



MINUTES

Ordinary Council Meeting Thursday, 15 August 2024

Date: Thursday, 15 August 2024

Time: 5:00pm

**Location: Council Chambers
Cnr Camp & Weddin Streets
GRENFELL NSW 2810**

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**MINUTES OF WEDDIN SHIRE COUNCIL
ORDINARY MEETING
HELD AT THE COUNCIL CHAMBERS, CNR CAMP & WEDDIN STREETS, GRENFELL
NSW 2810
ON THURSDAY, 15 AUGUST 2024 AT 5:00PM**

1 OPENING

In accordance with the WSC Code of Meeting Practice, this meeting will be recorded for the purposes of audio-visual livestreaming via Council's website and Facebook page. Those in attendance are asked to refrain from making any defamatory statements and comply with all relevant WSC codes, policies and procedures at all times.

2 ACKNOWLEDGEMENT OF COUNTRY

Weddin Shire Council would like to acknowledge the Wiradjuri people who are the Traditional Custodians of the Land.

Weddin Shire Council would also like to pay respect to the Elders both past and present of the Wiradjuri Nation and extend that respect to other Aboriginal Australians who are present.

3 ACKNOWLEDGEMENT OF SERVICE

We honour our service personnel who have sacrificed their lives in the defence of our freedom, peace and prosperity. We acknowledge all of our frontline workers and volunteers who each day provide our essential and non-essential services, especially those within our Weddin Shire Local Government Area.

4 ATTENDANCE AND APPLICATIONS FOR LEAVE

ATTENDANCE

PRESENT:

Cr Craig Bembrick (Mayor), Cr Paul Best (Deputy Mayor), Cr Jason Kenah, Cr Phillip Diprose, Cr Glenda Howell, Cr Stuart McKellar, Cr Warwick Frame, Cr Jan Parlett

IN ATTENDANCE:

Ms Noreen Vu (General Manager), Mr John Thompson (Director Corporate Services), Mr Luke Sheehan (Director Environmental Services), Mr Anthony Prpic (A/g Director Infrastructure Services)

APOLOGIES

LEAVE OF ABSENCE

LEAVE OF ABSENCE APPLICATION

RECOMMENDATION

That the apology received from Cr Cook be accepted and leave of absence granted.

MOTION

Moved: Cr Diprose

Seconded: Cr Frame

That the apology received from Cr Cook be accepted and leave of absence granted.

MOTION WAS LOST

5 CONFIRMATION OF MINUTES

RECOMMENDATION

That Minutes of the Ordinary Council Meeting held 18 July 2024 be taken as read and CONFIRMED.

RESOLUTION 162/24

Moved: Cr Parlett

Seconded: Cr McKellar

That Minutes of the Ordinary Council Meeting held 18 July 2024 be taken as read and CONFIRMED.

CARRIED

6 DISCLOSURES OF INTEREST

ITEM NUMBER & TITLE	10.5 HENRY LAWSON FESTIVAL BANK ACCOUNT
NAME	CR JAN PARLETT
TYPE OF INTEREST	NON PECUNIARY / NOT SIGNIFICANT/ LEAVING THE CHAMBER
INTEREST DESCRIPTION	COMMITTEE MEMBER (VICE PRESIDENT)

ITEM NUMBER & TITLE	11.4 APPLICATION AND REQUEST FOR NAIDOC WEEK
NAME	CR JAN PARLETT
TYPE OF INTEREST	NON-PECUNIARY / NOT SIGNIFICANT / LEAVING THE CHAMBER
INTEREST DESCRIPTION	COMMITTEE MEMBER

ITEM NUMBER & TITLE	16.5 CODE OF CONDUCT COMPLAINT FINAL INVESTIGATION REPORT
NAME	CR JAN PARLETT
TYPE OF INTEREST	NON-PECUNIARY / NOT SIGNIFICANT / LEAVING THE CHAMBER
INTEREST DESCRIPTION	WITNESS (STATEMENT)

ITEM NUMBER & TITLE	16.4 MAYORAL MINUTE GENERAL MANAGER'S ANNUAL PERFORMANCE REVIEW
NAME	NOREEN VU
TYPE OF INTEREST	PECUNIARY / SIGNIFICANT / LEAVING THE CHAMBER
INTEREST DESCRIPTION	PERSON INVOLVED WITH THE ANNUAL REVIEW

7 PUBLIC FORUM

NIL

8 MAYORAL REPORTS/MINUTES

8.1 MAYORAL MINUTE - END OF TERM

File Number:

Attachments: 1. **MAYORAL MEDIA RELEASE | END OF TERM**

CSP Objective: Democratic and engaged community supported by efficient internal systems

Budget:

RECOMMENDATION

That Council note the End of Term Mayoral Minute.

RESOLUTION 163/24

Moved: Cr Best

Seconded: Cr Kenah

That Council note the End of Term Mayoral Minute.

THE MOTION WAS CARRIED UNANIMOUSLY

Councillors,

A copy of my statement relating to the Election 2024 is attached. I have declared that I will not be contesting in the next election. In addition to my statement, I wanted to expand on a number of highlights during my term as Mayor. I wanted to bring forward the highlights that we have agreed upon in developing our State of our Shire Report including:

Community Resilience (CSIRO Survey)

The CSIRO Weddin Shire Resilience Survey of February 2024 was also completed by 250 Shire residents aimed at informing strategies and plans that will improve the community's preparedness and resilience to future droughts and other extreme weather events. The report will provide an evidence base for community planning, including local priorities and proposals for government funding. It will also provide a baseline for assessing impacts of initiatives that aim to build community resilience. CSIRO had anticipated the Report to be provided to Council be at least the end of June 2024.

Culturally Rich, Vibrant and Inclusive Community

Council introduced a number of touchpoints with our community, including Council Mobile Hubs, improved communications in the Grenfell Record and social media presence. Council publically exhibited documents throughout the year to allow for inclusivity from our community. A job well done by Council's Executive team.

Council has held approximately five Australian Citizenship Ceremonies during their current term in office (December 2021 to September 2024).

Events

Light up the Night - On Saturday 18 February 2023, Grenfell came alive with live music and a night sky lit up with 100 drones. Funded through the Reconnection Regional NSW Community Events Program, the event was by Council staff and saw over 2,500 attendees. The event hit the aim of the program with over 73% of people coming from within the local government area to reconnect after the pandemic.

The 2022 June Long Weekend saw the **Henry Lawson Festival of Arts** come to life after the COVID-19 pandemic. The 2023 and 2024 Festival saw even larger crowds over the long weekend saw up to 10,000 attendees. Social media analytics showcased organic reaches of over 83,000 persons and a paid reach of over 120,000 with top hits from Sydney, Grenfell, Canberra, Young and Cowra. The festival brought back the Parade in 2023 and 2024.

Local Economy

The Grenfell Main Street Beautification and Renewal Project was officially opened in November 2023. Successfully grant funded, the project re-set has seen a Main Street project delivered with precision and longevity in mind, creating an open space that would attract visitor numbers to Grenfell, boosting the thereby boosting the local economy.

Pets and Animal Control

Keeping Cats Safe at Home desexing and microchipping programs saw its 300th cat desexed and microchipped on 6 June 2023. Launched by RSPCA NSW in June 2022, the Keeping Cats Safe At Home Project has seen remarkable success in Weddin Shire. In partnership with RSPCA NSW and Weddin Landcare, the Council offers free desexing and microchipping of cats. Educational outreach began in August 2023, with representatives from RSPCA, Weddin Landcare Coordinator and Weddin Shire Council Ranger, visiting schools to teach students about cat care, desexing, microchipping, and the importance of keeping cats indoors. The project concludes in December 2024 or until allocated funding is exhausted. We hope to continue making significant strides in cat welfare and wildlife protection.

Road Construction and Infrastructure

Major road upgrades in New Forbes Road and Pullabooka Road are completed. The New Forbes Road included construction for the road to be widened to a B Double standard with over \$4.3 million invested. Pullabooka Road saw over \$4.6 million invested to undertake pavement rehabilitation of existing seal as well as widening the seal from 5m to 7m and renewal of a number of concrete culverts. Greenethorpe to Koorawatha Road commenced construction during this Council Term.

Tourism

New Weddin Mountains Region branding launched with new website, VIC fit out, visitor guide and promotional collateral developed. Grant funding received to upgrade Grenfell Art Gallery, install EV charger and provide freedom camp areas in villages. Visitors recorded through the Visitor Centre exceeded 21/22 number by over 1000.

In addition to the above, I wanted to personally raise number of Mayoral highlights including advocacy and meetings during this Council term that will be of significant benefit for our community into future:

Advocacy on roads funding

Council's infrastructure was significantly impacted by natural disaster declarations in 2022. Despite Council's best efforts to undertake the emergency works, the administration of the Disaster Recovery Funding Arrangements was a detrimental issue (financial and asset management) for the management of Council's road network during this council term. Council suffered close to \$50 million worth of road damages (including the State Highways). This did not include deterioration of the road network following these events due to the administration burden caused by the State and Federal Governments and Council's inability to repair the roads.

During this time, I attended many meetings across the CNSWJO Board Meetings, the Country Mayors Association meetings as well as other individual meetings with Minister's offices regarding the challenges associated with the administration of grant funding. We must not take our foot off the pedal of what we are striving to achieve, that is upfront milestone payments to allow us to fix our roads sooner. It will continue to be an ongoing challenge.

Advocacy on cost shifting onto local government

Cost shifting onto local government continues to be a major concern. During this time, I wrote letters to the relevant ministers relating to cost shifting onto local government, whether it was the removal of the emergency services levy or administration of grants requiring our Council to undertake the works and then make a claim. I have always said it and will pass the baton on in stating this, that the state and federal governments must stop using council like a bank to fund their projects.

Advocacy on rural health outcomes

Our regional and rural health outcomes will continue to be an ongoing concern with the skills shortages in the region. During this time, I was fortunate enough to meet with the Federal Assistant Minister for Health and also the office of the Federal Minister to discuss the health outcomes for our region. We continue to work with the Rural Doctors Network to look at opportunities to increase the services in our area.

As we draw to an end of the current Council Term, I again thank all Councillors who have been part of Weddin Shire Council. As elected members, we have been through a lot and overcome a lot of issues. I commend the Councillors who remained after the vacancies created in the beginning and the four Councillors who accepted to be a Councillor. We, as a collective, didn't give up on what was to come. I have thoroughly enjoyed leading the Weddin Shire and wish the future Council the best of luck.

9 MOTIONS/QUESTIONS WITH NOTICE

Nil

10 GENERAL MANAGER REPORTS

10.1 STATE OF OUR SHIRE (END OF TERM) REPORT

File Number:

Author: General Manager

Authoriser: General Manager

Attachments: 1. Draft - State of the Shire Report

CSP Objective: Collaborative wealth building (strong, diverse and resilient local economy)

Precis: Provide the Draft State of Our Shire Report (End of Term)

Budget:

RECOMMENDATION

That Council:

- 1) Endorse the contents of the Draft State of our Shire Report.
- 2) Note that the State of Our Shire Report will be formally presented at the second Council Meeting of the newly elected Council.

RESOLUTION 164/24

Moved: Cr McKellar

Seconded: Cr Kenah

That Council:

- 1) Endorse the contents of the Draft State of our Shire Report.

-
- 2) Note that the State of Our Shire Report will be formally presented at the second Council Meeting of the newly elected Council.

THE MOTION WAS CARRIED UNANIMOUSLY

PURPOSE

The purpose of this report is for Council to note the contents in the Draft State of Our Shire Report which provides information on the effectiveness of implementation of the Weddin Shire Community Strategic Plan 2017-2027.

BACKGROUND

In accordance with Integrated Planning and Reporting Requirements (IP&R), each outgoing council is required to prepare a State of Our Shire (SOOS) report. The SOOS report replaces and combines the former End of Term Report. The Office of Local Government provides the IP&R Handbook which outlines the requirements of the SOOS Report. The SOOS Report is to be presented and endorsed at the second meeting of the newly elected Council.

The Handbook outlines that the SOOS Report will provide information that sets the scene for the new council and may include achievements to date and highlight future work to be undertaken. The report should assist the new council to undertake a review of the CSP, which is an essential component of IP&R cycle.

Acknowledging this requirement, a working draft is now provided to Council for noting its contents following extensive consultation with the current elected members.

Council's and the community's progress against the CSP 2027 over this time is analysed in the SOOS.

ISSUES AND COMMENTS

Components

The SOOS focuses on how effective Council has been in delivery of its social and environmental requirements and civic leadership over its council term and reports against high level strategies and priorities of the CSP. The report attached provides a tracking progress in accordance with the OLG Handbook.

During the drafting of the SOOS, the Council were involved in two workshops and provided Council Officers content to assist in fulfilling this obligation.

Community Strategic Plan (CSP) Review and SOOS Preparation

The Weddin Shire CSP 2027 identified 41 strategies to address priorities and issues in our community. The CSP is the highest-level plan that a Council prepares. The purpose of the CSP to identify the community's main priorities and aspirations for the future and to plan strategies for achieving these goals. It guides all remaining strategies and plans and must be developed by the Council with, and on, behalf of the community.

The SOOS Report reviews the effectiveness and progress in implementing the CSP by Council, other agencies and departments and the community.

To gauge progress with implementation, data and information for the review was collated in several ways:

- Using data collated through the two community satisfaction surveys (2022 and 2023).

- Consultation with Councillors via two SOOS workshops.
- Further one-on-one engagements with key stakeholders may still be required by the time the SOOS is presented to the new Council.
- Broader desktop research including statistics and reporting prepared by relevant organisations, departments and agencies.
- Consultation with relevant Council Officers and Executive Team.

The CSP has six key themes which the SOOS Report has analysed and looked at tracking its progress, whether we are moving towards or away from original targets and where the future challenges for our community may lie. The SOOS Report provides commentary on programs and projects undertaken by the various stakeholders of the Weddin Shire CSP 2027 including Council, and their effectiveness in reaching targets as per the goals and strategies laid out.

To support the enhancement of the incoming Council's CSP, the SOOS Report outlines recommendations to improve the current CSP. More importantly it provides a recommendation to the incoming Council to develop a new CSP, noting that rolling the current one forward is not feasible due to its end date of 2027. Given the current CSP has served two terms of Council since 2017 and it has been largely remained unchanged in this time, there is the opportunity via the CSP to take stock of our community's current aspirations, priorities and issues and establishing a new CSP that considers the current community's aspirations and future. This in turn influences Council's Delivery Program and Operational Plan in Council's service, actions and activities of strategies that are within Council's reach.

It is recommended that the newly elected Council utilise the content of the SOOS Report to open up discussions with the community during the consultation process for the subsequent CSP.

The SOOS Report summarises those unforeseen circumstances (i.e. not mentioned in the current CSP) like the natural disaster declarations which significantly inhibited Council's financial sustainability and infrastructure in this current term. Financial sustainability and infrastructure and asset management will need to be a significant strategic focus of the new Council.

The SOOS Report also highlights the positives achieved in this time.

Commentary from the General Manager

It is with gratitude and thanks to the Council Officers, in particular Avi Maharaj who worked on this document. Thank you to the Council for your valuable input into the SOOS Report. The end of term reporting outlines the significant challenges ahead for not just our Council but for local government in general. Despite the challenges, we also overcame and delivered a number of key highlights which are captured in this SOOS Report.

In moving forward, the newly elected Council will have a document that provides an excellent baseline of the current state of play. Thank you to the Council for your collaboration and time over this Council term.

POLICY/LEGAL IMPLICATIONS

The incoming Council will note the SOOS at their second meeting in accordance with the IP&R Handbook and the SOOS must be comprehensive enough to allow for informed community discussion.

The SOOS reports clearly on the key elements of the CSP.

FINANCIAL/RESOURCE IMPLICATIONS

The Draft SOOS outlines a number of areas concerning Council's financial implications moving into the future and the impact that the current natural disaster declarations have had for this Council and into next Council term. Due to limited staffing resources in Corporate Services, the Financial Performance section will be inserted into the final document in accordance with the OLG IP&R Handbook requirements.

INTERNAL/EXTERNAL CONSULTATION

Consultation with Council Officers and the Executive Team. Two SOOS workshops were carried out with Councillors. Further one-on-one engagements with key stakeholders may still be required by the time the SOOS is presented to the new Council. Further editorials will be made prior to its tabling at the second meeting of the newly elected Council.

CONCLUSION

Council and our community have been effective in delivering upon a large proportion of the CSP 2027's goals and strategies and these are outlined in the SOOS. As identified in the SOOS there are instances where progress has been moving away from the target or where there are emerging issues. The emerging issues like our natural disaster declarations were a major unforeseen disaster, on the ground and financially during this reporting period. These should be noted by Council and the community and given consideration as points of discussion with the community during the engagement process for the subsequent Community Strategic Plan.

There is the opportunity to refine the community engagement process as well as the CSP itself and strong consideration should be given by the incoming Council to opt to develop a new or reviewed CSP which reflects our community's current aspirations, priorities and issues as opposed to rolling forward the current CSP which is now effectively nine years old.

The Draft State of Our Shire Report is being presented to Council for its noting and endorsement of the contents. The final State of Our Shire Report will be presented at the second meeting of the newly elected Council as per the OLG IP&R Handbook.

10.2 DRAFT DONATIONS AND IN-KIND CONTRIBUTIONS POLICY (1.26.3)

File Number:

Author: General Manager

Authoriser: General Manager

Attachments:

1. DRAFT DONATIONS AND IN-KIND COBTRIBUTION POLICY - (1.26.3) - TRACKED CHANGES
2. DRAFT DONATIONS AND IN-KIND CONTRIBUTION POLICY (1.26.3)
3. DRAFT DONATIONS AND IN-KIND CONTRIBUTIONS POLICY GUIDELINES - TRACKED CHANGES

CSP Objective: Shire assets and services delivered effectively and efficiently

Precis: Draft Donations and In-Kind Contribution Policy, that once adopted will supersede the Community Support Project Policy

Budget: Nil

RECOMMENDATION

That Council:

1. Approve the Draft Donations and In-Kind Contribution Policy being placed on Public Exhibition for a period of 42 days inviting submissions from staff and the public in accordance with provisions of Section 160 of the *Local Government Act 1993*.
2. Note the Draft Donations and In-Kind Contribution Guideline will be placed on public exhibition for the same period of time to invite submissions.
3. Request the General Manager presents a further report to Council with all submissions received at the conclusion of the public exhibition period for Council's further consideration and adoption of the policy.

RESOLUTION 165/24

Moved: Cr Best

Seconded: Cr Parlett

That Council:

1. Approve the Draft Donations and In-Kind Contribution Policy being placed on Public Exhibition for a period of 42 days inviting submissions from staff and the public in accordance with provisions of Section 160 of the *Local Government Act 1993*.
2. Note the Draft Donations and In-Kind Contribution Guideline will be placed on public exhibition for the same period of time to invite submissions.
3. Request the General Manager presents a further report to Council with all submissions received at the conclusion of the public exhibition period for Council's further consideration and adoption of the policy.

THE MOTION WAS CARRIED UNANIMOUSLY

PURPOSE

The purpose of this report is to provide the Council a Draft Donations and In-Kind Contribution Policy. Once adopted by Council, this policy will supersede the Community Project Support Policy (1.26.2).

BACKGROUND

The purpose of the Draft Donations and In-Kind Contribution Policy (‘the Draft Policy’) is to outline the framework for the various types of support, being donations/grants and in-kind contributions that are offered by Weddin Shire Council to its community. Council currently has the Community Project Support Policy. The Draft Policy is now a reviewed and updated draft, which incorporates streamlined processes, pre-approved processes and acquittal processes for organisations/events that apply to Council.

ISSUES AND COMMENTS

Council has prepared this amended and reviewed Draft Donations and In-Kind Contribution Policy (1.26.3). Once adopted, it will supersede the Community Project Support Policy. At present the current Policy requires applicants to submit an annual application for the purposes of their request. This requires Council Officers to prepare a report to take to Council for resolution. A further letter is then provided to the Event Organisers/Committees regarding the resolution. Instructions are then provided to Council’s Payables team to make the payment to the relevant organisation/committee. Due to the individual applications, this leads to a great deal of administration duplication and overburden that could be streamlined by introducing pre-approved organisations/committees.

The process will also be beneficial to our local organisations and committees who are managed by volunteers, to avoid the burden of applying to Council every year for their events or other purposes.

To ensure transparency and accountability of the administration of public funds, the new process proposes to have an acquittal process for pre-approved and newly approved applications. Other councils also have a similar approach, listing pre-approved organisations/committees. This ensures that efficiency improvements do not compromise on the need for transparency and accountability of public funds.

Similar to the Community Support Policy, the Draft Policy is supported with a revised Draft Guideline. This will also be placed on public exhibition. The Guideline provides the acquittal form and more ‘how to’ information that accompanies the Draft Policy.

POLICY/LEGAL IMPLICATIONS

There are no direct policy or legal implications arising from this Report and aligns with what other councils are doing in this space.

FINANCIAL/RESOURCE IMPLICATIONS

Once adopted, the financial implications are from within the existing Community Project Support vote and the Council Resolution to support the villages:

Organisation	Event	Typical Request	Up to the value (nominal value)
Bimbi Progress Association (195/22)		Donation	\$1,000
Caragabal Country Club	Caragabal Sheep Races	Barrier Mesh, bollards, coolroom hire and PortaLoos	\$837 (FY 2024)

Caragabal School	Public	Presentation	Donation	\$100
Caragabal Group (195/22)	Process		Donation	\$5,000
Greenethorpe School	Public	Presentation	Donation	\$100
Greenethorpe Soldiers Memorial Hall (195/22)			Donation	\$5,000
Grenfell Bookshop	Christian		Donation (towards rates)	25% (\$422.56 FY 2024)
Grenfell Education Foundation	Country		Donation	\$2,500
Grenfell Gunyah Craft Shop			Donation (towards rates)	25% (\$480.56 FY 2024)
Grenfell Association Inc	P.A.H&I		Donation (towards sewer charges)	25% (\$1,425.00 FY 2024)
Grenfell Association Inc	P.A.H&I	Grenfell Team Sorting	Various items including bins, toilets, coolroom hire	In-kind contributions hire as per fees and charges (\$701 FY 2024)
Grenfell High School		Presentation	Donation	\$100
Grenfell Jockey Club		Henry Lawson Handicap	Donation Various items including bins, toilets, coolroom hire	\$200 In-kind contributions hire as per fees and charges (\$333 FY 2024)
Grenfell Picnic Race Club		Picnic Race Meeting	Donation Various items including bins, toilets, coolroom hire	\$500 In-kind contributions hire as per fees and charges (\$3,346 FY 2024)
Grenfell RSL Sub-Branch		Remembrance Day ANZAC Day Long Tan Commemoration	Traffic management	\$1,000 per event
Quandialla School	Public	Presentation	Donation	\$100
Quandialla Association & Quandialla Soldiers Memorial Hall (195/22)	Progress		Donation	\$5,000
St Joseph's School	Primary	Presentation	Donation	\$100
Weddin Muster	Mountain	Weddin Mountain Muster	Various items including bins, toilets, water tank, traffic management	(\$4,130 FY 2024)
Weddin Committee	NAIDOC	NAIDOC Event	Donation	\$1,000
Weddin Nursery	Native		Donation (towards rates)	25% (\$383.86 FY 2024)

		FY 2024 calculation and total	\$19,758 (of \$25,000 – Community Support Vote)
		Village donations	\$16,000

In the last two years, Council has increased its community support vote from \$15,000 to \$25,000. At this value, it would mean that a pre-approval process for local organisations/committees who apply to Council at current rates would still leave just over \$5,000 of new applications to be approved this and each financial year. It is recommended that Council maintains this vote moving forward, noting that the prior budget did not sustain the number of organisations across our community.

The donations to the villages as per Resolution 195/22 would see \$16,000 allocated to the villages.

INTERNAL/EXTERNAL CONSULTATION

The Draft Policy has been internally consulted with administering staff. During public exhibition, the General Manager will write to all organisations listed to invite them to make a submission to the Draft Policy.

CONCLUSION

The purpose of this report is to provide the Council a Draft Donations and In-Kind Contribution Policy. Once adopted by Council, this policy will supersede the Community Project Support Policy (1.26.2). The Draft Policy provides a streamlined approach not only for Council Officers, elected officials and volunteers, committee members and organisations with the pre-approved processes. The streamlined process does not compromise on transparency and accountability by introducing a standardised acquittal form/report.

10.3 MAIN STREET RENEWAL PROJECT EXPENDITURE

File Number:

Author: General Manager

Authoriser: General Manager

Attachments: Nil

CSP Objective: Shire assets and services delivered effectively and efficiently

Precis: A Main Street renewal project expenditure report

Budget:

RECOMMENDATION

That Council note the information contained in this report.

RESOLUTION 166/24

Moved: Cr Diprose

Seconded: Cr Frame

That Council note the information contained in this report.

THE MOTION WAS CARRIED UNANIMOUSLY

The following information provides Council with a summary of the Main Street Renewal Project Expenditure. Cr Diprose through a notice of motion requested information on the Main Street Renewal Project. Resolution 116/24 required that the:

General Manager prepare a report outlining the amounts and sources of funding utilised for the Grenfell Main Street Renewal Project together with the amounts spent on each of the major project components to date, to the extent that this information is reasonably able to be obtained.

The following provides information of the grants that supported the Main Street Renewal and Beautification. It was noted at the 20 June 2024 meeting, that past practice had combined all Main Street grants into one work order rather than broken up to account for that specific activity which has made it difficult for Council staff to track the progress of specific grants and therefore the total amount was utilised as a guiding amount. A number of grants are still a work in progress for acquittal.

Main Street Funding	Description of works required	Grant Amount
Stronger Country Communities Fund - Round 1	Upgrade footpaths and blisters on Main Street	\$768,982.00
Stronger Country Communities Fund - Round 3	Main Street Youth and Community Access Renewal *Council is still in discussions with the Department of Primary Industries and Regional Development with SCCF	\$179,961.00*

Main Street Funding	Description of works required	Grant Amount
	Round 3 to have Bogolong Dam costs moved into this given that the grant has now expired.	
Local Roads & Communities Infrastructure Program - Phase 2	Main Street Renewal	\$518,531.00
Local Roads & Communities Infrastructure Program - Phase 3	Main Street Asphalt Wearing Course	\$830,670.00
Local Roads & Communities Infrastructure Program - Phase 4	Main Street Festoon Lighting* Residual funding may be allocated to FY2023/2024 costs depending on acquittal outcomes.	(\$440,000)* \$635,635.00
Drought Communities Programme - Round 2	Main Street Trees & Planting	\$200,000.00
Roads to Recovery - Round 1	Main Street - Camp Street Intersection - Rectify Road geometry to implement disabled parking	\$207,636.00
Roads to Recovery - Round 2	Main Street - Camp Street Intersection - Rectify Road geometry to implement disabled parking	\$175,000.00
Roads to Recovery - Round 3	Main Street - Camp Street Intersection - Rectify Road geometry to implement disabled parking	\$635,335.00
Department of Regional NSW	Drought Stimulus Package - Grenfell Main Street Infrastructure Revitalisation - Western End of Main Street	\$1,000,000.00
NSW Severe Weather & Flooding ARGN1030 & 1034	Main Street - Upgrade to Stormwater & Drainage/Project Redesign/Trial of Rigid Pavement/Roundabout works/New Lean Rigid Pavement/Make Safe Traffic Measures	\$1,000,000.00
		\$6,151,750.00*

The grant amount is subject to change noting that Council continues to have discussions with the Department of Primary Industries and Regional Development regarding the unexpended funds in SCCF Round 3 for Bogolong Dam to be transferred to the Main Street in Round 3. At the time of writing this report, an answer was still not received by the Department.

The following provides expenditure by financial year:

	Expenditure
FY2020	\$207,158.67

	Expenditure
FY2021	\$924,167.53
FY2022	\$1,784,254.79
FY2023	\$2,285,452.48
FY2024	\$1,051,077.43
	\$6,252,110.90*

*Subject to change, Council's own labour costs that have been journalled to this work order number may be moved to the operating budget and operating work orders (cost centres) depending on grant acquittal process and acceptance of these costs. Council requires audited financial statements in order to submit a number of grant acquittals, such as the LRCI; therefore the information is provided with discrepancies.

The project 're-set' commenced in October 2022 with the expenditure in FY2023 and FY 2024 was overseen by our Main Street engineers and successfully led to the delivery of the project.

The final project will be the removal of streetlights and installation of festoon lighting which is due to commence from the end of August (removal of streetlights) and installation of new poles and festoon lighting from mid-September.

10.4 RESOLUTION REGISTER

File Number:	C2.3.3
Author:	Executive Assistant to the General Manager
Authoriser:	General Manager
Attachments:	1. ATT 1 Resolution Register as at 8 August 2024
CSP Objective:	Shire assets and services delivered effectively and efficiently
Precis:	To provide Council with an update on the current outstanding actions.
Budget:	Nil

RECOMMENDATION

That Council note the attached resolution register as at 8 August 2024.

RESOLUTION 167/24

Moved: Cr Diprose

Seconded: Cr McKellar

That Council note the attached resolution register as at 8 August 2024.

THE MOTION WAS CARRIED

PURPOSE

To provide Council with an update on the current outstanding actions on the resolution register as at 8 August 2024.

10.5 HENRY LAWSON FESTIVAL BANK ACCOUNT**File Number:****Author:** General Manager**Authoriser:** General Manager**Attachments:** Nil**CSP Objective:** Democratic and engaged community supported by efficient internal systems**Precis:** A report relating to the HLF Bank Account and the need to close the separate account. Late Report 14/08/2024.**Budget:** NIL

Cr Parlett left the room at 5:15 pm.

Cr Parlett entered the room at 5:26 pm.

RECOMMENDATION

That Council accept the Late Report.

RESOLUTION 168/24

Moved: Cr Best

Seconded: Cr Diprose

That Council accept the Late Report.

THE MOTION WAS CARRIED UNANIMOUSLY**RECOMMENDATION**

That Council:

1. Note the information contained in this report.
2. Delegate the General Manager to work with the Henry Lawson Festival of Arts to close the Weddin Shire Council The Henry Lawson Festival of Art account (ending x7852).
3. Delegate the General Manager to include closing balance amount into its general fund and be reflected in the 2023-2024 financial statements.
4. Delegate the General Manager to include all financial transactions into the 2023-2024 financial statements.
5. Delegate the General Manager to carry-forward the closing balance amount in the new workorder to the 2024-2025 financial year.

RESOLUTION 169/24

Moved: Cr McKellar
Seconded: Cr Kenah

That Council:

1. Note the information contained in this report.
2. Delegate the General Manager to work with the Henry Lawson Festival of Arts to close the Weddin Shire Council The Henry Lawson Festival of Art account (ending x7852).
3. Delegate the General Manager to include closing balance amount into its general fund and be reflected in the 2023-2024 financial statements.
4. Delegate the General Manager to include all financial transactions into the 2023-2024 financial statements.
5. Delegate the General Manager to carry-forward the closing balance amount in the new workorder to the 2024-2025 financial year.

THE MOTION WAS CARRIED UNANIMOUSLY

PURPOSE

To seek Council's endorsement that the Weddin Shire Council Henry Lawson Festival of Arts bank account is closed with funds moved into Council's operating account (currently with Westpac) with a separate work order and internally restricted funds.

BACKGROUND

The Weddin Shire Council Henry Lawson Festival of Arts bank account ('the HLF Account') currently operates a bank account with the Bendigo Bank which was established in January 2021. Council undertook a review of its section 355 committees in 2020 with a recommendation that Council rename the bank account which subsequently changed to the Weddin Shire Council Henry Lawson Festival of Arts. Concerns raised in the review included:

- *Whilst Council does receive and note the Treasurers Report as part of the Committee's Minutes, Council does not conduct financial audits, reviews of financial management procedures and financial governance processes.*

The other recommendation from the Review included:

- *The Committee maintains clear, up to date and accurate records which details all financial transactions.*

A meeting was held with the HLF President on how Council could better meet the concerns raised in the 2020 review and the recommendation.

ISSUES AND COMMENTS

Financial Management Concerns

The Bank Account has been in existence since January 2021. For a significant period of time, no Council employees were signatories on this account. To date, the HLF Account operates without the General Manager as a signatory at the request of the Committee, with the Director of Corporate Services gaining access and signatory status in the last month.

As it stands, the recommendation from the 2020 review concluded that Council does not conduct financial audits, review of financial management procedures or financial

governance processes. To date, the amount of funds reflected in this bank account is not reflected on Council's ledger and would be in breach of the *Local Government Act 1993*.

Under s. 409 of the *Local Government Act 1993* ('the Act'), Council must have:

(1) All money and property received by Council must be held in Council's consolidated fund unless it is required to be held in the Council's trust fund.

As a result, Council is in breach of s. 409 by not reflecting the amount in Council's consolidated fund. Furthermore, this means that the HLF Account is not financially audited on an annual basis. The financial reports are not provided in a format of a profit and loss/balance sheet.

Under Council's Delegation Register, the signatories on the HLF Account are not listed as financial delegates for purchases under \$2,999. The Charter mentions a financial delegation limit of up to \$2,999 however does not appropriately delegate the personnel who has this financial delegation. This would be in breach of s. 355, s. 377 and s. 370 of the Act relating to delegations of functions.

Council's General Manager and Director of Corporate Services met with the HLF President to discuss the matter, it was agreed that the HLF President would seek the Committee's support to recommend to Council to have the HLF Account closed, and the closing balance transferred to Council's operating account within the next fortnight. It is assumed that the Committee will provide their support, however acknowledging, that in the event that they do not, Council Officers will have to instruct the Committee to close the separate account. This will ensure that Council will comply with all provisions within the Act.

Future Financial Management

- The amount of funds will sit in the consolidated fund and be allocated a new separate work order and be internally restricted for the purposes of the HLF.
- Council Officers will be able to provide to the Treasurer a trial balance and statement from Authority at the request of the Treasurer. The statement will show the:
 - Income (from fundraising, sponsorship)
 - Expenses (paid)
 - Expenses (committed)
 - Total amount remaining.
- Streamlined financial management, where receipts/invoices are stored within Council's server and system allowing for auditing.
- Accountability with expenses paid and committed. At present transactions under \$2,999 are paid directly from the bank account without Council's General Manager or Director of Corporate Services oversight or appropriate delegations in line with s. 377 and 378 of the Act. Transferring the HLF Account funds into the Council's consolidated fund and system, ensures all payments have a requisition and purchase order trail. This currently does not occur. As discussed with the President, this does not increase the workload of staff due to the minimal number of transactions operating from this account when compared to the nature of Council's multi-million dollar business and the quantum of transactions we deal with.
- The workorder budget will be rolled over each financial year to ensure that the funds are internally restricted for this purpose.
- The Treasurer's role will be to forward all invoices for payment.

- The Treasurer's role will be to forward all debtors (e.g. sponsors) to Council, to create invoices. This will be sent back to the HLF for sending. Following receipt of payment, this allows the Debtors to be marked off.
- The workorder will form part of Council's annual financial audit and be subject to internal audits in conjunction with other workorders to comply with the *Local Government Act 1993*.

POLICY/LEGAL IMPLICATIONS

Council (The Council, the Committee and Staff) is currently in breach of s. 355, 377, 378 and 409 of the Local Government Act. The transfer of funds into Council's consolidated funds and appropriate financial delegations will mitigate Council's legal implications.

FINANCIAL/RESOURCE IMPLICATIONS

At the time of writing this report, the available HLF Account balance was \$70,336.61. This would be moved into the consolidated fund and Council's financial statements will be adjusted to incorporate this amount into its general fund and be reflected in the 2023-2024 financial statements.

Council has also requested a copy of all receipts and invoices from the HLF President to support this. It was advised to the HLF President that the closure of the HLF Account and transfer of funds to Council's operating account would need to occur within the next fortnight.

INTERNAL/EXTERNAL CONSULTATION

The General Manager and Director of Corporate Services met with the HLF President to discuss the matter. The report will be provided to the HLF President for the Annual General Meeting to explain the situation.

CONCLUSION

The HLF Committee currently operate the Weddin Shire Council Henry Lawson Festival of Arts bank account, which is currently operating in breach of s. 355, 377, 378 and 409 of the *Local Government Act 1993*. After a robust discussion with the President, it was agreed that the funds would need to move into Council's operating account (currently with Westpac) with a separate work order and internally restricted fund to comply with the Act.

10.6 COMMUNITY SUPPORT APPLICATION | GRENFELL RSL SUB-BRANCH - 2024 REMEMBRANCE DAY COMMEMMORATIVE SERVICE

File Number:

Author: Executive Assistant to the General Manager

Authoriser: General Manager

Attachments: 1. ATT 1 | Community Support Application - Grenfell RSL Sub-Branch

CSP Objective: Shire assets and services delivered effectively and efficiently

Precis: To provide Council with a Community Support Application for the Grenfell RSL Sub-Branch – 2024 Commemorative Services – Late Report 15/08/2024

Budget: Community Support Vote approx.. \$1,000.00 in-kind

RECOMMENDATION

That Council accept the Late Report.

RESOLUTION 170/24

Moved: Cr Diprose

Seconded: Cr Frame

That Council accept the Late Report.

THE MOTION WAS CARRIED

RECOMMENDATION

That Council provide in-kind support to the Grenfell RSL Sub-Branch for Traffic Control Services for the 2024 Grenfell Remembrance Day Commemorative Service, Memorial Park Grenfell NSW.

RESOLUTION 171/24

Moved: Cr Diprose

Seconded: Cr McKellar

That Council provide in-kind support to the Grenfell RSL Sub-Branch for Traffic Control Services for the 2024 Grenfell Remembrance Day Commemorative Service, Memorial Park Grenfell NSW.

THE MOTION WAS CARRIED UNANIMOUSLY

PURPOSE

To report to Council on the request from the Grenfell RSL Sub-Branch to receive in-kind support for Traffic Control for the 2024 Grenfell Remembrance Day Commemorative Service, Memorial Park Grenfell NSW on 11 November 2024.

BACKGROUND

Each year the Grenfell RSL Sub-Branch seek Council's approval for in-kind support for the traffic control for the Commemorative Service.

In Australia and other allied countries, including New Zealand, Canada and the United States, 11 November became known as Armistice Day - a day to remember those who died in World War I. The day continues to be commemorated in Allied countries. After World War II the Australian Government agreed to the United Kingdom's proposal that Armistice Day be renamed Remembrance Day to commemorate those who were killed in both World Wars. Today the loss of Australian lives from all wars and conflicts is commemorated on Remembrance Day.

In October 1997 the then Governor-General issued a Proclamation declaring 11 November as Remembrance Day - a day to remember the sacrifice of those who have died for Australia in wars and conflicts.

The Proclamation reinforced the importance of Remembrance Day and encouraged all Australians to renew their observance of the event.

ISSUES AND COMMENTS

The Grenfell RSL Sub-Branch submitted a Community Project Support Application on 19 June 2024 are requesting the Weddin Shire Council to provide traffic control services for the 2024 Grenfell Remembrance Day Commemorative Service, being conducted in Memorial Park Grenfell NSW on 11 November 2024.

POLICY/LEGAL IMPLICATIONS

There are no direct policy or legal implications.

FINANCIAL/RESOURCE IMPLICATIONS

The request is for in-kind support (staff costs to implement the Traffic Control Measures) at approximately \$1,000.00.

COMMUNITY PROJECT APPLICATIONS 2024 FINANCIAL YEAR						
Organisation	Event	Request	Resolution	Forecast Amount	Type (Hire, In-kind, donation)	Actual Amount
Karting NSW	Junior Sprint Classic		225/23	\$8,000.00		
Caragabal Country Club	Caragabal Sheep Races	Coolroom Hire - Bogie Axle Bollards Mesh Portaloos		\$807.00	Hire/In-Kind	\$807.00
Grenfell Jockey Club (Inc)	Annual 'Loaded Dog' Race	Coolroom Hire - Bogie Axle 20 rubbish bins 20 bin liners Garbage collection		\$745.00	Hire/In-Kind	\$745.00
Grenfell RSL Sub-Branch	2024 Commemorative Service	Traffic Control		\$1,000.00	In-kind	\$1,000.00
		Total		\$9,552.00		\$ 1,552.00
		Budget		\$25,000.00		\$ 25,000.00
		Budget		\$ 15,448.00		\$ 23,448.00

A Draft Donations and In-Kind Policy (1.26.3) has been drafted which proposes the Grenfell RSL Sub-Branch to have pre-approval to avoid the administration burden of an annual application to Council for their multiple events that Council proudly and respectfully supports.

INTERNAL/EXTERNAL CONSULTATION

No consultation is required for this application. However, the traffic controls will be advertised on Council’s website, social media platform and Live Traffic NSW.

CONCLUSION

The application meets the requirements of the Community Project Support Policy and should be supported by Council. It is recommended that Council continue to support the Grenfell RSL Sub-Branch by providing Traffic Control services for the 2024 Remembrance Day Commemorative Service event on 11 November 2024.

11 CORPORATE SERVICES REPORTS**11.1 WEDDIN SHIRE COUNCIL | CROWN LANDS - PLAN OF MANAGEMENT - MULTIPLE RESERVES****File Number:** P.2.7.9**Author:** Rates Clerk**Authoriser:** Director Corporate Services**Attachments:**

1. ATT 1_Plan of Management - Crown Land
2. ATT 2 _ Letter from Crown Lands confirming process for Crown Land Plan of Management

CSP Objective: Sustainable natural, agricultural and built environments**Precis:** Crown Reserves – Plans of Management**Budget:** NIL**RECOMMENDATION**

That Council

1. Place the Draft Generic Plan of Management (PoM) on Public Exhibition for 42 days inviting comment.
2. Note that subject to no changes following the public exhibition period, Council writes to the Minister to obtain the written consent of the Minister to adopt a plan under clause 70B of the Crown Land Management Regulation 2018.

RESOLUTION 172/24

Moved: Cr Parlett

Seconded: Cr Best

That Council

1. Place the Draft Generic Plan of Management (PoM) on Public Exhibition for 42 days inviting comment.
2. Note that subject to no changes following the public exhibition period, Council writes to the Minister to obtain the written consent of the Minister to adopt a plan under clause 70B of the Crown Land Management Regulation 2018.

THE MOTION WAS CARRIED**PURPOSE**

A suite of Crown Land legislative changes introduced in 2018 included the *Crown Land Management Act 2016* and supporting Regulation. This introduced the need for NSW Councils to manage certain Crown Reserves and Dedications as Crown Land Manager

BACKGROUND

Previously Council Reserves were jointly managed by Crown Lands and Council under separate legislation. The previous joint arrangements have been discarded in favour of Councils having administrative responsibility for the management of Crown Reserves.

The first step was for Council to undertake a classification for the 29 reserves into Park, Natural Area (Bushland), Sportsground, General Community Use and Reserves with multiple categories.

The second step was to prepare Plans of Management (PoM) for all of the 29 former reserves, now Natural Areas or (Bushland).

The third step is Community consultation, where Council is required to publicly notify and exhibit PoM under section 38 of the LG Act.

The fourth step is subject to no changes following the public exhibition, The Minister for Lands and Property, consents Council to adopt the PoM under clause 70B of the Crown Land Management Regulation 2018. If the PoM is amended after public exhibition (except minor editorial and formatting changes) Council must resubmit the draft PoM. If there no amendments to the PoM, a copy of the adopted PoM must be sent to council.clm@crowland.nsw.gov.au.

ISSUES AND COMMENTS

The following provides a summary to note regarding the PoM and the administration of Crown Land:

- Council is merely making recommendations to the NSW Department of Industry-Crown Lands which may or may not be accepted.
- This process does not permit Council to sell any Crown Land or even deal with land for the simple reason it is not owned by Council.
- Any possible future sales of Crown Reserves are entirely a matter for the Crown, not Council.
- Once the PoM is adopted by Council, Council is the Crown Land Manager as well as manager of on-going maintenance of the land and drafting/managing any leases/licences of the Reserves which may arise.

POLICY/LEGAL IMPLICATIONS

A suite of Crown Land legislative changes introduced in 2018 included the *Crown Land Management Act 2016* and supporting Regulation. This introduced the need for NSW Councils to manage certain Crown Reserves and Dedications as Crown Land Manager.

FINANCIAL/RESOURCE IMPLICATIONS

There are no direct financial or resource implications arising from the PoM outside of the ordinary management/maintenance activities that currently occur.

INTERNAL/EXTERNAL CONSULTATION

Consultation has occurred between Corporate Services, Environmental Services and externally with Crown Lands (Department of Planning, Housing and Infrastructure).

CONCLUSION

That Council agree to placing the Weddin Shire Council Crown Reserve Plan of Management on public exhibition and note that if no submissions are received the Plan of Management is adopted in accordance with Clause 70B which requires the council manager to obtain the written consent of the Minister to adopt a plan of management.

11.2 COMMUNITY SUPPORT APPLICATION | CARAGABAL COUNTRY CLUB

File Number:

Author: Director Corporate Services

Authoriser: General Manager

Attachments: 1. CARAGABAL COUNTRY CLUB | COMMUNITY SUPPORT APPLICATION

CSP Objective: Shire assets and services delivered effectively and efficiently

Precis: Caragabal Country Golf Club has submitted a Community Support Application.

Budget: \$807.00 (in-kind/hire)

Cr Kenah left the room at 5:36 pm.

RECOMMENDATION

That Council

1. Support the Caragabal Country Golf Club's request for in-kind support for the Caragabal Sheep Races event on 14 September 2024 by donating the following items for use at the event:
 - Council Cool room
 - 20 x Bollards and orange webbing to cordon off carpark and camping area
 - PortaLoos
 - Council to reach out and offer rubbish facilities.

RESOLUTION 173/24

Moved: Cr Parlett

Seconded: Cr Frame

That Council

1. Support the Caragabal Country Golf Club's request for in-kind support for the Caragabal Sheep Races event on 14 September 2024 by donating the following items for use at the event:
 - Council Cool room
 - 20 x Bollards and orange webbing to cordon off carpark and camping area
 - PortaLoos
 - Council to reach out and offer rubbish facilities.

THE MOTION WAS CARRIED

AMENDMENT

That Council

1. Support the Caragabal Country Golf Club's request for in-kind support for the Caragabal Sheep Races event on 14 September 2024 by donating the following items for use at the event:
 - Council Cool room
 - 20 x Bollards and orange webbing to cordon off carpark and camping area
 - PortaLoos

Council to reach out and offer rubbish facilities.

MOTION

Moved: Cr Best

Seconded: Cr Parlett

That Council

1. Support the Caragabal Country Golf Club's request for in-kind support for the Caragabal Sheep Races event on 14 September 2024 by donating the following items for use at the event:
 - Council Cool room
 - 20 x Bollards and orange webbing to cordon off carpark and camping area
 - PortaLoos
 - Council to reach out and offer rubbish facilities

**THE AMENDMENT WAS PUT AND CARRIED
THE AMENDMENT BECOMES THE MOTION**

PURPOSE

To report to Council on a Community Support Application from the Caragabal Country Club for the Caragabal Sheep Races on 14 September 2024.

BACKGROUND

The Caragabal Sheep Races are a popular local event attracting in excess of 500 locals and visitors each year in September. The funds raised from the event are used to maintain and improve the facilities at the Caragabal Country Golf Club, and are also shared with the Caragabal P&C. The Club is a not-for-profit organization, and provides the only sporting facilities in Caragabal and surrounds, including a bowling green, golf course and tennis courts.

Each year, council allows the Club to use their cool room for the event and orange mesh and bollards to safely cordon off the car park from the event as in an in-kind contribution. PortaLoos have been offered in the past and the Club would like some PortaLoos pending availability.

ISSUES AND COMMENTS

Should Council approve the request, the applicants seek to collect the requested materials earlier in the week to assist in setting up prior to the event commencing, and utilise the equipment for the day of 14 September 2024.

POLICY/LEGAL IMPLICATIONS

The request complies with Council’s Community Support Policy and Guidelines.

FINANCIAL/RESOURCE IMPLICATIONS

This is a new financial year for the Community Project Support with a total budget of \$25,000.

COMMUNITY PROJECT APPLICATIONS 2024 FINANCIAL YEAR						
Organisation	Event	Request	Resolution	Forecast Amount	Type (Hire, In-kind, donation)	Actual Amount
Karting NSW	Junior Sprint Classic		225/23	\$8,000.00		
Caragabal Country Club	Caragabal Sheep Races	Coolroom Hire - Bogie Axle Bollards Mesh Portaloos		\$807.00	Hire/In-Kind	\$807.00
Grenfell Jockey Club (Inc)	Annual 'Loaded Dog' Race	Coolroom Hire - Bogie Axle 20 rubbish bins 20 bin liners Garbage collection		\$745.00	Hire/In-Kind	\$745.00
		Total		\$9,552.00		\$ 1,552.00
		Budget		\$25,000.00		\$ 25,000.00
		Budget		\$ 15,448.00		\$ 23,448.00

A Draft Donations and In-Kind Policy (1.26.3) has been drafted which proposes the Caragabal Country Golf Club (Caragabal Sheep Races) to have pre-approval to avoid the administration burden of an annual application to Council.

INTERNAL/EXTERNAL CONSULTATION

No consultation is required.

CONCLUSION

Council should support the request for in-kind donation of the Council coolroom, bollards and orange webbing along with 2 x PortaLoos (additional pending availability) to assist the Caragabal Country Club with the Caragabal Sheep Racing event on 14 September 2024.

11.3 COMMUNITY SUPPORT APPLICATION | THE GRENFELL JOCKEY CLUB (INC)

File Number:

Author: Arts and Tourism Officer

Authoriser: Director Corporate Services

Attachments: 1. THE GRENFELL JOCKEY CLUB (INC) COMMUNITY SUPPORTED APPLICATION

CSP Objective: Shire assets and services delivered effectively and efficiently

Precis: The Grenfell Jockey Club (Inc) has submitted a Community Support application

Budget: \$745.00 Hire/In-Kind

RECOMMENDATION

That Council

1. Support The Grenfell Jockey Club (Inc) request for in-kind support for their annual 'Loaded Dog' Race meeting on Saturday 28 September 2024 by donating the following for use at the event:
 - (a) Bogie Axle Cool Room
 - (b) 20 Wheelie bins, bin liners and garbage collection

RESOLUTION 174/24

Moved: Cr Diprose

Seconded: Cr Frame

That Council

1. Support The Grenfell Jockey Club (Inc) request for in-kind support for their annual 'Loaded Dog' Race meeting on Saturday 28 September 2024 by donating the following for use at the event:
 - (a) Bogie Axle Cool Room
 - (b) 20 Wheelie bins, bin liners and garbage collection

THE MOTION WAS CARRIED UNANIMOUSLY

PURPOSE

To report to Council on a Community Support Application from The Grenfell Jockey Club for use of Council Coolroom, wheelie bins (including servicing).

BACKGROUND

For a number of years, Council has provided support to The Grenfell Jockey Club by providing Wheelie Bins, Coolroom and a donation. This year The Grenfell Jockey Club has requested an in kind donation of Wheelie Bins, Liners & garbage collection.

ISSUES AND COMMENTS

The Grenfell Jockey Club are holding the Henry Lawson ‘Loaded Dog’ Handicap on Saturday 28 September 2024, as in previous years, the Secretary of The Grenfell Jockey Club has written to Council seeking support.

POLICY/LEGAL IMPLICATIONS

The request complies with Council’s Community Support Policy and Guidelines. A Draft Donations and In-Kind Policy (1.26.3) has been drafted which proposes the Grenfell Jockey Club to have pre-approval to avoid the administration burden of an annual application to Council.

FINANCIAL/RESOURCE IMPLICATIONS

This is a new financial year for the Community Project Support with a total budget of \$25,000.

COMMUNITY PROJECT APPLICATIONS 2024 FINANCIAL YEAR						
Organisation	Event	Request	Resolution	Forecast Amount	Type (Hire, In-kind, donation)	Actual Amount
Karting NSW	Junior Sprint Classic		225/23	\$8,000.00		
Caragabal Country Club	Caragabal Sheep Races	Coolroom Hire - Bogie Axle Bollards Mesh Portaloos		\$807.00	Hire/In-Kind	\$807.00
Grenfell Jockey Club (Inc)	Annual 'Loaded Dog' Race	Coolroom Hire - Bogie Axle 20 rubbish bins 20 bin liners Garbage collection		\$745.00	Hire/In-Kind	\$745.00
		Total		\$9,552.00		\$ 1,552.00
		Budget		\$25,000.00		\$ 25,000.00
		Budget		\$ 15,448.00		\$ 23,448.00

INTERNAL/EXTERNAL CONSULTATION

No consultation is required.

CONCLUSION

Council should support the request for in-kind donation of the Council Bogie Axle Coolroom, 20 Wheelie Bins, Bin Liners and garbage collection to assist the Grenfell Jockey Club (Inc) with their annual 'Loaded Dog' race meeting on 28 September 2024.

11.4 APPLICATION AND REQUEST FOR NAIDOC WEEK

File Number: C1.7.2
Author: Director Corporate Services
Authoriser: General Manager
Attachments: Nil
CSP Objective: Culturally rich, vibrant and inclusive community
Precis: Application and request from the Weddin NAIDOC Committee
Budget: \$1,000 – Sourced from Events budget – NAIDOC vote

Cr Parlett left the room at 5:41 pm.

Cr Parlett entered the room at 5:43 pm.

RECOMMENDATION

That:

1. Council support and approve the request of \$1,000 to assist the Weddin NAIDOC Committee to celebrate NAIDOC Week in September 2024.

RESOLUTION 175/24

Moved: Cr Diprose

Seconded: Cr Frame

That:

1. Council support and approve the request of \$1,000 to assist the Weddin NAIDOC Committee to celebrate NAIDOC Week in September 2024.

THE MOTION WAS CARRIED

PURPOSE

To report to Council on the application from Weddin NAIDOC Committee and to provide them a donation of \$1,000 from the NAIDOC Vote.

Background

NAIDOC Week is an Australian observance lasting from the first Sunday in July until the following Sunday. The acronym NAIDOC stands for National Aboriginals and Islanders Day Observers Committee.

NAIDOC Week celebrates the history, culture and achievements of Aboriginal and Torres Strait Islander peoples. This week is celebrated not just in the Indigenous Australian communities but also in Government Agencies, Schools, Local Councils and workplaces.

NAIDOC activities are held across Australia, activities include cultural and education activities in schools, workplaces and public display's.

ISSUES AND COMMENTS

The theme for this year's celebration is 'Keep the Fires Burning, Blak, Loud and Proud'. Across every generation, Elders have played, and continue to play, an important role and hold a prominent place in communities and families.

After a very successful 2023 NAIDOC Week event, that was deferred to September for the warmer weather, the Weddin NAIDOC Committee thanked Weddin Shire Council for their support in helping celebrate NAIDOC Week. The Council Office was closed during the smoking ceremony and Councillors were involved in the ceremony.

The Weddin NAIDOC Committee are seeking continued support from Council to hold the 2024 NAIDOC Week event on 27 September 2024 in Taylor Park Grenfell NSW.

The NAIDOC Celebration on 27 September 2024 will include an Elder tent, dance, cooking, art and other associated activities in relation to Aboriginal culture in the Weddin Shire.

POLICY/LEGAL IMPLICATIONS

There are no direct policy or legal implications arising from this report. A Draft Donations and In-Kind Policy (1.26.3) has been drafted which proposes the Weddin NAIDOC Committee to have pre-approval to avoid the administration burden of an annual application to Council.

FINANCIAL/RESOURCE IMPLICATIONS

Council has an allocation of \$1,000 for NAIDOC per financial year and it is important to support the local committee and working towards reconciliation.

INTERNAL/EXTERNAL CONSULTATION

No consultation is required, however noting that the Committee will be meeting with the General Manager to discuss the event.

CONCLUSION

Council should support the request of financial assistance from the Weddin NAIDOC Committee to assist with the 2024 NAIDOC Week celebrations in Taylor Park, Grenfell NSW on 27 September 2024. It would be worthwhile to engage with the local Elders of the Shire in addition to working with the Weddin NAIDOC Committee to promote and be involved in this celebration.

11.5 MODERN SLAVERY RISK ASSESSMENT PROJECT UPDATE**File Number:****Author:** Arts and Tourism Officer**Authoriser:** Director Corporate Services**Attachments:** 1. CNSWJO PROFORMA REPORT TO COUNCIL ON MODERN SLAVERY**CSP Objective:** Democratic and engaged community supported by efficient internal systems**Precis:** Modern Slavery Risk Assessment Project Update**Budget:**

Cr Kenah entered the room at 5:45 pm.

RECOMMENDATION

That Council note the Central NSW Joint Organisation Modern Slavery Report and participate in ongoing collaboration and advocacy across the region to minimise duplication and reduce regulatory burden to council's operations.

RESOLUTION 176/24

Moved: Cr Frame

Seconded: Cr Howell

That Council note the Central NSW Joint Organisation Modern Slavery Report and participate in ongoing collaboration and advocacy across the region to minimise duplication and reduce regulatory burden to council's operations.

THE MOTION WAS CARRIED

PURPOSE

To provide Council with an update on the CNSWJO Modern Slavery Risk Assessment.

BACKGROUND

Council will recall the Modern Slavery Risk Assessment Project is being progressed through the CNSWJO and participating members. Attached is the CNSWJO Proforma report to Council's on modern slavery.

The NSW Modern Slavery Amendment Act, 2021 requires local government to take reasonable steps to ensure that goods and services procured by and for Council are not the product of modern slavery.

Guidance on reasonable steps was provided in December 2023. Please find more details in this regard in the table below, which provides the implementation milestones summarised by the CNSWJO. Arguably this Guidance is onerous and impractical.

Date	Milestone
1 January 2024	<i>Guidance takes effect</i>
Contracts pre-dating 1 January 2024	<p>Do contracts need to be renegotiated? <i>There is no general expectation that contracts or agreements pre-dating this Guidance will be re-negotiated.</i></p> <ul style="list-style-type: none"> • <i>Exceptionally, where modern slavery risks in an ongoing operational activity or procurement are Heightened, covered entities must not only use leverage but also develop it where they lack it. This is consistent with Australia’s commitment to the UN Guiding Principles on Business and Human Rights and recent adherence to the OECD Council Recommendation on the Role of Government in Promoting Responsible Business Conduct. In some cases, especially where there is a salient risk of ongoing modern slavery in the performance of the contract, this could mean that entities do need to consider exploring contractual adjustments in order to develop this leverage.</i> <p>What steps are reasonable where earlier contracts are still on foot? <i>Where a contract pre-dates 1 January 2024 but remains on foot, reasonable steps may be required – for example in relation to contract management. This may necessitate an assessment of the GRS due diligence level associated with a contract already entered into, and still on foot – see Part 4.</i></p> <ul style="list-style-type: none"> • <i>Contract management may require using existing forms of leverage, such as contractual obligations to abide by workplace health and safety standards (locked accommodation, excessive working hours, abusive behaviour). Some procurement contracts or agreements may already include references to ISO 45001 Occupational Health and Safety Management Systems, ISO 26000 Social Responsibility, or ISO 20400 Sustainable Procurement.</i> • <i>Ongoing contracts may also activate expectations under this Guidance relating to supplier capability development, grievance mechanisms and remediation.</i>
	<p>Do entities have to report on activities and procurement prior to 1 January 2024? <i>Many covered entities had obligations to take reasonable steps that commenced on 1 July 2022. They must report on the reasonable steps they have taken since that time. (See Appendix K GRS Annual Reporting Template.) While the Guidance only takes effect from 1 January 2024, it may provide inspiration for reporting on earlier activity. Further clarifications about reporting expectations are set out below, with reference to when reporting takes place.</i></p>
Reporting between 1 January 2024 and 30 June 2024	<i>Entities reporting in 2024 on activity undertaken from 1 January 2023 to 31 December 2023 need only use the Guidance as inspiration. They are however still expected to report using the provided template and online form. In monitoring this reporting, the Commissioner will take into account that the Guidance was not available until December 2023 and only takes effect on 1 January 2024.</i>
1 July 2025	<p><i>Transactional reporting obligations relating to heightened modern slavery due diligence (HMSDD) procurements commence. Entities should file an online report with the Office of the Anti-slavery Commissioner within 45 days of the entry into force of any contract:</i></p> <ul style="list-style-type: none"> • <i>arising from a ‘Heightened’ modern slavery due diligence procurement process; and</i> • <i>with a value of AU \$150,000 (including GST) or more. For more detail see Appendix L Heightened MSDD reporting.</i>
Annual reporting occurring between 1 July	<i>Entities reporting on activity undertaken from 1 July 2023 to 30 June 2024 should endeavour to report against the Guidance for the full year of activities – see Part 6. These entities may find it necessary to assess the GRS due diligence level associated with transactions that took place before 1 January 2024, in order to meet the annual reporting obligations set out in this Guidance. In monitoring this reporting, the</i>

Date	Milestone
<p>2024 and 31 December 2024</p>	<p>Commissioner will take into account that the Guidance was not available until December 2023 and only takes effect on 1 January 2024.</p> <p>In reviewing this reporting, the Anti-slavery Commissioner will focus in particular on:</p> <ol style="list-style-type: none"> 1. conformance with Part 1 of this Guidance; 2. Heightened MSDD contexts; 3. procurement related to <ul style="list-style-type: none"> – information and communication technologies (ICT) – cleaning services.
<p>Annual reporting occurring between 1 January 2025 and 31 December 2025</p>	<p>Guidance in effect. Covered entities expected to make best efforts to conform with all aspects of this Guidance. In reviewing this reporting in 2025, the Anti-slavery Commissioner will pay attention to:</p> <ol style="list-style-type: none"> 4. Heightened MSDD contexts; 5. procurement related to <ul style="list-style-type: none"> – information and communication technologies (ICT) – cleaning services – renewable energy and – domestically produced food and agriculture
<p>Annual reporting between 1 January 2026 and 31 December 2026</p>	<p>Guidance in effect. Covered entities expected to make best efforts to conform with the Guidance. In reviewing this reporting in 2026, the Anti-slavery Commissioner will pay attention to:</p> <ul style="list-style-type: none"> • modern slavery risk management in Heightened MSDD contexts; • procurement related to <ul style="list-style-type: none"> – information and communication technologies (ICT) – cleaning services – renewable energy – domestically produced food and agriculture and – construction.

CNSWJO is keen to provide as much support and advice as possible with a view to ensuring Council does not duplicate effort and is aware of the policy position of the CNSWJO Board regarding Modern Slavery.

ISSUES AND COMMENTS

Where the resourcing required by Councils to demonstrate compliance with the requirements outlined above is burdensome, General Managers of the region have proposed that a meeting be coordinated to determine the progress each council is making as well as to determine what further support is required. This is being progressed.

Further that there would be many larger contractor firms that would need to show compliance with Modern Slavery requirements and that Council should be able to rely on this assurance.

POLICY/LEGAL IMPLICATIONS

Where efforts to counteract slavery are laudable, they must be practical and achievable. The current guidance from the Office of the Anti-slavery Commissioner is neither practical nor achievable, rather it reflects a poor understanding of Councils and their suppliers.

Modern Slavery Legislation has not considered the resourcing impacts on local government and is yet another cost shift from a poorly resourced regulator.

The CNSWJO Board has been using the Case Study on Modern Slavery on the cover page of this report for advocacy purposes where on the one hand both the NSW Government generates resource intensive cost shifts like compliance with this legislation, then rate caps

and finally conducts an inquiry in local government financial sustainability – all in a less than six months. This is considered very onerous on local government.

FINANCIAL/RESOURCE IMPLICATIONS

Modern Slavery Legislation has generated significant resourcing impacts for Councils to demonstrate that reasonable steps were taken by Council. The CNSWJO is both advocating and providing operational support for Council to help minimise these impacts.

INTERNAL/EXTERNAL CONSULTATION

CNSWJO has consulted with participating members, Local Government Procurement and Bathurst Regional Council

CONCLUSION

Modern Slavery Legislation has generated significant resourcing impacts for Councils. The CNSWJO is both advocating and providing operational support for Council to help minimise these impacts.

11.6 RATES AND CHARGES COLLECTION - JULY 2024

File Number: A3.4.3
Author: Rates Clerk
Authoriser: Director Corporate Services
Attachments: Nil
CSP Objective: Shire assets and services delivered effectively and efficiently
Precis: July 2024, monthly report on the rates and charges collection.
Budget: NIL

RECOMMENDATION

That Council note the information update on rates and charges collection for the month of July 2024

RESOLUTION 177/24

Moved: Cr McKellar
Seconded: Cr Howell

That Council note the information update on rates and charges collection for the month of July 2024

THE MOTION WAS CARRIED UNANIMOUSLY

PURPOSE

The purpose of this report is for Council to be updated with the most recent information pertaining to its rates and charges collections – as applicable to the month of July 2024.

BACKGROUND

The monthly report provides Council information on the rates and charges collection.

Refer to the Financial/Resource Implications for the more recent commentary background with respect to collections for the current period to date.

ISSUES AND COMMENTS

The annual rate charges are set out within Council’s 2024/25 Operational Plan.

The following provides a summary as at 31 July 2024.

Rates Collected this month:

	31 July 2024	30 June 2024
Rates and Charges Collected (C)	\$ 88,350.52	\$ 4,298,666.10
Total	\$ 88,350.52	\$ 4,298,666.10

Reconciliation: Rates Charged, Collected and Outstanding to be Collected:

	2025	2024
Rates/Charges in arrears (A)	\$ 474,339.62	\$ 387,037.04
Gross Rates/Charges	\$ 4,818,150.14	\$ 4,524,387.46
Less Pension Concession	(\$ 132,046.67)	(\$ 138,418.78)
Net Amount Levied (B)	\$ 4,686,103.47	\$ 4,385,968.68
Total amount rates incl. arrears (A + B)	\$ 5,160,442.49	\$ 4,773,005.72
Less: Total amount collected (C)	\$ 88,350.52	\$ 4,298,666.10
Total rates outstanding	\$ 5,072,091.97	\$ 474,339.62

POLICY/LEGAL IMPLICATIONS

Council staff comply with the directions provided by Council’s suite of policies that govern this function of Council. The collection of rates does have an economic and social impact on the community. Recognising this, Council is always willing to negotiate payment terms with

outstanding debtors due to hardship. Rate payers are afforded several opportunities and encouraged to contact Council and make suitable arrangements regarding outstanding amounts.

FINANCIAL/RESOURCE IMPLICATIONS

Uncollected rates is cash flow that is not available to Council to use for normal operational matters and use. Rate collection is a necessary function for council operation.

It needs to be acknowledged that post Covid-19 along with the additional increase in the cost of living has impacted on Council's ability to collect rates and charges.

Council now has additional staff resources available to it and is in a position to increase its focus on recovery of these debts. As well Council continues to engage with a Debt Recovery Agency which is currently monitoring 51 active files. These agency costs unfortunately come at a considerable collection cost to Council both in terms of time and in monetary terms so our preference is always to manage collection of debt internally by our Rates Officers.

Council Officers recently sent out 2,331 printed Annual Rates Notices as well as 309 emailed notices for the 2024/25 financial year.

Council **2023/24 rates and annual charges outstanding** (includes interest charged) as at June 2024 was **\$474,339.82**. As a percentage of its 2023/24 rates charged this is approximately **10.81% in arrears** (which remains just **above the OLG benchmark of <10%** of rates charged).

Council finance staff continue to review this regularly and are now in a position to actively work with our ratepayers to collect outstanding debts. It will also continue to proactively engage with external debt collectors.

INTERNAL/EXTERNAL CONSULTATION

This report is a monthly report to Council.

CONCLUSION

Council is focused on the collection of outstanding rates in a timely fashion but that this will always be undertaken in a sensitive manner.

11.7 STATEMENT OF BANK BALANCES AND OVERDRAFT FACILITY REQUEST

File Number: 11.4
Author: Rates Clerk
Authoriser: Director Corporate Services
Attachments: Nil
CSP Objective: Shire assets and services delivered effectively and efficiently
Precis: Statement of Bank Balances as at 31/07/2024 and request for approval for a permanent overdraft facility
Budget: NIL

RECOMMENDATION

1. That Council notes the information provided, and
2. That Council approve the standing arrangements for an overdraft from a Temporary facility to a Permanent facility until further notice and delegate the General Manager to enter into such an arrangement.

RESOLUTION 178/24

Moved: Cr Best
 Seconded: Cr Kenah

1. That Council notes the information provided, and
2. That Council approve the standing arrangements for an overdraft from a Temporary facility to a Permanent facility until further notice and delegate the General Manager to enter into such an arrangement.

THE MOTION WAS CARRIED UNANIMOUSLY

BANK BALANCES AS AT 31 JULY 2024.

Bank Account	
Westpac	\$ 3,665,109
Short Term Deposits	
CBA (Table 1)	\$7,000,000
Westpac (Table 2)	\$6,000,000
Total	<u>\$16,665,109</u>

Below is a summary of Term Deposits as at 31 July 2024 showing interest earned and interest rates of current investments (Table 1).

	Invested Date	Maturity Date	Rate	Invested Amount	Interest earned
Commonwealth Bank	04/07/2024	05/08/2024	4.37	\$1,000,000	
Commonwealth Bank	11/06/2024	12/08/2024	4.50	\$1,000,000	
Commonwealth Bank	28/06/2024	27/08/2024	4.58	\$ 500,000	
Commonwealth Bank	06/06/2024	06/09/2024	4.70	\$1,000,000	
Commonwealth Bank	06/06/2024	06/09/2024	4.70	\$ 500,000	
Commonwealth Bank	06/06/2024	06/09/2024	4.70	\$ 500,000	
Commonwealth Bank	12/07/2024	10/09/2024	4.59	\$ 500,000	
Commonwealth Bank	12/07/2024	10/09/2024	4.59	\$2,000,000	
Total Interest – Year to Date				\$7,000,000	\$22,239.73

Table 2 – Westpac Investments – Council invested new funds with Westpac Banking Corporation to a total of \$6,000,000 on the 18 July 2024. Investment percentage rates were obtained, and currently fixed term interest rates were higher than Council’s other financial body where the other fixed term funds are invested. At the time of seeking quotations the existing provider rate was 4.59% for 2 months and 4.70% for 3 months. The details are listed below.

	Invested Date	Maturity Date	Rate	Invested Amount	Interest earned
Westpac Bank	18/07/2024	18/01/2025	5.31	\$3,000,000	
Westpac Bank	18/07/2024	18/10/2024	5.18	\$3,000,000	
Total Interest – Year to Date				\$6,000,000	TBA

RESTRICTED & UNRESTRICTED CASH BALANCES

Restricted cash balance specific purpose Unexpended grants	\$11,737,075
Developer Contributions – Sewer Fund	\$ 102,000
Sewer Fund	<u>\$ 485,000</u>
Total Restricted cash	\$12,324,075

Unrestricted cash available is \$ 4,341,034

OVERDRAFT FACILITY

Council is aware have we have obtained a temporary overdraft facility with an amount of \$1million in accordance with the Council Resolution 120/24 in the June 2024 council meeting.

We wish to note that we have not had to draw down on this facility prior to year-end and to date as we since received an advance payment of \$3.37million (85%) of our 2024-25 Financial Assistance Grant and an advanced TriPartite funding payment.

We have had further discussions with the Bank regarding continuing this arrangement thereby converting it to permanent overdraft facility arrangement. The bank is in principle amenable to this. This is based on our expected cash flow projections through the 2025 year and Council’s belief that we may well need to draw on the overdraft at some stage during the financial year in a short term capacity.

We are aware of the large sums of money cycling in and out of the bank account to fund the Natural Disaster Recovery. We believe it is prudent therefore to request to Council that we continue to have this facility available to us throughout the 2025 financial year in case it is required.

Each month we will report to council on the status of our cash and before any funds are drawn we will inform council of our anticipated intentions (unless in the unforeseen event that we have not had advanced warning of an impending payment to be made prior to reimbursement through the TriPartite funding arrangement for example).

We do not contemplate this unforeseen event happening, but we would like to have the ability to be remain conservative and be prepared to prevent such circumstances occurring and whereby we inadvertently breach our Restricted Cash statutory requirements/covenants,

We therefore request and recommend that Council supports the General Manager approving a permanent overdraft facility from the current temporary overdraft arrangements until further notice.

12 INFRASTRUCTURE SERVICES REPORTS

12.1 ROAD MAINTENANCE COUNCIL CONTRACT (RMCC)

File Number: 2023/24 RMCC
Author: RMCC Coordinator
Authoriser: General Manager
Attachments: Nil
CSP Objective: Shire assets and services delivered effectively and efficiently
Precis: Road Maintenance Council Contract (RMCC)
Budget: Nil

RECOMMENDATION

That Council note the information contained in this report.

RESOLUTION 179/24

Moved: Cr McKellar
Seconded: Cr Frame

That Council note the information contained in this report.

THE MOTION WAS CARRIED UNANIMOUSLY

PURPOSE

To provide Council with an overview of the RMCC Contract and, in particular, ordered work carried out by Council as part of the RMCC Contract during the 2023/2024 and 2024/2025 financial year.

BACKGROUND

Council has a RMCC (Road Maintenance Council Contract) with Transport for NSW (TfNSW), which includes carrying out various maintenance and specific work such as reseals and heavy patching on the Mid Western Highway (HW06) and Newell Highway (HW17).

The Mid Western Highway is about 105 km and Newell Highway is about 22km. Council's current RMCC Contract is for a period of three (3) years from 1 July 2023.

The value of the Maintenance component of the RMCC Contract has reduced from \$627,000 to \$594,000 over the past three (3) years and could decrease further in future years. However noting that Council's data shows that the actual payment of the RMCC contract for the last three (3) years varied from \$614,000 to \$621,000 over the past three (3) years, meaning the potential for maintenance work to further reduce below the \$594,000. This relates to the way TfNSW applies an upper limit on contracts but rarely utilises this clause.

2023/2024 Routine Maintenance Annual Plan (RMAP)

The following funding for routine maintenance has been received for the first 9 months of the current financial year:

Reference	Description	Amount	Status
Q1	RMAP 2023/2024 Jul-Sep	\$140,156.50	Completed/Received
Q2	RMAP 2023/2024 Oct-Dec	\$197,311.4	Completed/Received
Q3	RMAP 2023/2024 Jan-Mar	\$110,785.8	Completed/Received
Q4	RMAP 2023.2024 Apr-Jun (forecast)	\$94727.00	Claim Submitted

Council has been issued with the Indicative RMAP figure for the 2024/25 financial year from TfNSW of \$827,329. The RMCC team has submitted a Council Draft RMAP that is currently with TfNSW for review.

In addition to the RMAP funding, due to natural disaster events, the value of the issued ordered work component has gone up as follows:

- 2020/2021 - \$1.5 million.
- 2021/2022 - \$3.0 million.
- 2022/2023 - Approximately \$8.0 million.
- 2023/2024 - Approximately \$4.2 million.
- 2024/2025 – Approximately \$8.03 million budgeted

It is noted that with the significant increase in the value of the ordered work and workload, comes with major operational / documentation / supervision challenges with the same amount of resources Council has always had / provided for RMCC work.

ISSUES AND COMMENTS

Council’s RMCC staff will continue to confer with the finance team to best decide on timing for taking on new works with TfNSW and to identify if part payments will be required and requested during these projects.

Council must also ensure it meets all of its contractual requirements over the life of its contract. One of these requirements is the Aboriginal Procurement Policy (APP) which means if our contract with TfNSW exceeds \$7.5 million, we must commit \$1.5% of total funding to the engagement of Aboriginal employees or an aboriginal registered company.

Council’s R2 and G certifications are due for renewal 10 October 2024 with submissions sent to TfNSW 12 June 2024. Council has received feedback on the initial submissions and has provided a follow up submission on 31 July 2024 with no additional feedback received. This is the level of qualification required under Councils RMCC contract to deliver work on the state road network. In order to meet auditing and submission requirements Council engaged a contractor to help with these submissions.

Q1, Q2 and Q3 RMAPs funding has been claimed and reimbursed by TfNSW. Q4 claim has been submitted to TfNSW and is expected by the end of the month.

Newell Highway

- Scoping of further natural disaster works has been undertaken with documentation and estimates submitted to TfNSW for processing. All works must be completed by 30 June 2025.

- Council has scoped up and received indicative funding under a range of funding packages for 41,724m2 of Flexible Pavement Patches to be completed 2024/2025 financial year on the Newell Highway. Council will go back out to tender for a part service delivery of this works, with most the work being carried out by Council.
- An extension of RFT33-2023 and RFT34-2023 has also been applied for to meet weather windows and time restraints during Council election period.
- Council has received indicative funding for \$ 1,400,000.00 worth of reseal works, this type of works is a specialist type activity that will require council to tender the onsite delivery of the works.
- Where possible, traffic control work to be undertaken by Council's own works staff under the required G Registration to carry out work on State Roads.

Mid-Western Highway

- Scoping of further natural disaster works has been undertaken with documentation and estimates submitted to TfNSW for processing. All works must be completed by 30 June 2025.
- Council has scoped up and received indicative funding under a range of funding packages for 20884m2 of Flexible Pavement Patches to be completed 2024/2025 financial year on the Mid-Western Highway. Council will go back out to tender for a part service delivery of this works, with most the work being carried out by Council.
- An extension of RFT33 and RFT34 has also been applied for to meet weather windows and time restraints during Council election period. Council has received indicative funding for \$ 640,000.00 worth of reseal works, this type of works is a specialist type activity that will require council to tender the onsite delivery of the works.
- Where possible, traffic control work to be undertaken by Council's own work staff under the required G Registration to carry out work on State Roads

2023/2024 Ordered Work Program

The following work orders have been completed either in the 22/23 or 23/24 financial year with payments claimed this financial year but received to the year that the works were undertaken. Council note that amounts were previously provided with GST.

Reference	Description	Amount (ex GST)	Status
483.23.10	Flood damage Heavy Patch SH17	\$ 546,982.00	Completed/Received
483.23.11	Flood damage Heavy Patch SH06	\$ 1,156,680.00	Completed/Received
483.23.12	Reseals SH06	\$ 550,372.75	Completed/Received
483.23.13	Truck Incident Claim	\$ 37,275.00	Completed/Received
483.23.14	Flood damage Heavy Patch SH17	\$ 1,841,201.00	Completed/Received
483.23.15	Flood damage Heavy Patch SH06	\$ 780,399.50	Completed/Received
483.23.16	Flood damage Slab Jack SH17	\$ 414,900.00	Completed/Received

Reference	Description	Amount (ex GST)	Status
483.23.11_V01	Heavy Patch Variation SH17	\$ 88,356.00	Completed/Received
483.24.02	Segment 06310 Reshape	\$ 355,343.00	Completed/Received
483.24.05	SH17 Line marking	\$ 20,692.65	Completed/Received
483.24.06	SH06 Line Marking	\$ 15,728.40	Completed/Received
483.24.01V01	SH17 Shoulder Repairs	\$ 426,107.00	Completed/Received
483.24.03	Murrays Creek	\$ 26,950.00	Completed/Received

The following lists all current issued ongoing or outstanding work orders issued for the 2023-2024 program and their progress status:

Reference	Description	Amount (ex GST)	Status
483.24.04	Culvert 288087	\$41,280.00	W/O Issued
483.24.07V01	Heavy Patch Flood SH06	\$ 1,587,312.75	Completed/Claimed
483.24.08V01	Heavy Patch HP SH06	\$ 48,106.69	Completed/Claimed
483.24.09V01	Heavy Patch HP SH17	\$ 49,998.30	Completed/Claimed

Council had received the following allocations for this current financial year. These works were deferred due to unsuitable environmental factors for those types of work. It is to be noted that these allocations were at the Draft Work Order (DWO) stage and there is always a risk of works being deferred up until work orders are issued. This can be due to other competing works that TfNSW may have within their network or in this case weather conditions:

Reference	Description	Allocation	Status
TBA	Resurface Improvements for Seal SH06	\$380,000.00	Deferred
TBA	Reseal SH06	\$200,000.00	Deferred
TBA	Resurface Improvements for Seal Sh17	\$200,000.00	Deferred
TBA	Reseal SH17	\$345,000.00	Deferred

Council has received the following allocations for the next financial year which includes the deferred funding from the current financial year, relocated to areas that most need it. The RMCC team will now look to go out to tender and completing Draft Work Orders for the following budgets.

Reference	Description	Allocation	Status
TBA	HW6 Flex Pavement Patching	\$ 250,000.00	Indicative
TBA	HW17 Flex Pavement Patching	\$ 150,000.00	Indicative
TBA	HW6 Resurface Preparation	\$ 500,000.00	Indicative
TBA	HW17 Resurface Preparation	\$ 40,000.00	Indicative

TBA	HW17 Spray Reseal	\$ 1,400,000.00	Indicative
TBA	HW6 Spray Reseal	\$ 640,000.00	Indicative
TBA	HW6 Pavement Reshape	\$ 450,000.00	Indicative
TBA	HW6 Flex Rehab S-Bends Seg 06300	\$ 300,000.00	Indicative
TBA	ND HW6 Weddin Flood Nov22	\$ 2,900,000.00	Indicative
TBA	ND HW17 Weddin Flood Nov22	\$ 1,400,000.00	Indicative
	Total	\$ 8,030,000.00	

POLICY/LEGAL IMPLICATIONS

There are no direct policy or legal implications arising from this report or work undertaken under the RMCC.

FINANCIAL/RESOURCE IMPLICATIONS

All work undertaken by Council and its Contractors on the State Roads network is fully funded by TfNSW under the RMCC Contract in two (2) parts - Routine Maintenance Annual Program (RMAP) and Ordered Work.

INTERNAL/EXTERNAL CONSULTATION

Council staff have been in regular contact with TfNSW RMCC Contract Representatives through the regular monthly meetings and other correspondence.

CONCLUSION

TfNSW have paid Council for all claimed Work Orders. Future works with TfNSW will continue to be delivered in accordance with the TfNSW contract terms and conditions as well as the new controls implemented by Council finance team.

12.2 INFRASTRUCTURE SERVICES REPORT - AUGUST 2024**File Number:****Author:** Engineering Administration Assistant**Authoriser:** Acting Director of Infrastructure**Attachments:** Nil**CSP Objective:** Shire assets and services delivered effectively and efficiently**Precis:** Infrastructure Works Report**Budget:** Nil**RECOMMENDATION**

That Council receive and note the information provided on infrastructure works completed in July 2024 and planned works for August 2024.

RESOLUTION 180/24

Moved: Cr McKellar

Seconded: Cr Howell

That Council receive and note the information provided on infrastructure works completed in July 2024 and planned works for August 2024.

THE MOTION WAS CARRIED UNANIMOUSLY

EXECUTIVE SUMMARY

The following information is to update Councillors and the community on matters associated with construction and maintenance from the Infrastructure Division (Roads, Parks and Gardens, Sewerage and Plant for works, Urban Services and Weeds) undertaken in July 2024 and planned works for August 2024.

NATURAL DISASTERS

The Weddin Local Government Area has been impacted by a number of wet weather events and Natural Disaster declared events. When a Natural Disaster event is declared for Local Government areas, this means emergency repairs (to make safe only) are required to be completed within three (3) months of the declaration date or in our circumstances extended by the NSW Government. However, noting that the extension granted has expired.

Subsequent reconstruction works are a further claim that Council must apply to the NSW Government for approval and funding. In addition to this, a number of construction and maintenance projects scheduled have been impacted by weather, resourcing of staff, contractors and supplies.

Summary of events and progress of work is provided in the following table.

Information of the packages and their approval status are now publicly available on Council’s website with information of where road crews are operating for the natural disaster packages are now uploaded. Scope of works for the financial year has been developed with minor changes pending.

AGRN Event	Phase - Package	\$ Value (Subject to Change)	Status
1034 - 14 September 2022 onwards	EPA-RW - P2 General Works	\$1,736,708.30	DCPM submitted scope of work to TfNSW for approval. Scope includes: <ul style="list-style-type: none"> o Unsealed roads (non-priority) o Tree & vegetation clearing <ul style="list-style-type: none"> - Roads included are: <ul style="list-style-type: none"> • Abbots Lane • Adams Lane • Adams Lane North • Adelargo Road • Andersons Road • Arramagong Road • Back Piney Range Road • Bald Hills Road • Beazleys Lane • Bembricks Lane • Berendebba Lane • Bewleys Road • Bimbi-Caragabal Road • Caragabal-Quandialla Road • Bobelar Lane • Campbells Lane • Clay Pit Road • Dixons Lane • Dunkleys Lane • Eualdrie Road • Eves Lane • Gerrybang Road • Gerrybang Road-II • Gibraltar Rocks Road • Goodes Lane • Grants Lane • Grimms Lane • Hancock-Flinns Road • Hancock-Williams Road • Hazells Road • Healys Road • Heathcotes Lane • Holy Camp Road • Kangaroooby Road • Major West Road

AGRN Event	Phase - Package	\$ Value (Subject to Change)	Status
			<ul style="list-style-type: none"> • McCanns Lane • McDonalds Lane • Melyra Street • Napiers Road • O'Loughlins Lane • Peaks Creek Road • Piney Range Hall Road • Pinnacle Road • Reeves Lane • Sandy Creek Road • South Street • Taylors Road • Yambira Road
1034 - 14 September 2022 onwards	EPA-RW - P3 Priority Patches	\$7,211,868.03	<p>\$7,211,868.03 upper limit is approved by TfNSW for Package 3.</p> <ul style="list-style-type: none"> • Line marking work on Henry Lawson Way to start in Sept. • Overall Scope includes- <ul style="list-style-type: none"> • Deaths Lane (80% completed by Council's own crew as Deaths Lane was unsafe) • Henry Lawson Way - Forbes • Morangarell Road 65% completed.
1034 - 14 September onwards	EPA-RW - P4 - North Patching	\$6,092,819.36	<p>Council is working with TfNSW on the revised scope of works for this package. TfNSW is disputing contractor rates (market rate with no mark up). Other issues were also raised whereby assessors did not look at photos to see straightness test on subgrade issues and other pavement issues. Council has submitted a submission back to TfNSW and awaiting a response. The matter has been corresponded with the Minister for Regional Roads.</p> <p>Roads included in the package are:</p> <ul style="list-style-type: none"> • Adelargo Road • Bald Hills Road - East West Ballendene • Bewleys Road • Goodes Lane • Gooloogong Road (MR237) • Hunters Road • Keiths Lane • Mortray Road • Muncks Lane

AGRN Event	Phase - Package	\$ Value (Subject to Change)	Status
			<ul style="list-style-type: none"> • Piney Range Hall Road • Sandy Creek Road
1034 - 14 September 2022 onwards	EPA-RW - P5 - South Patching	\$10,726,397.41	<p>DCPM submitted scope of works to TfNSW for approval.</p> <p>Scope of works include:</p> <ul style="list-style-type: none"> • Back Piney Range Road • Berrys Road • Bimbi-Quandialla Road • Bimbi-Thuddungra Road • Bland Road • Edward Square, Greenethorpe • Eualdrie Road • Gambarra Road • Gerrybang Road • Gooloogong Road (R096/MR237) • Greenethorpe-Bumbaldry Road • Greenethorpe-Koorawatha Road • Grenfell Street • Holy Camp Road • landra Road • James Street • Martins Lane • Melyra Street • Murrays Lane • Newton Street • Nowlans Road • Old Forbes Road • Sale Street • Second Street • South Street • Talbot Street • Third Street • Tyagong Creek Road • Wirega-Greenethorpe Road
1034 - 14 September 2022 onwards	EPA-RW - P6 - Priority Unsealed	\$1,103,072.01	<p>Scope includes medium and heavy formation grading of unsealed roads. 80% of the work under this scope is already completed.</p> <p>- Roads included are:</p> <ul style="list-style-type: none"> • Arramagong Road • Bald Hills Road • Gannons Lane • Maddens Lane • Napiers Road • Nealons Lane • Reeves Lane

AGRN Event	Phase - Package	\$ Value (Subject to Change)	Status
1034 - 14 September 2022 onwards	EPA-RW - P7 - Drain Cleaning	\$1,550,000.00	<ul style="list-style-type: none"> • Council providing scope and photos. • Once all other packages are approved, Council will begin with scope of work.
1034 - 14 September 2022 onwards	EPA-RW - P7 - Sinking Culverts	TBC	<ul style="list-style-type: none"> • Council providing scope and photos. • Once all other packages are approved, Council will begin with scope of work.

STATE ROADS

- For the RMCC works, please refer to the separate report provided to Council. The reporting format will move to bi-monthly reporting.

MAJOR WORKS

Pullabooka Road Drainage and Resurfacing

- Council is waiting to commence table-drain drainage work on Pullabooka Road in January 2025 which is funded through the Regional Local Roads Repair Program (RLRRP).

Greenethorpe-Koorawatha Road Rehabilitation

- Pavement works have recommenced as of early July 2024 and works are expected to finish by late September, subject to weather. This work is being completed by Council’s workforce. Work is progressing to schedule.

Nowlans Road Upgrade

- A variation has been granted for delayed commencement. Council Officers are currently liaising with TfNSW on the scope of works. A meeting has been held with residents informing them of the proposed scope changes, they are well aware that Council still needs to receive funding for this work.

Arramagong Road Culvert Replacement

- Council has received the precast concrete box culvert cells at site.
- Creek bed is full of water.
- Council is planning to start construction works when water levels and weather improve and this is likely around January 2025.

Heathcotes Lane Culvert Replacement

- Council has submitted the project completion report (PCR) to TfNSW and is awaiting the final payment.

Weddin Shire Road Entry Signs

- Contractor has completed all but one of the signs which is under the powerlines at Goolongong Rd. The location will be moved. Contractor will start footing construction by late August.

Caragabal Shared Pathway

- Council is waiting for ARTC to install the rubber matting on the railway corridor. Once the work is concluded, Council will complete the remaining 10m construction (both sides of the railway corridor). We hope this will be completed by September 2024.

Grenfell Cemetery Amenities

- Council Engineers have met with the installation contractor and they have told us that the solar powered single Unisex/Disabled Toilet will be fully completed by early October 2024, weather permitting.

Bogolong Dam Restoration Project

- PWD is compiling a report for Council that will provide information necessary for decommissioning and declassification of the dam.
- Bogolong Dam Precinct Committee met and agreed to the above report. Once received a final decision by the Committee will be made and presented to Council.

FOOTPATH /KERB AND GUTTER WORKS

Third Street, Quandialla

- Procurement process is ongoing to select a suitable construction contractor for kerb and gutter replacement. Sufficient quantity of kerb and gutter work needs to be generated to make this work viable.
- Council has nominated the project under Regional and Local Roads Repair Program (RLRRP) which has been approved by TfNSW.

ROAD MAINTENANCE WORKS

Road maintenance works including pothole patching, vegetation management, gravel road maintenance and signage works have been undertaken in the past few months.

Maintenance Grading - Works Planned to start in August

- Dodds Lane (incorporating Quondong Rd & Lynches Lane)
- Repair of bog hole in Nowlans Rd

Gravel Resheeting

Council is intending to undertake a gravel resheeting program for the roads indicated below as per Council's strategic planning. The gravel resheeting program will be funded under the Regional Emergency Road Repair Fund (RERRF). Council's plan is to complete the program by the next three (3) years depending on the availability of Council resources. Full program of the approved works will be developed and rolled out within the next month.

PARKS AND RECREATION

The Parks and Gardens team are carrying out routine maintenance such as mowing, whipper snipping, tree trimming within sporting fields and the open space network.

Park Maintenance

- Mowing, weeding and whipper snipped in parks and garden areas
- Mowed and whipper snipped the Cemetery grounds
- Mowed, weeded and whipper snipped Taylor Park
- Mowed and whipper snipped Vaughn Park
- Mowed and whipper snipped Proctor Park
- Mowed, weeded and whipper snipped Memorial Park
- Mowed and whipper snipped Rotary Park
- Mowed and whipper snipped Goodsell Park
- Mowed and whipper snipped SH6 Rest Stop
- Mowed, weeded and whipper snipped Rygate Square
- Mowed and whipper snipped Council Chambers
- Mowed and whipper snipped O'Briens Hill and Lookout
- Mowed, weeded and whipper snipped Endemic Garden
- Mowed, weeded and whipper snipped Dagmar Street
- Mowed and whipper snipped Lawson Oval Top and Bottom
- Mowed, weeded and whipper snipped Henry Lawson's Birthplace
- Mowed and whipper snipped Railway Crossing on the Young Road
- Mowed and whipper snipped Dalton Street
- Mowed and whipper snipped Railway Free Camp (West Street)
- Mowed and whipper snipped Henry Lawson Way
- Mowed, weeded and whipper snipped Forbes Road Rest Stop
- Mowed and whipper snipped Camp St
- Mowed and whipper snipped Melyra St
- Mowed and whipper snipped Brundah St
- Set sprinklers in Memorial Park
- Repaired sprinkler system in Rotary Park
- Weeded the daisies garden bed in Rygate Square

Town Maintenance

- Mulched all garden beds in Main Street
- Checked and fixed sprinklers in Taylor Park as well as Memorial Park
- Whipper snipped around all islands on the road within the Grenfell town area

- Whipper snipped around guard railing
- Started tree lifting, whipper snipping and mowing in laneways

Village Maintenance

- Standard village maintenance of mowing in Greenethorpe, Caragabal and Quandialla
- Clearance of debris at Caragabal, Greenethorpe and Bimbi

PLANT REPORT

Plant Report			
Plant Number	Plant Description	Fault	Repairs
2083	Weeds Ute	Due for Service	Serviced
1137	ASX	Due for service	Serviced
2101	Toyota	Due for Service	Serviced
2083	Weeds Ute	Faulty Clutch	Fit Slave Cylinder
2101	Toyota	Bald Tyres	Fit two Tyres
4099	Compactor	Gearbox	Top Up Oil
2105	Toyota	Due For Service	Serviced
4108	Roller	Due For Service	Serviced
1114	Taxi	Due For Service	Serviced
5200	Toyota	Rear Shocks	Fitted New Shocks
4110	Mower	Bald Tyres	Fitted New Tyres
4117	Toro	Belts Pulleys	Replace Idler Pulley Bolt
3961	IZUZU	Horn not working	Fixed Horn
4102	Grader	Flat Battery	Charged Battery

Plant Report			
Plant Number	Plant Description	Fault	Repairs
1129	Kluger	Suspension	Replaced front Struts
BFO6280	IZUZU	Due For Service	Serviced
BFO6779	IZUZU	Due For Service	Serviced
BFO8297	IZUZU	Due For Service	Serviced
5240	Spray Max	Leaking	Fix Leaks
1114	Taxi	Faulty Battery	Replaced Battery
2109	Mitsubishi	Due For Service	Serviced

Plant Report			
Plant Number	Plant Description	Fault	Repairs
1129	Kluger	Suspension	Replaced front Struts
BFO6280	IZUZU	Due For Service	Serviced
4115	Fork Lift	Due For Service	Serviced
BFO2173	Mitsubishi	Due For Service	Serviced
BFO1385	Mitsubishi	Due For Service	Serviced
2096	Nissan	Due For Service	Serviced
3958	Tipper	Noisy Water Pump	Replaced Water Pump
3963	IZUZU	Throwing Codes	Clean out EGR Valve

BIOSECURITY

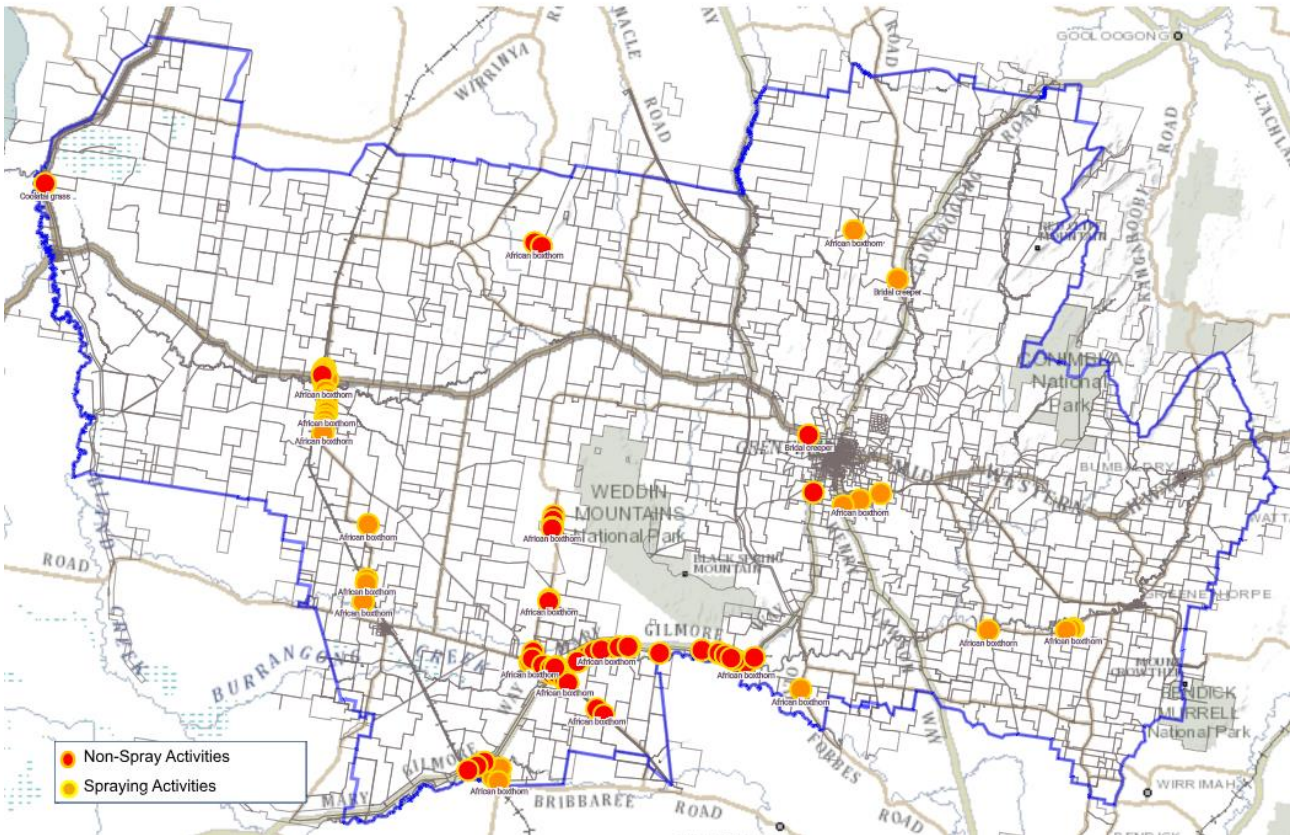
ACTIVITY	LOCATION
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Administration	<ul style="list-style-type: none"> Monthly report, mapping, BIS uploads, inspections and weeds loaded on Chartis Weeds App, email correspondence, review weed spraying program and plan of action, review relevant budget totals, review/reply Service Requests when received.
Public Awareness	<ul style="list-style-type: none"> Handing out merchandise to raise weed awareness. Social media campaign has commenced (Noted weeds posted to date: Parthenium, Green Cestrum) More to come Received Spot and Report signs organising installation New Rugby Jumpers will arrive early August – Weddin Shire Council Logo and No Space For Weeds design
Mapping	<ul style="list-style-type: none"> Weed information mapped, synced and uploaded to DPI. Working on inputting data when a drone is used.
Meetings	<ul style="list-style-type: none"> Weekly Infrastructure works meeting

Training	<ul style="list-style-type: none"> • Continual drone training/practise • EMtrain online modules • Local weed identification • Online Cyber security
Private Property Inspections	<ul style="list-style-type: none"> • Informal inspections using drone for training. • Information packages for landholders to receive during inspections or on request. • Authorisation update completed • Inspections organisation in progress
Roadside Inspections and On-ground Control, if Required	<ul style="list-style-type: none"> • Continuous roadside inspections: Control when required and environmental conditions allow.
Council Owned Land	<ul style="list-style-type: none"> • Council owned /managed vacant land, Grenfell and village areas.
TSR Inspections	<ul style="list-style-type: none"> • Forbes Road, Mary Gilmore Way, SH6, SH17, Gooloogong Road & Reserves on non TSR roads
Rail Inspections	<ul style="list-style-type: none"> • Pullabooka & Quandialla area. • Working on having the rail lines treated and updating relevant contacts and approval process
Other High Risk Sites	<ul style="list-style-type: none"> • Cemetery, silos, camping areas, including National Parks and rest areas.
Sucker Control	<ul style="list-style-type: none"> • Sucker spraying ongoing, treated on sighting, when conditions allow.
Biological Control	<ul style="list-style-type: none"> • Ongoing research in Biocontrol for additional tools for use in Priority weed control • African boxthorn rust release with State Forest in June 2024, will monitor throughout coming months
Other	<ul style="list-style-type: none"> • Mentoring staff members in Biosecurity.

Please note that sucker control is not shown on map, only WAP activities are marked on Chartis.

(GPS coordinates and infestation details in separate report available on request. Map is an overview only and each point represents multiple plants.)



MAIN STREET UPDATE

RESOLUTION 070/24
 Moved: Cr Frame
 Seconded: Cr McKellar
 Moved: Cr Frame
 Seconded: Cr Diprose
 For discussion as separate items:
 1. That Council Officers provide a report on the finalisation of signage and marking of the Main Street including for disabled parking.
 2. That Council Officers provide a report on the CCTV in the Main Street.
 3. That Staff provide updates through the Infrastructure Works Report until it is finished.
THE MOTION WAS CARRIED UNANIMOUSLY

Disabled Parking in Main Street

Disabled parking needs to be completed in front of IGA, and opposite side of road when dry weather allows. We also need to install a disabled bollard at each ‘Shared Parking Area’.

CCTV

Technicians from Young Locksmiths installed CCTV cameras, stage 1, Wednesday July 24) on Council owned assets Main Street Grenfell.

Stage 2, mounting of post switches per pole, scheduled to commence Wednesday Aug 7.

Stage 3, the wiring of communication bridges per pole, to commence the following week.

Other

Council has received a quotation from a line-marker who can complete all the remaining road markings at the roundabout.

12.3 FLR - NOWLANS ROAD RESCOPING OF WORKS**File Number:****Author:** Acting Director of Infrastructure**Authoriser:** General Manager**Attachments:** Nil**CSP Objective:** Shire assets and services delivered effectively and efficiently**Precis:** Variation Requested to Rescope Nowlans Rd, Bimbi Work**Budget:** \$2,998,632.00 FLR – Round 4 – Total \$3.043m including Council co-contribution**RECOMMENDATION**

That Council:

- 1) Note the information contained in this report.
- 2) Endorse the proposed variation to reduce the scope of works to 5.5km of roadworks estimated at \$3.043 million (including Council Contribution).
- 3) Delegate the General Manager to seek a variation with TfNSW.

RESOLUTION 181/24

Moved: Cr Diprose

Seconded: Cr Best

That Council:

- 1) Note the information contained in this report.
- 2) Endorse the proposed variation to reduce the scope of works to 5.5km of roadworks estimated at \$3.043 million (including Council Contribution).
- 3) Delegate the General Manager to seek a variation with TfNSW.

THE MOTION WAS CARRIED UNANIMOUSLY**PURPOSE**

The purpose of this report is to inform Council of the Fixing Local Roads Round 4 – Nowlans Road, Bimbi status and proposed change to the scope of works.

BACKGROUND

On the 28 February 2023, Council received a grant of \$2,998,632.00 from Fixing Local Roads (FLR) Round 4 to undertake the sealing of 21.2kms of road including, 5.7km of sealed pavement with extensive potholes and road failure at a width of 7.0m, 15.5km of Unsealed Road with pavement with minimum thickness of existing Gravel Pavement.

Council has sought an extension to the construction start date to July 2024.

ISSUES AND COMMENTS

The deferral of the project has allowed our new senior engineers to undertake an assessment of the grant. Unfortunately, further inspections revealed that the actual scope of works is likely to exceed \$9.089 million. Regrettably, it appears that the grant amount may not fully cover the necessary improvements. TfNSW also agreed from a construction perspective that the costings were likely to be of that value. Consequently, TfNSW expressed reservations about such a significant variation. Despite Council Officers' best efforts to discuss a variation to the grant amount, this was not supported by TfNSW.

In response, we have proposed an alternative approach: focusing on critical areas—particularly those currently impassable in a storm event—instead of sealing the entire road within the current budget. We believe this strategy will allow us to utilise the grant funding more efficiently.

Council's Acting Director of Infrastructure Services subsequently wrote to landholders along Nowlans Road and held a meeting to discuss the change of scope of works to focus on a viable solution that aligns with available resources. In general, the landholders understood the predicament.

A further letter was written to our Local Member, Steph Cooke MP to inform her of the situation and the consultation that was currently occurring.

The proposed revised scope of works has explored the most viable solution that align with available resources. Council cannot be committed to commencing a project that exceeds the grant funding.

The proposed revised scope of works includes: For 5.5km Section Only

- Current road widened to 7m [where possible] as per grant guidelines
- Road design to be undertaken by Certified Engineer
- Minor tree clearing [where required]
- Cleaning of table drains
- 50mm re-sheet over width of roadway
- 14/7mm Two Coat Seal [38,500m²]
- New Guideposts
- New Line-marking
- New Causeway [*Provisional Sum \$60K allowed*]

POLICY/LEGAL IMPLICATIONS

There are no direct policy or legal implications arising from this report, noting that Council Officers are reluctant to begin the project under the current approved scope of works due to the financial risk to Council. Council has introduced a Prior Approval Grants or Variation Form which seeks senior management approval before applying for grants. This ensure that projects and programs are appropriately costed out and that Council has the resources to deliver the project which requires approval from the Director and General Manager and subsequently Council for major capital works projects.

FINANCIAL/RESOURCE IMPLICATIONS

Council Officers are seeking a reduction to the scope of works, which explores the most viable solution to focus on the impassable areas (particular two locations towards Bimbi)

within the budget envelope that has been granted to Council. Failure to act on the grant, will mean that Council will need to handback the first milestone payment (20%) and lose the entire grant funding.

INTERNAL/EXTERNAL CONSULTATION

Council wrote to immediate landholders along Nowlans Road. A meeting was held at the Grenfell Hub with seven people in attendance. Pending on the outcome of the Council resolution, further letters will be sent out to a number of key stakeholders including National Parks and Wildlife Service, the Bimbi Progress Group, Quandialla Progress Association and other such key stakeholders identified. We understand that the change of scope may not be a popular decision, however at the face-to-face consultation with immediate landholders, it was felt that affected landowners were supportive of the situation.

At the time of writing this report, Council Officers have consulted with TfNSW on the proposal to reduce the scope of works to fit within the grant budget and the approach has been supported by TfNSW.

CONCLUSION

The FLR Round 4 Grant awarded to Weddin Shire Council, \$2,998,632. to undertake the sealing of 21.2kms of road including, 5.7km of sealed pavement with extensive potholes and road failure at a width of 7.0m, 15.5km of Unsealed Road with pavement with minimum thickness of existing Gravel Pavement. The revised costings to deliver this scope would be in excess of \$9.089 million which a variation to the grant amount is not supported by TfNSW. As a result, Council is requested to approve a reduction in the scope of works to allow Council Officers to apply to TfNSW to reduce the scope of works to 5.5km, which explores the most viable solution to focus on the impassable areas (particular two locations towards Bimbi) within the budget envelope that has been granted to Council.

13 ENVIRONMENTAL SERVICES REPORTS

13.1 UPDATE ON CARAGABAL AND QUANDIALLA WASTE FACILITIES

File Number:	E3.3.4 & E3.3.5
Author:	Director Environmental Services
Authoriser:	Director Environmental Services
Attachments:	Nil
CSP Objective:	Shire assets and services delivered effectively and efficiently
Precis:	UPDATE ON REMEDIATION ACTIONS TAKEN AT QUANDIALLA AND CARAGABAL WASTE FACILITIES
Budget:	Unknown at this stage

RECOMMENDATION

That

1. Council note the report providing updates on the actions taken regarding Quandialla and Caragabal waste facilities.

RESOLUTION 182/24

Moved: Cr Frame

Seconded: Cr McKellar

That

1. Council note the report providing updates on the actions taken regarding Quandialla and Caragabal waste facilities.

THE MOTION WAS CARRIED UNANIMOUSLY

PURPOSE

The purpose of this report is to provide an update to the Council and the community on actions taken to date relating to the Quandialla and Caragabal waste facilities.

BACKGROUND

Council received a formal letter from the Environment Protection Authority (EPA) on 5 October 2023 raising a number of concerns regarding the operation of Council waste facilities, including potential asbestos containing material (ACM) being identified at the Quandialla waste facility. The letter required Council to undertake a number of actions to ensure the facilities were being operated to appropriate standards.

In accordance with the requirements of the EPA and recommendation of an Occupational Hygienist, the Quandialla and Caragabal waste facilities were closed to the public on 11 October 2023.

On the 8 May 2024 Council received a draft Prevention Notice from the EPA regarding the operation of the Quandialla Waste Facility. The draft Prevention Notice outlined a number of actions which the EPA intended to require Council to undertake in regard to the facility. A response was provided to the EPA on 17 May 2024 outlining the reason why the Prevention Notice should not be issued.

UPDATE ON ACTIONS TAKEN

On 17 June 2024 work commenced to remove stockpiled scrap steel from the Quandialla Waste Facility. This work involved an Asbestos Removal Contractor and Occupational Hygienist checking and clearing the steel of asbestos contamination, before it was loaded into trucks and removed from the site. The steel was transported to the Grenfell Facility, where it will be recycled. During the removal of the steel, required air monitoring was undertaken. Analysis of the air samples confirmed that no asbestos was detected in the area surrounding the facility, during the removal works.

On 18 June 2024, a DrumMuster contractor attended the Caragabal facility and removed the majority of stockpiled used chemical drums which were suitable for recycling via the DrumMuster program. The Caragabal P & C currently receive the income received from the recycled drums.

The next stage of the remediation works at both sites will involve the removal of stockpiled tyres. A tyre disposal company has inspected both the Caragabal and Quandialla facilities and provided a quotation to accept the waste tyres for disposal. The cost for disposal of the tyres is reduced if Council organises the transportation of the tyres to the waste facility, which is located close to Quandialla. Council staff are currently liaising with the contractor to determine their transport costs, as Council trucks may not be available with the ongoing roadworks currently being undertaken. The Occupational Hygienist will also need to issue a clearance certificate for the areas surrounding the tyres, before their removal.

Further to the above, the Asbestos Removal Contractor is also currently compiling a quotation for the removal of remaining visible friable and bonded asbestos from each of the facilities. This asbestos removal will then enable, further soil testing and reporting to be prepared putting the case forward for the encapsulation of potentially contaminated asbestos at each site.

Council staff have continued to have regular meetings with the EPA regarding the required remediation works. These meetings are progressing well, and we now have a clearer path moving forward. EPA Officers inspected both waste facilities on 9 July 2024 to see the progress which has been made. The inspection highlighted some of the challenges that Council is facing at each site.

Council at its Ordinary Council meeting held on 20 June 2024 resolved to write to the Minister for the Environment outlining Council's position regarding the remediation challenges at the facilities (resolution number 130/24). Given that discussion with the EPA have been progressing, it is recommended that Council delay writing to the Minister at this time, while constructive discussions are being held with the EPA regarding the remediation of the Caragabal and Quandialla Waste Facilities. If these discussions break-down or are not progressing, then a letter can be sent to the Minister at that time.

POLICY/LEGAL IMPLICATIONS

As stated previously, the EPA issued Council with a Draft Prevention Notice regarding the operation of the Quandialla Waste Facility. As a result of the letter of reply by Council and the progression of remediation works at the site, the EPA have not issued Council with a Prevention Notice at this time.

The intention is to continue to liaise with the EPA and progress the remediation works at the two (2) rural waste facilities. Once the remediation works are complete, Council will need to make a decision as to the long-term operation of the facilities.

Council is obligated to manage its unlicensed waste facilities in accordance with the minimum standards outlined in the Protection of the Environment Operations (Waste) Regulation 2015. Where Council does not meet these standards, it can be found guilty of an offence under s142A of the Act, which attracts a maximum penalty of \$2,000,000 (if the offence involved asbestos waste) or \$250,000, and in the case of a continuing offence, a further penalty of \$60,000 for each day the offence continues.

FINANCIAL/RESOURCE IMPLICATIONS

To date, a total of \$23,044.59 has been spent on the works directly related to the remediation of the Caragabal and Quandialla Waste Facilities. It is likely that there will be significant additional costs to complete the full remediation of the sites.

INTERNAL/EXTERNAL CONSULTATION

Council staff have continued to liaise with the EPA, Asbestos Removalist, Occupation Hygienist and waste consultant regarding the required clean-up and remediation works and ongoing operation of the Quandialla and Caragabal waste facilities. It is recommended that Council delay writing to the Minister for the Environment in accordance with resolution number 130/24, while constructive discussions are being held with the EPA regarding the remediation of the Caragabal and Quandialla Waste Facilities.

CONCLUSION

Council has undertaken further remediation works at both the Caragabal and Quandialla waste facilities. Council is continuing to hold regular meetings with the EPA regarding the required remediation works and the option of encapsulating potentially asbestos containing soils at each site.

13.2 NON-POTABLE WATER SYSTEM**File Number:****Author:** Director Environmental Services**Authoriser:** General Manager**Attachments:** Nil**CSP Objective:** Collaborative wealth building (strong, diverse and resilient local economy)**Precis:** Preliminary Investigation of a possible non-potable water system.**Budget:** Nil**RECOMMENDATION**

That Council note the report on the investigation of a possible non-potable water system.

RESOLUTION 183/24

Moved: Cr Best

Seconded: Cr McKellar

That Council note the report on the investigation of a possible non-potable water system.

THE MOTION WAS CARRIED UNANIMOUSLY

PURPOSE

The purpose of this report is to present to Council preliminary details of the requirements to implement a non-potable water supply.

BACKGROUND

Councillor Best submitted a Notice of Motion relating to Council investigating a possible non-potable water supply system and source in order to supplement the current parks and gardens reticulated water system, including the benefits and disadvantages of such a system, including indicative costings and other requirements such as licencing, external consultants etc.

Council at its Ordinary Meeting held on 28 September 2023 resolved that:

1. Council, in collaboration with Central Tablelands Water, investigate a possible non-potable water system and source in order to supplement the current Parks and Gardens reticulated water systems.
2. Council, in collaboration with Central Tablelands Water provide a desktop investigation on the benefits and disadvantages of such as system, indicative costings and other requirements such as licencing, external consultation required etc.

INSTALLATION OF COUNCIL OWNED BORE FOR NON-POTABLE WATER SUPPLY

To authorise the taking of groundwater using a bore, Council would first need to obtain a Water Supply Work Approval, under clause 92 of the *Water Management Act 2000*. In order to obtain this approval, an application would need to be lodged with the now named NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW).

The application form is generally required to be supported by the following:

- detailed design drawings of proposed works, including survey plans and cross-sections.
- copy of proposed pumping regime (timetable).
- map indicating:
 - location of property (including landmarks and north indicator), with clearly defined property boundary.
 - location(s) (including coordinates) of all existing works as well as works proposed in this application.
 - watercourses and wetlands (including dry riverbeds and temporary wetlands).
 - extent of any native vegetation on the property (including native grasses).
- any known Aboriginal or European cultural heritage features on the property—search results and mapped locations.
- records of any threatened species on the property—search results and mapped locations.
- records of any protected species within a one-kilometre radius of the proposed work location—search results and mapped locations.
- details of any contaminated sites on or near the property—search results and mapped locations.
- details of any exploration or mining titles on or near the property—search results and mapped locations.
- acid sulphate soils assessment and management report (if acid sulphate soils present at site).

Further information may be required to support the application, depending on the specific site features/characteristics.

The lodgement fee for an application for a Water Supply Work Approval is currently \$2,275.19, with a further \$405.10 for advertising and an additional \$2,965.85 required for technical referral. These costs do not account for the information and plans required to be submitted with the application.

In the event that a Water Supply Work Approval is issued by the DCCEEW, a water access licence (WAL) would be needed to account for the groundwater taken using the bore. The WAL would need to have sufficient entitlement in the water source being extracted from.

The WAL permits the licence holder to take a specified volume of water from a specified water source under the terms of the licence. The following types of WAL can be applied for:

Zero Share WAL

A zero share WAL is a water allocation account with no shares (0 ML). After you have been issued with a zero share WAL, you will need to purchase or lease shares from another licence holder to account for the water you use. This is a separate transaction called a WAL dealing. Water NSW facilitates all WAL dealings.

Specific Purpose WAL

A specific purpose WAL specifies a purpose for which water taken under the licence must be used. It has additional conditions or restrictions such as the location where it can be used. Examples include:

- local water utility and town water supply
- domestic consumption
- Aboriginal cultural or commercial purposes.

A specific purpose WAL must be cancelled when the purpose for which the WAL was issued ceases. The licence is restricted and cannot be traded.

Controlled Allocations

In water sources that are not fully committed, the right to apply for new WAL can be provided through a controlled allocation order. In fully committed water sources, water access licences can only be obtained through the water market – that is, purchasing from existing licence holders.

A controlled allocation provides a right to acquire a water access licence for a specified water source by auction, tender or other means specified in an order published in the NSW Government Gazette.

The process of obtaining a water supply work approval to take water is separate from acquiring a water access licence through a controlled allocation. It will incur additional fees and require an impact assessment that may affect how much water can be taken and used.

In the event that Council was required to obtain a water allocation from the water market, the total cost would be depended on the market rate at the time of purchasing and the amount of allocation that was indented to be purchased.

The cost involved with the installation of a bore are not known at this stage, as they would be depended on ground conditions, depth and the required infrastructure. Further investigation would be needed in order to obtain an accurate estimate of these costs.

There are a number of setback restriction on the location of a proposed bore. These restrictions include:

- 400 m of an existing bore, on another landholding in the same water source, that is used solely for basic landholder rights
- 600 m of an existing bore on another landholding, in the same water source that is not used solely for basic landholder rights
- 200 m of the boundary of the property (unless written consent gained from neighbour)
- 600 m of a local water utility or major water utility bore, in the same water source (unless written consent gained from the utility)
- 500 m of a government monitoring or observation bore.
- The following setback restrictions also apply for bores located near contamination sources:
 - 500 m of a contamination source
 - 250 m of the edge of a plume associated with a contamination source
 - between 250 m and 500 m from the edge of a plume associated with a contamination source unless no drawdown of water will occur within 250 m of the plume or
 - 250 m of an on-site sewage disposal system

Consideration also needs to be made on the ongoing cost of maintenance of the bore and required testing of the water. In most cases, a bore cannot be left for long periods of time unattended and then switched on say during times of drought. Bores usually require regular flows to ensure they are kept in suitable working order. It likely that any WAL would require regular testing of the water.

It is noted that while a non-potable water supply could be utilised for parks and gardens by Council. Council currently utilises reclaimed effluent from the sewerage treatment plant in many of the parks already. However, this supply can be affected by drought conditions, depending on the severity of any water restrictions.

CONSULTATION WITH CENTRAL TABLELANDS WATER

Discussions have been held with Central Tablelands Water (CTW) to determine if they have or would consider operating a non-potable water supply. At this point in time CTW has no plans to develop a non-potable water supply. Their core business is the supply of potable water, which is in accordance with their currently licencing. The introduction of a non-potable water supply as part of their business, would require changes to their current licencing.

CTW have advised that their current position is to concentrate on ensuring better potable water security in their system. CTW currently have the ability to supplement the supply of water to Grenfell from licenced bores located at Gooloogong. During the last drought, the permitted capacity of these bores was not exceeded. Similarly, the supply to Quandialla did not exceed the capacity of the supply bores in that location during the drought.

During the previous drought, water restrictions were imposed in Grenfell. These restrictions were imposed to be consistent with the restrictions imposed on all other CTW supply areas, as determined by the CTW Board at the time. The restrictions were based primarily on the level of Lake Rowlands at time.

Since the last drought, CTW have introduced additional supplementary supplies to their system, which could be utilised during drier times to supply water to Grenfell. CTW have also advised that there are avenues available to extend the licenced capacity of the bores at Gooloogong if needed during drought periods.

POLICY/LEGAL IMPLICATIONS

If Council was to pursue a non-potable water supply, there are a number of pieces of legislation which would need to be considered depending on the location of the water supply, including:

- Water Management Act 2000
- Water Management (General) Regulation 2018
- Water Sharing Plan for the Lachlan Alluvial Groundwater Sources Order 2020 which was created under the Water Management Act 2000.

It is likely that Council would need to develop policies around the supply and management of the water source and engage a technical expert in order to deliver this project and the operating requirements around it.

FINANCIAL/RESOURCE IMPLICATIONS

This report provides a high-level overview of the areas which Council would need to consider if proposing a non-potable water supply. To provide an accurate estimate of the total costs involved with setting up and managing a non-potable water supply would require further

detailed investigations to be undertaken. In this event, Council would need to consider allocating a suitable budget to undertake the necessary investigation works.

If Council was to manage the supply, a method of charging customers for the water usage would also need to be established. As Council does not currently have the resources to do this, Council could consider a third-party provider to manage access and billing requirements. The costs involved with this would depend on the system and number of users.

INTERNAL/EXTERNAL CONSULTATION

In preparing this report, Council Officers consulted with CTW and Department of Climate Change, Energy, the Environment and Water.

CONCLUSION

Council previously resolved to investigate a possible non-potable water supply. Discussion have been held with CTW and the Department of Climate Change, Energy, the Environment and Water. This report provides preliminary details on the requirements to establish a non-potable water supply to inform the Council and determine if they wish to undertake further detailed investigations.

13.3 DEVELOPMENT APPLICATIONS, CONSTRUCTION CERTIFICATES AND COMPLYING DEVELOPMENT CERTIFICATES

File Number: T5
Author: Executive Assistant to the Director Environmental Services
Authoriser: Director Environmental Services
Attachments: Nil
CSP Objective: Sustainable natural, agricultural and built environments
Precis: List of development application, construction certificate and complying development application determined during the period 1 July to 31 July 2024.
Budget: Nil

BACKGROUND

In accordance with the requirements of the *Environmental Planning and Assessment Act 1979*, Council Officers under delegated authority, can exercise the power to determine development applications, complying development certificates and construction certificates.

The following provides a list of the development applications, complying development applications and construction certificate applications determined within the Weddin Shire during the month of July 2024.

Development Applications Determined by Council

The undermentioned development application were received and determined subject to specified conditions, by the Director Environmental Services under delegated authority:

DA NO.	Applicant	Construction	Value (\$)	Address
19/2024	Lang’s Pools & Spas	Installation of inground swimming pool and associated pump enclosure and barrier	\$68,566	LOT: 10 SEC: 25 DP: 758473 11 Forbes Street GRENFELL NSW 2810
20/2024	Mr D Mason	Rural Subdivision for agricultural purposes	\$0	LOT: 302 DP: 739922 664 McDonalds Lane GRENFELL NSW 2810
22/2024	Mr DJ Kotel	Shed (Consisting of 12 horse stables)	\$198,000	LOT: 886 DP: 754578 223 Holy Camp Road GRENFELL NSW 2810

Complying Development Applications

The following complying development certificate applications were approved within the Shire in July 2024 by Council or any other Principal Certifiers.

CDC NO.	Applicant	Construction	Value (\$)	Address
NIL				

Construction Certificates

The undermentioned construction certificates were determined by the Director Environmental Services under delegated authority:

CC NO.	Applicant	Construction	Address
19/2024	Mr G J Oliver	Installation of inground swimming pool and associated pump enclosure and barrier	LOT: 10 SEC: 25 DP: 758473 11 Forbes Street GRENFELL NSW 2810

14 DELEGATE(S) REPORTS

Nil

15 MINUTES OF COMMITTEE MEETINGS

15.1 COUNCIL COMMITTEE REPORT | REQUIRING ACTION - MINUTES OF THE BOGOLONG DAM PRECINCT COMMITTEE MEETING HELD 24 JUNE 2024 AND 1 AUGUST 2024

File Number: C2.6.44
Author: Executive Assistant to the General Manager
Authoriser: General Manager
Attachments: 1. ATT 1 | Bogolong Dam Precinct Committee Minutes | 24 June 2024
 2. ATT 2 | Bogolong Dam Precinct Committee Minutes | 1 August 2024

RECOMMENDATION

Except where otherwise dealt with, the Minutes of the Bogolong Dam Precinct Committee Meeting held 24 June 2024 and 1 August 2024 be noted and adopted as presented.

RESOLUTION 184/24

Moved: Cr McKellar
Seconded: Cr Kenah

Except where otherwise dealt with, the Minutes of the Bogolong Dam Precinct Committee Meeting held 24 June 2024 and 1 August 2024 be noted and adopted as presented.

THE MOTION WAS CARRIED UNANIMOUSLY

INFORMATION

The Bogolong Dam Precinct Committee Meeting was held on 24 June 2024 and 1 August 2024, the Minutes from these meeting are attached for Council to note and adopt.

16 CLOSED COUNCIL

RECOMMENDATION

The meeting now be closed to the public under Section 10A(2) of the *Local Government Act 1993* to consider the items following because of their confidential nature:

16.1 VARIATION TO RFT33/2023 - PROVISION OF SEALING SERVICES - STATE ROADS

This matter is considered to be confidential under Section 10A(2) - d(i) and d(ii) of the *Local Government Act 1993*, and Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and information that would, if disclosed, confer a commercial advantage on a competitor of the council.

16.2 VARIATION TO RFT34/2023 - PROVISION OF STABILISATION OF REGIONAL ROADS

This matter is considered to be confidential under Section 10A(2) - d(i) and d(ii) of the *Local Government Act 1993*, and Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and information that would, if disclosed, confer a commercial advantage on a competitor of the council.

16.3 NETWASTE TENDER FOR THE COLLECTION AND RECYCLING OF USED MATTRESSES

This matter is considered to be confidential under Section 10A(2) - c and d(i) of the *Local Government Act 1993*, and Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

16.4 MAYORAL MINUTE - GENERAL MANAGER'S ANNUAL PERFORMANCE REVIEW

This matter is considered to be confidential under Section 10A(2) - a of the *Local Government Act 1993*, and Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with personnel matters concerning particular individuals (other than councillors).

16.5 CODE OF CONDUCT COMPLAINT | FINAL INVESTIGATION REPORT

This matter is considered to be confidential under Section 10A(2) - i of the *Local Government Act 1993*, and Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with alleged contraventions of any code of conduct requirements applicable under section 440.

RESOLUTION 185/24

Moved: Cr Kenah

Seconded: Cr McKellar

The meeting now be closed to the public under Section 10A(2) of the *Local Government Act 1993* to consider the items following because of their confidential nature:

16.1 VARIATION TO RFT33/2023 - PROVISION OF SEALING SERVICES - STATE ROADS

This matter is considered to be confidential under Section 10A(2) - d(i) and d(ii) of the *Local Government Act 1993*, and Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and information that would, if disclosed, confer a commercial advantage on a competitor of the council.

16.2 VARIATION TO RFT34/2023 - PROVISION OF STABILISATION OF REGIONAL ROADS

This matter is considered to be confidential under Section 10A(2) - d(i) and d(ii) of the *Local Government Act 1993*, and Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and information that would, if disclosed, confer a commercial advantage on a competitor of the council.

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16.4 MAYORAL MINUTE - GENERAL MANAGER'S ANNUAL PERFORMANCE REVIEW

This matter is considered to be confidential under Section 10A(2) - a of the *Local Government Act 1993*, and Council is satisfied that discussion of this matter in an open

meeting would, on balance, be contrary to the public interest as it deals with personnel matters concerning particular individuals (other than councillors).

16.5 CODE OF CONDUCT COMPLAINT | FINAL INVESTIGATION REPORT

This matter is considered to be confidential under Section 10A(2) - i of the *Local Government Act 1993*, and Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with alleged contraventions of any code of conduct requirements applicable under section 440.

THE MOTION WAS CARRIED

RECOMMENDATION

The meeting return to Open Council.

Moved: Cr Frame

Seconded: Cr Kenah

The meeting return to Open Council.

THE MOTION WAS CARRIED

17 RETURN TO OPEN COUNCIL

18 REPORT ON CLOSED COUNCIL

16.1 VARIATION TO RFT33/2023 - PROVISION OF SEALING SERVICES - STATE ROADS

RESOLUTION 187/24

Moved: Cr McKellar

Seconded: Cr Kenah

That:

1. Council note the information contained in this report.
2. Council approves the contract variation to increase the allocated quantity of bitumen sealing works of RFT33/2023 to an additional 35,000m².
3. Council delegate the General Manager to enter into contract variation agreements with all approved suppliers.

THE MOTION WAS CARRIED

16.2 VARIATION TO RFT34/2023 - PROVISION OF STABILISATION OF REGIONAL ROADS
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RESOLUTION 188/24

Moved: Cr Frame

Seconded: Cr McKellar

That:

1. Council note the information contained in this report.
2. Council approves the contract variation to increase the allocated quantity of stabilisation of works of RFT34/2023 to an additional 35,000m².
3. Council delegate the General Manager to enter into contract variation agreements with all approved suppliers.

THE MOTION WAS CARRIED UNANIMOUSLY

16.3 NETWASTE TENDER FOR THE COLLECTION AND RECYCLING OF USED MATTRESSES

RESOLUTION 189/24

Moved: Cr Frame

Seconded: Cr Howell

That

1. Council note the report on the evaluation of tender submissions for the collection and recycling of used mattresses.
2. Council endorse NetWaste Tender F4121 for the Collection and Recycling of Used Mattresses, being awarded to JLW Pty Ltd for their tendered price as set out in this report for the initial two (2) year term with the option of two (2) x 12-month available extensions.
3. Council note that as the existing contract expiry date in 2023 has surpassed, a new contract start date for the two (2) year term will be advised by NetWaste upon endorsement from the NetWaste Steering Committee, and then accepted by the host Orange City Council via a Council meeting.
4. The General Manager be authorised to execute the contract and apply the Council Seal on the relevant documentation for the Collection and Recycling of Used Mattresses

THE MOTION WAS CARRIED

16.4 MAYORAL MINUTE - GENERAL MANAGER'S ANNUAL PERFORMANCE REVIEW

RESOLUTION 190/24

Moved: Cr Kenah

Seconded: Cr McKellar

That Council:

1. Note and receive the Mayoral Minute.
2. Note and endorse the General Manager's Annual Performance Review for the 2023-2024 period, which includes a better than satisfactory score by the General Manager's Review Committee.

3. Note and endorse the General Manager's Review Committee's recommendation for the General Manager's discretionary annual increase in salary by 4%.
4. Approve the General Manager's Performance Agreement for 2024-2025.

THE MOTION WAS CARRIED

16.5 CODE OF CONDUCT COMPLAINT | FINAL INVESTIGATION REPORT

RESOLUTION 191/24

Moved: Cr Kenah

Seconded: Cr Howell

THAT COUNCIL -

1. Note and consider Cr Cook's submission in relation to the final investigation report.
2. Under Section 440G of the *Local Government Act 1993* and under the provisions of 7.37c, 7.46, 7.58c and 7.59 of the Procedures for the Administration of the Model Code of Conduct, officially and formally censure Councillor Michelle Cook for conduct in relation to the lodgement of two (2) Councillor Expense Claim Forms, the first being on 13 January 2023 and the second on 25 September 2023, seeking the reimbursement of legal fees, which were found to be in contravention of the following clauses of the Code of Conduct, as determined by an independent investigator:

Part 3, General Conduct Obligations

3.1 You must not conduct yourself in a manner that:

- a) is likely to bring the council or other council officials into disrepute
- b) is contrary to statutory requirements or the council's administrative requirements or policies
- c) is improper or unethical
- d) is an abuse of power
- e) causes, comprises or involves intimidation or verbal abuse
- f) involves the misuse of your position to obtain a private benefit
- g) constitutes harassment or bullying behaviour under this code, or is unlawfully discriminatory.

3.2 You must act lawfully and honestly, and exercise a reasonable degree of care and diligence in carrying out your functions under the LGA or any other Act. (section 439)

The independent investigator found that the Councillor Expense Claim forms were lodged by Councillor Cook, and Councillor Cook made demands for the payment of her legal fees with the threat of taking legal action against Council, despite:

- i. not having obtained a Council resolution prior to the said legal fees being incurred in accordance with section 8 of Councils Councillor Expenses and Facilities Policy;
- ii. having been previously advised that the process pursuant to Councils Councillor Expenses and Facilities Policy had not been followed; and
- iii. some of the amounts quoted for reimbursement being purported to be for legal costs incurred with respect to a Code of Conduct Complaint, yet were incurred apparently for other matters.

The independent investigator found that Councillor Cook’s actions were overbearing, threatening, misleading and deceptive in light of her insistent demands and forceful and misleading approaches to the General Manager and the Mayor regarding recovery of her legal fees.

- 3. Refer the matter to the Office of Local Government for further action under the misconduct provisions of the *Local Government Act 1993*.
- 4. A media release be issued by the Mayor advising of the official and formal censure of Councillor Michelle Cook in accordance with the above censure resolution and that the matter has been referred to the Office of Local Government for further action under the misconduct provisions of the *Local Government Act 1993*.

THE MOTION WAS CARRIED

DIVISION required under the *Local Government Act 1993*/called by Cr Best

FOR: Crs Bembrick, Best, Kenah, Howell, McKellar and Frame

AGAINST: Cr Diprose

19 CLOSURE

The Meeting closed at **7:29PM**.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 17 October 2024.

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CHAIRPERSON