

## NOTICE OF ORDINARY MEETING

Notice is hereby given that the next Meeting of Council will be held in the Council Chambers on **Tuesday, 18 July 2023 at 4.00pm.**

### Agenda

1. Submission of Questions for Next Meeting
2. National Anthem
3. Prayer
4. Acknowledgement of Traditional Owners:

*“I acknowledge the traditional custodians of the land on which we live, work and play. I pay my respects to our Elders past and present and thank them for the contribution they have made, and continue to make, in the cultural identity of our nation.”*

5. Commencement of recording
6. Apologies
7. Declarations of Interest

At this juncture, Councillors should indicate any items in which they have an interest and therefore will not be participating in discussion or voting.

8. Confirmation of Minutes
  - Ordinary meeting held on 27 June 2023
9. Listing of matters to be considered in Closed Council

The following matters are listed to be considered in Closed Council in line with the confidentiality policy of Council and Clause 10A (2) of the Local Government Act, 1993, relating to:

- (a) personnel matters concerning particular individuals (other than councillors)
- (b) the personal hardship of any resident or ratepayer
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business
- (d) commercial information of a confidential nature that would, if disclosed:
  - I. prejudice the commercial position of the person who supplied it, or
  - II. confer a commercial advantage on a competitor of the council, or
  - III. reveal a trade secret
- (e) information that would, if disclosed, prejudice the maintenance of the law
- (f) matters affecting the security of the council, councillors, council staff or council property

- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege information concerning the nature and location of a place or an item of Aboriginal significance on community land.
- Procedural Motion to close Council to Press and Public
- Reports from Servants to Closed Council Meeting
  - Tender 27/23 Cleaning Council Offices and Facilities (d)
- Procedural Motion to re-open meeting to Press and Public

10. Reports

A handwritten signature in black ink, appearing to read 'David Neeves', written over a horizontal line.

David Neeves  
General Manager

Procedural Motion – to exclude Press and Public

“That by reason of the confidential nature of the matters to be considered in line with the confidentiality policy of Council and Clause 10(2) of the Local Government Act, 1993, relating to financial matters, staff matters, industrial matters, acceptance of tenders, personal affairs of private individuals, possible or pending litigation and such other matters considered appropriate – the Press and Public be excluded from the Meeting.

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**MAYORAL MINUTE - 10/23**  
**MAYORAL COMMITMENTS**

SUMMARY

To advise of the Mayor's activities since the 27 June 2023 meeting.

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12/07/23	Site visit, proposed relocation of Deep Creek Station
18/07/23	July Council Meeting

Principal Activity                      Lead

Policy Implications                      Nil

Budget Implications                      Nil

Delivery Program Actions              **4.2.1.1**  
Implement the Community Engagement Strategy to inform, involve, empower, consult and collaborate with stakeholders

RECOMMENDATION

That the report be noted.

D Batten  
Mayor

**MAYORAL MINUTE - 11/23**  
**GENERAL MANAGER'S PERFORMANCE REVIEW**

**SUMMARY**

To enable Councillors to have input into the General Manager's annual Performance Review.

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It is long standing Council practice that the General Manager be afforded a twice yearly performance review. The mid-year review of the General Manager's (GM) performance was undertaken by the Council's Performance Review Committee comprising Mayor, Cr D Batten; Deputy Mayor, Cr Walker and Cr Babbage, at the Council Offices on 3 February 2023. The outcomes of this review was reported to the February Council meeting with a satisfactory performance outcome noted.

Mr Neeves commenced duty in his role as General Manager on 1 August 2016 and was subsequently reappointed in 2020 for a further four years. His current contract concludes in August 2024.

The review will be undertaken on the 25 July by myself as Mayor, Councillor Walker as Deputy Mayor and a third Councillor nominated by the General Manager. An Officer from Local Government NSW is able to assist if required. As part of the review process, Councillors are invited to submit in writing, any issues they wish raised during the review process. Such advice, will be required three (3) days prior to the review to enable timely completion of the associated documentation.

<u>Principal Activity</u>	Lead
<u>Policy Implications</u>	Nil
<u>Budget Implications</u>	Nil, the costs of the review are budgeted
<u>Delivery Program Actions</u>	<b>4.3.1.1</b> Ensure all governance targets and statutory requirements are met in line with the relevant Acts and Regulations and Council policy

**RECOMMENDATION**

1. That Councillors note the proposed review and provide written advice of any issues they wish raised at the General Manager's yearly performance review.
2. That in this instance Council not go to the expense of engaging Local Government New South Wales to assist with the review.

D Batten  
Mayor

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## COREM FINANCIAL CONTRIBUTION

### SUMMARY

To advise Council of the initial Coalition of Renewable Energy Mayors (CoREM) request for a financial contribution.

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Energy Co is the Energy Corporation of NSW and is a statutory authority established under the *Energy and Utilities Administration Act 1987* and is responsible for leading the delivery of Renewable Energy Zones (REZs) as part of the NSW Government's Electricity Infrastructure Roadmap. Upfront land-use planning and coordinated community consultation are central to Renewable Energy Zones and will help ensure a strategic approach to electricity infrastructure development. Source [www.energyco.nsw.gov.au](http://www.energyco.nsw.gov.au)

There are a number of REZ's proposed for NSW as identified on the map below:

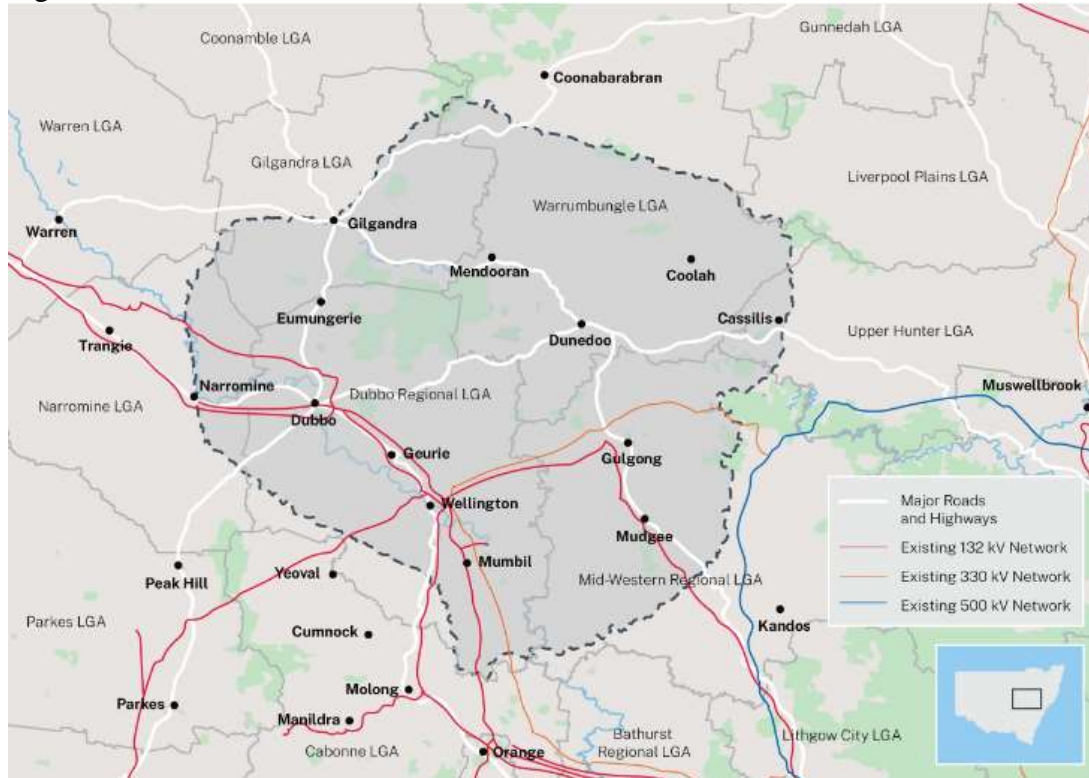
Figure 1: Map fo all NSW REZ Locations



The NSW Government is in the development phase for the State's first Renewable Energy Zone (REZ) in the Central-West Orana region. The Central-West Orana REZ is approximately 20,000 square kilometres centred by Dubbo and Dunedoo, on the land of the Wiradjuri, Wailwan and Kamilaroi people.

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Figure 2: The Central-West Orana REZ



Source [www.energyco.nsw.gov.au](http://www.energyco.nsw.gov.au)

Throughout the year, Mayors and General Managers of REZ impacted councils have met and discussed a variety of issues that are presenting in the development of the REZs. Mr Sam Coupland, Mayor for Armidale Regional Council and as Chair of CoREM, has requested the initial CoREM membership financial contribution will be in the sum of \$5,000.00 per participating LGA, which will be used for the following purposes:

- Legal advice that can be used by all members of CoREM – e.g. infrastructure agreements
- Creation and maintenance of a website
- Room hire and reasonable meeting expenses

Please see attached a copy of the correspondence outlining further details for your attention.

Council has not budgeted for such contribution and the \$5,000 will be an additional budget allocation.

Membership with a coalition of this scale will serve to benefit Council particularly through networking between councils on shared experiences, advocating to government, collective legal advice and forming a strong alliance for community benefit.



<u>Principal Activity</u>	Lead
<u>Policy Implications</u>	Nil
<u>Budget Implications</u>	\$5,000 additional vote to be included in the September Quarterly Budget Review
<u>Delivery Program Actions</u>	<b>4.3.5.1</b> Represent community concerns in relation to government and non-government service delivery issues <b>4.3.6.3</b> Utilise renewable energy for new projects and convert existing building and facilities as opportunities arise

#### RECOMMENDATION

1. That Council approve the request and become a financial member of the Coalition of Renewable Energy Mayors (CoREM).
2. That the \$5,000 cost be included in the September Quarterly Review as an additional vote.

David Neeves  
General Manager

**2023 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE**

**SUMMARY**

To advise of the 2023 Local Government NSW Annual Conference and determine attendance and motions.

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Advice has been received that the 2023 LGNSW Annual Conference will be held from Sunday, 12 November 2023 to Tuesday, 14 November 2023 at the Rosehill Gardens Racecourse.

Council is asked to consider any motions for the Conference. The Board has resolved that motions will be included in the Business Paper for the conference only where they:

1. Are consistent with the objects of the Association (see Rule 4 of the Association's rules1)
2. Relate to Local Government in NSW and/or across Australia
3. Concern or are likely to concern Local Government as a sector
4. Seek to advance the Local Government policy agenda of the Association and/or improve governance of the Association
5. Have a lawful purpose (a motion does not have a lawful purpose if its implementation would require or encourage non-compliance with prevailing laws)
6. Are clearly worded and unambiguous in nature, and
7. Do not express preference for one or several members over one or several other members.

Members are encouraged to review Action Reports from the previous conference(s) before submitting motions to this year's special conference to ensure newly proposed motion wording reflects recent developments and does not duplicate existing positions.

Full details of the Conference can be found on the 2023 Annual Conference LGNSW Website and the Business Paper will be made available the week commencing 30 October 2023.

<u>Principal Activity</u>	Lead
<u>Policy Implications</u>	Nil
<u>Budget Implications</u>	Approximately \$2000 per participant including travel and accommodation; a budget of \$14,000 is allocated for Councillor expenses and Councillor professional development

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Delivery Program Actions

**4.3.5.2**

Ensure Council attendance at relevant forums and that State and Federal Members are invited to local civic functions and community celebrations

RECOMMENDATION

1. That Council determine any motions to be put forward.
2. That the Mayor and General Manager (or their substitutes) plus one other Councillor be authorised to attend the Conference.

David Neeves  
General Manager

**FLOOD DAMAGE UPDATE**

**SUMMARY**

To provide an update on flood damage repairs on Council's road network.

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For some time now Council has been carrying out repairs to the road network following natural disaster events. These events have been frequent and numerous with road repairs being at various stages of completion before being subsequently re-damaged. The result is an accumulation of works associated with different events that are intermingled making Disaster Recovery Funding Arrangements (DRFA) claims and approvals complicated, difficult to track and requiring substantial administrative effort.

The following list is a summary of the recent natural disaster declarations relevant to Gilgandra LGA:

- AGRN 868 - March 2019
- AGRN 898 - February 2020
- AGRN 917 - April 2020
- AGRN 918 - April 2020
- AGRN 960 - March 2021
- AGRN 987 - November 2021
- AGRN 1030 - August 2022
- AGRN 1034 - September 2022

Of the above, only work associated with AGRN 987 and AGRN 1034 remain outstanding. The claims and/or approvals are usually separated into three components; Emergency Works (EW), Immediate Restoration Works (IRW) and Essential Public Restoration Works (EPA-RW) with varying timeframes for completion and levels of scrutiny for approval.

Regarding AGRN 987, the emergency works have been completed with the claim submitted (\$67,000). An IRW claim was not required, but an EPA-RW claim for \$583,000 was submitted and approved. This is for the replacement of the Bringle Creek Road Culvert, which has been tendered and awarded with construction about to commence.

In relation to AGRN 1034, the EW and IRW are physically finished with claims still being compiled by the consultant. At this stage it is estimated that these will be around \$500,000 and \$780,000 respectively. The attached completion map shows the roads in green that have had DRFA work completed on them during the EW and IRW period.

EPA-RW are yet to be submitted for approval but a conservative estimate provided by the consultant is that this will be in the order of \$1M. All works are required to be completed by September 2025.

<u>Principal Activity</u>	Live
<u>Policy Implications</u>	Nil
<u>Budget Implications</u>	DRFA grants offset operational road budgets
<u>Delivery Program Actions</u>	<b>1.1.1.2</b> Deliver NDRRA program for local and/or regional roads

#### RECOMMENDATION

That the update on flood damage repairs to Council's road network be noted.

Daryl Colwell  
Director Infrastructure

**BIDDON CREEK EROSION BUDGET SHORTFALL**

**SUMMARY**

To advise Council of a projected budget shortfall regarding the Bididon Creek Scouring Rectification project.

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Bididon Creek, located on the Bididon Bearbong Road, is experiencing a significant erosion problem and Council has been repeatedly lobbied by local landholders and Essential Energy to carry out remediation works.

The loss of productive land caused by the scouring is certainly a concern but the issues raised by Essential Energy are far more pressing. A power pole has had to be repeatedly relocated as the erosion encroached towards it and now Essential Energy have advised that the span for the overhead powerline is at the maximum. This precludes the possibility of further repositioning of the pole. An image showing the extent of the problem is provided below:



The budget that was set in 2020 is the sum of \$150,717. Council funded this from the Local Community and Infrastructure Fund (Round 1). To date, Council has expended \$33,018 on the project. This was for preliminaries such as the environmental assessment, geotechnical investigation, survey and associated project management costs. Further works were unable to progress until now due to the extended period of wet weather making the creek inaccessible.

Council has recently called for quotations to carry out the design and construction component of the works. As Council is yet to accept any of these quotations and there are Commercial-in-Confidence considerations, the exact amounts are not disclosed in this report. However, based on those submissions and allowing for

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further project management expenses the revised estimate to complete the works is \$206,000. This leaves a project budget shortfall of \$89,000.

As outlined above, the need to address this issue is quite urgent. It is recommended that Council proceed with the project and re-allocate the shortfall from the unsealed roads budget.

<u>Principal Activity</u>	Lead
<u>Policy Implications</u>	Nil
<u>Budget Implications</u>	Reduction of unsealed roads budget by \$89,000.
<u>Delivery Program Actions</u>	<b>4.3.6.1</b> Support the management of the Castlereagh River Catchment in Gilgandra Region

RECOMMENDATION

That Council revise the budget for the Biddon Creek Scouring Rectification to \$206,000 by reallocating \$89,000 from the unsealed roads budget.

Daryl Colwell  
Director Infrastructure

MEETING OF: GILGANDRA SHIRE COUNCIL  
HELD ON: 18 JULY 2023

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## **REPORTS FOR INFORMATION AND NOTATION**

### **SUMMARY**

To present reports for information and notation.

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- Statement of Bank Balances (Local Government (Financial Management) Regulation No. 93) and Investment Balances
- Matters Outstanding from Previous Council Meetings
- Questions for Next Meeting
- Development Applications

Any questions which Councillors may have in relation to these reports and/or issues to be raised, should be brought forward at this time.



**STATEMENT OF BANK BALANCES AND INVESTMENT BALANCES**

**SUMMARY**

Statement of Bank Balances and Investment Balances  
To present the following information relative to the above report headings:

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1. Statement of Bank Balances (Local Government Financial Management Regulation No.19) - Month of June 2023.
2. Certificate of Bank Reconciliation - Month of June 2023.
3. Details of investments as at 30 June 2023 (Local Government Financial Management Regulation No.19).

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<b>CASH BOOK BALANCE AS AT</b>	<b>31-May-23</b>	<b>\$1,574,839.47</b>
Plus: Receipts		\$11,145,459.00
Less: Payments		<u>\$6,461,990.44</u>
<b>CASH BOOK BALANCE AS AT</b>	<b>30-Jun-23</b>	<b><u>\$6,258,308.03</u></b>

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<b>STATEMENT BALANCE AS AT</b>	<b>31-May-23</b>	<b>\$1,582,456.42</b>
Plus: Receipts		\$11,121,373.86
Less: Payments		<u>\$5,507,002.88</u>
<b>STATEMENT BALANCE AS AT</b>	<b>30-Jun-23</b>	<b><u>\$7,196,827.40</u></b>

Plus: Unpresented Receipts		\$20,481.55
Less: Unpresented Payments		<u>\$959,000.92</u>
<b>RECONCILED BALANCE AS AT</b>	<b>30-Jun-23</b>	<b><u>\$6,258,308.03</u></b>

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Cashbook balance as at 30 June 2023:	\$6,258,308.03
Investments held as at 30 June 2023:	<u>\$28,000,013.70</u>
<b>Total Cash &amp; Investments Held as at 30 June 2023:</b>	<b><u>\$34,258,321.73</u></b>

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The bank balances in each of the funds as at 30 June 2023 are:

General Fund	\$13,641,239.59
Water Fund	\$3,302,005.11
Sewer Fund	\$3,136,665.31
Orana Living	\$5,887,177.94
Carlinda Enterprises	\$495,628.86
Cocee Villa Units	\$2,603,376.12
Cocee Lodge	\$3,747,976.40
Jack Towney Hostel	\$1,192,505.45
Trust Fund	\$251,746.95

**Balance as per Total Cash & Investments Held: \$34,258,321.73**

Details of Council's investments are as follows:

(1)	\$1,000,000.00	For 365 days	4.90%	Due 08-Mar-24	With Defence
(2)	\$1,000,013.70	For 274 days	3.14%	Due 04-Sep-23	With Bendigo
(3)	\$1,500,000.00	For 366 days	4.30%	Due 04-Mar-24	With Bendigo
(4)	\$1,000,000.00	For 91 days	4.45%	Due 12-Jul-23	With Macquarie
(5)	\$1,000,000.00	For 272 days	4.00%	Due 11-Sep-23	With Macquarie
(6)	\$1,000,000.00	For 364 days	3.54%	Due 25-Aug-23	With Macquarie
(7)	\$1,000,000.00	For 273 days	4.24%	Due 28-Jul-23	With Macquarie
(8)	\$1,000,000.00	For 92 days	4.64%	Due 08-Aug-23	With Macquarie
(9)	\$1,000,000.00	For 180 days	4.65%	Due 11-Oct-23	With Bank of Qld
(10)	\$2,500,000.00	For 240 days	4.21%	Due 10-Jul-23	With Suncorp
(11)	\$2,000,000.00	For 181 days	4.90%	Due 27-Nov-23	With NAB
(12)	\$2,000,000.00	For 270 days	4.05%	Due 14-Jul-23	With NAB
(13)	\$2,000,000.00	For 180 days	4.80%	Due 14-Nov-23	With NAB
(14)	\$1,000,000.00	For 181 days	4.60%	Due 28-Aug-23	With NAB
(15)	\$3,000,000.00	For 180 days	4.35%	Due 08-Aug-23	With NAB
(16)	\$2,000,000.00	For 182 days	4.75%	Due 13-Nov-23	With NAB
(17)	\$2,000,000.00	For 181 days	4.60%	Due 28-Aug-23	With NAB
(18)	\$2,000,000.00	For 452 days	5.15%	Due 26-Aug-24	With Bank of Qld
Total					<b>\$28,000,013.70</b>
Investments:					

## **OUTSTANDING MATTERS FROM PREVIOUS MEETINGS**

### SUMMARY

To provide an update in relation to matters previously resolved at Council Meetings requiring further action to be taken.

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<u>Res. No.</u>	<u>Subject</u>	<u>Action</u>
<u>July 2021</u>		
124/21	Industrial Land – Purchase Offer	Reported to June Council meeting
<u>July 2022</u>		
141/22	Compulsory Acquisition by Agreement Of Road Reserves and Licence Agreement	Report to future meeting
<u>November 2022</u>		
231/22	ARTC Housing Design	To be included in Tenders in 2023
<u>December 2022</u>		
227/22 240/22	Audit Risk Improvement Committee Chair	Commencement Pending
247/22	Subdivision of 6324 Newell Highway, Gilgandra	Stage 1 Subdivision completed – Registration Pending
248/22	Castlereagh River Restoration and Beautification Project – Sears and EOI/Tender	Report to future meeting

MEETING OF: GILGANDRA SHIRE COUNCIL  
HELD ON: 18 JULY 2023

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**PROGRESS ON “QUESTIONS FOR NEXT MEETING”**

**SUMMARY**

To inform Council of appropriate action which has or will be taken in relation to Councilors “Questions for Next Meeting” outstanding from previous meetings.

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**December 2022**

Upgrade of National Park Road and  
Baronne Creek

Applications have been submitted,  
report to later meeting

Gravel Pits

Report to later meeting

MEETING OF:  
HELD ON:

GILGANDRA SHIRE COUNCIL  
18 JULY 2023

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### **DEVELOPMENT APPLICATIONS**

The following development applications were approved during June 2023:

<b>DA Number</b>	<b>Applicant's Name</b>	<b>Application</b>	<b>Property address</b>	<b>Development Value</b>
2023/489	DJ Dobson	Swimming Pool	24 Butler Drive Gilgandra	\$62,075
2023/492	D Thompson	Shed	13 Elizabeth Street Gilgandra	\$19,800
2023/493	S Briggs	Alterations and Addition to Dwelling	10 Hall Street Gilgandra	\$114,000
				June \$195,875
				<b>Total 2023 \$1,440,507</b>

### **Applications under assessment**

DA2023/494 - Awning

### **RECOMMENDATION**

That the reports be noted.

David Neeves  
General Manager

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**PRECIS OF CATEGORY A CORRESPONDENCE – RESPONSE FROM  
THE CHAIR OF IPART IN RELATION TO THE EMERGENCY SERVICES  
LEVY**

**SUMMARY**

To consider correspondence from the Chair of the Independent Pricing and Regulatory Tribunal (IPART), Carmel Donnelly, in relation to the Emergency Services Levy.

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Further to the outcomes from the 16 May 2023 Council meeting, please see attached letter received from the IPART Chair, Carmel Donnelly, in relation to the Emergency Services Levy.

<u>Principal Activity</u>	Lead
<u>Policy Implications</u>	Nil
<u>Budget Implications</u>	Nil
<u>Delivery Program Actions</u>	<b>4.3.5.1</b> Represent community concerns in relation to government and non-government service delivery issues

**RECOMMENDATION**

That the correspondence be noted.

David Neeves  
General Manager

**PRECIS OF CATEGORY A CORRESPONDENCE – RESPONSE FROM  
MINISTER FOR LOCAL GOVERNMENT IN RELATION TO THE  
EMERGENCY SERVICES LEVY**

**SUMMARY**

To consider correspondence from the Minister for Local Government, the Hon. Ron Hoenig in relation to the Emergency Services Levy.

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Further to the outcomes from the 16 May 2023 Council meeting, please see attached letter received from the Minister for Local Government, the Hon. Ron Hoenig.

<u>Principal Activity</u>	Lead
<u>Policy Implications</u>	Nil
<u>Budget Implications</u>	Nil
<u>Delivery Program Actions</u>	<b>4.3.5.1</b> Represent community concerns in relation to government and non-government service delivery issues

**RECOMMENDATION**

That the correspondence be noted.

David Neeves  
General Manager

MEETING OF: GILGANDRA SHIRE COUNCIL  
HELD ON: 18 JULY 2023

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**PRECIS OF CATEGORY B CORRESPONDENCE**

**SUMMARY**

To pass on relevant information from correspondence received.

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Documents mentioned are available upon request for any interested Councillors.

**TELSTRA AND ONEWEB**

Telstra have advised by letter that it has entered into an agreement with OneWeb to deliver one of the largest rollouts of OneWeb Low Earth Orbit backhaul for a commercial mobile network.

**RECOMMENDATION**

That receipt of the Category B correspondence be noted.

David Neeves  
General Manager