p> <p>RESOLVED THAT</p> <p>Council accept the quote from Light Up Sports for \$46,114 (ex GST) to complete the upgrade of the Tottenham Tennis Court Lighting.</p> <p>The additional funds required to complete the upgraded project, totalling \$13,231, be allocated from savings achieved on other projects funded under the Local Road and Community Infrastructure Program Round 1.</p> <p style="text-align: right;">Harris/Blewitt</p>	Installation of lighting to be confirmed.	OCTOBER 2021
JUNE 21	IS	<p>147/2021 BURCHER WATER TREATMENT UPDATE</p> <p>RESOLVED THAT</p> <p>The outcomes from the stakeholder information session held on 1 June 2021 be noted.</p> <p>Council provide guidance on the matter of water supply for the community of Burcher.</p> <p style="text-align: right;">Harris/Bendall</p>	Ongoing	Ongoing
JUNE 21	IS	<p>144/2021 LAKE CARGELLIGO AND CONDOBOLIN LANDCARE – SIGNAGE PROJECTS</p> <p>RESOLVED THAT</p> <p>Council offer:-</p> <ul style="list-style-type: none"> (a) In principal support for the initiative; (b) Continue to work with the stakeholders to develop the artwork; (c) The cost of installing the sign be funded from Council's existing Reserves maintenance budget; (d) The Condobolin and Lake Cargelligo Landcare groups fund the manufacture and delivery of the signs. <p style="text-align: right;">Harris/Bendall</p>	Stakeholders advised Working with stakeholders to develop artwork	DECEMBER 2021

MAY 21	IS	<p>107/2021 DENISON STREET FOOTPATH CONSTRUCTION REQUEST</p> <p>RESOLVED THAT</p> <p>Consideration be given to allocating \$15,000 for the full replacement of the paved footpath on the eastern side of Denison Street from Molong Street to Oxley Street from a future round of the Local Road and Community Infrastructure Fund.</p> <p>Landscaping, irrigation and turf work in Denison Street, adjacent to the Railway Hotel be completed and maintained by the proprietor of the property subject to the Director of Infrastructure's approval of any proposed work.</p> <p style="text-align: right;">Harris/Phillips</p>	<p>Item will be considered with other projects under the LRCI grant program.</p>	<p>DECEMBER 2021</p>
FEB 21	IS	<p>29/2021 AERODROME WATER STORAGE TANK – USER CHARGES UPDATE</p> <p>RESOLVED THAT</p> <p>Council implement fees for accessing the water storage tanks :-</p> <ul style="list-style-type: none"> (a) Aerodrome treated water access fee per day - \$55.70 (b) Aerodrome treated water use per kL- \$9.84 <p>Council place a limit of 50kL per day to be taken from the tank. Use of water from the tank remains at the discretion of the Director Infrastructure Services or their delegate.</p> <p>Council install appropriate signage at Condobolin, Lake Cargelligo and Tottenham Aerodromes regarding use of the water storage.</p> <p>Council review the fees on an annual basis in association with annual budget process.</p> <p>Council consider funding options for the replacement of the Tottenham Aerodrome tank in the 2021/2022 Budget Process.</p> <p style="text-align: right;">Harris/Hall</p>	<p>COMPLETE</p> <p>COMPLETE</p> <p>COMPLETE</p>	<p>COMPLETE</p> <p>COMPLETE</p> <p>COMPLETE</p>

AUG 20	IS	<p>211/2020 GRANT DEEDS-FIXING COUNTRY ROADS</p> <p>RESOLVED THAT</p> <p>The General Manager be delegated authority to execute the Fixing Council Road Funding Deeds and affix the Council seal for projects RNSW2468 (Bogan Way), RNSW2469 (Tullibigeal Rd) and RNSW2471 (Gipps Way Nerathong Bridge).</p> <p>The Director Infrastructure Services be directed to request a project variation from the funding body to reduce the extent of work for project RNSW2470 (Palesthan Rd) to approximately 7.2km.</p> <p>Subject to a suitable reduction in the extent of work for project RNSW2470 (Palesthan Rd) being negotiated, and approved by the funding body, the General Manager be authorised to execute the amended Fixing Council Road Funding Deed and affix the Council seal.</p> <p style="text-align: right;">Harris/Phillips</p>	Further grant application to be submitted under the Federal HVSP once applications are open	DECEMBER 2021
APR 20	IS	<p>91/2020 NOTICE OF MOTION - CRICKET NETS LAKE CARGELLIGO</p> <p>RESOLVED THAT</p> <p>The cricket practice nets proposed for construction at the Lake Cargelligo Recreation Ground be relocated to the south west corner of the Lake Cargelligo Central School recreational grounds.</p> <p>Item 1 be subject to an appropriate signed Memorandum of Understanding with the NSW Department of Education.</p> <p style="text-align: right;">Phillips/Hall</p>	Nil update. Still waiting on DET.	OCTOBER 2021
APR 17	IS	<p>86/17 PARKS, RESERVES & RECREATIONAL FACILITIES – 5 YEAR STRATEGIC PLAN</p> <p>RESOLVED THAT</p> <ol style="list-style-type: none"> 1. Council support the development of a strategic plan for its parks, reserves and recreational facilities using in house staff for the period FY18/19 to FY22/23. 2. Director Infrastructure Services and Manager Recreation submit a draft strategic plan for Council consideration before 1 July 2018. <p style="text-align: right;">Hall/Carter</p>	Dept feedback received for SRA POM. Ongoing work required for other POM's	DECEMBER 2021

MAR 19	IS	<p>2019/54 ASSET MANAGEMENT PLANS - TRANSPORT, WATER, SEWER, BUILDING, RECREATION RESOLVED THAT Council defer advertising the AMP until the schedule of actions are inserted into the document. Council note the summary of key issues raised in the asset management plans as identified in this report. Council consider the need to increase funding for local roads and potentially other asset classes like buildings (while maintaining a financially sustainable position) as part of the next revision of its Long Term Financial Plan.</p>	<p>DRAFT plans prepared for Parks and Reserves and Buildings. Roads and Utilities under development</p>	DECEMBER 2021
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8 CORPORATE AND COMMUNITY SERVICES

8.1 DONATIONS

TRIM Number: R21/219

Author: Administration Officer - Corporate & Community Services

PURPOSE

Council is asked to consider requests for monetary and in kind support for community events to be held in the 2021/2022 financial year.

SUPPORTING INFORMATION

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

BACKGROUND

Throughout the year Council receives requests from individuals, community groups and sporting clubs for financial and in kind support. This support may promote the liveability of the shire or enable residents to undertake representation in their chosen sport or activities outside of the shire.

ISSUES AND COMMENTS

Rotary Club of Lake Cargelligo

Rotary Club of Lake Cargelligo are requesting Council's sponsorship for fireworks for the 2021 Christmas Carnival. Council have donated \$1000 for the previous 4 years.

Concessions and donations expected to come to a future Council meeting

Lake Cargelligo Sports Club

The Lake Cargelligo Sports Club has requested assistance towards maintaining the cricket ovals and a concession on their rates and charges for 12 months.

Further information is required to be submitted by the club before this matter can progress.

FINANCIAL AND RESOURCE IMPLICATIONS

A provision was made in the FY2021/2022 budget to provide cash and in kind support for Community events.

LEGAL IMPLICATIONS

There are no known legal implications.

RISK IMPLICATIONS

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

STAKEHOLDER CONSULTATION

Council at the September 2021 strategic briefing.

OPTIONS

1. Provide the full amount of the requested donation.
2. Decline the full amount of the requested donation
3. Offer a reduced donation to allow as many organisations as possible to be supported.

CONCLUSION

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

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

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

ATTACHMENTS**1. Rotary Club of Lake Cargelligo** [↓](#)**RECOMMENDATION**

That

1. The Director of Corporate and Community Services Report No. R21/219 be received and noted.
2. The donation be subject to the event being held.
3. Council determine the amount of sponsorship to be provided to the Rotary Club of Lake Cargelligo for their Christmas Carnival 2021 fireworks.

ROTARY CLUB OF LAKE CARGELLIGO
CHRISTMAS CARNIVAL COMMITTEE
PO BOX 118
LAKE CARGELLIGO NSW 2672

30th July, 2021

Mr Greg Torey
GM Lachlan Shire Council
CONDOBOLIN NSW

Dear Greg,

We are setting plans in motion for this year's Christmas Carnival, and have set the date for Saturday, 11th December, 2021.

Once again, we are seeking Council's sponsorship of the fireworks for the 2021 Christmas Carnival.

As you know this is an annual event on Lake Cargelligo's calendar and is only made possible by the sponsorship provided by Lachlan Shire Council, Rotary, Murrin Bridge Local Land Council & local businesses.

We are aware, due to Covid 19 restrictions, it may not be possible to go ahead and at a later date we may have to cancel. After the success of the Australia Day Carnival earlier this year we are extremely confident we will be able to go ahead. It was only with Council's support, fencing the park etc that Carnival was at all possible.

Would you please note the Rotary Club Christmas Carnival Account number is: BSB 062 462 A/C 1003 3214. The account you have in your records is an account Rotary set up a few years ago as a drought account, I think!

Thank you for consideration of this request.

Sincerely,

Betty Breese

8.2 INVESTMENTS AS AT 31 AUGUST 2021

TRIM Number: R21/252

Author: Financial Accountant

PURPOSE

The *Local Government (General) Regulation 2005 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 August 2021 is \$5,372,356.

Investments held at 31 August 2021 totalling \$53,202,224 are set out in Attachment 1.

Responsible Accounting Officer Certificate

I certify that the bank accounts and investments have been reconciled with the Council's general ledger as at 31 August 2021, and that investments have been made in accordance with the *Local Government Act, Local Government (General) Regulation 2005* and Council's Investment Policy.

Karen Pegler
Responsible Accounting Officer

FINANCIAL UPDATE

As at the end of August 2021, Council's portfolio is compliant across its counterparty and credit quality limits. Over the past 12 months, the portfolio, excluding on call cash, returned +1.16% p.a., outperforming bank bills by 1.11% p.a.

The official cash rate remains at 0.10%. This low rate will continue to have a negative impact on Council's interest income. The expectation is that the Reserve Bank will not raise rates again until there is a sustained recovery and both of the economic objectives of full employment and target inflation are met. Returns of 0.40% to 0.80% p.a. can be expected over the next few financial 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. August 2021 Investment Report [↓](#)

RECOMMENDATION

That:

1. The Director Corporate and Community Services Report No. R21/252 be received and noted.



Lachlan Shire
Your Ultimate Bush Experience

Investment Report

01/08/2021 to 31/08/2021



Portfolio Valuation as at 31/08/2021

Issuer	Rating	Type	Alloc	Interest	Purchase	Maturity	Rate	Capital Value	Accrued	Accrued MTD
Bank of Sydney	Unrated	TD	GENERAL	Annual	08/09/2020	08/09/2021	0.9300	500,000.00	4,560.82	394.93
Commonwealth Bank	AA-	TD	GENERAL	At Maturity	20/10/2020	20/10/2021	0.6300	500,000.00	2,727.12	267.53
Westpac	AA-	TD	GENERAL	Quarterly	22/10/2019	26/10/2021	1.6000	1,000,000.00	1,797.26	1,358.90
AMP Bank	BBB	TD	GENERAL	Annual	27/05/2020	23/11/2021	1.4500	1,000,000.00	3,853.42	1,231.51
Community First	Unrated	TD	GENERAL	At Maturity	25/11/2020	30/11/2021	0.6500	500,000.00	2,493.15	276.03
Community First	Unrated	TD	GENERAL	At Maturity	03/12/2020	07/12/2021	0.6500	1,000,000.00	4,843.84	552.05
ING Direct	A	TD	GENERAL	Annual	06/02/2020	08/02/2022	1.6500	500,000.00	4,633.56	700.68
Bank of Sydney	Unrated	TD	GENERAL	At Maturity	09/02/2021	09/02/2022	0.5900	500,000.00	1,648.77	250.55
Newcastle Permanent	BBB	TD	GENERAL	Quarterly	20/02/2019	22/02/2022	3.0500	500,000.00	501.37	501.37
Newcastle Permanent	BBB	TD	GENERAL	Quarterly	05/03/2019	08/03/2022	2.9500	500,000.00	3,475.34	1,252.74
Members Equity Bank	BBB+	TD	GENERAL	At Maturity	23/03/2021	23/03/2022	0.5000	1,000,000.00	2,219.18	424.66
Macquarie Bank	A+	TD	GENERAL	At Maturity	23/03/2021	23/03/2022	0.4900	1,000,000.00	2,174.79	416.16
BOQ	BBB+	TD	GENERAL	Annual	06/05/2020	10/05/2022	1.4500	500,000.00	2,343.84	615.75
AMP Bank	BBB	TD	GENERAL	Annual	24/11/2020	23/05/2022	0.7500	1,000,000.00	5,773.97	636.99
BOQ	BBB+	TD	GENERAL	At Maturity	27/05/2020	24/05/2022	1.3000	1,000,000.00	16,454.79	1,104.11
AMP Bank	BBB	TD	GENERAL	Annual	11/06/2020	14/06/2022	1.4000	750,000.00	2,358.90	891.78
Members Equity Bank	BBB+	TD	GENERAL	At Maturity	09/06/2021	14/06/2022	0.5000	1,000,000.00	1,150.68	424.66
Commonwealth Bank	AA-	TD	GENERAL	At Maturity	09/06/2021	14/06/2022	0.4500	2,000,000.00	2,071.23	764.38



Issuer	Rating	Type	Alloc	Interest	Purchase	Maturity	Rate	Capital Value	Accrued	Accrued MTD
AMP Bank	BBB	TD	GENERAL	Annual	22/12/2020	21/06/2022	0.7500	750,000.00	3,898.97	477.74
BOQ	BBB+	TD	GENERAL	Annual	23/06/2020	28/06/2022	1.2500	1,000,000.00	2,397.26	1,061.64
BOQ	BBB+	TD	GENERAL	Annual	22/07/2020	26/07/2022	1.0000	600,000.00	673.97	509.59
Auswide Bank	BBB	TD	GENERAL	At Maturity	18/08/2020	23/08/2022	0.9000	500,000.00	4,672.60	382.19
Auswide Bank	BBB	TD	GENERAL	At Maturity	27/08/2020	29/08/2022	0.9000	750,000.00	6,842.47	573.29
Bank of Sydney	Unrated	TD	GENERAL	Annual	26/08/2021	30/08/2022	0.6500	1,500,000.00	160.27	160.27
BOQ	BBB+	TD	GENERAL	At Maturity	26/08/2020	30/08/2022	0.9500	1,000,000.00	9,656.16	806.85
Westpac	AA-	TD	GENERAL	Quarterly	26/08/2020	30/08/2022	0.8200	1,000,000.00	134.79	134.79
NAB	AA-	TD	GENERAL	Annual	08/09/2020	08/09/2022	0.8000	1,500,000.00	11,769.86	1,019.18
Westpac	AA-	TD	GENERAL	Quarterly	08/09/2020	08/09/2022	0.7800	1,500,000.00	2,724.66	993.70
NAB	AA-	TD	GENERAL	Annual	08/09/2020	13/09/2022	0.8000	1,500,000.00	11,769.86	1,019.18
WAW Credit Union	Unrated	TD	GENERAL	Annual	08/09/2020	13/09/2022	1.0500	500,000.00	5,149.32	445.89
BOQ	BBB+	TD	GENERAL	Annual	20/10/2020	20/10/2022	0.8000	500,000.00	3,463.01	339.73
NAB	AA-	TD	GENERAL	Annual	27/11/2020	29/11/2022	0.6300	500,000.00	2,399.18	267.53
NAB	AA-	TD	GENERAL	Annual	10/12/2020	13/12/2022	0.6300	500,000.00	2,286.99	267.53
Warwick Credit Union	Unrated	TD	GENERAL	Annual	10/02/2021	13/02/2023	0.6500	1,000,000.00	3,615.07	552.05
Warwick Credit Union	Unrated	TD	GENERAL	Annual	09/02/2021	14/02/2023	0.6500	500,000.00	1,816.44	276.03
WAW Credit Union	Unrated	TD	GENERAL	Annual	02/03/2021	02/03/2023	0.7000	500,000.00	1,754.79	297.26
BNK Bank	Unrated	TD	GENERAL	Annual	30/03/2021	04/04/2023	0.7000	900,000.00	2,675.34	535.07
NAB	AA-	TD	GENERAL	At Maturity	13/04/2021	18/04/2023	0.6000	1,000,000.00	2,317.81	509.59





Issuer	Rating	Type	Alloc	Interest	Purchase	Maturity	Rate	Capital Value	Accrued	Accrued MTD
MyState Bank	BBB	TD	GENERAL	Annual	04/05/2021	09/05/2023	0.5500	1,000,000.00	1,808.22	467.12
BNK Bank	Unrated	TD	GENERAL	Annual	04/05/2021	09/05/2023	0.7000	1,000,000.00	2,301.37	594.52
AMP Bank	BBB	TD	GENERAL	Annual	04/05/2021	09/05/2023	0.7000	1,000,000.00	2,301.37	594.52
NAB	AA-	TD	GENERAL	Annual	25/05/2021	23/05/2023	0.6300	2,000,000.00	3,417.53	1,070.14
ING Direct	A	TD	GENERAL	Annual	08/06/2021	13/06/2023	0.5000	500,000.00	582.19	212.33
ING Direct	A	TD	GENERAL	Annual	15/06/2021	13/06/2023	0.5000	750,000.00	801.37	318.49
Westpac	AA-	TD	GENERAL	Quarterly	06/07/2021	11/07/2023	0.5600	1,000,000.00	874.52	475.62
Westpac	AA-	TD	GENERAL	Quarterly	18/06/2021	18/06/2024	0.8000	1,500,000.00	2,465.75	1,019.18
Westpac	AA-	TD	GENERAL	Quarterly	06/07/2021	09/07/2024	0.8000	1,000,000.00	1,249.32	679.45
BOQ	BBB+	TD	GENERAL	Annual	10/08/2021	12/08/2025	1.0000	1,000,000.00	602.74	602.74
Macquarie Bank	A+	CASH	GENERAL	Monthly	31/08/2021	31/08/2021	0.4000	5,396,114.93	1,832.60	1,832.60
NAB	AA-	CASH	GENERAL	Monthly	31/08/2021	31/08/2021	0.3100	4,806,109.45	1,392.44	1,392.44
TOTALS								53,202,224.38	164,890.31	31,953.05





Counterparty Compliance as at 31/08/2021

Long Term Investments

Compliant	Bank Group	Term	Rating	Invested	Invested (%)	Limit (%)	Limit (\$)	Available
✓	Commonwealth Bank	Long	AA-	2,500,000.00	4.70	25.00	-	10,800,556.10
✓	Westpac	Long	AA-	7,000,000.00	13.16	25.00	-	6,300,556.10
✓	NAB	Long	AA-	11,806,109.45	22.19	25.00	-	1,494,446.65
✓	Macquarie Bank	Long	A+	6,396,114.93	12.02	20.00	-	4,244,329.95
✓	ING Direct	Long	A	1,750,000.00	3.29	20.00	-	8,890,444.88
✓	Members Equity Bank	Long	BBB+	2,000,000.00	3.76	15.00	-	5,980,333.66
✓	BOQ	Long	BBB+	5,600,000.00	10.53	15.00	-	2,380,333.66
✓	AMP Bank	Long	BBB	4,500,000.00	8.46	15.00	-	3,480,333.66
✓	Newcastle Permanent	Long	BBB	1,000,000.00	1.88	15.00	-	6,980,333.66
✓	MyState Bank	Long	BBB	1,000,000.00	1.88	15.00	-	6,980,333.66
✓	Auswide Bank	Long	BBB	1,250,000.00	2.35	15.00	-	6,730,333.66
✓	Warwick Credit Union	Long	Unrated	1,500,000.00	2.82	5.00	-	1,160,111.22
✓	WAW Credit Union	Long	Unrated	1,000,000.00	1.88	5.00	-	1,660,111.22

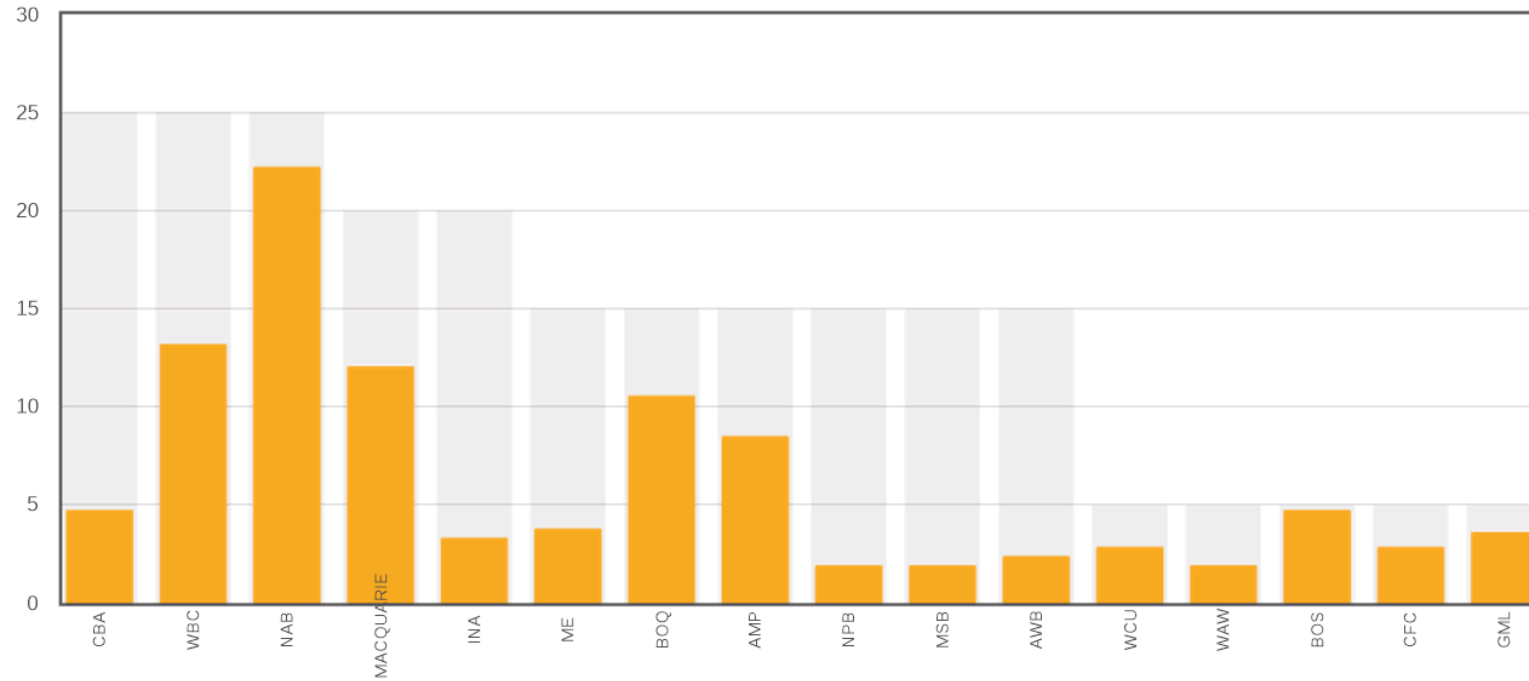




Compliant	Bank Group	Term	Rating	Invested	Invested (%)	Limit (%)	Limit (\$)	Available
✓	Bank of Sydney	Long	Unrated	2,500,000.00	4.70	5.00	-	160,111.22
✓	Community First	Long	Unrated	1,500,000.00	2.82	5.00	-	1,160,111.22
✓	Goldfields Money	Long	Unrated	1,900,000.00	3.57	5.00	-	760,111.22
TOTALS				53,202,224.38	100.00			



Counterparty Compliance - Long Term Investments



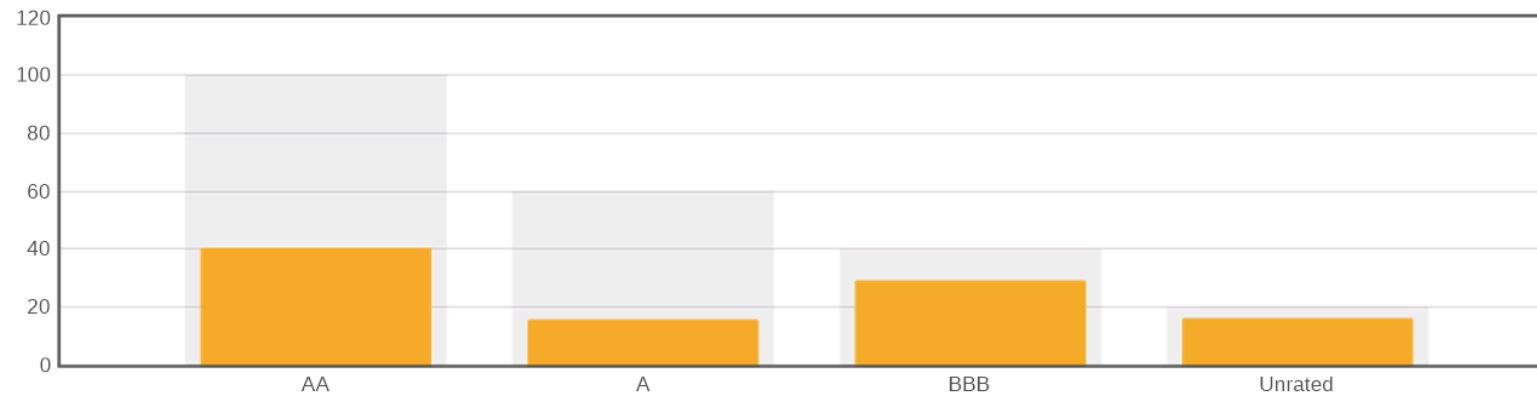


Credit Quality Compliance as at 31/08/2021

Long Term Investments

Compliant	Rating	Invested (\$)	Invested (%)	Limit (%)	Available
✓	AA	21,306,109.45	40.05	100.00	31,896,114.93
✓	A	8,146,114.93	15.31	60.00	23,775,219.70
✓	BBB	15,350,000.00	28.85	40.00	5,930,889.75
✓	Unrated	8,400,000.00	15.79	20.00	2,240,444.88
TOTALS		53,202,224.38	100.00		

Credit Quality Compliance - Long Term Investments

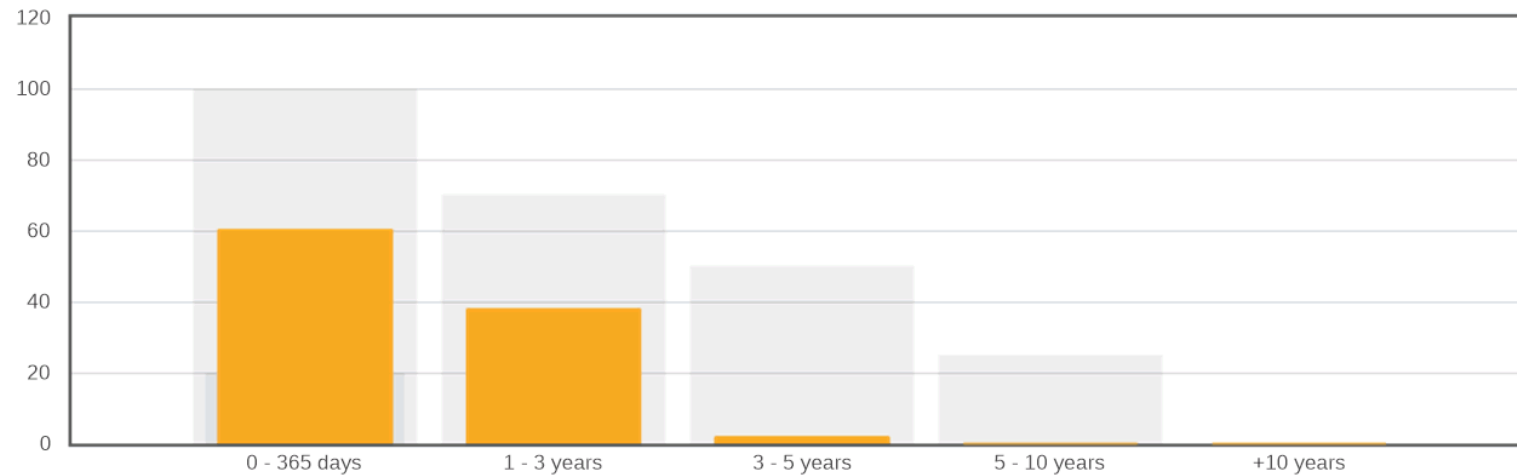




Maturity Compliance as at 31/08/2021

Compliant	Term	Invested	Invested (%)	Min Limit (%)	Max Limit (%)	Available
✓	0 - 365 days	32,052,224.38	60.25	20.00	100.00	21,150,000.00
✓	1 - 3 years	20,150,000.00	37.87	0.00	70.00	17,091,557.07
✓	3 - 5 years	1,000,000.00	1.88	0.00	50.00	25,601,112.19
✓	5 - 10 years	-	0.00	0.00	25.00	13,300,556.10
✓	+10 years	-	0.00	0.00	0.00	-
TOTALS		53,202,224.38	100.00			

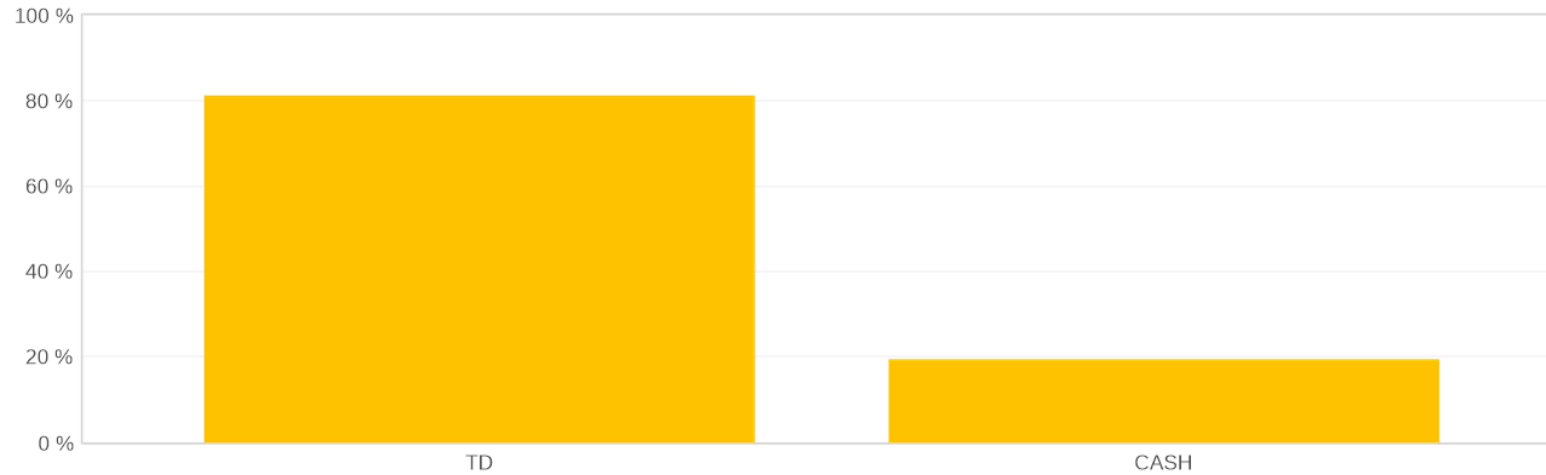
Maturity Compliance





Asset Class as at 31/08/2021

Code	Number of Trades	Invested	Invested (%)
TD	48	43,000,000.00	80.82
CASH	2	10,202,224.38	19.18
TOTALS	50	53,202,224.38	100.0



8.3 UPDATES TO BUDGET 2021-2022: REVOTES AND ADDITIONAL GRANT FUNDED PROJECTS.

TRIM Number: R21/255

Author: Finance Accountant

PURPOSE

Council is required to formally revote 2020-2021 budget allocations which remain unspent and incomplete at the conclusion of the 2020-2021 financial year.

SUPPORTING INFORMATION

A list of the projects is attached to this report.

BACKGROUND

At the completion of the 2020-2021 financial year a number of programs included within the operational plan budget remained incomplete or had not commenced.

ISSUES AND COMMENTS

Under the *Local Government (General) Regulation 2005* budget allocations for projects that have not commenced, lapse at the end of each financial year. The exception to this are those projects that commenced in 2020-2021 and remain unfinished.

Council should formally resolve to include the funding as outlined, in the 2021-2022 budget, so that these projects can continue and/or commence. In a number of cases, Council has already resolved to expend the funds however these projects are included in this report for completeness and to formally include in the 2021-2022 budget document.

The format is slightly different to prior revotes reports. This report is made up of 2 parts:

1. Revoted projects from the 2020-2021 year which will be funded from reserves; and
2. Projects that were not included in the 2021-2022 Budget and will be funded from grants to be received in the 2021-2022 financial year.

Revoted projects total \$8,217,958.

Additional grant funded projects not included in Budget for 2021-2022 \$1,775,251.

Specific details of the 'revotes' are set out in **Attachment 1**. These include grant-funded projects such Local Roads and Community Infrastructure Phases 1 and 2, Fixing Local Roads, and SRA Lighting, funded by the Showground Stimulus grant round 2. It also includes procurement of plant items which were ordered in 2021 but which will not be delivered until 2022.

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 2021-2022 Operational Plan Budget.

As at 30 June 2021, 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 revoked, 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 2020-2021 were adopted by Council as part of its 2020-2021 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 unspent and incomplete budget allocations has been reviewed by the Executive Leadership Team and the Operational Management Team.

OPTIONS

1. Revoke the funds, as listed on the attachment to this report, for expenditure in 2021-2022.
2. Amend the listing attached for revoke of expenditure in 2021-2022.

CONCLUSION

Council should consider those budget allocations remaining unspent from the 2020-2021 financial year for incomplete or not commenced projects and “revoke” those allocations as appropriate.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

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

ATTACHMENTS

1. **Revotes from 2021** [↓](#)
2. **Grant funded projects not included in 2022 Budget** [↓](#)
3. **2022 Reserve Balances after Revotes** [↓](#)
4. **Revised Budget Profit & Loss** [↓](#)

RECOMMENDATION

That:

1. The Director Corporate & Community Services Report No. R21/255 be received and noted.
2. The transfers from Reserves as noted in the “Revotes” as presented be adopted.
3. The 2021-2022 Amended Budget be adopted to include revotes and additional grant funded projects not included in the original 2021-2022 Budget.

ATTACHMENT ONE - REVOTES FROM 2021 to 2022 TO BE FUNDED FROM RESERVES			
General Fund		Water Fund	
Details	Revote \$	Details	Revote \$
Lawn Cemetery Irrigation	25,000.00	Lake Cargelligo WTP Automation and Process Control	42,265.00
Lawn Cemetery Plinth Expansion	11,246.38	Tottenham Water supply Storage Upgrade Augmentation - Restart NSW 841	10,165.00
Cemetery Bollards	12,355.00	Tottenham WTP - Replace clear water tanks & upgrade building	230,000.00
Transfer from - Condobolin Cemetery Reserve	- 48,601.38	Condobolin WTP - Install new electric actuator for sludge clarifier	75,000.00
Website Upgrade	50,000.00	Condobolin Reservoir No 2 - Investigation Study (operational)	124,329.00
E-Services	10,775.00	Tottenham WTP - New turbidity meter x4	65,000.00
Transfer from - Information Technology Reserve	- 60,775.00	Condobolin Potable Water Standpipe Upgrade (Condobolin Depot)	100,000.00
Lake Cargelligo- Swimming Pool Amenities Block	167,162.97	Condobolin WTP - Generator	100,000.00
Transfer from - Capital Improvements Reserve	- 167,162.97	Lake Cargelligo WTP - Backwash pond fencing	25,000.00
Heavy Plant	297,000.00	Burcher pre-treatment process	50,000.00
Trucks	761,296.55	Shire wide water supply assets electrical & SCADA upgrade	199,000.00
Light Plant - Fleet	202,996.27	DWS072 Condobolin Drought Water Security Project	164,000.00
Transfer from - Plant Reserve	- 1,261,292.82	Shire Strategic Business Plan/IWCM	50,000.00
Condobolin - Swimming Pool Filter Separator	80,000.00	Lake Cargelligo WTP - Storage Container and Power Connection	20,000.00
Tottenham - Swimming Pool Filter Separator	172,367.53	Merri Abba Bore - Hi Lift Pump Station Replacement	6,205.00
Transfer from - Swimming Pool Reserve	- 252,367.53	Transfer from - Water Reserve	- 1,260,964.00
Condobolin - Waste Transfer Station road	99,478.45	Sewer Fund	
Lake Cargelligo - Land acquisition for new waste cell	21,900.00	Details	Revote \$
Transfer from Waste Management Reserve	- 121,378.45	Sewer Reuse Lake Cargelligo STP Pond/Lining	7,300.00
Footpath - Foster St	109,000.00	Condobolin Pumping Station	92,000.00
Footpath - School Precinct	270,000.00	Shire Strategic Business Plan/IWCM	50,000.00
Footpath - Bathurst St	49,500.00	Condobolin Pumping Station - investigation, concept design, detailed design for	
Urban Reseals	150,000.00	Lachlan St SPS upgrade	75,000.00
Reseals/Overlays	140,013.00	Condobolin Pumping Station - investigation, concept design, detailed design for	
K&G Gum Bend Lake unspent in 2021	50,000.00	Moulder St SPS upgrade	75,000.00
K&G Foster St	200,000.00	Lake Cargelligo - minor improvements to amenities building	71,579.00
K&G William St	62,890.00	Tottenham STP - amenities upgrade (toilet, shower, office, etc.)	25,000.00
Transfer from - Uncompleted Works - FAG	- 1,031,403.00	Shire wide sewer assets electrical & SCADA upgrade	46,000.00
Asset Val & Pacesetters - Revaluation work	9,000.00	Transfer from - Sewer Reserve	- 441,879.00
Street trees removal across Shire	36,000.00		
Condobolin - Gumbend Lake Amenities Block	75,000.00		
Bridge Street Stormwater Improvements	76,406.00		
Condobolin - Jockey's Memorial	7,350.00		
Youth Program Induction	960.00		
Internal Audit Review, GL review and Reporting	14,502.00		
LGPA - The Hub	5,000.00		
Rural & Industry Land Use Strategy	50,000.00		
Waste Facilities - Strategic Review	6,900.00		
Condobolin - Wellington Park Irrigation	39,100.00		
Lake Cargelligo - Liberty/Bicentennial Park Irrigation	85,000.00		
Lake Cargelligo - Rec Ground Play Equipment	40,000.00		
Lake Cargelligo - Apex Park Pontoon	15,000.00		
Condobolin - Swimming Pool Turn stiles	15,000.00		
Burcher - Museum relocation	5,843.00		
Transfer from - Unfinished Works Reserve	- 481,061.00		
HACC - Covid-19 Emergency Funding for meals	28,270.09		
Condobolin - Community Recycling Centre	17,325.00		
Library Special Projects	2,500.00		
Condobolin SRA Lighting - Showground Stimulus R2	267,272.73		
Lake Cargelligo - Play Equipment "Everyone Can Play"	25,000.00		
Live and Local Grant	8,290.91		
Local Roads & Infrastructure P1 Programs*	259,267.69		
Busby/William Streets Reconstruction - FLR	559,190.00		
Primary School Precinct reconstruction - FLR	952,000.00		
Local Roads & Infrastructure P2 Programs*	682,634.31		
Stronger Country Communities	34,005.00		
Growing Local Economies - VIC	255,316.79		
Transfer from - Unspent Grants	- 3,091,072.52		
		Total revotes to be funded by Transfers from Reserves	- 8,217,957.67

ATTACHMENT B -GRANT FUNDED PROJECTS NOT ALREADY INCLUDED IN THE 2021.2022 BUDGET	
2021 General Fund programs offset by grants to be received in 2022	\$
Cultural Heritage Study	20,000.00
SRA Ground LED Lighting - BBR Fund	270,000.00
Lake Cargelligo- Swimming Pool Amenities Block	551,488.90
Drought Stimulus Program	268,544.11
Local Roads & Infrastructure P1 programs*	371,262.00
Tourism Precinct Stage 3 works BBRF	293,956.24
<i>Offset by Grants to be received in 2022</i>	- 1,775,251.25

2022

Details	Opening Balance 1/07/2021	Approved by Cnl Resln June 21		Budget Revotes	Proposed Balance after Revotes
		2022 Annual Budget transfers in	2022 Annual Budget transfers out		
19550/29550/39550 - Other Reserves					
9550 - Reserve ELE	1,955,000				1,955,000
9551 - Reserve Unexpended Grants	7,530,340			3,091,073	4,439,268
9552 - Reserve Uncompleted Works	5,692,896		55,231	1,512,464	4,125,201
9553 - Reserve Election	70,000	25,000	69,000		26,000
9554 - Reserve Chambres/Computers	149,256		10,000	60,775	78,481
9555 - Reserve Meals on Wheels	65,319				65,319
9556 - Reserve Town Planning	32,653				32,653
9557 - Reserve Cemetery	55,529			48,601	6,927
9558 - Reserve Plant	6,637,537		725,351	1,261,293	4,650,893
9559 - Reserve Housing & Development	1,708,208				1,708,208
9562 - Reserve Swimming Pools	374,330			252,368	121,962
9563 - Reserve Retirement Village Proceeds	988,762		50,000		938,762
9568 - Reserve Aerodromes	135,568	5,000			140,568
9570 - Reserve Gravel Restoration Reserve	716,094		20,000		696,094
9571 - Reserve Gum Bend Lake	63,646				63,646
9572 - Reserve HACC	25,000				25,000
9574 - Reserve Insurance	0				0
9575 - Reserve Domestic Waste Management	147,163				147,163
9576 - Reserve Capital Improvements	1,655,144			167,163	1,487,981
9577 - Reserve Tip Restoration	188,168				188,168
9580 - Reserve Stormwater Drainage	588,656	52,550			641,206
9582 - Reserve Condobolin Main Street Improve	104,261				104,261
9583 - Reserve FAG GP Grant Rec'd in Advance	3,165,625				3,165,625
9586 - Reserve Waste Management Improvements	338,921	33,454		121,378	250,997
9587 - Reserve Depot Improvements	6,787,480		6,787,479		0
9589 - Reserve Section 94 Contributions	334,388	21,610	30,000		325,998
29550.9591 - S64 Contributions Water	13,245				13,245
29550.9578 - Water Supply Reserve	6,922,757		1,478,973	1,260,964	4,182,820
39550.9591 - S64 Contributions Sewer	3,925				3,925
39550.9578 - Sewer Supply Reserve	7,219,347		904,920	441,879	5,872,548
19550 - Other Reserves Total	53,669,217	137,614	10,130,954	8,217,958	35,457,918

Operational Budget Budget 2021-2022			
Description	Original Annual Budget - Operating Plan 2021/2022	Revotes & additional projects	Proposed Amended Annual Budget as at 22/09/21
CONSOLIDATED RESULTS			
Income			
Rates & Annual Charges	(12,545,102)		(12,545,102)
User Charges & Fees	(4,430,058)		(4,430,058)
Interest & Investment Revenue	(550,377)		(550,377)
Other Revenues	(406,136)		(406,136)
Grants & Contributions - Operating	(16,834,031)	(20,000)	(16,854,031)
Grants & Contributions - Capital	(12,722,974)	(1,755,251)	(14,478,225)
Total Income from Continuing Operations	(47,488,678)	(1,775,251)	(49,263,929)
Expenses			
Employee Costs	10,164,096	29,444	10,193,540
Borrowing Costs	378,298	-	378,298
Materials & Contracts	8,763,877	428,252	9,192,129
Depreciation	10,346,610	-	10,346,610
Other Expenses	4,085,278	-	4,085,278
Losses on Disposal of Assets	50,000	-	50,000
Total Expenses from Continuing Operations	33,788,159	457,696	34,245,855
Operating Result from continuing operations - Gain/(Loss)	(13,700,520)	(1,317,555)	(15,018,075)
Operating Result from continuing operations before Capital income Gain/(Loss)	(977,545)	437,696	(539,849)
Capital Expenditure	33,076,471	9,535,513	42,611,984
Loan Funds Utilised	0	-	0
Loan Principal Repaid	460,029	-	460,029
Transfers to Restricted Assets (Reserves)	137,614		137,614
Transfers from Restricted Assets (Reserves)	(10,130,954)	(8,217,958)	(18,348,912)
Depreciation Contra	(10,346,610)	-	(10,346,610)
Net Unrestricted Cash Surplus/(Deficit)	(503,969)	\$ -	(503,969)

8.4 DRAFT FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2021

TRIM Number: R21/261

Author: Director - Corporate and Community Services

PURPOSE

The purpose of this report is two-fold:

- to confirm that the financial statements for the year ended 30 June 2021 have been prepared in accordance with the Local Government Act 1993 and Regulations, the Australian Accounting Standards and the Local Government Code of Accounting Practice and Financial Reporting; and
- to request Council formally refer the Financial Statements for audit.

SUPPORTING INFORMATION

The draft consolidated Income Statement (net operating result for the year) and supporting notes, together with the Statement of Financial Position (balance sheet) will be circulated under separate cover.

BACKGROUND

Section 413 of the Local Government Act requires that Council must formally refer the annual financial statements for audit and make a resolution that the annual financial statements have been prepared in accordance with:

- the Local Government Act 1993 and Regulations;
- the Australian Accounting Standards and professional pronouncements;
- the Local Government Code of Accounting Practice and Financial Reporting;

in addition, confirming that:

- The statements present fairly the operating result and financial position for the year;
- The statements accord with Council's accounting and other records;
- Council is not aware of any matter that would render the statements false or misleading in any way.

ISSUES AND COMMENTS

A detailed report and analysis of results will be sent under separate cover and will be a late report.

Council is required by the Local Government Act 1993 and associated regulations to lodge its audited financial statements with the Office of Local Government within four months of the end of the relevant financial year. The statements have been sent to the Audit Risk and Improvement Committee (ARIC) for review and any relevant comments will be provided to Council.

FINANCIAL AND RESOURCE IMPLICATIONS

As outlined in the March 2021 report to Council on the Audit Engagement Plan, a quoted fee of \$54,890 (including GST) was provided by the NSW Audit Office.

The fee may increase if other matters, not known at the date of the plan being issued, emerge during the audit and significantly change the estimated audit cost. Proposals for additional fees are discussed with Senior Staff.

LEGAL IMPLICATIONS

The Local Government Act 1993 places a statutory obligation on Council to produce the annual financial statements.

RISK IMPLICATIONS

There are no identified risk implications.

STAKEHOLDER CONSULTATION

The draft financial statements were sent to the ARIC for review and relevant feedback will be provided to Council at the September meeting. The statements will also be included in the ARIC agenda for the meeting on 22 September 2021.

Council management have worked closely with the external auditors and the NSW Audit Office to ensure the statements can be audited in a timeframe that will allow lodgement by the due date.

OPTIONS

Not Applicable

CONCLUSION

Section 413 of the Local Government Act requires that Council must formally refer the annual financial statements for audit and make a resolution that the annual financial statements have been prepared in accordance with the Act, accounting codes, policies and guidelines.

Following receipt of the Auditor's Report, the statements will be lodged with the Office of Local Government and will be presented to the public.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

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

ATTACHMENTS

Nil

RECOMMENDATION

That

1. The Director Corporate and Community Services Report No R21/261 be received and noted.
2. The Draft Financial Statements for the year ended 30 June 2021 be referred for Audit.
3. Council confirm that the Draft Financial Statements for the year ended 30 June 2021 have been prepared in accordance with:
 - (a) the Local Government Act 1993 and Regulations;
 - (b) the Australian Accounting Standards and professional pronouncements; and
 - (c) the Local Government Code of Accounting Practice and Financial Reporting.
4. Council confirm that:
 - (a) The statements present fairly the Operating Result and Financial Position for the year;
 - (b) The statements accord with Council's accounting and other records; and
 - (c) Council is not aware of any matter that would render the statements false or misleading in any way.
5. The General Manager be authorised to finalise the date on which the auditor's report and financial statements are to be presented to the public.

9 ENVIRONMENT, TOURISM AND ECONOMIC DEVELOPMENT**9.1 DA2021/13 COMMUNITY FACILITY****TRIM Number:** R21/193**Author:** Manager- Town Planning

Applicant	Lachlan Shire Council
Proposal	Change of Use only from Public Administration to Community Facility
Land Details	Lots: 7, 8 & 11 Section: 1 DP: 758271, 7 Hay Street, Condobolin NSW 2877
Owners	Lachlan Shire Council
Exhibition/Notification	Neighbour Notification 18 May 2021 – 2 June 2021 (14 Days)
Number of Submissions	Nil
Zoning	RU5 Village – LLEP 2013
Total Value of Works	\$0
List of all relevant S4.15(1)(a) matters	Refer to attached assessment report
Political Donations	None disclosed
Reason for referral to Council	Council owned and consideration of parking requirements per section 3.2.5 Lachlan Development Control Plan 2018
Recommendation	Approval subject to conditions

PURPOSE

The purpose of this report is to seek Council's determination of Development Application 2021/13, which seeks approval for the Change of Use from Public Administration Building to Community Facility - at Lots: 7, 8 and 11, Section: 1, DP: 758271, 7 Hay Street, Condobolin.

SUPPORTING INFORMATION

Development Application Assessment Report

Recommended Conditions of Consent

Development Plans

BACKGROUND

The development will be located at the former government office building site which was used for soil research and other functions. The proposal is for a change of use only from Public Administration Building to community facility and includes repurposing of the previous administration building and outbuildings for a mix of community uses including but not limited to a youth centre and men's shed. Eight (8) vehicular parking spaces will be provided on site within the existing paved areas.

The application requires a consideration of parking requirements in accordance with the controls in Lachlan Development Control Plan 2018 (DCP).

Basic plans, outlining the location and size of the works, can be found in **Attachment 3** to this report.

ISSUES AND COMMENTS

Parking Controls

The community facility proposes to provide 8 parking spaces onsite to accommodate the various users. The intent for community facilities and controls from Section 3.2.5 of Lachlan Development Control Plan 2018 (LDCP) are included below:

1. “ 3.2.5 – *Community Facilities, Educational Establishments and Health Services Facilities*
- 2.
3. *The intent for community facilities, educational establishments and health services facilities is to:*
 - *encourage the development of these uses on sites close to the business areas and that are convenient to the general public, and*
 - *promote the attractiveness of the outdoor environment and provide linkages of landscaping and activities between these uses and business areas.*
- 4.
5. *Controls - parking and access*
 - *The majority of long and short-stay parking needs are to be met on site. Uses are not to be developed beyond the capacity to provide on-site parking*
 - *Temporary use of parts of the area for long-stay parking may be permitted. Some additional long-stay parking will be available off-site. Unless shared parking is justified by peak use outside working hours, then parking is to be provided on site.”*
- 6.

With regards to this there is no required numerical amount of parking per square metre or per person under this section.

All matters of the proposal considered, there is expected to be on occasion overflow out onto Hay Street due to the nature of the community facility uses including the men’s shed which has a large user group, as well as the youth centre which will have support and community staff. The site has 70 metres of direct street frontage to Hay Street, where this can predominately be accommodated without impacting on other properties within Hay Street. The uses may from time to time operate at the same time. However, it is expected that the uses will operate at different times and therefore the need for on-site parking will be accommodated through the parking spaces provided on-site.

Large user group events such as public open days should be held offsite where possible, when the expected amount of vehicles exceeds what can reasonably be provided on the street without creating traffic and disturbance issues. This will be managed through conditions which require an operational management plan to address this matter.

Overall the proposal would be in keeping with the intent of the section 3.2.5 of LDCP and is unlikely to have a detrimental impact on the street or the locality. On a merit based assessment the parking arrangements proposed are recommended to be supported in this instance.

Contamination

7. Council is required to consider whether land is contaminated prior to granting consent to the carrying out of any development on that land. Should the land be contaminated, Council must be satisfied that the land is suitable in a contaminated state for the proposed use. Given some historical activities on the site are unknown, the applicant was advised to have an investigation undertaken.

8. A preliminary site investigation (PSI) was completed by EnviroScience Solutions in August 2021 that recommended no further testing was required.

9. The report concluded as follows:

“The objectives of the Preliminary Site Investigation were to:

- *Determine whether the site is a suitable for the proposed development and continued use as a commercial property with an attached community garden.*

Based on current data the site would be suitable for the proposed development.

Given the above investigations and the data quality assessment, the investigation has met the identified objectives and it has been determined that the site does not require further investigation.”

Council has considered whether the site is contaminated through the preparation of the report. Based on the findings of the report Council can be satisfied that the site is suitable for the proposed development.

FINANCIAL AND RESOURCE IMPLICATIONS

The application has been processed by staff within existing budgets.

LEGAL IMPLICATIONS

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

RISK IMPLICATIONS

There are no risk implications to report at this time.

STAKEHOLDER CONSULTATION

The Development Application was notified to adjoining properties for a period of 14 days in accordance with the *Environmental Planning Regulation 2000* and the Lachlan Shire Community Participation Plan. This included notification letters surrounding properties. No submissions were received during this period.

OPTIONS

1. Council resolve to approve the Development Application (DA2021/13) in accordance with the recommended conditions of consent provided in **Attachment 2**.
2. Council resolve to refuse the Development Application (DA2021/13) and provide reasons for Council’s refusal.
3. Council resolve to defer the Development Application (DA2021/13), and provide reasons for the decision.

CONCLUSION

DA2021/13 seeks approval for the Change of Use from Public Administration Building to Community Facility - at Lots: 7, 8 and 11, Section: 1, DP: 758271, 7 Hay Street, Condobolin. The DA has been assessed by Council staff and is recommended for approval, subject to conditions.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

4.2 Strong Effective and Responsive Council

ATTACHMENTS

1. **Attachment 1 - Development Application Assessment Report** [↓](#)
2. **Attachment 2 - Recommended Conditions of Consent** [↓](#)
3. **Attachment 3 - Development Plans** [↓](#)

RECOMMENDATION
That

1. The Director Environment, Tourism and Economic Development Report No. R21/193 be received and noted.
2. Council approve DA2021/13 in accordance with the Recommended Conditions of Consent provided in Attachment 2.

Attachment 1 - Development Application Assessment Report
Development Application No. 2021/13 – Lot: 7, 8 & 11 Sec: 1 DP: 758270, 7 Hay Street, Condobolin

1. Background

a. Context

The development site falls within the Condobolin Township and is an original site surveyed in 1892. The site lies to the north east of the centre of town, in proximity to the railway line including grain corp silos, fronting Hay Street.

The site is zoned RU5 – Village, under *Lachlan Local Environmental Plan 2013*.

The development site is surrounded by a storage premises to the west, vacant land to the south and a number of residences to the east. The current premises comprises a public administration building of 1 storey form and a number of outbuildings with yard area.

b. Site Description

The subject site is legally described as Lot: 7, 8 & 11 Section: 1 DP: 758271 Condobolin and is known as 7 Hay Street, Condobolin, with a total area of approximately 3,038 square metres.

The site currently has a number of existing buildings and has a small amount of vegetation over the site. There is a single vehicle accesses to Hay Street. Figure 1 below outlines the site location.



Figure 1 – Site Location

c. The Proposal

The proposal is for Change of Use only from Public Administration Building to Community Facility and includes:

- Use of spaces including previous administration building and outbuildings for a mix of Community Uses including but not limited to youth centre, men’s shed, car club and common shared space.
- Eight (8) vehicular parking spaces will be provided on site within existing paved areas.
- The application does not including any building or construction works.

The site plan is shown in Figure 2 below:

Attachment 1 - Development Application Assessment Report
Development Application No. 2021/13 – Lot: 7, 8 & 11 Sec: 1 DP: 758270, 7 Hay Street, Condobolin



Figure 2 – Proposed Site Plan

Property Attributes

Property attributes detail the characteristics and any restrictions on the property.

Table 1 below outlines the property attributes of the development site.

Table 1 - Property Attributes

Attribute	Comment
Easements, restrictions or fill affected. List applicable attribute and how dealt with.	Lot: 7, 8 & 11 Section: 1 DP: 75827 The site has no identified easements or restrictions.
Ground Water	Yes – Refer to LLEP 2013 discussion below.
Indigenous Heritage	No – AHIMS search showed no items or areas within 250 metres of the site
Flood Prone under Council's mapping	No
Bushfire Prone under Council's mapping	No
Geotechnical Issues	No
Contamination	No
Council reserves – site adjoins?	No
Improvements:	U-Shaped Administration Building, 3 outbuildings and gravel parking areas with 1 main road access points.
Current Use:	Public Administration Building
Prior Determinations:	None on record
Surrounding Environment:	Predominately residential with a self-storage facility to the west.

Attachment 1 - Development Application Assessment Report
Development Application No. 2021/13 – Lot: 7, 8 & 11 Sec: 1 DP: 758270, 7 Hay Street, Condobolin

Integrated Development

The following outlines which other approvals are required which would constitute “integrated development” for the purpose of Section 4.46 of the EP&A Act.

Issue	Yes	No	Issue	Yes	No
Coal Mine Subsidence Compensation Act 2017	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Petroleum (Onshore) Act 1991	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Fisheries Management Act 1994	<input type="checkbox"/>	<input checked="" type="checkbox"/>	POEO Act 1997	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Heritage Act 1977	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Roads Act 1993	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mining Act 1992	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Rural Fires Act 1997	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NPWS Act 1974	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Water Management Act 2000	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Other Matters for Considerations

Issue	Yes	No
Is the development Designated Development (check schedule3 of EP&A Regs)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is the development Crown Development (check Division 4.6 EP&A Act)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is the development for a Concept DA (check Division 4.4 EP&A Act)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is the development Regional Development (check SRD SEPP)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is the development State Significant Development (check SRD SEPP)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is the development for an existing use (check Division 4.11 EP&A Act)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

2. Assessment

a. Planning Assessment

The consent authority is required to take into consideration the matters referred to in section 4.15 of the *Environmental Planning and Assessment Act 1979* as are of relevance to the development the subject of the application.

Relevant matters for consideration under s4.15 are:

- *State Environmental Planning Policy No. 55 – Remediation of Land;*
- *Lachlan Local Environmental Plan 2013;*
- *Lachlan Development Control Plan 2013;*
- *Lachlan Shire 7.12 Contributions Plan 2015;*
- *Lachlan Shire Community Participation Plan 2019;*
- The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality;
- The suitability of the site for the development;
- Any submissions made in accordance with the *Environmental Planning and Assessment Act & Environmental Planning and Assessment Regulation (the Regulation)*, and
- The public interest.

Attachment 1 - Development Application Assessment Report
Development Application No. 2021/13 – Lot: 7, 8 & 11 Sec: 1 DP: 758270, 7 Hay Street, Condobolin

a. Section 4.15(1)(a) The Provisions Of Any Environmental Planning Instrument

i. State Environmental Planning Policy No. 55 – Remediation of Land

The aim of SEPP 55 is to provide for the remediation of contaminated land for the purpose of reducing the risk of harm to human health or environment and requiring that any remediation work meet certain standards and notification requirements.

Clause 7 of SEPP 55 states the following:

7 Contamination and remediation to be considered in determining development application

(1) A consent authority must not consent to the carrying out of any development on land unless:

- a) it has considered whether the land is contaminated, and*
- b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
- c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

(2) Before determining an application for consent to development that would involve a change of use on any of the land specified in subclause (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.

(3) The applicant for development consent must carry out the investigation required by subclause (2) and must provide a report on it to the consent authority. The consent authority may require the applicant to carry out, and provide a report on, a detailed investigation (as referred to in the contaminated land planning guidelines) if it considers that the findings of the preliminary investigation warrant such an investigation.

(4) The land concerned is:

- a) land that is within an investigation area,*
- b) land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,*
- c) to the extent to which it is proposed to carry out development on it for residential, educational, recreational or child care purposes, or for the purposes of a hospital and:
 - i. in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and*
 - ii. on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).**

Council is required to consider whether land is contaminated prior to granting consent to the carrying out of any development on that land. Should the land be contaminated, Council must be satisfied that the land is suitable in a contaminated state for the proposed use. Given some historical activities on the site are unknown, the applicant was advised to have an investigation undertaken.

Attachment 1 - Development Application Assessment Report
Development Application No. 2021/13 – Lot: 7, 8 & 11 Sec: 1 DP: 758270, 7 Hay Street, Condobolin

A preliminary site investigation (PSI) has been completed by EnviroScience Solutions in August 2021 that recommended no further testing including a Detailed Site Investigation (DSI) was required.

The report concluded the following:

The objectives of the Preliminary Site Investigation were to:

- *Determine whether the site is a suitable for the proposed development and continued use as a commercial property with an attached community garden.*

Based on current data the site would be suitable for the proposed development.

Given the above investigations and the data quality assessment, the investigation has met the identified objectives and it has been determined that the site does not require further investigation.

Having reviewed the report, Council has considered whether the site is contaminated, and can be satisfied that the site, the subject of this application, is unlikely to be such. Council can also be satisfied that the land is suitable for the purpose for which the development is proposed to be carried out.

ii. Lachlan Local Environmental Plan (LLEP) 2013

Part 2 Permitted or prohibited development & Land Use Table

Development Characterisation	community facility means a building or place— (a) owned or controlled by a public authority or non-profit community organisation, and (b) used for the physical, social, cultural or intellectual development or welfare of the community, but does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation.
Land Use Zone	The site is identified on Land Zoning Map – Sheet LZN_10A as RU5 Village.
Zone Objectives	<ul style="list-style-type: none"> • <i>To provide for a range of land uses, services and facilities that are associated with a rural village</i>
Land Use Table - Is Proposal Permissible In Zone?	Yes - The proposed use, as community facility is listed as permitted with consent within the RU5 Zone.
Is Proposal Consistent With Zone Objectives? (Clause 2.3(2))	Under clause 2.3(2) of LLEP 2013, the consent authority must have regard to the objectives for development in the zone. The development relates to a use that is seen to fit within a wide range of uses, services and facilities for the village zone and therefore is consistent with the objective for the zone. Compliance with conditions of consent will ensure the development will have minimal adverse effects on other land surrounding permitted land uses, including residential. The development will not undermine land use objectives and is considered to be consistent with the zone objectives.

Attachment 1 - Development Application Assessment Report
Development Application No. 2021/13 – Lot: 7, 8 & 11 Sec: 1 DP: 758270, 7 Hay Street, Condobolin

Principal Development Standards (Part 4)

Part 4 Principal Development Standards		
Part 4	Local Provisions Applicable To Development And/Or Site	How Does The Development Comply (Where Applicable)

Nil

Miscellaneous Provisions (Part 5)

Part 5 Miscellaneous Provisions		
Part 5	Local Provisions Applicable To Development And/Or Site	How Does The Development Comply (Where Applicable)
Clause 5.10 – Heritage	<p>The objectives of this clause are as follows:</p> <ul style="list-style-type: none"> (a) to conserve the environmental heritage of Lachlan, (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views, (c) to conserve archaeological sites, (d) to conserve Aboriginal objects and Aboriginal places of heritage significance. 	<p>The site does not contain any listed items and is not located within proximity of any items.</p> <p>The site is also not located within a heritage conservation area.</p> <p>Consequently the proposal is satisfactory with this section including the objectives.</p> <p>A stop works condition has been recommended during works for any unexpected items that may be found during construction works.</p>
Clause 5.21 Flood Planning	<p>(1) The objectives of this clause are as follows—</p> <ul style="list-style-type: none"> (a) to minimise the flood risk to life and property associated with the use of land, (b) to allow development on land that is compatible with the flood function and behaviour on the land, taking into account projected changes as a result of climate change, (c) to avoid adverse or cumulative impacts on flood behaviour and the environment, (d) to enable the safe occupation and efficient evacuation of people in the event of a flood. 	<p>N/A - The site is not identified in the Flood Planning area.</p>

Additional Local Provisions (Part 6)

Part 6 Additional Local Provisions		
Part 6	Local Provisions Applicable To Development And/Or Site	How Does The Development Comply (Where Applicable)
Clause 6.1 Earthworks	<p>The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental</p>	<p>N/A - No earthworks proposed.</p>

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Part 6 Additional Local Provisions		
Part 6	Local Provisions Applicable To Development And/Or Site	How Does The Development Comply (Where Applicable)
	<p>functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.</p> <p>Before granting development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters—</p> <p>(a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development</p> <p>(b) the effect of the development on the likely future use or redevelopment of the land,</p> <p>(c) the quality of the fill or the soil to be excavated, or both,</p> <p>(d) the effect of the development on the existing and likely amenity of adjoining properties,</p> <p>(e) the source of any fill material and the destination of any excavated material,</p> <p>(f) the likelihood of disturbing relics,</p> <p>(g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,</p> <p>(h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</p>	
Clause 6.3 – Stormwater	<p>The objective of this clause is to minimise the impacts of urban stormwater on land to which this clause applies and on adjoining properties, native bushland and receiving waters.</p> <p>This clause applies to land in the following zones:</p> <ul style="list-style-type: none"> • <i>Zone RU5 Village</i> <p>Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development:</p> <p>a) is designed to maximise the use of water permeable surfaces on the land having regard to the soil characteristics affecting on-site infiltration of water, and</p> <p>b) includes, if practicable, on-site stormwater retention for use as an alternative supply to mains water, groundwater or river water, and</p> <p>c) avoids any significant adverse impacts of stormwater runoff on adjoining properties, native bushland and</p>	<p>There are no changes to the existing arrangements onsite.</p> <p>The proposal, subject to complying with relevant conditions.</p>

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Part 6 Additional Local Provisions		
Part 6	Local Provisions Applicable To Development And/Or Site	How Does The Development Comply (Where Applicable)
	receiving waters, or if that impact cannot be reasonably avoided, minimises and mitigates the impact.	
Clause 6.7 – Essential Services	<p>Development consent must not be granted for development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required:</p> <ul style="list-style-type: none"> a. the supply of water, b. the supply of electricity, c. the disposal and management of sewage, d. stormwater drainage or on-site conservation, e. suitable vehicular access. 	<p>Relevant referrals were sent for assessment, along with review of utilities mapping. Through this process it has been confirmed that the site is currently serviced by water, electricity, sewer as well as direct vehicular and pedestrian access services, as required by the clause.</p> <p>Servicing conditions have been applied as relevant and it is the responsibility of the owner/applicant to upgrade services to the site, at their cost, if required.</p>

b. Section 4.15 (1)(a)(ii) The provisions of any proposed instrument that is or has been the subject of public consultation under *the Act* and that has been notified to the Consent Authority

Nil

c. Section 4.15 (1)(a)(iii) The provisions of any Development Control Plan

Lachlan Shire Development Control Plan 2018 (LDCP)

The proposal has been assessed in regard to compliance with the following chapters:

DCP Provision / Objective	Assessment/Compliance
Chapter 1 – Introduction	
<p>1.3 - Land to which this plan applies</p> <p>This plan applies to all land within Lachlan Shire and subject to Lachlan LEP 2013.</p>	<p>The subject site within the Lachlan Shire and subject to the LLEP 2013.</p>

DCP Provision / Objective	Assessment/Compliance
Chapter 3 – Development	
<p>3.1 – Development on all land</p> <p>This section applies to all land within Lachlan Shire and to all streets and road frontages with the exception of:</p> <ul style="list-style-type: none"> • Lanes in settlements not exceeding 6.5 metres in width, and 	<p>The proposal is generally consistent with the aims of this section and the finer aspects will be assessed under the detailed provisions below.</p>

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DCP Provision / Objective	Assessment/Compliance
<ul style="list-style-type: none"> Land on which a building is proposed to be erected and being of a class 3, 4, 5, 6, 7 or 8 as defined in the Building Code of Australia. 	
<p>3.2 – Land uses in the settlements of Condobolin, Lake Cargelligo and Tottenham</p> <p>This section applies to land zoned RU5 Village, E4 Environmental Living and RE1 Public Recreation in the settlements of Condobolin, Lake Cargelligo and Tottenham.</p> <p>Below are development controls that apply to new development applications that relate to land to which this section applies. Specific controls apply to community facilities, educational establishments, health services facilities, and to neighbourhood shops.</p>	<p>The section is applicable as community facilities are listed.</p>
<p>3.2.5 – Community Facilities, Educational Establishments and Health Services Facilities</p> <p>The intent for community facilities, educational establishments and health services facilities is to:</p> <ul style="list-style-type: none"> encourage the development of these uses on sites close to the business areas and that are convenient to the general public, and promote the attractiveness of the outdoor environment and provide linkages of landscaping and activities between these uses and business areas. <p>Controls - number of storeys</p> <ul style="list-style-type: none"> One to two storeys <p>Controls - parking and access</p> <ul style="list-style-type: none"> The majority of long and short-stay parking needs are to be met on site. Uses are not to be developed beyond the capacity to provide on-site parking Temporary use of parts of the area for long-stay parking may be permitted. Some additional longstay parking will be available off-site. Unless shared parking is justified by peak use outside working hours, then parking is to be provided on site. 	<p>The proposed community facility with a mix of spaces and community groups is consistent with the intent of this section.</p> <p>No building works are proposed and the existing building is one storey.</p> <p>With regards to the parking controls under this section, the amount of parking proposed to be provided onsite is 8 spaces. These 8 spaces will be shared between the mix of community facility users on-site.</p> <p>There is no required amount of parking per square metre or per person under this section, which doesn't assist in determining exactly how many spaces should be required.</p> <p>All matters considered, there is expected to be on occasion overflow out onto Hay Street, due to the nature of the community facility uses. This includes men's shed and other community groups which have large user groups as well as the youth centre which will have support and community staff.</p>

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DCP Provision / Objective	Assessment/Compliance
	<p>The site has 70m of street frontage to Hay Street where additional parking can predominately be accommodated without impacting on other properties with street frontage.</p> <p>Large user group public events such as open days should be held offsite where possible, when the expected amount of vehicles exceeds what can reasonably be provided on the street without creating traffic issues. This will be managed through conditions which require an ongoing operational management plan.</p> <p>Overall the proposal would be in keeping with the intent of the section 3.2.5 of LDCP and is unlikely have a detrimental impact on the street, locality or any other relevant consideration and on a merit based assessment the parking arrangements are supported.</p>

d. Section 4.15 (1)(a)(iiia) The provisions of any Planning Agreement

The subject site does not have a Planning Agreement.

e. Section 4.15 (1)(a)(iv) The provisions of the Regulations

The *Environmental Planning & Assessment Regulation 2000* prescribes certain development consent conditions that form part of the development consent conditions imposed.

- **AS 2601** Australian Standard AS 2601—1991: *The Demolition of Structures* Demolition does not form part of this application.
- **BCA** The development is capable of complying with the *Building Code of Australia* and relevant Australian Standards.

f. Section 4.15 (1)(b) The Likely Impacts Of The Development

The proposal has the potential to result in adverse impacts however those impacts are capable of being mitigated by conditions of consent (e.g. traffic, parking, management of facility and social impacts) or can be considered to result in minimal impact within reasonable/acceptable limits. There are no adverse social and economic impacts associated with the proposal.

Parking, Access, Transport and Traffic

The site contains a single vehicle access from Hay Street which will be retained.

With respect to the parking controls of the Lachlan Development Control Plan 2018, the amount of parking provided onsite being 8 spaces. The site has 70m of street frontage to Hay Street where the occasional overflow will be accommodated without detrimentally impacting on other properties with street frontage.

Large user group public events such as open days should be held offsite where possible, when the expected amount of vehicles exceeds what can reasonably be provided on the street without creating traffic issues in the public street. This will be managed through conditions which require an ongoing operational management plan.

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Overall this is unlikely have a detrimental impact on the street, locality or any other relevant consideration

Social Impacts

The development is considered to have a positive social impact by providing additional areas for community groups and organisations, as well as increasing availability of community spaces in the area to support its future social viability.

g. Section 4.15 (1)(c) The suitability of the site for the development

The subject development site is suitable for the development. There are no physical impediments to the proposal that cannot be overcome by the imposition of suitable development conditions. The land is appropriately zoned to accommodate the proposed community facility development.

h. Section 4.15 (1)(d) Any submissions

This application was notified for a period of 14 days in accordance with the requirements of the Lachlan Community Participation Plan between 18 May 2021 - 2 May 2021. This included notification letters being sent to adjoining neighbors. No submissions were made during this period.

i. Section 4.15 (1)(e) The public interest

The proposal will provide an important social development, on a site where the previous operation has become redundant, in the village zone of the local government area. The proposed development is generally consistent with the relevant statutory requirements and planning objectives.

The application is not expected to have any unreasonable impacts on the environment or the amenity of the locality, with operational matters controlled by conditions. It is considered appropriate with consideration to the zoning and the character of the area and is therefore considered to be in the public interest.

Accordingly, development consent of this proposal will not undermine the public interest subject to appropriate conditions being imposed on any development consent.

3. Consultations

a. Council Referrals

The application was referred to a number of Council internal and external agencies. Where required, conditions have been recommended and imposed by the technical assessments.

No external agencies comments were required.

b. Political Donations Disclosure

Under Section 10.4(4) of the *Environmental Planning and Assessment Act, 1979* (the Act), a person who makes a relevant planning application to Council is required to disclose any reportable political donations and gifts made by any person with a financial interest in the application within the period commencing two years before the application is made and ending when the application is determined, including:

Attachment 1 - Development Application Assessment Report
Development Application No. 2021/13 – Lot: 7, 8 & 11 Sec: 1 DP: 758270, 7 Hay Street, Condobolin

- a. all reportable political donations made to any Councillor of this Council
- b. all gifts made to any Councillor or employee of this Council.

Note: Section 10.4(1) of the Act states 'political donations or gifts are not relevant to the determination of any such planning application and the making of political donations or gifts does not provide grounds for challenging the determination on any such planning application'.

The Disclosure Statement received by Council indicates that no reportable donations or gifts have been made.

4. Other Matters for Consideration

a. Biodiversity Conservation Act

The subject site is void of any sensitive vegetation and is not located on the Biodiversity Values Map. The site is also not known to have any threatened species or ecological communities. A Biodiversity Development Assessment Report (BDAR) is not required for these reasons.

b. Lachlan Shire 7.12 Contributions Plan 2015

The Lachlan Shire Council Section 7.12 Contribution Plan 2015 is not applicable to this application as the cost is not greater than 200,000.

5. Conclusion

The proposal has appropriately addressed the provisions of Lachlan Local Environmental Plan (LLEP 2013). The proposal is also consistent with the applicable provisions of the relevant state policies.

With respect to the parking controls per section 3.2.5 of the Lachlan Development Control Plan 2018, the amount of parking provided onsite being 8 spaces. There is expected to be on occasion overflow out onto Hay Street, which is unlikely to be detrimental to the locality or any other relevant consideration and further on a merit based assessment is supported.

In conclusion, the proposal is permitted with consent, is consistent with the objectives of the zone and where necessary conditions have been recommended such as to offset any adverse impacts.

Based on the assessment above, where there are no outstanding issues, it is recommended that DA No. 2021/13 be approved.

6. Recommendation

That Council approve DA No. 2021/13, for the Change of Use from Public Administration Building to Community Facility - at Lot: 7, 8 & 11 Section: 1 DP: 758271, 7 Hay Street, Condobolin, subject to the recommended conditions of consent in **Attachment 2**.

END OF REPORT

Attachment 2 – Recommended Conditions of Consent
Development Application No. 2021/13 – Lot: 7, 8 & 11 Sec: 1 DP: 758270, 7 Hay Street, Condobolin

Attachment 2 – Recommended Conditions of Consent

ADMINISTRATIVE CONDITIONS

1. Prescribed Conditions

This development consent is subject to the prescribed conditions made under the *Environmental Planning & Assessment Regulation 2000*.

2. Development in Accordance with Plans and Documents

The development must be in accordance with the following approved Development Application plans and documents as endorsed by Council's stamp. Where there is an inconsistency between the approved plans/documentation and conditions of consent, the conditions of consent take precedence to the extent of the inconsistency.

3. Use Only – Community Facility

This approval is for use as Community Facility only and does not consent to any building or plumbing works. Separate approval is required for any building or plumbing work that is not otherwise undertaken as exempt or complying development.

PRIOR TO USE

4. Operational Plan of Management

Prior to use, the applicant must submit an Operational Plan of Management. The Operational Plan of Management must be approved by Council prior to Use.

Matters to be addressed in the plan of management include (but are not limited to):

- a. Hours of operation. The community facility must be limited to operation to between 7:00am – 9:00pm on any day. In this regard detailed information on how access to and from the site will be appropriately managed including all measures.
- b. Management of the multiple user spaces onsite, including a schedule of times at which each user group can use the facility and identification of which vehicle parking spaces may be used by each user group.
- c. Large user group public events are to be held offsite, when the expected amount of vehicles exceeds what can reasonably be managed on site and on Hay Street without creating traffic issues and disturbances.
- d. Noise emissions generated from the use to satisfy criteria set out in the EPA's *Noise Policy for Industry (2017)* and *Protection of the Environmental Operations Act 1997*.
- e. Maintenance regime – ongoing maintenance of premises to ensure it remains in satisfactory operational condition at all times.
- f. Waste collection and disposal.
- g. Reference to the Development Application number and approved plans.
- h. A record of how to deal with any noise complaints and the keeping of a complaints register.

5. Utility Arrangements

Arrangements are to be made with utility authorities in respect to the services supplied by those authorities to the development. The cost associated with the provision or adjustment of services within the road and footway areas is to be at the developer's expense.

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6. Building - Fire Safety Certificate before Use

In accordance with Clause 153 of the *Environmental Planning and Assessment Regulation 2000*, prior use, the owner must cause the issue of a Final Fire Safety Certificate in accordance with Clause 170 of the aforesaid Regulation. The Fire Safety Certificate must be in the form or to the effect of Clause 174 of the *Environmental Planning and Assessment Regulation, 2000*. In addition, in relation to each essential fire or other safety measure implemented in the building or on the land on which the building is situated, such a Certificate is to state:

- a. That the measure has been assessed by a person (chosen by the owner of the building) who is properly qualified to do so.
- b. That as at the date of the assessment the measure was found to be capable of functioning at a standard not less than that required by the attached Schedule.
- c. A copy of the certificate is to be given (by the owner) to the Commissioner of Fire & Rescue NSW and a further copy is to be displayed in a frame and fixed to a wall inside the buildings main entrance.

7. Vehicle Parking Spaces

Prior to the use of the site, all parking spaces are to be provided and completed in accordance with the approved Development Application Plans and to Council's satisfaction. All eight (8) vehicle parking spaces are to be line marked in accordance with the applicable Australian Standard.

DURING USE**8. Fire Safety**

The owner must submit to Council and the NSW Fire Brigade an Annual Fire Safety Statement, each 12 months, commencing within 12 months after the date on which the initial Interim/Final Fire Safety Certificate is issued or the use commencing, whichever is earlier.

9. Operational Plan of Management

The Operational Plan of Management (OPM) is to remain in place for the perpetuity of the consent.

10. Offensive Noise

The use and occupation of the premises including all plant and equipment shall not give rise to any 'offensive noise' as defined under the Protection of the Environment Operations Act 1997 and shall comply with the Noise Policy for Industry (2017) (as amended).

11. Amenity - General

The development is to be conducted in a manner that will not interfere with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil, by causing interference to television or radio reception or otherwise.

12. Loading and Unloading

All loading and unloading operations shall be carried out wholly within the confines of the site. No unloading/loading is permitted to be undertaken within the footpath or roadway unless approved in writing by Council.

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13. Contamination – Unexpected Finds Protocol

Should any contamination or suspect material be encountered during use operations must cease immediately, and a suitably qualified consultant engaged to conduct a thorough contamination assessment and provide recommended management actions to guide the management of any contamination onsite. Council must be notified if this protocol is required to be enacted.

14. Cultural Heritage Stop Work Protocol

A stop work protocol must be implemented for any potential heritage items found during use including ceasing activities immediately if any Aboriginal objects are found/uncovered, secure the site and inform Office of Environment and Heritage and Lachlan Shire Council immediately.

15. Outdoor Lighting

Outdoor lighting must comply with AS 4282-1997: Control of the obtrusive effects of outdoor lighting. The maximum luminous intensity from each luminaire must not exceed the Level 1 control relevant under Table 2.2 of AS 4282. The maximum illuminance and the threshold limits must be in accordance with Table 2.1 of AS 4282.

Prescribed conditions under the Environmental Planning and Assessment Regulation 2000

This development consent is subject to the prescribed conditions made under the *Environmental Planning & Assessment Regulation 2000*.

Compliance with Building Code of Australia

1. A development consent for development that involves any building work must be issued subject to the following conditions:

- (a) that the work must be carried out in accordance with the requirements of the *Building Code of Australia*, in force on the date of the application.

Note: In this condition, a reference to the *Building Code of Australia* is a reference to that Code as in force on the date the application for the relevant complying development certificate is made.

Erection of signs

2. A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:

- (a) showing the name, address and telephone number of the principal certifying authority for the work, and
- (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- (c) stating that unauthorised entry to the site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

Note: This condition does not apply in relation to building work, subdivision work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.

Note: This condition does not apply in relation to Crown building work that is certified, in accordance with section 109R of the Act, to comply with the technical provisions of the State's building laws.

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Note: This condition applies to a complying development certificate issued before 1 July 2004 only if the building work, subdivision work or demolition work involved had not been commenced by that date.

Note: Principal certifying authorities and principal contractors must also ensure that signs required by this clause are erected and maintained (see clause 227A which currently imposes a maximum penalty of \$1,100).

Condition relating to shoring and adequacy of adjoining property

3. Where development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the certificate must at the person's own expense:
 - (a) protect and support the adjoining premises from possible damage from the excavation, and
 - (b) where necessary, underpin the adjoining premises to prevent any such damage.

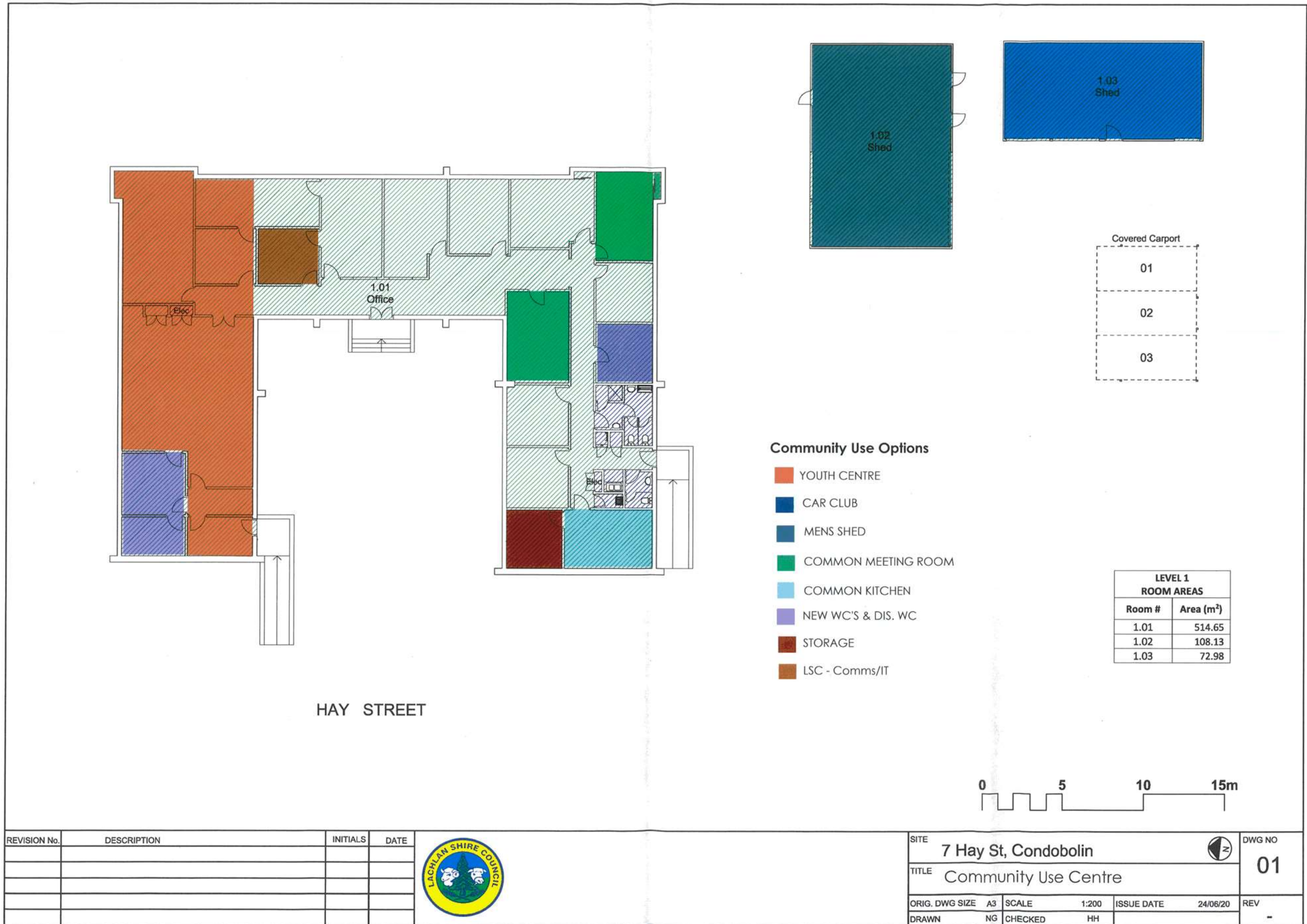
Note: This condition does not apply if the person having the benefit of the complying development certificate owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.



Existing Landscaping



Carparking Spaces



REVISION No.	DESCRIPTION	INITIALS	DATE



SITE 7 Hay St, Condobolin			DWG NO 01
TITLE Community Use Centre			
ORIG. DWG SIZE A3	SCALE 1:200	ISSUE DATE 24/06/20	REV -
DRAWN NG	CHECKED HH		

9.2 PARTNERSHIP AGREEMENT - SERVICE NSW

TRIM Number: R21/213

Author: Economic Development & Tourism Officer

PURPOSE

The purpose of this report is to seek Council's endorsement to enter into an agreement with Service NSW.

SUPPORTING INFORMATION

Partnership Agreement prepared by Service NSW

BACKGROUND

Service NSW for Business provides free, personalised support to small business owners, to help them understand industry regulations, to guide them through transactions, and to access support.

Council currently has an agreement in place with Service NSW (under the "Easy to do Business" brand in 2018) to promote and provide access to NSW Government information and services to better assist business owners and to support the local economy.

A new Partnership Agreement has been developed to provide consistency across all councils, reflect the broader focus of Service NSW for Business and to provide the opportunity for Council to engage with all services across Service NSW now and into the future.

ISSUES AND COMMENTS

The new Partnership Agreement includes further detail and clarity about the roles and responsibilities of all agencies in relation to the collection, storage and security of personal information.

The intention of the Partnership Agreement is to build awareness of specialist advice services available from Service NSW and to ensure Council staff can direct enquiries to these services and provide applicants with the skills to be better informed prior to lodging any applications.

The services provided, by Service NSW to business owners, includes:

- Business concierges - offering over-the-phone, email and face-to-face support and case management.
- An online business profile to make it faster and easier for business owners to transact with the NSW Government.
- Guidance and support for small business owners impacted by natural disasters or emerging issues to access a range of Government stimulus, support and information.
- Online business information hubs including how-to-guides to help business owners understand the key tasks and the support available when starting and running a business in NSW.

Council now has to consider whether to continue the partnership with Service NSW and to sign the new partnership agreement.

FINANCIAL AND RESOURCE IMPLICATIONS

This programme is at no cost to Lachlan Shire Council to participate. Support material, training and advice is provided by Service NSW for Business at no cost. Implementation of the programme should lead to reduced processing times and costs relating to applications to Council.

LEGAL IMPLICATIONS

No legal implication to report at this time. Council would still undertake all assessments as per appropriate legislation.

RISK IMPLICATIONS

If Council does not support this initiative, there is a risk that the local business community and potential business investors will lose confidence that Council is supportive of small business and is not actively trying to reduce the costs associated with small business start-ups.

STAKEHOLDER CONSULTATION

Nil

OPTIONS

1. Enter into the new agreement and provide delegated authority to the General Manager to sign the agreement with Service NSW;
2. Decide not to enter into an agreement with Service NSW.

CONCLUSION

Council is already a partner with Service NSW under the 'Easy to do Business' Program. Council now needs to decide whether to enter into a new partnership agreement with Service NSW under the 'Service NSW for business' branding.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

CSP No. 2.2 A diverse range of employment opportunities

CSP No. 2.3 Encourage Business Activity

ATTACHMENTS

1. **Partnership Agreement with Service NSW** [↓](#)

RECOMMENDATION

That:

1. The Director of Environment, Tourism and Economic Development Report No. R21/213 be received and noted.
2. Council delegates authority to the General Manager to sign the partnership agreement with Service NSW.



PARTNERSHIP AGREEMENT

Between **Service NSW** (ABN 37 552 837 401) and the **Lachlan Shire Council** (the '**Council**)
(the '**Parties**')

Last Updated: 27 July 2021

1. Purpose

1.1. The purpose of this Agreement is to:

- A. Provide the services of Service NSW for Business, which is a division of Service NSW with a mandate of being the one front door for businesses in NSW to access government information and services.
- B. Provide the framework within which Services will be delivered;
- C. Document the responsibilities of Service NSW and the Council on the provision of Services;
- D. Provide mechanisms to manage the relationship between the Parties;
- E. Promote a collaborative approach to working together in a timely and effective manner and to act in good faith.

This Agreement is not legally binding.

2. Background

- 1) Service NSW is a Division of the Government Service established under the Service Act. The functions of Service NSW include the exercise of customer service functions, within the meaning of the Service Act; other functions conferred by statute; and other functions relating to the delivery of Government services, as directed by the Minister responsible for Service NSW.
- 2) Section 7 of the Service Act makes provision for customer service functions to be delegated by other NSW Government agencies to the Chief Executive Officer ('**CEO**').
- 3) The functions of the CEO are exercised by the staff of Service NSW.
- 4) Section 8 of the Service Act enables the CEO to enter into Agreements with local government agencies for the exercise of a non-statutory customer service function of the agency; or with respect to the exercise of a customer service function delegated to the CEO.
- 5) Subsection 8(4) of the Service Act provides that an Agreement with a council, a county council or a joint organisation within the meaning of the *Local Government Act 1993* must be approved by a resolution of the council, county council or joint organisation, must be approved before it is entered into.
- 6) Service NSW partners with the Council to promote and deliver the services of Service NSW for Business to businesses across NSW.

29/3/21

7) the purpose of this collaboration is to ensure awareness and access to Government services to all businesses in NSW.

8) the Services of Service NSW for Business are free for the Council and for customers.

9) The PPIP Act and the HRIP Act set out information handling principles that apply to public sector agencies (as defined in section 3 of the PPIP Act). As public sector agencies, the parties must not do anything, or engage in any practice, that contravenes a privacy principle that applies to them.

10) Section 14 of the Service Act makes provision for the disclosure and use of information, including personal information, for the purposes of the exercise of customer service functions by the CEO. Section 14 has effect despite the provisions of any other Act, including the PPIP Act and the HRIP Act.

11) Section 15 of the Service Act makes provision for the collection of personal information for the purposes of the PPIP Act and the HRIP Act, by Service NSW.

12) Section 16 of the Service Act enables an Agreement made under the Service Act, or a delegation of a customer service function by an agency to the CEO, to provide for the exercise by Service NSW of functions relating to access to information under the Government Information (Public Access) Act 2009 and functions relating to the State Records Act 1998, in connection with the functions of the council concerned. The responsibilities of Agencies under the *State Records Act 1998* include making and keeping full and accurate records of their office.

13) The Parties have agreed to enter into an Agreement under section 8 of the Service Act, incorporating the terms on this Agreement..

3. Guiding Principles

3.1. The Parties will:

- A. Work collaboratively and in good faith in a timely and effective manner, with open communication to achieve shared objectives;
- B. Facilitate a partnership relationship that promotes and achieves continuous improvement and accountability;
- C. Ensure that each of its Personnel complies with this Agreement and all applicable laws and policies relating to the Services, including the *Work Health and Safety Act 2011*;
- D. Comply with the agreed timelines for meeting obligations to ensure efficient and effective delivery of Services;
- E. Work together to identify and manage shared risks;
- F. Work together to prioritise initiatives and enhancements, particularly where there are limitations on time and resources; and
- G. Work together to respond to the media, advise Ministers, and consult each other when developing communications that impact on Services.

4. Roles and Responsibilities

4.1. Service NSW will:

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- A. Provide the Services in accordance with the terms of this Agreement, subject to any Change Request;
- B. Exercise the required standard of skill, care and diligence in its performance of the Services and ensure that its Personnel have appropriate qualifications and skills to provide the Services;
- C. Take responsibility for the management of records it creates or holds as a result of the exercise of a customer service function, where required; and
- D. Take responsibility for performing necessary maintenance of its systems and data managing the impact on customers from Service NSW system outages and working in conjunction with the Council.

4.2. The Council will:

- A. Provide Service NSW with all information, inputs, resources and subject matter expertise in a timely manner as required to enable Service NSW to provide the Services as set out in the Agreement;
- B. Take responsibility for the management of records it receives or holds following the exercise of a customer service function by Service NSW.

4.3. The Parties undertake to maintain open channels of communication by:

- A. Making available Personnel, data, reports and computer systems for the purposes of resolving customer issues;
- B. Appointing a Relationship Manager with responsibility for managing the contractual and operational aspects of the Services. The Relationship Manager may be varied.

5. Services

A. Service NSW will:

- (i) provide the relevant information and contacts to Council to ensure its local businesses are aware and can access the Service NSW for Business services
- (ii) provide a single point of contact for Council to ensure it can access Service NSW for Business services.

B. the Council will:

- (i) refer eligible customers to the Program;
- (ii) provide guidance to Service NSW staff to assist in responding to inquiries;
- (iii) inform customers and Service NSW of the outcome of relevant applications in line with privacy requirements
- (iv) provide updates on changes to local government policies, guidelines or other matters which may affect the Program;
- (v) identify local opportunities to inform customers of the program;
- (vi) provide Service NSW with feedback on the effectiveness and performance of the Program.

6. Liability

- 6.1. To the full extent permitted by law, neither Council or Service NSW will be liable to the customer for the customer's actions or responsible for any liability, loss or cost suffered directly or indirectly by the business in connection with the Service NSW for Business service.

7. Data and Data Security

- 7.1. Each party retains ownership of its Data.
- 7.2. Except as required by law, neither party must, and must ensure that its Personnel will not:
 - A. use the Data belonging to the other party for any purpose other than the performance of its obligations under this Agreement; or
 - B. sell, commercially exploit, let for hire, assign rights in or otherwise dispose of any Data. or
 - C. Make the other party's Data available to a third party including another government agency or body, other than an approved Subcontractor, and only to the extent required under this Agreement.
- 7.3 Each party must establish and maintain safeguards against the destruction, loss or alteration of either party's Data in the possession or control of that party which are is consistent with and no less rigorous than those maintained by either party to secure its own data; and comply with all applicable laws and policies.
- 7.4 In particular, the Parties will ensure the secure transmission and storage of data, at standards no less than those recommended by Cyber Security NSW.

8. Confidential Information

- 8.1. The Parties must, in respect of any Confidential Information:
 - A. Keep the Confidential Information confidential and not disclose that information to any person without the prior written consent of the disclosing party, other than to its Personnel, professional advisors or contractors requiring access to the Confidential Information in connection with providing the Services;
 - B. Use the Confidential Information solely for the purpose of carrying out its obligations;
 - C. Not permit the Confidential Information to be reproduced except to the extent reasonably required to carry out its obligations;
 - D. Not do anything that would cause the disclosing party or its Personnel to breach their obligations under Privacy Law; and
 - E. Notify the other party as soon as possible upon becoming aware of any breach of this clause.

9. Privacy

- 9.1 Each party and its Personnel must:
 - A. Comply with Privacy Laws; and
 - B. Do all that is reasonably necessary to enable the other party to comply with Privacy Laws, including the development of documentation to demonstrate compliance with Privacy Laws, as agreed between the parties;
- 9.2. In particular, Service NSW acknowledges that:
 - A. The collection of personal or health information will take place in compliance with the Privacy Laws, as modified by section 15 of the Service Act; and

- B. the use, disclosure, storage and retention of such information will be in accordance with the Privacy Laws, and in accordance with applicable policies.

Schedule 3 documents the respective responsibilities of Service NSW and the Council in relation to the collection, storage, use, retention and disclosure of personal information.

- 9.4 Personal and health Information collected, used, disclosed or retained between the parties will be managed and retained by the parties in accordance with the *State Records Act 1998* (NSW) and all other applicable laws, including Privacy Laws.
- 9.5 Once either of the Parties has reasonable grounds to believe there has been unauthorised access to, unauthorised disclosure of, or a loss of Personal or Health Information, dealt with in connection with this Agreement (**'Data Incident'**):
- A. The party must immediately (but in any event, no later than 72 hours of becoming aware of the Data Incident) notify the other party of that contravention together with all relevant information relating to the contravention;
 - B. Consult with the other party as to which party should have primary responsibility for investigating and dealing with the breach or possible breach;
 - C. Consider, having regard to the scope of the Data Incident and the nature of the personal or health information involved, together with any other relevant factors, whether the Data Incident is serious.
 - D. The party with primary responsibility for the breach must notify the Privacy Commissioner as soon as practicable that a serious Data Incident has occurred; and
 - E. The parties must co-operate and collaborate in relation to assessment and investigation of the Data Incident, and action required to prevent future Data Incidents.
- 9.6 If either of the Parties receives a complaint or request for an internal review of conduct in relation to a breach or alleged breach of a Privacy Law, including under section 53 of the PPIP Act, (a **'Complaint'**), the following will apply:
- A. It is the responsibility of the party that receives the Complaint to perform a preliminary investigation to determine the party responsible for the conduct;
 - B. If responsibility lies wholly with the party that received the Complaint, then that party is responsible for responding to the complaint or conducting the internal review of conduct;
 - C. If, after performing the investigation, the relevant party reasonably considers that the Complaint should be transferred to the other party, it will (after obtaining the consent of the customer) promptly transfer the Complaint and any further information obtained by the party from its preliminary investigation, to the other party, no later than 20 days after receipt of the original Complaint;
 - D. If the Complaint relates jointly to the conduct of both parties, then the party that received the Complaint will (after obtaining the consent of the Customer) notify the other party no later than 20 days after its receipt of the original Complaint and provide any further information obtained by that party from its preliminary investigation. The parties will then work together to coordinate a joint response from the parties within 60 days of receipt of the Complaint. This response may include an internal review of conduct.

10. Intellectual Property

- 10.1 Each party will retain the Intellectual Property Rights in its Existing Material.
- 10.2 Each party agrees to grant to the other party a non-exclusive and royalty free licence to use, sublicense, adapt, or reproduce:
 - A. Their Existing Material; and
 - B. All methodologies, processes, techniques, ideas, concepts and know-how embodied in their Existing Material,
 - C. To the extent their Existing Material is required for use by the other party, solely in connection with provision of the Services.
- 10.3 Each party represents and warrants to the other party that it has all required rights and consents for its Existing Material to be used for the Services.
- 10.4 Intellectual Property Rights in all New Contract Material will vest in the Council.
- 10.5 The Council grants a perpetual, worldwide, irrevocable and royalty free licence to the Intellectual Property Rights in all New Contract Material to Service NSW for the purpose of performing the Services.
- 10.6 Subject to clauses 10.1 and 10.4, Service NSW will own all Intellectual Property Rights in the provision of the Services, including any solution and service design.

11. Performance Management and Continuous Improvement

- 11.1 Service NSW for Business does not require any provisions in relation to performance management
- 11.2 Service NSW for Business will work collaboratively with Council to ensure continuous improvement of its services to Council.
- 11.3 Any future extension of this Agreement by Service NSW with Council will specify the relevant performance management and continuous improvement provisions required.

12. Reporting

- 12.1 Service NSW for Business does not require any reporting arrangements
- 12.2 Any future arrangements that require reporting will be outlined in a Schedule to this Agreement.

13. Change Management

- 13.1 Each party will comply with the Change Management Process set out in Schedule 4.
- 13.2 The parties agree to complete a Change Request in the form set out in Schedule 4 to add to or vary the Services.

14. Governance

- 14.1 The parties agree to comply with the Governance Framework.

15. Business Continuity and Disaster Recovery

- 15.1 Each party will maintain Business Continuity and Disaster Recovery Plan arrangements to ensure that each party is able to continue to perform its obligations under this Agreement, or where performance is not possible, resume performance as soon as reasonably practicable in the event of a Disaster.

16. Dispute Resolution

- 16.1 In the event of a dispute between the parties, a party will:
- Raise the dispute with the other party's Relationship Manager and use best efforts to resolve the dispute;
 - If the dispute is not resolved within a reasonable period, the Chief Executive of the Council or their delegate will meet with the Chief Executive Officer of Service NSW (or their delegate) with a view to resolving the dispute.
 - If the dispute is not resolved under clauses 16.1(b) within a reasonable period, attempt to resolve any dispute in accordance with the Premier's Memorandum M1997-26.
- 16.2 Despite the existence of a dispute, each party must continue to perform its obligations.

17. Termination

- 17.1 Either party may terminate this Agreement in whole or in part by giving the other party 90 days written notice or as otherwise agreed.
- 17.2 On notice of termination or where Service NSW is otherwise required to cease to perform some or all of the Program, the parties will work together in good faith to finalise and agree a transition out plan to facilitate smooth and orderly transition of the relevant Program to the Council or the Council's nominated third party. Where the parties cannot agree, the dispute resolution provisions in clause 16 will apply.
- 17.3 Upon termination, each party agrees to return all Data and property belonging to the other party within 30 days of the termination date and comply with the transition out plan agreed under clause 17.2.

18. Miscellaneous

- 18.1 Entire Agreement

This Agreement supersedes all previous Agreements, understandings, negotiations, representations and warranties and embodies the entire Agreement between the Parties about its subject matter.

- 18.2 Survival

The following clauses survive termination or expiry of the Agreement: Clauses 4, 6, 7, 8, 9, 10, 14, 15, 16, 17, 18, 19 and any other clause which by its nature is intended to survive termination or expiry of the Agreement.

18.3 Notices

A notice under this Agreement must be in writing and delivered to the address or email address of the recipient party.

18.4 Variation

All variations to this Agreement and all consents, approvals and waivers made under this Agreement must be evidenced in writing and variations signed by both parties.

18.5 Waiver

If a party does not exercise (or delays in exercising) any of its rights, that failure or delay does not operate as a waiver of those rights.

10.6. Applicable law

The Agreement is governed by, and is to be construed in accordance with, the laws in force in NSW.

18.7 Counterparts

The Agreement may consist of a number of counterparts and if so, the counterparts taken together constitute one and the same instrument.

19. Execution

Lachlan Shire Council has reviewed and accepts this Agreement

Signed for and on behalf of Lachlan Shire Council by its authorised signatory	Signed for and on behalf of Service NSW by its authorised signatory
Name:	Name:
Title:	Title:
Date:	Date:
Signature:	Signature:
Witness:	Witness:
Signature:	Signature:

Schedules

Schedule 1 - Definitions

In these Partnership Agreement, except where a contrary intention appears:

Business Continuity and Disaster Recovery Plan means a business continuity and disaster recovery plan which documents the back-up and response actions each of the parties will take to continue its obligations if a Disaster occurs;

Change Request means the request for a change to the scope of Services in the form set out in Schedule 4;

Commencement Date means the date of start of this Agreement.

Confidential Information of a party means any written or oral information of a technical, business or financial nature disclosed to the other party, including its employees or agents, by the disclosing Party (whether orally or in writing) whether before or after the Commencement Date, that:

- A. is by its nature confidential; or
- B. is designated as confidential; or
- C. the other party knows or ought to know is confidential,
- D. but does not include information which:
 - a. is or becomes public knowledge other than by breach of this Agreement; or
 - b. is in the lawful possession of the Party without restriction in relation to disclosure before the date of receipt of the information; or
 - c. is required to be disclosed by Law, government policy or legal process.

Contact Centre has the meaning set out in Schedule 2;

Continuous Improvement Principles have the meaning set out in Schedule 2;

Continuous Improvement Process has the meaning set out in Schedule 2;

Data means the data of each party and all data and information relating to their operations, Personnel, assets, customers and systems in whatever form that may exist, including Confidential Information;

Disaster means an event that causes, or is likely to cause, a material adverse effect on the provision of the Services that cannot be managed within the context of normal operating procedures including interruption, destruction or other loss of operational capacity;

Existing Material means any material that is developed prior to entering into a Partnership Agreement, or developed independently of a Partnership Agreement, and includes any enhancements and modifications to its Existing Material created as part of a Partnership Agreement;

HRIP Act means the *Health Records and Information Privacy Act 2002* (NSW);

Instrument of Delegation means the instruments of delegation (including its terms and conditions) made by the Council in relation to the Delegated Functions.

Intellectual Property Rights includes patent, knowhow, copyright, moral right, design, semi-conductor, or circuit layout rights, trademark, trade, business or company names or other proprietary rights and any rights to registration of such rights, whether created before or after the Commencement Date, in Australia or elsewhere;

Middle Office has the meaning set out in Schedule 2;

Moral Rights means the right of integrity of authorship and the right not to have authorship falsely attributed, as confined by the *Copyright Act 1968* (Cth) and the rights of similar nature anywhere in the world, whether in existence before or after the Commencement Date;

New Contract Material means new data created, other than the solution or service design;

Partnership Agreement means these terms and conditions and includes Schedules 1, 2, 3 and 4.

Personal Information has the meaning given to it in the Privacy Laws, as amended from time to time;

Personnel means the person or persons employed or otherwise contracted by either party under this Agreement, as the context requires;

PPIP Act means the *Privacy and Personal Information Protection Act 1998* (NSW);

Privacy Law means any law that applies to either or both of the parties which affect privacy or any personal information or any health information (including its collection, storage, use or processing) including:

- A. the PPIP Act; and
- B. the HRIP Act.

Program means the Easy to do Business program;

Quarterly Forecast has the meaning set out in Schedule 2;

Relationship Manager means the nominated relationship managers of either party, as set out in the Service Agreement, or as otherwise nominated by a party from time to time;

Service Act means the *Service NSW (One-stop Access to Government Services) Act 2013* (NSW);

Service Centre has the meaning set out in Schedule 2;

Service NSW Standard Operating Conditions means the standard operating conditions met by Service NSW in the usual course of its performance of the Services set out in Schedule 2;

Subcontractor means a third party to which Service NSW has subcontracted the performance or supply of any Services;

Schedule 2

1. Service NSW Standard Operating Conditions

In addition to the Partnership Agreement this section covers the standard omnichannel service inclusions.

1.1. Service Centre

Similar services as those available at Service Centres may be offered through Mobile Service Centres. The Mobile Service Centre timetable is published regularly on the Service NSW website.

Inclusion	Description
Concierge and digital assisted services	A Service NSW Concierge will greet and direct customers to the appropriate channel and dispense a ticket where applicable. If the transaction can be completed online, a Digital Service Representative will assist the customer to complete the transaction
Customer sentiment surveys	Before leaving the centre, customers will be offered the option of leaving feedback via a digital terminal

1.2. Contact Centre

Similar services (to that of phone-based) may be offered through a web chat feature accessible via the Service NSW website.

Inclusion	Description
Virtual hold call back system	During high volume periods, customers will be offered the option of leaving their details with an Interactive Voice Response (IVR) auto attendant. Customers can hang up while holding their place in the queue. Their call will be returned by the next available operator
Inbound number	Service NSW will answer all inbound enquiries on 13 77 88 as 'Service NSW'
Call coding	A Customer Service Representative will record the customer's reason for calls and the outcome
Customer sentiment surveys	Once the call is complete, customers will be offered the option of leaving feedback via an automated IVR system

1.3. Middle Office

Inclusion	Description
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Enquiry triage	Service NSW will triage enquiries received to info@service.nsw.gov.au or via Service NSW website 'Contact Us' page and <ul style="list-style-type: none"> - Resolve these enquiries or; - Refer it to the appropriate business area at the Council
Enquiry coding	A Customer Service Representative will record the customer's reason for enquiring and the outcome

1.4. Service NSW Website and Mobile App

Inclusion	Description
Scheduled maintenance and planned outages	Service NSW will conduct regularly scheduled maintenance of the website and mobile app. 10 business days of notice will be provided regarding outages from planned and scheduled maintenance Maintenance activities with negligible impact or outage, such as enhancements to optimise for cybersecurity or performance, may occur without notification to the Council

1.5. Service NSW for Business

Service NSW for Business provides a multi-channel service including digital, phone and face-to-face services for metro and regional businesses in NSW and develops relationships with councils and business associations to promote the offering to local businesses.

Inclusion	Description
Relationship management	Business Customer Service staff initiate and maintain relationships with councils and business associations to promote awareness and use of the service offering by such stakeholders and their local business community. It may include, but is not limited to, information sharing, regular liaison at events and stakeholder premises and issue of surveys.
Scheduled Maintenance and Planned Outages	Digital products controlled by Service NSW for Business will be regularly updated, upgraded and maintained without any outages.

1.6. Training

Service NSW will provide appropriately trained Personnel to deliver the Services.

1.7. Language

Service NSW will provide services in English and may arrange translation and interpreter services for customers from non-English speaking backgrounds if required.

1.8. Branding

Unless otherwise set out in the Partnership Agreement, Service NSW channels are singularly branded. Marketing communication is limited to Service NSW led or co-led campaigns and programs.

1.9. Contractors and Agents

Service NSW may use contractors and agents in connection with the delivery of Services. Such agents and contractors are approved persons under Part 2 Section 12 of the Service Act.

1.10. Out of Scope Services

Any item, service or deliverable that is not specified in a Partnership Agreement is deemed to be out of scope for Service NSW.

2. Operational Framework

Service NSW operational framework outlines how operations are managed on a day-to-day basis.

Operational Support	Description
Knowledge Management	Service NSW creates and maintains support material (knowledge articles) for serving customers. These will be sent to the Council for endorsement of content accuracy bi-annually
Complaints Management	Service NSW will record complaints and its supporting information unless resolved at the outset. Service NSW will contact the Council where assistance is required
Issues Management	<p>Issues relating to existing products and services should be raised via partnerships@service.nsw.gov.au or directly with the Relationship Manager</p> <p>The Relationship Manager will assess the issue and facilitate a resolution within Service NSW, providing regular updates</p>
Quality control framework/ compliance	<p>Service NSW has a quality control framework that governs transactional activities in line with risk assessment at the time of onboarding</p> <p>The framework includes:</p> <ul style="list-style-type: none"> - Regular review of contact centre calls, including being assessed against procedure and process used by the agent during the call - Daily quality checks of transactions undertaken by the service centre - Quarterly compliance reviews and certifications provided by all service delivery channels

2.1. IT Operations & Support

Service NSW runs a 24/7, 365 days a year service desk. Unplanned interruptions or degradations in quality of service should be raised to the Service NSW Service Desk on 1300 697 679 (option 2) or servicedesk@service.nsw.gov.au

Incident response times in our production environment are prioritised based upon urgency and impact, with associated response and resolution times.

Priority Code	Service Level Target Response/Resolution Time
P1 - Critical	Response: Immediate response, action/update within 15 minutes Resolution: 2 hours
P2 - High	Response: Immediate response, action/update within 30 minutes Resolution: 4 hours
P3 - Medium	Response: 8 hours Target Resolution: 10 working days
P4 - Low	Response: Email notification of call being logged within 2 days. Response by email or phone within 2 working days Target Resolution: 20 working days

Where vendors or other government platforms are involved, Service NSW utilises a best practice vendor governance framework for service level Agreements and for priority 1 and 2 incidents.

2.2. System and Security Maintenance

Service NSW complies with the NSW Government Cyber Security Policy and operates an information security management system that is certified against ISO 27001. These engagement Terms do not extend the certification scope to the Council’s specific activities.

3. Customer Payments

Service NSW will collect payments from customers for transactions set out in the Service Agreement. Cash, cheque, money order, credit or debit card may be accepted and merchant fees plus GST will be recovered.

Service NSW will provide remittances and reconciliation files to the Council which include:

- A. Credit T+2 value for cash, cheques* and bank card payments
- B. Credit T+2 value for AMEX payments
- C. Debit any cheques dishonoured
- D. Debit any card payment chargebacks
- E. Debit any refunds processed on behalf of the Council

Cheque payments received over \$50,000 will be remitted back to the Council once the funds clear the Service NSW remitting bank account.

4. Business Continuity and Disaster Recovery

Service NSW will maintain an Enterprise Risk Management Framework focused on managing risks to Service NSW, including mitigation of the likelihood and impact of an adverse event occurring. As a function of risk management, business continuity management will enable Service NSW to minimise disruptive risks and restore and recover its business-critical services within acceptable predefined timeframes should an adverse event or other major business disruption occur.

Recovery and timeframes may be impacted when events or disruptions are related to dependencies on partner Agencies. The Parties will agree on Recovery Point Objectives and Recovery Time Objectives and associated charges prior to designing the system and will periodically review these objectives.

All systems and technology provided by Service NSW internally and through third-party vendors, operate through multiple data centres to achieve high availability. Service NSW systems are architected, where practicable and possible, to ensure continuity of service in the event of a data centre disruption or outage.

Definitions

Recovery Point Objectives means the age of files that must be recovered from backup storage for normal operations to resume if a computer, system, or network goes down as a result of a hardware, program, or communications failure.

Recovery Time Objectives means the targeted duration of time and a service level within which a business process must be restored after a disaster (or disruption) in order to avoid unacceptable consequences associated with a break in business continuity.

5. Continuous Improvement

Service NSW regularly reviews improvement ideas from employees and customers. We will provide you with any ideas relevant to your agency for consideration.

'Continuous Improvement' refers to identifying a process, system or policy opportunities that will deliver a benefit for our people, our customers or the NSW government. These improvements may be delivered in house where possible or by engaging our partnering agencies where further input or decisions are required under policy or legislation. A Continuous Improvement:

- A. Puts the customer first
- B. Makes the customer service job easier
- C. Improves a step in a process
- D. Changes the way a task is completed so that it doesn't take as long
- E. Reduces handling time and is cost effective
- F. Allows others to benefit from best practices
- G. Allows us to do things better locally, regionally or organisation-wide
- H. Is a low-investment process change and not a policy change
- I. Improves accountability within the various stages of the process
- J. Removes steps that don't add any value to a process

Service NSW will consider several factors such as cost to implement, cost savings, customer experience, team member experience and operational efficiency in prioritising continuous improvements.

5.1. Continuous Improvement Process

The parties will identify new continuous improvement initiatives on an annual basis, with a 6-monthly check-in on ongoing continuous improvement initiatives.

When establishing a new continuous improvement initiative, the parties will classify the initiative based on

whether it can be implemented as:

- A. part of the ongoing 'business as usual' services (cost and resourcing to be absorbed by Service NSW;
or
- B. a new project initiative (cost and resourcing to be agreed by the parties).

A prioritisation process will be agreed upon between the parties to prioritise initiatives (for Service NSW, this will be performed by the Partnerships team).

The Council may be required to effect policy, system or regulatory changes to assist in delivering the service process improvement, as agreed with Service NSW. Where a review of Council policy, system or regulatory changes is requested by Service NSW from the Council, these should be conducted within timeframes agreed between the respective Relationship Managers.

Schedule 3 – Privacy and Data Security

(a) General

- (i) Service NSW may collect, use, disclose, store and retain personal information when exercising functions for the Council:
- (ii) Where Service NSW exercises functions for the Council, Service NSW can share information it obtains with the Council without separately requesting the customer's consent. Service NSW can also share the information it obtains with any person that the Council is authorised or required to disclose the information to in accordance with the Service Act.

(b) Access to Agency Systems

- (i) The Parties agree that Service NSW will not have access to the Council's information system.

(c) Collection of information

- (i) Service NSW may incidentally collect Personal Information via call recordings in the course of answering queries on behalf of Council or referring customers to Council. Personal Information collected may include: full name, address, contact number or email address.
- (ii) Service NSW will take reasonable steps to ensure that the Personal or Health Information it collects on behalf of the Council is, relevant, accurate, up-to-date and complete.
- (iii) Service NSW will provide a privacy collection notice to customers whenever it collects their information.
- (iv) If Service NSW collects personal information for its own internal purposes, when exercising functions for the Council, it will ensure that the privacy collection notice meets the requirements of section 10 of the *PPIP Act* in light of section 15(3) of the *Service Act*.
- (v) The notice will address each of the matters that a privacy collection notice is, by law, required to address. Service NSW will develop the content of the notice in consultation with the Lachlan Shire Council.

(d) Internal records maintained by Service NSW

- (i) Under the *Service Act*, Service NSW is permitted to collect, maintain and use the following records for its internal administrative purposes, including for the purposes of its interactions with customers for whom functions are exercised:
 - Details of transactions between customers and Service NSW
 - The preferences of customers for transacting matters with Service NSW and the Lachlan Shire Council, and
 - Other information about customers.
- (ii) Service NSW collects, maintains and uses the following information for its internal administrative purposes:
 - Details of transactions between customers and Service NSW
 - The preferences of customers for transacting matters with Service NSW and the Lachlan Shire Council, and

- Other information about customers.

(e) Use of information

- Service NSW can use information in accordance with the *Service Act*, PPIP Act and HRIP Act.
- Service NSW uses Personal Information for the purposes of assisting customers in directing queries to Council, training and quality purposes.

(f) Disclosure

- Service NSW can disclose information in accordance with the *Service Act*, PPIP Act and HRIP Act.
- Where Service NSW performs a transaction for a customer, when exercising functions for the Council, it will ask the customer for consent before sharing that information with a different agency,

(g) Retention

- Personal Information collected via call recordings is stored in Genesys. The length of data retention will be directly related to the purpose for which it was collected and retained. Data is maintained for the minimum period required. Call recordings are available for 3 months and subsequently archived. **(h)**

(h) Data Security

- Personal Information stored in Genesys follows a comprehensive User Access Matrix controlled by Government Technology Platforms Virtual Contact Centre Team. Role based access to the system is granted to users at the minimum level required to perform their duties and to protect against unauthorised access, use, modification or disclosure. Access vi SSO with dfsi.okta.com. The Genesys PureCloud environment is whitelisted and only users on the corporate network or VPN can access the platform. The User Access Matrix is reviewed monthly and a detailed review is conducted every 6 months. The User Access Matrix is a comprehensive document that shows details such as the time of last login, date the account was disabled, date of termination, date of extension, date of role review, name of the reviewer.

(i) Privacy Management plans

The parties agree to update and periodically review their privacy management plans or other relevant policy documents so that any person can ascertain whether Service NSW or the Council holds personal information relating to that person and if so, the nature of the information, the main purposes for which it is used and the person's entitlement to access the information, in relation to the services covered by this Agreement.

(j) Access to and amendment of Personal Information

- Service NSW agrees that it will provide any individual who requests it with access to their own personal information without excessive delay and without any expense, in relation to information it holds as a result of exercising functions for the Council.

(k) Privacy Officer

The parties have nominated a Privacy Officer who is the point of contact for dealing with complaints, applications for internal reviews, data breaches, employee education and other privacy matters.

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Privacy Officers can be contacted as follows:

Service NSW:

Privacy Officer

Service NSW

2-24 Rawson Place, Sydney NSW 2000

Phone: 13 77 88

Email: privacy@service.nsw.gov.au

Lachlan Shire Council:

[Name of Council Privacy Officer]:

Schedule 4- Change Management

1. Change Management Process

Change is defined as any alteration to services, process, technology or product. Changes may be initiated by Service NSW or the Council. Where a change to the Services is requested by a party, set out below is the following process:

- 1.1. The party requesting the change will notify the other party's Relationship Manager as soon as possible;
- 1.2. The Relationship Managers will meet within 5 days to discuss the requested change;
- 1.3. The Relationship Managers will work collaboratively to conduct a high-level change assessment of the change, and agree and draft a Change Request, considering the following factors:
 - A. Current state and desired future state outcomes;
 - B. Impacts on customers and both parties informed by end-to-end customer journey;
 - C. Additional resource effort; potential cost and timing of implementation;
 - D. Implementation and testing requirements;
 - E. Legislation/policy that may be required;
 - F. Whether variation to the Partnership Agreement will be required; and
 - G. Continuous Improvement Principles
- 1.4. The parties will sign the Change Request, which will be incorporated into this Agreement.

Where a change relates to Service NSW's IT systems, the Council will notify Service NSW within a reasonable period to outline the proposed change and requested timeframes. Service NSW will consider the change and advise whether an increased cost to implement the change is required.

Service NSW will assess the results and implement corrective action to ensure sustainability of the change to the Services. Changes to the Services will be reported on in the monthly management meeting between Relationship Managers.

2. Change Request Template

This Change Request is created in accordance with the Partnership Agreement	
Date of Change Request	
Originator of Change Request	
Proposed Implementation Date	
Cost	<Cost>
Summary and scope:	
Service NSW responsibilities:	

Council responsibilities:
Change plan:
Change impact (Including the effect on service levels):
Assumptions and exclusions:
List of documents forming part of this change request:
Clauses affected by this change request:

9.3 DEVELOPMENT DATA AUGUST 2021

TRIM Number: R21/262

Author: Manager- Town Planning

PURPOSE

This report is to provide Council with information in relation to development activity occurring within the Shire during August 2021.

SUPPORTING INFORMATION

Council’s Development Application Data

BACKGROUND

During the month of August 2021 there were seven (7) applications lodged with a value totalling \$1,146,500. Seven (7) approvals were issued within this time.

Development Applications and Complying Development Certificates Approved in August 2021.

Approval Number	Development Description	Location	Value	Delegated Authority/Council
DA 2021/22	Demolition of Outbuilding	64 Bathurst Street, Condobolin	\$3,000	Delegated
DA 2021/24	Rural Subdivision	4423 Brotherony Road, Kiacatoo	\$0	Delegated
DA 2021/27	Demolition of Existing Dwelling	44 William Street, Condobolin	\$10,000	Delegated
DA 2021/28	Construction of Dwelling	4 Randall Place, Condobolin	\$330,000	Delegated
DA 2021/29	Temporary Motorcycle Event – Yellow Mountain	Various Locations	\$0	Delegated
DA 2021/31	Construction of Dwelling	82 Walker Street, Lake Cargelligo	\$397,000	Delegated

DA 2021/32	Swimming Pool	1785 Burcher Road, Burcher	\$43,500	Delegated
TOTAL No. OF APPROVED DEVELOPMENTS	7		\$783,500	

Comparison to Previous Year: Applications Approved August 2020

Total **Number** of Applications **approved in August 2020:** 5
 Total **Value** of Applications **approved for August 2020:** \$896,626

Development Applications and Complying Development Certificates Received in August 2021.

Development Identifier	Development Description	Location	Value
DA 2021/30	Construction of Shed (Outbuilding)	21 Bokhara Street, Lake Cargelligo	\$17,000
DA 2021/31	Construction of Dwelling	82 Walker Street, Lake Cargelligo	\$330,000
DA 2021/32	Swimming Pool	1785 Burcher Road, Burcher	\$43,500
DA 2021/34	Alterations and Additions to Existing Dwelling	97 Orange Street, Condobolin	\$44,000
DA 2021/36	Use of Existing Farm Building	336 Kiacatoo Road, Condobolin	\$80,000
DA 2021/37	Construction of Dwelling	14 Moulder Street, Condobolin	\$602,000
DA 2021/39	Additions to Existing Telecommunications Facility	31 Bathurst Street, Condobolin	\$30,000
TOTAL	7		\$1,146,500

Comparison to Previous Year: Applications Received August 2020

Total Number of Applications **received in August 2020:** 3
 Total Value of Applications **received for August 2020:** \$65,000

ISSUES AND COMMENTS

A total of twelve (12) approvals have been issued this financial year at an average of 32 days, which is within the legislative timeframe for approvals and well below the average net days taken to determine a DA across all NSW Councils

FINANCIAL AND RESOURCE IMPLICATIONS

No foreseeable issues.

LEGAL IMPLICATIONS

All fees associated with the applications referred to herein have been paid.

RISK IMPLICATIONS

Council has assessed all applications against relevant legislation to minimise Council's exposure to risk.

STAKEHOLDER CONSULTATION

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

OPTIONS

1. Receive and note the report.

CONCLUSION

Development Application and Complying Development Certificate approved data reveals a total development value of \$8,812,354 for applications approved in the 2021/2022 financial year.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

Build Civic Leadership and Pride

Community Strategic Plan - 4.2 Strong Effective Responsive Council.

ATTACHMENTS

Nil

RECOMMENDATION

That:

The Director Environment, Tourism and Economic Development Report No. R21/262 be received and noted.

9.4 CENTRAL WEST AND ORANA REGIONAL PLAN REVIEW

TRIM Number: R21/270

Author: Manager- Town Planning

PURPOSE

The purpose of this report is to notify Council that the Department of Planning, Industry and Environment (DPIE) are currently reviewing the Central West and Orana Regional Plan (CWORP). The draft plan is likely to be exhibited in October/November providing Council with an opportunity to comment on the draft plan.

SUPPORTING INFORMATION

Nil

BACKGROUND

10. The *Central West and Orana Regional Plan 2036* was released in 2017 to provide a twenty-year (20) strategic land use planning framework for the region. The Regional Plan provides strategic direction for the region’s future population needs including housing, jobs and infrastructure as well as protecting the environment.

11.

12. Regional plans are prepared in accordance with section 3.3 of the *Environmental Planning and Assessment Act 1979* and are subject to five-yearly reviews.

ISSUES AND COMMENTS

13. The first five-year (5) review for the Regional Plan is underway. The review involves consultation with local councils and state agencies and will result in a revised and updated *Central West Orana Regional Plan 2041*. The new Regional Plan will focus on land use planning outcomes and include actions for delivery within the next five years.

14.

15. A five-yearly review ensures the Regional Plans ongoing relevance through revisiting regional challenges and opportunities as well as incorporating the most up-to-date information. The five-year review is also an opportunity to ensure alignment with any new policies and strategies and to revisit regional challenges and opportunities. The intended outcome of the review is to ensure that the Regional Plan continues to support the needs and long-term vision for the region.

16.

According to DPIE, the draft Regional Plan will provide a regional level framework for dealing with projected regional change for the next twenty years with a focus on the next five years. DPIE is of the view that the region will require approximately 19,000 more dwellings before 2041 with consequences for jobs, services, infrastructure requirements, potential environmental impact and water use.

The review and drafting stages of the Regional Plan are aligned with **Figure 1** below.

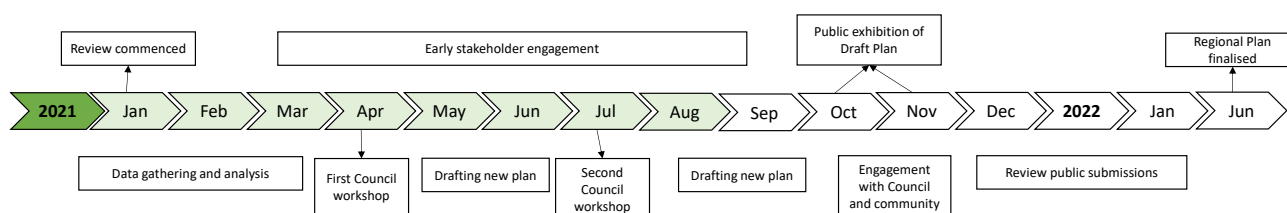


Figure 1 – Timeline of key milestones of regional plan review (Source: DPIE)

FINANCIAL AND RESOURCE IMPLICATIONS

Nil

LEGAL IMPLICATIONS

17. Regional plans are prepared in accordance with section 3.3 of the *Environmental Planning and Assessment Act 1979* and are subject to five-yearly reviews.

18.

The CWORP is an important strategic planning document for Council and will need to be carefully reviewed as it underpins Council's Local Strategic Planning Statement (LSPS).

The CWORP as outlined has implications for Council's land use planning framework. The CWORP informs changes to the LSPS. The LSPS informs changes that are required to be made to the Local Environmental Plan (LEP) and Development Control Plan (DCP) and provides the evidence base for Council to justify land use planning decisions.

RISK IMPLICATIONS

The CWORP is a key document as it helps inform important strategic planning documents for Council.

STAKEHOLDER CONSULTATION

On 21 April 2021, Council staff attended a workshop held by Department of Planning, Industry and Environment (DPIE) in Wellington as part of the initial review. The objectives of the workshop were to:

- Inform participants about the review and present the purpose of the project
- Collect feedback on the current Central West and Orana Regional Plan
- Review the existing vision statement and goals and identify the desired vision content, language and tone.
- Identify and explore the issues facing the region
- Provide an opportunity for stakeholders to connect from across the region

The draft *Central West and Orana Regional Plan 2041* is intended to be publicly exhibited in October 2021 (for six weeks). DPIE's Local and Regional Planning (Western Region) Team will engage with the council and the community during the exhibition period, including via virtual meetings and webinars. An interactive website will also be accessible and allow people to learn more about the Regional Plan and how to take part in the review process.

OPTIONS

1. Receive and note the report.

CONCLUSION

The purpose of this report is to inform Council on a review which DPIE are currently undertaking on the Central West and Orana Regional Plan.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

4.2 Strong effective and Responsive Council

ATTACHMENTS

Nil

RECOMMENDATION

That:

1. The Director of Environment, Tourism and Economic Development Report No.R21/270 be received and noted.
19.
2. A further report be presented to Council once the draft *Central West and Orana Regional Plan 2041* has been placed on public exhibition, providing a summary of the plan and details of any submissions made in relation to the plan.

9.5 FY2021 PROJECT MONTHLY UPDATE FOR AUGUST/SEPTEMBER

TRIM Number: R21/260

Author: Manager - Projects and Building

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 works 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 2021/22 budget and associated Delivery and Operational Plans. This report provides updates on the delivery of the capital projects in regard to buildings.

ISSUES AND COMMENTS

Project	Budget	Funding Source	Expend. To Date	Forecast Expend.	Comments
Gum Bend Lake Amenities Upgrade	\$373k	\$300k NSW Drought Stimulus Package (DSP) plus Council funds \$73k	\$151k	\$373k	Works have commenced. The slab has been poured and the framework has largely been erected. Roof structure and blockwork to now be completed. Works have been delayed due to COVID-19 and material availability with a revised completion date of mid-October anticipated.
Tottenham Caravan Park Amenities Upgrade	\$274k	\$125k DSP plus \$49k Council funds , \$104k Federal Drought Community Program	\$252k	\$274K	Works on the amenities building have been completed. A variation request has been approved. The camp kitchen design and costings are currently being finalised. Staff are finalising the grant milestone submission.

<p>Lake Cargelligo Caravan Park Amenities Upgrade</p>	<p>\$125k</p>	<p>DSP</p>	<p>\$90k</p>	<p>\$125k</p>	<p>Works have been completed. A variation to milestone dates has been submitted to allow for the expenditure of the unspent grant funding. Council is awaiting approval of the variation request.</p>
<p>Tottenham Youth Club Renovation</p>	<p>\$57,046</p>	<p>SCCF R3</p>	<p>\$43k</p>	<p>\$57,046</p>	<p>Both roof and external cladding have been completed. Awaiting installation of fencing to complete the project. A variation request has been lodged with grant body to vary the milestone dates until December 2021.</p>
<p>Lake Cargelligo Pool Amenities Upgrade</p>	<p>\$1.1 million</p>	<p>\$825K BBRF R4 plus Council funds \$275K</p>	<p>\$509k</p>	<p>\$1.1m</p>	<p>Building is now at lock up stage, with roof and windows installed. Internal fit out works have commenced. The building will be completed by the start of the swimming season. However, the appliances won't be here for the start of the swim season. We are discussing the implications of this with the contractor for the management of the pool as we should be able to provide temporary appliances until the new ones arrive. Solar options have been finalised and preparation works have commenced on this component. The solar works are expected to be completed by the start of the swim season.</p>

Condobolin and District Historical Museum - Extension to Museum and Display Enhancements	\$77,765	SCCF R3	\$6k	\$77,765	An agreement was reached with the Committee on 27 April 2021. Final design has been received and provided to the committee. No comments received from committee. Quote received from local builder, quote exceeds grant funding and as such staff are working with the builder to identify all possible cost savings. Email has been sent to Museum Committee providing an update. Variation to milestones have been approved until March 2022.
Condobolin Works Depot	\$7,246,707.60	\$6,000,000 Loan and remaining \$1.25m from Council reserves	\$884k	\$7,246,707.60	Contracts signed. Works commenced 8 March 2021. Works in regard to new buildings have commenced with inspections occurring for the piers & slabs. Ongoing issue with subsoil moisture which is being discussed with the contractor.
Lake Cargelligo Memorial Hall	\$30k	Drought Stimulus Program	\$30k	\$30k	Works have been completed
Provision of new Animal Shelter	\$300k	Local roads and Community Infrastructure Program – Rd1	\$7.3K	\$300k	LEP has been made. The DA has been assessed by Penrith City Council and a determination has been issued. An extension to complete the works has been approved to December 2021. A purchase order has been issued to Adaptive Interiors for the erection of the structure and Council staff will arrange fit-out.

					Works are expected to be completed by December 2021.
Solar Project	\$1.1m	Local roads and Community Infrastructure Program – Rd1	\$1m	\$1.1m	All physical works associated with this project have been completed. Final commissioning of the largest systems is being undertaken.
Lachlan Shire Visitor Information Centre	\$3,288,798	Growing Local Economies Fund	\$121k	\$3,288,798	PWA engaged to provide Project Management Services. PCG established to oversee project delivery. Head Design Consultant appointed. DA has been lodged and is currently on exhibition. Penrith City Council are assessing the DA on Council's behalf. Architect is continuing with finalising the design plans and associated reports for construction.
Condobolin Waste Transfer Station and Power	\$350,000	100% Council funds – Waste Reserve	\$330K	\$350,000	Construction of building and new entry point as well as the roadworks have been completed. The relocation of site office and electrical works will be completed by the end of September. Looking at opening the facility to the public by the middle of October.
Tottenham Swimming Pool BBQ Shelter	\$50,000	Local roads and Community Infrastructure Program – Rd2	\$40.4k	\$50,000	Slab was poured on 22 June 2021. Frame and roof installed. Additional insulation works to the underside of the roof have been approved and will be installed. Project is scheduled to be

						completed prior to the 21/22 pool season commencing.
Burcher Camp Kitchen	\$30,000	Local roads and Community Infrastructure Program – Rd2	\$10k	\$30,000		A purchase order has been issued for the shed. Quotes are being obtained for the remaining works.

Condobolin Works Depot Budget Update

Budget	\$7,816,707.60
Contract Value	\$7,246,707.60*
Other Works and Project Management Costs	\$570,000.00
Contingency (included in Contract Value)	\$400,000.00
Current Expenditure	\$884,695.27
Approved Variations	\$138,254.83

All figures include GST

* Figure includes Contingency

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

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 and 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 and a temporary Project Management Officer has been employed to assist with the delivery of building projects.

STAKEHOLDER CONSULTATION

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

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

OPTIONS

1. Receive and note the report

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

RECOMMENDATION

That:

1. The Director of Environment, Tourism and Economic Development Report No.R21/260 be received and noted.

9.6 DRAFT KEEPING OF DOMESTIC ANIMALS POLICY

TRIM Number: R21/274

Author: Environment & Waste Coordinator

PURPOSE

The purpose of this report is to seek Council's endorsement of the draft Keeping of Domestic Animals Policy (the Policy). The Policy will provide a fair and consistent approach to the keeping of domestic animals within the Shire.

SUPPORTING INFORMATION

Keeping of Domestic Animals Policy

BACKGROUND

The Policy was presented at the Ordinary Council Meeting on 24 March 2021, where the policy was deferred to the April Strategic Briefing for discussion.

The Policy was discussed at Council's Strategic Briefing Meeting on 14 April 2021. At the meeting, it was requested that a definitions section be included in the Policy. In addition, it was requested that a statement regarding the possibility of allowing greater numbers of animals to be kept (in certain circumstances), subject to the discretion of Council officers, where the aims and objectives of the policy are maintained.

In April 2021, Council resolved (R21/90) to place the draft Keeping of Domestic Animals Policy on public exhibition for a minimum period of 28 days. The policy was subsequently placed on public exhibition. The public exhibition was extended for a further period of 28 days to ensure the community had sufficient time to lodge submissions.

Nine (9) submissions were received during the public notification period. A discussion of the submissions is included in the stakeholder consultation section of this report.

The policy was presented at the Ordinary Council Meeting on 25 August 2021 (R21/240) and it was deferred to allow further amendments to be made to the policy.

ISSUES AND COMMENTS

Following the Ordinary Council Meeting on 25 August 2021, the following amendments have been made to the policy:

- 1) The need for applications for the keeping of horses, in defined areas, has been removed. There is no need for this section as the policy clearly defines what people are allowed to have under the policy.
- 2) The need for an application for the construction of horse yards and shelters has been amended. Council already has controls in place in relation to the construction of buildings.
- 3) Offspring, up to 3 months of age, are excluded from the policy.
- 4) All lots in McInnes Street, Lake Cargelligo (North of Townsend Street) are now excluded from the controls in the policy. The controls within the policy still apply to the properties in Townsend Street.
- 5) A further provision has been added regarding the keeping of cats and the use of identity collars with multiple bells, to protect vulnerable pets of other residents.

It is well documented that the keeping of companion animals and/or pet animals is usually most beneficial to the well-being of people. However, situations arise where the keeping of companion animals has an adverse impact on the amenity of adjoining owners.

This policy provides guidance about the criteria Council officers will use when determining whether to undertake enforcement action when animals cause amenity issues within the community. The policy clearly communicates the intention that Council officers will act only upon receipt of a complaint.

It is not intended that Council officers will aggressively enforce the controls contained within this policy but rather work with the owner/s of domestic animal/s to ensure that the keeping of domestic animal/s does not have an adverse impact on the amenity of the locality and/or occupants of adjoining premises.

FINANCIAL AND RESOURCE IMPLICATIONS

The Policy has been prepared by staff within existing budgets and no financial implications have been identified.

LEGAL IMPLICATIONS

This Policy supports the obligations and requirements outlined in the Companion Animals Act 1998, Local Government Act 1993 or the Prevention of Cruelty to Animals Act 1979.

RISK IMPLICATIONS

The lack of a current policy addressing the keeping of domestic animals creates uncertainty for owners, Council officers and adjoining owners/occupants of properties where animals are being kept. It means that decisions about the keeping of animals in urban areas can be inconsistent and makes enforcement action difficult when and if required. Having a policy in relation to the keeping of animals minimises this risk.

STAKEHOLDER CONSULTATION

In April 2021, Council resolved (R21/90) to place the draft Keeping of Domestic Animals Policy on public exhibition for a minimum period of 28 days. The public exhibition was extended for a further period of 28 days and closed on the 4 August 2021.

The policy was available for comment on Council’s website and a media release was placed in the local newspapers. Social media was also used to advertise the exhibition of the draft policy and included information on how the public could comment on the draft policy if they wished to make a submission. Nine (9) submissions were received during the notification period.

During the public exhibition period Council staff undertook public consultation sessions at Tottenham, Condobolin, Tullibigeal and Lake Cargelligo.

The Table below summarises issues raised at the consultation sessions:

Town/Village	Number of residents that attended consultation	Comments/Questions
Tottenham	1	No matters raised
Condobolin	0	-
Tullibigeal	2	Policy will not affect the residents that attended due to the fact that they reside on a rural property.
Lake Cargelligo	6	1) Clarification on how the policy will be implemented. 2) Clarification on number of chickens allowed. 3) Clarification on number of cats and what happens if an

		<p>owner has more than the stated number.</p> <p>4) Comment the policy was welcomed and livestock should not be kept in town.</p> <p>5) When is the de-sexing program being held? This comment is unrelated to the policy.</p> <p>6) Statement about wandering cats and dogs, particularly in Reef street. This comment is unrelated to the policy.</p>
--	--	---

A summary of the key issues raised in the submissions received during the notification period, and a response to those issues, is provided below:

- Issue 1

Can greater numbers of animals be kept than what the policy states?

Response:

The policy states greater number of animals will be allowed to be kept in certain circumstances where animals can be kept in a manner which does not:

- (a) Create unclean or unhealthy conditions for people or for the animals;
- (b) Attract or provide a harbourage for vermin;
- (c) Create offensive noise or odours;
- (d) Cause drainage nuisance or dust nuisance;
- (e) Create waste disposal problems or pollution problems;
- (f) Create an unreasonable annoyance to neighbouring residents;
- (g) Cause nuisance due to proliferation of flies, lice, fleas or other pests and parasites; and
- (h) Cause neighbouring residents to fear for safety.

Council officers are responsible for determining all items are satisfactory and Council officers will only be acting upon receiving a complaint.

- Issue 2

Greater numbers and prohibited types of animals should be allowed to be kept in large lot / rural setting properties, for example McInnes Street, Lake Cargelligo.

Response:

The policy already allows greater numbers of animals to be kept in certain circumstances, subject to the discretion of Council officers, provided the aims and objectives of the policy are maintained.

All lots in McInness Street (north of Townsend Street) are now excluded from the controls in the policy.

- Issue 3

How will the policy solve roaming cats and dogs?

Response:

That is not the intention of this policy. The policy's objectives are to inform the community of acceptable animal numbers, provide advice and guidance when keeping domestic animals, minimise local nuisance, establish local standards and publicly notify the circumstance that Council will consider in determining appropriate action.

NOTE: the policy alone won't be a solution, however will be an important component in Council's operation to provide structure and guidance for the community and Council staff, which may prevent irresponsible keeping of domestic animals.

- Issue 4

How will the policy be implemented when a complaint is received?

Response

The policy discusses the implementation of the policy and outlines the steps Council officers will undertake when a complaint is received, these steps are as follows:

- Undertake an inspection of the premises;
- Identify any areas of concern e.g.: odour, noise, proximity to dwelling and the like;
- Discuss any concerns with the owner/tenant of the premises and/or domestic animal/s;
- Give verbal directions in the first instance to assist the owner of the animal/s to ensure that the keeping of their domestic animal does not have an adverse impact on the amenity of the adjoining premises;
- Undertake follow-up inspections to ensure verbal directions have been implemented
- Monitor the premises to ensure the keeping of their domestic animal does not have an adverse impact on the amenity of the adjoining premises;
- Liaise with community representatives with regard to solving the problem, if needed;
- Inform the complainant of outcome of the investigation.

Where a problem/s is identified with the keeping of animals and it cannot be resolved by consultation, Council will proceed to issue a notice of its intention to serve an Order and/or enforcement of the restrictions within the policy.

- Issue 5

Request for statement in the policy, that this Policy does not override current legislation.

Response

On page two (2), under the heading "Scope", the policy states:

"This Policy is not intended to replace or supersede the requirements of the Companion Animals Act 1998, Local Government Act 1993 or the Prevention of Cruelty to Animals Act 1979".

- Issue 6

Request that a preamble be added which states:

"Where there has been repeated (2 or 3 or more warnings), proven (evidentiary) and uncorrected failure of Domestic animal owners to keep their animals in a way that gives proper regard to the health and wellbeing of the animals or fails to properly mitigate the impact of animals on neighbours or others in the community or public then the following restrictions may be enforced.

1a This policy does not over-ride or replace current State Legislation regarding the keeping of Domestic or Companion animals."

Response

This has been addressed above in the discussion about the implementation of the policy and also the response to issue 5 above.

- Issue 7

Remove the Notice of Intent wording contained in the “box” on page 1 and replace it with:

“It is Councils wish and intent to guide and assist the keepers of Domestic Animals to continue to own and enjoy their animals in a way that meets the needs of the animal(s) (as defined in this policy, State Legislation and guidelines such as RSPCA ownership guides) and does not adversely impact the environment or amenity of neighbours, community members or any other member of the public.”

Response

The wording in the implementation section is key to understanding the policy. A minor adjustment has been made to the text box on page 1 of the policy, which relates to implementation of the policy. The words “*and owners of Domestic Animals can continue to enjoy their animals*” has been added to the first paragraph.

OPTIONS

1. Adopt the Keeping of Domestic Animals Policy as attached.
2. Amendments to the Keeping of Domestic Animals Policy and adopt the amended policy.
3. Resolve not to proceed with the adoption of the Keeping of Domestic Animals Policy.

CONCLUSION

Council currently has a Companion Animal Policy which is overdue for review, with the last review being conducted in 2015. The Companion Animal Policy has limited information regarding the keeping of domestic animals and it is proposed the Keeping of Domestic Animals Policy will replace the existing Companion Animal Policy.

The introduction of the policy aims to provide clarification and transparency around the appropriate keeping of domestic animals to ensure that there is a consistent approach throughout the Shire.

This policy provides guidance about the criteria Council officers will use when determining whether to undertake compliance action when it becomes aware that animals are causing some form of undesirable impact within the community.

This report seeks Council’s endorsement to adopt the Keeping of Domestic Animals Policy.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

- 4.2 Strong effective and Responsive Council
- 5.3 Ensure that animals are properly controlled

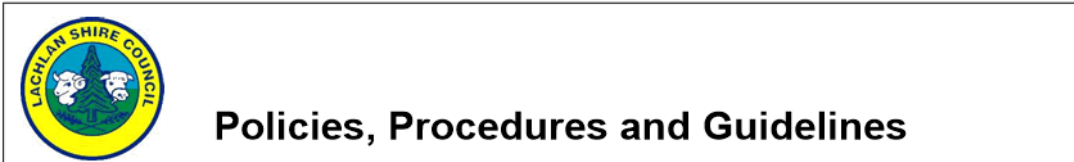
ATTACHMENTS

1. **Keeping of Domestic Animals Policy** [↓](#)

RECOMMENDATION

That:

1. The Director of Environment, Tourism and Economic Development Report No. R21/274 be received and noted.
2. The Keeping of Domestic Animals Policy, as attached, be adopted as a Council Policy.
3. The policy be uploaded to Council’s website.



Policies, Procedures and Guidelines

POLICY - KEEPING OF DOMESTIC ANIMALS

BACKGROUND

This policy seeks to inform the Lachlan Shire community of Council’s regulatory powers concerning the keeping of animals in the Lachlan Shire Council area and the process which Council uses to determine when to enforce the controls within the policy.

The Policy aims to:

- (a) Minimise the incidence of nuisance being caused to persons;
- (b) Protect the welfare and habitat of wildlife; and
- (c) Safeguard the environment.

It is well documented that the keeping of companion animals and/or pet animals is usually most beneficial to the well-being of people.

As such, it is not the intent of Council nor the policy to aggressively enforce the controls within this policy but to work with the owner/s of the domestic animal/s to ensure that the keeping of domestic animal/s does not have an adverse impact on the adjoining premises.

Nevertheless, on occasions, complaints are made to Council where animals of an inappropriate kind or number are being kept or where the animals and their accommodation are not being looked after properly.

Implementation of Policy

It is not the intent of Council nor the policy to aggressively enforce the controls within this policy but to work with the owner/s of the domestic animal/s to ensure that the keeping of domestic animal/s does not have an adverse impact on the adjoining premises and owners of Domestic Animals can continue to enjoy their animals.

This policy provides guidance about the criteria Lachlan Shire Council will use when determining whether to issue an order when it becomes aware that animals are causing some form of undesirable impact on the community.

It makes it clear that the intention of this Policy is that Council officer’s will act only on complaint.

Greater numbers of animals will be allowed to be kept in certain circumstances, subject to the discretion of Council officers in accordance with the policy, provided the aims and objectives of the policy are maintained.

The policy provides guidance on the steps that Lachlan Shire Council will follow in an attempt to resolve any undesirable impacts associated with the keeping of domestic animals.

Further Information: Lachlan Shire Council ☎ 0268951900 ✉ Email: council@lachlan.nsw.gov.au				Page 1 of 18
Version:	Commencement Date:	Last Review Date:	Next Review Date:	TRIM No.

POLICY - KEEPING OF DOMESTIC ANIMALS

OBJECTIVE

- To inform the community of the main statutory restrictions and acceptable limits which apply to the keeping of certain animals for domestic purposes.
- To give guidance and advice to persons as to the keeping of animals for domestic purposes.
- To minimise local nuisance and maximise residential amenity, and to ensure that the keeping of animals does not compromise minimum standards of public health, safety and convenience.
- To establish local standards, acceptable to the Community, for the keeping of animals.
- To publicly notify the circumstances that the Council will consider in determining whether to serve an Order under section 124 of the Local Government Act 1993 to prohibit, restrict or some other way, require things to be done regarding the keeping of animals.

SCOPE

This policy applies to animals kept for domestic purposes, as companion animals, pets or for hobby interests. This Policy is not intended to replace or supersede the requirements of the Companion Animals Act 1998, Local Government Act 1993 or the Prevention of Cruelty to Animals Act 1979.

More stringent conditions will be applied to the keeping of animals for commercial purposes, including boarding, breeding, grooming, caring, treatment, training, racing, exhibiting, trading or selling.

Where it is intended to keep animals for any commercial purposes, it is necessary that a development application be submitted to Lachlan Shire Council and planning consent obtained. Consent to the operation of Commercial Animal Establishments may not be allowed where Council considers that the proposal would be harmful to the amenity of the locality.

GUIDELINES FOR THE NUMBER OF ANIMALS TO BE KEPT ON PREMISES

Lachlan Shire Council regularly receives complaints about nuisance caused by the keeping of animals on premises. Table 1 and Table 1(a) below provides guidance about the number of animals which Council reasonably believes can be kept at a premises without causing a significant nuisance, provided the conditions specified in the table are adhered to.

The kind of animal that is suitable to be kept at any premises will be determined having regard to the size of the available yard area and the distance to the nearest dwelling or other prescribed building. Certain statutory requirements also apply, as noted in the Table of Requirements.

It should not be assumed that animals of all kinds may be kept on premises which are part of a multiple dwelling allotment. Where a dwelling is owned within a Strata Plan, it will be necessary for the rules of the Body Corporate to be examined for requirements relevant to the keeping of animals.

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POLICY - KEEPING OF DOMESTIC ANIMALS

Animals should be kept in a manner which does not:

- (a) Create unclean or unhealthy conditions for people or for the animals;
- (b) Attract or provide a harbourage for vermin;
- (c) Create offensive noise or odours;
- (d) Cause drainage nuisance or dust nuisance;
- (e) Create waste disposal problems or pollution problems;
- (f) Create an unreasonable annoyance to neighbouring residents;
- (g) Cause nuisance due to proliferation of flies, lice, fleas or other pests and parasites; and
- (h) Cause neighbouring residents to fear for safety.

Greater numbers of animals will be allowed to be kept in certain circumstances where all the above-mentioned items are not present. Council officers are responsible for determining all items are satisfactory.

Suitable facilities and shelters should be provided for all animals. Certain kinds of animals are required to be kept in enclosed locations to prevent escape or attack by predators. Generally other animals are to be securely enclosed with adequate fencing to prevent escape.

Certain animal shelters should not be erected or located at premises without prior approval of Council. Please contact Lachlan Shire Environment, Tourism and Economic Development Department for further details.

Design guidelines for the size, layout and construction of animal shelters are produced by the various animal welfare organisations and Government Departments. These may be adopted from time to time as supplements to this policy.

COUNCIL’S POWER TO CONTROL AND REGULATE THE KEEPING OF ANIMALS

Generally, Council’s powers to control and regulate the keeping of animals are provided under Section 124 of the Local Government Act 1993 and the Local Government (General) Regulation 2005. *This is not a new power and has been available to Council since 1993.*

This Policy is intended to be used by Council to provide guidance about the criteria Lachlan Shire Council will use when determining whether to exercise its powers and issue an order when it becomes aware that animals are causing some form of undesirable impact on the community.

It is not the intent of Council nor the policy to aggressively enforce the controls within this policy but to work with the owner/s of the domestic animal/s to ensure that the keeping of domestic animal/s does not have an adverse impact on the adjoining premises.

Greater numbers of animals will be allowed to be kept in certain circumstances, subject to the discretion of Council officers in accordance with the policy, provided the aims and objectives of the policy are maintained.

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Lachlan Shire Council may, in the appropriate circumstances, issue an Order to:

- (a) Prohibit the keeping of various kinds of animals;
- (b) Restrict the number of various kinds of animals to be kept at a premises; and
- (c) Require that animals be kept in a specific manner.

Lachlan Shire Council may also issue Orders requiring:

- (a) The demolition of animal shelters built without the prior approval of Council; and
- (b) The occupier to do or refrain from doing such things as are specified so as to ensure that land or premises are placed or kept in a safe or healthy condition.

It is advised that Lachlan Shire Council can exercise further controls over animals under the following Acts:

- (a) Companion Animal Act 1998;
- (b) Protection of the Environmental Operations Act 1997;
- (c) Environmental Planning and Assessment Act 1979;
- (d) Impounding Act 1993; and
- (e) Food Act 2003 (prohibits animals to be kept where food is handled for sale).

GIVING ORDERS BY COUNCIL

Upon complaint, Lachlan Shire Council will undertake the following to determine if it is necessary for Council to enforce the restrictions identified in Table 1 and Table 1a.

- Undertake an inspection of the premises;
- Identify any areas of concern eg: odour, noise, proximity to dwelling and the like;
- Discuss any concerns with the owner/tenant of the premises and/or domestic animal/s;
- Give verbal directions in the first instance to assist the owner of the animal/s to ensure that the keeping of their domestic animal does not have an adverse impact on the amenity of the adjoining premises;
- Undertake follow-up inspections to ensure verbal directions have been implemented;
- Monitor the premises to ensure the keeping of their domestic animal does not have an adverse impact on the amenity of the adjoining premises;
- Liaise with community representatives with regard to solving the problem, if needed;
- Inform the complainant of outcome of the investigation.

Where a problem/s is identified with the keeping of animals and it cannot be resolved by consultation, Council will proceed to issue a notice of its intention to serve an Order and/or enforcement of the restrictions within the policy.

In situations where urgency is required, an emergency Order may be issued without prior notice.

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TABLE OF REQUIREMENTS

The following table indicates the requirements and relevant considerations regarding the keeping of animals and the restrictions in place.

Table 1 – Requirements for keeping of domestic animals.

ANIMAL	LAND AFFECTED (Condobolin, Lake Cargelligo & Tottenham)	MAXIMUM NUMBER (excludes offspring to 3 months of age)	MINIMUM DISTANCE (from certain buildings – see Note A)	ADVISORY NOTES
Dogs	Condobolin, Lake Cargelligo & Tottenham	2	Not applicable	Lake Cargelligo – All lots in McInnes Street (north of Townsend Street) are excluded from the policy. Note: Dwellings in Townsend Street are subject to the controls of the policy. Where complaints are received the criteria in Appendix 1 will be used.
Cats	Condobolin, Lake Cargelligo & Tottenham	2	Not applicable	Where complaints are received the criteria in Appendix 2 will be used.
Chickens (excluding roosters)	Condobolin, Lake Cargelligo & Tottenham	No maximum numbers	7.5 metres	The numbers must be appropriate to provide poultry products, including eggs, for domestic consumption of the family living at the premises, e.g. For a family of four it may be acceptable to allow eight chickens which would ideally provide eight eggs per day (two eggs per person). The keeping of poultry must not create a nuisance or be dangerous or injurious to health. Poultry yards must at all times be kept clean, free from rats and mice, and free from offensive odours. Poultry yards must be enclosed to prevent escape of poultry. Hard paving should be provided under roosts in poultry houses to ensure effective cleaning.

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ANIMAL	LAND AFFECTED (Condobolin, Lake Cargelligo & Tottenham)	MAXIMUM NUMBER (excludes offspring to 3 months of age)	MINIMUM DISTANCE (from certain buildings – see note A)	ADVISORY NOTES Lake Cargelligo - All lots in McInnes Street (north of Townsend Street) are excluded from the policy. Note: Dwellings in Townsend Street are subject to the controls of the policy.
Roosters	Condobolin, Lake Cargelligo & Tottenham	Prohibited in urban areas	Not applicable	The keeping of roosters is not considered appropriate in urban areas due to noise.
Other poultry including ducks, geese, turkeys, peafowl, guinea fowl and pheasants	Condobolin, Lake Cargelligo & Tottenham	One per person with a maximum of five in total.	7.5 metres	Same as for chickens.

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ANIMAL	LAND AFFECTED (Condobolin, Lake Cargelligo & Tottenham)	MAXIMUM NUMBER (excludes offspring to 3 months of age)	MINIMUM DISTANCE (from certain buildings – see Note A)	ADVISORY NOTES Lake Cargelligo - All lots in McInnes Street (north of Townsend Street) are excluded from the policy. Note: Dwellings in Townsend Street are subject to the controls of the policy.
All birds except where otherwise specified	Condobolin, Lake Cargelligo & Tottenham	As appropriate to species, size of cage/aviary or bird room. Keepers of more than 50 birds should be members of official Aviculture societies.	6 metres	Cages and aviaries must be of appropriate size and regularly cleaned. For budgerigars, generally allow a maximum of 30 birds per cubic metre of aviary. All birds should be kept in accordance with the NSW Animal Welfare Code of Practice No 4 - Keeping and Trading of Birds. A National Parks and Wildlife permit is required to keep more than 19 protected birds, or if you wish to sell a protected bird. Registered bird breeders may keep more breeding/show birds but are subject to the requirements of the POEO Act 1997. Noisy birds should be restricted in number and are subject to the requirements of the POEO Act 1997.

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ANIMAL	LAND AFFECTED (Condobolin, Lake Cargelligo & Tottenham)	MAXIMUM NUMBER (excludes offspring to 3 months of age)	MINIMUM DISTANCE (from certain buildings – see Note A)	ADVISORY NOTES
Sulphur crested cockatoo and long billed corella	Condobolin, Lake Cargelligo & Tottenham	2 if kept in portable cages 4 if kept in an aviary	3 metres or within dwelling 6 metres	Lake Cargelligo - All lots in McInnes Street (north of Townsend Street) are excluded from the policy. Note: Dwellings in Townsend Street are subject to the controls of the policy. Sulphur crested cockatoo and long billed corellas are likely to be noisy if kept as single caged birds. Registered bird breeders may keep more breeding/show birds but are subject to the requirements of the POEO Act 1997. Noisy birds should be restricted in number and are subject to the requirements of the POEO Act 1997.
Sheep and Goats	Condobolin, Lake Cargelligo & Tottenham	Prohibited in urban areas.	Not applicable.	The keeping of sheep and goats is not considered appropriate in urban areas due to odours and noise. The provisions of the Local Government (General) Regulation 2005 apply.
Pigs	Condobolin, Lake Cargelligo & Tottenham	Prohibited in urban areas	Not applicable	The keeping of pigs is not considered appropriate in urban areas due to odours and noise. The provisions of the Local Government (General) Regulation 2005 apply.

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ANIMALS	LAND AFFECTED (Condobolin, Lake Cargelligo & Tottenham)	MAXIMUM NUMBER (excludes offspring to 3 months of age)	MINIMUM DISTANCE (from certain buildings – see Note A)	ADVISORY NOTES Lake Cargelligo - All lots in McInnes Street (north of Townsend Street) are excluded from the policy. Note: Dwellings in Townsend Street are subject to the controls of the policy.
Other Hooved Animals - except horses	Condobolin, Lake Cargelligo & Tottenham	Prohibited in urban areas.	Not applicable	The keeping of hooved animals is not considered appropriate in urban areas due to odours and noise. The provisions of the Local Government (General) Regulation 2005 apply.
Bees	Condobolin, Lake Cargelligo & Tottenham	Prohibited in urban areas	Not applicable	Not applicable
Horses/Donkeys	Condobolin, Lake Cargelligo & Tottenham	1 -3 depending upon size of allotmentRefer to page 14. Refer to Table 1(a) for Albert, Fifield, Derriwong, Burcher, Tullibigeal and other specified areas	9 meters	Horse yards shall not be constructed nearer than two (2) metres from present adjoining boundaries or alternatively, horses must be prevented from reaching into adjoining property by the erection of a two metre high fence of suitable design. Stables, shelters and yards shall be properly constructed of suitable materials to the satisfaction of Council. Gates shall be fitted with an approved method of locking. No unsightly development shall be permitted. Ringlock or barbed wire fencing is not permitted.

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ANIMAL	LAND AFFECTED (Condobolin, Lake Cargelligo & Tottenham)	MAXIMUM NUMBER (excludes offspring to 3 months of age)	MINIMUM DISTANCE (from certain buildings – see Note A)	ADVISORY NOTES Lake Cargelligo - All lots in McInnes Street (north of Townsend Street) are excluded from the policy. Note: Dwellings in Townsend Street are subject to the controls of the policy.
Horses/Donkeys (cont'd)	Condobolin, Lake Cargelligo & Tottenham	1 -3 depending upon size of allotment Refer to page 14. Refer to Table 1(a) for Albert, Fifield, Derriwong, Burcher, Tullibigeal and other specified areas	9 meters	<p>The floors of a stable of loose boxes shall be properly graded and drained.</p> <p>Manure shall be raked up daily and placed in suitable, fly proof containers, or other suitable means, approved by Council until removed from the site. All manure containers shall be cleaned and disinfected at least once every seven (7) days.</p> <p>Fouled bedding shall be removed from the stable or yard at least once every seven (7) days.</p> <p>Stables and yards shall be kept clean and tidy to the satisfaction of Council at all times, so as not to be the cause of a nuisance.</p> <p>Horses may be kept on vacant allotments in the built up areas in accordance with this policy.</p> <p>Stallions are not permitted</p> <p>Refer to page 14.</p> <p>The provisions of the Local Government (General) Regulation 2005 apply.</p>

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TABLE 1(a) INFORMATION FOR ALBERT, FIFIELD, DERRIWONG, BURCHER AND TULLIBIGEAL.

The following table indicates the requirements and relevant considerations regarding the keeping of animals and the restrictions in place.

ANIMAL	MAXIMUM NUMBER (excluding offspring to 3 months of age)	MINIMUM DISTANCE (from certain buildings – see Note A)	ADVISORY NOTES
Sheep and Goats	No more than 2 female goats upon any one allotment	15 metres	No person shall keep sheep or goats upon any premises under such conditions as to create a nuisance or to be injurious to health.
Pigs	No more than 2 pigs upon any one allotment	15 metres	No person shall keep pigs upon any premises under such conditions as to create a nuisance or to be injurious to health. The yards are to be kept clean and free from offensive odours.
Other Hooved Animals except horses	No more than 2 hooved animals upon any one allotment	15 metres	No person shall keep hooved animals upon any such premises under such conditions as to create nuisance or to be injurious to health.
Horses/Donkeys	No more than 3	9 metres	Horse yards shall not be constructed nearer than two (2) metres from present adjoining boundaries or alternatively, horses must be prevented from reaching into adjoining property by the erection of a two metre high fence of suitable design. Stables, shelters and yards shall be properly constructed of suitable materials to the satisfaction of Council.

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ANIMAL	MAXIMUM NUMBER (excludes offspring to 3 months of age)	MINIMUM DISTANCE (from certain buildings - see Note A)	ADVISORY NOTES
Horses/Donkeys (cont'd)	No more than 3	9 metres	<p>Gates shall be fitted with an approved method of locking.</p> <p>No unsightly development shall be permitted.</p> <p>Ringlock or barbed wire fencing is not permitted.</p> <p>The floors of a stable of loose boxes shall be properly graded and drained.</p> <p>Manure shall be raked up daily and placed in suitable, fly proof containers, or other suitable means, approved by Council until removed from the site. All manure containers shall be cleaned and disinfected at least once every seven (7) days.</p> <p>Fouled bedding shall be removed from the stable or yard at least once every seven (7) days.</p> <p>Stables and yards shall be kept clean and tidy to the satisfaction of Council at all times, so as not to be the cause of a nuisance.</p> <p>Stallions are not permitted</p> <p>Refer to page 14</p> <p>Horses may be kept on vacant allotments in the built up areas in accordance with this policy.</p>

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NOTES IN RELATION TO TABLES 1 AND 1(a)

- (a) The distances indicated in the third column of the above tables are to be measured in metres from the animal yard or enclosure to the nearest dwelling, public hall, school or premises used for the manufacture, preparation, sale or storage of food.
- (b) Animal includes a mammal, bird, reptile, amphibian or fish. It does not include a human being (as defined in *Prevention of Cruelty to Animals Act 1979*).
- (c) Schedule 2 of the Local Government (General) Regulation 2005 specifies minimum standards for the keeping of animals. The distances specified (except in the case of pigs) may be varied at a meeting of the Council and notified in writing to the applicant in each particular case.
- (d) Schedule 2 Part 5 of the Local Government (General) Regulation 2005 allows for a variation of requirements of the keeping of poultry and Division 3 allows for variation to the requirements for the keeping of horses and cattle.
- (e) All cages, kennel enclosures, aviaries and or any structure for the keeping of animals over 10m² of floor area and a height of 2.4 metres are subject to the approval of a development application.
- (f) It is a requirement that a combination of no more than 2 types of animals be kept at the maximum number on any one property.
- (g) Refer to Lachlan Shire Council’s Local Environmental Plan and Development Control Plan as well as State Environmental Planning Policies for other restrictions that may apply to the keeping of animals in certain areas.

HORSES/DONKEYS

Commercial type stables and yards may be developed in certain areas with Council approval, but cannot be developed within the residential or business areas.

Persons wishing to carry out such developments should contact Council regarding suitable land for this purpose.

Yards and shelters at the rear of dwellings may be used for the keeping of horses/donkeys subject to Council’s approval and conditions thereof.

Applications for the construction of yards and shelters shall be treated as new applications. Please contact Lachlan Shire Council’s Environment, Tourism and Economic Development Department for further details.

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RELATED DOCUMENTS

APPENDIX 1 –PROVISIONS FOR KEEPING DOGS

Introduction

This Appendix identifies criteria and provides clear guidelines to assist persons in keeping dogs, so as to ensure that the activity does not have any detrimental impact on the health and amenity of the surrounding area or to the environment.

Objective

To maintain the amenity of residents and surrounds by ensuring no interference is caused through the emission of unreasonable noise, smell or otherwise as a result of keeping dogs.

Provisions for meeting the objective

- (a) All kennel enclosures or other structures for the keeping of dogs over 10m² of floor area and a maximum height of 2.4 metres are subject to the approval of a development application.
- (b) The floors of kennel enclosures must be paved with concrete, mineral asphalt or other equally impervious material, and must be properly graded to drain in order to facilitate easy cleaning and prevent the build-up of faeces.
- (c) Kennel and dog enclosures are to be kept clean and free of offensive odours at all times. Solid waste is to be regularly collected, 'bagged' and disposed of to garbage.
- (d) Waste water associated with the cleaning of any kennel or dog enclosure should be disposed of to Council's sewer in accordance with the Local Government Act 1993 and regulations.
- (e) No interference with the amenity of the area by reason of the emission of unreasonable noise, smell or otherwise is to be the result of the keeping of dogs.
- (f) Dog yards must be so enclosed as to prevent the escape of dogs.
- (g) The *Companion Animals Act 1998* requires permanent identification and life-time registration and effective control of dogs at all times.
- (h) Where the above provisions cannot be met, the owner of the dogs must demonstrate methods for achieving the objective. Each method will be assessed individually.

Implications

Where complaints are received about odour, noise or other issues relating to the keeping of dogs, Council will conduct an inspection of the property. It is the responsibility of the owner to demonstrate that adequate yard size relative to the size and number of dogs, proper care and desexing has been provided and control has been maintained.

Council has powers under Section 124 of the Local Government Act to impose restrictions on the numbers and manner in which dogs are kept on a particular property.

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APPENDIX 2 –PROVISIONS FOR KEEPING CATS

Introduction

This Appendix identifies criteria and provides clear guidelines to assist persons in keeping cats, so as to ensure that the activity does not have any detrimental impact on the health and amenity of the surrounding area or to the environment.

Objective

To maintain the amenity of residents and surrounding environment by ensuring no interference is caused through the emission of unreasonable noise, smell or otherwise as a result of keeping cats.

Provisions for meeting the objective

- (a) All structures for the keeping of cats over 10m² of floor area and a maximum height of 2.4 metres are subject to the approval of a development application. Such structures are subject to the same conditions as imposed on dog enclosures.
- (b) No interference with the amenity of the area by reason of the emission of unreasonable noise, smell or otherwise is to be the result of the keeping of cats.
- (c) The *Companion Animals Act 1998* requires permanent identification and life-time registration.
- (d) Cats must not repeatedly damage anything outside the property on which it is ordinarily kept.
- (e) Cats must be locked indoors or in a suitable enclosure *between sunset and sunrise* to prevent attacks on wildlife.
- (f) The use of identity collars with multiple bells is encouraged to protect wildlife and the vulnerable pets of other residents.
- (g) Where the above provisions cannot be met, the owner of the cats must demonstrate methods for achieving the objective. Each method will be assessed individually.

Implications

Where complaints are received about odour, noise or other issues relating to the keeping of cats, Council will conduct an inspection of the property. It is the responsibility of the owner to demonstrate that proper care and desexing has been provided and control of the animal maintained.

Council has powers under the Section 124 of the Local Government Act to impose restrictions on the numbers and manner in which cats are kept on a particular property.

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APPENDIX 3 – BARKING DOGS

Barking is one of the ways dogs communicate. It can signify anything from playfulness to danger. However, dogs sometimes bark for other reasons when, for example, they are:

- chained to a fixed point without enough room to move or kept in a space which is too small
- provoked, deliberately or unintentionally, by people or roaming dogs
- under-exercised or not exercised at all
- lacking training
- lonely
- sick
- hungry, thirsty, on the wrong diet or generally neglected.

These causes of barking shouldn't be part of a dog's life. As well as indicating a possibly distressed animal, chronic excessive barking can be a nuisance to people living nearby.

This information is intended to make life better for dog owners, their neighbours and, of course, for dogs themselves.

Caring for Dogs

- Compassion and common sense can eliminate many of the problems, which lead to excessive barking. The following suggestions may help dog owners solve any problems they may be having.
- Provide enough space for your dog to move freely within your enclosed backyard. A dog shouldn't be left on a fixed chain for long periods as this contributes to savagery and often increases nuisance from barking or odour problems. If your dog has to be chained, it should be on a running chain.
- Give your dog a place of its own. This can be a ventilated and waterproof kennel or an indoor area. A dog kept in an enclosed area at night will not usually bark and annoy neighbours.
- Exercise your dog regularly and adequately for its breed and size. Remember that when you exercise your dog in a public place it should be kept on a leash.
- Your dog will accept kind but firm discipline. Take it to a good obedience school when the pet is young and you will enjoy the benefits.
- Give your dog a balanced and varied diet. Main meals should consist of processed meat and dried dog foods. Feeding times should be regular and a supply of fresh water should be available at all times. The evening meal of meat should be given between 6pm and 9pm.
- Dogs suffer from a range of common ailments like fleas, worms, distemper, cuts and bruises. Daily examination, regular baths and veterinary attention when necessary will help to ensure that your dog doesn't suffer from health problems. When boarding dogs, provide one run per animal and partition each run so that direct line of sight is eliminated. This will prevent competition between animals.
- In all these areas your dog will respond to good care.

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Curing the Barking Habit

If you feel that your dog is well cared for, but continues to bark excessively, there are a number of things you can try:

- Remove direct line of sight between the dog and children or animals which may provoke barking.
- Take the dog to a recognised animal trainer for specialist training to discourage bad habits.
- Provide noise insulation for the kennel.
- There are various aids that help prevent barking (e.g. 'citronella' collars are effective and endorsed by the RSPCA). Ask your vet or local council about these.

Definitions

"Companion animal" which means each of the following:

- (a) a dog,
- (b) a cat,
- (c) any other animal that is prescribed by the Companion Act/Regulations as a companion animal.

Note:

All dogs are treated as companion animals, even working dogs on rural properties, guard dogs, police dogs and corrective services dogs.

"Owner"

Each of the following persons is the owner of an animal for the purposes of this Policy —

- (a) the owner of the animal (in the sense of being the owner of the animal as personal property).
- (b) the person by whom the animal is ordinarily kept,
- (c) the registered owner of the animal.

"Premises" means any of the following:

- (a) a building of any description or any part of it and the appurtenances to it,
- (b) land, whether built on or not,
- (c) a shed or other structure,

"Recognised breeder":

In relation to a species of companion animal, means a person who is a member of a recognised breeders' organisation (within the meaning of Part 9 of the *Companion Animals Act 1998*) for the species of companion animal.

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“Registered owner”:

Registered of a companion animal means the person shown in the registration information entered on the Companion Animals Register as the registered owner of the animal (and in the case of joint registered owners means each of those joint registered owners).

“Waste”:

Includes -

- (a) any substance (whether solid, liquid or gaseous) that is discharged, emitted or deposited in the environment in such volume, constituency or manner as to cause an alteration in the environment, or
- (b) any discarded, rejected, unwanted, surplus or abandoned substance, or
- (c) any otherwise discarded, rejected, unwanted, surplus or abandoned substance intended for sale or for recycling, processing, recovery or purification by a separate operation from that which produced the substance, or
- (d) any processed, recycled, re-used or recovered substance produced wholly or partly from waste that is applied to land, or used as fuel, but only in the circumstances prescribed by the regulations, or
- (e) any substance prescribed by the regulations to be waste.

A substance is not precluded from being waste for the purposes of this Act merely because it is or may be processed, recycled, re-used or recovered.

Be a responsible pet owner by ensuring your companion animal is microchipped, desexed and registered.

Greg Tory
General Manager
 / /

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10 INFRASTRUCTURE SERVICES

10.1 FY2122 ROADWORKS MONTHLY UPDATE FOR AUGUST

TRIM Number: R21/253

Author: Manager - Roads

PURPOSE

The purpose of this report is to provide a summary of road works undertaken by Infrastructure Services which have been completed in the month of August, works in progress in the month of September and works scheduled for the month of October. The execution and completion of works varied depending on resource availability, weather conditions, work priorities and unforeseen circumstances.

SUPPORTING INFORMATION

Nil

BACKGROUND

The condition of the road network has been improved over the last month. Lower than average rain during August has enabled Council's maintenance graders to make significant progress on restoring the unsealed road network following the previous seven months of double the average rainfall.

ISSUES AND COMMENTS

Road Construction

The sealing of the hill section of Maitland Street (between Leifermann Street to May Street) was completed in mid- August. The reconstruction of the Boona Road intersection will commence in October, pending Traffic Committee endorsement.

Intersection upgrades on MR 461 Henry Parkes Way at MR 7521 Kiacatoo Road and SR 340 Silo Road have commenced with the extension of culvert structures.

The reconstruction and widening of SR 120 Merribogie Road has commenced with the installation of replacement culverts. Reconstruction and widening of the first 2 km of road from Tullibigeal is in progress.

Construction of the truck parking area at the Visitor Information Centre is underway with the pavement formation being raised to the correct level. The current car parking area will also be raised to this level.

Road Maintenance

Seven of the Council's nine graders are undertaking maintenance grading of the unsealed roads to ensure that the road network is in the best possible condition prior to harvest. Rollers are being used behind a number of the graders to improve the road pavement compaction, and longevity of repairs. This will continue until early October when road construction projects will recommence and two graders will be reallocated to these projects.

Works undertaken in August 2021

<p>Road Heavy Patching, re-sheeting / grade, water & roll.</p>	<p>Works were undertaken on the following roads.</p> <ul style="list-style-type: none"> • Main Roads <ul style="list-style-type: none"> ○ MR 57N Fifield Road – causeway heavy patching • Shire Roads <ul style="list-style-type: none"> ○ SR 34 Wilmatha Road – gwr ○ SR 113 Selems Road – gwr and gravel restoration ○ SR 114 Sandy Camp Road – gwr and gravel restoration ○ SR 124 Crown Camp Road – gwr ○ SR 250 Hadleigh Downs Road – drainage improvements, heavy maintenance grading ○ SR 1347 Albert Road – gwr – part length
<p>Road and culvert reconstruction and sealing</p>	<p>Road and culvert reconstruction and sealing work was undertaken on selected segments of the following roads.</p> <ul style="list-style-type: none"> • Main Roads <ul style="list-style-type: none"> ○ nil • Shire Roads <ul style="list-style-type: none"> ○ SR 120 Merribogie Road – FRC/RTR reconstruction and widening of 7 km. Initial preparation work in progress. Replacement culverts have been installed. ○ Maitland Street – FRC/RTR sealing from Leifreman St to May St completed
<p>Road reseals</p>	<p>Road resealing works were completed on the following roads.</p> <ul style="list-style-type: none"> • All Roads <ul style="list-style-type: none"> ○ nil

<p>Maintenance grading /sucker removal /line marking/ storm damage repairs</p>	<p>Routine maintenance grading was undertaken on the following unsealed roads.</p> <ul style="list-style-type: none"> • Main Roads <ul style="list-style-type: none"> ○ nil • Shire Roads <ul style="list-style-type: none"> ○ SR 4 Currawong Road ○ SR 5 Lansdale Road ○ SR 6 Billandry Road ○ SR 13 Millridge Road ○ SR 16 Kaludah Road ○ SR 19 Middlefield Road ○ SR 25 Kerriwah Road ○ SR 50 Vermont Hill Road ○ SR 53 Mumbil Tank Road ○ SR 54 Tinda Tank Road ○ SR 85 North Forbes Road ○ SR 91 Marsden Road ○ SR 102 Clargo Road (drainage repairs) ○ SR 138 Yaddra Road ○ SR 194 North Uabba Road ○ SR 197 Crawfords Road ○ SR 198 Fairs Road ○ SR 212 Hoopers Road
	<ul style="list-style-type: none"> ○ SR 220 Smiths Road ○ SR 252 Lone Wilga Road ○ SR 253 Studwicks Road ○ SR 262 Bush Home Road
<p>Shoulder grading / re-sheeting / slashing and resealing / patching</p>	<p>Routine maintenance work was undertaken on the following sealed roads.</p> <ul style="list-style-type: none"> • Main Roads <ul style="list-style-type: none"> ○ MR 57N Fifield Road – causeway reconstruction and pothole patching ○ MR 57NN The Bogan Way – edge and pothole patching ○ MR 57S The Gipps Way – edge and pothole patching ○ MR 347 Dandaloo Road – pothole patching ○ MR 371 Rankin Springs Road – pothole patching ○ MR 461 Henry Parkes Way – pothole patching ○ MR 501 Lachlan Valley Way (Lake to Hillston) – slashing ○ MR 7513 Lake Cargelligo Road – pothole patching • Shire Roads <ul style="list-style-type: none"> ○ SR 91 Grassmere Road – drainage repairs

Works in Progress September 2021

<p>Road Heavy Patching, re-sheeting / grade, water & roll.</p>	<p>Works in progress on the following roads.</p> <ul style="list-style-type: none"> • Main Roads Nil • Shire Roads <ul style="list-style-type: none"> ○ SR 87 Hubbards Road ○ SR 94 Diggers Road ○ SR 97 Driftway Road ○ SR 101 Corinella Road ○ SR 372 Woods Road
<p>Road and culvert reconstruction and sealing</p>	<p>Road and culvert reconstruction and sealing work is currently underway on selected segments of the following roads.</p> <ul style="list-style-type: none"> • Main Roads <ul style="list-style-type: none"> ○ MR 461 Henry Parkes Way – intersection improvements – culvert extensions • Shire Roads <ul style="list-style-type: none"> ○ SR 120 Merribogie Road – FLR/RTR reconstruction and widening 7km • Town Streets/Other <ul style="list-style-type: none"> ○ Innes Street/Officers Parade – FLR/RTR footpath construction ○ Grace Street/ Foster Street intersection, Lake Cargelligo – RTR reconstruction. ○ Visitor Information Centre – GLE Heavy vehicle parking area construction
<p>Road reseals</p>	<p>Road resealing works will be undertaken on the following roads.</p> <ul style="list-style-type: none"> • All Roads <ul style="list-style-type: none"> ○ nil

<p>Maintenance grading /sucker removal /line marking/ storm damage repairs</p>	<p>Routine maintenance grading is currently underway on the following unsealed roads.</p> <ul style="list-style-type: none"> • Main Roads <ul style="list-style-type: none"> ○ nil • Shire Roads <ul style="list-style-type: none"> ○ SR 11 Moira Vale Road ○ SR 12 White Tank Road ○ SR 15 Belmore Road ○ SR 18 Hillside Road ○ SR 44 Melrose Plains Road ○ SR 45 Boona Road ○ SR 90 Grassmere Road ○ SR 95 Ilgindrie Road ○ SR 96 Ludlows Lane ○ SR 261 Glenoma Lane ○ SR 262 Bush Home Road ○ SR 267 Adams Road ○ SR 306 Kirks Road ○ SR 307 Gilgais Road ○ SR 308 Moonbah Road ○ SR 1144 Weelah Road
<p>Shoulder grading / re-sheeting / slashing and resealing / patching</p>	<p>Routine maintenance work will be undertaken on the following sealed roads.</p> <ul style="list-style-type: none"> • Main and Shire Roads <ul style="list-style-type: none"> ○ As required

Works Planned for October 2021

<p>Road Heavy Patching, re-sheeting / grade, water & roll.</p>	<p>Works planned on the following roads.</p> <ul style="list-style-type: none"> • All Roads <ul style="list-style-type: none"> ○ nil
<p>Road and culvert reconstruction and sealing</p>	<p>Road and culvert reconstruction and sealing work planned on selected segments of the following roads.</p> <ul style="list-style-type: none"> • Main Roads <ul style="list-style-type: none"> ○ MR 57N The Bogan Way – FCR/Block grant – stage 2 of widening between Tullamore and Albert will commence. ○ MR 461 Henry Parkes Way/Maitland St and Silo Roads – HVSP/Block grant widening • Shire Roads <ul style="list-style-type: none"> ○ SR 120 Merribogie Road – FLR/RTR widening and sealing 7 km ○ SR 1029 Tullibigeal Road – FRC/RTR construction of 13 km (stage 1 part 2 and stage 2) – final sealing • Town Streets <ul style="list-style-type: none"> ○ Visitor information centre – vehicle parking construction. ○ Busby St/Harding Ave, Condobolin – FLR reconstruction ○ Condobolin School Precinct – FLR/RTR safety improvements ○ Grace Street, Lake Cargelligo – RTR reconstruction, including Foster Street intersection

<p>Road reseals</p>	<p>Road resealing works planned undertaken on the following roads.</p> <ul style="list-style-type: none"> • Main Road <ul style="list-style-type: none"> ○ Program to be determined • All Roads <ul style="list-style-type: none"> ○ nil
<p>Maintenance grading /sucker removal /line marking/ storm damage repairs</p>	<p>Routine maintenance grading planned on the following unsealed roads.</p> <ul style="list-style-type: none"> • Main Roads <ul style="list-style-type: none"> ○ nil • Shire Roads <ul style="list-style-type: none"> ○ SR 23 Jumble Plains Road ○ SR 35 Larkings Road ○ SR 36 Lorriane Lane ○ SR 37 Yambora Road ○ SR 60 Springvale Road ○ SR 110 Euglo Trig Road ○ SR 115 Elsmore Road ○ SR 121 Camp Road ○ SR 123 Stidwells Lane ○ SR 126 Clarries Lane ○ SR 130 West Milby Road ○ SR 144 Burgooney Road ○ SR 161 Byaglore Road ○ SR 180 O'Reillys Road ○ SR 193 River Road ○ SR 204 Bartholomews Lane ○ SR 205 Contario Road ○ SR 206 Mt Daylight Road ○ SR 208 Brewer Lane ○ SR 212 Hoopers Road ○ SR 300 Lara Lane ○ SR 336 Earls Road ○ Others as required and resources allow
<p>Shoulder grading / re-sheeting / slashing and resealing / patching</p>	<p>Routine maintenance work planned on the following sealed roads.</p> <ul style="list-style-type: none"> • Main and Shire Roads <ul style="list-style-type: none"> ○ as required

FINANCIAL AND RESOURCE IMPLICATIONS

CONSTRUCTION PROJECTS					
Regional Roads					
Project	Budget	Funding Source	Expend to date	Forecast Expenditure	Comments
Regional Roads, reseals	\$447k	TfNSW Block Grant	\$0k	\$447k	Reseal programmed to commence in October 2021.
Regional Roads, heavy patching	\$50k	TfNSW Block Grant	\$0k	\$50k	Programmed for Q3 FY21/22.
MR 461 William / MR 57S Lachlan St, intersection reconstruction	\$639k	TfNSW Block Grant \$150k, RTR \$489k	\$5k	\$639k	Programmed for Q3 FY21/22.
MR 371 Foster St, Lake Cargelligo, Canada St to Lorne St reconstruction	\$1.635m	TfNSW Block Grant \$900k, RTR \$535k, FAG \$200k	\$5k	\$1.635m	Program is pending tender outcome
MR 57N The Bogan Way, widening 29km	\$2.985m	FCR \$2.686m, TfNSW Block grant \$299k. Programmed for FY20/21 and FY21/22.	\$965k in FY20/21 \$4k in FY21/22	\$2.985m	Project programmed to recommence in October.
MR 57S The Gipps Way, Nerathong Bridge replacement	\$2.808m	FCR \$2.387m, TfNSW Block Grant \$421k. Programmed for FY20/21 and FY21/22.	\$89k in FY20/21 \$64k in FY21/22	\$2.808m	Draft Bridge replacement options report received. Comments provided. Options and cost est being reviewed.
MR 57S, MR 377 Condobolin Freight and Visitor Centre road works	\$1.203m FY20/21 \$7.963m FY21/22	Funding for FY21/22: Regional NSW funding \$6,028k, TfNSW Block \$1,535k, TfNSW Repair \$400k,	\$1.235m pre July 2021. \$150k in FY21/22	\$9.166m	Visitor information centre truck parking area construction is continuing. Smythes and Murie culverts design being finalised. Tenders called for supply of culverts.
MR 461 Henry Parkes Way intersection upgrades MR 7521 Kiacatoo Road and SR 340 Silos Road	\$516k	HVSPP \$258k. TfNSW Block \$208k, Graincorp \$50k	\$75k	\$516k	Culverts extension work in progress.

CONSTRUCTION PROJECTS					
Local Roads					
Project	Budget	Funding Source	Expend to date	Forecast Expenditure	Comments
Grace Street, Lake Cargelligo, reconstruction and widen	\$600k	RTR	\$204k (FY20/21) \$38k (FY20/21) Total \$242k	\$600k	Foster Street intersection culvert installed. Intersection will be reformed after final water main work completed.
Local Roads reseals	\$433k	RTR \$250K, FAG Roads \$140k	\$0k	\$390k	Programmed to commence in Q2 2021/22.
Local Roads Gravel re-sheets					
<ul style="list-style-type: none"> • SR 106 Fitzgerald Road • SR 124 Crown Camp Road • TOTAL 	\$200k	Special Rate Variation \$200k	\$14k \$135k \$149k	\$200k	Complete Complete
SR 1029 Tullibigeal Road, extend seal 17km – stage 1	\$2.186m	FCR \$913.5k, RTR \$1,272.5k	\$1,007k (FY19/20) \$888k (FY20/21) Total \$1.895m	\$2.186m	Pavement formation of remaining 13 km complete. Sealing programmed for October. Additional cost funded from RTR.
SR 1029 Tullibigeal Road, extend seal 9km – stage 2	\$1.061m	FCR \$955k, RTR \$106k	\$1,022k (FY20/21) \$250k (FY21/22) Total \$1.272m	\$1.661m	
Maitland Street HV Upgrade	\$900k	FCR \$765k, RTR \$135k	\$1,020k (FY20/21) \$177k (FY21/22) Total \$1.197m	\$1,200k	Hill section sealed in mid-August. Work will commence on Boona Road intersection in October. Additional cost funded from RTR.
SR 120 Merriboogie Road widen and reseal	\$1.4 m	FCR \$1,260k, RTR \$140k	\$37k	\$1.4m	Culverts being installed. Initial preparation work for widening in progress.
Busby St/Harding Ave reconstruction	\$800k	Fixing Local Roads	\$5k	\$800k	Trees on Harding Ave removed in July.
Condobolin School Precinct	\$1.181m 2020/21	Fixing Local Roads \$952k, RTR \$120k, FAG Roads \$109k	\$0k	\$1.18m	Trees were removed in July.
Officers Parade upgrade	\$1.0m	Fixing Local Roads \$600k, RTR \$400k.	\$20k	\$1.0m	Footpath construction continuing.

FUNDING SOURCES					
Funding Source	Amount	Contribution	% Spent	Used by	Comments
Roads to Recovery	\$2.637k	Nil	3.4%	30-Jun	Year 3 of five year program. \$509k of carry-over funds from 2020/21. Unspent allocation will be revoted for FY22/23
TfNSW Block and Supplementary Grants	\$3.161m	100% TfNSW	8.4%	30-Jun	TfNSW interim funding confirmed and is \$27k less than budgeted.
TfNSW Traffic Facilities	\$148k	100% TfNSW	58.4%	30-Jun	TfNSW funding confirmed. Line marking on FY20/21 reseals charged to traffic facilities.
TfNSW Repair	\$400k	100% TfNSW	0%	31 May	TfNSW funding confirmed for Lachlan Valley Way/Gipps Way intersection realignment.
FAG Roads	\$2.7m	100% Federal Grant	19.6%		To reserve if not used by 30 June.
Fixing Country Roads Maitland Street Bypass Upgrade	\$765k	FCR \$765k, RTR \$135k	109.0%	December 2021	Hill section sealed in mid-August. Work will commence on Boona Road intersection in October. QBR1 will report on transfer of additional fund from RTR to finalise project.
Fixing Country Roads SR 1029 Tullibigeal Road Upgrade – stage 1	\$913.5k	FCR \$913.5k, RTR \$1.272m	91.2%	October 2021	Project on hold till sealing in October
Fixing County Roads SR 1029 Tullibigeal Road Upgrade – stage 2	\$955k	FCR \$955k, RTR \$106k	116.0%	October 2021	Project on hold till sealing in Oct. QBR1 will report on transfer of additional fund from RTR to finalise project.
Fixing Country Roads MR 57NN The Bogan Way widening	\$2.687m	FCR \$2.687m, TfNSW Block \$298k	32.1%	May 2022	Project on hold till October as resources allocated to maintenance.
Fixing Country Roads MR 57S The Gipps Way, Nerathong bridge replacement	\$2.387m	FCR \$2.387m, TfNSW Block \$421k	3.2%	June 2022	Draft Bridge Replacement Options – Enquiry Report has been finalised. List of preferred contractors has been prepared. Application for extension of time has been submitted.

LEGAL IMPLICATIONS

Roads Act 1993 and Roads Regulations 2008

RISK IMPLICATIONS

Wet weather continues to be the major risk factor for the road network. If the more settled weather continues risks should be minimised.

STAKEHOLDER CONSULTATION

Roads to Recovery grant program officers, TfNSW Parkes Regional Office, Restart NSW program officers. Media Releases and council news columns will continue to update the community on works that are likely to cause significant traffic impacts. Targeted stakeholder updates will be completed for large urban improvement projects.

OPTIONS

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

CONCLUSION

Progress on restoring the road network following damage due to winter rain continues to be a priority with the aim to complete restoration work before harvest in November. However resources also need to be allocated to construction project to ensure council's commitments to funding bodies are met.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

CSP No. 3.1 Efficient transport networks that meet community and business needs.

Transport Asset Management Plan

ATTACHMENTS

Nil

RECOMMENDATION

That

1. The Director of Infrastructure Services Report No. R21/253 be received and noted.

10.2 FY2122 UTILITIES MONTHLY UPDATE FOR AUGUST

TRIM Number: R21/256

Author: Manager - Utilities

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 August, in progress for the month of September and forecast for the month of October 2021.

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 RNSW 1880 Condobolin Sewerage Scheme Scoping Study	<ul style="list-style-type: none"> The amended draft Condobolin WTP Scoping Study is expected to be completed by mid-October 2021.
RNSW 755 Condobolin Bore Fields II	<ul style="list-style-type: none"> The Design Information Pack (DIP) from Essential Energy has been received. Advice from EE is that there is no upstream augmentation works required for the electrical connection to the bores and the transfer pump station. The proposed underground supply to the bores was also accepted by Essential Energy.
DWS072 Condobolin Drought Water Security Project	<ul style="list-style-type: none"> Discussion and negotiation with Leed Engineering is underway in relation to the final designs. There will be a minor modification to the valve and fitting designs to improve constructability and supply timeframes. Leed Engineering is planning to mobilise their crew by the end of October 2021 with an aim to start the construction of the bore pipeline by early November 2021.
Condobolin WTP – installation of electric actuators	<ul style="list-style-type: none"> The commissioning of the electric actuators is planning to start on the week commencing 4 October 2021. This will increase efficiency of the settling and backwashing process, improving clean water production through the plant.
Condobolin Reservoir No.2 – Investigation Study	<ul style="list-style-type: none"> Works and investigation are still continuing in order to effectively isolate Condobolin Reservoir No.2. Investigations works to date have uncovered pipes and junctions not identified on any plans and a number of inoperable stop valves that are connected to the reservoir. As there is no accurate works as executed plans

	<p>available, all pipework and junctions have had to be physically uncovered to locate and measure.</p> <ul style="list-style-type: none"> • Due to this unknown complexity and faulty components, Council will have to replace some more valves to allow for the isolation of the reservoir. Due to the criticality of these components, their replacement is being planned during the night (during the period of lowest daily demand) to reduce impact on the town water supply.
Moulder St SPS – wet well and valve chamber urgent rehabilitation	<ul style="list-style-type: none"> • The pipe connection within the pump station has been renewed. • The non-return valves have been replaced and the concrete pit that houses the non-return valves has been made larger to allow room for maintenance in the future.
Condobolin Depot Standpipe upgrade	<ul style="list-style-type: none"> • Work is underway in bringing a new electrical connection to the site. This work will include a new power pole and an underground conduit to connect the new water filling station to the new power pole. • The connection from the water main to the new water filling station will also be upgraded from 50mm to 100mm, which will rapidly decrease the time required to fill the tankers.

Lake Cargelligo

Project	Progress
Lake Cargelligo ClearSCADA upgrade	<ul style="list-style-type: none"> • Lake Cargelligo ClearSCADA upgrade was completed on 6 September 2021. • This upgrade will now allow other remaining RADTEL sites within Lake Cargelligo to be upgraded.
Lake Cargelligo SPS2 and SPS3 – electrical & control system upgrade	<ul style="list-style-type: none"> • Due to the COVID-19 lockdown, there is a major shortage and delay in sourcing the hardware and materials. These projects are on hold until all components can be sourced.
Lake Cargelligo Merri Abba Bore Pipeline Electric Actuator – electrical & control system upgrade	<ul style="list-style-type: none"> • Due to the COVID-19 lockdown, there is a major shortage and delay in sourcing the hardware and materials.
Lake Cargelligo STP – RTU upgrade	<ul style="list-style-type: none"> • Due to the COVID-19 lockdown, there is a major shortage and delay in sourcing the hardware and materials.
Lake Cargelligo WTP	<ul style="list-style-type: none"> • The primary and backup pumps used to move the chemical backwash to the evaporation ponds have now been replaced.

Tottenham

Project	Progress
RNSW 841 Tottenham Water Supply	<ul style="list-style-type: none"> • PWA is currently preparing the scope of works for the upgrade of the telemetry system in Tottenham, Albert and all assets along B-section pipeline. • In addition to the above, PWA is also scoping the works for the upgrade of Leg O Mutton Dam.

Tottenham WTP Upgrade	<ul style="list-style-type: none"> • Awaiting report from MBS Water P/L for the recommendations of the upgrade works.
Tottenham Reservoir sealing works – Mural	<ul style="list-style-type: none"> • Please refer to Report R21/268.

Shire Wide

Project	Progress
RNSW 842 Sewage Effluent Reuse Management System (Lake Condobolin & Tottenham)	<ul style="list-style-type: none"> • HunterH2O is now preparing a report on the additional operational and maintenance costs for the following options: <ul style="list-style-type: none"> ○ The proposed Tottenham Sewage Effluent Reuse Management System developed by HunterH2O. ○ Tottenham Sewage Effluent Reuse Management System that only irrigates the centre of the Tottenham Racecourse.
Integrated Water Cycle Management (IWCM) Strategy	<ul style="list-style-type: none"> • All the outstanding information have been submitted to PWA. • The proposed revised levels of service are currently being prepared by Council staff.

FINANCIAL AND RESOURCE IMPLICATIONS

All projects are listed as per the Delivery and Operational Plan 2021/22.

LEGAL IMPLICATIONS

In the Condobolin, Lake Cargelligo, Tottenham and Albert water 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 DPIE 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 Council’s sewerage services is governed by DPIE Water 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 is checked regularly to identify any deviation from the current guidelines and standards.

RISK IMPLICATIONS

Risk associated with the engagement of PWA is addressed by the formation of a project steering committee with INSW, DPIE 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), NSW Govt Critical Water Advisory Panel (CWAP) and Central West Joint Organisation Water Utilities Alliance (CWUA).

STAKEHOLDER CONSULTATION

DPIE 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 program 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 August, underway for September and planned for October 2021.

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

RECOMMENDATION

That

1. The Director Infrastructure Services Report No. R21/256 be received and noted.

10.3 TREE ASSESSMENT - 42 NAPIER STREET, CONDOBOLIN**TRIM Number: R21/266****Author: Engineering Assistant - Urban Works****PURPOSE**

In accordance with the Lachlan Shire Council Tree Replacement Plan, each living tree is required to be assessed prior to removal / replacement. The findings of the assessment form part of the recommendations to Council.

SUPPORTING INFORMATION

Council tree assessment report - 42 Napier Street Condobolin (attachment 1)

BACKGROUND

On the 1st December 2020, a branch fell from a Paperbark tree located at 42 Napier Street, Condobolin. The branch fell on to a nearby utility, parked on the road, causing minor damage to the vehicle. The resident, who also runs a day-care business at the premises, has concerns over the safety of the children and other pedestrians that may walk by. She is requesting that the two paperbark trees (*Melaleuca styphaloides*) located in front of her property be removed.

ISSUES AND COMMENTS

According to Council's Customer Request Management (CRM) System, issues of dead branches and root damage have previously been brought to the attention of Council by the resident. In January of 2018, Council removed dead branches from the tree and reduced the size of some exposed tree roots. Council attended to the site again in May of 2020, when it was identified that tree roots had caused movement in the footpath pavers, creating a trip hazard. These issues have since been addressed.



The trees are medium in size and are in overall healthy condition. However, the trees do exhibit minor signs of dieback but this is quite common for this species. There are also overhead power lines in the area but the trees are not being observed to have a major impact on them.

FINANCIAL AND RESOURCE IMPLICATIONS

The removal of the trees located at 42 Napier Street could be completed by Council staff at a cost of approximately \$1,500.

LEGAL IMPLICATIONS

If damage or injury results from a tree located on a road reserve, there is potential for a claim against Council. However, the degree of liability is dependent on the circumstances of the incident and the protections afforded to Council under the Civil Liabilities Act.

RISK IMPLICATIONS

The trees have been assessed and it is suggested that due to the prior history of limbs being dropped, that the trees be removed. However, given that this species is not a large species it is not clear that the trees present a severe public hazard and therefore whether the removal of the trees are entirely warranted. Council can now make an informed decision regarding the retention of the trees, public/private safety and risk and landscape amenity.

STAKEHOLDER CONSULTATION

Only immediate residents have been consulted regarding this matter.

OPTIONS

- 1) Remove all trees as requested and replace with another species of tree.
- 2) Approve the removal of the trees at full or partial cost to the applicant.
- 3) Decline the request for removal of the trees and continue to maintain the trees to reduce the risks to person and property.

CONCLUSION

As a result of the inspections and tree assessments, the suggestion is to remove the trees as requested. However, given that the trees are established and they are not a large high risk species, the matter was brought before Council to consider whether the trees to be retained. Council now has additional information in order to make an informed decision.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

6.3: New and Visually appealing streetscapes

ATTACHMENTS

1. **42 Napier Street - Tree Assessment** [↓](#)

RECOMMENDATION

That

1. The Director Infrastructure Services Report No. 21/266 be received and noted.
2. Council remove all trees as requested and replace with more suitable tree species.

Assessment for Street Tree Removal

Location 42 Napier Street Town Condoobolin Date 13/09/21

1. Environmental Hazards		Y	N
1.1	Does the tree produce a lot of Debris?		✓
1.1.1	Does the debris block any drains or gutters?		✓
1.1.2	Can the drains or gutters be maintained using the street sweeper?	✓	If Yes, Do Not remove tree. Included proposed works on maintenance schedule.
1.2	Does the tree affect the footpath, kerb & gutter, seats, bins or other structural hazards?	✓	
1.2.1	Can the footpath, kerb & gutter, seats, bins or other structural hazards be levelled without removing tree?	✓	If Yes, Do Not remove tree. Include proposed works on maintenance schedule.
2. Public Risk			
2.1	Does the tree drop limbs?	✓	
2.1.1	Is there a risk to people/property?	✓	If Yes, remove and replace.
2.2	Is the tree rotten/diseased/inhabited by pests?		✓
2.2.1	Can the tree be treated for disease/pests?	NA	If No remove and replace.
2.2.2	Can the rotten section be removed without affecting the tree?	NA	If No remove and replace.
2.3	Is the root system causing a Trip Hazard?	✓	
2.3.1	Can the Trip Hazard be removed without removing the tree?	✓	If Yes, Do Not remove tree. Include proposed works on maintenance schedule.
3. Traffic Hazard			
3.1	Is the tree located near a corner?		✓
3.1.1	Is the vision of the road blocked?		✓ If Yes, assess
3.1.2	Is the tree over hanging the road?	✓	
3.1.3	If tree is trimmed will the vision still be blocked?		✓ If Yes, remove and replace.
4. Public Utilities			
4.1	Is the tree located over a service?		✓
4.1.1	Does the tree affect the service?		✓ If Yes, remove carefully
4.2	Is the tree in the overhead power lines?		✓ If Yes, inform Essential Energy.
4.2.1	Will the tree grow into the overhead power lines?		✓ If Yes, will need to be removed and replaced.
4.3	Does the tree prevent parking, mechanical sweeping and garbage collection?		✓
4.3.1	Can the tree be trimmed to allow above services?	✓	If Yes, Do Not remove put on works roster.
5. Streetscape			
5.1	Will removal of the tree affect the look of the street?	✓	If Yes, consider planting new Tree before removal
6. Others			
6.1	Is the tree taller than 12m?		✓ If taller then 12m contractor to remove.
6.2	Is the tree stump wider than 2m?		✓ If wider then 2m contractor to remove.
Can the Hazards be resolved without removing the tree?		✓	If No, remove tree and replace with
Can the Public Risks be resolved without removing the tree?		✓	If No, remove and replace.
Can the Issues be resolved without removing the tree?		✓	If No, remove and replace.

The trees in question (two paperbark trees) ~~are~~ have a history of dropping branches and causing hazards to the community. Given the location of the nearby day care centre and the risk of further branches falling, serious consideration needs to be made for the removal of the trees.

10.4 FY2122 - URBAN WORKS REPORT UPDATE FOR AUGUST

TRIM Number: R21/272

Author: Manager - Urban Works

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 August, in progress for the month of September and forecast for the month of October 2021.

SUPPORTING INFORMATION

Nil

BACKGROUND

Council has adopted the 2021/22 budget and associated Delivery and Operational Plans. This report provides updates on the delivery of the Urban Works section’s program, with some overlap with roads, utilities, tourism and buildings where required.

ISSUES AND COMMENTS

The Covid-19 situation continues to have an impact on service delivery. Council staff are continuing with priority works and delaying less critical works – especially where contractors are involved external to the Lachlan LGA. Some materials and manufactured goods are becoming increasingly difficult to secure in a timely manner. Council staff are liaising with stakeholders and grant bodies regarding possible impacts.

Works Completed in August

Tourism Precinct – stage 3. BBRF	Irrigation design completed. Plant listing for the Jockeys memorial has been sent to prospective suppliers for quotes
SRA – Netball Courts LED Lighting	Light Up Sports have been appointed to undertake the installation of LED lighting for the Condobolin SRA Netball Courts.
Condobolin Cemetery	Row and Section markers installation underway.
Condobolin Pool Filtration	Balance tank and pipework installation complete. Water features installed, base preparation underway for resurfacing. Minor delays due to COVID. Completion is due late-September.
Lake Cargelligo Toddler Pool resurfacing	Significant preparations was required on the base for the pebblecrete. There was a large variance in levels and thicknesses in previous surface. This likely contributed to failure of previous surface. Base preparation and levelling continues. Minor delays due to COVID. Works to be completed by late September.
Lake Cargelligo irrigation installation Swimming Pool	Aquawest have completed boring underneath the Conapaira Street to bring water across to the pool. Minor delays due to COVID.
Lake Cargelligo irrigation stage 3 – Liberty Park	Aquawest completed all irrigation works in Liberty Park and Bicentennial Park.

Apex Park Pontoon	<p>Manufacture of pontoon is underway. Installation has been deferred to November, owing to COVID and high water levels within the lake. Quotes received for Gabion baskets.</p>
Lake Cargelligo Recreation Ground New Playground	<p>Shade sail has been installed. Preparation underway for new equipment installation</p>
Tottenham Toddler Pool Filtration	<p>Pool Inlet, outlet works and concourse repairs completed. System tested and commissioned. Pool Operator still to be trained/inducted. Minor modifications required to improve ease of operation. Site remediation underway.</p>
Tullibigeal Gymkhana Fencing.	<p>Committee responsible for constructing the Gymkhana ring has stated that they cannot do any further works until the “Stay at Home” orders are relaxed</p>

Works Underway in September

Tourism Precinct – stage 3. BBRF	<p>Irrigation RFQ sent to installation contractors Plants for the Jockeys memorial to be delivered in preparation for planting. Planning underway for a training opportunity with Condobolin TAFE and horticulture students to plant trees and shrubs. Dog exercise and play area RFQ to be undertaken.</p>
SRA – Netball Courts LED Lighting	<p>Awaiting confirmation of installation date.</p>
SRA – irrigation stage 3 – Soccer/Jnr Cricket	<p>Works programmed to begin in early October.</p>
Condobolin Pool Filtration	<p>Drainage and resurfacing works underway. Backfilling trenches and site clean-up underway. Minor delays due to COVID. Completion is due late-September.</p>
Lake Cargelligo Toddler Pool resurfacing	<p>Base preparation and levelling underway resurfacing to occur mid-September. Minor delays due to COVID. Works to be completed by late September.</p>
Lake Cargelligo irrigation installation Swimming Pool	<p>Aquawest working with construction Contractor for the Amenities building. Irrigation works will recommence once the building works allow. Minor delays due to COVID. Possible late opening for the season.</p>
Apex Park Pontoon	<p>Manufacture of pontoon continues underway. Installation has been deferred to November, owing to COVID and high water levels within the lake.</p>
Lake Cargelligo Recreation Ground New Playground	<p>Playground design and purchases to be completed.</p>
Tottenham Toddler Pool Filtration	<p>Final modification works and site clean-up. Pool Operator still to be trained/inducted. Project completed.</p>
Tottenham Tennis court lighting	<p>Arrangements underway to confirm relocation of 2 light towers. Awaiting confirmation of installation dates.</p>
Tullibigeal AFL/Netball Storage shed	<p>Shed has been completed including electrical installation.</p>

Tullibigeal Racecourse Skillion	Quotes received from prospective suppliers however, most designs are not appropriate for public use. Designs have been assessed and the builder is in discussions with club representatives to ensure full design is captured.
Tullibigeal Gymkhana Fencing.	Gymkhana ring panels to be installed by the committee representatives

Works scheduled in October

Tourism Precinct – stage 3. BBRF	Irrigation installation contractor confirmed. Jockeys memorial garden planting to commence with TAFE. Dog exercise and play area parts ordered.
SRA – Netball Courts LED Lighting	Awaiting confirmation of installation date.
SRA – irrigation stage 3 – Soccer/Jnr Cricket	Works programmed to begin in early October.
Wellington Square Irrigation	Specification developed and RFQ sent to prospective contractors
Bathurst Street Footpath Construction	Specification developed and RFQ sent to prospective contractors
Lake Cargelligo irrigation installation Swimming Pool	Works to progress as soon as site construction allows. Possible late opening for the season.
Apex Park Pontoon	Manufacture of pontoon continues underway. Installation has been deferred to November, owing to COVID and high water levels within the lake.
Lake Cargelligo Recreation Ground New Playground	Playground design and purchases to be completed.
Tottenham Tennis court lighting	relocate 2 light tower structures and electrical connection Awaiting confirmation of light installation.
Tullibigeal AFL/Netball Storage shed	Shed has been completed including electrical installation.
Tullibigeal Racecourse Skillion	Quotes received from prospective suppliers however, most designs are not appropriate for public use. Designs have been assessed and the builder is in discussions with club representatives to ensure full design is captured.
Tullibigeal Gymkhana Fencing.	Works to be completed

FINANCIAL AND RESOURCE IMPLICATIONS

Project	Budget	Funding Source	Expenditure To Date	Forecast Expenditure	Comments
Tourism Precinct Stage 3	\$600k	BBRF 4 SCCF2	\$230k	\$600k	Budget is on track
Condobolin Cemetery Row Markers	\$26k	Capital Works	\$14k	\$26k	On Budget
SRA Soccer Ground Irrigation – Diggers Ave, Condobolin	\$135k	Community LRCI	\$80k	\$135k	Project ready to start
Condobolin Toddler Pool Filtration	\$239k	Capital Works LRCI	\$115k	\$239k	On Budget
Lake Cargelligo pool resurfacing	\$90k	Capital Works LRCI	\$22k	\$82k	On Budget
Lake Cargelligo irrigation stage 3 – Liberty and Bicentennial park	\$130k	Community LRCI	\$149k	\$149k	Scope extended to include swimming pool. Funded from underspend in other irrigation works.
Lake Cargelligo Playground Equipment	\$145k	Capital Works Everyone Can Play	\$21k	\$145k	Works in Progress
Apex Park Pontoon	\$200k	Boating now	\$130k	\$200k	Budget is on track
Tottenham tennis court refurbishment	\$83k	LRCI	\$30k	\$83k	Budget increased at June Council meeting.
Tottenham Toddler Pool Filtration	\$203k	Capital Works LRCI	\$157k	\$203k	On Budget
Tullibigeal AFL/Netball Storage shed	\$25k	LRCI	\$20k	\$25k	Complete
Tullibigeal Racecourse Skillion	\$20k	LRCI	\$0k	\$20k	Confirming scope
Tullibigeal Gymkhana Fencing.	\$15k	LRCI	\$13k	\$15k	On Budget.

LEGAL IMPLICATIONS

Nil

RISK IMPLICATIONS

1. Project management and financial controls are in place to manage time and budget risks. Manager Urban Works is working towards achieving full project delivery on time and in budget for all allocated projects. Some projects may be cancelled if the budget is not revoted.

2. COVID-19 is impacting the timelines of all projects and we are reliant on the information coming from the State Government, which will decide on the scheduling, programming and completion of many projects.

STAKEHOLDER CONSULTATION

- Council staff are seeking to engage with specific stakeholders on each project, in accordance with Council’s community consultation policy.
- Swimming Pool operators have been consulted and provided the opportunity to comment on the concept design for toddler pool filtration separation. As best as possible, staff have kept them informed about upgrade works, timing and impact on pool operations and opening.
- Tottenham Tennis Club discussions continue to progress lighting works.

OPTIONS

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

CONCLUSION

This report updates Council on the capital improvements undertaken by the recreation section in August, in progress for September and forecast work for October 2021.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

- 3.2 Improved Pedestrian and Cycle Paths
- 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

RECOMMENDATION

That:

1. The Director Infrastructure Services Report No. R21/272 be received and noted.

11 DEPUTATIONS

12 NOTICES OF MOTION

Nil

13 NOTICES OF RESCISSION

Nil

14 DELEGATES REPORT

Nil

15 CORRESPONDENCE

15.1 CORRESPONDENCE - SEPTEMBER

TRIM Number: R21/264

Author: Administration Coordinator - General Management

PURPOSE

To provide Council with Correspondence received for the month of September.

SUPPORTING INFORMATION

Copies of the correspondence are attached.

LGNSW – Mayoral Election

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

CSP 4.2 Strong effective and responsive Council

ATTACHMENTS

1. **Attachment A** [↓](#)

RECOMMENDATION

That:

1. The General Manager's Report No. R21/264 be received and noted.



Mayoral representation following local government elections

Dear Mr Tory,

LGNSW has sent the following message to mayors this morning:

Many of you have contacted me with concerns about a legislative amendment made in 2016 to section 234 of the *Local Government Act 1993* that means that mayors elected by councillors no longer hold the office of mayor from the day of an ordinary election.

Prior to this amendment, the mayor would remain in office until the next meeting of the council following the election, when the election of the mayor for the new term would occur.

Popularly elected mayors are not affected by the amendment and so remain able to fulfil the functions of the office of mayor until the declaration of the newly elected mayor.

The result of this is that 91 councils in NSW (more than 70%) will be without an elected representative until the new mayor is elected, which could be up to 6 weeks after the ordinary election. This [NSW local government electoral map](#) illustrates how random this is. For example, the community in Uralla Shire will be continually served by a Mayor during the election period, but the neighbouring Armidale LGA community will not. Hornsby will have a Mayor, Ryde won't. Wollongong will be served by a Mayor, but Shellharbour won't have a Mayor.

I recently met with and wrote to the Minister for Local Government Shelley Hancock requesting she fix this anomaly and I know that many of you have done the same.

Unfortunately, the Minister has advised that the Government does not propose to revisit the amendment to section 234.

The Minister has advised that it has always been the case that under the Act, the term of office of a mayor elected by councillors expires at the same time as their civic office as councillor, on the day of the ordinary council election and the intent of the amendment was to ***“address an existing ambiguity in the Act that has allowed some Mayors to purport to exercise the role of mayor after they cease to hold office as a councillor after an election”***.

Local Government NSW disputes this statement, evidenced by the Department of Local Government's *Circular to Councils – Mayor's Role After Ordinary Election* (August 2008), which clearly sets out the framework to provide for a caretaker mayor between the date of a general election and the date the successor is declared elected at the next meeting.

NSW should join almost every other state in having caretaker provisions which ensures no gap in mayoral representation.

Local Government NSW believes it is unacceptable that some councils will have an elected representative during this period, but some will not. We all know that elected local leadership is absolutely critical, particularly during peak bushfire season.

In the interests of your local communities, I encourage you to join Local Government NSW in continuing to ask the Minister to urgently address this issue in time for the upcoming election.

Yours sincerely,

LindaScott
President

16 QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

17 PETITIONS

Nil

18 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:

18.1 Internal Audit - Accounts Payable

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.

18.2 Interim Audit Management letter for year ended 30 June 21

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.

18.3 Water Account Adjustment - 1041933

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).

18.4 Water Account Adjustment - 1005741

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).

18.5 Water Account Adjustment - 1018883

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).

18.6 Water Account Adjustment - 1046852

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).

18.7 Enterprise Risk Management Framework work program and proposal

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.

18.8 Draft internal audit and risk management framework for local councils in NSW – August 2021

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.

18.9 Tender Assessment - Supply of Culverts for the Murie and Smythe's Corner project

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.

18.10 Tottenham Reservoir - Mural Painting

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.

18.11 Offer to purchase land - Walker Street Lake Cargelligo

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.

18.12 Request to transfer a crown road - near to North Forbes Road

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).