



## **Ordinary Council Meeting**

# **Agenda**

**21 March 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 Coolah Chambers, Binnia Street,  
Coolah  
on Thursday, 21 March 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

# **WARRUMBUNGL SHIRE COUNCIL**

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# **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 February 2024

**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

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### Item 1 Mayoral Minute – Mayors Log of Activity, Kilometres Travelled and Expenses from 8 February 2024 to 11 March 2024

#### MAYORAL MINUTE - MAYORS ACTIVITY

<u>Date</u>	<u>Type</u>	<u>In/Out</u>	<u>Activity</u>
12-Feb	Email	In	Warwick Giblin - meeting with Energy Minister and Treasurer
	Email	In	GM - website upgrade timeline
	Email	In	Julie Sprake - meeting with Energy Minister and Treasurer
	Email	In	GM and Warwick Giblin - briefing for meeting
	Email	In	Narrabri Mayor - Development Roundtable
13-Feb	Email	In	GM - water and sewer costings for Minister and Treasurer
	Email	In	Deputy Mayor - Golden Plains Wind Farm
	Email	In	Thomas Cleary - Ministers briefing notes
	Email	In	Ratepayer - bus shelter relocation
	Email	In	GM - Liverpool Range Wind Farm
	Email	Out	Energy Minister - REZ impacts
	Email	Out	Energy Minister - briefing notes
14-Feb	Email	Out	Energy Minister - accepted invitation for zoom meeting
	Email	In	GM - TRRRC demolition
	Email	In	Director Environment & Development - Real Country Submission
	Email	In	Landcom - meeting invitation
	Email	In	GM - Coonabarabran Pool closure
15-Feb	Email	In	Ratepayer - REZ update
16-Feb	Email	In	GM - Dunedoo Preschool
	Email	In	Director Technical Serv. - State Forest Road
19-Feb	Email	In	Cr Hogden - TRRRC
21-Feb	Email	In	GM - letter to Federal Minister for Local Government
22-Feb	Email	In	Mayor Upper Hunter - invitation to Warbirds over Scone
	Email	In	GM - TRRRC demolition
24-Feb	Email	In	Invitation to Driver Reviver lunch
26-Feb	Email	In	Minister for Regional Roads - REZ impacts
27-Feb	Email	In	Ratepayer - budget estimates
28-Feb	Email	In	Ratepayer - complaint re bin pick up too early
	Email	In	Warwick Giblin - briefing for Minister Planning meeting
	Email	Out	Director Technical Serv. - flood damage
29-Feb	Email	In	Warwick Giblin - VOW planning agreement
	Email	In	GM - commercial activities
	Email	In	Armidale Mayor - CoREM meeting
	Email	In	Gary Fitzgibbon - Energy project worker housing
1-Mar	Email	In	Director Environment & Development - regional drought plan
	Email	In	Warwick Giblin - REZ impacts
	Email	Out	Coonabarabran Times - flood damage
2-Mar	Email	In	Warwick Giblin - response to Planning Minister
4-Mar	Email	In	Department Regional NSW - Dunedoo Infrastructure renewal
5-Mar	Email	In	Director Environment & Development - action plan for drought workshop

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	Email	In	Majella Keating - disclosure form for meeting Minister Regional Transport
	Email	Out	Minister for Regional Roads - Sydney meeting
9-Mar	Email	In	Audit Office - WSC annual engagement plan
11-Mar	Email	In	VOW - water and sewer information
	Email	In	Ratepayer - road maintenance
	Email	In	Cr Kopke - notices of motion
	Email	In	H-Tech Homes - REZ Housing
	Email	In	EnergyCo - response to submissions

Date of Journey		Purpose of Journey	Odometer		KM Travelled
Start Date	End Date		Start	Finish	
8-Feb	8-Feb	General Manager Review	33559	33588	29
14-Feb	14-Feb	Dunedoo - meeting Energy Minister	33588	33823	235
15-Feb	15-Feb	Monthly Council Meeting	33823	33849	26
19-Feb	19-Feb	Council Office	33849	33881	32
20-Feb	20-Feb	Long Term Financial Plan Meeting	33881	33936	55
29-Feb	29-Feb	Council Office Minister Scully	33936	33966	30
6-Mar	6-Mar	Valley of the Winds meeting	33966	33996	30
<b>Total KM travelled for period 8 February - 6 March 2024</b>					<b>437</b>

### **MAYORAL MINUTE - EXPENSES 8 February 2024 to 7 March 2024**

<u>Date</u>	<u>Transaction Details</u>	<u>Comments</u>	
13-Feb	Kakkadoo Kafe Dunedoo	Meal - meeting Energy Minister	\$ 18.80
28-Feb	Mercure Sydney	Accommodation - Country Mayors	\$ 386.10
5-Mar	Flight Centre	Travel - Country Mayors	\$ 629.13
<b>Total expenditure for period 08/02/2024 - 7/03/2024</b>			<b>\$ 1,034.03</b>

### **RECOMMENDATION**

That Council:

1. Notes the report on the Mayor's Activity and Log of Kilometres Travelled for the period 8 February 2024 to 11 March 2024.
2. Notes the report on the Mayor's credit card expenses between 8 February 2024 and 7 March 2024 and approves the payment of expenses totalling \$1,034.03.

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### Item 2 Councillors' Monthly Travel Claims

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

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### 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	400	0.95	\$380.00
Cr Holcombe	90	0.95	\$85.50
Cr Iannuzzi	-	0.95	-
Cr Kopke	360	0.95	\$342.00
Cr Newton	-	0.95	-
Cr Rindfleish	879	0.95	\$835.05
Cr Todd	356	0.81	\$288.36
		<b>Total:</b>	<b>\$1,930.91</b>

### 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.



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### **Community Engagement**

To inform the community.

### **Attachments**

1. Councillors Monthly Travel Claims

### **RECOMMENDATION**

That the Councillors' monthly travel claims report in the amount of \$1,930.91 be noted for information.

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### Item 3 Minutes of Warrumbungle Road Network Advisory Group Meeting – 13 February 2024

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

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#### **Reason for Report**

The purpose of this report is to present minutes from the meeting of the Warrumbungle Road Network Advisory Group held at Coonabarabran on 13 February 2024.

#### **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.

Information was provided on road widths in Warrumbungle Shire and an update on the Natural Disaster Response and Recovery works was provided. Committee

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members were advised on upcoming training for roads maintenance crews on Unsealed Roads Maintenance.

### **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 – 13 February 2024

### **RECOMMENDATION**

That Council notes the minutes of the Warrumbungle Road Network Advisory Group meeting held at Coonabarabran on 13 February 2024.

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### Item 4 Warrumbungle Local Emergency Management Committee Meeting – 19 February 2024

<b>Division:</b>	Technical Services
<b>Management Area:</b>	Technical Services Management
<b>Author:</b>	Director Technical Services – Nicole Benson
<b>CSP Key Focus Area:</b>	Supporting Community Life
<b>Priority:</b>	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

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#### **Reason for Report**

To present minutes from the meeting of the Warrumbungle Local Emergency Management Committee held at Coonabarabran on 19 February 2024.

#### **Background**

Local Emergency Management Committees are established in terms of s28 of the *State Emergency and Rescue Management Act 1989*.

Each such Committee is to consist of:

- a) the General Manager of the council of the relevant local government area, who is to be the Chairperson of the Committee, and
- b) a senior representative of each emergency services organisation operating in the relevant local government area, and
- c) a representative of each organisation that:
  - i. provides services in a functional area or areas in the relevant local government area, and
  - ii. the council of that area determines from time to time is to be represented on the Committee, and
- d) the Local Emergency Operations Controller for the relevant local government area.

A Local Emergency Management Committee is responsible for the preparation and review of plans in relation to the prevention of, preparation for, response to and recovery from emergencies in the local government area for which it is constituted.

(1A) Without limiting subsection (1), any such Committee may:

- a) give effect to and carry out emergency management policy and practice, consistent with information on that policy and practice disseminated by the State Emergency Management Committee, and

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- b) review and prepare plans in respect of the relevant local government area that are, or are proposed to be, subplans or supporting plans established under the State Emergency Management Plan, and
- c) make recommendations about and assist in the co-ordination of training in relation to emergency management in the relevant local government area, and
- d) develop, conduct and evaluate local emergency management training exercises, and
- e) facilitate local level emergency management capability through inter-agency co-ordination, co-operation and information sharing arrangements, and
- f) assist the Local Emergency Operations Controller for the relevant local government area in the Controller's role under section 31, and
- g) such other functions as are—
  - i. related to this Act, and
  - ii. assigned to the Committee (or to Local Emergency Management Committees generally) from time to time by the relevant Regional Emergency Management Committee or by the State Emergency Management Committee.

(2) In the exercise of its functions, any such Committee is responsible to the relevant Regional Emergency Management Committee.

### **Issues**

The meeting commenced with a 35-minute presentation by David Minehan from NSW Communities & Justice on Functions of an Evacuation Centre.

The following matters were considered by the Committee:

1. Contact List – Updated Contact List\_24 January 2024
2. REMO Report
3. NSW Reconstruction Authority Agency Report
4. WSFA Disaster Welfare Agency Report
5. NSW SES Agency Report
6. Fire & Rescue NSW Agency Report
7. NSW RFS Operational Report
8. NSW VRA Agency Report
9. NSW Ambulance Agency Report
10. NSW LLS Agency Report
11. Red Cross Agency Report
12. Events – summary of major events in the Shire (see below)
13. Emergency Operations Centre (EOC) Audit and ECO Policy 2013
14. REZ – Impacts on Emergency Services
15. NSW Department of Education – Overview
16. NSW Central West Emergency Management Region – Agricultural and Animal Services Functional Area – AASFA LEMC Report Jan 24 and CMG Transport Accidents Involving Animals updated

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The following additional items were raised:

- TfNSW Agency Report – February 2024
- Council wrote to Essential Energy regarding the Coolah Blackout asking for the reason and what would be done to remedy it in the future.
- Load limits had been placed on Binnaway Low Level Bridge on Leaders Road, and Hospital Crossing Causeway on Digilah Road at Dunedoo and that emergency services had been notified.

### **Options**

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

### **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**

The level of engagement for this report is to inform.

### **Attachments**

1. Minutes of the Warrumbungle Local Emergency Management Committee – 19 February 2024

### **RECOMMENDATION**

That the minutes of the Warrumbungle Local Emergency Management Committee meeting held on the 19 February 2024 are noted for information.

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## **Ordinary Meeting – 21 March 2024**

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### **Item 5 Traffic Advisory Committee Meeting – 22 February 2024**

<b>Division:</b>	Technical Services
<b>Management Area:</b>	Technical Services Management
<b>Author:</b>	Director Technical Services – Nicole Benson
<b>CSP Key Focus Area:</b>	Supporting Community Life
<b>Priority:</b>	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.

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### **Reason for Report**

To present minutes from the meeting of the Traffic Advisory Committee held at Coonabarabran on the 22 February 2024 and to note Councillor Iannuzzi's resignation as Chairperson of the Committee.

### **Background**

Authority has been delegated to Council from Transport for NSW (TfNSW) in relation to prescribed traffic control devices and traffic control facilities. Council may only exercise its delegated function in accordance with the Delegation. The Delegation requires Council to seek the advice of the NSW Police and TfNSW and this is usually done via the Local Traffic Advisory Committee. The Local Traffic Advisory Committee has no decision-making powers and is primarily a technical review committee. The Committee has four (4) formal members; NSW Police, TfNSW, Council Representative and the Local State Member of Parliament or their nominee.

### **Issues**

The following matters were considered by the Committee:

- a) Road Closures for 2024 Anzac Day Events in Each Town of the Shire – 25 April 2024
- b) Coonabarabran RSL – Closure of John Street, Coonabarabran for ANZAC Dawn Service – 25 April 2024
- c) Coonabarabran LALC – Closure of John Street, Coonabarabran for Annual Sorry Day March – 26 May 2024
- d) Coonabarabran Chamber of Commerce – Closure of John Street Coonabarabran for Easter Bunny Bazaar – 30 March 2024
- e) Patrick Lever – Nose to Kerb Parking in Baradine
- f) Warrumbungle Eventing Club Inc – requesting the closure of Reservoir Street, Coonabarabran on Sunday 14 April from 9am to 3pm to conduct the Cross-Country phase of the competition.
- g) Bus Zone Signage Binnaway, Coonabarabran & Mendooran
- h) Hartwood Campfires and Country Music Festival

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The following additional items were raised:

- Holding Lines at the intersection of Charles and Dalgarno Streets, Coonabarabran. Works to be placed on Council's line marking schedule to be undertaken in March 2024, subject to resourcing.
- Requested audit of holding lines around the town to ensure all work is done by the contractor when here.
- Intersection of Dalgarno and Namoi Streets, Coonabarabran is currently under investigation to change Give Way sign to Stop sign.
- Brains Garage, previously proposed that stop sign on Woos Lane be removed. Still there. To be investigated.
- TfNSW are notifying Councils by email if a crash which causes a fatality occurs on a road in their Shire.

### Resignation of Chairperson

Council at its meeting of 19 October 2023 resolved the following: -

**'117/2324 RESOLVED** that Council:

1. *Extends its appreciation to Councillor Kopke for his participation in role of Chairperson in the Traffic Advisory Committee*
2. *Appoints Councillor Iannuzzi as the delegate and Councillor Rindfleish as alternate to the Traffic Advisory Committee, who will also hold the position of Chairperson.*

Councillor Iannuzzi resigned from the Committee on 24 February 2024. A Councillor is required to be on the Traffic Advisory Committee and takes on the role of Chairperson. Council's Traffic Advisory Committee has an alternate Chairperson currently Councillor Rindfleish. Traffic Advisory Committee meetings are held on the fourth Thursday of the month at Coonabarabran Administration Building. From time to time there are no agenda items or ones that can be held over and meetings are scheduled for the following month. At most there could be a total of six meetings left for the Council term.

### **Options**

Council could appoint another Councillor to the Traffic Advisory Committee.

Councillor Rindfleish could fulfil the role of Chairperson up to September 2024. At the commencement of the new Council term in September 2024 the committees and representatives from the elected Council are reviewed and nominated for the full Council term.

The following Traffic Advisory Committee recommendations will be dealt with under Delegation:

- Patrick Lever – Nose to Kerb Parking in Baradine.
- Warrumbungle Eventing Club Inc – requesting the closure of Reservoir Street, Coonabarabran on Sunday 14 April from 9am to 3pm to conduct the Cross-Country phase of the competition.
- Bus Zone Signage, Binnaway, Coonabarabran & Mendooran.
- Hartwood Campfires and Country Music Festival.



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### **Financial Considerations**

The majority of the recommendations from the meeting on the 22 February 2024 can be accommodated within existing budget allocations.

### **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 Traffic Advisory Committee Meeting – 22 February 2024

### **RECOMMENDATION**

That Council:

1. Notes Councillor Iannuzzi's resignation as Chairperson from the Traffic Advisory Committee.
2. Notes the minutes of the Traffic Advisory Committee Meeting held on the 22 February 2024 for information.
3. Grants approval to the groups listed below to close the roads listed below on Tuesday, 25 April 2024 for the purpose of conducting an ANZAC Day March and Ceremony, subject to compliance with: -
  - Traffic Management Plan
  - Traffic Guidance Scheme
  - Council's Road Closure Guidelines
  - TfNSW Road Occupancy Licence for State Roads that are closed
  - TfNSW Western Region concurrence for Regional Roads that are closed
  - TfNSW Special Events Guide
  - Receipt of current Public Liability Insurance.
  - a) Baradine RSL Sub Branch – Wellington Street and Narran Street from 10.00am to 12.30pm.
  - b) Binnaway RSL Sub Branch – Renshaw Street between Bullinda Street and Yarran Street from 9.30am to 12.00pm.
  - c) Coolah RSL Sub Branch – Binnia Street between Booyamurra Street and Campbell Street from 10.00am to 12.30pm.
  - d) Coonabarabran RSL Sub Branch – John Street between Edwards Street and Essex Street from 10.00am to 1.00pm.
  - e) Dunedoo Leadville RSL Sub Branch – Bolaro Street between Wargundy Street and Merrygoen Street from 10.00am to 12.00pm.
  - f) Mendooran RSL Sub Branch – Bandulla Street between Pampoo Street and Napier Street from 9.00am to 12.00pm.

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4. Grants approval to Coonabarabran RSL Sub Branch for part closure of John Street, Coonabarabran between 5.57am and 6.15am on Tuesday, 25 April 2024 to conduct the Annual ANZAC Dawn Service subject to compliance with:
  - Traffic Management Plan
  - Traffic Guidance Scheme
  - Council's Road Closure Guidelines
  - TfNSW Road Occupancy Licence
  - TfNSW Special Events Guide
  - Receipt of current Public Liability Insurance.
  
5. Grants approval to Coonabarabran Local Aboriginal Land Council for the Annual Sorry Day March for part closure of John Street, Coonabarabran from the Tennis Club to the Town Hall on Sunday, 26 May 2024 between 10.30am and 10.45am, subject to NSW Police implementing a 'rolling road opening' on the southbound lane between the Mary Jane Cain Bridge and the Town Hall, and compliance with:
  - Traffic Management Plan
  - Traffic Guidance Scheme
  - Council's Road Closure Guidelines
  - TfNSW Road Occupancy Licence
  - TfNSW Special Events Guide
  - Receipt of current Public Liability Insurance.
  
6. Grants approval to the Coonabarabran Chamber of Commerce for part closure of John Street and Dalgarno Street, Coonabarabran on Saturday, 30 March 2024 between 7.30am and 2.00pm to conduct the Annual Easter Bunny Bazaar event subject to compliance with and receipt of:
  - Risk Assessment
  - Traffic Management Plan
  - Traffic Guidance Scheme
  - Council's Road Closure Guidelines
  - TfNSW Road Occupancy Licence
  - TfNSW Special Events Guide
  - Receipt of current Public Liability Insurance.

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### **Item 6 Council Resolutions Report**

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

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### **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

# **WARRUMBUNGL SHIRE COUNCIL**

## **Ordinary Meeting – 21 March 2024**

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### **Attachments**

1. Council Resolution Report

### **RECOMMENDATION**

That the Council Resolution Report be noted for information.

# **WARRUMBUNGLE SHIRE COUNCIL**

## **Ordinary Meeting – 21 March 2024**

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### **Item 7 Revotes and High Value Projects Report**

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

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### **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**

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2. High Value High Risk Revotes

### **RECOMMENDATION**

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

# **WARRUMBUNGLE SHIRE COUNCIL**

## **Ordinary Meeting – 21 March 2024**

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### **Item 8 Macquarie Regional Library Services Delivery Update**

<b>Division:</b>	Corporate and Community Services
<b>Management Area:</b>	Children's & Community Services
<b>Author:</b>	Manager Children's & Community Services – Ngaire Stevens
<b>CSP Key Focus Area:</b>	Supporting Community Life
<b>Priority:</b>	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.

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#### **Reason for report**

To update Council with information on the ability of Council to join other Regional Library Services (resolution 137/2223) and to provide information on the Macquarie Regional Library Service Review.

#### **Background**

Council have approached various regional library services in seeking information on either joining or obtaining financial details/costings, with either no interest or no response. These included Mid-Western and Warren Shire Councils. The Manager Children's & Community Services spoke with the North Western Library Co-Operative in February 2023 who indicated they would send further information if there was any interest. No further information has been received.

Council is currently operating under an agreement with the Macquarie Regional Library (MRL) and will continue until terminated by giving a minimum of twelve months' notice in writing of its intention to withdraw from the Regional Library Service.

#### **Issues**

Dubbo Regional Council (DRC) undertook a Library Service Review in 2023 in accordance with obligations under Section 428A of the Local Government Act 1993. DRC engaged The University of Newcastle to review the library service delivery model and ensure that efficient and continuous service improvement opportunities were fully explored.

As part of the Service review, the Manager Children's & Community Services was interviewed by the University of Newcastle to give feedback on library services.

A copy of the DRC Service Review Report that went to the DRC Audit and Risk Committee was received by Council on 23 August 2023. Overall the review found that MRL is an effective and efficient provider of quality library services in Dubbo and partner councils and compares well with industry benchmarks and customer surveys. The report included recommendations for continuous improvement.

# **WARRUMBUNGLE SHIRE COUNCIL**

## **Ordinary Meeting – 21 March 2024**

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The report highlighted that Warrumbungle and Narromine councils benefit from the regional partnership, paying significantly less than councils with small populations as a standalone library or as part of a regional system.

MRL is finalising a Draft Improvement Plan based on the report recommendations and will provide the consultants' Final Report and a Draft MRL Improvement Plan to councils for comment in the near future.

### **Options**

This report is presented for Council's information only.

### **Financial Considerations**

Nil

### **Risk Considerations**

The risks associated with this report are considered low.

### **Community Engagement Considerations**

Level of Engagement - Inform

### **Attachments**

1. DRC Audit and Risk Management Committee Report on MRL Service Delivery Review

### **RECOMMENDATION**

That Council:

1. Notes the Macquarie Regional Library Services Delivery Update.
2. Remain as a joint partner in the Macquarie Regional Library.



# WARRUMBUNGLE SHIRE COUNCIL

## Ordinary Meeting – 21 March 2024

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### Item 9 Coonabarabran Community Garden Update

<b>Division:</b>	Corporate and Community Services
<b>Management Area:</b>	Children's & Community Services
<b>Author:</b>	Manager Children's & Community Services – Ngaire Stevens
<b>CSP Key Focus Area:</b>	Supporting Community Life
<b>Priority:</b>	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.

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### Reason for report

This report is to provide an update in relation to Council's resolution 82/2223 as follows:

#### **Item 20 Notice of Motion – Coonabarabran Community Garden**

**82/2223 RESOLVED** that Council:

Consult with 2357 Development Group and the subcommittee of 2357 Development Group, with the aim of identifying a suitable parcel of land and entering into an agreeable lease agreement including what is required to develop a Community Garden in Coonabarabran.

### Background

In 2023 the 2357 Development Group proposed the use of Lot 8, Section 4, DP-758281 24-26 Robertson Street, Coonabarabran NSW as a possible location for the community garden. This block is situated at the end of Robertson street near the Castlereagh River (Attachment 1).

This block of land was part of the Planning Proposal - Reclassification of Land 2022 relating to an amendment to the Warrumbungle Local Environmental Plan (LEP) 2013 to reclassify a number of Council facilities from Community land to Operational land. This was approved by the **Department of Planning, Housing and Infrastructure in mid-2023**.

The Manager Children's & Community Services meets regularly with the 2357 Development Group and the subcommittee of 2357 Development Group to discuss Community Garden guidelines and to assist them with creating a Plan of Management for the garden.

### Issues

Currently, the Coonabarabran Community Garden project is a subcommittee under the umbrella of the 2357 Development Group Inc. They are seeking members to create a standalone committee for the Community Garden, to incorporate the association and organise Public Liability insurance.

# **WARRUMBUNGL E SHIRE COUNCIL**

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The subcommittee have a webpage on the 2357 Development Group website: <https://www.2357.org.au/communitygarden> and meet on the third Sunday of each month, at Neilson Park (Essex Street, Coonabarabran) to swap seeds, plants and produce and make plans for the garden. Regular fundraising has been achieved through these garden meet-ups and through taste-testing fundraisers with the University of New England.

When the group have become an incorporated association and completed their Plan of Management, a report will be made to Council with a recommendation to enter into an agreement with the association. Consideration will need to be given to fencing, access to services (water, power) and development applications (if required).

The most recent correspondence with the Coonabarabran Community Garden group in February 2024 indicated that they have yet to make further progress on the Plan of Management for the garden or form the standalone committee.

### **Options**

This report is presented for Council's information only.

### **Financial Considerations**

Nil

### **Risk Considerations**

The risks associated with this project are considered low.

### **Community Engagement Considerations**

This issue is of interest to the Coonabarabran community and is considered to be of moderate community impact. Therefore, the level of engagement is to inform and consult.

### **Attachments**

1. Community Garden Proposed Site

### **RECOMMENDATION**

That Council:

1. Notes the updated information to resolution 82/2223.
2. Continue to liaise with 2357 Development Group and the subcommittee of 2357 Development Group on the Community Garden Development.

# **WARRUMBUNGLE SHIRE COUNCIL**

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### **Item 10 Rating Policy**

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

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### **Reason for Report**

To seek Council endorsement of the Rating Policy.

### **Background**

The Rating Policy was last adopted in March 2017 (Resolution 216/1617). The policy aims to ensure effective controls, policies and procedures are in place with respect to Council's rating function, collection of overdue rates, and the granting of pensioner concessions.

### **Issues**

The Rating Policy has been reviewed and no material amendments are suggested. Administrative updates are:

- the date of the Local Government (General) Regulation;
- to conform with Council's Style Guide.

The Rating Policy ensures that:

- All statutory requirements of the *Local Government Act 1993* (the Act) are adhered to;
- Collection of rates, charges and sundry debtors is carried out in a transparent manner and complies with the Act and other relevant state and federal acts;
- All applications for the statutory pensioner concession are managed equitably and in compliance with current legislation;
- Ratepayers experiencing genuine financial difficulties are treated sensitively on a case by case basis and ratepayers are assisted in meeting their rate commitments by providing mutually agreeable alternative repayment plans;
- Council minimises the amount of money owed in respect of overdue rates and charges.

### **Options**

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

### **Financial Considerations**

Nil

# **WARRUMBUNGLE SHIRE COUNCIL**

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### **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 Rating Policy

### **RECOMMENDATION**

That Council:

1. Endorses the draft Rating Policy.
2. Places the draft Rating 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 Rating Policy after the close of public submissions.

# WARRUMBUNGLE SHIRE COUNCIL

## Ordinary Meeting – 21 March 2024

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### Item 11 Delivery Program Progress Report – 2nd Quarter 2023/24

<b>Division:</b>	Corporate and Community Services
<b>Management Area:</b>	Governance
<b>Author:</b>	Manager Corporate Services – Jenni Maundrell
<b>CSP Key Focus Area:</b>	Civic Leadership
<b>Priority:</b>	CL2 Council meets its legislative and compliance requirements and implements opportunities for organisational improvement.

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#### **Reason for Report**

To present the quarterly Delivery Program Progress Report for the period 1 July 2023 to 31 December 2023 to Council for their information and endorsement.

#### **Background**

It is a requirement of section 404(5) of the *Local Government Act 1993* (NSW) and the Integrated Planning and Reporting Framework that regular progress reports are provided to Council with respect to the principal activities detailed in its Delivery Program. Progress reports must be provided at least every six months.

#### **Issues**

The attached report details Council's progress for the period 1 July 2023 to 31 December 2023 in carrying out and/or completing activities identified in the Delivery Program 2022/23 to 2025/26 adopted by Council at its Ordinary meeting of 19 May 2022 (Resolution 295/2122). The report highlights areas where progress is behind schedule and/or more action is required.

#### **Options**

Nil

#### **Financial Considerations**

Nil

#### **Risk Considerations**

The report involves strategic and operational level risk. The risk level is low and falls within Council's 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. Delivery Program Progress Report – 31 December 2023.

# **WARRUMBUNGLA SHIRE COUNCIL**

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### **RECOMMENDATION**

That Council endorses the Delivery Program Progress Report for the period 1 July 2023 to 31 December 2023.

# **WARRUMBUNGLE SHIRE COUNCIL**

## **Ordinary Meeting – 21 March 2024**

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### **Item 12 Draft Long-Term Financial Plan 2023-2033**

<b>Division:</b>	Corporate and Community Services
<b>Management Area:</b>	Financial Services
<b>Author:</b>	Acting Chief Financial Officer – Liz Alley
<b>CSP Key Focus Area:</b>	Civic Leadership
<b>Priority:</b>	CL1 That Council is financially sustainable over the long term

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### **Reason for Report**

Following completion of the Operational Plan 2022-24 the draft Long-Term Financial Plan (LTFP) 2023-33 is presented to Council to be placed on public exhibition, to better inform Council and the community.

### **Background**

The LTFP is a requirement of the Integrated Planning and Reporting process, as a component of the Resourcing Strategy.

The LTFP must project financial forecasts for the council for at least ten years, and be updated annually to further inform the Operational Plan. The Long-Term Financial Plan must be used by the council to inform its decision-making during the finalisation of the Community Strategic Plan and the development of the Delivery Program.

Local Government Act 1993 Section 430 Resourcing Strategy:

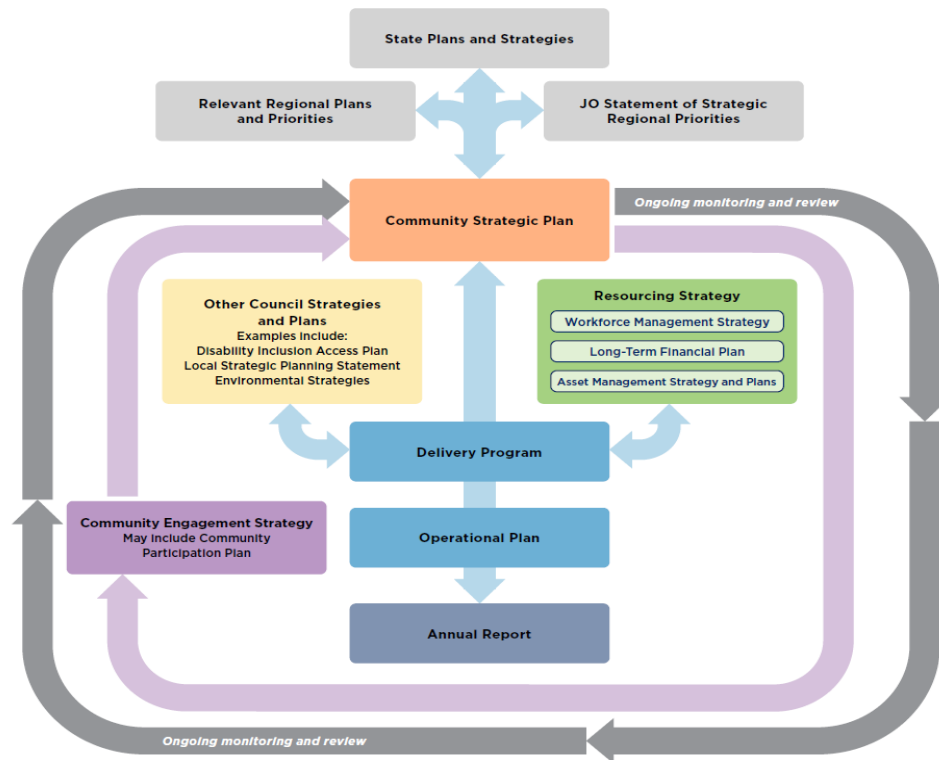
1. A council must have a long-term strategy (called its “resourcing strategy”) for the provision of the resources required to implement the strategies established by the community strategic plan that the council is responsible for.
2. The resourcing strategy is to include long-term financial planning, workforce management planning and asset management planning.

The LTFP must include:

- Planning assumptions used to develop the plan
- Projected income and expenditure, balance sheet and cash flow statement
- Sensitivity analysis (factors/assumptions most likely to affect the plan)
- Financial modelling for different scenarios
- Methods of monitoring financial performance.

# WARRUMBUNGLE SHIRE COUNCIL

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### Financial Considerations

The Operational Plan 2023/33 sets out Council's planned activities, major projects and strategic direction for the financial year ended 30 June 2023. The LTFP 2023-33 identifies Council's planned financial path for the next ten years.

The LTFP an integral part of the Integrated Planning and Reporting Framework provides an important avenue for the review of Council's progress by any interested stakeholders, including the Community.

By providing this avenue for review, Council also strengthens its accountability to all of its stakeholders, which is a key aspect of the Community Strategic Plan 2017-2027; in particular, the area of Council Sustainability, Transparency and Communication.

### Risk Considerations

This report deals with strategic and operational level financial risks, being managed within Council's Financial Planning and Sustainability Policy. The risk level is considered low.

### Community Engagement Considerations

The level of community engagement is Inform.

### Attachments

1. Draft Long-Term Financial Plan 2023-33.
2. Financial Planning and Sustainability Policy.



# **WARRUMBUNGLA SHIRE COUNCIL**

## **Ordinary Meeting – 21 March 2024**

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### **RECOMMENDATION**

That Council:

1. Place the Draft Long-Term Financial Plan on public exhibition, in accordance with Section 430(1) of the Local Government Act 1993, for a period of 28 days.
2. Adhere to the 'Principles' of the Financial Planning and Sustainability Policy.

# **WARRUMBUNGLE SHIRE COUNCIL**

## **Ordinary Meeting – 21 March 2024**

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### **Item 13 Investments and Term Deposits – month ending 29 February 2024**

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

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#### **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, \$3,000,000.00 worth of term deposits matured, earning Council a total of \$128,183.98 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 CBA at a rate of 4.90%
- \$1,000,000 with CBA at a rate of 4.93%

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

# WARRUMBUNGLE SHIRE COUNCIL

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### 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, \$972.18 interest was earned on the balances in the accounts and net transfers of \$600,000.00 were made from these accounts resulting in a month end balance of \$912,501.17.

### Cash at bank balance

In addition to the at call accounts and term deposits, as at 29 February 2024, Council had a cash at bank balance of \$732,851.48.

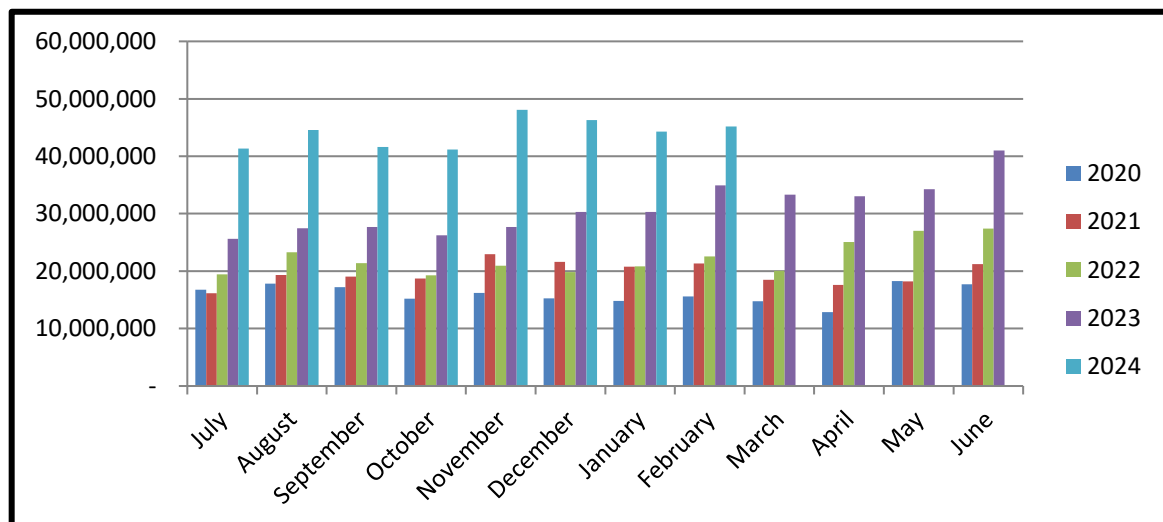
### Income Return

The average yield on Investments Council held for February 2024, of 5.1514%. Council uses the Bank Bill Swap Rate (BBSW) supplied by the Australian Securities Exchange (ASX) which was 4.3501% for the month of February. The performance of investments for February, based on the comparison, was the portfolio exceeded the benchmark by 0.8013%.

Council's budget for year 2023/24 for interest on investments is \$919,350. At the end of February 2024, the amount of interest received and accrued should be around 66.67% of the total year budget, i.e. \$612,900 on a year to date basis, interest received and accrued totals \$1,111,155.37, which is 120.86% of the annual budget. Council's budget for interest on investments will be reviewed in the March 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

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### Options

**Table 1: Investment Balances – 29 February 2024**

Financial Institution	Lodgement Date	Maturity Date	Total Days	Original Rating	Current Rating	Yield (%)	Investment Amount (Redemption Value)
<b>At Call Accounts</b>							
NAB	1-Feb-24	At Call	at call	ADI	ADI	0.05%	1,221.49
ANZ	1-Feb-24	At Call	at call	ADI	ADI	0.01%	6,555.93
CBA At Call	1-Feb-24	At Call	at call	ADI	ADI	4.35%	912,501.17
							<b>920,278.59</b>
<b>Term Deposits</b>							
CBA	28-Jun-23	05-Mar-24	251	ADI	ADI	5.42%	500,000.00
NAB	31-Jul-23	05-Mar-24	218	ADI	ADI	5.25%	1,000,000.00
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%	1,000,000.00
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%	1,000,000.00
CBA	28-Jun-23	02-Apr-24	279	ADI	ADI	5.46%	1,000,000.00
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%	1,000,000.00
WBC - Sewer	31-Oct-23	30-Apr-24	182	ADI	ADI	5.20%	500,000.00
NAB	31-Aug-23	07-May-24	250	ADI	ADI	5.05%	500,000.00
WBC	31-Aug-23	14-May-24	257	ADI	ADI	4.95%	500,000.00
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%	1,000,000.00
CBA	05-Dec-23	11-Jun-24	189	ADI	ADI	5.22%	2,000,000.00
AMP Sewer	18-Dec-23	18-Jun-24	183	LMG	LMG	5.20%	2,000,000.00
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%	500,000.00
AMP	28-Jun-23	27-Jun-24	365	ADI	ADI	5.70%	500,000.00
NAB	31-Oct-23	02-Jul-24	245	ADI	ADI	5.30%	1,000,000.00
WBC	08-Dec-23	09-Jul-24	214	ADI	ADI	5.11%	1,000,000.00
AMP	08-Dec-23	16-Jul-24	221	LMG	LMG	5.25%	750,000.00
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%	1,000,000.00
NAB	30-Jan-24	30-Jul-24	182	ADI	ADI	5.00%	1,000,000.00
CBA	30-Jan-24	06-Aug-24	189	ADI	ADI	5.04%	1,000,000.00
CBA	27-Feb-24	13-Aug-24	168	ADI	ADI	4.90%	1,000,000.00
NAB	29-Feb-24	20-Aug-24	173	ADI	ADI	5.05%	1,000,000.00
CBA	29-Feb-24	27-Aug-24	180	ADI	ADI	4.93%	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%	1,500,000.00
WBC	29-Nov-23	29-Nov-24	366	ADI	ADI	5.35%	2,000,000.00
NAB	29-Nov-23	29-Nov-24	366	ADI	ADI	5.27%	5,600,000.00
WBC	29-Nov-23	29-Nov-24	366	ADI	ADI	5.35%	1,200,000.00

# WARRUMBUNGLA SHIRE COUNCIL

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					<b>Sub-Total</b>	<b>43,550,000.00</b>
<b>Total</b>						<b>44,470,278.59</b>

### Credit Rating Legend

<b>P</b>	Prime
<b>ADI</b>	Big Four – ANZ, CBA, NAB, WBC
<b>HG</b>	High Grade
<b>UMG</b>	Upper Medium Grade
<b>LMG</b>	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	311,528.99	972.18	600,000.00	912,501.17
<b>Total at call</b>	<b>319,306.41</b>	<b>972.18</b>	<b>600,000.00</b>	<b>920,278.59</b>
WBC	500,000.00	13,247.95	(513,247.95)	
WBC	500,000.00	13,736.03	(513,736.03)	
CBA	2,000,000.00	101,200.00	(2,101,200.00)	
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
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

# WARRUMBUNGLA SHIRE COUNCIL

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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
CBA	-			1,000,000.00
NAB	-			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		1,000,000.00	1,500,000.00
WBC	2,000,000.00		1,000,000.00	2,000,000.00
NAB	5,600,000.00			5,600,000.00
WBC	1,200,000.00			1,200,000.00
<b>Total Term deposits</b>	<b>43,550,000.00</b>	<b>128,183.98</b>	<b>(128,183.98)</b>	<b>43,550,000.00</b>
<b>Total</b>	<b>43,869,306.41</b>	<b>129,156.16</b>	<b>471,816.02</b>	<b>44,470,278.59</b>

### 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	9,912,501.17	21.80%	33.30%	Compliant
WBC	ADI	13,200,000.00	29.03%	33.30%	Compliant
NAB	ADI	15,101,221.49	33.21%	33.30%	Compliant
	<b>Total ADI</b>	<b>38,220,278.59</b>	<b>84.06%</b>	<b>100.00%</b>	<b>Compliant</b>
MAQ	UMG	3,000,000.00	6.60%	20.00%	Compliant
	<b>Total UMG</b>	<b>3,000,000.00</b>	<b>6.60%</b>	<b>20.00%</b>	<b>Compliant</b>
AMP	LMG	4,250,000.00	9.35%	10.00%	Compliant
	<b>Total LMG</b>	<b>4,250,000.00</b>	<b>9.35%</b>	<b>10.00%</b>	<b>Compliant</b>
	<b>Grand Total</b>	<b>45,470,278.59</b>	<b>100.00%</b>		

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

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### **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.



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**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 29 February 2024 including a total balance of \$45,203,130.07 being:

- \$920,278.59 in at call accounts.
- \$43,550,000.00 in term deposits.
- \$732,851.48 cash at bank.

# WARRUMBUNGLE SHIRE COUNCIL

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### Item 14 Natural Disaster Response and Recovery Monthly Report

<b>Division:</b>	Technical Services
<b>Management Area:</b>	Road Operations
<b>Author:</b>	Works Engineer – Dinesh Khatri
<b>CSP Key Focus Area:</b>	Supporting Community Life
<b>Priority:</b>	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.

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#### **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*



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*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 have been 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 one claim in February 2024 for AGRN 1034 works to the value of \$663,657 bringing the total value of claims submitted for this event to \$7,875,620. The February 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 \$7,875,620 with further defects still to be included.

As at 05 March 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
<b>AGRN 987</b>	<b>\$10,568,493</b>	<b>\$0</b>	<b>\$0</b>	<b>\$10,568,493</b>
Road – bridge / structure			\$1,189,788	\$1,189,788
Road – culvert / floodway			\$117,432	\$117,432
Road – sealed			\$5,312,858	\$5,312,858
Road – unsealed – formed	\$13,961		\$1,018,800	\$1,032,761

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Emergent Works			\$222,781	\$222,781
<b>AGRN 1034</b>	<b>\$13,961</b>	<b>\$0</b>	<b>\$7,861,659</b>	<b>\$7,875,620</b>
Emergent Works			\$176,122	\$176,122
<b>AGRN 1030</b>			<b>\$176,122</b>	<b>\$176,122</b>
<b>Grand Total</b>	<b>\$10,582,454</b>	<b>\$0</b>	<b>\$8,037,781</b>	<b>\$18,620,235</b>

- 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 05 March 2024 for AGRN 987,1030 and 1034 is \$6,435,863 and includes emergent and full restoration works.

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

Yarragrinn Road	Willicombes Road
Munns Road	Tonniges Road
Finlays West Road	Wardens Road
Dennykymine Road	Dandry Road
Box Ridge Road	Doganabuganaram Road
Cliffdale Road	Sherbrookes Road
Tothills Road	Black Stump Way (MR55)
Caledonia Road	Dungeon Road
Leaders Road	Bourke Road
Mooren Road	Madigan Road
Ropers Road	Boltons Creek Road
Forans Lane	Hawkins Road
Bourke Road	Grandchester Road
Ulungra Springs Road	Kanoona Road
Narrawa Newell Road	Salaks Road
Turee Vale Road	Albert Wright Road
Evans Road	Tucklan Road

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

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During February 2024, Council was also delivering the following grant funded projects concurrently with the Natural Disaster Restoration Works:

- Regional Roads Block Grant
- RMCC Ordered Works including 64 Heavy patches (15,755 m<sup>2</sup>) on the Golden Highway.

Three tenders were advertised in late 2023 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 mid-March.

Tender 3 assessment has been finalised and a preferred tenderer identified. Discussions are occurring with TfNSW as the submitted tender price is above the estimated upper limit for the works. Contracts will be executed once the matter has been finalised with TfNSW. An information report will be provided to Council outlining all three tender outcomes once Tender 3 has been finalised.

Council has engaged 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:

<b>Tender 1 Sandy Creek Area</b>	<b>Tender 2 Upper Laheys Creek Area</b>	<b>Tender 3 North of Oxley (Goolhi and Surrounds)</b>
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
		McEvoys Road
		Quaker Tommy Road
		Rayak Road
		Reddens Road
		Schumacks Road
		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 45% and it is not realistic that the funds will

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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. Council at its meeting on 20 October 2022 resolved the following:

**‘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 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 Councils submissions was sought from the Office of Local Government who are administering the Grants and responses were sent this month. Council and the community will be advised of the outcome once known.

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<b>Name</b>	<b>Funds Requested</b>
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
<b>TOTAL</b>	<b>\$1,000,000</b>

### **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, 10 locations have been reported to NSW Live Traffic as having partial road closed or changed road conditions.

<b>Main Street</b>	<b>Suburb</b>	<b>Other Information</b>
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 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.

### **Options**

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

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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 05 March 2024.

Project	Funding	Submitted	Expenditure	Percentage Spent	Construction Completion Date
1. Natural Disaster AGRN 987	\$10,568,493		\$4,727,067	45%	30/06/2024
2. Natural Disaster AGRN 1034		\$7,875,620	\$1,532,674	19%	30/06/2025
3. Natural Disaster AGRN 1030		\$176,122	\$176,122	100%	30/06/2025
4. Regional and Local Roads Repair Program	\$11,026,759		\$2,699,557	24%	31/10/2027
5. Local Government Recovery Grants	\$1,000,000		\$36,819	4%	30/06/2025

### Notes

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

*Pothole repair program is removed due to completion of project.*

### 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.

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### **RECOMMENDATION**

That Council notes the Natural Disaster Response and Recovery Monthly Report for February 2024.

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### Item 15 Fee Waiver Request from the Chamber of Commerce – Easter Bunny Bazaar St Closure – Traffic Management Costs

<b>Division:</b>	Technical Services
<b>Management Area:</b>	Technical Services Management
<b>Author:</b>	Director Technical Services – Nicole Benson
<b>CSP Key Focus Area:</b>	Civic Leadership
<b>Priority:</b>	CL5.3 Support community organisations and groups to deliver services and programs

---

#### **Reason for Report**

To present a request from the Coonabarabran & District Chamber of Commerce (Chamber of Commerce) for a fee waiver for Council's traffic management costs for the closure of John Street Coonabarabran between 7.30am and 2pm on Saturday, 30 March 2024 for the annual Bunny Bazaar.

#### **Background**

At the September 2023 Council meeting, Council endorsed a new policy 'Council Facilities Waiver of Council Fees and Charges' which requires a resolution of Council to approve any fee waivers over \$1,000. The value of this request is over \$1,000 and information is outlined below.

The Bunny Bazaar is an annual event held on Easter Saturday. The event is coordinated by the Coonabarabran & District Chamber of Commerce (Chamber of Commerce). Along with market stalls there are food stalls, musical entertainment and displays. Some local businesses with shopfronts also open on the day.

The Chamber of Commerce receives no funding for the event. They charge commercial market stall holders and the fees from this are used to cover the cost of insurance and advertising for the event. Local services and charity group stall holders are not charged by the Chamber of Commerce.

#### **Issues**

The traffic management costs are \$7,558 which includes installation and removal of signs, traffic control and overheads.

The request meets the Policy criteria in that Council has an obligation to participate in community activities and promote the wellbeing of the community. Providing a fee waiver will ensure Council meets this obligation as it will assist the Chamber of Commerce to provide activities, events and programs.

The event has not already received funding via the Annual Donations, Council's Community Financial Assistance Program or by a Council resolution. Council will be mentioned in advertising of the event on social media and other free media sites.



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### **Options**

There are several options available to Council as follows: -

Partially waive the fees at an amount to be determined by Council.

Not waive the fees at all. This is not recommended as the request meets the fee waiver criteria and the waiver will enable the Chamber of Commerce to provide activities, events and programs

Waive the fees in full as per the request at a cost of \$7, 558.

### **Financial Considerations**

There is \$14,000 set aside annually for fee waivers across the LGA and this request can be covered within the current budget.

### **Community Engagement**

The level of engagement for this report is to inform.

### **Risk Considerations**

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

### **Attachments**

1. Correspondence from Coonabarabran & District Chamber of Commerce
2. Council Facilities and Waiver of Council Fees and Charges Policy

### **RECOMMENDATION**

That Council:

1. Notes the information contained in the report.
2. Approves the fee waiver for Council's Traffic Management Costs to the value of \$7,558.

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### Item 16 Outcome of Tender Negotiations for Castlereagh River Rehabilitation Project

<b>Division:</b>	Technical Services
<b>Management Area:</b>	Road Operations
<b>Author:</b>	RMCC Technical Officer – Krista Holmesby
<b>CSP Key Focus Area:</b>	CE3 Local bushlands and forests are host to a healthy diversity of flora and fauna.  CE4 Local natural water resources including waterways and aquifers remain unpolluted.
<b>Priority:</b>	CE3.1 Partner with private and public landholders to build and maintain awareness of their responsibilities and requirements regarding environmental, land and natural resource management  CE4.1 Conduct regular water quality monitoring activities.

---

### Reason for Report

To provide an update on the outcome of tender negotiations for rehabilitation work for two stages of the Castlereagh River Rehabilitation Project.

### Background

Council at its meeting of 20 April 2023 Council resolved the following: -

**'305/2223 RESOLVED** that Council:

- 1. Not accept tenders for the Castlereagh River Rehabilitation Project.*
- 2. Not invite fresh tenders for the reasons stated in the report, namely that splitting the tasks into smaller work packages is not likely to attract more local contractors*
- 3. Authorise the General Manager to enter into direct negotiations with any person with a view to entering into a contract in relation to the subject matter of the tender.*

### Issues

Staff reviewed the procurement process. As a means to obtain more quotes from suppliers and achieve better value for money a request for quotation was prepared and split into three components:

1. A contractor with machinery to undertake large scale woody weed removal and install gross pollutant traps.

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2. A bush regeneration team who would use chainsaws, plus a tractor or similar to pull out cut material and have access to a hired woodchipper or subcontractor.
3. A revegetation team, to prepare sites for revegetation using weed control, auger holes, planting guarding, watering.

This method of procurement meant that the staged works could be completed by different contractors at the same time in the various zones.

Council negotiated with NWC Trees Pty Ltd to agree on a scope and price for Stage 1 works. These works have been completed.

Council sought quotes for Stage 2 works and received four submissions. The submissions were evaluated and negotiations with contractors are now complete for the works. Three contractors have been selected to complete separate portions of works which are underway. The contractors are A1 Trees Service (NSW) Pty Ltd, NWC Trees Pty Ltd and Hunter Land Management Pty Ltd.

### **Options**

Nil – the report is for information.

### **Financial Considerations**

Funding for this project totals \$899,000 and must be expended by 29 March 2024. Works are on track to be completed by this time. Staff have contacted the funding body, the Australian Government's Murray–Darling Healthy Rivers Program, to discuss options if we were to experience a week of rain or the like that may delay the completion.

### **Risk Considerations**

There are operational, project and financial risks associated with the project. Risk is assessed at low and 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. Updates on the project have been provided to Councillors via the Weekly Wrap-up and the community is kept informed through social media posts as required.

### **Attachments**

Nil

### **RECOMMENDATION**

That Council note the report on the outcome of the tender negotiations for the Castlereagh River Rehabilitation Project.

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### **Item 17 Drinking Water Management System Improvement Plan Implementation – March 2024 Update Report**

<b>Division:</b>	Environment and Development Services
<b>Management Area:</b>	Warrumbungle Water
<b>Author:</b>	Manager Warrumbungle Water – Thomas Cleary
<b>CSP Key Focus Area:</b>	Supporting Community Life
<b>Priority:</b>	SC4.4 The future requirements for water and power are identified and adequately planned for by service providers

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#### **Reason for report**

To inform Council of the status regarding the implementation of action items on Council's Drinking Water Management System (DWMS) Improvement Plan.

#### **Background**

Under the *NSW Public Health Act 2010* Council is required to maintain a DWMS consistent with the Framework for Management of Drinking Water Quality as documented in the Australian Drinking Water Guidelines (ADWG).

Council developed its DWMS in late 2014; part of this DWMS forms a risk based – and therefore priority based – Improvement Plan containing action items. Both documents, the DWMS and the Improvement Plan, were presented to Council in Item 11 of the December 2019 Business Paper Report.

Resolution 228/1920 Item 3 requires the preparation of regular reports – at four monthly intervals – on the progress of implementing the Improvement Plan action items. The following update reports were presented to Council:

- Item 11 of the April 2020 Business Paper
- Item 21 of the August 2020 Business Paper
- Item 18 of the December 2020 Business Paper
- Item 17 of the April 2021 Business Paper
- Item 14 of the August 2021 Business Paper
- Item 18 of the March 2022 Business Paper
- Item 14 of the July 2022 Business Paper
- Item 28 of the December 2022 Business Paper
- Item 13 of the May 2023 Business Paper
- Item 18 of the August 2023 Business Paper
- Item 19 of the December 2023 Business Paper

#### **Issues**

In December 2019, 160 of the then 340 DWMS Improvement Plan action items were completed, closed or implemented with 180 items outstanding.

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At the time of the December 2023 update report, 331 items have been closed, completed or implemented.

Meanwhile currently, 331 items have been closed or completed with 27 outstanding/in progress, out of the new total of 358 items; a summary table is presented below. The current Improvement Plan is included as Attachment 1.

Priority	Status						To do per priority in percent out of total
	Closed*	Complete	Implemented**	In progress	Not started	Total	
Very High	12	23	1	1		37	10.34%
High	60	67	20	13		160	44.69%
Medium	65	39	24	9		137	38.27%
Low	12	6	2	4		24	6.70%
<b>Sum</b>	<b>149</b>	<b>135</b>	<b>47</b>	<b>27</b>	<b>0</b>	<b>358</b>	<b>100%</b>

There are currently 27 outstanding 'In-Progress' items out of the total of 358 items which are being addressed as resources allow.

\*Closed items were closed as they were covered by a new action or another action item or items; all action items including closed and new items remain within the overall DWMS Improvement Plan, hence the number of items consistently rises.

\*\* Completed versus implemented items: 'completed' marks the finalisation of a certain milestone, for example the development of a Drinking Water Quality Policy; 'implemented' marks the successful realisation of a certain process, for example the ongoing entering of operational data into electronic spreadsheets.

A number of key recommendations that are in progress include:

- Development of a private water bore register in Baradine, Bugaldie and Kenebri;
- Identification of high-risk areas for backflow prevention;
- Implement a proactive main flushing program in Mendooran. This is planned to be addressed under the proposed Safe and Secure Water Programme funded project for upgrades to the Mendooran Water Supply Scheme;
- Development of a Drinking Water Quality Monitoring Plan;
- Development of a Water Quality Verification Plan;
- Upgrades to the Mendooran Water Treatment Plant;
- Development of a document to undertake regular reservoir inspections;
- Reservoir upgrades and bore integrity re-establishment Shire wide.

### **Options**

This report is presented for Council's information only.

### **Financial Considerations**

The remaining 27 items requiring to be closed will be completed by staff in-house. At this stage, further assistance from a consultant is likely not to be required.

Operational and capital expenditure in relation to many DWMS Improvement Plan action items is distributed across a number of areas and normally not tracked against

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the DWMS; these include for example water treatment plant improvements and upgrades, operator training and water quality testing.

### **Community Engagement**

The level of engagement is to 'Inform'.

### **Attachments**

1. DWMS Improvement Plan March 2024

### **RECOMMENDATION**

That Council notes the Drinking Water Management System Improvement Plan Implementation – March 2024 Update Report.

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### **Item 18 Update on Resolution 325/2122 Report**

<b>Division:</b>	Environment and Development Services
<b>Management Area:</b>	Economic Development and Tourism
<b>Author:</b>	Manager Economic Development and Tourism – Jeff Woo
<b>CSP Key Focus Area:</b>	Strengthening the Local Economy
<b>Priority:</b>	LE 2 Identify, develop and coordinate tourism and economic development opportunities

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### **Reason for Report**

The purpose of this report is to update Council on the progress with Resolution 325/2122 from 16 June 2022 to provide an update on the Town Entrance Sign project, and investigations for eligible grants for construction of an information notice board at Hickey Falls, along with costings for a toilet facility. The resolution is over 12 months old.

### **Background**

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

#### ***'325/2122 RESOLVED that:***

- 4. Supports town entry signage consultation within Council's communities including the Aboriginal Land Council, being undertaken by members of the Economic Development and Tourism Advisory Committee, with findings being reported to Council at a later date.*
- 5. Investigates eligible grants for construction of an information notice board to be installed at Hickeys Falls; along with costings for a suitable toilet.*

### **Issues**

#### **Town Entrance Sign project**

The Town Entrance Signage Project has been progressing slowly, and is behind timeframes. The project was initially due for completion 30 June 2023, but experienced a series of delays, impacting its scheduled progression.

Factors contributing to the delays include extended periods for community consultations by EDT Advisory Committee Members along with rescheduling of meeting dates due to lack of quorum. This consultation has now been completed.

The project continues to be progressed with sign designs yet to be presented to Council for endorsement; and will be presented to Council as part of the EDT Committee Meeting Minutes from 26 February 2024.

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### Hickey Falls Infrastructure Investigations

A review of potential infrastructure enhancements at Hickey Falls, specifically information signage and toilet facilities, has been conducted. Presently, the site features minimal infrastructure, including a basic shelter with seating.

With Hickey Falls under the ownership of Warrumbungle Shire Council, it's important to consider the proximity of the Newell Highway road corridor managed by Transport for NSW (TfNSW). This corridor encompasses nearly half of the parking area at Hickey Falls, extending from the highway towards the site.

Consequently, the remaining half of the parking space closer to the falls and the majority of the green space belongs to Council. TfNSW is responsible for servicing the road corridor and parking area by managing waste removal and cleaning of litter.

If Council introduced additional infrastructure such as signage and toilet facilities, it would fall to Council to maintain this infrastructure.

The proposal for information signage is estimated to cost between \$4,000 - \$5,000 inclusive of installation costs. The notice board aims to inform visitors about the site history, flora and fauna, and provide any relevant safety information. Potential challenges such as graffiti, the need for signage updates, and environmental damage (including wear and tear, damage from fallen trees, or external factors such as visitors bending the sign) have not been factored into the above costs.

The proposal to introduce toilet facilities at Hickey Falls faces significant challenges, including the identification of a suitable location and the associated ongoing maintenance and operational costs. The facility would need to comply with relevant guidelines encompassing accessibility standards, sufficient disposal/storage of wastewater (human excreta) and the structure's durability against vandalism.

The estimated construction costs for a toilet facility (a single cubicle unit) range from \$120,000 - \$130,000.

Ongoing maintenance costs for the toilet facility would require upwards of \$20,000 to \$30,000 per year (for cleaning and maintenance costs), including travel and material costs. Furthermore, if pump-outs are required, this would incur additional costs.

### **Options**

At this stage, a firm decision from Council on the installation of either structure has not been made, and on that basis, no eligible grant funding has been identified. Whilst funding may be available for installation, funds for the ongoing upkeep and care of the asset/s into future years are likely to not be part of any grant.

Installation of either structure will come with additional costs and resourcing for Council to maintain and service.

Council can choose to install either both the information sign and toilet/s, or just the sign, or just the toilet/s; or install neither.

Costs for installation and maintenance need to be considered before Council chooses to install new infrastructure. This has a bearing on Council's already stretched budget, and generates more assets for Council to manage. At a minimum it



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is expected additional costs for the toilets would be at least \$20,000 - \$30,000 per year for care and maintenance.

### **Financial Considerations**

Costs to install the information signage will be in the vicinity of \$4,000 - \$5,000, not including costs for maintenance and other incidentals (such as vandalism). Costs for maintenance/replacement and care for are expected to be \$2,000 - \$3,000 per year to remove graffiti and other incidentals.

Costs to install a toilet facility will be between \$120,000 - \$130,000 not including maintenance, cleaning, operations and other incidentals (such as vandalism).

### **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 engagement for this report is to inform.

### **Attachments**

Nil

### **RECOMMENDATION**

That Council:

1. Notes the Update on Resolution 325/2122 Report
2. Does not proceed with installation of an information sign and toilet facilities at Hickey Falls.

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### **Item 19 Castlereagh Country Drought Resilience Plan**

<b>Division:</b>	Environment and Development Services
<b>Management Area:</b>	Economic Development and Tourism
<b>Author:</b>	Director Environment and Development Services – Leeanne Ryan
<b>CSP Key Focus Area:</b>	Strengthening the Local Economy
<b>Priority:</b>	LE1 Support agricultural activities as a foundation of our local economy while recognising that access to diverse local opportunities that are inclusive of people of all ages and skill levels is crucial to our success.

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#### **Reason for report**

To consider the draft documents prepared for the Castlereagh Country Regional Drought Resilience Plan developed in collaboration with Gilgandra Shire Council.

#### **Background**

Gilgandra and Warrumbungle Shire Councils have strategically collaborated to develop a draft Regional Drought Plan for the Castlereagh Country region. The Councils have received combined funding of \$200,000 through the Regional Drought Resilience Planning Program to develop the Castlereagh Country Regional Drought Resilience Plan, with a further \$250,000 available for priority implementation actions from the plan across the Castlereagh Country region.

The program acknowledges that we can learn from previous droughts and plan for broader community implications, and the objective of these plans is to come up with practical solutions for addressing gaps in the way communities prepare for and respond to drought.

The Regional Drought Resilience Planning Program is jointly funded by the Australian Government and NSW Government under the Future Drought Fund.

Consultants, Projence, were engaged to prepare the Drought Plan on behalf of the two Councils.

#### **Issues**

Prior to development of the draft plan, public consultation was undertaken across the two LGAs, via the following means:

- Media release
- Radio advertisements
- Flyers – digital and print
- Email
- Workshop – face to face
- Drop-in community sessions
- Web content
- Survey

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- Social media

From the public consultation and consultant's desktop review the following main themes emerged of which the draft Drought Plan has been built upon. These are:

- Healthy, connected and resilient communities;
- Infrastructure to support communities and agriculture;
- Resilient local businesses and regional economy;
- Sustainable management and use of natural resources.

The draft plan presents:

- historical and predicted impacts of drought in each region
- an evidence-based, triple-bottom-line strategy to mitigate or adapt to future drought impacts
- a prioritised list of actions and pathways to build drought resilience, specific to the region that addresses the needs of the community.

The objective of the plan is to come up with practical solutions for addressing gaps in the way communities prepare for and respond to drought.

Projenca has prepared the draft Drought Plan including the following documents:

- Draft Castlereagh Country Drought Resilience Plan
- Castlereagh Country Drought Resilience Assessment
- Priority Projects Benefit Cost Ratio
- Stakeholder Report
- Implementation Action Plan

Each of the above listed documents are provided as an attachment to this report.

The draft Drought Plan includes an Implementation Action Plan to determine the actions moving forward to encourage and build drought resilience within the community across the themes.

The \$250,000 available for the priority actions from the plan across the Castlereagh Country region was workshopped in March 2023 by both Councils and their Executive Leadership staff.

As a result of the workshops, the following implementation actions were considered priorities by Council;

1. Develop groundwater access toolkit/mapping of:
  - (i) key parameters (depth to groundwater, potential volumetric groundwater yield, water quality),
  - (ii) simplified spatial representation of existing groundwater users and their annual extraction limits, and
  - (iii) NSW Water Sharing Plan licensing requirements for new groundwater works and water use approvals.
2. Develop and promote Drought Innovation and Resilience Showcase Field Day to showcase local and new ideas for natural resource management, farming practices and innovation. As well as social and wellbeing outcomes.

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3. Develop a Drought Communication Strategy to guide community and stakeholder engagement during drought conditions; which includes both internal community facing and external promotions; local business promotion, community distribution and donations processing, tourism and attraction campaigns, mental health, volunteer resourcing.

The draft Regional Drought Resilience Plan for Castlereagh Country will be provided to CSIRO for independent review. This review period timeframe is expected to be 8-12 weeks. It is recommended that a public exhibition period follows endorsement of the draft plan and documents by Council. Submissions will be collated and provided to CSIRO as part of the review period.

All completed plans from across the country will be published on the Department of Agriculture, Fisheries and Forestry website:

<https://www.agriculture.gov.au/agriculture-land/farm-food-drought/drought/future-drought-fund/regional-drought-resilience-planning>

### **Options**

The draft Drought Plan and actions were generated with input from both Councils.

### **Financial Considerations**

The cost to develop the draft Drought Plan (and associated documents) is fully funded through the Regional Drought Resilience Planning Program by the Australian Government and NSW Government under the Future Drought Fund; \$200,000 for the plan preparation, and \$250,000 (to be shared across the two Councils) for priority implementation actions from the plan.

### **Risk Considerations**

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

### **Community Engagement Considerations**

Community engagement has been undertaken prior to the development of the draft plan and documents. Further community engagement will occur when draft plan and documents are endorsed by Council.

### **Attachments**

1. Draft Regional Drought Resilience Plan for Castlereagh Country
2. Draft Drought Resilience Assessment for Castlereagh Country
3. Priority Projects Rapid BCR Review
4. Stakeholder Engagement Report
5. Implementation Action Plan

### **RECOMMENDATION**

That Council:

1. Endorses the draft Regional Drought Resilience Plan for Castlereagh Country and associated documents.

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2. Places the draft Regional Drought Resilience Plan for Castlereagh Country and associated documents on public 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 draft Regional Drought Resilience Plan for Castlereagh Country and associated documents after the close of the public submissions.

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### **Item 20 Inland Rail Update Report – March 2024**

<b>Division:</b>	Environment and Development Services
<b>Management Area:</b>	Economic Development and Tourism
<b>Author:</b>	Director Environment and Development Services – Leeanne Ryan
<b>CSP Key Focus Area:</b>	Strengthening the Local Economy
<b>Priority:</b>	LE2.2 Work with local business and industry to foster local economic development, innovation and expansion

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### **Reason for Report**

To provide Council with regular updates on Inland Rail discussions and matters that relate to Council.

### **Background**

Inland Rail is a freight rail line that will connect Melbourne to Brisbane through regional Victoria, New South Wales and Queensland. With freight volumes set to almost double in the next 20 years, the Australian Government is building the rail line to address freight needs.

The following broad points relate to the Inland Rail project:

- Inland Rail 1,700km long, from Melbourne to Brisbane in less than 24 hours.
- Trains travelling on the Inland Rail track will be able to travel at speeds of up to 115km/h.
- The track will enable the use of double-stacked (containers), 1,800m long trains with a 21 tonne axle load. Each train could carry the equivalent freight volume as 110 B-double trucks.

Within Warrumbungle Shire Council, the Inland Rail will traverse part of our Shire to the north-west of Baradine. This section of the line sits in the Narromine to Narrabri section of the project, known as N2N. Approximately 42 kms of rail line relating to Inland Rail will be located within our local government area.

### **Update on N2N Section of the Project**

The N2N section of the line is approximately 306kms in length, and is Inland Rail's longest section of new track. A detailed map of the alignment through Warrumbungle Shire can be found at: [inlandrail.artc.com.au/where-we-go/#narromine-to-narrabri](http://inlandrail.artc.com.au/where-we-go/#narromine-to-narrabri)

### **Issues**

The following updates on the project are provided:

- On 31 January 2024, Inland Rail received approval from the Australian Government to progress the N2N section. This was granted after an assessment was completed by the Commonwealth Department of Climate

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Change, Energy and Water under the *Environment Protection and Biodiversity Conservation Act 1999*.

- Work on various design activities and secondary approval documents, including environmental and social management plans, permits, and licenses is underway.
- Low-impact site investigations including service utility relocations and geotechnical investigations to better understand ground conditions will occur over the coming months.
- Land access and acquisition negotiations with landowners and stakeholders are continuing for the Inland Rail corridor.
- The Baradine workers camp is currently still on hold.
- Discussions on the Inland Rail Development Agreement (MIRDA) have recommenced with Council.

### **Options**

The Inland Rail project will continue to show its presence within Warrumbungle Shire, as construction of the project approaches.

### **Financial Considerations**

Nil

### **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**

Nil

### **RECOMMENDATION**

That Council notes the information in the Inland Rail Update Report – March 2024.

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### Item 21 Central-West Orana Renewable Energy Zone Report – March 2024

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

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#### **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.



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- 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.

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### **Issues**

Since the last update report in February 2024, Council has been involved in a number of matters pertaining to the REZ as follows:

- Liaised via emails with Valley of the Winds Wind Farm and Spicers Creek Wind Farm regarding Council's adopted key terms (from February 2023 Council Meeting) and pathway forward to generate draft Planning Agreements.
- Participated in update meetings online with EnergyCo on 14 February 2024, and also in person with Executive Team on 14 February 2024.
- Participated in meeting with EnergyCo where ACERES was introduced to Council on 19 February 2024, with discussions occurring around proposed designs and expected works to Council road infrastructure, s138 approval process, design review process and timeframes.
- Participated in update meetings with CWO REZ Steering Committee; minutes of the last three (3) meetings are attached:
  - 27 September 2023
  - 20 October 2023
  - 20 November 2023
- Participated in EnergyCo webinar on Community & Employment Benefit Program on 5 February 2024.
- Participated in meeting on 6 February 2024 regarding proposed Regional NSW REZ Roadshow to be held in Dunedoo on evening of 12 March 2024.
- Participated in DPE REZ catchup meeting on 15 February 2024.
- Attempted to participate in REZ Working Group Meeting for Environmental Delivery Coordination on 19 February 2024, but meeting link did not work.
- Updated Council's website with latest submissions (relating to the REZ).
- Circulated a media release on the latest Council submissions relating to the REZ on 19 February 2024.
- Prepared and lodged submission on Council's response to proposed Liverpool Range Wind Farm – Modification 1 – Amendment 2 – TWA Facility (SSD-6696-Mod-1) – 12 February 2024 (attached). Council maintains its objection to the proposal in totality for the following reasons:
  - The Modification Application does not satisfy the criteria to be deemed a modification. A key component of the project, namely a large greenfield quarry, is yet to even be assessed.
  - There still remains a lack of information provided on cumulative impacts and how these impacts will be addressed.
  - Lack of progression of planning agreement with Council.

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.

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**Table 1: Major Projects that impact WSC**

Major Project	LGA	Description	Status (stage)
Liverpool Range Quarry	Upper Hunter	Hard rock quarry, extract, process, transport up to 700,000tpa of hard rock material for Liverpool Range Wind Farm	SEARS
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 117 wind turbines, with energy storage and associated infrastructure	Assessment
Cobbora Solar Farm	Warrumbungle and Dubbo	700 MW solar farm with energy storage and assoc. infrastructure	Preparing EIS
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	441 MW wind farm, including 63 turbines (280m), 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 200 MW 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 185, amend infrastructure, transport route and increase native veg clearing limits	Assessment
Valley of the Winds Wind Farm	Warrumbungle	Construct and operate wind farm up to 131 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	Preparing EIS

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		Energy Storage System with 400MWh storage	
Dunedoo Solar Farm	Warrumbungle	55MW Solar Farm with energy storage and associated infrastructure	Determination

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 \$427,104.05 on matters relating to the REZ. This consists of the following expenditure incurred from the 1 September 2022 to 29 February 2024.

- Staff costs = \$50,796.12
- Contractors = \$376,307.93

Total Expenditure = \$427,104.05

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. Public Facing Minutes CWO REZ SteerCo – 27 September 2023
2. Public Facing Minutes CWO REZ SteerCo – 20 October 2023
3. Public Facing Minutes CWO REZ SteerCo – 20 November 2023
4. Liverpool Range Wind Farm Submission Mod 1 Amendment 2 – 12 February 2024

### **RECOMMENDATION**

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

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### **Item 22 DA 47/2021 - Request for Fee Reimbursement and Levy Waiver**

<b>Division:</b>	Planning and Regulation
<b>Management Area:</b>	Environment and Development Services
<b>Author:</b>	Director Environment and Development Services – Leeanne Ryan
<b>CSP Key Focus Area:</b>	Civic Leadership
<b>Priority:</b>	CL2 Council meets its legislative and compliance requirements and implements opportunities for organisational improvement

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### **Reason for Report**

Council has received a written request on behalf of Dunedoo Preschool seeking reimbursement of Development Application fees and exemption from Section 7.12 Developer Contributions Levy for DA 47/2021.

### **Background**

In August 2021, Planned Environment Pty Ltd lodged a Development Application for the Dunedoo Preschool to undertake alterations and additions to the existing building located on Lot 1 DP758364 at 19 Merrygoen Street, Dunedoo. The development works included a new classroom and nursery with kitchenette; and toilets and classroom linked to existing building by a ramped, covered walkway. The value of the works was \$480,000.

The Dunedoo Preschool building is Council owned, and leased to Dunedoo Preschool Kindergarten Incorporated

The Development Application was subject to the following fees, including:

- DA fee = \$1,805.85
- Developer Contribution Levy = \$4,800

Consent for DA 47/2021 was granted by Council in September 2021.

As part of the consent, a condition was placed on the approval requiring payment of \$4,800 as the applicable Developer Contribution Levy, with payment to be made prior to Construction Certificate being issued.

### **Issues**

The applicant has provided written correspondence to Council (as attached) seeking the following:

1. Reimbursement of the DA fee of \$1,805.85 – the request for reimbursement relates to the preschool being a Council owned facility. Reference is made to Council's *Donations Policy*, and is dealt with as per the following clause:

*B2.5 Development Applications*

*Council will donate the equivalent amount of the development*

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*application costs in total only levied on works to be undertaken by community groups on Council-owned facilities with such funds to be provided from the 'Financial Assistance – Other' Budget.*

Under Council's *Revenue Policy Fees and Charges*, Council's DA fees are charged for all Development Applications to assist cover costs for staff undertaking tasks associated with the assessment and administration of each application.

With the Dunedoo Preschool being a Council owned facility, it is likely Clause B2.5 of Council's *Donations Policy* is applicable in this instance.

2. Waiving of the Developer Contribution Levy of \$4,800 – the applicant is seeking for Council to waive the levy by amending the consent, through a modification, with Condition 4 being removed, in effect meaning the Developer Contribution Levy is no longer applicable.

The reason Condition 4 was included in the consent is to trigger the payment of the levy as per Council's adopted former *Section 94A Levy* (Section 7.12) (*Indirect Community Infrastructure Contributions Plan 2009* (now known as *Section 7.12 Contribution Plan 2021*) and seeks for the contribution (of \$4,800) to be paid before the Construction Certificate was issued.

A review of the file indicates that the levy (\$4,800) was paid on 28 September 2023, and the Construction Certificate issued on 20 December 2023.

The applicant is seeking the waiver because the Dunedoo Preschool property is owned by the Council and is a community managed education facility for the children of Dunedoo.

Council's *Section 7.12 Contributions Plan 2021* does not provide an exemption (from the levy) for the type of work undertaken at the Dunedoo Preschool.

The decision to impose a condition requiring payment of development contributions is discretionary. Thus, it is open to the Council to remove the requirement for payment of the levy if it so wishes.

### **Options**

The cost of the DA fees is covered by clause B2.5 under Council's *Donation Policy*.

In relation to the levy (\$4,800) Council can continue to impose the levy as per a condition of consent, requiring payment based on the Council's *Section 7.12 Contribution Plan*.

Alternatively, Council can resolve the condition be removed.

Council could opt to retain the condition of consent for the levy, however provide a donation equivalent to half of the proposed contribution; i.e. provide a donation of \$2,400. This means whilst the full amount of the levy applies (\$4,800) as per condition of consent for DA 47/2021, Council could propose to offset half this amount through providing a donation (\$2,400) to Dunedoo Preschool.

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Council can waive (donate) funds to organisations however this is regulated by the Local Government Act Section 356 provides:

**356 CAN A COUNCIL FINANCIALLY ASSIST OTHERS?**

*(1) A council may, in accordance with a resolution of the council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.*

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

*(3) However, public notice is not required if—*

*(a) the financial assistance is part of a specific program, and*

*(b) the program's details have been included in the council's draft operational plan for the year in which the financial assistance is proposed to be given, and*

*(c) the program's proposed budget for that year does not exceed 5 per cent of the council's proposed income from the ordinary rates levied for that year, and*

*(d) the program applies uniformly to all persons within the council's area or to a significant group of persons within the area.*

Council does not operate a program of providing donations to the extent requested by the Dunedoo Preschool, hence advertising in accordance with Section 356 (2) is required.

Council's Code of Meeting Practice Provides:

*3.12 A notice of motion for the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the notice of motion. If the notice of motion does not identify a funding source, the general manager must either:*

*(a) prepare a report on the availability of funds for implementing the motion if adopted for inclusion in the business papers for the meeting at which the notice of motion is to be considered by the council, or*

*(b) by written notice sent to all councillors with the business papers for the meeting for which the notice of motion has been submitted, defer consideration of the matter by the council to such a date specified in the notice, pending the preparation of such a report.*

With Council's financial position of regularly running deficits Council should be showing discipline when it comes to providing donations.

In accordance with clause 3.12(a) of the Code of Meeting Practice if Council was to approve the making of a donation to Coinda then this be made from Council's Financial Assistance Program. Should the funding come from this source then of course it will mean that Council will be unable to allocate the funds to other organisations.

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### **Financial Considerations**

Council's *Section 7.12 Contributions Plan 2021* states:

*The monies collected will assist Council towards the provision, extension or augmentation of public amenities or public services.*

The Plan outlines where the funding is to be allocated and the priority in which the project is to be carried out. The funds are unable to be utilised outside the parameters set by the plan.

The value of the levy relating to DA 47/2021 is \$4,800.

### **Risk Considerations**

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

### **Community Engagement**

Community engagement would be at the level of 'Inform' as per Council's *Community Engagement Strategy 2020-2024*.

### **Attachments**

1. Correspondence from Planned Environment Pty Ltd

### **RECOMMENDATION**

That Council:

1. Continue to impose the levy as per Condition 4 of the Notice of Determination for the approval of DA47/2021, requiring payment of \$4,800 based on the *Section 7.12 Contributions Plan 2021*.
2. Refund DA fees of \$1,800 under Council's Donation Policy.



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### Item 23 Development Application (DA)19/2023

<b>Division:</b>	Environment and Development Services
<b>Management Area:</b>	Regulatory Services
<b>Author:</b>	Kelly Dewar – Manager Planning and Regulation
<b>CSP Key Focus Area:</b>	Caring for the Environment
<b>Priority:</b>	CE6 Sustainable growth and respectful planning acknowledges the rural character of the area, values the natural environment and encourages ecologically sustainable development.

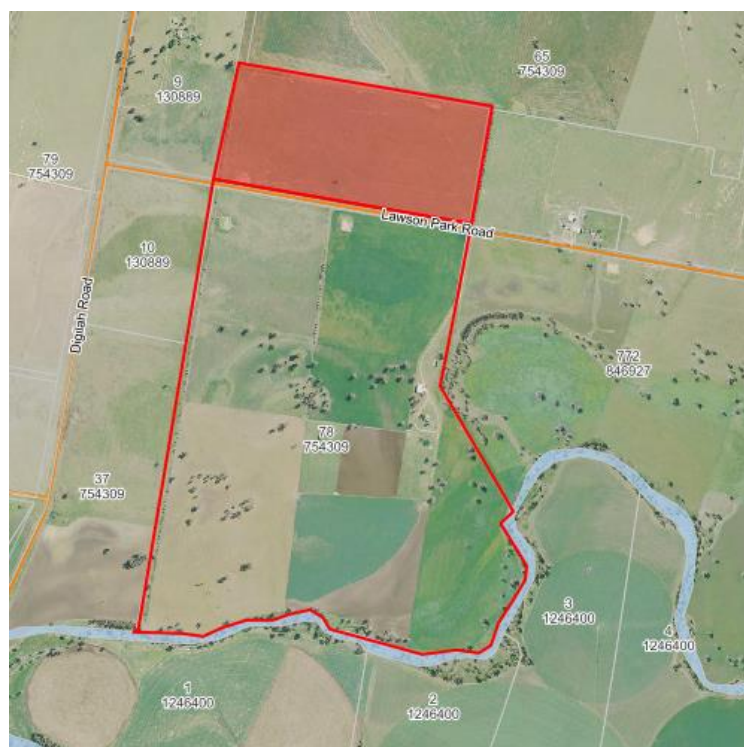
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### Reason for report

Development Application (DA)19/2023 has been referred to Council for determination as the proposal has attracted community interest with three (3) submissions being received in response to the public exhibition of the proposal.

### Background

Development Application (DA)19/2023 was received by Council on 20 June 2023 and seeks development consent for a 5MW Solar Farm. The Solar Farm is proposed to be located at 'Talbragar Park' 126 Lawson Park Road Dunedoo, being Lot 78 in DP754309. The proposed Solar Farm will be located on a portion of Lot 78 comprising of 35.5ha on the northern side of Lawson Park Road. (Shown in red shading)



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Under the application the proposed solar farm includes the following works:

- Access point from boundary – Lawson Park Road
- Man-proof fence around the site
- Internal roads leading to laydown area
- Storage containers
- Solar arrays
- Battery storage skid
- Control room
- Connection to the 22kv overhead powerline

### **Issues**

The DA was exhibited from 13 September 2023 to 5 October 2023 in the Dunedoo Diary and on Council's Website along with Neighbour Notification for surrounding property owners in accordance with the provisions of Council's *Community Engagement Strategy*, the requirements of the *Environmental Planning and Assessment Act 1979* and corresponding *Regulation 2000*.

A total of three (3) submissions were received in response to the public exhibition period. The submissions raised a range of issues (as attached) which are addressed as part of the enclosed Planning Assessment Report for DA19/2023. These issues include, but are not limited to, views and amenity considerations, run off from solar panels, agricultural land being used.

The Planning Assessment Report for DA19/2023, including design plans and the recommended schedule of consent conditions for the proposed development, is attached separately for the information of Councillors.

It is recommended that Council approve Development Application 19/2023 subject to the conditions of development consent included as Appendix B at the end of the Planning Assessment Report.

### **Options**

Council has the following options available:

1. Grant consent subject to conditions, as detailed in Attachment 1 of the Planning Assessment Report for DA19/2023 for a 5MW Solar Farm. The Solar Farm is proposed to be located at 'Talbragar Park' 126 Lawson Park Road, Dunedoo, being Lot 78 in DP754309, pursuant to Section 4.16 of the *Environmental Planning and Assessment Act 1979*.
2. Grant consent with alternate conditions of consent.
3. Refuse consent under Council Delegation, subject to identifying the appropriate merit based planning reasons for the refusal.

### **Financial Considerations**

Financial implications as a result of this proposal are detailed within the body of the Planning Assessment Report.

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### **Risk Considerations**

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

### **Community Engagement**

Exhibition of the proposal has been undertaken in accordance with the requirements of Council's *Community Engagement Strategy*. The results of this engagement process, and the mechanisms applied to elicit feedback from the community in relation to this development application, are addressed in the enclosed Planning Assessment Report.

The level of community engagement for this report is to inform and consult.

### **Mandatory Statutory Requirements**

Councillors, applicants, persons making public submissions (written or verbal) and members of the public submissions (written or verbal) and members of the public are advised of the following relevant procedural requirements.

#### **1. Record (Division) of Voting**

In accordance with Section 375A(3) of the *Local Government Act 1993*, A Division is required to be called wherever a motion for a planning decision is put at a meeting of the Council or a Council Committee.

A division under Section 375A(3) of the Act is required on this Planning Application.

#### **2. Relevant Planning Legislation**

In accordance with Section 10.4(4) of the *Environmental Planning and Assessment Act 1979*, a person that makes a relevant planning application to Council is required to disclose the following reportable political donations and gifts (if any) made by a person with a financial interest in the application within the period commencing 2 years before the application is made and ending when the application is determined:

- (a) All reportable political donations made to any local councillor of the Council;
- (b) All gifts made to any councillor or employee of the Council.

#### **3. Relevant Public Submission**

In accordance with Section 10.4(5) of the *Environmental Planning and Assessment Act 1979*, a person who makes a relevant planning application to the Council is required to disclose the following reportable political donations and gifts (if any) made by the person making the submission or any associate of that person within the period commencing 2 years before the submission is made and ending when the submission is determined:

- (a) All reportable political donations made to any local councillor of the Council;
- (b) All gifts made to any Councillor or employee of the Council

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### **Disclosure of Reportable Political Donations and Gifts**

**a) *Planning Applications***

Nil.

**b) *Public Submissions***

Nil.

### **Attachments**

1. Detailed Planning Assessment Report for DA19/2023.
2. Site Plan showing location and layout of proposed solar farm.
3. Copies of submissions (redacted).

### **RECOMMENDATION**

That Council:

1. Grant consent subject to conditions, as detailed in Attachment A of the Planning Assessment Report for DA19/2023 for a 5MW Solar Farm. The Solar Farm is proposed to be located at “Talbragar Park’ 126 Lawson Park Road, Dunedoo, being Lot 78 in DP754309, pursuant to Section 4.16 of the *Environmental Planning and Assessment Act 1979*.
2. Advise submitters in writing of Council’s decision to grant consent subject to Conditions.

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### **Item 24 Development Approvals**

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

### **Development Applications**

#### **(i) Approved – February 2024**

<b>Development Application / Complying Development</b>	<b>Date Lodged</b>	<b>Date Approved</b>	<b>Applicant's Name</b>	<b>Location</b>	<b>Town</b>	<b>Type of Development</b>	<b>Referral Days</b>	<b>Stop the Clock Days</b>
CD18/2023	12/02/2024	16/02/2024	Colin Whatman	111 Booyamurra Street	Coolah	New Dwelling and shed	0	0
DA59/2023	22/12/2023	15/02/2024	Kirsten Taylor	Campbell Street	Coolah	New Dwelling, Garage and Carport	11	0
DA55/2023	06/12/2023	19/02/2024	M & K Construction Group Pty Ltd	136 Dalgarno Street	Coonabarabran	Dual Occupancy	14	0
DA56/2023	08/12/2023	15/02/2024	Dan Lawless	3 John Street	Coonabarabran	Dual Occupancy	14	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 February 2024, under Delegated Authority.

# **WARRUMBUNGLA SHIRE COUNCIL**

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### **Item 25 Notice of Motion – Town Swimming Pools**

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

That Council commit to maintaining and improving all six council run swimming pools across the shire ensuring these community resources will be preserved for years to come.

Rationale:

The recent trial of free entry has seen a significant increase in use, showing the high demand for the swimming pools across the shire. They are a hub in our communities and essential to the continued wellbeing of our residents in the shire.

**CARLTON KOPKE  
COUNCILLOR**

# **WARRUMBUNGL E SHIRE COUNCIL**

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### **Item 26 Notice of Motion – Management of Small Projects**

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

That Council investigate the ability for small projects of less than \$50,000 to be managed by community groups, and provide a further report to the May 2024 Ordinary Council Meeting.

Rationale:

Council often has small scale projects to improve or develop facilities across the shire. The staff are inundated with larger projects resulting in the smaller scale projects being delayed for significant times. By allowing community groups to manage these projects we would be able to draw on the skills of these volunteer groups to complete smaller projects in a timely manner.

Ideally, this would be done on a volunteer basis with no cost to council. Allowing the groups to seek appropriate quotes and trades to complete the task which upon council approval could proceed with a final invoice being issued to council.

**CARLTON KOPKE  
COUNCILLOR**

# WARRUMBUNGLE SHIRE COUNCIL

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### Item 27 Reports to be Considered in Closed Council

**Item 27.1**      **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).

#### **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).