INQUIRY INTO LOCAL GOVERNMENT IN NEW SOUTH WALES

Organisation: Lake Macquarie City Council

Date received: 3/07/2015



3 July 2015

The Director
General Purpose Standing Committee No. 6
Parliament House
Macquarie St Sydney NSW 2000

Dear Ms Foley

Subject: Submission on Inquiry into Local Government

Thank you for the opportunity to make a submission in relation to the current Parliamentary Inquiry into local government in NSW and the Fit for the Future reform process, including proposed council amalgamations.

Lake Macquarie City is located on the east coast of NSW, approximately 150 km north of Sydney. It is a very large regional city with a population of 202,676, making it the fifth most populous city in NSW.

Lake Macquarie City Council has an asset base worth about \$2.3 billion, an annual budget of some \$287 million, and, with 996 full-time equivalent staff, is one of the largest employers in the Hunter region. The population of the City is expected to grow to about 260,000 by 2030, putting it in the top 3% of NSW and top 7% of Australian LGAs.

Please find enclosed a copy of my submission, on behalf of Lake Macquarie City Council. In this submission, I draw to your attention to evidence that I have gathered regarding the performance of councils in NSW that have, and have not, been amalgamated over the last 10 years. My analysis concludes that the key factor for sustainability in local government is effective management. This factor does not depend on size, but on the quality of political and managerial leadership within the organisation, and the strength of council's commitment to serve its community.

I am available to appear at a public hearing, should the Committee wish to discuss my submission in further detail.

Should you require further information, please contact me

Yours sincerely

Brian Bell General Manager [encl]

"Quality Lifestyle"

Lake Macquarie City Council

Inquiry into local government in New South Wales



Submission to the General Purpose Standing Committee No. 6





Inquiry into the 'Fit for the Future' Reform Agenda

Submission from Lake Macquarie City Council's General Manager

(a) the NSW Government's Fit for the Future reform agenda

Lake Macquarie City Council is supportive of the premise behind the Fit for the Future reform as long as the recommendations provide for a practical, appropriate and sensible way forward that provides the solutions sought, but at a much lesser social and financial cost to the government and communities of NSW than that which will be caused by forced amalgamations.

(b) the financial sustainability of the local government sector in NSW, including the measures used to benchmark Local Government as against the measures used to benchmark State and Federal Government in Australia

Securing local government financial capacity and sustainability is the fundamental prerequisite for all councils to enhance their strength and effectiveness. Lake Macquarie City Council agrees that this should be the first priority when implementing reforms. Financial sustainability was perhaps the major issue in the minds of local government when it met in Dubbo for Destination 2036 in November 2011.

There is an absolute need to ensure that financial sustainability is the first priority for any NSW Government strategy to "improve" local government. This was common knowledge within "thinking" local governments long before Destination 2036.

Local government does not need massive amalgamations to solve their financial sustainability issues.

The more practical, much less costly and simpler solutions are:

- remove the rate cap; or
- introduce the Independent Local Government Review Panel (ILGRP) recommendations for rate benchmarking or rate streamlining; and
- apply rigorous Integrated Planning and Reporting (IPR) processes to each council, followed by an Independent Pricing and Regulatory Tribunal (IPART) review for every council, on a rotational basis; and
- offer earned autonomy now for councils that have proven performance and capacity.

The ILGRP worked through the obvious answers, but refused to strongly recommend abolition of the rate cap, citing political problems. However, the ILGRP then strongly pushed for "bigger is probably better" amalgamations. Does that not create even bigger political problems?

The general community in NSW is willing to pay moderately more in rates for their council services. Having successfully been through the Special Rate Variation (SRV) process with IPART recently, Lake Macquarie City Council agrees with that position. Decision makers need to understand that given reasonable information, a reasonable community will make a reasonable decision about their future council services and how much they are prepared to pay for them.

Interestingly, in a previous ILGRP report, an observation was made that the experience in other States and the results of community surveys suggest that increases of \$1-2 a week would be

acceptable for most NSW ratepayers, provided the additional revenue is earmarked for specific improvements to infrastructure and services. The ILGRP adds that increases of that order would be sufficient to address many of the problems identified by TCorp.

Given that the major concern for most local governments in NSW is future financing, should the NSW Government not use this information and push the financial sustainability opportunities for most local councils through the IPR and IPART processes, rather than pursuing amalgamations as the best answer?

(c) the performance criteria and associated benchmark values used to assess local authorities in New South Wales

Using the same 'Fit for the Future' assessment indicators set by the Office of Local Government (OLG), a study was undertaken by the General Manager of Lake Macquarie City Council, Brian Bell, in 2015 to assess whether the performance of previously amalgamated councils in NSW were in fact showing whether 'bigger is better'. Were the amalgamated councils performing better than their non-amalgamated peers? The study used data from:

- The NSW Office of Local Government (2012-2014) comparative data sets;
- Annual Financial Statements for each Council across an average of three years (2012-2014).

Twenty-four significant regional city and town councils in NSW were chosen. Each of these councils is classified by the NSW Office of Local Government as a Category 4 council. The 24 councils selected for this study were:

Albury; Armidale; Ballina; Bathurst; Bega Valley; Broken Hill; Byron; Clarence Valley; Deniliquin; Dubbo; Eurobodalla; Goulburn-Mulwaree; Griffith; Kempsey; Lismore; Lithgow; Mid-Western Regional (Mudgee); Orange; Queanbeyan; Richmond Valley; Singleton; Tamworth Regional; Wagga Wagga; and Wingecarribee.

Ten of the 24 councils were amalgamated between 2000 and 2004, so any comparative performance benefits should have been readily identifiable by the data collection period (2012-2014), a minimum of eight years since their amalgamations.

The 24 councils were chosen because they undertake generally similar functions and therefore their performances against certain indicators can be compared:

- Each of the 24 councils are centred in a regional town or city
- All councils are significant regional cities and towns in NSW
- All councils are general purpose councils providing the broad range of general council services to their communities
- All councils provide water and sewer services to their communities
- With one exception, the population ranges in the chosen councils are between 19,000 and 62,000. The exception council has a population of approximately 7,300
- Each of the councils derive their funding from similar activities and have similar governance structures
- 10 of the 24 councils have been amalgamated since at least 2004, so any comparative performance benefits should be readily identifiable by the data collection period, 2012-2014, a minimum eight year period since amalgamation.

The study indicated very clearly that there is no better performance by the amalgamated councils over the non-amalgamated councils on any of the 'Fit for the Future' performance indicators. The data also show there are no discernible economies of scale efficiencies in the bigger councils versus the smaller councils.

Table 1 below presents a comparison and assessment of these 24 councils for the period 2012-2014, against the IPART benchmarks identified in Fit for the Future. Table 2 then ranks these 24 councils against each other for each of the indicators.

Table 1 – Data sets using the Fit for the Future assessment performance measures

Council Identifier	Council Previously Amalgamated	LGA Population 2013 (DLG)	Operating Performance Ratio	Own Source Revenue Ratio	Building & Infrastructure Renewal Ratio	Asset Maintenance Ratio	Infrastructure Backlog Ratio	Operating Expense per Capita
1	No	61,746	-7.0%	66.3%	104.3%	0.7	0.10	1,802
2	Yes *	58,922	1.2%	72.5%	57.2%	0.9	0.05	1,989
3	Yes *	51,346	-23.1%	64.3%	29.8%	0.7	0.18	2,602
4	Yes *	49,655	-1.0%	81.3%	86.7%	1.1	0.04	1,966
5	No	46,416	-5.9%	78.5%	48.1%	0.9	0.08	1,817
6	No	44,485	-6.8%	77.8%	66.9%	0.8	0.03	2,211
7	No	41,006	-13.3%	68.0%	103.7%	1.1	0.01	1,974
8	No	40,595	1.4%	77.2%	24.3%	0.8	0.03	2,108
9	Yes *	40,253	-4.0%	75.7%	40.6%	0.7	0.10	1,856
10	Yes *	40,209	-12.8%	72.0%	106.9%	1.0	0.01	1,805
11	No	40,108	5.5%	59.3%	14.5%	8.0	0.01	1,831
12	No	37,048	-3.2%	77.3%	58.0%	0.7	0.06	2,540
13	No	33,259	-3.4%	69.8%	73.8%	1.0	0.09	2,403
14	No	30,960	-13.4%	77.1%	36.5%	0.7	0.21	2,379
15	No	29,198	-37.4%	71.2%	37.9%	0.7	0.14	2,531
16	Yes *	28,721	-7.7%	71.2%	42.4%	0.7	0.09	1,946
17	No	25,489	6.0%	73.5%	146.4%	1.1	0.02	1,786
18	Yes*	25,278	-7.0%	77.9%	47.1%	1.4	0.04	1,913
19	No	23,785	-3.4%	73.6%	72.7%	0.7	0.05	1,896
20	Yes *	23,493	-1.3%	60.9%	104.4%	0.9	0.20	2,260
21	Yes *	22,702	-12.9%	68.6%	62.7%	0.9	0.10	2,201
22	Yes *	21,009	-5.4%	65.4%	157.3%	0.9	0.15	1,740
23	No	19,103	-61.2%	63.6%	31.0%	1.0	0.01	1,920
24	No	7,327	4.5%	66.3%	90.3%	0.9	0.27	2,188

Source: OLG Comparative Data: Annual Financial Statements (3Yr Average YE 2012 -2014)

The amalgamated councils are not showing a pattern of better performance over the non-amalgamated councils. There is no pattern in performance between the current non-amalgamated and previously amalgamated councils. Nor does it matter if the council is large or small when assessing performance using these indicators, illustrating that scale is not necessarily a defining factor on whether a council is a better performer or 'fitter for the future' because of its larger size.

^{*} Councils indicated with an asterisk were previously amalgamated in years 2000 - 2004.

Table 2 - Ranking the councils using the IPART assessment performance measures

Council Identifier	Council Previously Amalgamated	LGA Population 2013 (DLG)	Operating Performance Ratio	Own Source Revenue Ratio	Building & Infrastructure Renewal Ratio	Asset Maintenance Ratio	Infrastructure Backlog Ratio	Operating Expense per Capita
1	No	61,746	15	19	5	21	16	3
2	Yes *	58,922	5	11	14	10	10	14
3	Yes *	51,346	22	21	22	23	21	24
4	Yes *	49,655	6	1	8	2	9	12
5	No	46,416	13	2	15	11	13	5
6	No	44,485	14	4	11	15	6	18
7	No	41,006	20	17	6	3	4	13
8	No	40,595	4	6	23	14	7	15
9	Yes *	40,253	11	8	18	17	17	7
10	Yes *	40,209	18	12	3	7	1	4
11	No	40,108	2	24	24	16	1	6
12	No	37,048	8	5	13	18	12	23
13	No	33,259	9	15	9	5	14	21
14	No	30,960	21	7	20	22	23	20
15	No	29,198	23	14	19	20	19	22
16	Yes *	28,721	17	13	17	24	15	11
17	No	25,489	1	10	2	4	5	2
18	Yes*	25,278	16	3	16	1	8	9
19	No	23,785	10	9	10	19	10	8
20	Yes *	23,493	7	23	4	12	22	19
21	Yes *	22,702	19	16	12	8	18	17
22	Yes *	21,009	12	20	1	9	20	1
23	No	19,103	24	22	21	6	1	10
24	No	7,327	3	18	7	13	24	16

Source: OLG Comparative Data: Annual Financial Statements (3Yr Average YE 2012 -2014)

^{*} Councils indicated with an asterisk were previously amalgamated in years 2000 - 2004.

Table 3 below indicates the top five performing councils (shown in green) and bottom five performing councils (shown in red) in each criteria and corresponding benchmarks. The table clearly shows no significantly better performances by the amalgamated councils over their non-amalgamated peers.

Table 3 - Top and bottom performing councils using the IPART assessment performance measures

Council Identifier	Council Previously Amalgamated	LGA Population 2013 (DLG)	Operating Performance Ratio	Own Source Revenue Ratio	Building & Infrastructure Renewal Ratio	Asset Maintenance Ratio	Infrastructure Backlog Ratio	Operating Expense per Capita
1	No	61,746	15	19	5	21	16	3
2	Yes *	58,922	5	11	14	10	10	14
3	Yes *	51,346	22	21	22	23	21	24
4	Yes *	49,655	6	1	8	2	9	12
5	No	46,416	13	2	15	11	13	5
6	No	44,485	14	4	11	15	6	18
7	No	41,006	20	17	6	3	4	13
8	No	40,595	4	6	23	14	7	15
9	Yes *	40,253	11	8	18	17	17	7
10	Yes *	40,209	18	12	3	7	1	4
11	No	40,108	2	24	24	16	1	6
12	No	37,048	8	5	13	18	12	23
13	No	33,259	9	15	9	5	14	21
14	No	30,960	21	7	20	22	23	20
15	No	29,198	23	14	19	20	19	22
16	Yes *	28,721	17	13	17	24	15	11
17	No	25,489	1	10	2	4	5	2
18	Yes*	25,278	16	3	16	1	8	9
19	No	23,785	10	9	10	19	10	8
20	Yes *	23,493	7	23	4	12	22	19
21	Yes *	22,702	19	16	12	8	18	17
22	Yes *	21,009	12	20	1	9	20	1
23	No	19,103	24	22	21	6	1	10
24	No	7,327	3	18	7	13	24	16

Source: OLG Comparative Data: Annual Financial Statements (3Yr Average YE 2012 -2014)

(d) the scale of Local Councils in NSW

The all-around performances of councils in NSW and elsewhere, has very little to do with their size.

Council performance is strongly controlled by two things:

- · political stability in the elected council; and
- good administrative management.

^{*} Councils indicated with an asterisk were previously amalgamated in years 2000-2004.

Why does the NSW Government continue to suggest "bigger is probably better" when there is little evidence to prove it?

There are many very well-run councils, large, medium and small, that handle their circumstances very well.

The well-run councils, no matter their size, always outrun and outperform the not-so well-run councils, no matter their size.

The tables below provide brief snapshots that highlight these matters. Table 4 compares Brisbane City Council (population 1,084,000), with the performance of 13 councils in the Hunter and Central Coast regions of NSW. The 13 local Hunter and Central Coast have an aggregated population of approximately 1 million, which is similar to Brisbane City Council but they still operate more efficiently in 'costs per capita' as 13 separate, stand-alone councils. The 13 local Hunter and Central Coast councils are less expensive to run in their current form than the conglomerate that is Brisbane City Council.

Table 4 - Comparison of Brisbane City and the conglomeration of 13 Hunter and Central Coast councils

Criterion	Brisbane City Council	Hunter Central Coast Region councils		
Population	1.08 million	0.97 million		
Operating Income	\$1.36 billion	\$1.49 billion		
Per Capita Income	\$1,256	\$1,531		
Operating Expense	\$1.42 billion	\$1.35 billion		
Per Capita Costs	\$1,311	\$1,385		
Full Time Equivalent Employees	6,700	5,875		
Employees/1000 population	6.2	6.0		

^{*} Revenue and operating costs exclude related water supply and transport facilities Data are sourced from the 2013 Audited Financial Statements from each council.

Gold Coast City Council, with a population of 536,000, was amalgamated with Albert Shire Council about 20 years ago. Table 5 below compares Gold Coast City with a similar population in NSW, using Lake Macquarie City, Wyong Shire and Gosford City (with a combined population of 520,000). The comparisons in Table 5 clearly show that the cumulative performances of the three separate stand-alone councils (Lake Macquarie City Council, Wyong Shire Council and Gosford City Council), perform significantly better than the amalgamated Gold Coast City Council. The three councils still operate more efficiently as separate, stand-alone councils.

Table 5 – Comparison of Gold Coast City and the conglomeration of Lake Macquarie, Wyong and Gosford councils

Criterion	Gold Coast City Council	Lake Macquarie, Wyong and Gosford councils		
Population	0.54 million	0.52 million		
Operating Income	\$746 million	\$706 million		
Per Capita Income	\$1,393	\$1,347		
Operating Expense	\$727 million	\$659 million		
Per Capita Costs	\$1,356	\$1,257		
Full Time Equivalent Employees	3,275	2,909		
Employees/1000 population	6.1	5.6		

^{*} Revenue and operating costs exclude related water supply and transport facilities, and data are sourced from the 2013 Audited Financial Statements from each council.

In previous submissions on local government reform, Lake Macquarie City Council has made the point that bolstering the revenue base of councils must be given first priority when implementing reforms. The solutions can only come from within councils that function well.

Those councils that are not yet functioning well should, in the first instance, be required to undergo the requirements of the IPR process with subsequent independent review by an IPART (or similar) process.

These processes in tandem are most likely to ensure a rigorous and robust result that involves community engagement, subsequent agreed (with the community) costings and substantial community agreement on a way forward. The IPART-style independent review also ensures a realistic case has been made that the community is prepared to support and fund.

If a struggling council goes through these robust processes, first it will have an enhanced knowledge of its real position and will know what its community is prepared to pay for it to enjoy a lifestyle it wants.

If these processes are undertaken, it will remove much of the hand wringing and distrust that sometimes exists in systems that do not fully understand their own position. It will also remove much of the need for structural reform.

It is important to recognise that local government is quite capable of moving forward in a rigorous way. The best example of this is the introduction of the IPR process. In a few short years, the local government sector in NSW has made giant steps forward in understanding the things that matter and how to deal with them into the future. They are now getting on and dealing with these matters.

If, after having gone through a rigorous process involving the full IPR process, followed by an IPART or similar review process, a council is still unable to measure up, then that is the time for more onerous action to be taken. Not before.

(e) the IPART role in reviewing the future of Local Government in NSW, assisted by a South Australian commercial consultant

We welcome the Premier's appointment of IPART as the Expert Advisory Panel to assess councils' Fit for the Future proposals. IPART has developed a clear and transparent process for assessment of council proposals, which includes, within the constraints of IPART's terms of reference, input from stakeholders (see http://haveyoursaylakemac.com.au/our-fit-future/documents for Council's submission on the draft methodology).

An important inclusion in the final methodology was the capacity to calculate infrastructure backlog ratio using replacement cost rather than written down value of assets. In the vast majority of cases, when a council renews an infrastructure asset, the costs it incurs are not equivalent to the written down value (depreciated replacement cost) of that asset. The current replacement cost for an asset typically provides a more accurate estimate of the cost a council will incur to renew the asset.

We have confidence in the independence and rigour of IPART's analysis and support the appointment of John Comrie as a temporary Tribunal member for this review. However, it is disappointing that the review is so heavily biased towards financial metrics. Consideration of community expectations, and performance against strategic environmental, social, economic and civic leadership criteria would have provided a more robust analysis.

(f) the appropriateness of the deadline for Fit for the Future proposals

Lake Macquarie City Council has taken every opportunity to offer input to the local government reform process over the past three years, and will continue to do so, for the benefit of our more than 200,000 residents.

While we acknowledge that the criteria for assessment of Fit for the Future proposals have been publicly available since September 2014, it is unsatisfactory that the Expert Advisory Panel was not appointed until late April 2015 and that the final assessment methodology was released just 25 days before council submissions were due.

The timeframe for IPART to assess proposals is grossly inadequate. IPART has just 78 days to form a view about whether 144 councils in NSW (all 152 councils less the 8 councils of the Far West) meet the Fit for the Future criteria. This is an average of half a day per council.

We are concerned that the process beyond IPART making its recommendations to the Minister for Local Government remains opaque. To date, information available about the process contained in OLG publications indicates that councils will begin implementing their proposals some time later this year, with merger transitions in progress prior to the next local government election and Joint Organisations rolled out shortly after that election. OLG advised during workshops held in November 2014 that it had not yet considered what it would do if mergers were not resolved prior to the local government election. To date, there has been no update on that position.

It would be helpful for the OLG to inform councils about how and when it intends to deal with IPART's recommendations. This would provide some clarity for councils without pre-empting the Government's decision with respect to those recommendations.

(g) costs and benefits of amalgamations for local residents and businesses

As discussed in response to part (c), there is no clear evidence to support the position that "bigger is probably better".

Modelling presented in our Improvement Proposal submission to IPART found that a merger would lead to substantial increases in residential and business rates for ratepayers in Lake Macquarie, with no increase in services.

(h) evidence of the impact of forced mergers on council rates drawing from the recent Queensland experience and other forced amalgamation episodes

Please see our response to part (d).

(i) evidence of the impact of forced mergers on local infrastructure investment and maintenance

Modelling presented in our Improvement Proposal submission to IPART found the performance of a merged council in relation to infrastructure backlog, asset maintenance, and debt servicing to be no better than each council standing alone.

(j) evidence of the impact of forced mergers on municipal employment, including aggregate redundancy costs

The same analysis found that a merger would have a negative impact on municipal employment and substantial transition and set up costs (accounting for proposed Government assistance).

(k) the known and or likely costs and benefits of amalgamations for local communities

Our submission to IPART identified that the amalgamation proposed for us by the ILGRP would increase costs for our ratepayers, reduce the capacity for local representation, and diminish the Hunter region by reducing the capacity of both councils in both the short and long term. The merger would also create a dramatic imbalance in the scale and capabilities of the region's local councils.

(I) the role of co-operative models for Local Government including the *Fit for the Future's* own Joint Organisations, Strategic Alliances, Regional Organisations of Councils, and other shared service models, such as the Common Service Model

We strongly support the ILGRP's recommendation to establish shared services models as a mechanism to enhance strategic capacity at the regional level. Many local councils are involved in shared services around Australia. For example, in the Hunter region, shared services include waste recycling, information technology platforms, procurement services, legal services, training services, records storage services, environmental management services and the like. These services are largely self-funding, through companies limited by guarantee. In total, they cater to hundreds of thousands of households and provide many millions of dollars in value annually.

We strongly support the Joint Organisation model, and have been intimately involved in Hunter Councils Inc's successful nomination to pilot the model. With significantly enhanced decision making powers (using appropriate legislation) for regionally important matters, a Council of Mayors for the Hunter region would enhance the region's strategic capacity.

Joint Organisations are a practical and sensible solution to the matters raised by the Fit for the Future program in relation to regional strategic capacity that does not involve unnecessary amalgamation, and in many cases would be a far better solution, at lower cost, than amalgamation.

(m) how forced amalgamation will affect the specific needs of regional and rural councils an I communities, especially in terms of its impact on local economies

We are not in a position to comment on this element of the Inquiry.

(n) protecting and delivering democratic structares for Local Government that ensure it remains close to the people it serves

Fit for the Future should be about maintaining democracy at the most grassroots level of government. To date, the evidence for how bigger bureaucracies and less local democracy will assist local communities remains disputed.

As reported in the *Sydney Morning Herald*¹, NSW local councils are already large when compared with our global competitors in the OECD. For example, on average the population of Sydney metropolit in councils is almost four times larger than the average council size across the OECD. In 2012, the average population of local councils in OEC acountries is 27,224 hille the average population of the 41 Sydney councils is 104,493. Only two Sydney councils were smaller than the OECD average.

Local government is more highly regarded by Australians than other levels of government and considered most able to make dicisions about local arpas². It is clear that local communities are unconvinced with the rhetoric that amalgamations will 'ix' local government. A recent survey of 16 LGAs across NSW, representing 1.4 million adults (Figure 1)³ found low levels of support for mergers.

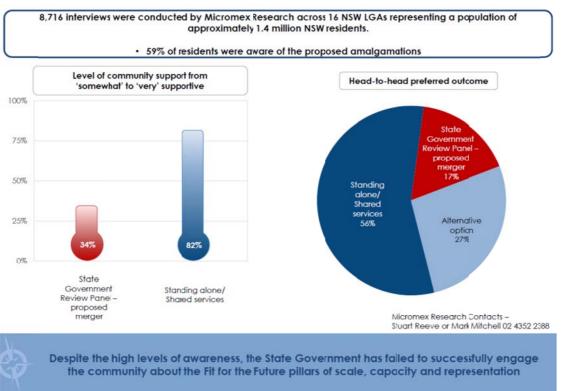


Figure 1 – Summary of community feedback on Fit for the Future proposals acro is 16 NSW .GAs

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¹ http://www.smh.com.au/nsw/parliamentary-inquiry-into-fit-for-the-future-c uncil-amalgamations-could-cause-delays-2015 |526-gha23h.html

² Ryan, R., Hastings, C., Woods., R., Lawrie, A., Grant, B. 2015 Why Local iovernment Matters: Summary Report 2015 Australian Centre of Excellence for Local Government, University of Technology Sydney Australia

³ Micromex, 2015a, Summary of outco nes of Fit for the Future Consultation

This result is consistent with the views of Lake Macquarie residents, who overwhelmingly reject the merger proposed for Lake Macquarie City (Figure 2)⁴.

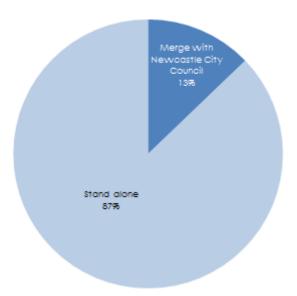


Figure 2 – Lake Macquarie residents' preferred FFTF option – random survey group

(o) the impact of the *Fit for the Future* benchmarks and the subsequent IPART performance criteria on councils' current and future rate increases or levels

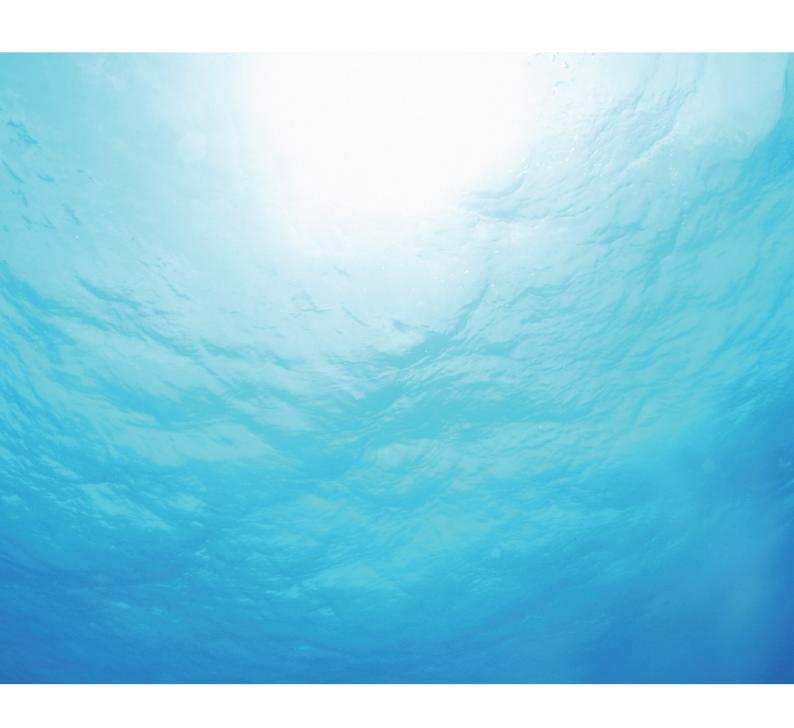
The capacity of local councils to meet Fit for the Future benchmarks depends largely on their current position. In the case of Lake Macquarie City Council, which has a strong culture of continual improvement and tight fiscal control, we are able to meet the criteria described in IPART's methodology with no impact on rates. The merger proposal identified for Lake Macquarie by the ILGRP would, however, substantially increase rates for business and residential ratepayers.

(p) any other related matter

We do not have other matters to raise.

Brian Bell General Manager Lake Macquarie City Council 3 July 2015

⁴ Mircromex, 2015b , Lake Macquarie Satisfaction and Amalgamation Survey



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