



Ordinary Council Meeting

Agenda

15 February 2024

**Notice is hereby given in accordance with the provisions of the
Local Government Act 1993 that an
Ordinary Meeting of Warrumbungle Shire Council
will be held in the Coonabarabran Chambers, John Street,
Coonabarabran
on Thursday, 15 February 2024 commencing at 5:00 pm.**

Mayor: Cr Ambrose Doolan

Councillors: Kodi Brady
Dale Hogden
Zoe Holcombe
Aniello Iannuzzi
Carlton Kopke
Jason Newton
Kathryn Rindfleish (Deputy Mayor)
Denis Todd

Please note:

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Council's Vision
Excellence in Local Government

Mission Statement

We will provide:

- Quality, cost effective services that will enhance our community's lifestyle, environment, opportunity and prosperity.
- Infrastructure and services which meet the social and economic needs and aspirations of the community now and in the future.
- Effective leadership and good governance, by encouraging teamwork, through a dedicated responsible well trained workforce.

Values

- ✓ **Honesty**
Frank and open discussion, taking responsibility for our actions
- ✓ **Integrity**
Behaving in accordance with our values
- ✓ **Fairness**
Consideration of the facts and a commitment to two way communication
- ✓ **Compassion**
Working for the benefit and care of our community and the natural environment
- ✓ **Respect**
To ourselves, colleagues, the organisation and the community, listening actively and responding truthfully
- ✓ **Transparency**
Open and honest interactions with each other and our community
- ✓ **Passion**
Achievement of activities with energy, enthusiasm and pride
- ✓ **Trust**
Striving to be dependable, reliable and delivering outcomes in a spirit of goodwill
- ✓ **Opportunity**
To be an enviable workplace creating pathways for staff development

WARRUMBUNGLA SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

AGENDA

ACKNOWLEDGEMENT OF COUNTRY – Council acknowledges the Traditional Custodians of the Land at which the meeting is held and pays its respects to Elders both past and present and extends that respect to other Aboriginal people who are present.

Turn Off Mobile Phones

Audio Recording of Council Meetings

Apologies/Leave of Absence

Confirmation of Minutes

15 December 2023

Disclosure of Interest

Pecuniary Interest

Non Pecuniary Conflict of Interest

Mayoral Minute/s

Delegate Report/s

Reports of Committees

Reports to Council

Notices of Motion/Questions with Notice/Rescission Motions

Reports to be considered in Closed Council

Conclusion

.....
ROGER BAILEY
GENERAL MANAGER

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

INDEX

Item 1 Mayoral Minute – Mayors Log of Activity, Kilometres Travelled and Expenses from 8 December 2023 to 7 February 2024.....	7
RECOMMENDATION	8
Item 2 Councillors’ Monthly Travel Claims	9
RECOMMENDATION	10
Item 3 Delegates Report – Alliance of Western Councils (AWC) Board Meetings 8 December 2023.....	11
RECOMMENDATION	12
Item 4 Delegate’s Report – Castlereagh Macquarie County Council Meeting 4 December 2023.....	13
RECOMMENDATION	14
Item 5 Delegate’s Report – Mining and Energy Related Councils Meeting 7 – 8 December 2023.....	15
RECOMMENDATION	16
Item 6 Community Consultation Meetings	17
RECOMMENDATION	18
Item 7 Minutes Australia Day Awards 2024 Committee Meeting 14 December 2023.....	19
RECOMMENDATION	20
Item 8 Minutes of Warrumbungle Road Network Advisory Group Meeting – 6 December 2023.....	21
RECOMMENDATION	22
Item 9 Minutes of Coonabarabran Swimming Pool Advisory Committee Meeting – 15 January 2024	23
RECOMMENDATION	24
Item 10 Minutes of Coonabarabran Sporting Complex Advisory Committee Meeting – 29 January 2024	25
RECOMMENDATION	26
Item 11 Minutes of Coonabarabran Town Beautification Advisory Committee Meeting – 31 January 2024	27
RECOMMENDATION	28
Item 12 Constitutional Referendums and Council Polls	29
RECOMMENDATION	30
Item 13 Council Resolutions Report	31
RECOMMENDATION	32
Item 14 Revotes and High Value Projects Report.....	33
RECOMMENDATION	34

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Item 15 Internally Restricted Assets Policy	35
RECOMMENDATION	36
Item 16 Fraud and Corruption Control Policy	37
RECOMMENDATION	38
Item 17 Draft Privacy Management Plan	39
RECOMMENDATION	40
Item 18 Procurement Policy	41
RECOMMENDATION	42
Item 19 Public Forum Policy	43
RECOMMENDATION	44
Item 20 Quarterly Budget Review Statement 1st Quarter Ending 31 December 2023 ...	45
RECOMMENDATION	60
Item 21 Investments and Term Deposits – month ending 31 January 2024.....	61
RECOMMENDATION	66
Item 22 Natural Disaster Response and Recovery Monthly Report	67
RECOMMENDATION	74
Item 23 Update Report on Werribee Road, Premer	75
RECOMMENDATION	78
Item 24 Regional Tender for the Supply and Delivery of Bitumen Emulsion	80
RECOMMENDATION	81
Item 25 Regional Tender for the Provision of Linemarking	82
RECOMMENDATION	83
Item 26 Regional Tender for the Provision of Traffic Control	84
RECOMMENDATION	85
Item 27 Planning Agreements Report.....	86
RECOMMENDATION	93
Item 28 Real Country Tourism Experience Strategy and Infrastructure Business Case .	94
RECOMMENDATION	96
Item 29 Central-West Orana Renewable Energy Zone Report – February 2024	98
RECOMMENDATION	103
Item 30 Development Approvals.....	104
RECOMMENDATION	104
Item 31 Notice of Motion – HAFFF Grants.....	105
Item 32 Notice of Motion – Power Charging Stations.....	106

WARRUMBUNGL E SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Item 33 Reports to be Considered in Closed Council 107

Item 33.1 Human Resources Monthly Report 107

RECOMMENDATION 107

Item 33.2 Council Organisation Structure 107

RECOMMENDATION 108

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Item 1 Mayoral Minute – Mayors Log of Activity, Kilometres Travelled and Expenses from 8 December 2023 to 7 February 2024

MAYORAL MINUTE - MAYORS ACTIVITY

<u>Date</u>	<u>Type</u>	<u>In/Out</u>	<u>Activity</u>
1-Jan	Email	In	GM - Draft REZ benefit sharing guidelines
	Email	Out	Warwick Giblin - Draft response to benefit sharing plan
3-Jan	Email	In	Deputy Mayor - electric vehicle charging stations
4-Jan	Email	In	Deputy Mayor - Burrundulla Solar Farm
	Email	In	Ratepayer - CWO REZ
6-Jan	Email	In	GM - Coonabarabran Pool
8-Jan	Email	In	Director Technical Services - Reservoir Street update
	Email	In	Warwick Giblin - Valley of the Winds VPA
10-Jan	Email	In	Warwick Giblin - REZ map
	Email	In	Warwick Giblin - report on managing REZ impacts
	Email	Out	Deputy Mayor - GM Performance Review
11-Jan	Email	In	GM - Spicers Creek response to submission report
	Email	In	GM - draft benefit sharing guidelines
12-Jan	Email	In	Warwick Giblin - Ungula Wind Farm
	Email	In	Ratepayer - compliment re Coonabarabran Pool
15-Jan	Email	Out	Deputy Mayor - GM Performance Review
	Email	In	GM - pool break in
	Email	In	GM - VOW VPA
16-Jan	Email	In	Warwick Giblin - REZ road maintenance
17-Jan	Email	In	Warwick Giblin - Avonside Solar Farm
18-Jan	Email	In	Ratepayer - REZ media
19-Jan	Email	Out	GM - meeting request with Minister for Planning
	Email	Out	Deputy Mayor - GM Performance Review
22-Jan	Email	In	Ratepayer - letter of concern
	Email	In	Ratepayer - request for updates re TRRRC site
23-Jan	Email	In	GM - Draft Energy Policy Framework
24-Jan	Email	In	GM - TRRRC updates
	Email	In	Deputy Mayor - Housing Australia
	Email	Out	GM - TRRRC demolition
29-Jan	Email	In	Ratepayer - Public Forum Policy
31-Jan	Email	In	GM - compliment Coonabarabran Pool
	Email	Out	GM - meeting request with Minister for Planning
1-Feb	Email	Out	GM - letter to ratepayer
	Email	In	GM - EnergyCo
	Email	In	GM - reply to ratepayer
	Email	In	Warwick Giblin - Santos benefit sharing
2-Feb	Email	In	Roy Butler - meeting with Minister for Planning
	Email	Out	Roy Butler - meeting with Minister for Planning
4-Feb	Email	In	Deputy Mayor - community engagement
	Email	In	Ratepayer - REZ update
	Email	In	Ratepayer - Real Country Strategic Plan

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

5-Feb	Email	In	Ratepayer - community workshop update
	Email	Out	Mayor of Armidale - meeting with Minister for Energy
	Email	In	Mayor of Armidale - meeting with Minister for Energy
	Email	In	Deputy Mayor - motions for February meeting
6-Feb	Email	In	Ratepayer - bringing heritage into focus
	Email	In	The Hon. Kristy McBain MP - Roads to Recovery
7-Feb	Email	In	GM - REZ
	Email	Out	GM - reply to Minister for Local Government

Date of Journey		Purpose of Journey	Odometer		KM Travelled
Start Date	End Date		Start	Finish	
14-Dec	14-Dec	Meeting GM and Deputy Mayor	32774	32800	26
14-Dec	14-Dec	December Council Meeting	32800	32829	29
16-Dec	16-Dec	Thomas Howlett Service	32829	32858	29
18-Dec	18-Dec	Coonabarabran Council Office	32858	32888	30
21-Dec	21-Dec	Coonabarabran Council Office	32888	32916	28
15-Jan	15-Jan	Coonabarabran Council Office	32916	32943	27
17-Jan	17-Jan	Coonabarabran Council Office	32943	32970	27
23-Jan	23-Jan	Coonabarabran Council Office	32970	32997	27
25-Jan	25-Jan	Dinner with Australia Day Ambassador	32997	33025	28
26-Jan	26-Jan	Australia Day	33025	33259	234
6-Feb	6-Feb	Dubbo - EnergyCo Meeting	33259	33559	300
Total KM travelled for period 14 December - 6 February 2024					785

MAYORAL MINUTE - EXPENSES 8 December 2023 to 7 February 2024

<u>Date</u>	<u>Transaction Details</u>	<u>Comments</u>	
26-Jan	Lotus Chinese Restaurant	Meal - Australia Day	\$ 453.94
Total expenditure for period 08/12/2023 - 7/02/2024			\$ 453.94

RECOMMENDATION

That Council:

1. Notes the report on the Mayor's Activity and Log of Kilometres Travelled for the period 8 December 2023 to 7 February 2024.
2. Notes the report on the Mayor's credit card expenses between 8 December 2023 and 7 February 2024 and approves the payment of expenses totalling \$453.94.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Item 2 Councillors' Monthly Travel Claims

Division:	Executive Services
Management Area:	Governance
Author:	EA to the General Manager – Erin Player
CSP Key Focus Area:	Civic Leadership
Priority:	CL2.1 Provide Council's leadership with a strong governance and management framework that promotes transparent and informed decision-making.

Reason for Report

To provide Council with details of monthly travel claims of councillors.

Background

At the Ordinary Council meeting in July 2017 it was resolved that, "*all Councillors make public their monthly travel claims effective immediately.*" (**Resolution No 10/1718**)

Councillor Monthly Travel Claims

Councillor	Kilometres	\$ per KM	Total Amount (\$)
Cr Brady	-	0.95	-
Cr Doolan	-	0.95	-
Cr Hogden	300	0.95	\$285.00
Cr Holcombe	-	0.95	-
Cr Iannuzzi	-	0.95	-
Cr Kopke	332	0.95	\$315.40
Cr Newton	-	0.95	-
Cr Rindfleish	519	0.95	\$493.05
Cr Todd	368	0.81	\$298.08
		Total:	\$1,391.53

Issues

Nil.

Options

Nil.

Financial Considerations

Outlined above.

Risk Considerations

This report involves operational level risks. The risk level is low and falls within Council's risk appetite.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Community Engagement

To inform the community.

Attachments

1. Councillors Monthly Travel Claims

RECOMMENDATION

That the Councillors' monthly travel claims report in the amount of \$1,391.53 be noted for information.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Item 3 Delegates Report – Alliance of Western Councils (AWC) Board Meetings 8 December 2023

Division:	Executive Services
Management Area:	Executive Services
Author:	Mayor – Ambrose Doolan
CSP Key Focus Area:	Civic Leadership
Priority:	CL6 To build strong relationships

Reason for Report

To report to Council on the Alliance of Western Councils (AWC) Board meeting held in Dubbo on Friday 8 December 2023.

Background

A meeting of the Alliance of Western Councils (AWC) Board Meeting was held on Friday 8 December 2023.

During the meeting, the Annual General Meeting was held and the election of Chair and Deputy Chairs took place. Councillor Davies was re-elected as Chair and Councillor Quigley and Councillor Neill were elected as Deputy Chair for a 12-month period.

During the Board meeting the following topics were discussed:

- Establishing a formal organisation from 1 July 2024, giving members the opportunity to join for an increased cost to cover the Executive Officer role.
- A list of potential presenters for 2024 were decided (complete list in Attachment 1).
- An update on the REZ was provided by Brad Cam, noting that EnergyCo NSW have released their Environmental Impact Statement (EIS) and are responding to submissions and Mid-Western Regional Council have recently engaged consultants to undertake an Impact Assessment Report.
- LGNSW Conference and the disappointment not making it through all the motions.

During the meeting, there were a number of presentations, which included:

- John Clements, Office of Roy Butler MP, provided an update regarding the Regional Development Trust Fund and accessing funding for housing.
- Angus MacDonald, Positive Rugby Foundation, provided an overview of their work in using rugby for promoting positive health and wellbeing and wanting to build relationships in communities.
- Ian George, Regional Engagement Manager and Mike Marom, Regional General Manager Northern NSW – Telstra, provided an update from Telstra.
- The Hon. Troy Grant – Inspector-General of Water Compliance provided an overview of the structure and the functions of his office.

WARRUMBUNGLA SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

- Dr Louisa Mamouney – Credit Supply Taskforce, Environment and Heritage Group and Sarah Carr, Regional Director North West – DPE, presented information and tips on reducing costs for biodiversity offsets along with an update on Biodiversity Conservation Act 2016 review.
- Michael Wheatley – Chief Executive, NSW Land and Housing Corporation – Modular Housing Taskforce, made a presentation in relation to the newly formed Modular Housing Taskforce.

Issues

Nil

Options

Nil

Financial Considerations

Nil

Community Engagement

To inform the community by placing the information on Council's website through the Business Paper.

Attachments

1. Minutes, Alliance of Western Councils (AWC) Board meeting 8 December 2023.

RECOMMENDATION

That Council note the Delegate's Report in relation to Alliance of Western Councils (AWC) Board meeting held in Dubbo on Friday 8 December 2023.

WARRUMBUNGLA SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Item 4 Delegate's Report – Castlereagh Macquarie County Council Meeting 4 December 2023

Division:	Executive Services
Management Area:	Governance
Author:	Councillor Zoe Holcombe
CSP Key Focus Area:	Civic Leadership
Priority:	CL6 To build strong relationships

Reason for Report

To report to Council on the Castlereagh Macquarie County Council Meeting held Monday 4 December 2023.

Background

On Monday 4 December 2023, Cr Holcombe and Cr Todd attended the Castlereagh Macquarie County Council Meeting in Coonamble.

The annual report was tabled and adopted Annual Report for 2022/2023.

Bio Report for December

Hudson Pear

Hudson Pear-Quanda, Coonamble Shire. A walk through was held on Tuesday 14th November with 30 volunteers from Central West Councils, National Parkes, Crown lands, Central West Local Land Services, North West Local Land Services coming together to spot spray Hudson Pear. It is estimated that 1500-2000 plants were sprayed which hopefully will annihilate the next generation of Hudson Pear. The site has been disturbed after having tracks and boundary fences cleared this year. While the tracks were necessary for access small plants from .5 cm to 3 cm were found.

Hudson Pear Lightning Ridge – Councillors are worried that with the recent fire in the area that vehicles/heavy plant may have been spread the pear even further. It was acknowledged that de-contamination zones were set up when trucks/vehicles were exiting the fire ground. We are hopeful that this was adhered to.

Spraying in the area continues with some more land holders taking up the free chemical packages.

Blue Heliotrope

After 3 years of input the Blue Heliotrope manual has now been printed. It can be found here www.dpi.nsw.gov.au/biosecurity/weeds/weed-control/management-guides/blue-heliotrope .

The next meeting will be held on the 6th March 2024. Where the CMCC will meet in Warren to coincide with an African Box Thorn Field Day.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

All business papers and minutes of meeting can be found here.

<https://cmcc.nsw.gov.au/business-papers/>

Issues

Nil

Options

Nil

Financial Considerations

Nil

Community Engagement

To inform the community by placing the information on Council's website through the Business Paper.

Attachments

Nil

RECOMMENDATION

That Council notes the Delegate's Report on the Castlereagh Macquarie County Council meeting held on 4 December 2023.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Item 5 Delegate’s Report – Mining and Energy Related Councils Meeting 7 – 8 December 2023

Division:	Executive Services
Management Area:	Governance
Author:	Councillor Denis Todd
CSP Key Focus Area:	Local Government and Finance
Priority:	GF4 Council governance and organisation structure, reflects the vision, directions and priorities outlined in the Community Strategic Plan

Reason for Report

To report to Council on the Mining and Energy Related Councils Meeting held 7 – 8 December 2023 in the York Building, York Street, Sydney.

Background

The Executive Committee Meeting was held on Thursday 7 December. The meeting focussed on the engagement of Future Together Group from 8 December 2023 and their proposed “90 Day Plan” proposal.

Michael Askew to be the Executive Officer for 14 hours a week and Martin Rush as Director Policy for 7 hours a week. The package value is \$124,000 for 12 months then review. There is an expectation that membership will increase with target of 40 mentioned in due course.

The Annual General Meeting (AGM) was held on Friday 8 December. During the AGM there was an election for the Executive Committee with the following results:

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

An increase of 5% for the Association’s membership was adopted for 2024/2025 year based on IPART recommendations and range of 4.5% to 5.5% for all Councils in NSW.

The Financial Report for 2022/2023 financial year was adopted to be lodged with NSW Department of Fair Trading and the 2023-2024 budget was also adopted.

Issues

Nil

Options

Nil

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Financial Considerations

Nil

Community Engagement

To inform the community by placing the information on Council's website through the Business Paper.

RECOMMENDATION

That Council notes the Delegate's Report on the Mining and Energy Related Councils Meeting held 7 – 8 December 2023 in the York Building, York Street, Sydney.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Item 6 Community Consultation Meetings

Division:	Corporate and Community Services
Management Area:	Corporate and Community Services
Author:	Personal Assistant to Director Corporate and Community Services – Amanda Wherrett
CSP Key Focus Area:	Civic Leadership
Priority:	CL4 To have a well-informed community that has confidence in Council's decision-making processes.

Reason for Report

To present draft Minutes from the Community Consultation Meetings held in October and November 2023 to Council.

Background

In October and November 2023, Council conducted a series of Community Consultation Meetings across the Shire. Meetings were held at the following venues:

- | | |
|----------------------------------|-------------------------|
| • Mendooran Memorial Club | Monday 23 October 2023 |
| • Binnaway Bowling Club | Tuesday 24 October 2023 |
| • Coolah Council Chambers | Monday 30 October 2023 |
| • Coonabarabran Council Chambers | Tuesday 31 October 2023 |
| • Baradine Memorial Hall | Monday 6 November 2023 |
| • Dunedoo Jubilee Hall | Tuesday 7 November 2023 |

Issues

As per the Terms of Reference for Community Consultation Meetings, as endorsed by Council at the September 2021 Council Meeting, Minutes of Community Consultation Meetings will be recorded and submitted to the Council Meeting for endorsement before being circulated.

Once Community Consultation Meeting Minutes have been endorsed by Council they will be circulated to meeting attendees. Minutes will also be uploaded to the Warrumbungle Shire Council website, and will therefore be available to all members of local communities.

The next round of dates for the Community Consultation Meeting Round 2, 2023/24 are as follows:

- | | |
|-----------------|------------------------|
| • Mullaley | Monday 18 March 2024 |
| • Coonabarabran | Monday 25 March 2024 |
| • Coolah | Tuesday 26 March 2024 |
| • Baradine | Wednesday 3 April 2024 |

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

- Mendooran Thursday 4 April 2024
- Dunedoo Monday 15 April 2024
- Binnaway Tuesday 16 April 2024

Community Engagement

The level of engagement for this report is Inform.

Attachments

1. Mendooran Community Consultation Minutes - Monday 23 October 2023
2. Binnaway Community Consultation Minutes - Tuesday 24 October 2023
3. Coolah Community Consultation Minutes - Monday 30 October 2023
4. Coonabarabran Community Consultation Minutes - Tuesday 31 October 2023
5. Baradine Community Consultation Minutes - Monday 6 November 2023
6. Dunedoo Community Consultation Minutes - Tuesday 7 November 2023

RECOMMENDATION

That Council:

1. Adopts the draft Minutes from the 6 Community Consultation Meetings held in October and November 2023 for Round 1, 2023/24.
2. Notes that Minutes from the Community Consultation Meetings held in October and November 2023 for Round 1, 2023/24 will now be released to meeting attendees and placed on Council's website.
3. Endorses the meeting dates for Round 2, 2023/2024 as being:
 - Mullaley Monday 18 March 2024
 - Coonabarabran Monday 25 March 2024
 - Coolah Tuesday 26 March 2024
 - Baradine Wednesday 3 April 2024
 - Mendooran Thursday 4 April 2024
 - Dunedoo Monday 15 April 2024
 - Binnaway Tuesday 16 April 2024

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Item 7 Minutes for the Australia Day Awards 2024 Committee Meeting 14 December 2023

Division:	Corporate and Community Services
Management Area:	Community Services
Author:	Director Corporate and Community Services – Lindsay Mason
CSP Key Focus Area:	Community and Culture
Priority:	CC3 Our shire is home to a vibrant arts and cultural life which is promoted and supported as an essential aspect of community well-being.

Reason for report

The purpose of the report is to present the minutes from the meeting of the Australia Day Awards 2024 Committee held on the 14 December 2023.

Background

The committee is established under section 355 of the *Local Government Act 1993* (NSW):

‘A function of a council may, subject to this Chapter, be exercised: by a committee of the council’

The committee has as its primary purpose responsibility to select recipients of the annual Australia Day Awards at ceremonies held in each town of the Warrumbungle Local Government Area.

Award recipients shall be selected based on nominations received by Council during the nomination period each year. Recipients are selected by the Australia Day Award Committee under delegated authority. The decisions of the Australia Day Award Committee are final.

Issues

The following awards were considered by the committee:

- Citizen of the Year
- Senior Citizen of the Year
- Young Citizen of the Year
- Sportsperson of the Year
- Young Sportsperson of the Year
- Environmental Citizen of the Year
- Young Environmental Citizen of the Year
- Australia Day Award – Community Event of the Year
- Certificate of Recognition – Recipient for each town

Options

Nil

WARRUMBUNGLA SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Financial Considerations

Nil

Risk Considerations

This report involves operational level risks. The risk level is low and falls within Council's risk appetite.

Community Engagement

Level of Engagement - Inform

Attachments:

- 1 Minutes of the Australia Day Committee Meeting – 14 December 2023

RECOMMENDATION

That Council notes the minutes of the Australia Day Awards Committee Meeting held on 14 December 2023.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Item 8 Minutes of Warrumbungle Road Network Advisory Group Meeting – 6 December 2023

Division:	Technical Services
Management Area:	Road Operations
Author:	Director Technical Services – Nicole Benson
CSP Key Focus Area:	Civic Leadership
Priority:	CL1 That Council is financially sustainable over the long term.

Reason for Report

The purpose of this report is to present minutes from the meeting of the Warrumbungle Road Network Advisory Group held at Coolah on 6 December 2023.

Background

The Committee has as its primary purpose the responsibility to provide recommendations to Council on planning and priorities for Council's road network.

The core responsibilities of the Committee are to:

- provide input to the Delivery Program Strategies and Operational Plan Actions aligned with the Committee;
- consider the potential social, economic, environmental and financial impacts of Committee recommendations;
- engage the community and stakeholders on matters being considered by the Committee;
- consider and advise Council on any matter referred to the Committee; and provide input into the strategic direction of Warrumbungle Shire Council.

The core duties of the Committee are to:

- provide input into the strategic policies and plans that relate to the road network.
- seek information and feedback from the community on road network matters.
- provide comments and advice around the needs and wants of the Community at the strategic level.
- make recommendations to Council on any matter related to the strategic direction of the road network.

Issues

The draft Gates and Grids on Public Roads Policy was discussed at length. All group members participated in the discussion and agreed to several amendments of the draft Policy. A number of other Council's draft policies on gates and grids were reviewed along with their application forms.

An update on the Natural Disaster Response and Recovery works was provided. Positive feedback from a community member about one of the contractors working on flood damage repairs in the Dunedoo area was provided.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Options

Council may wish to adopt the recommendations from the Group meeting.

Financial Considerations

There are no financial considerations.

Community Engagement

The level of engagement for this report is to inform.

Risk Considerations

This report involves operational level risks. The risk level is low and falls within Council's risk appetite.

Attachments

1. Minutes of the Warrumbungle Road Network Advisory Group Meeting – 6 December 2023

RECOMMENDATION

That Council notes the minutes of the Warrumbungle Road Network Advisory Group meeting held at Coolah on 6 December 2023.

WARRUMBUNGLA SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Item 9 Minutes of Coonabarabran Swimming Pool Advisory Committee Meeting – 15 January 2024

Division:	Technical Services
Management Area:	Urban Services & Facilities
Author:	Director Technical Services – Ms Nicole Benson
CSP Key Focus Area:	SC3 A healthy and active community is supported by sport and recreational infrastructure
Priority:	SC3.1 Identify and deliver sport and recreation facilities to service the community into the future.

Reason for Report

To present the minutes from the Coonabarabran Swimming Pool Advisory Committee meeting held at Coonabarabran on 15 January 2024.

Background

The purpose of the Advisory Committee is to assess the condition and usefulness of the existing amenities, buildings, and facilities at the Coonabarabran Swimming Pool Complex and develop a long-term strategy for upgrade and improvement to these facilities, based on existing and future sport and recreation demands of the Shire.

Issues

The Advisory Committee was provided with an update on the progress of the Masterplan request for quotation. It was noted that no responses had been received from the August 2023 advertisement and it would be advertised again in the coming weeks.

Increased attendances across all pools as a result of the Free Entry was discussed along with the increases in antisocial behaviour. Council's Pool Misconduct Management Procedure has been enforced regularly so far this season with suspensions being issued to at least ten patrons. Police had been called to Binnaway and Coonabarabran pools on a number of occasions to deal with children and adults being abusive.

Options

Council may wish to note the minutes and adopt the recommendations from the Committee meeting.

Financial Considerations

Nil

Risk Considerations

This report involves operational and project level risks. The risk level is low and falls within Council's risk appetite.

Community Engagement

The level of engagement for this report is to inform.

WARRUMBUNGLA SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Attachments

1. Minutes of Coonabarabran Swimming Pool Advisory Committee Meeting – 15 January 2024.

RECOMMENDATION

That Council notes the minutes of the Coonabarabran Swimming Pool Advisory Committee meeting held at Coonabarabran on 15 January 2024.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Item 10 Minutes of Coonabarabran Sporting Complex Advisory Committee Meeting – 29 January 2024

Division:	Technical Services
Management Area:	Urban Services & Facilities
Author:	Director Technical Services – Nicole Benson
CSP Key Focus Area:	SC3 A healthy and active community is supported by sporting and recreational infrastructure.
Priority:	SC3.4 Identify opportunities for innovative adaptation and/or sharing of open space and infrastructure for recreational purposes as well as regular maintenance and upkeep of parks, reserves, swimming pools and other recreational assets to ensure availability of such assets to residents of the shire.

Reason for Report

The purpose of this report is to present minutes from the meeting of the Coonabarabran Sporting Complex Advisory Committee held at Coonabarabran on 29 January 2024.

Background

The purpose of the Committee is to assess the condition and usefulness of the existing amenities buildings and sporting facilities at Coonabarabran Sporting Complex and develop a strategy for these facilities based on existing and future sport and recreation demands.

Core responsibilities and duties of the Committee are to:

- Determine current and potential sport and recreation users of the complex facilities including volume and frequency of use;
- Develop a long-term strategy for the Sporting Complex in the form of a Master Plan including cost estimates and priorities of improvements;
- Investigate and obtain external sources of funding; and
- Make recommendations to Council on any matter related to improvements of the Sporting Complex.

Issues

Progress of the new amenities at No. 3 Oval was discussed noting the electrical design awaiting approval from Essential Energy and the preparation of the development application was underway. An update on the fire damaged building at the former greyhound track on No. 2 Oval was provided and Committee membership was also discussed.

Projects at the Complex funded by Local Roads and Community Infrastructure Phase 4 grants were highlighted and the condition of the skatepark and netball courts were discussed.

WARRUMBUNGLA SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Options

Council may wish to note the action items and adopt the recommendations from the Committee meeting.

Community Engagement

The level of engagement for this report is to inform.

Risk Considerations

This report involves operational level risks. The risk level is low and falls within Council's risk appetite.

Financial Considerations

Nil

Attachment

1. Minutes of Coonabarabran Sporting Complex Advisory Committee Meeting – 29 January 2024.

RECOMMENDATION

That Council notes the minutes of the Coonabarabran Sporting Complex Advisory Committee meeting held at Coonabarabran on 29 January 2024.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Item 11 Minutes of Coonabarabran Town Beautification Advisory Committee Meeting – 31 January 2024

Division:	Technical Services
Management Area:	Urban Services & Facilities
Author:	Director Technical Services – Nicole Benson
CSP Key Focus Area:	SC6 Our towns and villages are characterised by their attractiveness, appearance, safety and amenity.
Priority:	SC6.3 Work with local communities to develop and implement improvement plans for our streetscapes, main streets and town entrances.

Reason for Report

The purpose of this report is to present minutes from the meeting of the Coonabarabran Town Beautification Advisory Committee held at Coonabarabran on 31 January 2024.

Background

The purpose of the Committee is to make recommendations on specific projects and or development of strategies for the beautification of Coonabarabran.

Core responsibilities and duties of the Committee are to:

- Input into the development of a beautification Master Plan with a strategic focus on improving the appearance of street landscapes.
- Assistance with determining current issues with town landscapes, including identification of issues that need to be rectified.
- Investigation into, and assistance in obtaining, external sources of funding.
- Making of recommendations to Council on matters relating to specific town beautification projects or strategies.

Issues

John Street median strip gardens along with Little Timor Street Plaza and a number of other operational matters were discussed.

It was noted that the completion of the Town Beautification Masterplan is listed in the 2023/24 Operational Plan as a 2024/25 project with a \$25,000 budget. Toowoomba Street Tree Masterplan and Burke Street Tree Replanting Plan were viewed and discussed.

Projects for Coonabarabran funded by the Local Roads and Community Infrastructure Phase 4 were discussed.

Options

Council may wish to adopt the recommendations from the Committee meeting.

WARRUMBUNGL SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Financial Considerations

There are no financial considerations.

Community Engagement

The level of engagement for this report is to inform.

Risk Considerations

This report involves operational level risks. The risk level is low and falls within Council's risk appetite.

Attachment

1. Minutes of Coonabarabran Town Beautification Advisory Committee Meeting – 31 January 2024.

RECOMMENDATION

That Council notes the minutes of the Coonabarabran Town Beautification Advisory Committee meeting held at Coonabarabran on 31 January 2024.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Item 12 Constitutional Referendums and Council Polls

Division:	Executive Services
Management Area:	Governance
Author:	Executive Assistant to the General Manager – Erin Player
CSP Key Focus Area:	Civic Leadership
Priority:	CL2.1 Provide Council's leadership with a strong governance and management framework that promotes transparent and informed decision making

Reason for Report

The next Local Government Elections will be held in September 2024. Council must inform the NSW Electoral Commission (NSWEC) if we propose the NSWEC to administer a constitutional referendum or poll in conjunction with the 2024 elections for Warrumbungle Shire Council.

Background

Section 16 of the *NSW Local Government Act 1993* states:

A Council may not do any of the following unless approval to do so has been given at a constitutional referendum-

- (a) divide its area into wards or abolish all wards in its area,*
- (b) change the basis on which the mayor attains office (that is, by election by the councillors or by election by the electors),*
- (c) increase or decrease the number of councillors in accordance with the limits under section 224,*
- (d) change the method of ordinary election of councillors for an area divided into wards.*

Previous Council Elections, Warrumbungle Shire Council has not conducted a constitutional referendum or poll.

Issues

If Council resolves to conduct a constitutional referendum or poll it must comply with the notification requirements contained in Schedule 10 of the *Local Government (General) Regulation 2021*, which reads:

“... (a1) if a constitutional referendum or council poll is to be held in conjunction with an election of councillors, the general manager must (if he or she has not already done so) notify the Electoral Commissioner of the question to be asked at the referendum or poll no later than 12 noon on the closing date for the election (if the Electoral Commissioner is to administer the referendum or poll and the election)...”

WARRUMBUNGLA SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Options

That Council:

1. Conducts a constitutional referendum or poll; or
2. Does not conduct a constitutional referendum or poll.

Financial Considerations

Nil.

Risk Considerations

The report deals with operational level risks. The risk rating is low and is within Council's adopted risk appetite.

Community Engagement

To inform the community by placing the information on Council's website through the Business Paper.

Attachments

1. OLG Circular 24-01 Constitutional Referendums and Council Polls
2. Attachment Conducting a Constitutional Referendum

RECOMMENDATION

That Council advises the NSW Electoral Commission that it does not propose to hold a Constitutional Referendum or Council Poll at the 2024 Local Government elections.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Item 13 Council Resolutions Report

Division:	Executive Services
Management Area:	Governance
Author:	Executive Services Administration Officer – Joanne Hadfield
CSP Key Focus Area:	Civic Leadership
Priority:	CL2.1 Provide Council's leadership with a strong governance and management framework that promotes transparent and informed decision making

Reason for Report

To provide Council with updated information on the progress of Council resolutions.

Background

The General Manager is responsible for overseeing the progression of information from relevant staff to Council via the Business Paper and monthly Council meetings.

Furthermore, the General Manager is responsible for ensuring appropriate information regarding Council resolutions and deliberations are provided to Directors and relevant staff. Each Council resolution is allocated to a directorate for action. Directors and Managers provide feedback to the General Manager on the progress of resolutions each month by way of the attached Council Resolution Report. Once an item is noted by Council as being complete it is removed from the Report.

Resolutions that remain 'In Progress' for a 12 month period will be reported to Council as a separate agenda item with a new Recommendation. This will provide Council staff the opportunity to detail the history and issues of outstanding items before Council reconsiders the matter.

Issues

This feedback is provided to Council for information purposes.

Options

Nil

Financial Consideration

Nil

Risk Considerations

This report involves operational level risks. The risk level is low and falls within Council's risk appetite.

Community Engagement

Level of Engagement - Inform

WARRUMBUNGLA SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Attachments

1. Council Resolution Report

RECOMMENDATION

That the Council Resolution Report be noted for information.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Item 14 Revotes and High Value Projects Report

Division:	Executive Services
Management Area:	Governance
Author:	Executive Assistant to the General Manager – Erin Player
CSP Key Focus Area:	Civic Leadership
Priority:	CL1 That Council is financially sustainable over the long term

Reason for Report

To provide Council with updated information on the progress of projects that Council has funded by revote and projects that are considered to be high value and potentially high risk.

Background

From time to time, Council endorses changes to its adopted annual budget by way of a revote. A report on those projects that have been subject to a revote is compiled, with updates provided on progress.

The General Manager is responsible for overseeing the progression of information from relevant staff to Council via the Business Paper and monthly Council meetings.

Council is provided with information on revote items and their progress in the attached report.

Issues

Nil

Options

Nil

Financial Considerations

As set out in the report.

Risk Considerations

This report deals with operational and project level risks. The risk is inherently high and consequently managed by ELT and Council in accordance with the Enterprise Risk Management Plan.

Community Engagement

To inform the community by placing the information on Council's website through the Business Paper.

Attachments

1. Revote Report

WARRUMBUNGLA SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

2. High Value High Risk Revotes

RECOMMENDATION

That the Revote and High Value Projects Report be noted for information.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Item 15 Internally Restricted Assets Policy

Division:	Corporate and Community Services
Management Area:	Governance
Author:	Manager Corporate Services – Jenni Maundrell
CSP Key Focus Area:	Local Government and Finance
Priority:	CL2.1 Provide Council's leadership with a strong governance and management framework that promotes transparent and informed decision-making

Reason for Report

To seek Council adoption of the Internally Restricted Assets Policy.

Background

The Internally Restricted Assets Policy was endorsed at the December 2023 Council meeting (Resolution 173/2324). The draft policy was placed on public exhibition with submissions invited until 29 January 2024.

Issues

The Internally Restricted Assets Policy details the type and level of internal restrictions that Council should set aside out of available funds to meet cash outgoings that Council will need to fund in future years. The policy also details the rationale for the creation of each of Council's internally restricted assets.

There were no submissions received on the draft policy during the public exhibition period. No changes are proposed to the endorsed policy.

Options

Council may endorse the draft policy as presented, or with amendments.

Financial Considerations

Nil

Risk Considerations

The report deals with operational level risks. The risk rating is low and is within Council's adopted risk appetite.

Community Engagement

The level of community engagement for this item is Inform.

Information is provided by way of the business paper report, which is published on the Council website.

Attachments

1. Draft Internally Restricted Assets Policy

WARRUMBUNGLA SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

RECOMMENDATION

That Council adopts the draft Internally Restricted Assets Policy.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Item 16 Fraud and Corruption Control Policy

Division:	Corporate and Community Services
Management Area:	Governance
Author:	Manager Corporate Services – Jenni Maundrell
CSP Key Focus Area:	Local Government and Finance
Priority:	CL2.1 Provide Council's leadership with a strong governance and management framework that promotes transparent and informed decision-making

Reason for Report

To seek Council endorsement of the Fraud and Corruption Control Policy.

Background

The Fraud and Corruption Control Policy was adopted in June 2021 (Resolution 307/2021). The policy aims to ensure the actions of any person undertaking Council business do not result in fraudulent acts.

Issues

The Fraud and Corruption Control Policy has been reviewed and amendments made (shown as tracked changes in the attached draft) to update the policy. The amendments are:

- Updating policy names:
 - Enterprise Risk Management Policy (previously Risk Management Policy);
 - Public Interest Disclosures Policy (previously Internal Reporting Policy).
- Update committee name:
 - Audit, Risk and Improvement Committee (previously Internal Audit Committee).
- Update Council business unit:
 - Human Resources (previously Organisation Development)
- Update 'nominated disclosure officers' to be in line with Public Interest Disclosures Policy, which is in turn based on the policy guidelines provided by the NSW Ombudsman:
 - Nominated disclosure officers are the General Manager; and for each worksite that is permanently maintained by Council and at which more than one person is employed – the most senior ongoing employee who normally works at the site.
 - Remove the Mayor as a nominated disclosure officer.

WARRUMBUNGLA SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Options

Council may endorse the draft policy as presented, or with amendments that do not contradict other policies.

Financial Considerations

Nil

Risk Considerations

The report deals with operational level risks. The risk rating is low and is within Council's adopted risk appetite.

Community Engagement

The level of community engagement for this item is Inform + Consult.

Information is provided by way of the business paper report, which is published on the Council website.

The community is consulted by seeking public submissions during the period of exhibition.

Attachments

1. Draft Fraud and Corruption Control Policy

RECOMMENDATION

That Council:

1. Endorses the draft Fraud and Corruption Control Policy.
2. Places the draft Fraud and Corruption Control Policy on exhibition for a period of at least 28 days and invites public submissions for a period of at least 42 days.
3. Receives a further report on the Fraud and Corruption Control Policy after the close of public submissions.

WARRUMBUNGLA SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Item 17 Draft Privacy Management Plan

Division:	Corporate and Community Services
Management Area:	Governance
Author:	Manager Corporate Services – Jenni Maundrell
CSP Key Focus Area:	Local Government and Finance
Priority:	CL2 Council meets its legislative and compliance requirements and implements opportunities for organisational improvement

Reason for Report

To seek Council adoption of the draft Privacy Management Plan.

Background

Section 33 of the *Privacy and Personal Information Protection Act 1998* (NSW) (the PPIP Act) requires all councils to have a privacy management plan. Council's current Privacy Management Plan was adopted on 17 October 2017 (Resolution 149/1718).

Issues

The Privacy Management Plan (PMP) explains how Council manages personal and health information in accordance with the:

- PPIP Act;
- *Health Records and Information Privacy Act 2002* (NSW);
- *Government Information (Public Access) Act 2009* (NSW);
- *State Records Act 1998* (NSW); and
- Privacy Code of Practice for Local Government.

The PMP must include information on:

- the devising of Council policies and practices in line with the State's information and privacy Acts;
- how Council disseminates these policies, protocols and practices within the organisation and educates staff in their use;
- Council's internal review procedures; and
- any other matters Council considers relevant in relation to privacy and the protection of any personal information it holds.

An update to the PMP since 2017 is the inclusion of dealing with data breaches. From 28 November 2023 all councils in NSW are required to comply with the Mandatory Notification of Data Breach Scheme, a new provision of the PPIP Act. In compliance with mandatory notification provisions, the PMP was reviewed and updated to include information about data breaches involving personal and/or health information of individuals.

Council endorsed the draft PMP at its November 2023 meeting (Resolution 142/2324). The draft PMP was placed on public exhibition and submissions invited

WARRUMBUNGLA SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

until 5 January 2024. No submissions were received. There are no amendments proposed to the draft PMP following the public exhibition period.

Options

Council may adopt the PMP as presented, or with amendments.

Financial Considerations

Nil

Risk Considerations

The report deals with operational level risks (policy development and legislative requirements). The risk rating is low and is within Council's adopted risk appetite.

Community Engagement

The level of community engagement for this item is Inform.

Information is provided by way of the business paper report, which is published on the Council website.

Attachments

1. Draft Privacy Management Plan

RECOMMENDATION

That Council adopts the draft Privacy Management Plan.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Item 18 Procurement Policy

Division:	Corporate and Community Services
Management Area:	Governance
Author:	Manager Corporate Services – Jenni Maundrell
CSP Key Focus Area:	Local Government and Finance
Priority:	CL2.1 Provide Council's leadership with a strong governance and management framework that promotes transparent and informed decision-making

Reason for Report

To seek Council adoption of the Procurement (including Local Support) Policy

Background

The Procurement (including Local Support) Policy was endorsed at the December 2023 Council meeting (Resolution 172/2324). The draft policy was placed on public exhibition with submissions invited until 29 January 2024.

Issues

The Procurement (including Local Support) Policy provides the framework for Council to procure goods and services that meet the expectations of the community and stakeholders in the Warrumbungle local government area at an affordable cost.

Objectives of the policy are to ensure Council's procurement of goods and services:

- is legal, ethical and to Council's best advantage;
- demonstrates sustained value and achieves value for money;
- considers benefits to the local economy;
- is environmentally sustainable; and
- considers social outcomes.

During the submission period, the Office of Local Government released Circular 23-17 'Update on councils' obligations under the Modern Slavery Act 2018' which provided instruction on meeting compliance with requirements under that Act (provided as an attachment to this report). In response, it is proposed to include information about modern slavery in the Procurement Policy. Amendments are highlighted in the attached copy.

Options

Council may endorse the draft policy as presented, or with amendments.

Financial Considerations

Nil

Risk Considerations

The report deals with operational level risks. The risk rating is low and is within Council's adopted risk appetite.

WARRUMBUNGLA SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Community Engagement

The level of community engagement for this item is Inform.

Information is provided by way of the business paper report, which is published on the Council website.

Attachments

1. Draft Procurement (including Local Support) Policy
2. OLG Circular 23-17 'Update on councils' obligations under the Modern Slavery Act 2018'

RECOMMENDATION

That Council adopts the draft Procurement (including Local Support) Policy.

WARRUMBUNGLA SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Item 19 Public Forum Policy

Division:	Corporate and Community Services
Management Area:	Governance
Author:	Manager Corporate Services – Jenni Maundrell
CSP Key Focus Area:	Local Government and Finance
Priority:	CL2.1 Provide Council's leadership with a strong governance and management framework that promotes transparent and informed decision-making

Reason for Report

To seek Council adoption of the Public Forum Policy.

Background

The Public Forum Policy was endorsed at the December 2023 Council meeting (Resolution 171/2324). The draft policy was placed on public exhibition with submissions invited until 29 January 2024.

Issues

The Public Forum Policy provides members of the public with guidelines for addressing a public forum, held before a Council meeting. The public forum provides councillors with the opportunity to hear oral submissions from members of the public on any issue having relevance to the responsibilities and jurisdiction of Council.

There was one submission received during the public exhibition period (provided as an attachment to this report). The submission opposes the proposed changes to the policy. Among points raised:

- The submission questions the tracked changes shown in the displayed policy compared to the currently adopted policy. It should be noted that all of the changes not shown as tracked in the recently displayed policy were shown as tracked changes when the previous draft policy was endorsed by Council for public exhibition (March 2023 – provided as an attachment to this report); the report accompanying the March 2023 draft noted that the only changes were to bring the draft in line with Council's Style Guide. Accordingly, those formatting changes were adopted but not shown in the December 2023 draft.
- The proposed change in the policy from "providing opportunity for members of the community" to "providing opportunity for councillors" brings the policy into line with the Office of Local Government's Model Code of Meeting Practice.

There are no changes proposed to the draft policy following the public exhibition period.

Options

Council may endorse the draft policy as presented, or with amendments. Alternately, Council may choose not to endorse a public forum policy and either:

WARRUMBUNGLA SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

- do away with a public forum policy and rely on the provisions within the Code of Meeting Practice; or
- cease the practice of holding public forums.

Financial Considerations

Nil

Risk Considerations

The report deals with operational level risks. The risk rating is low and is within Council's adopted risk appetite.

Community Engagement

The level of community engagement for this item is Inform.

Information is provided by way of the business paper report, which is published on the Council website.

Attachments

1. Draft Public Forum Policy
2. Submission on draft Public Forum Policy
3. Copy of draft Public Forum Policy dated March 2023

RECOMMENDATION

That Council adopts the draft Public Forum Policy.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Item 20 Quarterly Budget Review Statement for the 1st Quarter Ending 31 December 2023

Division:	Corporate and Community Services
Management Area:	Financial Services
Author:	Director Corporate & Community Services – Lindsay Mason
CSP Key Focus Area:	Civic Leadership
Priority:	CL2 Council meets its legislative and compliance requirements and implements opportunities for organisational improvement.

Reason for Report

To present a summary of Council's financial position as at 31 December 2023 including information regarding the supplementary vote requests.

Background

The 2nd Quarter Budget Review Statement report (refer attachments) is to inform Council on major variations and recommend changes to the budget. Explanations for major variations are reported within the attached Quarterly Budget Review Statement. Also included is a list of supplementary votes for approval.

Section 203 of the *Local Government (General) Regulation 2021* regarding budget review statements and revision of estimates states that:

- (1) *Not later than 2 months after the end of each quarter (except the June quarter), the responsible accounting officer of a council must prepare and submit to the council a budget review statement that shows, by reference to the estimate of income and expenditure set out in the statement of the council's revenue policy included in the operational plan for the relevant year, a revised estimate of the income and expenditure for that year.*
- (2) *A budget review statement must include or be accompanied by:*
 - (a) *a report as to whether or not the responsible accounting officer believes that the statement indicates that the financial position of the council is satisfactory, having regard to the original estimate of income and expenditure, and*
 - (b) *if that position is unsatisfactory, recommendations for remedial action.*

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

(3) *A budget review statement must also include any information required by the Code to be included in such a statement.*

The minimum requirements for the Quarterly Budget Review Statement are included in the Code of Accounting Practice and Financial Reporting.

The QBRS is composed of, but not limited to, the following budget review (BR) components:

- A statement by the responsible accounting officer on council's financial position at the end of the year based on the information in the Quarterly Business Review Statement (Part 2)
- Budget Review – Income and Expenses Statement in one of the following formats (Parts 3, 4, & 5):
 - consolidated;
 - by fund (e.g. General Fund; Water Fund; Sewer Fund); or
 - by function, activity, program etc. to align with the management plan / operational plan.
- Budget Review – Capital Budget (Parts 7 and 8)
- Budget Review – Cash and Investments Position (Part 10)
- Budget Review – Key Performance Indicators (Part 12)
- Budget Review – Contracts and Other Expenses (Part 13)

The following important financial information has also been provided in addition to the information required as part of the Quarterly Budget Review Statement reporting framework:

- Balance Sheet as at 31 December 2023 (Part 9)
- A Loan Movement Schedule (Part 11)

Report

The 2nd Quarterly Budget Review Statement shows that Council's consolidated revised income budget for the 2023/24 financial year is \$75,183,687. Expenses from continuing operations are projected to be \$59,075,446. This results in a projected consolidated operating result from continuing operations of \$16,108,241 surplus as compared to original \$9,636,578, consolidated budget. The revised before Capital Grants & Contributions surplus is \$6,735,025 as compared to surplus \$21,578 estimated at the original budget.

The General Fund 2nd Quarterly Budget Review Statement figures are a revised income budget for the 2023/24 financial year of \$65,749,394. Expenses from continuing operations are projected to be \$52,813,392. This results in a projected operating surplus from continuing operations of \$12,936,002. The revised before Capital Grants & Contributions surplus of \$6,690,918 compared to a deficit of (\$634,201) estimated at the original budget.

The table below shows the movements in the Water, Sewer and Waste fund for the 2nd quarter.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

	General Fund		Water Fund		Sewer Fund		Waste Fund	
	Original Budget	QBR2	Original Budget	QBR2	Original Budget	QBR2	Original Budget	QBR2
Revenue	54,555,000	65,749,394	5,836,000	5,874,428	4,804,000	3,559,865	2,786,000	2,853,695
Expenses	49,589,201	52,813,392	3,962,801	4,222,864	2,005,998	2,039,190	2,450,000	2,448,876
Net Operating Result	4,965,799	12,936,002	1,873,199	1,651,564	2,798,002	1,520,675	336,000	404,819
Net Operating Result before Capital	(634,201)	6,690,918	410,199	166,862	246,002	(122,755)	336,000	404,819

Significant actual items to note from the QBR2 include:

Revenue

- Rates and Annual charges are roughly per budget at 100%
 - This is due to the billing being done in advance for the whole financial year for rates and annual charges.
- User charges and fees are 21% per budget. The major area of variance is:
 - Transport NSW (RMCC) not invoiced to date; with an increase in expected revenue included in quarter 2.
- Interest and investment revenue at 63% of budget due to anticipated growth during the financial year, given the higher interest rates. Possible increase in budgeted revenue required again in quarter 3.
- Other Revenues is at 49% of budget.
- Operational Grants and Contributions are at budget at 25% of revised budget. FAG monies will be paid in June 2024, Transport and RMS income not received this year to date, Flood Repair Grant not received this year to date.
- Capital grants income is 45% of revised budget. Reduction in original budget due to TRRRC demolition costs coming in cheaper than expected. With a reduction in Sewer Capital Grant income in-line with postponed projects.

Expenditure

1. Employee related expenditure is per pro rata budget at 46%. Payroll Services Department are showing a total expenditure of \$1,142,439 against a budget of \$124,268 – this is due to internal wages oncosts and needs further investigation to determine this result.
2. Borrowing costs are 15% due to reversal of accruals for the 2022/23 financial year.
3. Materials & Contracts is roughly as per pro rata budget at 48%.
 - \$90,000 of cost savings have been factored into this 2nd Quarterly Budget Review as per the Council Resolution 175/2324, with reduction in budget for Building and Infrastructure contracted works; swimming pool maintenance contracted works and materials purchased; operations expenditure wages and contracted works.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

- Local Roads M& R expenditure budget of \$13,349,880 includes \$10,503,816 of Flood Emergency Funded expected work.
 - Property and Risk Department expenditure is showing an overrun of the budget due to insurance costs going here in error. This is being rectified with a transfer of costs to the correct Governance Department.
4. Depreciation costs is at 49% of budget.
 5. Other expenses are at 14%, well under budget with a portion of Budgeted Other Expenses now moved to Materials and Contracts (as per Australian Accounting Standards mapping).

Further information is provided in the 2nd Quarterly Budget Review Statement.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Table 1 Supplementary Votes

Description	Revenue	Operational Expenditure	Capital Expenditure	Net Impact on Budget	Comments
General Fund					
General Revenue					
Rates Revenue	22,996	0	0	22,996	Reduced in-line with actuals
Interest Revenue	(290,000)	0	0	(290,000)	Increased interest rates on term deposits
General Grants	0	0	0	0	
Total General Revenue	(267,004)	0	0	(267,004)	
Expenditure					
Executive Services					
Management And Leadership	0	0	0	0	
Governance	600,000	(600,000)	0	0	Reduced grant income and expenditure on the demolition of the TRRRC
HR Management	(2,799)	0	0	(2,799)	Reimbursement of employees, match to actual income
Payroll Services	0	0	0	0	
WH&S And Risk Management	0	0	0	0	
Learning And Development Services	0	0	0	0	
Total Executive Services	597,201	(600,000)	0	(2,799)	
Corporate & Community Services					
RMS Agency	0	0	0	0	
Administration And Customer Services	0	0	0	0	
Childrens And Community Services Management	81,000	0	0	81,000	Remove historical cultural grant - not available this year

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Connect 5	0	0	0	0	
Youth Development	0	0	0	0	
OOSH	42,743	0	0	42,743	OOSH grant removed - not available this year
Libraries	0	0	0	0	
Community Development	0	0	0	0	
Community Transport	(44,120)	0	0	(44,120)	Increase grant in-line with funding agreement
Community Care	0	0	0	0	
Aged Care Services	0	53,788	0	53,788	Increase Homecare services in-line to reflect agreed outgoings
Meals On Wheels	(18,518)	0	0	(18,518)	Increase grant in-line with funding agreement
Respite	(10,002)	0	0	(10,002)	Increase grant in-line with funding agreement
Home Maintenance	(56,850)	0	0	(56,850)	Increase grant in-line with funding agreement
Social Support	(120,275)	0	0	(120,275)	Increase grant in-line with funding agreement
Yuluwirri Kids	0	0	0	0	
Corporate Services Management	0	0	0	0	
Administration Services	0	0	0	0	
Finance	0	(34,226)	0	(34,226)	Remove finance vehicle costs
Communications And IT	0	0	25,159	25,159	Replacement PC's and MiTel Phone replacement
GIS	0	0	0	0	
Organisational Risk	0	0	0	0	
Supply Services	0	(28,351)	0	(28,351)	
Total Corporate & Community Services	(126,022)	(8,789)	25,159	(109,652)	
Corporate And Comm Other					
Bushfire And Emergency Services	-	-	-	-	

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Total Corporate & Community Services	-	-	-	-	
Technical Services					
Roads					
Road Operations Management	0	0	0	0	
Regional Roads M&R	(7,792,992)	1,357,220	162,558	(6,273,214)	Increased Block Grant and Regional Emergency Road Repair Fund. Increase in expenditure offsets a portion of the increased Block Grant. Repair grant shoulder widening of MR618 Vinegaroy.
Local Roads M&R	0	11,529	2,600,000	2,611,529	Increased Culvetry and Drainage costs. Postpone State Road Coolah and Flood Emergency capital expenditure to next financial year.
Aerodromes	0	0	0	0	
RMCC And Other Road Contracts	(1,138,220)	1,115,260	0	(22,960)	Increased RMCC income and expenditure in-line with expected work
Reseals	0	0	0	0	
Private Works	0	0	0	0	
Total Roads	(8,931,212)	2,484,009	2,762,558	(3,684,645)	
Urban Services					
Property And Risk	0	0	315,528	315,528	The reduction is due to Depot and Council Property Capital Works postponed to future years. The Emergency Operation Centre upgrade has been removed due to this work not going ahead.
Cemetery Services	0	0	0	0	
Medical Facilities	0	0	0	0	
Public Halls	0	0	(31,700)	(31,700)	Increased spend is due to the disabled access to Coolah public toilets
Urban Services Management	0	0	0	0	

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Horticulture	0	0	0	0	
Street Cleaning	0	0	0	0	
Public Amenities	0	0	20,000	20,000	Binnaway Oval change room upgrade postponed to next financial year
Ovals	0	0	(120,000)	(120,000)	Mendooran Tennis Court upgrade LRCI 4 spent this year. Income included in QBRS 1
Park	0	0	0	0	
Town Streets	0	0	66,631	66,631	Carryover - W/O 3212 - Cassilis Street Footpath Widening & QBRS - Align CPTIG grants for Bus shelters with grant agreement & include capital projects.
Public Swimming Pools	90,000	(90,000)	30,501	30,501	
Total Urban Services	90,000	(90,000)	280,960	280,960	
Fleet Services Management	0	10,000	0	10,000	Licence Software for Plant
Plant And Equipment	(3,601)	20,000	0	16,399	Increased revenue in-line with actuals. Increased expenditure due to outstanding tyres bill from previous year.
Depots	0	0	50,000	50,000	Budget reduced with Baradine Depot expansion to lunch room postponed to next financial year.
Workshops	0	0	0	0	
Design Services Management	0	0	0	0	
Emergency Services	0	0	0	0	
Survey Investigation And Design	0	0	0	0	
Asset Management	0	0	0	0	
NSW Fire Brigade	0	0	0	0	
Total Technical Services	(3,601)	30,000	50,000	76,399	
Technical services	(8,844,813)	2,424,009	3,093,518	(3,327,286)	

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Development Services					
Tourism And Development Services	231,662	0	0	231,662	Reduced income to bring sales in-line with expected result. Along with removal of budget for grants that are no longer relevant.
Tourism And Economic Promotion	(2,500)	0	0	(2,500)	Increased revenue is for the Small Business Month Fund.
Development Services Management	0	0	0	0	
Building Control	0	(13,000)	0	(13,000)	Budget expenditure moved to Environmental Health Services
Environmental Health Services	0	19,450	0	19,450	Increase in budget expenditure covered from other Development Services departments
Town Planning	0	(5,761)	0	(5,761)	Budget expenditure moved to Environmental Health Services
Compliance Services	0	(689)	(2,500)	(3,189)	Budget expenditure moved to Environmental Health Services
Noxious Weeds	0	0	0	0	
Development Services	229,162	0	(2,500)	226,662	
Warrumbungle Waste					
Warrumbungle Waste	0	0	0	0	
Total Warrumbungle Waste	0	0	0	0	
Total General Fund	(8,411,476)	1,815,220	3,116,177	(3,480,079)	
Warrumbungle Water	(30,172)	186,442	1,592,478	1,748,748	Income increased to bring in-line with current income. Expenditure budget increase to cover risk report of Timor Dam, unplanned rectification works at treatment plants and increased water meter reading contract labour costs. Reduced capital expenditure due to project delays and postponement to future years.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Total Water Fund	(30,172)	186,442	1,592,478	1,748,748	
Warrumbungle Sewer	903,808	15,000	1,860,000	2,778,808	Income reduced to reflect the offset of grant projects being postponed to future years. Increase operational expenditure budget is to cover training of staff. Reduced capital expenditure due to project delays and postponement to future years.
Total Sewer Fund	903,808	15,000	1,860,000	2,778,808	
Total Warrumbungle Shire Council	(7,537,840)	2,016,662	6,568,655	1,047,477	Overall positive movement in budget by \$3,106,273, with increased income and reduced capital spend

**Negative Revenue is increased income*

*** Positive Expenditure is increased expenses*

**** Negative Capital is reduced capital spend*

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Below is a reconciliation of the OPERATING RESULT (Table 1b) from continuing operations (including capital grants) for QBR2 to the Revised Budget 2023/24 (refer Revised Budget Column of Part 3 Income Statement of QBR2 attachment to this report):

Table 1b – Reconciliation of the Operating Result – Consolidated

Description - Operating Changes	\$'000	\$'000
Brought Forward Operating Result from Continuing Operations - Original Budget 2023/24		\$9,637
Revotes operational expenditure adjustment	(\$569)	
Revenue Budget - Supplementary vote QBR2 1 movement in Income	\$2,453	
Revenue Budget - Supplementary vote QBR2 2 movement in Income	\$7,538	
Operational Expenditure Budget - Supplementary vote QBR2 1 movement in expenditure	(\$931)	
Operational Expenditure Budget - Supplementary vote QBR2 2 movement in expenditure	(\$2,017)	
QBR2 1 movement to Income Statement	Subtotal	\$6,474
Less: Capital Grants & Contributions		\$9,373
Net Consolidated Operating Result Surplus/(Deficit) before Capital Grant & Contributions		\$6,738

Table 1c – Reconciliation of the Operating Result – General

Description - Operating Changes	\$'000	\$'000
Brought Forward Operating Result from Continuing Operations - Original Budget 2023/24		\$4,966
Revotes operational expenditure adjustment	(\$437)	
Revenue Budget - Supplementary vote QBR2 1 movement in Income	\$2,785	
Revenue Budget - Supplementary vote QBR2 2 movement in income	\$8,411	
Operational Expenditure Budget - Supplementary vote QBR2 1 movement in expenditure	(\$970)	
Operational Expenditure Budget - Supplementary vote QBR2 2 movement in expenditure	(\$1,722)	
QBR2 1 movement to Income Statement	Subtotal	\$8,066
Less: Capital Grants & Contributions		\$6,245
Net General Operating Result Surplus/(Deficit) before Capital Grant & Contributions		\$6,787

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Table 1d – Reconciliation of the Operating Result – Water

Description - Operating Changes	\$'000	\$'000
Brought Forward Operating Result from Continuing Operations - Original Budget 2023/24		\$1,873
Revotes operational expenditure adjustment	(\$132)	
Revenue Budget - Supplementary vote QBRS 1 increase in Income	\$9	
Revenue Budget - Supplementary vote QBRS 2 movement in income	\$30	
Operational Expenditure Budget - Supplementary vote QBRS 1 increase in expenditure	\$58	
Operational Expenditure Budget - Supplementary vote QBRS 2 movement in expenditure	(\$260)	
QBRS 1 movement to Income Statement	Subtotal	(\$295)
Less: Capital Grants & Contributions		\$1,485
Net Water Operating Result Surplus/(Deficit) before Capital Grant & Contributions		\$93

Table 1e – Reconciliation of the Operating Result – Sewer

Description - Operating Changes	\$'000	\$'000
Brought Forward Operating Result from Continuing Operations - Original Budget 2023/24		\$2,798
Revotes operational expenditure adjustment	\$0	
Revenue Budget - Supplementary vote QBRS 1 increase in Income	(\$340)	
Revenue Budget - Supplementary vote QBRS 2 movement in income	(\$904)	
Operational Expenditure Budget - Supplementary vote QBRS 1 increase in expenditure	(\$19)	
Operational Expenditure Budget - Supplementary vote QBRS 2 movement in expenditure	(\$34)	
QBRS 1 movement to Income Statement	Subtotal	(\$1,297)
Less: Capital Grants & Contributions		\$1,643
Net Sewer Operating Result Surplus/(Deficit) before Capital Grant & Contributions		(\$142)

Rates and Annual Charges

Council levies rates and annual charges on an annual basis commencing in the month of July. Council monitors the repayment of these rates and annual charges and measures its debt recovery performance for rates and annual charges through the use of the Rates and Annual Charges Outstanding Ratio.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

The Office of Local Government (OLG) recommends, via their accepted benchmark, a ratio of less than 5% for Urban and Coastal Councils and less than 10% for Rural Councils. Council's outstanding ratio as at 30th June 2023 was 11.77% which is below the OLG recommended benchmark.

The outstanding rates and annual charges ratio as at 31 December 2023 is 14.61%, which is more than the 10% bench mark proposed by the OLG. The final instalment of rates due on 31st May 2024.

A sale of land for overdue rates is being planned.

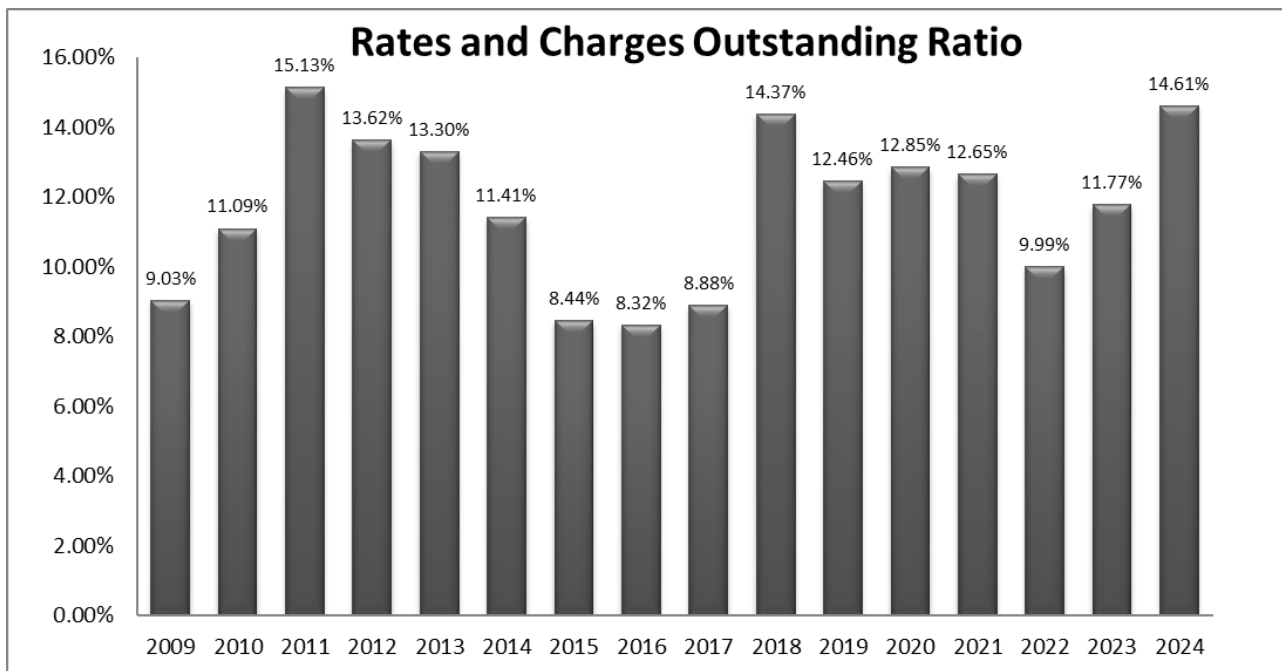
See table of outstanding balances by rate group and rate/charge type below for further details.

Table 2a: Outstanding balances by rate group and charge type

Rates Types	Rates Levy					Water Levy				Grand Total
	General	Domestic Waste	Water Access	Trade Waste	Storm Water	Sewer Access	Water Consumption	Sewer Consumption	Trade Waste Usage	
Business	110,871	51,063	48,091	618	8,021	60,382	165,208	16,515	7,489	468,258
Residential	464,243	421,865	493,303	-	16,574	264,186	469,182	-	-	2,129,353
Farmland	633,171	8,302	-	-	-	-	-	-	-	641,473
Total	1,208,285	481,230	541,394	618	24,595	324,568	634,390	16,515	7,489	3,239,084

Collection of outstanding rates commences with an overdue letter which is received from Council. Providing 14 days to pay or contact Council requesting an arrangement. If no payment or contact is made, a letter of demand is sent out by Council's Debt Recovery Agency giving 7 days to make a payment or contact Council requesting an arrangement.

Council's historical debt recovery performance as measured by the rates and charges outstanding ratio is detailed in the graph below.



WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Table 2a: Council's outstanding rates and annual charges ratios for the last six years.

Year	Rates and Annual Charges Outstanding Ratio as at 31st December	Rates and Annual Charges Outstanding Ratio as at 30 th June.
2024	14.61%	N/A
2023	13.10%	11.77%
2022	12.99%	9.99%
2021	15.33%	12.65%
2020	14.08%	12.85%
2019	12.63%	12.46%
2018	10.20%	14.37%
2017	10.32%	10.08%

The proportion of rates and annual charges outstanding related to residential properties is 66%; 20% of outstanding rates and annual charges relates to farmland; and 14% to business.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Table 2b: Outstanding Rates and Annual Charges – By Rate and Charge Type

RATES AND CHARGES COLLECTION REPORT TO 31 December 2023												
RATE/ CHARGE TYPE	RATE ARREARS 2022/23	LEVY 2023/24	PENSIONER WRITE OFF	ABANDONED / ADJUSTMENTS	INTEREST	LEGAL FEES	RATE ARREARS AND NET LEVY	TOTAL PAYMENTS TO DATE	TOTAL OUTSTANDING 2023/24	COLLECTION % 2023/24	Total Arrears as at EOM	Outstanding Rates and Annual Charges %
RATES MODULE BALANCES												
General	707,421	9,035,275	(145,881)	(740)	31,001	72,116	9,699,192	(4,897,349)	4,801,843	50.49%	1,208,285	12.46%
Water	507,673	2,449,171	(68,046)	-	13,688	-	2,902,486	(1,463,685)	1,438,801	50.43%	541,394	18.65%
Sewerage	251,099	1,647,789	(48,971)	-	6,907	-	1,856,824	(943,907)	912,917	50.83%	266,457	14.35%
Trade Waste	595	9,945	-	-	15	-	10,555	(7,569)	2,986	71.71%	618	5.86%
Storm Water	23,497	103,613	-	-	668	-	127,778	(64,707)	63,071	50.64%	24,595	19.25%
Garbage	455,744	2,306,793	(104,522)	739	12,157	-	2,670,911	(1,381,499)	1,289,412	51.72%	481,230	18.02%
TOTAL RATES AND ANNUAL CHARGES	1,946,029	15,552,586	(367,420)	(1)	64,436	72,116	17,267,746	(8,758,716)	8,509,030	50.72%	2,522,579	14.61%
WATER BILLING MODULE BALANCES												
Sewerage Access -Water Billing	165,615	149,410	-	(1,691)	13,737	-	327,071	(194,858)	132,213	59.58%	58,111	17.77%
Water Consumption	1,139,908	1,303,218	-	(24,423)	30,073	9,548	2,458,324	(1,168,292)	1,290,032	47.52%	634,389	25.81%
Sewer Consumption	38,732	81,562	-	(58)	517	-	120,753	(61,272)	59,481	50.74%	16,515	13.68%
Trade Waste Usage	23,974	56,476	-	816	150	-	81,416	(39,930)	41,486	49.04%	7,489	9.20%
TOTAL WATER SUPPLY SERVICES	1,368,229	1,590,666	-	(25,356)	44,477	9,548	2,987,564	(1,464,352)	1,523,212	49.01%	716,504	23.98%
GRAND TOTAL	3,314,258	17,143,252	(367,420)	(25,357)	108,913	81,664	20,255,310	(10,223,068)	10,032,242	50.47%	3,239,083	14.61%

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Options

Council can choose to:

1. Accept the Quarterly Budget Review Statement (QBRs) and:
 - (a) approve all supplementary votes requested; or
 - (b) select projects from the supplementary votes and approve a lower amount; or
 - (c) approve the supplementary votes requested and postpone selected current year projects to reduce the capital works program for 2023/24; or
2. Accept the Quarterly Budget Review Statement (QBRs) subject to changes and:
 - (a) approve all supplementary votes requested; or
 - (b) select projects from the supplementary votes and approve a lower amount; or
 - (c) approve the supplementary votes requested and postpone selected current year projects to reduce the capital works program for 2023/24; or
3. Not accept the Quarterly Budget Review Statement (QBRs) and:
 - (a) reject the whole amount requested; or
 - (b) select projects from the requested supplementary votes and approve a lower supplementary vote amount; or
 - (c) approve the supplementary votes requested and postpone selected current year projects to reduce the capital works program for 2023/24.

Statement by Responsible Accounting Officer

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

It is my opinion that the Quarterly Budget Review Statement for Warrumbungle Shire Council for the quarter indicates that Council's financial position as at 31 December 2023 is satisfactory having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.



Responsible Accounting Officer

Attachments

1. 2nd Quarter Budget Review Statement

RECOMMENDATION

That Council:

1. Accept the 2nd Quarter Quarterly Budget Review Statement for the 2023/24 financial year, as presented;
2. Approve the variations as described in Table 1a; and
3. Note and accept the information provided on the status of the rates and annual charges for the period ending 31 December 2023.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Item 21 Investments and Term Deposits – month ending 31 January 2024

Division:	Corporate and Community Services
Management Area:	Financial Services
Author:	Acting Accountant – Lisa Grammer
CSP Key Focus Area:	Civic Leadership
Priority:	CL1 That Council is financially sustainable over the long term

Reason for Report

As required by clause 212 of the *Local Government (General) Regulation 2021*, the details of all monies invested by Council under section 625 of the *Local Government Act 1993* must be reported to Council at each Ordinary Meeting.

Background

Council is authorised by s625 of the *Local Government Act 1993* (the Act) to invest its surplus funds in the forms of investment notified in an Order of the Minister dated 12 January 2011.

Clause 212 of the *Local Government (General) Regulation 2021* (the Regulation) requires a Council to provide a written report to the Ordinary Meeting of Council giving details of all monies invested and a certificate as to whether or not the investments have been made in accordance with the Act, Regulations and Council's Investment Policy.

Issues

Comments on Performance

Marketable Securities, Term Deposits and At Call Investment Accounts

In accordance with regulatory requirements and Council's Investment Policy, the majority of Council's current investment portfolio continues to be invested in term deposits and at call accounts.

Marketable Securities

Council currently holds no Marketable Securities.

Term Deposits

During the month, \$5,000,000.00 worth of term deposits matured, earning Council a total of \$145,280.83 in Interest.

In January, the following placements were made into term deposits:

- \$1,000,000 with NAB at a rate of 5.05%
- \$1,000,000 with NAB at a rate of 5.00%
- \$1,000,000 with CBA at a rate of 5.04%

The balance of the term deposits at the end of the month was \$43,550,000.00.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

At Call

At call accounts are used to hold funds for shorter periods and generally are adjusted on a weekly basis to meet cash flow requirements. During the month, \$3,319.64 interest was earned on the balances in the accounts and net transfers of \$300,000.00 were made from these accounts resulting in a month end balance of \$319,306.41.

Cash at bank balance

In addition to the at call accounts and term deposits, as at 31 January 2024, Council had a cash at bank balance of \$437,940.30.

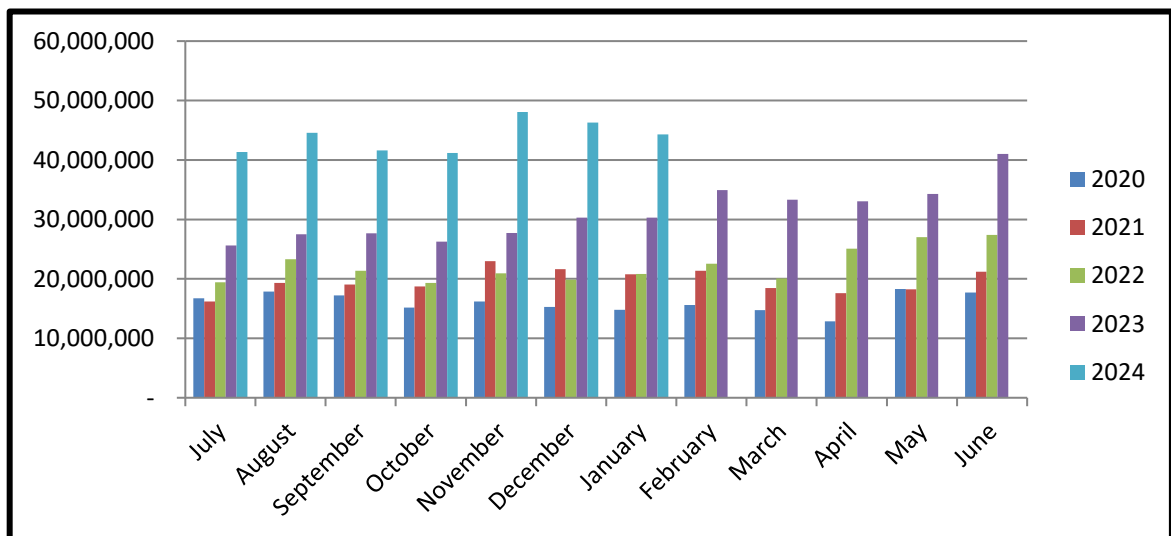
Income Return

The average yield on Investments Council held for January 2024, of 5.1674%. Council uses the Bank Bill Swap Rate (BBSW) supplied by the Australian Securities Exchange (ASX) which was 4.3752% for the month of January. The performance of investments for January, based on the comparison, was the portfolio exceeded the benchmark by 0.7922%.

Council's budget for year 2023/24 for interest on investments is \$629,350. At the end of January 2024, the amount of interest received and accrued should be around 58.33% of the total year budget, i.e. \$367,120.83 On a year to date basis, interest received and accrued totals \$1,003,819.79, which is 159.50% of the annual budget. Council's budget for interest on investments will be reviewed in the December Quarterly Budget Review.

Council received funding in advance for Regional Emergency Road Repair in the amount of \$6,435,772. This has been invested for 12 months and is expected to earn \$359,320 in interest at maturity.

Graph by Month Investments



WARRUMBUNGLA SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Options

Table 1: Investment Balances – 31 January 2024

Financial Institution	Lodgement Date	Maturity Date	Total Days	Original Rating	Current Rating	Yield (%)	Investment Amount (Redemption Value)
At Call Accounts							
NAB	1-Jan-24	At Call	at call	ADI	ADI	0.05%	1,221.49
ANZ	1-Jan-24	At Call	at call	ADI	ADI	0.01%	6,555.93
CBA At Call	1-Jan-24	At Call	at call	ADI	ADI	4.10%	311,528.99
							319,306.41
Term Deposits							
WBC	31-Jul-23	06-Feb-24	190	ADI	ADI	5.09%	1,000,000.00
WBC	31-Jul-23	13-Feb-24	197	ADI	ADI	5.09%	500,000.00
CBA	27-Feb-23	27-Feb-24	365	ADI	ADI	5.06%	1,000,000.00
CBA	28-Jun-23	05-Mar-24	251	ADI	ADI	5.42%	1,000,000.00
NAB	31-Jul-23	05-Mar-24	218	ADI	ADI	5.25%	500,000.00
CBA	08-Aug-23	12-Mar-24	217	ADI	ADI	5.01%	1,000,000.00
MAQ	21-Aug-23	19-Mar-24	211	LMG	LMG	4.83%	500,000.00
WBC	15-Aug-23	19-Mar-24	217	ADI	ADI	5.02%	500,000.00
WBC	29-Sep-23	26-Mar-24	179	ADI	ADI	5.00%	2,000,000.00
CBA	28-Jun-23	02-Apr-24	279	ADI	ADI	5.46%	500,000.00
WBC	28-Aug-23	09-Apr-24	225	ADI	ADI	4.98%	1,000,000.00
WBC	29-Aug-23	16-Apr-24	231	ADI	ADI	5.00%	1,000,000.00
MAQ	30-Aug-23	23-Apr-24	237	LMG	LMG	4.75%	1,000,000.00
NAB	31-Aug-23	30-Apr-24	243	ADI	ADI	5.05%	500,000.00
WBC - Sewer	31-Oct-23	30-Apr-24	182	ADI	ADI	5.20%	1,000,000.00
NAB	31-Aug-23	07-May-24	250	ADI	ADI	5.05%	1,000,000.00
WBC	31-Aug-23	14-May-24	257	ADI	ADI	4.95%	1,000,000.00
MAQ	01-Aug-23	21-May-24	294	LMG	LMG	5.07%	1,000,000.00
AMP	29-May-23	24-May-24	361	ADI	ADI	5.20%	1,000,000.00
WBC	04-Oct-23	28-May-24	237	ADI	ADI	5.05%	1,000,000.00
NAB	01-Nov-23	04-Jun-24	216	ADI	ADI	5.25%	500,000.00
CBA	05-Dec-23	11-Jun-24	189	ADI	ADI	5.22%	500,000.00
AMP Sewer	18-Dec-23	18-Jun-24	183	LMG	LMG	5.20%	500,000.00
NAB	06-Dec-23	18-Jun-24	195	ADI	ADI	5.07%	1,000,000.00
CBA	28-Jun-23	25-Jun-24	363	ADI	ADI	5.50%	1,000,000.00
CBA	30-Jun-23	28-Jun-24	364	ADI	ADI	5.55%	1,000,000.00
AMP	28-Jun-23	27-Jun-24	365	ADI	ADI	5.70%	1,000,000.00
NAB	31-Oct-23	02-Jul-24	245	ADI	ADI	5.30%	2,000,000.00
WBC	08-Dec-23	09-Jul-24	214	ADI	ADI	5.11%	2,000,000.00
AMP	08-Dec-23	16-Jul-24	221	LMG	LMG	5.25%	1,000,000.00
NAB	24-Jan-24	22-Jul-24	180	ADI	ADI	5.05%	1,000,000.00
WBC	22-Dec-23	23-Jul-24	214	ADI	ADI	5.04%	500,000.00
NAB	30-Jan-24	30-Jul-24	182	ADI	ADI	5.00%	500,000.00
CBA	30-Jan-24	06-Aug-24	189	ADI	ADI	5.04%	1,000,000.00
WBC	31-Aug-23	30-Aug-24	365	ADI	ADI	5.08%	1,000,000.00
WBC	31-Oct-23	31-Oct-24	366	ADI	ADI	5.50%	750,000.00
WBC	29-Nov-23	29-Nov-24	366	ADI	ADI	5.35%	1,000,000.00
NAB	29-Nov-23	29-Nov-24	366	ADI	ADI	5.27%	1,000,000.00
WBC	29-Nov-23	29-Nov-24	366	ADI	ADI	5.35%	1,500,000.00

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

						Sub-Total	43,550,000.00	
							Total	43,869,306.41

Credit Rating Legend

P	Prime
ADI	Big Four – ANZ, CBA, NAB, WBC
HG	High Grade
UMG	Upper Medium Grade
LMG	Below Upper medium grade

Table 2: At Call and Term Deposits – Monthly Movements

Bank	Opening Balance	Interest Added to Investment	Net Placements /Withdrawals	Closing Balance
NAB	1,221.49			1,221.49
ANZ	6,555.93		-	6,555.93
CBA At Call	608,209.35	3,319.64	(300,000.00)	311,528.99
Total at call	615,986.77	3,319.64	(300,000.00)	319,306.41
CBA	1,000,000.00	27,504.66	(1,027,504.66)	
NAB	500,000.00	13,536.99	(513,536.99)	
NAB	1,000,000.00	31,232.88	(1,031,232.88)	
NAB	1,000,000.00	29,608.22	(1,029,608.22)	
CBA	500,000.00	15,288.49	(515,288.49)	
NAB	1,000,000.00	28,109.59	(1,028,109.59)	
WBC	500,000.00			500,000.00
WBC	500,000.00			500,000.00
CBA	2,000,000.00			2,000,000.00
CBA	500,000.00			500,000.00
NAB	1,000,000.00			1,000,000.00
CBA	1,000,000.00			1,000,000.00
MAQ	1,000,000.00			1,000,000.00
WBC	500,000.00			500,000.00
WBC	1,000,000.00			1,000,000.00
CBA	1,000,000.00			1,000,000.00
WBC	1,000,000.00			1,000,000.00
WBC	1,000,000.00			1,000,000.00
MAQ	1,000,000.00			1,000,000.00
NAB	1,000,000.00			1,000,000.00
WBC - Sewer Fund	500,000.00			500,000.00
NAB	500,000.00			500,000.00
WBC	500,000.00			500,000.00
MAQ	1,000,000.00			1,000,000.00
AMP	1,000,000.00			1,000,000.00

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

WBC	1,000,000.00			1,000,000.00
NAB	1,000,000.00			1,000,000.00
CBA	2,000,000.00			2,000,000.00
AMP Sewer Fund	2,000,000.00			2,000,000.00
NAB	1,000,000.00			1,000,000.00
CBA	1,000,000.00			1,000,000.00
CBA	500,000.00			500,000.00
AMP	500,000.00			500,000.00
NAB	1,000,000.00			1,000,000.00
WBC	1,000,000.00			1,000,000.00
AMP	750,000.00			750,000.00
NAB			1,000,000.00	1,000,000.00
WBC	1,000,000.00			1,000,000.00
NAB			1,000,000.00	1,000,000.00
CBA			1,000,000.00	1,000,000.00
WBC	1,000,000.00			1,000,000.00
WBC	1,500,000.00			1,500,000.00
WBC	2,000,000.00			2,000,000.00
NAB	5,600,000.00			5,600,000.00
WBC	1,200,000.00			1,200,000.00
Total Term deposits	45,550,000.00	145,280.83	(2,145,280.83)	43,550,000.00
Total	46,165,986.77	148,600.47	(2,445,280.83)	43,869,306.41

Financial Consideration

Council's Investment portfolio is 100% compliant with the Investment Policy.

The table below provides compliance status against the Investment Policy:

Institution	Credit Rating	Investment \$	Actual Exposure	Max. Limit per Policy	Compliance status
ANZ	ADI	6,555.93	0.01%	33.30%	Compliant
CBA	ADI	9,311,528.99	21.23%	33.30%	Compliant
WBC	ADI	4,200,000.00	32.37%	33.30%	Compliant
NAB	ADI	13,101,221.49	29.86%	33.30%	Compliant
	Total ADI	6,619,306.41	83.47%	100.00%	Compliant
MAQ	UMG	3,000,000.00	6.84%	20.00%	Compliant
	Total UMG	3,000,000.00	6.84%	20.00%	Compliant
AMP	LMG	4,250,000.00	9.69%	10.00%	Compliant
	Total LMG	4,250,000.00	9.69%	10.00%	Compliant
	Grand Total	43,869,306.41	100.00%		

Risk Considerations

This report deals with strategic and operational level financial risks, being managed within Council's Investment Policy. While the risk level is inherently high, the control

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

measures in place mitigate the risk exposure and the risk is within Council's adopted risk appetite.

Certification of Responsible Accounting Officer

I hereby certify that the investments listed in the report above have been made in accordance with section 625 of the *Local Government Act 1993*, clause 212 of the *Local Government (General) Regulation 2021* and Council's Investments Policy.



Responsible Accounting Officer – Lisa Grammer

Community Engagement Considerations

The level of community engagement is Inform.

The community is informed through the Council business paper and website.

RECOMMENDATION

That Council accept the Investments Report for the month ending 31 January 2024 including a total balance of \$44,307,246.71 being:

- \$311,306.41 in at call accounts.
- \$43,550,000.00 in term deposits.
- \$437,940.30 cash at bank.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Item 22 Natural Disaster Response and Recovery Monthly Report

Division:	Technical Services
Management Area:	Road Operations
Author:	Works Engineer – Dinesh Khatri
CSP Key Focus Area:	Supporting Community Life
Priority:	SC4 The long-term wellbeing of our community is supported by ongoing provision of high quality services, health and aged care, education, policing and public safety, child, youth and family support, environmental protection and land management.

Reason for Report

To provide a monthly update on the natural disaster response and recovery.

Background

Council at its meeting on 16 November 2022 resolved the following:

'150/2223 RESOLVED that:

- 1. Due to the impact of multiple 'Declared Natural Disasters', Council recognises the ongoing urgent need to repair and make safe road networks across the Shire;*
- 2. Council notes the applications for joint State and Federal DRFA funding for works arising due to the impact of Declared Natural Disaster Events have been made;*
- 3. Works associated with AGRN987 (November 2021), AGRN1030 (August 2022) and AGRN1034 (September 2022 onwards) are for the purpose of response to, or recovery from, 'Declared Natural Disasters';*
- 4. Council notes the Office of Local Government Circular No 22-17 dated 10 June 2022 provides that the Local Government (General) Regulation 2021 has been amended to prescribe a tendering threshold of \$500,000 for contracts entered into by councils for the purpose of responding to, or recovering from, a Declared Natural Disaster within 12 months of the declaration of the natural disaster;*
- 5. To assist in the recovery process Council endorses the engagement of contractors for the restoration of public assets;*
- 6. Council determines that due to the unprecedented demand for the services of relevant consultants and contractors following recent*

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

rain and flood events throughout the State is an extenuating circumstance under s55(3)(i) of the LGA;

7. *Council delegates authority to the General Manager (or his delegate) to execute the contracts that exceed \$250,000 referred items 4, 5 and 6 above, in consultation with the Mayor. Such works are to be carried out within the approved and funded Declared Natural Disasters AGRN987, AGRN1030 and AGRN1034.*
8. *Council receive monthly progress reports on the Disaster Recovery process.'*

As previously reported to Council, as at 21 November 2022, in addition to the emergency works claim nine (9) works packages to the value of \$12,767,871 were submitted for restoration works. The submissions have been assessed and adjusted with \$10,568,493 being approved including emergency and immediate restoration (emergent) for the November 2021 AGRN 987 event.

Council submitted two claims in January 2024 for AGRN 1034 works to the value of \$3,476,740 bringing the total value of claims submitted for this event to \$7,211,963. The January claim is predominantly for repair works to sealed and unsealed roads.

The November 2021 natural disaster event upper limit has been finalised at \$9,842,923 for essential public asset restoration works and a payment of \$725,570 has been made for the emergent works. The September 2022 AGRN 1034 current estimate is \$7,211,963 with further defects still to be included.

As at 31 January 2024, there are 1,701 defects approved for funding for the November 2021 event and 80 defects for the September 2022 event identified though not approved yet. There will be no restoration defects for the August 2022 event as this claim will be emergency works only.

To date, the amount of \$10,582,454 has been approved for restoration and works are being carried out.

Asset Type	Approved	Queried	Submitted	Grand Total
Road – bridge / structure	\$71,737			\$71,737
Road – culvert / floodway	\$59,798			\$59,798
Road – sealed	\$1,992,529			\$1,992,529
Road – unsealed – formed	\$7,701,024			\$7,701,024
Road – unsealed – unformed	\$10,916			\$10,916
Stormwater Infrastructure	\$6,919			\$6,919
Emergent Works	\$725,570			\$725,570
AGRN 987	\$10,568,493	\$0	\$0	\$10,568,493
Road – bridge / structure			\$1,189,788	\$1,189,788
Road – culvert / floodway			\$57,992	\$57,992

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Road – sealed			\$5,133,390	\$5,133,390
Road – unsealed – formed	\$13,961		\$594,051	\$608,012
Emergent Works			\$222,781	\$222,781
AGRN 1034	\$13,961	\$0	\$7,198,002	\$7,211,963
Emergent Works			\$176,122	\$176,122
AGRN 1030			\$176,122	\$176,122
Grand Total	\$10,582,454	\$0	\$7,374,124	\$17,956,578

- Approved refers to defects that have been assessed by TfNSW and the upper funding limit has been set.
- Queried refers to defects that have been submitted and TfNSW is asking for additional information.
- Submitted refers to defects that have been submitted to TfNSW and are currently being assessed.

Note:

The estimated cost may change as Transport for NSW (TfNSW) assesses each defect in the submitted packages and sets the upper limit for the restoration works.

Expenditure to 31 January 2024 for AGRN 987, 1030 and 1034 is \$5,912,689 and includes emergent and full restoration works.

AGRN 987 Natural Disaster Restoration Works were carried out in January 2024 on the following roads (in order of expenditure):

Caledonia Road	Dungeon Road
Warrumbungles Way	Munns Road
Mooren Road	Quirindi Quambone Road
Forans Lane	Barneys Reef road
Leaders Road	Bourke Road
Kanoona Road	Pine Ridge Road
Bugaldie Guinema Road	Minnedah Road
Dennykymine Road	Ulungra Srings Rd
Merryula Road	Sleightholmes Road
Fairfield Road	Cassilis Road
Coolah Creek Road	Carrington lane
Yarragrinn Road	
Caigan Road	

There were no AGRN 1034 Natural Disaster Emergency Works carried out in January 2024 as the emergent works period has now finished.

During December 2023 and January 2024, Council was also delivering the following grant funded projects concurrently with the Natural Disaster Restoration Works:

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

- Regional and Local Roads Repair Program – Warrumbungles Way, Black Stump Way, Vinegaroy Road and Dows Lane
- Regional Roads Block Grant
- Fixing Local Roads – Tooraweenah Road guardrail installation
- RMCC Maintenance and Ordered Works including 15 Heavy patches on the Golden Highway and guardrail repairs on the Golden Highway and the Castlereagh Highway.

The Pothole Repair Program was completed two weeks before the 1 January 2024 deadline. A total of 22,045 potholes have been repaired on regional, local rural and urban roads under this program that commenced in January 2023. This was achieved by hiring in a second jet patching truck and staff working six (6) days a week most weeks on our local rural roads performing pothole repairs. Urban Services crews also worked up to three (3) days per week in urban areas where service levels permitted, and crews also worked longer hours where necessary to get the work completed quicker.

Three tenders were advertised for Natural Disaster Restoration Works associated with the AGRN 987 event. All tenders have now closed. Contracts have been issued to Rigour Excavations for Tender 1 and 2 with works due to commence in the Sandy Creek Area in late February. Tender 3 is under assessment with an outcome expected by the mid of February 2024. An information report will be provided to Council outlining all three tender outcomes once Tender 3 has been finalised.

Council has engaged two (2) contractors, Rollers Australia and Rigour Excavations, under the Casual Plant Hire Contract to supply unsealed road maintenance crews to assist with the Natural Disaster Restoration Works. Both contractors have been with Council since August 2023.

The roads included in the tenders are as follows:

Tender 1 Sandy Creek Area	Tender 2 Upper Laheys Creek Area	Tender 3 North of Oxley (Goolhi and Surrounds)
Danabar Road	Brooklyn Road	Albert Wright Road
Dapper Road	Lincoln Road	Ameys Road
Diehm Road	Upper Laheys Creek Road	Apricot Lane
Lambing Hill Road		Bakers Lane
Sandy Creek Road		Balmoral Road
		Bellings Road
		Borah Creek Road
		Goolhi Road
		Keeches Road
		McEvoy's Road
		Quaker Tommy Road
		Rayak Road
		Reddens Road
		Schumacks Road

WARRUMBUNGLA SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Tender 1 Sandy Creek Area	Tender 2 Upper Laheys Creek Area	Tender 3 North of Oxley (Goolhi and Surrounds)
		Yaminbah Road

In addition to the contractors and tenders, Council teams have been mobilised to complete AGRN 987 works as a means to expend the expenditure of funds by the 30 June 2024 deadline. Similar to the Pothole Repair Program, additional plant (trucks) have been hired, staff are working additional hours and/or up to six (6) days per week. Expenditure is currently sitting at 40% and it is not realistic that the funds will be fully expended by 30 June 2024. An Extension of Time (EOT) up to 30 March 2025 was requested from TfNSW on 13 December 2023. TfNSW rejected the EOT and advised Council to resubmit after 30 March 2024 as such requests can only be made within three months of the two-year timeframe expiring. Even if the EOT is approved expenditure of the funds by 30 March 2025 will be challenging.

Restoration works are being carried out following the prioritisation process approved by Council.

‘113/2223 RESOLVED that Council:

1. *Endorses the Natural Disaster Recovery approach for the restoration of the Shire’s road network with road priorities as:*
 - *Priority 1 – Regional Roads*
 - *Priority 2 – Local Arterial Roads*
 - *Priority 3 – Local Distributor Roads*
 - *Priority 4 – Local Collector Roads*
 - *Priority 5 – Local Access Roads.*
2. *Endorses that lower priority roads may be considered to be brought forward in the program if it is more practical or cost effective to deliver the works along with a higher priority road.*
3. *Notes that all restoration works associated with the November 2021 natural disaster must be completed by 30 June 2024.’*

Council work crews will continue to be used as much as resourcing allows and will be supplemented with contractors when available.

Regional Emergency Road Repair Fund (RERRF) and Regional Local Roads Repair Program (RLRRP)

Council’s allocation under RERRF is \$6,435,772 and has been received in full. The funding is on top of the \$4,590,978 RLRRP allocation. Council’s RLRRP funding deed was varied to incorporate the additional RERRF funds and was signed and returned to TfNSW on 31 October 2023.

New works and projects need TfNSW approval before starting and a revised workplan is underway for submission by the 30 April 2024 deadline. All RLRRP funds must be spent by 31 October 2027 and TfNSW have been advised that minimal

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

works will be completed under this program during 2023/24 and 2024/25 as Council's focus will be on Natural Disaster Response and Recovery works.

Local Government Recovery Grants

The purpose of Local Government Recovery Grants is to support the emerging relief and recovery needs within impacted communities and contribute to building disaster resilience and reducing the impact of future disaster events. Submissions for the projects listed below were lodged on 13 October 2023. Clarification on several of Council's submissions has recently been sought from the Office of Local Government who are administering the Grants and staff are working on responses. Council and the community will be advised of the outcome once known.

Name	Funds Requested
Coolah Rising Main – Coolaburragundy River Crossing	\$200,000
Coolah Rising Main – Saleyards Creek Crossing	\$100,000
Fixed Road Closure Barriers	\$100,000
Neible Siding Box Culvert	\$500,000
Coolah Sewer Treatment Plant (STP) Fencing Upgrade	\$50,000
Coonabarabran Swimming Pool Complex Flood Mitigation	\$50,000
TOTAL	\$1,000,000

Issues

It is important to note that the restoration works are to restore the damaged roads and road related infrastructure to pre-disaster conditions, there is no allowance for any improvements to the road network.

At the time of writing this report, 11 locations have been reported to NSW Live Traffic as having partial road closed or changed road conditions.

Main Street	Suburb	Other Information
Boomley Road	Dunedoo	Culvert under the road has been severely damaged in the 2021 & 2022 Natural Disaster Events.
Brooklyn Road	Dunedoo	Road has been severely damaged in the 2021 & 2022 Natural Disaster Events.
Sandy Creek Road	Dunedoo	Road severely damaged in the 2021 & 2022 Natural Disaster Events.
Neible Siding Road	Weetaliba	There is an unsafe level of water on this causeway.
Sandy Creek Road	Dunedoo	Causeway severely damaged in the 2021 & 2022 Natural Disaster Events.
Doganabuganaram Road	Neilrex	Road severely damaged in the 2021 & 2022 Natural Disaster Events.
Laheys Creek Road	Dunedoo	Road severely damaged in the 2021 & 2022 Natural Disaster Events.
Cumbil Road	Baradine	Causeway has been severely damaged by 2021 & 2022 Natural Disaster Events. A section of the causeway and the road

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Main Street	Suburb	Other Information
		approach on the eastern side has been washed away. There is no access across the causeway.
Boomley Road	Dunedoo	Bridge approaches (road) were severely damaged in the 2021 & 2022 Natural Disaster Events.
Pandora Pass Road	Coolah	Causeway was severely damaged in the 2021 & 2022 Natural Disaster Events.
Yarrow Road	Mendooran	There is an unsafe level of water on this causeway.

Options

There are options available to Council to deliver the natural disaster works once funding approval has been granted.

Given the quantum of work and the timeframe required in which to complete the works, procurement of contractors is required to supplement Council staff.

As resolved by Council, contractors will be engaged as required for various packages of work bundled by location.

Financial Considerations

Council's costs are recoverable for services that directly relate to the restoration of essential public assets following the NSW Natural Disaster Essential Public Asset Restoration Guidelines.

The recoverable costs will be claimed from TfNSW via their normal invoicing process which includes submitting actual expenditure monthly. Council is also required to submit the corresponding Form 306 when submitting a claim for payment.

Council is delivering several projects using grant funding to return the road network to pre disaster condition and to address other unfunded road maintenance issues. The following table provides the financial status of these projects as at 31 January 2024.

Project	Funding	Submitted	Expenditure	Percentage Spent	Construction Completion Date
1. Natural Disaster AGRN 987	\$10,568,493		\$4,208,343	40%	30/06/2024
2. Natural Disaster AGRN 1034		\$7,221,963	\$1,528,224	21%	30/06/2025
3. Natural Disaster AGRN 1030		\$176,122	\$176,122	100%	30/06/2025
4. Pothole Repair Program	\$864,683		\$904,907	105%	01/01/2024
5. Regional and Local Roads Repair Program	\$11,026,759		\$2,552,992	23%	31/10/2027

WARRUMBUNGLA SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Project	Funding	Submitted	Expenditure	Percentage Spent	Construction Completion Date
6. Local Government Recovery Grants	\$1,000,000		\$36,819	4%	30/06/2025

Notes

Project 2 – Submitted amount increased in line with January 2024 submission.

Expenditure adjusted following review of incorrect WO used.

Project 4 – Over expenditure to be adjusted as part of a QBRS to bring back to 100%.

Project 5 - As the RERRF and RLRRP are covered under one funding deed they will now be reported as RLRRP. The \$11,026, 759 amount is the RERRF allocation of \$6,435,772 added to the RLRRP allocation of \$4,590,987.

Risk Considerations

There are operational, project and financial risks associated with the projects outlined within the report. Operational risks are low. Financial and project risks are moderate and Council's risk appetite is "averse to accept". The risks are managed and mitigated through regular risk assessments, recording of information on risk registers, and adhering to funding deed requirements, as well as Council's adopted policies and procedures.

Community Engagement Considerations

The level of community engagement is to inform.

Attachments

Nil.

RECOMMENDATION

That Council notes:

1. The Natural Disaster Response and Recovery Monthly Report for January 2024.
2. The completion of the Pothole Repair Program before the 1 January 2024 deadline.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Item 23 Update Report on Werribee Road, Premer

Division:	Technical Services
Management Area:	Urban Services
Author:	Acting Manager Urban Services & Facilities – Zachary Estens
CSP Key Focus Area:	Supporting Community Life
Priority:	SC4 The long-term wellbeing of our community is supported by ongoing provision of high-quality service, health and aged care, education, policing and public safety, child, youth and family support, environmental protection and land management

Reason for Report

To update Council on Resolution 147/2223 of 16 November 2022 to apply for compulsory acquisition of Part Lot 7304, DP1159006, Black Stump Way, Premer to construct a legal access to Werribee Road. The access will cross Crown Land dedicated for a Travelling Stock Route Reserve 1697, therefore a compulsory acquisition of land is required to formalise access to Werribee Road.

Background

Council at its meeting of 16 November 2022 resolved the following:

'147/2223 RESOLVED that Council:

- 1. Apply to the Department of Primary Industries – Lands for consent under section 11 of the Land Acquisition (Just Terms Compensation) Act 1991 to issue a proposed acquisition notice to acquire part of Lot 7304 DP1159006 to establish a roadway, subject to the approval of the Minister for Local Government.*
- 2. Make an application for the compulsory acquisition of part of the land described as Lot 7304 DP1159006 for the purpose of forming an access road in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991.*
- 3. Make an application to the Minister and Governor for approval to acquire the part of the land described as Lot 7304 DP1159006 by compulsory process under section 186 of the Local Government Act 1993.*
- 4. Authorise the General Manager to sign all documents associated with the conveyancing transaction (including a Client Authorisation Form to affect the transaction), if required.*

In June 1998, Terra Shell Pty Ltd applied for a 29 Lot Rural Subdivision located at 'Werribee' Black Stump Way, Premer. The proposed application was approved in

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

January 1999 with conditions. In January 2002 the Acting Director Environmental Services signed an internal memo addressed to the General Manager to sign and release the linen plans. The subdivision plan indicated a new road which was to be named Werribee Road needed to be constructed in accordance with Council's requirements to ensure access to each lot was through a separate entrance. Once Werribee Road was constructed a compulsory acquisition should have been applied for to allow access from Black Stump Way. This was not undertaken at the time.

The proposed section of land to be acquired is indicated in red in the below map, the area is approximately 0.1ha.



Figure 1. Land to be compulsorily acquired.

Issues

Since the completion of the subdivision, Council has approved three (3) development applications along Werribee Road, Council was not aware at the time of the approvals that there was no legal access across the crown land from Black Stump Way to Werribee Road.

Before the application for the compulsory acquisition is lodged approval from Crown Lands is required. The application requests if council wants to acquire the whole or part of the lot or the land for an easement. Council will apply for the acquisition of part of the land for the construction of an access road. Once approval has been issued Council can commence the acquisition process.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

To formalise the access to Werribee Road an application for the compulsory acquisition of part of the land will be required. The parcel of land is located along the Black Stump Way and is dedicated as a Reserve for Travelling Stock (R1697) notified 21 March 1881. There is also a current Aboriginal Land Claim lodged 23 November 2005 – Claim No 8286.

In July 2019, a solicitor was engaged by Council to prepare the acquisition application on behalf of Council.

In August 2019 Crown Lands sent Council a 'no objection to Proposed Acquisition Notice (PAN)' letter. Section 11 of the *Land Acquisition (Just Terms Compensation) Act 1991* provides for a PAN to be issued to parties who have a statutory right to be notified and a right to claim compensation when land is being compulsorily acquired. PAN letters remain current for 12 months from the date of issue.

In June 2020 Crown Lands reminded Council that the PAN needed to be issued within the 12-month timeframe or Council would need to request a new one before proceeding any further. Council advised Crown Lands they were awaiting the outcome of negotiations with the Local Aboriginal Land Council and planned to proceed following that.

On 15 December 2020, an application for compulsory acquisition was lodged with the Office of Local Government for approval.

In May 2021, advice was received from solicitors that a survey plan is required and must be registered and in July 2021, a surveyor was engaged to review and quote on the survey works.

Council contacted Crown Lands in September 2021 and advised of staff changes, hence delays, and requested advice on proceeding. Crown Lands advice was that all third party interests in the land needed to be addressed and that they were still awaiting the PAN.

Crown Lands wrote to Council on 13 January 2022 advising that the aged proposed compulsory acquisition of Crown land and/or easement would be closed. They further advised that they had maintained a record of all correspondence in relation to the proposed acquisition. They encouraged Council to contact them before lodging the new notification as some details maybe already be on file and Council may be exempt from certain components of the notification package.

The survey was completed and the plan was lodged with Lands Registry Service on 25 November 2022.

In March 2023 the solicitor Council had engaged prepare the acquisition application on behalf of Council emailed their final invoice and stated they were closing the matter. When asked if they would reconsider keeping the matter open they declined.

In order to proceed with the acquisition the process will need to recommence the process by re-engaging a solicitor and liaising with Crown Lands and the LALC.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Options

Council has the option of not undertaking a compulsory acquisition. If the acquisition is not undertaken there will be no legal access to Werribee Road, Premer.

Council can recommence the land acquisition process by reapplying to Crown Lands. Additionally, Council must engage with the LALC or provide evidence of the outcome from the prior application if it remains valid.

Financial Considerations

Costs involved with the compulsory acquisition of the land are not quantified at this stage as there are a number of steps that are required to be undertaken to acquire the parcel of land, including costs for the consent from Crown Lands, solicitor's costs for the advice relating to extinguishment of any native title claims and surveyor's costs, plus Just Terms Compensation.

Once the costs are known. A supplementary vote will be prepared for council to consider at the next available QBRS.

Council should be aware that once it gets to a certain stage of the process that it must follow through to completion, no matter the land value.

Risk Considerations

This report involves operational level risks. The risk level is low and falls within Council's risk appetite.

Community Engagement Considerations

The community engagement scale is low with a moderate risk of conflict given the nature of the proposed acquisition. The level of engagement is to inform and consult.

Attachments

Nil

RECOMMENDATION

That Council:

1. Apply to the Department of Planning, Housing and Infrastructure – Crown Lands for consent under section 11 of the *Land Acquisition (Just Terms Compensation) Act 1991* to issue a proposed acquisition notice to acquire part of Lot 7304 DP1159006 to establish a roadway, subject to the approval of the Minister for Local Government.
2. Make an application for the compulsory acquisition of part of the land described as Lot 7304 DP1159006 for the purpose of forming an access road in accordance with the requirements of the *Land Acquisition (Just Terms Compensation) Act 1991*.
3. Make an application to the Minister and Governor for approval to acquire the part of the land described as Lot 7304 DP1159006 by compulsory process under section 186 of the *Local Government Act 1993*.

WARRUMBUNGLA SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

4. Authorise the General Manager to sign all documents associated with the conveyancing transaction (including a Client Authorisation Form to affect the transaction), if required.

WARRUMBUNGLA SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Item 24 Regional Tender for the Supply and Delivery of Bitumen Emulsion

Division:	Technical Services
Management Area:	Technical Services Management
Author:	Director Technical Services – Nicole Benson
CSP Key Focus Area:	A strong and sustainable economy.
Priority:	Use of local and regional service providers.

Reason for Report

To make a resolution in respect of recommendations by the tender evaluation panel for the Supply and Delivery of Bitumen Emulsion T262324OROC.

Background

Regional Procurement invited tenders for the ‘Supply and Delivery of Bitumen Emulsion’ on behalf of Councils in the Orana Region; Bogan, Bourke, Brewarrina, Cobar, Coonamble, Gilgandra, Mid-Western Regional, Narromine, Walgett, Warren and Warrumbungle Shires. This contract will run for 24 months from 1 January 2024 to 31 December 2025. A 12-month option may be taken up based on satisfactory performance by the contractor/s.

Issues

Bitumen emulsion tanks are located at Coonabarabran and Coolah works depots and they are accessed by staff operating jet patching plant to complete road sealing works.

The quantity of bitumen used by Council each year varies, and was high throughout 2023, especially towards the back end of the year due to the delivery of the Natural Disaster Pothole Program, which at times involved using two jet patchers.

Options

A copy of the tender evaluation matrix and report prepared by the evaluation panel are included in the attachments. Tenders were received from the following two companies:

- Downer EDI Works Pty Ltd
- Fulton Hogan Industries Pty Ltd

Acceptance of the recommendations from the evaluation panel does not preclude Council from seeking prices from other suppliers, subject to the value of purchase orders remaining within the General Manager’s delegated authority.

Financial Considerations

Budgets for bitumen emulsion are factored into capital and operational programs each year.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Risk Considerations

This report involves operational level risks. The risk level is low and falls within Council's risk appetite.

Community Engagement

The level of engagement for this report is to inform.

Attachments

1. Regional Procurement Supply and Delivery of Bitumen Emulsion Tender Evaluation Matrix (*Confidential*)
2. Regional Procurement Supply and Delivery of Bitumen Emulsion Evaluation Report (*Confidential*)

RECOMMENDATION

That:

1. The following suppliers be awarded this contract as the Panel Source suppliers to Warrumbungle Shire Council for the period 1 January 2024 to 31 December 2025:
 - Downer EDI Works Pty Ltd
 - Fulton Hogan Industries Pty Ltd
2. A provision be allowed for a 12-month extension based on satisfactory supplier performance, which may take this contract through to 31 December 2026.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Item 25 Regional Tender for the Provision of Linemarking

Division:	Technical Services
Management Area:	Technical Services Management
Author:	Director Technical Services – Nicole Benson
CSP Key Focus Area:	A strong and sustainable economy.
Priority:	Use of local and regional service providers.

Reason for Report

To make a resolution in respect of recommendations by the tender evaluation panel for the Provision of Linemarking T282324OROC.

Background

Regional Procurement invited tenders for the 'Provision of Linemarking' on behalf of Councils in the Orana Region; Bogan, Bourke, Brewarrina, Central Darling, Cobar, Coonamble, Narromine, Walgett, Warren and Warrumbungle Shires. This contract will run for 24 months from 1 January 2024 to 31 December 2025. A 12-month option may be taken up based on satisfactory performance by the contractor/s.

Issues

Linemarking contractors are engaged by Council to provide linemarking services after road construction and rehabilitation projects have been completed. They are also used as required for the Coonabarabran Aerodrome runway and taxiways.

Options

A copy of the tender evaluation matrix and report prepared by the evaluation panel are included in the attachments. Tenders were received from the following seven companies:

- ACT Linemarking Pty Ltd
- Central West Linemarking Pty Ltd t/a Central West Linemarking
- Capital Lines & Signs Pty Ltd
- Complete Linemarking Services Pty Ltd
- OZ Linemarking NSW Pty Ltd
- Stelcorp Pty Ltd t/a Total Linemarking Resources
- Jenalad Pty Ltd t/a Whiteline Road Services

Acceptance of the recommendations from the evaluation panel does not preclude Council from seeking prices from other suppliers, subject to the value of purchase orders remaining within the General Manager's delegated authority.

Financial Considerations

Budgets for linemarking are factored into works programs each year.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Risk Considerations

This report involves operational level risks. The risk level is low and falls within Council's risk appetite.

Community Engagement

The level of engagement for this report is to inform.

Attachments

1. Regional Procurement Provision of Linemarking Tender Evaluation Matrix
(*Confidential*)
2. Regional Procurement Provision of Linemarking Tender Evaluation Report
(*Confidential*)

RECOMMENDATION

That:

1. The following suppliers be awarded this contract as the Panel Source suppliers to Warrumbungle Shire Council for the period 1 January 2024 to 31 December 2025:
 - ACT Linemarking Pty Ltd
 - Central West Linemarking Pty Ltd t/a Central West Linemarking
 - Capital Lines & Signs Pty Ltd
 - Complete Linemarking Services Pty Ltd
 - OZ Linemarking NSW Pty Ltd
 - Stelcorp Pty Ltd t/a Total Linemarking Resources
 - Jenalad Pty Ltd t/a Whiteline Road Services
2. A provision be allowed for a 12-month extension based on satisfactory supplier performance, which may take this contract through to 31 December 2026.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Item 26 Regional Tender for the Provision of Traffic Control

Division:	Technical Services
Management Area:	Technical Services Management
Author:	Director Technical Services – Nicole Benson
CSP Key Focus Area:	A strong and sustainable economy.
Priority:	Use of local and regional service providers.

Reason for Report

To make a resolution in respect of recommendations by the tender evaluation panel for the Provision of Traffic Control T272324OROC.

Background

Regional Procurement invited tenders for the 'Provision of Traffic Control' on behalf of Councils in the Orana Region; Bogan, Bourke, Brewarrina, Central Darling, Coonamble, Gilgandra, Narromine, Walgett, Warren and Warrumbungle Shires. This contract will run for 24 months from 1 January 2024 to 31 December 2025. A 12-month option may be taken up based on satisfactory performance by the contractor/s.

Issues

Council has trained staff that can perform traffic control duties for small non-complex jobs such as road closures for street parades, management of road openings. Traffic control contractors are largely engaged by Council to provide traffic control services during road construction and rehabilitation projects.

Options

A copy of the tender evaluation matrix and report prepared by the evaluation panel are included in the attachments. Tenders were received from the following 11 companies:

- Maliyan Traffic Control Pty Ltd
- D&D Traffic Management Pty Ltd
- DOB Enterprises t/a Watchout Traffic Control
- Dubbo Traffic Control Pty Ltd
- Go Traffic Pty Ltd
- Golding Lane Pty Ltd t/a GoldLane Traffic Management
- Lack Group Traffic Pty Ltd
- Aristocrat Australia Pty Ltd t/a National Traffic Australia
- Northwest Traffic Management Pty Ltd
- Platinum Traffic Services Pty Ltd
- Workcontrol Operations Pty Ltd

Acceptance of the recommendations from the evaluation panel does not preclude Council from seeking prices from other suppliers, subject to the value of purchase orders remaining within the General Manager's delegated authority.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Financial Considerations

Budgets for traffic control are factored into capital and operational programs each year.

Risk Considerations

This report involves operational level risks. The risk level is low and falls within Council's risk appetite.

Community Engagement

The level of engagement for this report is to inform.

Attachments

1. Regional Procurement Provision of Traffic Control Tender Evaluation Matrix
(*Confidential*)
2. Regional Procurement Provision of Traffic Control Evaluation Report
(*Confidential*)

RECOMMENDATION

That:

1. The following suppliers be awarded this contract as the Panel Source suppliers to Warrumbungle Shire Council for the period 1 January 2024 to 31 December 2025:
 - Maliyan Traffic Control Pty Ltd
 - D&D Traffic Management Pty Ltd
 - DOB Enterprises t/a Watchout Traffic Control
 - Dubbo Traffic Control Pty Ltd
 - Go Traffic Pty Ltd
 - Golding Lane Pty Ltd t/a GoldLane Traffic Management
 - Lack Group Traffic Pty Ltd
 - Aristocrat Australia Pty Ltd t/a National Traffic Australia
 - Northwest Traffic Management Pty Ltd
 - Platinum Traffic Services Pty Ltd
 - Workcontrol Operations Pty Ltd
2. A provision be allowed for a 12-month extension based on satisfactory supplier performance, which may take this contract through to 31 December 2026.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Item 27 Planning Agreements Report

Division:	Environment and Development Services
Management Area:	Planning and Regulation
Author:	Director Environment and Development Services – Leeanne Ryan
CSP Key Focus Area:	Strengthening the Local Economy
Priority:	LE3 The community benefits from the economic returns of local renewable energy production, and mining and extractive industries

Reason for report

The purpose of this report is to:

- brief Council on the process of securing Development Contributions from renewable energy developers - namely a wind or solar electricity generator (or battery energy storage system (BESS) - via a planning agreement;
- brief Council on projects involved;
- seek delegated authority from Council for the Mayor and General Manager to negotiate agreement on the Key Terms with the developers;
- present key terms for planning agreements for Valley of the Winds Wind Farm and Spicers Creek Wind Farm.

Background

A planning agreement (also known as a voluntary planning agreement) is an agreement between a developer and a planning authority (in this case a Council), whereby the developer either dedicates land free of cost, pays a monetary contribution to the Council or provides some other material public benefit. The public benefit is to be used for or applied towards a public purpose.

In most cases the developer pays a monetary contribution, also known as a Development Contribution.

It is a legally binding document under the EP&A Act and Regulation. Council is accountable for the management of Development Contributions and must report annually.

The 'Public Purpose' projects to be funded are to provide public benefits that address the broad, tangible and intangible environmental, social and economic costs arising from the REZ developments, some of which may be profound and shire wide.

It is important to note that there is no one definitive prescription for the terms of a planning agreement. It depends on identifying the key factors at play for each party and then attempting to find common ground. In the final analysis, it really is about the parties reaching a consensus. Otherwise, there is no deal, and one cannot be forced.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Issues

Planning Agreements and Developer Contributions

The Key Terms

The first step in the negotiations is to agree on the Key Terms. In essence they are the financials, namely:

- a) What quantum is to be paid annually over the life of the project and/or upfront;
- b) What triggers the first payment - signing, Financial Investment Decision (FID) by the developer's Board, commencement of construction or commencement of operations;
- c) When is CPI triggered; and
- d) What quantum is the developer to pay Council for the time and effort in negotiating the agreement and providing a draft document.

It is essential that, at a minimum, the Key Terms are determined prior to the State Government issuing Conditions of Consent, so that the planning agreement fundamentals are locked in as a Condition of Consent. Typically, there will be a condition that stipulates the timeframe (say three to six months) to finalise and sign the agreement. If there is an impasse in the negotiations the Secretary of the DPE will intervene to resolve.

The Steps After Settling the Key Terms

After agreeing in principle to the Key Terms, the steps to finalising the document are:

- a) The parties share a draft of the full planning agreement document and work to finalise it;
- b) Full Council supports the draft document via a report to Council;
- c) The draft document is placed on public exhibition for 28 days, inviting submissions;
- d) Council then considers the feedback. It may decide to modify the document in response;
- e) Both the developer and Council agree on the final document and sign it;
- f) Council places the document on the Planning Agreement Register; and
- g) The planning agreement is activated as per the agreed terms.

The Quantum of the Development Contributions

As previously reported the three main CWO REZ Councils collaborated and agreed on the Development Contribution rate for planning agreements being 1.5 % times the Capital Investment Value (CIV) of the development. This was adopted by Council as part of the Council's *Renewable Energy Benefit Policy* (as attached) with policy wording under Section 5.2 Funding Target as follows:

Proponents of each renewable energy project (and associated infrastructure) will be required to enter into a Planning Agreement with Warrumbungle Shire Council with funding requirements to be a minimum of 1.5% of the Capital Investment Value (indexed annually as per CPI) of the project as a total value. Proponents will be required to pay 10% of total quantum upfront (to Council) within 30 days of signing Planning Agreement.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

At end of 2023, the NSW Government proposed new draft *Renewable Energy Guidelines* which nominate a Development Contribution rate of \$1,050/MW installed/yr for a wind farm or 850/MW installed/yr for solar, payable for the duration of the project, with CPI to apply from 2024.

Given the state of flux regarding the formulation of State Government policy, it is recommended that Council adopts whichever is the higher amount, when comparing the quantum/MW and the 1.5% x CIV (noting Council policy refers to the quantum being a minimum of 1.5% of CIV).

Proposed REZ Development within WSC

Table 1 below lists some key details pertaining to the proposed developments in or immediately adjacent to the Warrumbungle LGA. Assuming all ten generation projects were to proceed, potentially about \$200 Million over 30 years could be secured for Council to allocate to public projects.

Table 1: Proposed Renewable Energy Generation Projects planned for Warrumbungle LGA and possible Development Contributions

No	Site/Development	Host LGA	MW	CIV (\$)	1.5% x CIV Mil (\$)	<u>MW x Guideline Amt</u> Wind x \$1,050/MW/yr Solar x \$850/MW/yr
1	Liverpool Range Wind Farm	90% WSC 10% UHSC	1,332	3.0B	45M	42M
2	Valley of the Winds Wind Farm	100% WSC	943 + 320MW BESS	2.0B	30M	29.7M
3	Orana Wind Farm	90% WSC 10% MWRC	542 + 100MW BESS	1.2B	18M	17M
4	Spicers Creek Wind Farm	91% DRC 9% WSC	730 + 400MW BESS	2.0B	30M	23M
5	Dapper Solar Farm	90% WSC 10% DRC	250 + BESS (TBA)	300M	4.5M	6.4M
6	Sandy Creek Solar Farm	60% WSC 40% DRC	840 + 750MW BESS	1.2B	18M	21.4M
7	Avonside Solar Farm	100% WSC	180 + 400MW BESS	3.4B	51M	4.5M
8	Cobbora Solar Farm	90% WSC 10% DRC	700 + 200MW BESS	1.0B	15M	17.8M
9	Dunedoo Solar Farm	100% WSC	55 + 60MW BESS	100M	1.5M	1.4M

- Both methods generate similar total amounts, assuming 30 yrs of operations.
- CPI to be added, from date of construction or operations.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

- If < 30 yrs of operations, then fewer dollars with MW/yr compared with CIV method
- Final dollar amounts sensitive to the CIV, number of MW installed and years of operations.
- Dunedoo SF only project approved. *Note: is not connecting into new EnergyCo Transmission Line and does not have a Planning Agreement.*

What can the Development Contributions be Allocated Towards?

The Development Contributions are to be allocated in a transparent and accountable way by Council, to a public purpose that will ensure the provision of public benefits that addresses the broad, tangible and intangible environmental, social and economic costs arising from REZ developments.

Given the rationale for the funding, allocation of the dollars needs to consider those communities most adversely impacted by that development. Given the extraordinary level of development occurring as a consequence of the Shire's land being designated as a REZ, the scope and extent of the impacts will be profound and shire-wide, extending beyond the population living in close proximity to any one development.

At the discretion of Council (with community and developer input as appropriate), the funds must be allocated to a 'public purpose', which includes the provision of (or the recoupment of the cost of providing):

- a) the provision of (or the recoupment of the cost of providing) public amenities or public services,
- b) the provision of (or the recoupment of the cost of providing) affordable housing,
- c) the provision of (or the recoupment of the cost of providing) transport or other infrastructure relating to land,
- d) the funding of recurrent expenditure relating to the provision of public amenities or public services, affordable housing or transport or other infrastructure,
- e) the monitoring of the planning impacts of development, and
- f) the conservation or enhancement of the natural environment.

How will the Development Contributions be Managed?

It is Council's decision as to how best to undertake the responsibilities of managing and dispersing the funds to relevant public purpose projects and reporting on delivery performance. It is likely the developer will also have a view on the matter, and so too the local host community.

Council has previously indicated that it would form a single Planning Agreement Management Committee to manage the funds generated via the planning agreements with energy generation projects located in the LGA. It was further indicated that the Committee comprise elected Councillors and community representatives from areas hosting renewable energy generation developments.

When the allocation of funds from a specific developer is on the agenda the Committee could seek prior input from the developer to assist the Committee in its decision making.

WARRUMBUNGLA SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

The Committee's role would include identifying the selection criteria for 'Public Purpose' projects, extending invitations to the public to seek project funding, assessing the merits of bids, determining the successful applications, following up on progress and performance of the funded projects and preparing an annual report.

The annual performance report would include:

- a) A financial statement addressing incoming and outgoing monies and any amounts that have not been spent and are currently being held by Council;
- b) A summary of community projects and possibly road maintenance allocations funded by the Development Contributions over the previous 12 months; and
- c) A summary of the community projects (including the estimated cost) that the Committee is contemplating supporting in the next year.

Ultimately decision making, like for existing Council committees, would be for the full Council.

A single REZ Future Fund?

Council may, at its discretion, consolidate into a single fund (perhaps called a 'Renewable Energy Future Fund') the Development Contributions paid by all renewable energy generators or firming/storage (battery or pumped hydro) suppliers in the LGA.

Allocation of Funds to Road Maintenance

It is recommended that Development Contributions only be used for road maintenance when such maintenance requirements lie outside the road upgrade and 'make good' maintenance costs associated with the Development's construction, refurbishment and decommissioning phases.

Costs associated with the above-mentioned phases are most appropriately addressed by Conditions of Consent and should be additional to the Development Contributions paid via the Planning Agreement. Council should urge the DPE to adopt Conditions of Consent that protect Council's road assets and safeguard ratepayers from carrying unfair costs.

Cost of Managing the Planning Agreement Development Contributions

In recognition of the substantial and additional nature of negotiating and managing the Development Contributions, Council is seeking an allocation of 5% per annum of said sum for administration and management purposes.

Triggers to Review a Planning Agreement

During the term of a planning agreement, it is recommended there be a provision that provides Council with the ability to review and amend or replace the Agreement. The triggers for prompting a review/amendment include:

- a) The parties agree to modify them; or
- b) The Development Consent is the subject of a Modification or a new but related Development Application; or
- c) The Development is sold to another party; or
- d) The Development reaches the end of its operational life and is decommissioned;

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Costs of Negotiating and Preparing the Planning Agreement

It is recommended the planning agreement include a provision requiring the developer to pay Council's costs of \$20,000 plus GST incurred in preparing, negotiating and executing the agreement, or what the parties agree are deemed 'reasonable costs'.

Key Term Negotiations

Following negotiations with ACEN (Valley of the Winds Wind Farm) and Squadron Energy (Spicers Creek Wind Farm), agreement in principle has been reached on Key Terms for Planning Agreements. The key terms are as follows:

Valley of the Winds Wind Farm (ACEN Australia Pty Ltd)

Summary of Project:

- a) 131 wind turbines powered by 7.2MW engines, with an annual facility electricity generation capacity of 943 MW plus a 320MW BESS. Capital Investment Value of \$2.3B; and
- b) Whole project located in Warrumbungle LGA and centred on the districts of Coolah, Leadville and Uarbry.

Summary of Key Terms Negotiated to Date:

- a) The payments will be based on the maximum MW generation capacity as consented;
- b) The Developer will pay WSC Development Contributions to the value of \$1,050 per MW generation capacity installed, per year, for the duration of the project;
- c) In addition, the first payment will be 10% of the estimated total sum of Development Contributions over a 25-year life for the Project;
- d) Assuming the installed capacity of the development is 943 MW then WSC will receive \$990,150 per year (2024 figure) (plus CPI) for the 25-year duration of the project; that includes operations and decommissioning;
- e) In the event that the approved project operates beyond 25 years (more than likely) then 100% of the annual Development Contribution plus CPI will be paid to WSC;
- f) The first payment will be made within 14 days of the EPC Contract being signed, or the date the 'Notice to Proceed' is executed, whichever is the sooner;
- g) The second payment will be due on the anniversary of the first payment. It will be paid on a pro rata basis to 1 July, thus annual payments thereafter will be made on 1 July. All payments post the first payment will be equivalent to 90% of the Development Contribution, based on the following calculation: \$1,050 (indexed to CPI from 2023-24 financial year) x MW installed capacity x 90% (per year for a 25-year period).

Spicers Creek Wind Farm (Squadron Energy Pty Ltd – SQE)

Summary of Project:

- a) 117 wind turbines (730 MW total generation capacity) and 400MW BESS. A Capital Investment Value of approximately \$2B.
- b) Centred on the districts of Elong Elong, Goolma, Gollan and Dunedoo, 100 of the turbines are to be located within the Dubbo Regional LGA with the remaining 11 in Warrumbungle LGA. Hence just 9.4% of the turbines will be in Warrumbungle LGA.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Summary of Key Terms Negotiated to Date:

- a) The Contribution is to be calculated based on 1.5% of the Capital Investment Value (CIV) of the Final Investment Decision layout of the Project (as committed to by SCWF for construction);
- b) The first payment of the Contribution is to be paid within 30 days of the commencement of Pre-Construction Minor Works (the 'Early Works Payment'). The Early Works Payment will be 10% of the CIV of the Final Investment Decision layout of the Project. All subsequent payments of the Contribution will be proportionally reduced to account for the quantum of the Early Works Payment;
- c) The second payment of the Contribution (the Interim Payment) is to be paid on the anniversary of the Early Works Payment date. The amount of the Interim Payment is equivalent to an annual instalment. All subsequent payments of the Contribution will be proportionately reduced to account for the Interim Payment.
- d) Liability for the remainder of the Contribution (ie minus the Early Works Payment, and the Interim Payment) will commence on the commencement of construction of the Project.
- e) The remainder of the Contribution is to be paid in annual instalments on the recurrence of 1 July, in arrears, over the life of the Project (30 years). The first and final year is to be calculated pro-rata.
- f) The First Annual Instalment is to be paid on 1 July after commencement of construction.
- g) The Contribution will be indexed by CPI from the date of the Financial Investment Decision;
- h) The total Contribution to Council is to be based on the proportion of the total project CIV as defined by the number of committed turbines that are within the Council's LGA in the Final Investment Decision layout of the Project (i.e. nominally $1.5\% \times \text{CIV} \times 9.4\%$);
- i) The Agreement will provide for the following:
 - The decision-making process for the allocation of funding components of the Contribution, providing for participation by the affected communities and SCWF;
 - A public notification plan to be agreed between the parties, to govern the public recognition by Council of expenditure of the Contribution.
- j) The Contribution is to be used by the Council for the public purposes specified in paragraph 5.1 of the Policy;
- k) SCWF will be responsible for the reasonable costs incurred by the Council in negotiating, drafting and executing the Agreement.

Options

It is recommended that Council pursue a Planning Agreement with developers associated with the REZ so funds can be allocated in a transparent and accountable way to a public purpose that will ensure the provision of public benefits that addresses the broad, tangible and intangible environmental, social and economic costs arising from REZ developments.

Given the rationale for the funding, allocation of the dollars needs to consider those communities most adversely impacted by that development. Given the extraordinary level of development occurring as a consequence of the Shire's land being designated as a REZ, the scope and extent of the impacts will be profound and shire-

WARRUMBUNGLA SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

wide, extending beyond the population living in close proximity to any one development.

Financial Considerations

The cost of securing planning agreements with REZ developers requires staff time and resources. Council will be seeking financial assistance from REZ developers to assist meet these costs.

Risk Considerations

This report involves operational level risks. The risk is low and falls within Council's risk appetite.

Community Engagement Considerations

The level of engagement for this report is to inform.

Attachments

1. Copy of Council's *Renewable Energy Benefit Policy*

RECOMMENDATION

That Council:

1. Notes the information contained in the Planning Agreements Report.
2. Endorses the key terms for Valley of the Winds Wind Farm and Spicers Creek Wind Farm.
3. Delegates authority to the General Manager and Mayor to negotiate and finalise the Planning Agreements with the proponents of the Valley of the Winds Wind Farm and Spicers Creek Wind Farm.
4. Once finalised, places the above draft Planning Agreements on display for public comment for 28 days.
5. Staff report back to Council once advertising is complete.
6. Receive a further report on the establishment of a Planning Agreement Management Committee.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Item 28 Real Country Tourism Experience Strategy and Infrastructure Business Case

Division:	Environment and Development Services
Management Area:	Economic Development and Tourism
Author:	Director Environment and Development Services – Leeanne Ryan
CSP Key Focus Area:	Strengthening the local economy
Priority:	LE 2 Identify, develop and coordinate tourism and economic development opportunities

Reason for report

For Council to consider endorsing documentation regarding the Real Country Tourism Experience Strategy and Infrastructure Business Case Project, in collaboration with Coonamble, Gilgandra and Warrumbungle Shire Councils, following the public exhibition period.

Background

Coonamble, Gilgandra and Warrumbungle Shire Councils (the Councils) are actively working together, covering a collective area of 27,142km² in central west NSW, to enhance the visitor experience associated with the rich natural landscapes including the Warrumbungle National Park, Pilliga Forest, Castlereagh River, Macquarie Marshes and artesian bore baths.

The Real Country Tourism Experience Strategy and Infrastructure Business Case project leverages on the collaboration between Coonamble, Gilgandra and Warrumbungle Shire Council's along with Destination NSW in the Real Country tourism campaign.

The vision of the project seeks to grow Real Country region into a regional experience destination, provide economic support outside of the agricultural industry, engage with communities, enhance natural assets, drive community and visitor access, increase visitation and overnight stays, increase education, provide cultural experience and wellbeing opportunities, improve space for events, and leverage natural assets with initiatives of activities, art and scapes.

The business case will ensure invest-ready project funding opportunities and financial planning and consider opportunities to create key connections and experiences through elements and private investment opportunities.

The infrastructure project for the Business Case centres on the natural beauty of the Castlereagh River flowing through Real Country region, with the stunning backdrop of the Warrumbungle ranges and celebration of cultural recognition and country. Catalyst infrastructure projects for the Real Country region include:

- Coonamble Connection to Country.
- Gilgandra River Beautification.
- Coonabarabran Riverbank Revitalisation projects.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Within Warrumbungle LGA the following projects have been included in the strategy and business case:

- Coonabarabran River Precinct
 - Outdoor Amphitheatre – a dedicated space for performances and community gatherings
 - Wayfinding Elements – comprehensive signage to guide residents and visitors
 - Gateway to Warrumbungles – art and wayfinding
 - Neilson Park Connectivity – Introduction of a new crossing to enhance accessibility within the park
 - Connecting Pathways to VIC – Signs that link the VIC to the Main Park seamlessly
 - Acoustic Infrastructure – Installation of noise reduction measures near the main bridge or proposed amphitheatre
 - River Access Solutions – Infrastructure to improve public accessibility to the river
 - Seasonal Adaptations – Infrastructure that not only promotes spring and autumn but also shelters from extreme summer
 - Ramped Walkway – to add accessibility
 - Nandi Creek Reserve Enhancements – Potential improvements or new features
- Mendooran
 - Pathway and Signage Upgrades – Improvement of existing pathways and informative signage
 - Environmental Initiatives for River Health – to monitor and improve river health
- Binnaway
 - Pathway and Signage Upgrades - Improvement of existing pathways and informative signage

The Real Country project is strategically aligned with state and local strategic plans and community priorities and visions for the future, including economic, visitation and growth:

- NSW Visitor Economy Strategy 2030.
- Destination Country and Outback – Destination Management Plan 2022-2030 (currently draft).
- Castlereagh and Western Plains Regional Economic Development Strategies (currently being reviewed).

The project is funded under the Regional NSW Business Case and Strategy Development Fund for the Real Country Tourism Experience Strategy and Infrastructure Business Case project. With People, Place and Partnership successful in the consultant works following a comprehensive Tender process.

Issues

In line with Council's resolution of 19 December 2023 (Resolution 162/2324), the Draft Strategy and associated Business Case were placed on public exhibition from 20 December 2023 to 9 February 2024. The documents were placed on visitrealcountry.com.au website, as well as the individual Council's Have Your Say page.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Media coverage included print, radio and television with coverage across;

- Prime7 News
- 2DU radio
- Sunday Telegraph
- Western Plains Media
- Daily Liberal
- Gilgandra Weekly
- The Coonamble Times
- Coonabarabran Times.

Information was provided on the three Councils social media platforms, as well as via email distributions to businesses, community groups and economic development committees and Chambers of Commerce.

At the time of writing report, nine (9) submissions on the project had been received in total; these being six (6) related to Gilgandra LGA, three (3) relating to Coonamble LGA, and zero (0) relating to Warrumbungle LGA (noting that submissions had not yet closed at the time of writing this report). Those received for Gilgandra and Coonamble included questions and concerns regarding flood management, river health, water security and funding. With supportive comments speaking to tourism spend, beautification and local pride.

Any submissions received up to 9 February 2024 will be forwarded to Councillors for consideration (under separate cover) prior to the February 2024 Council Meeting.

Options

Council may wish to adopt the Real Council Destination Strategic Plan and Business Case.

Financial Considerations

The funding is due for acquittal with the NSW Government by 31 March 2024; with Gilgandra Shire Council have carriage of the acquittal process.

Risk Considerations

This report involves strategic level risks. The risk is moderate and falls within Council's adopted risk appetite.

Community Engagement Considerations

The level of engagement for this report is to inform.

Attachments

1. Real Country Destination Strategic Plan
2. Real Country Business Case

RECOMMENDATION

That Council:

1. Notes the Real Country Tourism Experience Strategy and Infrastructure Business Case Report.

WARRUMBUNGLA SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

2. Considers community submissions received, along with any commentary provided by People, Place and Partnership (if any submissions are received for Warrumbungle Shire Council up until 9 February 2024).
3. Endorses the Real Country Tourism Experience Strategy and Infrastructure Business Case.
4. Explores future funding opportunities in-line with the Real Country Tourism Experience Strategy and Infrastructure Business Case.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Item 29 Central-West Orana Renewable Energy Zone Report – February 2024

Division:	Environment and Development Services
Management Area:	Planning and Regulation
Author:	Acting Personal Assistant to Director Environment and Development Services – Emma Regan
CSP Key Focus Area:	Strengthening the Local Economy
Priority:	LE3 – The community benefits from the economic returns of local renewable energy production, and mining and extractive industries

Reason for Report

To provide Council with regular updates on Central-West Orana Renewable Energy Zone matters that relate to Council.

Background

Central-West Orana Renewable Energy Zone (REZ) is a renewable energy zone set up by State Government.

The following broad points relate to the REZ project:

- It is the State's first renewable energy zone, and covers approximately 20,000 square kilometres.
- Incorporates parts of three LGA's being Warrumbungle, Dubbo and Mid-Western.
- The REZ is proposed to unlock 4.5 gigawatts (GW) of new network capacity by mid 2020's (through solar, wind and storage projects) and up to 6GW by 2038.
- Expected to bring up to \$5 billion in private investment to the Central-West Orana region by 2030.
- At its peak, the REZ is expected to support around 6,000 construction jobs in the region, however this could be as high as 8,000.
- Was selected by State Government following a detailed geospatial mapping exercise undertaken by NSW Government in 2018.
- Formally declared by the Minister for Energy and Environment under section 19(1) of the *Electricity Infrastructure Investment Act 2020* and published in the NSW Gazette on 5 November 2021.
- EnergyCo is the Infrastructure Planner responsible for coordinating and leading the development of the REZ.
- In the future, the Minister may amend the declaration to expand the specified geographical area of the REZ, increase the intended network capacity, specify additional generation, storage and network infrastructure, provide further details and specifications or correct a minor error – in progress at the present time to increase gigawatts.
- There are 4 other REZ's in NSW being located in New England, South-West, Hunter Central and Illawarra.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

- The REZ will be supported by a large transmission line yet to be approved or constructed; EnergyCo have carriage of delivering this infrastructure.
- The REZ will host eleven (11) preferred projects in Stage 1 (pending approval from DPE). These include a mix of both wind farms and solar farms of varying sizes, some with battery energy storage systems. Many of these are partially or totally located in Warrumbungle LGA.
- More information on the REZ can be found on the Central-West Orana REZ website, and also on Council's website.

The below map shows the location of the REZ.



Within Warrumbungle Shire Council, the REZ will impact our LGA, but particularly the localities of Coolah, Leadville, Dunedoo, Birriwa, Cobbora and surrounds.

An interactive map to demonstrate the location of the various wind and solar farms within the REZ can be found on EnergyCo's website.

Many of the proposed projects are located across LGA boundaries, with delivery of projects potentially clashing and generating cumulative impacts. Some areas that maybe impacted include housing and accommodation, labour and workforce, road and traffic, waste, water, sewerage, telecommunications and social.

It is important to note that the REZ transmission line and associated wind farms, solar farms and battery energy storage systems are either State Significant Infrastructure, State Significant Development or Critical State Significant Infrastructure, requiring approval from the State Government, not Council.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Issues

Since the last update report in December 2023, Council has been involved in a number of matters pertaining to the REZ as follows:

- Attended meetings both online and in-person with potential REZ project developers regarding matters of concern to our LGA and the impacts on our communities; these were as follows:
 - Valley of the Winds 12/12/2023, 14/12/2023,
- Participated in update meetings with EnergyCo on 04/12/2023, 05/12/2023.
- Participated in update meeting with Steering Committee on 20/11/23.
- Participated in CWO REZ Skills and Workforce Working Group 13/12/2023
- Participated in meeting for DPE Policy Framework to discuss preparation of submission for Energy Policy Framework on 16/01/2024
- Participated in the 5 working groups related to the REZ Steering Group being Housing and Accommodation, Transport and Logistics, Environmental Delivery, Social Services and Economic Participation. Meetings of the working groups have been ongoing since September 2023.
- Updated Council's website with latest submissions (relating to the REZ).
- Prepared and lodged submission on Council's response to proposed Spicers Creek Wind Farm – Submissions Report on 12 January 2024 (attached). Council maintains its objection to the proposal for the following reasons:
 - Concern that access to the Golden Highway via Spring Ridge Road and other local roads will be utilised by construction traffic if not appropriately conditioned.
 - EIS discussion regarding roads and traffic mitigation measures is aspirational and contains no enforceable undertakings and the submissions report provides little additional detail with commitment to just four of the ten mitigation measures suggested by Council in the EIS Submission.
 - Council believes that the proponent has not shown or provided adequate commitment that the road upgrade works can be practically achieved.
 - Cumulative impacts have not been adequately addressed in the Updated Management Measures document. It is noted that there is no specific category for Cumulative Impacts and that the few management measures that refer to cumulative impacts are lacking in any detail.
 - Council still seeks more detailed information on matters including the scope and extent of earthworks, road works, drainage and erosion protection aspects associated with access roads, temporary batching plants, temporary and permanent site infrastructure and the turbines themselves.
- Prepared and lodged submission on Avonside Solar Farm draft SEARs on 16 January 2024 (attached).
 - Council seeks for the following items to be included:
 - ❖ Dialogue with Council

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

- ❖ EIS Content
- ❖ Local Planning Provisions
- ❖ Impacts of Traffic on Local Roads
- ❖ Water Supply
- ❖ Gravel Supply
- ❖ Sand Supply
- ❖ Solid & Liquid Waste Management
- ❖ Construction Timetable
- ❖ Construction Workers
- ❖ Dark Sky (Siding Springs Observatory)
- ❖ Bushfire Management
- ❖ Social Impacts: Costs & Benefits
- ❖ Planning Agreement
- ❖ Cumulative Impacts: Costs & Benefits
- Prepared and lodged submission on Feedback on the Amendment Submissions Report for Birriwa Solar Farm on 19 January 2024 (attached). Key points include:
 - Concern that the applicable section of Barneys Reef Road between the Castlereagh Highway and Mid Western LGA boundary may not be appropriately conditioned to safeguard the value of the road asset now and into the future; and
 - CWO REZ related environmental, social and economic cumulative impacts have not been adequately addressed. The latest documentation contains generally vague and ill-defined information regarding how such wide-ranging impacts will be managed.
- Prepared and lodged Response to Draft Energy Policy Framework – Various Guideline Documents on 24 January 2024 (attached). Council lodged an objection to this as follows:
 - Council does support some elements of the Draft Benefit Sharing Guideline however, on balance, its strong concerns – thus objections – outweigh the positives and hence the submission is lodged as an objection. Council is keen to engage with the DPE to assist in framing a more acceptable document.

The below Table 1 provides the current status of the major projects (currently listed on the DPE Major Projects Portal) that will impact on the Warrumbungle LGA.

Table 1: Major Projects that impact WSC

Major Project	LGA	Description	Status (stage)
Sandy Creek Solar Farm	Warrumbungle and Dubbo	750 MW solar farm and assoc. infrastructure	Preparing EIS
Dapper Solar Farm	Warrumbungle and Dubbo	300 MW solar farm and assoc. infrastructure	Preparing EIS
Spicers Creek Wind Farm	Warrumbungle and Dubbo	Wind energy generation project with up to 122 wind turbines, with transmission connection and assoc. infrastructure	Assessment
Cobbora Solar Farm	Warrumbungle and Dubbo	700 MW solar farm with energy storage and assoc. infrastructure	Preparing EIS

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Central-West Orana REZ Transmission Line	Warrumbungle, Mid-Western, Dubbo, Upper Hunter	New twin double circuit 500Kv transmission lines between Wollar and the proposed substations at Methotherie and Elong Elong, and connections from these lines to projects in the REZ	Response to Submissions
Orana Wind Farm	Warrumbungle and Mid-Western	Wind farm with up to 92 wind turbines, battery storage and associated infrastructure	Preparing EIS
Barneys Reef Wind Farm	Mid -Western	350 MW wind farm, including 65 turbines (220m), battery storage and assoc. infrastructure	Preparing EIS
Birriwa Solar Farm	Mid-Western and Warrumbungle	600 MW solar farm, energy storage facility and assoc. infrastructure	Assessment
Tallawang Solar Farm	Mid-Western	500 MW solar farm with 500 MW/1,000 MWh battery energy storage system and assoc. infrastructure	Response to Submissions
Liverpool Range Wind Farm Modification 1	Warrumbungle, Upper Hunter and Mid-Western	Increase maximum tip height to 250m, decrease number of turbines to 220, amend infrastructure, transport route and increase native veg clearing limits	Determination
Valley of the Winds Wind Farm	Warrumbungle	Construct and operate wind farm up to 148 turbines, energy storage and assoc. infrastructure	Assessment
Narragamba Solar Farm	Mid-Western and Warrumbungle	320MW solar farm including associated infrastructure	Preparing EIS
Avonside Solar Farm	Warrumbungle	180MW Solar Farm and 400MW capacity Battery Energy Storage System with 400MWh storage	Preparing EIS

Considerable staff resources will be required to review the documents that are yet to be publicly exhibited such as the EIS's (that are currently under preparation) Response to Submissions documents and Amendments to Modification reports. It is expected that there are also some projects not listed in Table 1 that may not have yet started the State Significant determination process.

Options

The REZ and associated projects will continue to show their presence within Warrumbungle Shire. It is necessary for Council to remain engaged as information comes to light.

Financial Considerations

Staff time to attend meetings and prepare written submissions is required to be factored in. At the time of writing report Council has expended \$294,338.43 on matters relating to the REZ. This consists of the following expenditure incurred from the 1 September 2022 to 31 January 2024.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

- Staff costs = \$44,564.26
- Contractors = \$317,958.87

Total Expenditure = \$362,523.13

Council received \$250,000.00 (Incl GST) in EnergyCo funding in May 2023.

Risk Considerations

This report involves strategic level risks. The risk is moderate and falls within Council's adopted risk appetite.

Community Engagement

The level of community engagement is 'Inform' as per Council's *Community Engagement Strategy 2020-2024*.

Attachments

1. Council's response to proposed Spicers Creek Wind Farm – Submissions Report on 12 January 2024 (attached).
2. Submission on proposed Avonside Solar Farm – Council input into SEARs on 16 January 2024 (attached)
3. Feedback on the Amendment Submissions Report for Birriwa Solar Farm on 19 January 2024 (attached)
4. Response to Draft Energy Policy Framework – Various Guideline Documents on 24 January 2024 (attached).

RECOMMENDATION

That Council notes the Central-West Orana Renewable Energy Zone Report – February 2024.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Item 30 Development Approvals

Division:	Environment and Development Services
Management Area:	Planning and Regulation
Author:	Administration Assistant Environment and Development Services – Jenni Tighe
CSP Key Focus Area:	Strengthening the Local Economy
Priority / Strategy:	LE5 Opportunities exist for the establishment of light industries and range of housing options

Development Applications

(i) Approved – December 2023 and January 2024

Development Application / Complying Development	Date Lodged	Date Approved	Applicant's Name	Location	Town	Type of Development	Referral Days	Stop the Clock Days
DA43/2023	10/10/2023	05/12/2023	Kathryn Johnston	92 Digilah Street	Dunedoo	New Shed	10	0
DA38/2023	08/09/2023	05/12/2023	John Bowman	70 Cassilis Street	Coonabarabran	Change of Use	14	0
CD14/2023	04/12/2023	06/12/2023	Bobbie Kshischan	26 Yarrow Street	Dunedoo	New Shed	0	0
DA42/2023	10/11/23	05/01/2024	Warrumbungle Steel Buildings	711 Myall Plans Road	Mendooran	New Shed	1	0
DA15/2023	03/11/2023	05/01/2024	Kirsten Taylor	Campbell Street	Coolah	Driveway	8	0
CD16/2023	10/01/2024	12/01/2024	Guy Mitchell	3 Bullinda Street	Binnaway	New Swimming Pool	0	0

Note: The applicant lodges the DA via the NSW Planning Portal, Council makes all referrals to Government Agencies within two (2) days via the Concurrence and Referral dashboard through the NSW Planning Portal.

RECOMMENDATION

That Council notes the Applications and Certificates approved during December 2023 and January 2024, under Delegated Authority.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Item 31 Notice of Motion – HAFFF Grants

I hereby advise that I propose to move the following Notice of Motion at the Council meeting:

Warrumbungle Shire investigate Council owned/available land within our Shire that would be suitable to build houses that can qualify for us to apply for HAFFF grants.

**KATHRYN RINDFLEISH
COUNCILLOR**

General Manager's Comment:

The Fact Sheet for the program is attached and I draw Council's attention to the following:

To be eligible in the First Funding Round, projects must:

- *have commenced construction,*
- *have completed construction, or*
- *have demonstrated that they will be ready to commence construction within 18 months after Contract Close.*

Discussions with community housing organisation, Amelie Housing, in relation to housing at Dunedoo are continuing.

If Council is seeking for this to be a direct Council project then the work falls outside of the normal business of Council and runs the risks encountered through the previous housing project undertaken.

Should Council wish for this to be a priority then additional resourcing will be required and other project(s) discarded.

WARRUMBUNGLA SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Item 32 Notice of Motion – Power Charging Stations

I hereby advise that I propose to move the following Notice of Motion at the Council meeting:

Council investigate and seek grants on power charging stations in all small towns in the Shire. Conducting community consultation to seek information on what each town needs and where they should be placed.

**KATHRYN RINDFLEISH
COUNCILLOR**

General Manager's Comment:

In 2023 Council staff did some investigations into available grants and the feasibility of EV Charging Stations. At that Dunedoo and Coonabarabran were identified as priority locations and eligible for funding. However, if Council were to take on this responsibility then it will also take on the responsibility for the site costs, electricity supply, maintenance and replacement. There are likely to be other costs. If Council wishes to take on this then more investigation would have to be done and resourcing will be an issue. It may be an issue that could be considered in the Economic Development and Tourism Strategy.

As a further note, the existing charging station at the Coonabarabran Visitor Information Centre was installed by the NRMA at no cost to Council. The NRMA is responsible for the cost of the charge with no commitment from Council for any maintenance etc.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

Item 33 Reports to be Considered in Closed Council

Item 33.1 **Human Resources Monthly Report**
Division: **Executive Services**
Author: **Manager Human Resources – Chris Kennedy**

Summary

The purpose of this report is to update Council in relation to activities undertaken by Human Resources including Staffing and Recruitment, Training and Workplace Health and Safety (WHS).

In accordance with the *Local Government Act 1993* (NSW) (*'the Act'*) and the *Local Government (General) Regulation 2021* (NSW), in the opinion of the General Manager, the following business is of a kind as referred to in section 10A(2) of the Act, and should be dealt with in a part of the meeting closed to the media and public.

The item relates to personnel matters concerning particular individuals (other than councillors) and is classified **CONFIDENTIAL** under section 10A(2)(a) of the Act, which permits the meeting to be closed to the public for business relating to the following:

- (a) personnel matters concerning particular individuals (other than councillors)

RECOMMENDATION

That the Human Resources Monthly Report be referred to Closed Council pursuant to section 10A(2)(a) of the *Local Government Act 1993* (NSW) on the grounds that the matter deals with personnel matters concerning particular individuals (other than councillors).

Item 33.2 **Council Organisation Structure**
Division: **Executive Services**
Author: **General Manager – Roger Bailey**

Summary

The purpose of this report is to provide councillors an update on the Council Organisation Structure and employee costs.

In accordance with the *Local Government Act 1993* (NSW) (*'the Act'*) and the *Local Government (General) Regulation 2021* (NSW), in the opinion of the General Manager, the following business is of a kind as referred to in section 10A(2) of the Act, and should be dealt with in a part of the meeting closed to the media and public.

The item relates to personnel matters concerning particular individuals (other than councillors) and is classified **CONFIDENTIAL** under section 10A(2)(a) of the Act, which permits the meeting to be closed to the public for business relating to the following:

- (a) personnel matters concerning particular individuals (other than councillors)

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 February 2024

RECOMMENDATION

That the Council Organisation Structure Report be referred to Closed Council pursuant to section 10A(2)(a) of the *Local Government Act 1993* (NSW) on the grounds that the matter deals with personnel matters concerning particular individuals (other than councillors).

FURTHER that Council resolve that:

1. Council go into Closed Council to consider business relating to confidential information.
2. Pursuant to section 10A(1)-(3) of the *Local Government Act 1993* (NSW), the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of Section 10A(2) as outlined above.
3. The correspondence and reports relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the *Local Government Act 1993* (NSW).