



I hereby give notice that an Ordinary Meeting of Council will be held on:

Date: Wednesday, 28 September 2022
Time: 2.00pm
Location: Condobolin Council Chambers

BUSINESS PAPER

Ordinary Council Meeting

28 September 2022

Lachlan Shire –THE HEART OF NSW



Our Vision:

*For the Lachlan Shire to be a resilient community
providing economic and social growth, through
evolving, agricultural, business and mineral activities*

Mission:

*To engage the community, providing and delivering
progressive services whilst implementing a long term
strategic plan leading to the social and economic
benefit of the community*

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1 WEBCASTING

Please note that today's meeting, other than the confidential sessions, are being recorded and will be placed on Council's website. All in attendance should refrain from making defamatory statements. Council takes all care when maintaining privacy, however members of the public gallery and those addressing Council should be aware that you may be recorded.

2 ACKNOWLEDGEMENT OF COUNTRY AND ELDERS**3 APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE****4 CONFIRMATION OF MINUTES**

Ordinary Meeting - 24 August 2022

**MINUTES OF LACHLAN SHIRE
ORDINARY COUNCIL MEETING
HELD AT THE CONDOBOLIN COUNCIL CHAMBERS
ON WEDNESDAY, 24 AUGUST 2022 AT 2:00PM**

PRESENT: Mayor John Medcalf (OAM), Cr Judith Bartholomew, Cr Elaine Bendall, Cr Melissa Blewitt, Cr Dennis Brady, Cr Peter Harris, Cr Megan Mortimer (via Zoom), Deputy Mayor Paul Phillips and Cr Melissa Rees

IN ATTENDANCE: Greg Tory (General Manager), Karen Pegler (Director - Corporate and Community Services), Jon Shillito (Director - Environment, Tourism and Economic Development), Adrian Milne (Director - Infrastructure Services) and Carolyne Marchant (minute taker)

The Chair welcomed those present and declared the meeting open at 2.02pm.

1 WEBCASTING

Statement regarding webcasting was ready by Cr Medcalf.

2 ACKNOWLEDGEMENT OF COUNTRY AND ELDERS

The acknowledgement of Country and Elders was made by Dennis Brady.

3 APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE

RESOLUTION 2022/245

Moved: Cr Dennis Brady

Seconded: Cr Peter Harris

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

CARRIED

4 CONFIRMATION OF MINUTES

RESOLUTION 2022/246

Moved: Cr Peter Harris

Seconded: Cr Judith Bartholomew

That the minutes of the Ordinary Meeting held on 27 July 2022 be confirmed.

CARRIED

5 MAYORAL MINUTE**5.1 MAYORAL MINUTE - MEETINGS AND FUNCTIONS - AUGUST****RESOLUTION 2022/247**

Moved: Cr Elaine Bendall

Seconded: Cr Peter Harris

That:

1. The Mayoral Minute No R22/264 be received and noted.

CARRIED

6 PUBLIC FORUM

Nil

7 DISCLOSURE OF INTEREST

Cr Blewitt declared a Non-Pecuniary Less Than Significant interest in Item 8.3 – FY21/22 Project Monthly Update for August / September as her brother-in-law manages Willow Bend Sports Centre.

Cr Brady declared a Non-Pecuniary Less Than Significant interest in Item 17.2 – Rates and Charges Donations – 2022/2023 as he is a member of the Rotary Club of Condobolin.

Cr Mortimer declared a Non-Pecuniary Less Than Significant interest in Item 9.4.1 – Tree Removal Requests – 50 - 52 Bathurst Street Condobolin as the owner of the property is a friend.

Greg Tory, General Manager declared an interest in Item 9.1.1 General Manager's 2021/2022 Performance Review and Contract and Item 17.1 of the Closed Session – General Manager's Performance Review as the matters deal with his employment.

Cr Blewitt declared a Non-Pecuniary Less Than Significant interest in Item 8.3 – FY21/22 Project Monthly Update for August / September as her brother-in-law manages Willow Bend Sports Centre.

8 READ AND NOTE**RESOLUTION 2022/248**

Moved: Cr Peter Harris

Seconded: Cr Elaine Bendall

That the recommendations included in the business paper to receive and note the following items be adopted:

- 8.1 Development Data July 2022
- 8.2 Investments as at 31 July 2022
- 8.3 FY21/22 Project Monthly Update for August/September
- 8.4 Correspondence
- 8.5 FY22/23 Utilities Monthly Update For July
- 8.6 Active Resolutions – August
- 8.7 FY22/23 Urban Works Monthly Update for July
- 8.8 FY22/23 Roadworks Monthly Update for July

CARRIED

9 DECISION REPORTS**9.1 GENERAL MANAGER****RESOLUTION 2022/249**

Moved: Cr Melissa Rees

Seconded: Cr Dennis Brady

That Item 9.1.1 - General Managers Performance Review and Contract be dealt with after the Closed Session has concluded.

CARRIED

9.2 CORPORATE AND COMMUNITY SERVICES**9.2.1 PAYMENT OF EXPENSES AND THE PROVISION OF FACILITIES TO COUNCILLORS POLICY****RESOLUTION 2022/250**

Moved: Cr Peter Harris

Seconded: Deputy Mayor Paul Phillips

That

1. The Director Corporate & Community Services Report R22/253 be received and noted.
2. The Payment of Expenses and the Provision of Facilities for Councillors Policy be adopted as presented.

CARRIED

9.2.2 DONATIONS**RESOLUTION 2022/251**

Moved: Cr Peter Harris

Seconded: Deputy Mayor Paul Phillips

That:

1. The Director of Corporate and Community Services Report No. R22/272 be received and noted.
2. Council provide a donation to Condobolin Sports Club Limited of \$400.00 for their Triple Bowls Day.
3. Council provide a donation of \$1,000.00 to the Rotary Club of Lake Cargelligo Christmas Carnival Committee

CARRIED

9.3 ENVIRONMENT, TOURISM AND ECONOMIC DEVELOPMENT

9.3.1 ACTIONS FROM THE INDUSTRIAL AND RURAL LANDS STRATEGY - LODGEMENT OF PLANNING PROPOSALS FOR IDENTIFIED SITES

RESOLUTION 2022/252

Moved: Cr Dennis Brady

Seconded: Cr Elaine Bendall

That:

1. The Director of Environment, Tourism and Economic Development Report No. R22/274 be received and noted.
2. Council endorse the investigations in accordance with the Actions (C1) of Council's Industrial and Rural Lands Strategy.
3. A further report be tabled once the investigations are complete and individual planning proposals are prepared.

CARRIED

Cr Bartholomew left the meeting at 2.20pm.

Cr Bartholomew returned to the meeting at 2.21pm.

Cr Mortimer declared a Non-Pecuniary Less Than Significant interest in Item 9.4.1 – Tree Removal Requests – 50 - 52 Bathurst Street Condobolin as the owner of the property is a friend.

9.4 INFRASTRUCTURE SERVICES

9.4.1 TREE REMOVAL REQUESTS - 50-52 BATHURST STREET, CONDOBOLIN

RESOLUTION 2022/253

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Elaine Bendall

That:

1. The Director Infrastructure Services Report No. R22/267 be received and noted.
2. Council decline the request for removal and replacement of the Chinese tallow tree at 50 Bathurst Street, Condobolin due the tree being of significant age and in fair condition. The Tree provides amenity and shade that benefits the street in the summer months. Staff to investigate possible relocation of tree and provide a report to Council.
3. Council approve the request for removal and replacement of the Palm Trees out the front and adjacent to 52 Bathurst Street, Condobolin due the trees being unsuitable for their location and the minimal shade benefits to the streetscape.
4. Council reduce the risk to person and property through additional maintenance to the Chinese Tallow and rectify the uneven paving caused from the root system.

CARRIED

9.4.2 TREE ASSESMENT REPORT - 72 MINGELO STREET, TOTTENHAM**RESOLUTION 2022/254**

Moved: Cr Dennis Brady

Seconded: Deputy Mayor Paul Phillips

That:

1. The Director Infrastructure Services Report No. R22/268 be received and noted.
2. Council approve the removal and replacement of the tree located in the road reserve out the front of 72 Mingelo Street, Tottenham due to the tree being located on top of the water main and the damage it is causing to Councils infrastructure.

CARRIED**9.4.3 FIFIELD DEVELOPMENT MANAGEMENT COMMITTEE - REQUEST FOR MOWER****RESOLUTION 2022/255**

Moved: Cr Peter Harris

Seconded: Cr Melissa Rees

That

1. The Director Infrastructure Services Report No. R22/267 be received and noted.
2. Council resolve to support the request from the Fifield Development Management Committee and donate Plant item 5064 – Toro 5000 series 54" zero turn mower to the committee.
3. \$5000 be transferred in future QBR from the existing Fifield Maintenance Budgets to reimburse the Plant Fund for the disposal of Plant Item 5064.

CARRIED**10 DEPUTATIONS**

Nil

11 NOTICES OF MOTION

Nil

12 NOTICES OF RESCISSION

Nil

13 DELEGATES REPORT

Cr Mortimer presented an update on the visit to Penrith.

14 CORRESPONDENCE**RESOLUTION 2022/256**

Moved: Cr Melissa Rees

Seconded: Cr Peter Harris

1. That Council deal with the correspondence.
2. The Director Infrastructure Services is to contact Condobolin Community Drug and Action Team (CDAT) for further information and provide a report to Council.

CARRIED

15 QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

16 PETITIONS

Nil

17 CLOSED SESSION**RESOLUTION 2022/257**

Moved: Cr Peter Harris

Seconded: Cr Melissa Rees

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 10A(2) of the Local Government Act 1993:

17.1 General Manager's Performance Review

This matter is considered to be confidential under Section 10A(2)a of the Local Government Act, and the 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).

17.2 Rates and Charges Donations - 2022/2023

This matter is considered to be confidential under Section 10A(2)b of the Local Government Act, and the 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 discussion in relation to the personal hardship of a resident or ratepayer.

CARRIED

RESOLUTION 2022/258

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Elaine Bendall

That Council moves out of Closed Council into Open Council.

CARRIED

Greg Tory, General Manager declared an interest in Item 9.1.1 General Manager's 2021/2022 Performance Review and Contract and Item 17.1 of the Closed Session – General Manager's Performance Review as the matters deal with his employment.

The General Manager and staff left the meeting to allow Council to consider item 17.1.

17.1 GENERAL MANAGER'S PERFORMANCE REVIEW

RESOLUTION 2022/259

Moved: Cr Peter Harris

Seconded: Cr Melissa Rees

That Council:

1. Note the report of the Performance Review Panel.
2. That Mr Greg Tory be offered a five (5) year Contract of employment commencing 1 September 2022.

CARRIED

The General Manager and staff returned to the meeting.

Cr Brady declared a Non-Pecuniary Less Than Significant interest in Item 17.2 – Rates and Charges Donations – 2022/2023 as he is a member of the Rotary Club of Condobolin.

17.2 RATES AND CHARGES DONATIONS - 2022/2023

RESOLUTION 2022/260

Moved: Cr Peter Harris

Seconded: Cr Judith Bartholomew

That

1. The Director of Corporate and Community Services Report No. R22/273 be received and noted.
2. Council:
 - (a) Decline to provide a rates and charges concession on assessment 1022777 on behalf of the Lake Cargelligo and District Care for the Aged Association Inc.
 - (b) Approve a 50% concession on assessment 1003888 on behalf of the Rotary Club of Condobolin Incorporated.

CARRIED

Greg Tory, General Manager declared an interest in Item 9.1.1 General Manager's 2021/2022 Performance Review and Contract and Item 17.1 of the Closed Session – General Manager's Performance Review as the matters deal with his employment.

Greg Tory left the meeting at 3.04pm.

9.1.1 GENERAL MANAGERS PERFORMANCE REVIEW AND CONTRACT

RESOLUTION 2022/261

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Peter Harris

That:

1. The Mayoral Report No R22/280 be received and noted.
2. The General Manager be offered a new 5-year Contract, commencing 1 September 2022 at a TRP of \$286,931.10 with terms and conditions to be in accordance with the Standard Contract of Employment General Managers of Local Councils in New South Wales.
3. The Mayor be authorised to develop and sign a Deed of Entitlement, as a policy of Council, which details entitlements approved by Council to be provided to the General Manager, for inclusion in Schedule A of the contract.
4. The Mayor be authorised to sign the new 5-year contract for the employment of the General Manager on behalf of Council.

CARRIED

Greg Tory returned to the meeting at 3.06pm

The Meeting closed at 3.12pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 28 September 2022.

.....
CHAIRPERSON

5 MAYORAL MINUTE**5.1 MAYORAL MINUTE - MEETING AND FUNCTIONS - SEPTEMBER****TRIM Number: R22/310****Author: Executive Assistant****RECOMMENDATION**

That:

1. The Mayoral Minute be received and noted.

PURPOSE

To provide Council with details of the meetings and functions attended by the Mayor and Deputy Mayor for the month of September.

SUPPORTING INFORMATION**MEETINGS AND FUNCTIONS ATTENDED BY THE MAYOR AND DEPUTY MAYOR**

25th August – Central West Joint Organisation Conference – Orange

27th August – Condobolin Show (Mayor and Deputy Mayor)

3rd September – Lake Cargelligo Show – Deputy Mayor

6th September – Centroc Monthly Interview

8th September – MLHS Meeting - Lake Cargelligo Hospital – (Deputy Mayor)

10th September – Condobolin Tattoo

14th September – Strategic Briefing Session

16th September – Statement of Strategic Regional Priorities Sub Committee – Conference Report

16th September – Regional Health Division – Country Mayors Executive Group

21st September – ARIC Zoom Meeting

22nd September – Memorial Service – Her Majesty Queen Elizabeth II

24th September – Condobolin, Kiacatoo and Myamley CWA – 100 years Celebration

28th September – Ordinary Meeting of Council

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

CSP 4.2 Strong effective and responsive Council

ATTACHMENTS

Nil

- 6 PUBLIC FORUM**
- 7 DISCLOSURE OF INTEREST**

8 READ AND NOTE**8.1 FY21/22 & 22/23 PROJECT MONTHLY UPDATE FOR SEPTEMBER/OCTOBER****TRIM Number:** R22/284**Author:** Manager - Projects and Building**RECOMMENDATION**

That:

1. The Director of Environment, Tourism and Economic Development Report No. R22/284 be received and noted.

PURPOSE

The purpose of this report is to provide a summary of projects currently being undertaken by the Environment, Tourism and Economic Development Department. The execution and completion of work varies on resource availability, weather conditions, work priorities and unforeseen circumstances. Work priority will be allocated based on safety and risk.

SUPPORTING INFORMATION

NIL

BACKGROUND

Council has adopted the 2022/23 budget and associated Delivery and Operational Plans. This report provides updates on the delivery of the capital and grant funded projects regarding buildings.

ISSUES AND COMMENTS

Project	Budget	Funding Source	Expend. To Date	Forecast Expend.	Comments
Condobolin and District Historical Museum - Extension to Museum and Display Enhancements	\$77,765	SCCF R3	\$6k	\$77,765	Onsite meeting was held on 20 July 2022 with committee representative and Cllr Brady. Options were discussed and have been approved by one committee member. This option will be presented to the committee before

					quotes are obtained and works proceed.
Condobolin Works Depot	\$7,246,707.60	\$6,000,000 Loan and remaining \$1.25m from Council reserves	\$2,798,895.36	\$7,246,707.60	Contracts signed. Works commenced 8 March 2021. Ongoing issue with alleged subsoil moisture which is the subject of a formal dispute raised by the contractor. In accordance with Interim Arbitration Award, Council has undertaken further site investigations and testing. Final report has been received. Works have ceased on-site whilst the dispute remains unresolved.
Lachlan Shire Visitor Information Centre	\$4,403,973.00 above includes contingency of \$347,836.03	Growing Local Economies Fund	\$1.009m	\$4,404,974.00	PWA engaged to provide Project Management Services. PCG established to oversee project delivery. Contract has been issued to Patterson Building Group (PBG) to construct the VIC. PBG have commenced works. Portal framework has been completed. Roof installed. Infill framework underway.

Lake Cargelligo Hall Upgrade	\$50,000	SCCF R4	\$42.5k	\$50,000	Air Conditioning units have been installed. Door has been repaired, alarm system has been installed. Awaiting approval of variation to expend remaining funds.
Willow Bend Sport Centre – Roof Repair	\$75,000	SCCF R4	\$70k	\$75,000	PO issued for works. Roof safety system has been installed. Repairs to roof have been undertaken, with significant savings. Variation to project scope has been approved. New vents have been purchased and internal works been undertaken. Awaiting installation of windows.
Willow Bend Sports Centre Renewal	\$300,000	LRCI P3	Nil	\$300,000	A meeting has been held with the manager of the sports centre to discuss potential impacts of works as well as options. Meeting held onsite with builders in regard to the amenities renewal. Initial quote received. Staff reviewing scope to ensure project meets the budget allocation.
Companion Animal Surrender Cages - Lake Cargelligo	\$50,000	LRCI P3	\$1.7k	\$50,000	Preferred site has been identified. Plans have been finalised, awaiting quotes for the installation.

Tottenham Caravan Park Enhancement	\$190,000	LRCI P3 \$190k & Council funds \$35k	\$51.8k	\$190,000	Schedule of works being finalised. Quotes are being obtained and PO's to be issued for various items. Solar lighting has been installed throughout the park and on the footpath towards town. Works have commenced.
Sign Replacement – Lake Cargelligo Foreshore walk	\$50,000	SCCF R3	Nil	\$50,000	Audit undertaken. Meeting was held with relevant parties on Monday 20 June 2022 in Lake Cargelligo. Sign details are now being prepared with the relevant parties.

Condobolin Works Depot Budget Update

Please note there has been no change to these figures due to suspension of work by the contractor.

Budget	\$7,816,707.60
Contract Value	\$7,246,707.60*
Other Works and Project Management Costs	\$570,000.00
Contingency (included in Contract Value)	\$400,000.00
Approved Variations	\$244,247.14
Remaining contingency	\$7,100.86
Current Expenditure	\$2,798,895.36

All figures include GST

** Figure includes Contingency*

Please note a saving of \$69,679.03 was achieved for the electrical substation, which has been reflected in the above approved variation figure.

FINANCIAL AND RESOURCE IMPLICATIONS

Project management and financial controls are in place to manage financial expenditure and resource allocation.

LEGAL IMPLICATIONS

Nil. All project materials and services have been procured in accordance with the requirements of the NSW Local Government Act 1993 and Council's procurement policy. Environmental Planning and Assessment Act provisions are being complied with regarding development approvals and planning controls.

RISK IMPLICATIONS

Project management and financial controls are in place to manage time and budget risks. The projects have been assessed against relevant legislative requirements to minimise Council's exposure to risk.

Risks surrounding project delivery are being managed through the use of external project managers such as Public Works Advisory to assist with the delivery of building projects.

The cost of the formal arbitration process associated with the resolution of the contractual dispute with the Works Depot construction contractor possess a financial risk to this project that cannot be quantified at this time.

STAKEHOLDER CONSULTATION

Council's fortnightly news column, Talking Tottenham and Mayoral Newsletters update the community on the major improvement works being undertaken around the Shire.

Community consultation has been undertaken in relation to the projects, either through the Community Strategic Plan, through requests for projects to receive grant funding and/or through reports to Council advising of the projects which are being put forward for progression.

OPTIONS

Not applicable

CONCLUSION

This report updates Council on the capital improvements/new work being undertaken by the Environment, Tourism and Economic Development Department.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

4.2 Strong effective and Responsive Council

ATTACHMENTS

Nil

8.2 INVESTMENTS AS AT 31 AUGUST 2022**TRIM Number: R22/290****Author: Finance Accountant****RECOMMENDATION**

That:

1. The Director Corporate and Community Services Report No. R22/290 be received and noted.

PURPOSE

The *Local Government (General) Regulation 2021* section 212 specifies that Council's Responsible Accounting Officer must provide elected members with a monthly written report detailing the funds invested by Council. The report must include information up to the last day of the month immediately preceding the meeting.

The Responsible Accounting Officer must also provide a certificate stating whether the investments have been made in accordance with the Act, the Regulations and Council's Investment Policy.

SUPPORTING INFORMATION

Council's general bank account reconciled balance at 31 August 2022 is \$6,472,006. Investments held at 31 August 2022 totalling \$ 63,905,702 are set out in Attachment 1.

Responsible Accounting Officer Certificate

I certify that the investments have been reconciled with the Council's general ledger as at 31 August 2022, and that investments have been made in accordance with the *Local Government Act*, *Local Government (General) Regulation 2021* and Council's Investment Policy.

Karen Pegler

Responsible Accounting Officer

FINANCIAL UPDATE

As at the end of August 2022, Council's portfolio is compliant across its counterparty and credit quality limits. Over the past 12 months, the portfolio, excluding on call cash, returned +1.05% p.a., outperforming the AusBond Bank Bill Index (bank bills) by 0.68% p.a.

As expected, the Reserve Bank (RBA) raised the cash rate again in August, from 1.35% to 1.85%. The RBA stated "*the Board expects to take further steps in the process of normalising monetary conditions over the months ahead*", but also added policy "*is not on a pre-set path*". The RBA is still prioritising achieving a soft landing if inflation expectations remain anchored as they currently believe it to be. Broader financial conditions are influencing the economic outlook, with markets now factoring the possibility of a global recession as early as the second half of 2023.

Investments returns above 3.50% p.a. now appear likely if Council can place its surplus funds for terms of 12 months or more.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

Investments are made in accordance with Council's Investment Policy and the Community Strategic Plan/Delivery Program Item 4.2.1, which aims to ensure that "Council is financially sustainable and provides services at a level expected by the community".

CONCLUSION

Investments will continue to be managed so Council can meet its cash commitments as and when they fall due.

ATTACHMENTS

1. Investment Report as at 31 August 2022 [⇒](#)

8.3 FY22/23 ROADWORKS MONTHLY UPDATE FOR AUGUST**TRIM Number: R22/304****Author: Director Infrastructure Services****RECOMMENDATION**

That

1. The Director Infrastructure Services Report No. R22/304 be received and noted

PURPOSE

The purpose of this report is to provide a summary of road works undertaken by the Infrastructure Services Department which were completed in August, works in progress in the month of September and works scheduled for the month of October 2022. The execution and completion of works varies depending on resource availability, weather conditions, work priorities and unforeseen circumstances.

SUPPORTING INFORMATION

Nil

BACKGROUND

The unsealed road network continues to be a problem with some roads still badly damaged by on-going wet weather. A significant portion of the road network remains too wet to undertake any maintenance works. A focus on maintenance grading over the next few months should improve the situation provided rainfall remains at below average levels.

ISSUES AND COMMENTS

Smythes culvert, MR 57S Lachlan Valley Way. All culverts are now installed. Wingwalls and scour protection are currently being installed, however, wet weather is continuing to create issues on site. It is expected that the Contractor works will be completed and they will demobilise from site by mid-September. This will allow Council to commence the approach road construction, pending water levels within the Lachlan River.

Works on the Murie Creek culverts will continue to be deferred until McMahon Services is able to develop an appropriate construction methodology and the current declared La Nina weather pattern dissipates (eg February)

SR 230 Lachlan Valley Way seal extension. Road pavement construction is continuing, with wet weather severely delaying pavement construction works.

Maitland Street/Henry Parkes Way/Kiacatoo Road intersection. This project has commenced with Shoulder widening and Pavement reconstruction. Sealing of the works are proposed in late September.

McDonnell/Molong/William Streets – Condobolin School Precinct. The concrete centre of the median islands and the balance of the traffic islands have now been constructed. The remaining footpath in Molong and McDonnell Street is underway, with William Street to be undertaken shortly after. Sealing of the remaining road section in McDonnell St is proposed in late September. Line marking and pedestrian crossings are planned for early October.

Foster Street, Lake Cargelligo. Stormwater installation at the intersection of Lorne and Foster is complete. Stormwater installation at the intersection of Foster and Canada Streets is partially completed. Works are now focusing on the remaining stormwater and water main works between Lake and Canada Streets.

Road Maintenance

Maintenance grading work has been progressing as the weather has permitted. Five graders continue to be dedicated to this work. In addition, two graders are working to undertake grade, water roll and gravel re-sheeting projects.

Works undertaken in August

- **Heavy patching, re-sheeting and grade water and roll undertaken on the following unsealed roads**
 - Shire Roads
 - SR 43 Back Tullamore Road – gwr
 - SR 67 Carlisle-Trundle Road - gwr
 - SR 45 Boona Road – gwr and 3 km gravel re-sheeting
 - SR 46 Carawatha Road – gwr
 - SR 56 Bimbella Road - gwr
 - SR 1031 Kiargarthur Road - gwr
- **Road and culvert reconstruction and sealing undertaken on the following roads**
 - Main Roads
 - MR 57S Lachlan Valley Way/The Gipps Way – Regional NSW/Block grant – Smythes culvert base slab concrete has been poured. Culvert placement commenced in late August.
 - MR 57S The Gipps Way – FCR/Block grant – Nerathong bridge replacement manufacture of precast units continuing
 - MR 461 Henry Parkes Way – HVSP/Block grant – Kiacatoo intersection reconstruction commenced
 - Shire Roads
 - SR 230 Lachlan Valley Way – FLR/RTR – pavement construction is continuing
 - Town Streets
 - Condobolin School Precinct – FLR/RTR – Completion of median island is in progress. Reconstruction and installation of new footpaths recommenced in mid-August
- **Road reseals/sealing**
 - All Roads
- **Maintenance grading/sucker removal/storm damage repairs undertaken on the following unsealed roads**
 - Main Roads

- nil
- Shire Roads
 - SR 13 Millridge Road – maintenance grading
 - SR 35 Larkings Road – maintenance grading
 - SR 44 Melrose Plains Road – maintenance grading
 - SR 53 Mumbil Tank Road – maintenance grading
 - SR 54 Tinda Tank Road – maintenance grading
 - SR 56 Bimbella Road – maintenance grading
 - SR 62 Carlisle Road – bog hole repair
 - SR 120 Merribogie Road – maintenance grading
 - SR 124 Crown Camp Road – maintenance grading
 - SR 190 Wilgadale Road – bog hole repair
 - SR 230 Lachlan Valley Way – maintenance grading
 - SR 231 Curlew Road – maintenance grading
 - SR 261 Glenoma Road – maintenance grading
 - SR 262 Bush Home Road – maintenance grading
 - SR 268 Linton Road – maintenance grading
 - SR 350 Arundel Road – maintenance grading
 - SR 333 Rosedale Road – maintenance grading
 - SR 334 Wylona Road – maintenance grading
 - SR 360 Kirks Road – maintenance grading
 - SR 408 Deacons Road – maintenance grading
 - SR 1411 Lachlan Valley Way – maintenance grading
 - SR 1169 Bobadah Road – maintenance grading
- **Shoulder grading/slashing/vegetation control and patching undertaken on the following sealed roads**
 - Main Roads
 - MR 57N Fifield Road – pothole patching
 - MR 57NN The Bogan Way – pothole patching
 - MR 57S The Gipps Way – pothole patching
 - MR 347 Dandaloo Road – pavement failure repairs
 - MR 461 Henry Parkes Way north – shoulder build-up
 - MR 501 Hillston Road – pothole patching/slashing
 - RR 7513 Lake Cargelligo Road – pothole patching
 - RR 7514 Kiacatoo Road – pothole patching
 - Shire Roads
 - Nil

Works Underway for September

- **Heavy patching, re-sheeting and grade water and roll to be undertaken on the following unsealed roads**
 - Main Roads
 - nil
 - Shire Roads
 - SR 43 Back Tullamore Road – gwr
 - SR 67 Carlisle-Trundle Road - gwr
 - SR 45 Boona Road – gwr and 3 km gravel re-sheeting
 - SR 46 Carawatha Road – gwr
- **Road resealing/sealing**
 - Main Roads
 - MR 461 Henry Parkes Way – Kiacatoo intersection sealing
 - Shire Roads
 - McDonnell Street – remaining unsealed section.
 - Tottenham Swimming Pool Carpark
- **Road and culvert reconstruction and sealing to be undertaken on the following roads**
 - Main Roads
 - MR 57S Lachlan Valley Way/The Gipps Way – Regional NSW/Block grant – Commencement of road reconstruction from Utes in the Paddock to Smythes culvert and building up approaches to the new Culverts
 - MR 57S The Gipps Way – FCR/Block grant – Nerathong bridge replacement manufacture of precast units continuing
 - MR 461 Henry Parkes Way/Silo Roads – HVSP/Block grant widening
 - RR 7513 Lake Cargelligo Road – shoulder reconstruction and widening
 - Shire Roads
 - SR 230 Lachlan Valley Way – FLR/RTR - road construction for 10 km of seal extension
 - Town Streets
 - Busby St/Harding Ave, Condobolin – FLR – kerb and gutter replacement and street reconstruction
- **Maintenance grading/sucker removal/storm damage repairs undertaken on the following roads**
 - Main Roads
 - nil
 - Shire Roads
 - SR 67 Carlisle-Trundle Road – bog-hole repair
 - SR 382 Bloomfield Road – bog-hole repair
 - SR 13 Millridge Road – maintenance grading
 - SR 35 Larkings Road – maintenance grading
 - SR 44 Melrose Plains Road – maintenance grading
 - SR 53 Mumbil Tank Road – maintenance grading
 - SR 54 Tinda Tank Road – maintenance grading
 - SR 56 Bimbella Road – maintenance grading

- SR 62 Carlisle Road – bog hole repair
 - SR 120 Merribogie Road – maintenance grading
 - SR 124 Crown Camp Road – maintenance grading
 - SR 190 Wilgadale Road – bog hole repair
 - SR 230 Lachlan Valley Way – maintenance grading
 - SR 231 Curlew Road – maintenance grading
 - SR 261 Glenoma Road – maintenance grading
 - SR 262 Bush Home Road – maintenance grading
 - SR 268 Linton Road – maintenance grading
 - SR 350 Arundel Road – maintenance grading
 - SR 333 Rosedale Road – maintenance grading
 - SR 334 Wylona Road – maintenance grading
 - SR 360 Kirks Road – maintenance grading
 - SR 408 Deacons Road – maintenance grading
 - SR 1411 Lachlan Valley Way – maintenance grading
 - SR 1169 Bobadah Road – maintenance grading
- **Shoulder grading/slashing/vegetation control and patching undertaken on the following sealed roads**
 - Main Roads
 - MR 57N Fifield Road – pothole patching
 - MR 57S The Gipps Way – pothole patching
 - MR 347 Dandaloo Road – pavement failure repairs
 - RR 7514 Kiacatoo Road – pothole patching
 -
 - All Roads
 - Ongoing pothole patching

Works planned for October

- **Heavy patching, re-sheeting and grade water and roll to be undertaken on the following unsealed roads**
 - Main Roads
 - nil
 - Shire Roads
 - SR 5 Lansdale Road – gwr and gravel re-sheeting
 - SR 1187 Palesthan Road – gwr and gravel re-sheeting 5 km
- **Road resealing/sealing**
 - Main Roads
 - nil
 - Shire Roads
 - nil
- **Road and culvert reconstruction and sealing to be undertaken on the following roads**
 - Main Roads
 - MR 57S Lachlan Valley Way/The Gipps Way – Regional NSW/Block grant – Continue reconstruction from Utes in the Paddock to Smythes culvert
 - RR 7513 Lake Cargelligo Road – shoulder reconstruction and widening
 - Shire Roads
 - SR 120 Merrihogie Road – FLR/RTR – road widening 4 km
 - Town Streets
 - Visitor information centre – Regional NSW – completion of carpark construction
 - Busby St/Harding Ave, Condobolin – FLR – kerb and gutter replacement and street reconstruction
 - Officers Parade – FLR/RTR – stormwater installation
- **Maintenance grading/sucker removal/storm damage repairs undertaken on the following roads**
 - Main Roads
 - nil
 - Shire Roads
 - Plus roads not completed in September
- **Shoulder grading/slashing/vegetation control and patching undertaken on the following sealed roads**
 - All Roads
 - Ongoing pothole patching

FINANCIAL AND RESOURCE IMPLICATIONS

Construction Project					
Regional Roads					
Project	Budget	Funding Source	Expend to date	Forecast Expend	Comments
Regional Roads Reseal	\$438	TfNSW Block Grant	\$0	\$438k	Programmed for Q2
Regional Roads Heavy Patching	\$50k	TfNSW Block Grant	\$0	\$50k	Program under review as scope of works is significant
Regional Road Culvert renewals	\$60k	TfNSW Block Grant	\$0	\$0	Under review
MR461 William Street / Mr 57S Lachlan St intersection reconstruction	\$274k	TfNSW Block Grant, RTR \$274k	\$0	\$274k	Design still to be finalised. Block Grant funding to be determined.
MR371 Foster Street, Lake Cargelligo, Lake St to Lorne St reconstruction	\$3.6m	RTR \$500k Tourism Activation \$1.8m LRCI \$300k	\$480k in FY 21/22 \$364k in FY22/23 Total \$844k	\$3.5m	Construction in progress
MR57N The Bogan Way widening 28km	\$3.5m	FCR\$2.686m, TfNSW Block Grant \$814k	\$965k FY20/21 \$2.10m FY21/22 \$55k in FY22/23 Total \$3.12M	\$3.5m	Jumble Plains Road intersection reconstruction will commence in Q2 – pending suitable weather conditions for culvert installation.
MR 57S The Gipps Way, Nerathong Bridge Replacement	\$2.808	FCR \$2.387m TfNSW Block Grant \$421k	\$89k in FY20/21, \$358k in FY21/22 \$26k in FY22/23 Total \$473k	\$2.808m	Construction of precast components in progress. Construction delayed and now unlikely to commence until 2023.
MR 57S, MR 377, Condobolin Freight Betterment and Visitor Centre Road works.	\$1.203m FY20/21 \$8.196m FY21/22	Regional NSW funding \$5.971m TfNSW Block grant \$1.553m TfNSW Repair \$400k, RTR \$272k	\$1.235 pre-July 2021, \$2.41m in FY21/22 \$322k in FY22/23 Total \$3.97m	\$9.3m	Smythes culvert installation nearing completion. Road approaches to be commenced
MR 461 Henry Parkes Way intersection upgrades, MR 7521 Kiacatoo Road and SR340 Silos Road	\$516k	HVSP \$258k TfNSW Block Grant \$2085, Grain Corp \$50k	\$102k in FY 21/22 \$99k in FY22/23 Total \$201k	\$516k	Kiacatoo Road intersection reconstruction is underway.
RR7513 Lake Cargelligo Road seal widening 8km	\$800k	Repair \$400k Block \$400k	\$0	\$800k	Repair program confirmed by TfNSW. Works to commence.

Construction Project					
Local Roads					
Project	Budget	Funding Source	Expend to date	Forecast Expend	Comments
Local Roads Reseal	\$438	TfNSW Block Grant	\$0	\$438k	Program TBC
Local Road Gravel Resheet					
SR1187 Palesthan Road	\$200k	SRV \$200k, RTR \$504k	\$0	\$200k	Programmed for Q2
SR 45 Boona Road	\$160k		\$7k	\$160k	Work in progress
Remainder of program	\$344k		\$0	\$344k	Program TBC
SR 120 Merribogie Road widen and reseal	\$1.4m	FLR \$1.26m RTR \$140k	\$649k in FY21/22	\$1.4m	Project will recommence in Q2
SR230 Lachlan Valley Way, 10km seal extension	\$1.3m in FY21/22, \$700k FY22/23	FLR \$1.9m RTR \$100k	\$649k in FY21/22 \$269k in FY22/23	\$1.9m	Pavement construction almost complete. Pavement allowed to dry before sealing.
Busby St/Harding Ave Reconstruction	\$800k	FLR	\$23k in FY/21/22 \$133k in FY22/23	\$800k	Kerb and Gutter replacement underway
Condobolin School Precinct	\$1.68m	FLR \$1.36m RTR \$50k FAG \$270k	\$660k in FY21/22 \$578k in FY22/23 Total \$1.24m	\$1.68m	Footpath works in progress
Officers Parade Upgrade	\$1.0m	FLR \$600k RTR \$400K	\$169k in FY 21/22	\$1.0m	Quotations requested for pipe installation.
Lansdale Road widening and upgrade	\$400k	RTR	\$0	\$400k	Programmed for Q3
Willis Lane seal extension	\$400k	RTR	\$0	\$400k	Programmed for Q3

LEGAL IMPLICATIONS

Roads Act 1993 and Roads Regulations 2008

RISK IMPLICATIONS

Saturated ground conditions, full catchment Rivers, Creeks and Tributaries, continued regular rain and predicated continued above average rain through spring presents Council with conditions that make road construction and road repairs impossible to complete. Due to the extreme backlog of repairs required, this will have impacts on road conditions during harvest.

Delays with the supply of goods and the lack of availability of contractors is the major risk at present for the continuation of the capital works program. This has been minimised by getting contracts in place for specialised construction work and the early ordering of goods such as concrete pipes and culverts. However, some delays are still occurring as the road construction industry is extremely busy.

STAKEHOLDER CONSULTATION

Roads to Recovery grant program officers, TfNSW Parkes Regional Office, Regional NSW, PWA, and Restart NSW program officers. Media Releases and Council news columns will continue to update the community on works that are likely to cause significant traffic impacts. Targeted stakeholder updates will be completed for large urban improvement projects.

OPTIONS

Continue to plan and implement the roads program as staff and contractors are available, and as weather conditions permit

CONCLUSION

Progress on restoring the road network following damage due to winter rain continues to be a priority with the aim to complete restoration work before harvest in November. However resources also need to be allocated to construction projects to ensure council's commitments to funding bodies are met.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

CSP No. 3.1 Efficient transport networks that meet community and business needs.

Transport Asset Management Plan

ATTACHMENTS

Nil

8.4 FY22/23 UTILITIES MONTHLY UPDATE FOR AUGUST**TRIM Number: R22/308****Author: Manager - Utilities****RECOMMENDATION**

That:

1. The Director Infrastructure Services Report No. R22/308 be received and noted.

PURPOSE

To provide a summary of the existing and future works and projects associated with the provision of water and sewerage services across Lachlan Shire. Items listed are works undertaken for August, in progress for the month of September and forecast for the month of October 2022.

SUPPORTING INFORMATION

Nil

BACKGROUND

Lachlan Shire Council is responsible for a suite of capital and operational works associated with the provision of water and sewerage services. This report provides status updates on projects and programmes of significance and interest to Council and stakeholders.

ISSUES AND COMMENTS**Condobolin**

Project	Progress
RNSW 1879 Condobolin Water Supply Upgrade Scoping Study RNSW 1880 Condobolin Sewerage Scheme Scoping Study	<ul style="list-style-type: none"> The proposed modifications to the existing Condobolin WTP are being confirmed. This will enable the options study for the new Condobolin WTP to be finalised and submitted to DPE Water for their concurrence. The final options study will become the basis of the concept design phase. RNSW 1880 project is being finalised. The next step for the STP Upgrade is for the concept design and investigations to be undertaken. Please see report in Closed Council.
RNSW 755 Condobolin Bore Fields II	<ul style="list-style-type: none"> The bore and land boundary matters are continuing to progress. The Land holder has been advised of progress on this issue and was given options on the land transfer mechanism.
DWS072 Condobolin Drought Water Security Project	<ul style="list-style-type: none"> Contract 1: Pipeline – 28km of bore pipeline has been completed. Flow and pressure test report is currently being reviewed by PWA.

	<ul style="list-style-type: none"> Contract 4: Under bore – Flow and pressure test to be repeated due to technical errors during the test. The test will resume after Contract 1 – Pipeline pressure test report is completed. Contract 5: Transfer Pump Station – site clearing and establishment are complete. Minor adjustments to the design are currently underway. The concrete pad should be poured by early October 2022 (weather permitting). Wet weather forecast in the next several months may delay completion of the project.
Lachlan St Sewer Pump Station – Concept and Detail Design Upgrade	<ul style="list-style-type: none"> After further consideration and evaluation of the four options presented in the concept design report, it has been decided to develop Option 2 into a detailed design. Option 2 consists of installing new submersible pumps in the existing dry well which will become a wet well. The existing wet well will be refurbished and used as an emergency storage. <p>This option will provide significant additional storage at the pump station, with a substantial reduction in the capital cost.</p>
Condobolin Reservoir No.2 – Investigation Study	<ul style="list-style-type: none"> Full inspections have been undertaken, awaiting the condition assessment report to be submitted.

Lake Cargelligo

Project	Progress
Lake Cargelligo STP – Screen Extractor	<ul style="list-style-type: none"> The installation of the screen extractor is facing some delays due to staff availability in the Lake Cargelligo Utilities team.
Lake Cargelligo Reservoir No.1 (4ML) and 16 Mile Reservoir Remediation	<ul style="list-style-type: none"> The condition assessment report states that significant deterioration is evident. Major repair is strongly recommended to be undertaken within 2 years from the date of the report. The steel reinforcement has already corroded, in moderate to severe level. It is not financially feasible to repair all steel reinforcement as the repair involves removing the concrete and cleaning/protecting the steel reinforcement. The inspection also shows massive network cracking, exposed aggregate and failure of the construction joints. Water leakage through construction joints and cracks has caused massive formation of Calcium Carbonates (white precipitant). This process is called “leaching out” which reduces the strength of the concrete. The residual service life of Lake Cargelligo Reservoir No. 1 is predicted to reach 10-15 years but further deterioration will reduce the serviceability of the structure to 5-10years. Budget estimate and technical specification for the repair is currently being sought.

Lake Cargelligo Merri Abba Bores – radiation detected	<ul style="list-style-type: none"> The results of the additional bore testing have been returned. The outcome of this testing is that all water samples were below the Australian Drinking Water Guidelines (ADWG) values and very similar values to all previous testing that has been undertaken at the bores. Given the discrepancy between the recent sample results and the samples from February taken at Murrin Bridge, the analysis process within the laboratory was reviewed and an error was found in one of the steps. The error was likely to have affected the radiological result that was reported for the initial Murrin Bridge sample. As such, the initial Murrin Bridge result is considered invalid. Based on the above, NSW Health is confident that the Merri Abba Bore is not considered to represent health risk to the community.
Lake Cargelligo Merri Abba Bore 1	<ul style="list-style-type: none"> Merri Abba Bore 1 pump has been reinstated. All three bores are now ready to be used, should there be any need to switch the raw water source from lake water to bore water. It is expected that Lake Water will continue to be used until summer.

Tottenham

Project	Progress
RNSW 841 Tottenham Water Supply	<ul style="list-style-type: none"> Designs are progressing for the new reservoir at Albert, upgrade of Leg O Mutton dam and upgrade of electrical and telemetry systems.
Tottenham Reservoir Remediation	<ul style="list-style-type: none"> The contractor is aiming to rectify the remaining leaks on 20-21 September 2022.
Tottenham WTP Upgrade	<ul style="list-style-type: none"> The specification for the pipework modification to connect the new clear water tank with the rest of the existing infrastructure is currently under review by Council staff.

Shire Wide

Project	Progress
RNSW 842 Sewage Effluent Reuse Management System (Lake Cargelligo, Condobolin & Tottenham)	<ul style="list-style-type: none"> Designs for the new pump station and its associated rising main has been received and is currently being reviewed by Council staff. Proposal to undertake the telemetry design works has been received and is currently being reviewed by PWA. It is proposed to undertake geotechnical investigation in the location of the new holding dam and along the proposed pipeline in early October 2022.

Integrated Water Cycle Management (IWCM) Strategy	<ul style="list-style-type: none"> • Water and sewer asset registers has been updated. Asset renewals are currently being applied to reflect the current condition. • The review of the draft IWCM Issues Paper is still continuing and facing a few delays due to the urgency of other projects and council staffing shortage. It is hoped that the review will be finished by the end of September 2022.
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FINANCIAL AND RESOURCE IMPLICATIONS

All projects are listed as per the Delivery and Operational Plan 2022/23.

LEGAL IMPLICATIONS

In the Condobolin, Lake Cargelligo, Tottenham and Albert water supply schemes, sufficient high quality drinking water, which meets the standards prescribed in the Australian Drinking Water Guidelines (ADWG), is being supplied to the community. The day to day operation of Council's water supply system is governed by DPE Water and the backwash discharge from the water treatment plant is administered by the EPA.

Non-potable water continues to be supplied to Tullibigeal, Fifield and Burcher.

Lachlan Shire Council is providing sewerage services to communities across the shire. The day to day operation of the sewerage services is governed by DPE and the effluent discharge from the sewerage treatment plant is administered by the EPA. There are significant risks should Council fail to achieve satisfactory outcomes in the following areas:

- Water quality
- Water quantity
- Effluent discharge quality
- Workplace Health & Safety
- Environmental Impacts

Council has systems in place to mitigate all risks in the form of trained personnel, documented work systems and routine audits and reports to various NSW Government Departments. Water and effluent quality are checked regularly to identify any deviation from the current guidelines and standards.

RISK IMPLICATIONS

Risk associated with the engagement of PWA is addressed by the formation of a project steering committee with INSW, DPE Water, PWA and Council staff representation.

Council senior staff regularly attend NSW Government agency meetings to keep updated on issues affecting water supply to the Lower Lachlan River System. This includes the River Operations Stakeholder Consultation Committee (Rocco), Lachlan Airspace Reference Panel, NSW Govt Critical Water Advisory Panel (CWAP) and Central West Joint Organisation Water Utilities Alliance (CWUA).

STAKEHOLDER CONSULTATION

DPE Water, Infrastructure NSW, NSW Public Works Advisory, the EPA, NSW Public Health Unit representatives and relevant Council staff have been consulted in relation to capital works & operational projects and compliance issues. Residents impacted by planned temporary disruption of services are provided reasonable notice where possible using a combination of letter box drops, public notices and media releases.

OPTIONS

1. Council continue to implement the water and sewer capital, operational and maintenance programs as resources permit, i.e. as funds, staff and contractors are available.
2. Council amend the water and sewer capital, operational and maintenance program.

CONCLUSION

This report is provided to update Council on activities in the Utilities section in August, underway for September and planned for October 2022.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

CSP 7.1 Water, sewer and energy utilities meet best practice standards with up to date technology.

CSP 7.2 Water Security for All Towns and Villages.

ATTACHMENTS

Nil

8.5 FY22/23 URBAN WORKS MONTHLY UPDATE FOR AUGUST**TRIM Number: R22/313****Author: Manager Urban Works****RECOMMENDATION**

That:

1. The Director Infrastructure Services Report No. R22/313 be received and noted.

PURPOSE

The purpose of this report is to provide an update of the capital improvements in the Urban Works Section. The items listed are for works undertaken in August 2022, in progress for the month of September 2022 and forecast for the month of October 2022.

SUPPORTING INFORMATION

Nil

BACKGROUND

Council has adopted the 2022/23 budget and associated Delivery and Operational Plans. This report provides updates on the delivery of the Urban Works program, with some overlap with roads, utilities, tourism and buildings where required.

ISSUES AND COMMENTS

Project delivery in this area has focused on grant funded projects with funding deadlines and Capital works. The Covid-19 situation continues to impact on the daily activities of the Urban Works staff. Supply chains for materials and manufactured goods are improving. Staff continue to liaise with stakeholders and grant bodies regarding possible impacts.

Works Completed in August

Tourism Precinct – stage 3. BBRF	Irrigation materials delivered and the contractor has constructed the pump shed and installed the main waterline from the river to the pump shed. Landscape architect finalised the masterplan which Council is now working to. Water and sewer contractor commenced works on the 2 nd of August and have been progressing, as wet weather has allowed.
Scott Street Subdivision	Tender documents released on 15 August. Compulsory pre-tender site meeting held on 30 August. 5 prospective tenderers attended.

Footpath Tender	Works continued to focus around the Condobolin School Precinct, approx. 800m of footpath poured. Approximately 100m remaining, with pram ramps, driveways, disabled parking remaining.
SRA power upgrade	Contract Awarded to Seton Electrical. Design approval works underway.
SRA Ground LED Lighting Tender	Tender released on Tenderlink 5 of August.
Condobolin Swimming Pool Heat Pump Replacement	The new Heat Pump was manufactured and delivered to Condobolin.
Apex Park Pontoon	Contractor rectified the sinking pontoon issue by adding an additional float. Water levels within the Lake is currently prohibiting any works. Water will likely stay high for a number of months.
Tottenham Recreation Goal posts	Materials have been ordered.
Tottenham Recreation Security Fencing	Fencing supply and contractor purchase orders have been issued and materials ordered.
Tottenham Swimming Pool Carpark	Purchase Order issued, concreting and Earthworks commenced.

Works Underway in September

Tourism Precinct – stage 3. BBRF	Irrigation contractor has not been able to commence works with wet weather. Solar lights reinstalled. Water and sewer contractor continuing works as weather permits. Trees, topsoil and landscaping materials to be ordered.
Scott Street Sub-division	Tenders close 20 September. Tender assessment report to be presented to the October Council meeting.
Footpath Construction	Complete footpath works around Condobolin school precinct. The next project to commence will be Gum Bend Lake walkway, and Bathurst Street.
Condobolin Swimming Pool Heat Pump Replacement	Installation and connection of the new Heat pump.
LED Streetlight replacement	Final streetlights to be replaced incrementally.
SRA power upgrade	Design documentation submitted to Essential Energy. Materials ordered
SRA Ground LED Lighting Tender	Tender assessment report presented to September Council meeting
Apex Park Pontoon	Water edge and landscape improvements have been delayed due to the water levels in the lake.

Tottenham Recreation Goal posts	Materials delivered and installed.
Tottenham Recreation Security Fencing	Materials delivered and contractor engaged to install.
Tottenham Swimming Pool Carpark	Concreting, fencings, earthworks, sealing and carpark accessories to be complete. Works to be completed prior to the start of the swim season.
Tullibigeal Netball court resurfacing	3 quotations have been requested for the reconstruction of the surface. Quotations have already been received for the sealing and line marking,
Albert Park BBQ and Picnic shelter	Materials ordered. Electrical connection underway.

Works Scheduled in October

1. Tourism Precinct – stage 3. BBRF	2. Irrigation contractor planning to continue works. 3. Dog park to be installed and landscaping works to commence. 4. Materials delivered to site ready for installation. 5. Water and sewer contractor to be completed.
6. Scott Street Subdivision	7. Tenders assessment and report to October Council Meeting
8. Footpath Construction	9. Gum Bend Lake construction to continue (weather permitting) 10. Following the completion of Gum Bend Lake, the contractor will start Bathurst Street (195-211) approx. 180m & Frogs Hollow 130m
11. SRA Power upgrade	12. Contractor engaged, Level 1 ASP design commenced. Level 2 ASP materials ordered.
13. SRA Lighting upgrade	14. Contractor engaged and materials ordered.
15. Tottenham Recreation grounds security fencing	16. Fencing works to be installed and works complete.
17. Tottenham Recreation grounds goal posts	18. Goal posts to be installed and works complete.
19. Tottenham Swimming Pool carpark	20. All carpark works to be complete and operational.
21. Tullibigeal Netball court resurfacing	22. Contractors engaged and timing of works to be confirmed.

FINANCIAL AND RESOURCE IMPLICATIONS

Project	Budget	Funding Source	Expenditure to Date	Forecast Expenditure	Comments
Tourism Precinct Stage 3	\$600K	BBRF 4 SCCF2	\$379K	\$600K	Budget is on track
Shire Wide LED street light replace	\$569k	LRCI 3	\$495k	\$569k	Budget on track
7 footpath locations	\$1,221k	FLR, LRCI3, General Rev	\$83k	\$1,221k	Budget on track
SRA Power Upgrade	\$267k	Showground Stimulus	\$0	\$267k	Budget on track
Apex Park pontoon	\$200K	Boating now	\$130K	\$200K	Budget is on track
Tottenham Recreation Security fencing	\$50k	SCCFR4	\$16k	\$50k	Budget is on track
Tottenham Recreation Goal Posts	\$41k	LRCI 3	\$15k	\$30k	Below Budget
Tottenham Swimming Pool Carpark	\$65k	LRCI2	\$58k	\$65k	On Budget

LEGAL IMPLICATIONS

Nil

RISK IMPLICATIONS

Priority will be given to grant funded works. Meetings held with Finance staff to confirm project completions and project funding roll over for incomplete works.

COVID-19 and inflation is still causing concern for the staff, budgets and supply of goods and materials.

STAKEHOLDER CONSULTATION

Staff are seeking to engage with specific stakeholders on each project, in accordance with Council's community consultation policy. Meetings held with Tottenham Recreation Ground Committee and Tottenham Pool Committee to confirm projects. Meeting yet to be held with Tullibigeal Netball committee and Lake Cargelligo Junior Cricket Association.

OPTIONS

1. Council continue to implement urban works capital improvements as programmed, as resources permit, i.e. as funds, staff and contractors are available.
2. Council amend the capital improvements program and budget.

CONCLUSION

This report updates Council on the capital improvements undertaken by the Urban Works team in August 2022, in progress for September 2022 and forecast work for October 2022.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

- 3.3 Upgrade Street Lighting
- 4.2 Strong, Effective and Responsive Council
- 4.4 Strategic Management of Villages and Crown Reserves
- 6.1 Increase recreational use of the lakes and rivers
- 6.3 New and visually appealing streetscapes
- 6.4 Improved Parks, Gardens and Sporting Ovals
- 6.5 Provision of neat, accessible and respectful cemeteries

ATTACHMENTS

Nil

8.6 DEVELOPMENT DATA AUGUST 2022**TRIM Number: R22/281****Author: Manager- Town Planning****RECOMMENDATION**

That

1. The Director Environment, Tourism and Economic Development Report No. R22/281 be received and noted.

PURPOSE

This report is to provide Council with information in relation to development activity occurring within the Shire during August 2022.

SUPPORTING INFORMATION

Council's Development Data.

BACKGROUND

During the month of August 2022 there was five (5) applications lodged with a value totalling \$539,000. Six (6) approvals were issued within this time.

Development Applications and Complying Development Certificates Approved in August 2022.

Approval Number	Development Description	Location	Value	Delegated Authority/Council
DA 2022/13	Two (2) Industrial Storage Buildings	13-15 Wiradjuri Way, Condobolin	\$350,445	Delegated Authority
DA 2022/18	Dwelling with Garage	88 Orange Street, Condobolin	\$612,900	Delegated Authority
DA 2022/22	Temporary Use of Land – Condobolin Tattoo	20-24 McDonnell Street, Condobolin	\$0	Delegated Authority
DA 2022/23	Demolition of Garage construction of Garage	2 Innes Street, Condobolin	\$26,000	Delegated Authority

DA 2022/24	Outbuilding (Shed)	120 Officers Parade, Condobolin	\$19,000	Delegated Authority
DA 2022/25	Dwelling with Garage	Lots 103 and 104 in DP 752329 McInnes Street, Lake Cargelligo	\$1,571,400	Delegated Authority
TOTAL No. OF APPROVED DEVELOPMENTS	6		\$2,579,745	

Comparison to Previous Year: Applications Approved August 2021

Total **Number** of Applications **approved in August 2021:** 7

Total **Value** of Applications **approved for August 2021:** \$783,500

Development Applications and Complying Development Certificates Received in August 2022.

Development Identifier	Development Description	Location	Value
DA 2022/21	Construction of Rural Supplies building, Storage Premises and Two (2) Lot Torrens Title Subdivision.	68 Henry Parkes Way, Condobolin	\$480,000
DA 2022/22	Temporary Use of Land – Condobolin Tattoo	20-24 McDonnell Street, Condobolin	\$0
DA 2022/23	Demolition of Garage and construction of Garage	2 Innes Street, Condobolin	\$26,000
DA 2022/31	Bus Depot	30 Walker Street, Lake Cargelligo	\$3,000
DA 2022/35	Rear Veranda Extension	6 Conapaira Street, Lake Cargelligo	\$30,000
TOTAL	5		\$539,000

Comparison to Previous Year: Applications Received August 2021

Total Number of Applications **received in August 2021:** 7

Total Value of Applications **received for August 2021:** \$1,146,000

ISSUES AND COMMENTS

A total of eleven (11) approvals have been issued this financial year at an average of 20 days, which is within the legislative timeframe for approvals and well below the average net days taken to determine a DA across all NSW Councils.

FINANCIAL AND RESOURCE IMPLICATIONS

No foreseeable issues.

LEGAL IMPLICATIONS

All fees associated with the applications referred to herein have been paid.

RISK IMPLICATIONS

Council has assessed all applications against relevant legislation to minimise Council's exposure to risk.

STAKEHOLDER CONSULTATION

Regular consultation and engagement with applicants of Development Applications and Complying Development Certificates occurs during the pre-lodgement, assessment and approval stages of each application in line with legislation and Council's planning instruments. Council also often engages with the community and adjoining owners in respect of applications.

OPTIONS

1. Receive and note the report.

CONCLUSION

Development Application and Complying Development Certificate approved data reveals a total development value of \$2,612,731 for applications approved in the 2022/2023 financial year.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

Build Civic Leadership and Pride

Community Strategic Plan - 4.2 Strong Effective Responsive Council.

ATTACHMENTS

Nil

8.7 ACTIVE RESOLUTIONS - SEPTEMBER**TRIM Number: R22/315****Author: Administration Officer****RECOMMENDATION**

That:

1. The General Manager's report no. R22/315 be received and noted.

PURPOSE

To provide Council with an update on Active Resolutions as at September 2022.

SUPPORTING INFORMATION

The active resolutions are attached.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

CSP 4.8 Strong effective and Responsive Council

ATTACHMENTS

1. Active Resolutions - September [📄](#)

9 DECISION REPORTS

9.1 GENERAL MANAGER**9.1.1 LACHLAN SHIRE COUNCIL - DRAFT CODE OF MEETING PRACTICE 2022****TRIM Number:** R22/251**Author:** General Manager**RECOMMENDATION**

That

1. The General Manager's Report No. R22/251 be received and noted.
2. Council approve the draft Lachlan Shire Council - Code of Meeting Practice 2022 being placed on public exhibition for a period of 28 days allowing 42 days for the community to make submissions.
3. The General Manager prepare a report on any community submissions received regarding the draft Lachlan Shire Council – Code of Meeting Practice 2022 for consideration at the November 2022 Council meeting.

PURPOSE

To inform Council of the draft Lachlan Shire Council Model Code of Meeting Practice 2022 and to obtain Council approval to place the document on public exhibition for a period of 28 days, allowing 42 days for the community to make submissions.

SUPPORTING INFORMATION

Draft Council Policy – Lachlan Shire Council – Code of Meeting Practice 2022

BACKGROUND

A Model Code of Meeting Practice for Local Government in NSW has been prescribed under section 360 of the *Local Government Act 1993* and the *Local Government (General) Regulation 2021*. The Model Code contains mandatory and non-mandatory provisions. Council must not adopt any provision which is contrary to the mandatory requirements of the Model Code of Meeting Practice.

ISSUES AND COMMENTS

This code applies to all meetings of councils and committees of councils of which all the members are councillors. A council must, not later than 12 months after an ordinary election of councillors, adopt a code of meeting practice that incorporates the mandatory provisions of the model code prescribed by the regulations.

The modifications to the model document have been incorporated into the Draft Lachlan Shire Council – Code of Meeting Practice 2022, which is attached for Council's consideration. Significant changes and items of note for Council are shaded grey.

FINANCIAL AND RESOURCE IMPLICATIONS

NIL

LEGAL IMPLICATIONS

Local Government (General) Regulation 2021

Local Government Act 1993 NSW

360 Conduct of meetings of councils and committees

(1) The regulations may prescribe a model code of meeting practice for the conduct of meetings of councils and committees of councils of which all the members are councillors.

(2) The model code may contain both mandatory and non-mandatory provisions.

(3) A council must, not later than 12 months after an ordinary election of councillors, adopt a code of meeting practice that incorporates the mandatory provisions of the model code prescribed by the regulations. The adopted code may also incorporate the non-mandatory provisions and other provisions.

(4) A code adopted or amended by the council must not contain provisions that are inconsistent with the mandatory provisions.

(5) A council and a committee of the council of which all the members are councillors must conduct its meetings in accordance with the code of meeting practice adopted by it.

361 Preparation, public notice and exhibition of draft code

(1) Before adopting a code of meeting practice, a council must prepare a draft code.

(2) The council must give public notice of the draft code after it is prepared.

(3) The period of public exhibition must not be less than 28 days.

(4) The public notice must also specify a period of not less than 42 days after the date on which the draft code is placed on public exhibition during which submissions may be made to the council.

(5) The council must publicly exhibit the draft code in accordance with its notice.

364 Public availability of the code

(1) The code of meeting practice adopted under this Division by a council must be available for public inspection free of charge at the office of the council during ordinary office hours.

(2) Copies of the code must be available free of charge or, if the council determines, on payment of the approved fee.

RISK IMPLICATIONS

A code of meeting practice, based on the Model Code of Meeting Practice for Local Councils in NSW 2022 must be adopted by 4 December 2022 in order to meet the legislated timeframe for public consultation and adoption of the draft document.

STAKEHOLDER CONSULTATION

Councillors

OPTIONS

1. Approve the draft Lachlan Shire Council - Code of Meeting Practice 2022 being placed on public exhibition for a period of 28 days allowing 42 days for the community to make submissions.
2. Councillors recommended changes to the non-mandatory provisions of the draft Lachlan Shire Council – Code of Meeting Practice prior to the document being placed on public exhibition.

CONCLUSION

The NSW Government has mandated that Council's in NSW must adopt a Code of Meeting Practice based on a Model Code of Meeting Practice for Local Councils. The model code contains mandatory and non-mandatory provisions. The model document has been amended to reflect previous changes requested by Council and the draft document is attached for Council's consideration.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

Community Strategic Plan 2022/23-2031/32

4.2 – Strong effective and responsive Council

4.3 – Enhanced communication with residents

ATTACHMENTS

1. Draft LSC Code of Meeting Practice [⇒](#)

9.1.2 STRONGER COUNTRY COMMUNITIES FUND - ROUND 5**TRIM Number: R22/317****Author: Communications and Engagement Officer****RECOMMENDATION**

That:

1. The General Manager's Report No. R22/317 be received and noted.
2. Council endorse the projects submitted for funding under the Stronger Country Communities Fund – Round 5, including the dollar value of the funding request.
 - (i) Condobolin SRA Ground Upgrade - \$260,000
 - (ii) Tottenham Swimming Pool Solar Project - \$115,000
 - (iii) Lake Cargelligo Netball Court Upgrade - \$303,869
 - (iv) Tullibigeal Fire Truck Display Area - \$125,000
 - (v) Burcher Sports Complex Upgrade - \$100,000
3. An additional \$50,000 be allocated to the Condobolin SRA Ground Upgrade from Council's Section 7.12 Reserve if the SCCF5 application is approved and;
4. An additional allocation of up to \$50,000 from the Condobolin District Retirement Village Reserve (Burcher) be allocated to the Burcher Sports Complex Upgrade, if the SCCF5 application is approved, and the additional funds are required.

PURPOSE

To formally advise Council on the results of the expressions of interest received for potential funding under the NSW Government Stronger Country Communities Fund (SCCF) – Round 5, and to endorse Council's project ranking.

SUPPORTING INFORMATION

Nil

BACKGROUND

On 5 August 2022, the NSW Government announced Round 5 of the Stronger Country Communities Fund. The SCCF was established in 2017 to deliver local projects that enhance the lives of people living in regional communities. The government has made an additional \$160 million available in this round, including up to \$50 million for projects delivered by community organisations.

An allocation of \$1,314,718 has been made available to the Lachlan Local Government Area. Of this \$903,869 is available to Council, and the balance of \$410,849 is open to eligible community organisations.

The fund aims to support and deliver local community and sporting infrastructure, street beautification, projects that improve accessibility and inclusion for people with disability, projects that improve outcomes for Aboriginal people, community programs and local events.

Applicants will be confidentially advised of successful projects from November 2022 or at the NSW Government's discretion. Projects must commence within six (6) months of a funding announcement and be completed within three (3) years from execution of the funding agreement.

ISSUES AND COMMENTS

Council sought expressions of interest (EOI) for projects, programs and events that met the funding criteria. The EOI opened on 17 August 2022, and closed on 2 September 2022.

Council received a total of 21 EOIs (there were a number of projects submitted multiple times) with 17 of these assessed as meeting the funding guidelines. The request value of the 17 projects totalled over \$3 million.

The table below provides an overview of eligible EOIs received:

PROJECT
LAKE CARGELLIGO MURAL SITE AND SIGNAGE Remediation of obsolete structures, beautification/landscaping of Lake Cargelligo mural site and installation of interpretive/walkway signage
TOTTENHAM MURAL SITE ENHANCEMENT Construction of a viewing platform and carpark, and installation of signage
CONDOBOLIN SRA GROUND ENHANCEMENT Amenities block, fencing and lighting
TULLIBIGEAL - FIRE TRUCK DISPLAY AREA Construction of a display shed for the vintage fire truck and signage
TOTTENHAM SWIMMING POOL SOLAR PROJECT Solar heating and blankets
BURCHER SPORTS COMPLEX UPGRADE Facility improvements
LAKE CARGELLIGO RECREATION GROUND NETBALL COURTS Resurfacing of netball courts, new fencing and rings, earthworks, installation of bench seats with rain coverage and grand stand
LAKE CARGELLIGO SAIL AND POWER BOAT CLUB UPGRADE Including new commercial kitchen, new bathroom facilities, upgrade of doors and windows, new storage area and flooring
GUMBEND LAKE PATHWAYS AND FACILITIES - CONDOBOLIN Tree planting on pathway to the lake, complete pathway around lake, install solar lighting from Golf Club and water stations along paths, shade trees and seating
SRA PAVILION ENHANCEMENT Installation of a public address system, sound and lighting
TOTTENHAM YOUTH CENTRE Program to open centre daily, internet café, support services
COMMUNITY HUB – LAKE CARGELLIGO Renovate Central West Family Support Group building to create a community hub
CONDOBOLIN TOWN TENNIS COURT REMEDIATION Remedial works to courts including site preparation, synthetic grass, fencing and lighting
CONDOBOLIN COMMUNITY CRICKET FACILITY Construction of a new multi-use sports facility or retro-fitting an existing sports facility to caters for cricket and netball users and provide a space for Australian Rules Football training
CONDOBOLIN CRICKET TRAINING FACILITY New cricket training facility for Condobolin - the construction of 4 new training nets - 57 Melrose Street
TULLIBIGEAL/LAKES CARGELLIGO UNITED RUBGY LEAGUE COMPLEX UPGRADE Installation of new digital scoreboard, new public address system, upgrade of kiosk including electrical works

TULLIBIGEAL SWIMMING POOL RESTORATION

Replacement of tiles in the large pool, remove Pebblecrete and replace with non-slip tiles. Children's pool - replacement of tiles and surface area replace with non-slip tiles

*** Note – Projects are listed in no particular order*

Following a project ranking process, Lachlan Shire Councillors determined that the following projects be submitted to the Stronger Country Communities Fund – Round 5 for consideration.

PROJECT	FUNDING REQUEST
CONDOBOLIN SRA GROUND ENHANCEMENT	\$260,000
TOTTENHAM SWIMMING POOL SOLAR PROJECT	\$115,000
LAKE CARGELLIGO RECREATION GROUND NETBALL COURTS	\$303,869
TULLIBIGEAL - FIRE TRUCK DISPLAY AREA	\$125,000
BURCHER SPORTS COMPLEX UPGRADE	\$100,000
TOTAL FUNDING REQUEST	\$903,869

FINANCIAL AND RESOURCE IMPLICATIONS

The endorsed projects, if approved will be fully funded under the Stronger Country Communities Fund – Round 5 with the exception of:

1. Condobolin SRA Ground Enhancement project - \$50,000 will be required from Council's Section 7.12 Reserve
2. Burcher Sportsground Complex upgrade - \$50,000 may be required from the Condobolin District Retirement Village Reserve (Burcher).

LEGAL IMPLICATIONS

No legal implications have been identified.

RISK IMPLICATIONS

There is potential reputational risk to Council when making decisions to endorse or not endorse expressions of interest requests.

Project plans and financial controls will be implemented to manage administration and budget risks. The projects have been assessed against relevant program guidelines to minimise Council's risk implications.

STAKEHOLDER CONSULTATION

The expression of interest was promoted through Council's fortnightly Council Column, Talking Tottenham column, paid advertising in the Condobolin Argus, Lake News and Talking Tottenham, Council and community Facebook pages, Council's website, direct marketing, posters and word of mouth.

OPTIONS

Not applicable.

CONCLUSION

This report details expressions of interest received from the community. Council is eligible to receive funding of \$903,869 under the Stronger Country Communities Fund – Round 5 to support the development of local community infrastructure, programs and events. To access the funding Councillors were required to select and rank the expressions of interest progressing to full application, and authorise referral of projects to the NSW Government for funding assessment and approval. Council will notify all applicants of their expression of interest status.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

CSP 2.1.1 Increase things to see for visitors to the Shire

CSP 4.2.2 Council's decision making is equitable and ethical

CSP 6.4.2 Upgrade and maintain recreational and sporting facilities

ATTACHMENTS

Nil

9.1.3 FIXING OF THE DAY AND HOUR OF REGULAR MONTHLY MEETINGS**TRIM Number: R22/319****Author: General Manager****RECOMMENDATION**

That:

1. The General Manager's Report No. R22/319 be received and noted.
2. Council hold Ordinary Meetings on the fourth Wednesday of each month commencing at 2:00pm.
3. A Councillor's attendance at Ordinary and Special Meetings will be recorded for inclusion in Council's Annual Report.
4. Strategic Briefing Workshops be held on the second Wednesday of each month, commencing at 2:00pm and for a period of up to three hours, depending on the meeting agenda.

PURPOSE

The purpose of this report is for Councillors to consider and determine the date and time for monthly Ordinary Council Meetings and Strategic Briefing Workshops.

SUPPORTING INFORMATION

Nil

BACKGROUND

In early 2022 during the Councillor Induction Workshops discussion arose on possible changes to the date and time of Council meetings.

The date and time of meetings is usually determined by Council each September following the election of the Mayor, Deputy Mayor and delegates to committees. At the Extraordinary Meeting of Council on 11 January 2022 Council resolved that the Mayor, Deputy Mayor and delegates to Committees would be elected until the Ordinary Council Meeting in September 2023.

In accordance with clause 3.1 of Council's adopted Code of Meeting Practice Council can determine when ordinary meetings of Council will be held. The Code currently indicates:

Lachlan Shire Council will generally meet at 2:00pm on the fourth (4th) Wednesday of every month. Meetings will usually be held in the Council Chambers at 58 – 64 Molong Street Condobolin. Up to four (4) Ordinary Council meetings per year may be held at alternate locations around the shire as determined by Council.

ISSUES AND COMMENTS

The date and time of Council Meetings and Strategic Briefing Workshops can be set and varied by Council. Several Councillors have expressed a desire to reconsider the date and time of meetings due to difficulty in attending numerous meetings per month.

One suggestion has been to consider a single meeting day each month with a short Strategic Briefing Workshop prior to the commencement of the Council Meeting. Under these arrangements the Strategic Briefing Workshop would need to be capped to a fixed duration. This arrangement may necessitate the scheduling of infrequent Councillor Workshops to discuss matters or receive presentations on issues that could not be adequately presented during the Strategic Briefing Workshop.

The change to a single meeting day may also result in increased meeting fatigue for Councillors and staff if the duration of the Strategic Briefing was not capped or if the Council meeting time was set to commence later than 2:00pm. This could also result in later meeting finishing times and increased night travel for some Councillors.

Any change to the Council Meeting dates and times should only be considered if it is convenient for Councillors and results in increased attendance at Strategic Briefing Workshops and Council Meetings.

FINANCIAL AND RESOURCE IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

RISK IMPLICATIONS

No risks identified

STAKEHOLDER CONSULTATION

Councillors at induction training and previous Strategic Briefing Workshops.

OPTIONS

Not applicable

CONCLUSION

Council should review and determine the date and time for Ordinary Council Meetings and Strategic Briefing Workshops

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

CSP 4.2.2 Council's decision making is equitable and ethical.

ATTACHMENTS

Nil

9.2 CORPORATE AND COMMUNITY SERVICES

9.2.1 DONATIONS

TRIM Number: R22/294

Author: Administration Officer - Corporate & Community Services

RECOMMENDATION

That:

1. The Director of Corporate and Community Services Report No. R22/294 be received and noted.
2. Council provide a donation to West Milby Rodeo & Gymkhana Inc. of \$1,000 for their Milby Sports event.
3. Council decline to provide a contribution towards the Lake Cargelligo Rodeo Association of \$1,900 for automatic water troughs AND
4. Fund the purchase of automatic water troughs for the Lake Cargelligo Rodeo Association at the Lake Cargelligo Showground through the current maintenance budget for the Showground.

PURPOSE

Council is asked to consider requests for monetary and in-kind support for community events to be held in the 2022/2023 financial year.

SUPPORTING INFORMATION

A copy of the requests for donation are included as an attachment.

BACKGROUND

Throughout the year Council receives requests from individuals, community groups and sporting clubs for financial and in-kind support. This support may promote the liveability of the shire or enable residents to undertake representation in their chosen sport or activities outside of the shire.

ISSUES AND COMMENTS

West Milby Rodeo & Gymkhana Inc.

West Milby Rodeo & Gymkhana Inc. are requesting a contribution of \$1,000 to support their annual Milby Sports event. All sponsors will be mentioned on the day as well as in all their advertising, social media and newspaper articles.

Council has donated \$1,000 for every event since 2017. Council has a budget provision for cash and in-kind support for this event of \$2,640.

Update from question raised at the September 2022 Strategic Briefing. At its August 2021 Ordinary meeting (Resolution No. 2021/164), Council approved a \$1,000 donation for the 2021 event, on the condition that the event was held. Council was advised by the Treasurer on 8 October 2021 that the event was definitely going ahead on 16 October 2021. Council paid the funds on the 14 October 2021 via EFT. However, a review of the club's Facebook page shows the event was cancelled on 15 October 2021 due to inaccessible roads. Significant costs were already occurred at this point.

Lake Cargelligo Rodeo Association

Lake Cargelligo Rodeo Association are requesting a donation of \$1,900. This donation will specifically go towards providing concrete automatic water troughs for stock. They will acknowledge the Council for their contribution through social media, local paper and events. There are no records of any recent donations to this group.

Update from question raised at the September 2022 Strategic Briefing

After speaking with the Director Infrastructure Services, Council is able to fund this from our current maintenance budget for the Lake Cargelligo Showgrounds (WO 126) therefore no donation is required.

FUTURE DONATIONS

- Workshops Out West – Council requested more information. No response has been received as yet.
- Rotary Club of Condobolin Incorporated \$1,500 – waiting on form for over \$1,000 donations

FINANCIAL AND RESOURCE IMPLICATIONS

A provision was made in the FY2022/2023 budget to provide cash and in-kind support for Community events and general donations. There is \$23,553 available in the elected member's general donation budget.

LEGAL IMPLICATIONS

There are no known legal implications.

RISK IMPLICATIONS

There is reputational risk for Council when making decisions to approve or not to approve particular requests.

STAKEHOLDER CONSULTATION

Councillors - September Strategic Briefing

Internal stakeholder consultation.

OPTIONS

1. Provide the full amount of the requested donation.
2. Decline the full amount of the requested donation.
3. Vary the amount of the donation.

CONCLUSION

Council is asked to consider and make a resolution on the amount of any donation it wishes to provide.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

CSP 4.2.1 Council is financially sustainable and provides services at a level expected by the community.

ATTACHMENTS

1. West Milby Rodeo & Gymkhana Inc. [⇒](#)
2. Lake Cargelligo Rodeo Association [⇒](#)
3. Donation Budget 07092022 [⇒](#)

9.2.2 DRAFT SOCIAL MEDIA POLICY**TRIM Number: R22/276****Author: Governance and Risk Officer****RECOMMENDATION**

That

1. The Director Corporate & Community Services Report R22/276 be received and noted.
2. The draft Social Media Policy be adopted by Council as presented.

PURPOSE

To provide a draft copy of the revised Lachlan Shire Council (LSC) Social Media Policy to Council for review and adoption.

SUPPORTING INFORMATION

Draft Social Media Policy v3 attached

BACKGROUND

A review has been conducted of Council's Social Media Policy in line with the Office of Local Government's (OLG) Model Social Media Policy 2022.

The model policy is not mandatory. Once adopted, the policy will operate to supplement the provisions of Council's adopted Codes of Conduct for Staff and Councillors.

ISSUES AND COMMENTS

As per the OLG Model Social Media Policy 2022, in the context of NSW local government, social media has two primary functions:

- a) it is used by councils to interact and share information with their communities in an accessible and often more informal format; and
- b) it enables councillors to promote their achievements and address their constituents directly about community issues and events in ways that either complement or bypass traditional news and print media.

In addition, many councils use social media as the platform through which they webcast their meetings. This increases transparency by providing visibility of council decision making in real time.

Social media presents specific opportunities and challenges for councils. With unprecedented reach and accessibility comes a number of risks as outlined in the OLG Model:

- the emergence of new, harmful forms of behaviour, such as cyber-bullying and trolling;

- maintaining the accuracy, reliability and integrity of information disseminated from multiple sources;
- organisations can be held liable for content uploaded onto their social media platforms by third parties;
- content uploaded in a person's private capacity can adversely affect their employment and cause significant reputational damage to colleagues and employers; and
- rapid innovation can make it difficult to keep pace with emerging technologies and trends.

In addition, potential corruption risks may arise due to social media use. These include:

- customers, development proponents / objectors, tenderers, or others grooming public officials by behaviours such as 'liking' specific posts, reposting, or sending personal /private messages;
- public officials disclosing confidential or sensitive information;
- using social media for sponsorship opportunities, which may unfairly advantage one sponsor over another and lack transparency; and
- public agencies or officials promoting certain businesses by behaviours such as 'following' them, 'liking' content, or making comments, which may result in those businesses being favoured over others.

Councils and councillors are not immune from the challenges associated with social media, which can pose a significant risk both in a legal sense, and in terms of a council's ability to operate in a unified and coordinated way. It is therefore vital that councils have the right policy settings in place so both councils and councillors can realise the full benefits of social media whilst mitigating risk.

The attached LSC Social Media Policy is based on the OLG Model Policy and has been reviewed in the interests of best practice governance for Lachlan Shire Council. It aims to provide a framework for Council to access the benefits of social media use while mitigating the risks.

FINANCIAL AND RESOURCE IMPLICATIONS

There are human resource implications in administering this policy, in particular the roles of Social Media Coordinator and authorised users.

So there are potential costs in staff costs and productivity but minimal outright costs as most social media platforms are free.

LEGAL IMPLICATIONS

A breach of Council policy, including but not limited to the Social Media Policy, exposes council staff and officials to potential disciplinary action under the respective Codes of Conduct.

Local Government Act 1993

Local Government (General) Regulation 2021

State Records Act 1998

Privacy and Personal Information Protection Act 1998

Code of Conduct for Council Staff Policy

Code of Conduct for Councillors Policy

Complaints Management Framework and Policy

Records Management Policy

RISK IMPLICATIONS

Legislative risk if Council is not compliant with all requirements under the Act, associated Regulations and Office of Local Government Guidelines.

Enterprise Risk Management implications in relation to compliance, reputation and people.

STAKEHOLDER CONSULTATION

Councillors - One day workshop with *361Consulting* conducted 4 May 2022. Please note the draft presented has some minor amendments per consultation. It also did not include Clause 3.5.

Operational Management Team and Executive Leadership Team - input and comments requested via email 12 May 2022.

Staff Consultative Committee meeting on 16 June 2022.

Audit, Risk and Improvement Committee (ARIC) meeting 8 June 2022 - the draft Social Media Policy was reviewed and is referred to Council for adoption along with the following comments.

ARIC Comments – This policy applies to all council officials and Councillors need to be aware of their responsibilities, particularly record keeping requirements and identifying themselves. Once adopted the policy places an obligation on staff and Councillors that needs to be adhered to.

CONCLUSION

The draft LSC Social Media Policy, after review by the ARIC and after consultation with all stakeholders, is presented to Council for adoption. The ARIC requested in particular that their comments above be noted along with their recommendation for Council to adopt.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

4.2. Strong, effective and responsive council

4.2.2 Council's decision making is equitable and ethical

4.2.5 Council's exposure to risk is minimised

4.3. Enhanced communication with residents

ATTACHMENTS

1. Social Media Policy v3 [⇒](#)

9.2.3 DRAFT FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2022**TRIM Number: R22/320****Author: Director - Corporate and Community Services****RECOMMENDATION**

That

1. The Director Corporate and Community Services Report No R22/320 be received and noted.
2. The Draft Financial Statements for the year ended 30 June 2022 be referred for Audit.
3. Council confirm that the Draft Financial Statements for the year ended 30 June 2022 have been prepared in accordance with:
 - (a) the Local Government Act 1993 and Regulations;
 - (b) the Australian Accounting Standards and professional pronouncements; and
 - (c) the Local Government Code of Accounting Practice and Financial Reporting.
4. Council confirm that:
 - (a) The statements present fairly the Operating Result and Financial Position for the year;
 - (b) The statements accord with Council's accounting and other records; and
 - (c) Council is not aware of any matter that would render the statements false or misleading in any way.
5. The General Manager be authorised to finalise the date on which the auditor's report and financial statements are to be presented to the public.

PURPOSE

The purpose of this report is two-fold:

- to confirm that the financial statements for the year ended 30 June 2022 have been prepared in accordance with the Local Government Act 1993 and Regulations, the Australian Accounting Standards and the Local Government Code of Accounting Practice and Financial Reporting; and
- to request Council formally refer the Financial Statements for audit.

SUPPORTING INFORMATION

The draft consolidated Income Statement (net operating result for the year) and supporting notes, together with the Statement of Financial Position (balance sheet) will be circulated under separate cover due to their size.

BACKGROUND

Section 413 of the Local Government Act requires that Council must formally refer the annual financial statements for audit and make a resolution that the annual financial statements have been prepared in accordance with:

- the Local Government Act 1993 and Regulations;
- the Australian Accounting Standards and professional pronouncements;
- the Local Government Code of Accounting Practice and Financial Reporting;

in addition, confirming that:

- The statements present fairly the operating result and financial position for the year;
- The statements accord with Council's accounting and other records;
- Council is not aware of any matter that would render the statements false or misleading in any way.

ISSUES AND COMMENTS

Council is required by the Local Government Act 1993 and associated regulations to lodge its audited financial statements with the Office of Local Government within four months of the end of the relevant financial year.

FINANCIAL AND RESOURCE IMPLICATIONS

As outlined in the March 2022 report to Council on the Audit Engagement Plan, a quoted fee of \$59,510 (including GST) was provided by the NSW Audit Office.

The fee may increase if other matters, not known at the date of the plan being issued, emerge during the audit and significantly change the estimated audit cost. Proposals for additional fees are discussed with Senior Staff.

LEGAL IMPLICATIONS

The Local Government Act 1993 places a statutory obligation on Council to produce the annual financial statements.

RISK IMPLICATIONS

There are no identified risk implications.

STAKEHOLDER CONSULTATION

The draft financial statements were sent to Councillors on Friday 23 September via email.

Council management have worked closely with the external auditors and the NSW Audit Office to ensure the statements can be audited in a timeframe that will allow lodgement by the due date.

OPTIONS

Not Applicable

CONCLUSION

Section 413 of the Local Government Act requires that Council must formally refer the annual financial statements for audit and make a resolution that the annual financial statements have been prepared in accordance with the Act, accounting codes, policies and guidelines.

Following receipt of the Auditor's Report, the statements will be lodged with the Office of Local Government and will be presented to the public.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

CSP No. 4.2.1 - Council is financially sustainable and provides services at a level expected by the community.

ATTACHMENTS

1. **Summary of the 2022 financial year statement outcomes** [⇒](#)

9.3 ENVIRONMENT, TOURISM AND ECONOMIC DEVELOPMENT**9.3.1 LOCAL HERITAGE FUND (SMALL GRANTS) 2022/2023****TRIM Number: R22/287****Author: Manager- Town Planning****RECOMMENDATION**

That

1. The Director Environment, Tourism and Economic Development Report No. R22/287 be received and noted.
2. Council allocate the \$15,260.00 from the Lachlan Shire Council Local Heritage Fund 2022-2023 as follows:
 - (a) \$7,000.00 for the works to All Saints Anglican Church, Condobolin;
 - (b) \$4,000.00 for the works to the Presbyterian Manse Building, Condobolin;
 - (c) \$1,500.00 for the works to Tottenham and Albert Cemeteries;
 - (d) \$1,500.00 for the works to the Royal Hotel, Condobolin; and
 - (e) \$1,260.00 for the works to the Weatherboard Cottage at 84 Orange Street, Condobolin.
3. Council endorse the lodgement of grant applications under the 2023-2025 Heritage NSW program.

PURPOSE

To allocate the available 2022/2023 Local Heritage Funding whilst demonstrating that due consideration has been given to community interest and funding body guidelines.

SUPPORTING INFORMATION

Nil

BACKGROUND

Lachlan Shire Council recently commenced the 2022/2023 Local Heritage Fund. All members of the community were invited to apply for a grant to undertake heritage works. These grants are to assist with conservation and restoration work. It is recommended that the grants be allocated from the fund to support the projects outlined below.

In the 2021/2022 Local Heritage Grant Program, which was endorsed by Council (Report 21/294) four (4) projects received funding.

ISSUES AND COMMENTS

Council advertised and promoted the Local Heritage Grants over a period of 5 weeks from 8 August 2022 to 12 September 2022. Interested parties were invited to obtain an information / application package regarding the local heritage fund.

The guidelines indicated that grants of about \$4,000 were available from the Lachlan Shire Local Heritage Fund to assist owners to undertake conservation and maintenance works on heritage buildings and places, however this was to be dependent on the number of applications received. Owners are required to at least match Council's contribution.

Council has established a budget of \$15,260.00 for the Local Heritage Fund in 2022/2023. If Council manages the fund in accordance with the requirements of the former Heritage Branch of the Office of Environment and Heritage, that agency will reimburse Council to the total of \$5,500.00, via a grant, at the end of the financial year. One of the key requirements is that the fund be dispersed with regard to the recommendations of Council's Heritage Advisor.

Five (5) applications for grants were submitted relating to the following places:

- All Saints Anglican Church, Condobolin
- Tottenham/Albert Cemeteries
- Former Presbyterian Manse, 30 McDonnell Street, Condobolin
- Weatherboard Cottage at 84 Orange Street, Condobolin
- Royal Hotel, Condobolin

Lachlan Shire Council's Heritage Advisor, Sue Jackson-Stepowski of Jackson-Stepowski Heritage Planning, evaluated the applications.

After considering the applications the Heritage Advisor recommended that the grants be dispersed as shown in the table below.

Project	Funding being sought	Total Cost of Project	Recommended Grant
All Saints Anglican Church	\$14,225.00	\$28,450.00	\$7,000.00
Presbyterian Manse Building	\$9,955.00	\$19,910.00	\$4,000.00
Tottenham/Albert Cemeteries	\$2,000.00	\$4,000.00	\$1,500.00
Royal Hotel	\$5,500.00	\$11,000.00	\$1,500.00
Weatherboard Cottage	\$9,395.00	\$18,790.00	\$1,260.00
Total	\$41,075.00	\$82,150.00	\$15,260.00

Details on the projects are provided below:

All Saints Anglican Church

This project seeks to undertake works in accordance with the Conservation Management Plan for the property. A summary of the proposed works include:

- The project will help to achieve elimination of rising damp affecting the brickwork, foundation, windows and internal walls of the building. Downpipes, landscaping and cementing around the church continue to have a serious effect on the building.
- The removal of substantial trees and pruning of others will alleviate problems with both the gutters and the roots.
- The removal of the sleeper fence will address the issues with white ants, the stability and safety of the fence when used for seating and the unsuitability for a traditional building.
- Removal of the trees will give better views of the church from the surrounding streets.

The church is identified as a heritage item (State) under Lachlan Local Environmental Plan 2013. This is the only building or property within Lachlan Shire Council to have State heritage listing. According to the State Heritage Register:

“All Saints Anglican Church is of State significance for its aesthetic, rarity and representative values in exemplifying the qualities of a small and relatively intact Gothic-styled church attributed to Edmund Blacket. It is understood that Blacket built about 34 small churches of this kind but almost all have had additions such as porches, towers, and chancel. This is the only church known to have survived in its original configuration.”

Funding, under the Local Heritage Fund, has been provided by Council previously and the work that has been undertaken has consistently been to a high standard. The Application is supported, subject to conditions.

Presbyterian Manse Building

This project seeks critical repairs and restoration works to the external facade of building along with drainage work to reduce rising damp and other moisture related issues. This building is identified as a heritage item (local) under Lachlan Local Environmental Plan 2013.

There is no record of any funding ever being provided to this site, under the Local Heritage Fund, on Council's records. The Application is supported, subject to conditions.

Tottenham/ Albert Cemetery

This project seeks to restore the writing on headstones at Tottenham and Albert cemeteries (5 headstones at each cemetery). Both cemeteries are identified as heritage items (local) under Lachlan Local Environmental Plan 2013.

Funding, under the Local Heritage Fund, has been provided by Council in previous years and the work that has been undertaken has consistently been to a high standard. The Application is supported, subject to conditions.

Royal Hotel

This project seeks to repair and paint the front facade of the hotel which is currently in poor condition. This includes repairs to the gutter, fascia and tiles to ensure the longevity of the facade, particularly the wooden components.

The hotel which was built under the ownership of Tooheys, is not identified as a heritage item under Lachlan Local Environmental Plan 2013, however it is identified in Council's Heritage Inventory (1900038) as having local heritage significance and is a fine example of an Art Deco style Hotel from that period.

There is no record of any funding ever being provided to this site, under the Local Heritage Fund, on Council's records. The Application is supported, subject to conditions.

Weatherboard Cottage at 84 Orange Street

This project seeks to repair the front verandah and a new period style side fence to a weatherboard cottage dwelling in Orange Street. This building is not identified as a heritage item under Lachlan Local Environmental Plan 2013, however does have some heritage significance as it is good local example of a weatherboard cottage. According to local records it was built by Wilson & Bob Smyth (brothers) in the 1920's. It is said to be half of an older house that was relocated from Denison Street, with the other half of the dwelling adjoining at 82 Orange Street.

There is no record of any funding ever being provided to this site, under the Local Heritage Fund, on Council's records. The Application is supported, subject to conditions.

FINANCIAL AND RESOURCE IMPLICATIONS

Council has established a budget of \$15,260.00 for its Local Heritage Fund in the 22.23FY. At the end of the financial year it is expected that Council will receive a grant of \$5,500.00 from the (former) Heritage Branch of the Office of Environment & Heritage (which is now part of the Department of Premier and Cabinet).

The current grant funding is in the second of a two (2) year cycle. Grant funding for 2023-2025 programs is now open until 2 December 2022. This will be slightly different with a new a \$25,000 Local Government Heritage Grant available which replaces the previous individual Local Heritage Advisors, Small Heritage Grants and Local Government Heritage Studies Grants categories. This is to support projects that help identify, conserve and promote heritage in their area.

LEGAL IMPLICATIONS

No legal implications have been identified at this time. Council will discuss the approval requirements, associated with the above applications, with each of the Applicant's including the conditions which have been imposed by Council's heritage advisor.

RISK IMPLICATIONS

At the end of the financial year it is expected that Council will receive a grant of \$5,500.00 from the (former) Heritage Branch of the Office of Environment & Heritage (which is now part of the Department of Premier and Cabinet). Should no works be undertaken in accordance with this grant Council could be at risk of losing this funding in subsequent years.

The funding will be utilised to protect heritage items and significant buildings within the Shire. Should funding not be provided to the applicants there is a possibility that the works will not be completed.

STAKEHOLDER CONSULTATION

Advertisements were placed in the Condobolin Argus and Lake News newspapers. Media releases and social media were also used to inform the community of the grant program.

Council's Manager Town Planning and Heritage Advisor, Sue Jackson-Stepowski of Jackson-Stepowski Heritage Planning attended four site meetings with prospective applicants on 1 and 2 August 2022.

Applications were accepted over a period of 5 weeks from 8 August 2022 to 12 September 2022.

OPTIONS

1. Decide not to grant the funding to one or more of the applications;

2. Decide to grant the funding in accordance with the recommendation from Council's Heritage Advisor;
3. Decide to grant the funding but change the agreed amounts;
4. Refer the matter back to Council's Heritage Advisor for further assessment.

CONCLUSION

Council's Heritage Advisor, Sue Jackson-Stepowski of Jackson-Stepowski Heritage Planning has evaluated the applications received for the 2022/2023 Local Heritage Fund. After considering the applications, it is recommended that the grants be dispersed as shown in the preceding table. It is also recommended that future funding be applied for under the 2023-2025 Heritage NSW program.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

- 2.5 Improve the appearance of each town
- 4.2 Strong effective and Responsive Council
- 5.5 Celebrating and preserving our heritage

ATTACHMENTS

Nil

9.3.2 RE-ESTABLISHMENT OF ALCOHOL FREE ZONES IN CONDOBOLIN AND LAKE CARGELLIGO**TRIM Number: R22/295****Author: Manager- Town Planning****RECOMMENDATION**

That:

1. The Director Environment Tourism and Economic Development Report No. R22/295 be received and noted.
2. Pursuant to Section 644B of the Local Government Act, 1993, Council re-establish Alcohol Free Zones in Condobolin and Lake Cargelligo.
3. The duration of the Alcohol-Free Zone be for four (4) years from 28 September 2022 until 28 September 2026, 24 hours per day, unless otherwise suspended or cancelled by Council.

PURPOSE

The purpose of this report is to provide details of the public exhibition period and to seek Council's endorsement to re-establish Alcohol Free Zones (AFZ) in Condobolin and Lake Cargelligo.

SUPPORTING INFORMATION

Submission from NSW Police Force

BACKGROUND

The previous AFZs in Condobolin and Lake Cargelligo commenced on 21 July 2018, for a four (4) year term, expiring on 21 July 2022.

Further to resolution 2022/185 from the 29 June 2022 Council meeting, the proposal to re-establish alcohol free zones (AFZ) in Condobolin and Lake Cargelligo was publicly exhibited pursuant to the provisions of section 644B(4) of the Local Government Act 1993. Council also provided a copy of the proposal to the NSW Police, holders of alcohol licenses and Aboriginal groups within the affected communities, in accordance with the legislation.

During the public exhibition period of twenty-eight (28) days one (1) supporting submission was received from the NSW Police Force.

ISSUES AND COMMENTS

Detailed below are plans of Condobolin and Lake Cargelligo showing the boundaries of the AFZ (outlined in purple) and the locations of the existing AFZ signage (shown in purple dots).



Figure 1: AFZ in Condobolin with the AFZ boundary shown in purple

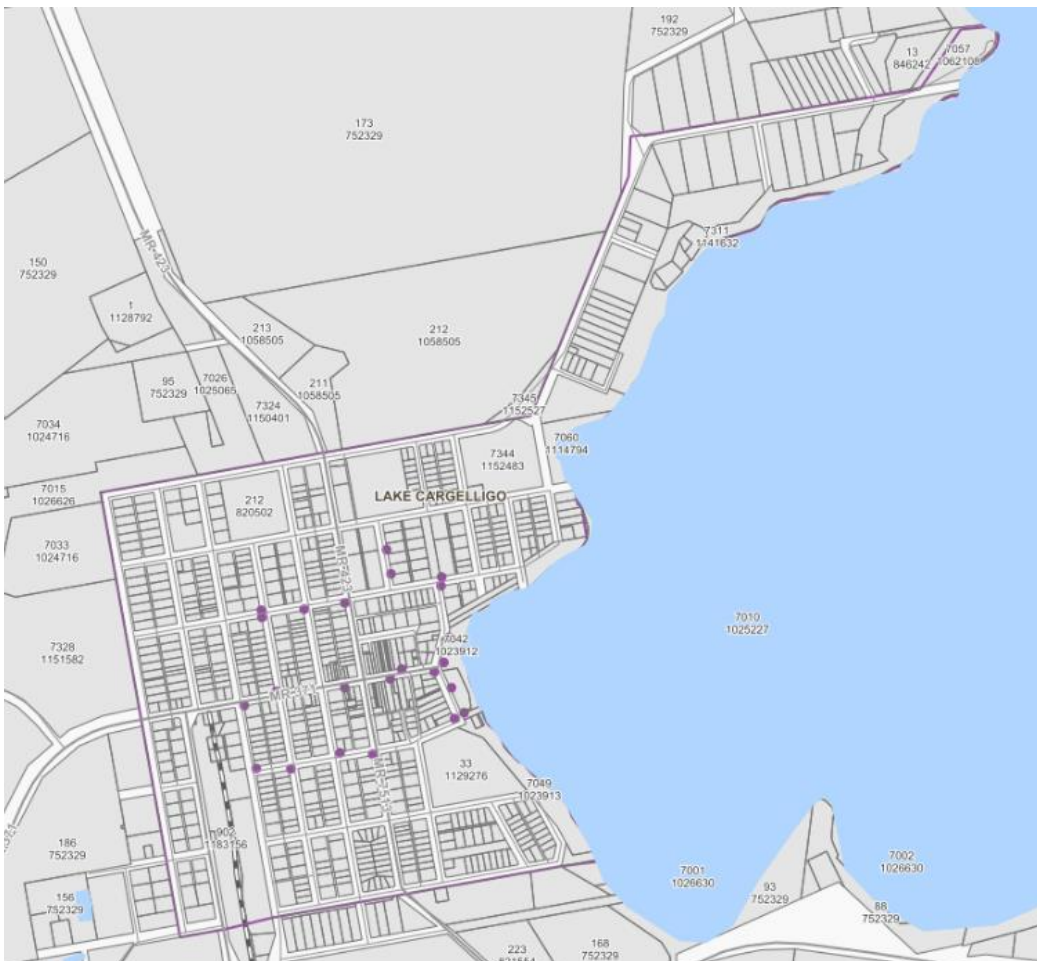


Figure 2: AFZ in Lake Cargelligo with the AFZ boundary shown in purple

Condobolin AFZ

The street boundaries of the existing AFZ for Condobolin are:

Maitland Street from Melrose Road to Jones Road

Jones Road from Maitland Street to Henry Parkes Way

Henry Parkes Way from Jones Lane to unnamed lane off Rogers Street

Unnamed Lane between Henry Parkes Way and Rogers Street

Rogers Street

May Street between Rogers Street and Weir Street

Stenhouse Street between May Street and Mooney Street

Mooney Street between Stenhouse Street and Molong Street

Molong Street between Chinaman's Bridge and Goobang Street

Goobang Street between Molong Street and Orange Street

Orange Street between Goobang Street and Gordon Street

Gordon Street between Orange Street and Bathurst Street

Bathurst Street between Gordon Street and Denison Street

Denison Street between Bathurst Street and Lachlan Street

Lachlan Street

Innes Street between Lachlan Street and Officers Parade

Officers Parade including Graf Street

Turner Street between Officers Parade and Moulder Street

Moulder Street

Bathurst Street between Moulder Street and Golf Links Road

Golf Links Road

Silos Road between Golf Links Roads and Melrose Road

Melrose Road between Silos Road and Maitland Street.

Lake Cargelligo

The street boundaries for the existing AFZ in Lake Cargelligo are:

Loughnan Street

Uabba Street

McInnes Street

Lachlan Street

Conapaira Street including Bokhara Street South between Lachlan Street and Lake Street

Lake Street

Johnston Street between Lake Street and Holt Street

Holt Street between Johnston Street and Naradhan Street

Naradhan Street between Holt Street and Lake Street South

Lake Street South

Narrandera Street to Loughnan Street.

Alcohol Free Zones

The object of alcohol free zones is an early intervention measure to prevent the escalation of irresponsible street drinking involving serious crime. The drinking of alcohol is prohibited in an alcohol-free zone once it is established by Council. Pursuant to Section 644 of the Local Government Act 1993 (LG Act) Council can establish an alcohol free zone. Section 644 of the LG Act 1993 states:

“644 Proposal for establishment of alcohol-free zone

(1) A council may prepare a proposal for the establishment of an alcohol-free zone, either on its own motion or on the application of one or more of the following people—

(a) a person who the council is satisfied is a representative of a bona fide community group active in the area,

(b) a police officer,

(c) a person who the council is satisfied lives or works in the area.

(2) The application must be in the form set out in the guidelines in force under section 646 or, if there are no such guidelines, in the approved form.

(3) The proposal must comply with the guidelines (if any) in force under section 646.

(4) The proposed alcohol-free zone may comprise either or both of the following—

(a) a public road or part of a public road,

(b) a public place that is a car park or part of a car park.

(5) The proposal may provide for an alcohol-free zone to be established for a period not exceeding 4 years and for the zone to operate for the whole of that period or just for days on which particular special events occur.”

As the current four (4) year period is now complete, Council must consider whether to continue the AFZ. It is recommended that Council establish the AFZs for a further four (4) years.

There are 16 Local Government Areas (LGAs) that must consult with the NSW Anti-Discrimination Board before establishing either an AFZ or an Alcohol Prohibited Area. However, Lachlan Shire Council is not one of those LGAs.

There are public consultation requirements which must be met before Council can declare an AFZ, outlined within Section 644A of the LG Act 1993. Now that the public consultation has been carried out Council can declare an area to be an AFZ.

Once established the AFZ must be signposted and notice of the zone must be published in a manner which Council is satisfied is likely to bring the notice to the attention of members of the public (e.g. the local paper, etc.).

Alcohol-free zones are enforced by the NSW Police Force. Any person observed to be drinking in an AFZ may have the alcohol in their possession immediately seized and tipped out or otherwise disposed of.

FINANCIAL AND RESOURCE IMPLICATIONS

There will be costs associated for installing the AFZ signage (with the new dates). It is estimated that these costs will be approximately \$4,000.

LEGAL IMPLICATIONS

The legal implications are addressed within the body of the report.

Where a person does not cooperate with a request by the Police to hand over alcohol in an Alcohol-Free Zone, they can be charged with obstruction under the Local Government Act 1993, which carries a maximum penalty of \$2,200.

RISK IMPLICATIONS

The AFZ will assist as an early intervention measure to prevent the escalation of irresponsible street/public place drinking involving serious crime. Not proceeding with the re-establishment of the AFZ could allow matters to more easily escalate to serious crime.

STAKEHOLDER CONSULTATION

Pursuant to the Local Government Act 1993 a proposal to declare an AFZ must be publicly notified for a minimum of twenty-eight (28) days.

The proposal was placed on public exhibition between 3 August 2022 and 9 September 2022 inviting submissions/objections to the proposal.

Council published a notice in the Condobolin Argus and in the Lake News. Notices were also placed on Council's Website and Facebook Page.

As a result of the public exhibition one (1) supporting submission was received from the NSW Police Force.

OPTIONS

1. Re-establish Alcohol Free Zones in Condobolin and Lake Cargelligo for a four (4) year period.
2. Do not re-establish Alcohol Free Zones in Condobolin and Lake Cargelligo.

CONCLUSION

Alcohol Free Zones are a critical part of helping to reduce alcohol related crime. According to the NSW Police the introduction of alcohol free zones has helped to reduced incidences of crime. Re-establishment of the zones in Condobolin and Lake Cargelligo is an important way that Council can help to keep our streets and communities safer.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

Community Strategic Plan - 4.2 Strong Effective Responsive Council

Community Strategic Plan - 5.4 Community safety

ATTACHMENTS

1. NSW Police Force Submission [⇒](#)

9.4 INFRASTRUCTURE SERVICES**9.4.1 EXPRESSIONS OF INTEREST - GUM BEND LAKE AND CONDOBOLIN CEMETERY ADVISORY COMMITTEES****TRIM Number: R22/309****Author: Administration Officer****RECOMMENDATION**

That

1. The Director Infrastructure Services report R22/309 be received and noted
2. Council accept the nominations for the Gum Bend Lake Advisory Committee from
 - (a) Bart Anderson
 - (b) Sandi Berry
 - (c) Tom Stuckey
3. Council accept the nominations for the Condobolin Cemetery Advisory Committee from
 - (a) Christine Keen
4. Council acknowledge the one resignation from Colin Doonan from the Gum Bend Lake Advisory Committee
5. Council write to the four (4) community members who nominated for the Condobolin Cemetery and Gum Bend Lake Advisory Committees and advise them of Council's decision.

PURPOSE

To provide Council with an update on the additional expressions of interest that have been received for both the Gum Bend Lake Committee and the Condobolin Cemetery Advisory Committee. There has been one previous member of the Gum Bend Lake Advisory Committee resign from the committee.

SUPPORTING INFORMATION

Attachments include the nominations and resignation for both Committees from each community member.

BACKGROUND

The term of the previous committees concluded with the Council elections held in December 2021. Advertising for nominations for both Committees has been ongoing since February 2022.

Public nominations for both committees were advertised. The adverts were placed in local newspapers and Council's social media websites. Each previous Committee member and observers received a letter or email asking them to consider re-apply for the Committee.

Council formally appointed committee members to each committee in March 2022, with additional advertising yielding limited results.

ISSUES AND COMMENTS

The inaugural meetings were held for each committee in August, both committees were unable to elect a chair. All members were encouraged to ask around their community networks to see if there was anyone else interested in nominating for either the Condobolin Cemetery or Gum Bend Lake Advisory Committees.

At the date of writing this report on 14 September 2022, Council has received a total of three (3) nominations for the Condobolin Cemetery Advisory Committee and five (5) nominations and one (1) resignation for the Gum Bend Lake Advisory Committee in total.

FINANCIAL AND RESOURCE IMPLICATIONS

Infrastructure Services staff continue to provide administrative services to the Committees within existing resources.

LEGAL IMPLICATIONS

The Condobolin Cemetery Advisory Committee and the Gum Bend Lake Advisory Committee are both advisory committees to Council.

RISK IMPLICATIONS

The terms of reference for both committees do not specify a minimum number of committee members. With the received nominations and resignation, the Gum Bend Lake Advisory Committee will have five (5) members and the Condobolin Cemetery Advisory Committee will have three (3) members.

STAKEHOLDER CONSULTATION

The role of both committees is to act as a conduit between the community and Council on matters specifically relating to Gum Bend Lake and the Condobolin Cemetery operations, maintenance and capital improvements of the facilities.

OPTIONS

1. Accept the three (3) nominations for the Gum Bend Lake Advisory Committee and one (1) for the Condobolin Cemetery Advisory Committee, reforming the Committees with the existing accepted nominations, with the option of adding more members throughout the term of the Committee.

CONCLUSION

Council continues to manage the Condobolin Cemetery with limited resources available and hold meetings when there is consultation required on matters that arise with the three (3) Committee members.

Council continues to support the use and improvement of Gum Bend Lake through recent capital improvements and successful grant applications to fund future improvements, consulting with the five (5) Committee members.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

CSP 2.1 A Vibrant Tourism Policy

CSP 3.2 Improved Pedestrian and Cycle Paths

CSP 4.3 Enhanced Communication with Residents

CSP 4.4 Strategic Management of Villages and Crown Reserves

CSP 6.1 Increased Recreational use of Lakes and Reserves

CSP 6.5 Provision of neat, accessible and respectful cemeteries

ATTACHMENTS

- 23. 1. Bart Crouch Anderson - EOI Gum Bend Lake Committee [⇒](#)
- 24. 2. Sandi Berry - EOI Gum Bend Lake Committee [⇒](#)
- 25. 3. Tom Stuckey - EOI Gum Bend Lake Committee [⇒](#)
- 26. 4. Colin Doohan - Rescind - Gum Bend Lake Committee [⇒](#)
- 27. 5. Christine Keen - EOI - Condobolin Cemetery Committee [⇒](#)

9.4.2 GRAFFITI POLICY UPDATE**TRIM Number: R22/311****Author: Manager Urban Works****RECOMMENDATION**

That

1. The Director Infrastructure Services Report R22/311 be received and noted.
2. The Graffiti Policy be adopted as presented.

PURPOSE

The purpose of this report is to update Council's Graffiti Policy.

SUPPORTING INFORMATION

See attachment – Graffiti Policy

BACKGROUND

Council adopted the previous Graffiti Policy in October 2019 with the now overdue for review.

ISSUES AND COMMENTS

The revised Policy document has been updated and reviewed with no major amendments or additional information added from the previously policy which was adopted in October 2019.

FINANCIAL AND RESOURCE IMPLICATIONS

The updated Graffiti Policy is not expected to have an impact on Council's resources or finances.

LEGAL IMPLICATIONS

Graffiti Control Act 2008

RISK IMPLICATIONS

Nil

STAKEHOLDER CONSULTATION

Nil

OPTIONS

1. Council adopt the updated Graffiti Policy.
2. Council amend the Graffiti Policy.

CONCLUSION

The updating of the Graffiti Policy will ensure Council is operating under a relevant and current policies.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

2.5 Approve the appearance of each town

ATTACHMENTS

1. Graffiti Policy [↗](#)

9.4.3 LAKE CARGELLIGO CRICKET NETS - ACCESS DEED WITH DEPARTMENT OF EDUCATION**TRIM Number: R22/314****Author: Director Infrastructure Services****RECOMMENDATION**

That

1. The Director Infrastructure Services Report R22/314 be received and noted
2. Council accept the proposed Access Deed with the Minister of Education and Early Childhood Learning.
3. Council delegate Authority to the General Manager to execute the Agreement and affix the Council seal.

PURPOSE

This report seeks Council endorsement to enter into a Deed with the Minister of Education and Early Childhood Learning (the Department) - for the installation of cricket nets at the Lake Cargelligo Central School "Complex" located on Yelkin Street.

SUPPORTING INFORMATION

Attached – proposed Deed

Attached – draft Community Access Agreement

BACKGROUND

April 2020 – Notice of Motion. – Council resolved that the cricket nets proposed for construction at the Lake Cargelligo Recreation Ground be relocated to the South West corner of the Lake Cargelligo Central School recreational grounds. This was subject to an appropriate signed Memorandum of Understanding with the Department permitting ongoing community access.

February 2022 – Report to Council put forward the proposed Licence between the Department and the Lachlan Shire Council. The conditions within this Licence was deemed unacceptable by Council.

Further negotiations have taken place between Council staff and the Department since this time. The outcome of this negotiation is that the works can be authorised by an Access Deed and community access is through a Community Use Agreement.

ISSUES AND COMMENTS

The attached Works Access Deed will grant Council the permission to undertake the construction of the dual cricket nets at "the complex" on Yelkin Street. The conditions within this are much less onerous than the previously proposed Licence. The primary points to consider include: -

- Construction activity is not permitted while Children are on site – The proposed method of achieving this is to undertake the works in the January School Holidays.
- If the construction activity continues past the school holidays, then the school will refrain from using the facility until the construction works are complete.

Council should note that this Deed does not provide the guarantee that continued community access will be granted in perpetuity. This guaranteed access could only be provided through the Licence that Council rejected. The mechanism by which community access to the facility will be handled is through the Community Access Agreements with individual user groups. A copy of such an agreement is also attached.

FINANCIAL AND RESOURCE IMPLICATIONS

There are nil financial implications from the execution of this deed.

Cricket NSW has allocated a grant for \$24,100 for this work. The additional standards and requirements from the Department would require additional Funding from Council to complete the project to their standard (e.g. higher quality synthetic grass and fencing). It is estimated an additional \$20,000 would need to be reallocated from the Unspent Reserves – Sports Ground Upgrade. This can be finalised through QBR once the agreement is executed.

LEGAL IMPLICATIONS

Crown Lands Management Act 2016

RISK IMPLICATIONS

Council's risk and exposure is reduced through this revised Deed. However, the revised Deed may not grant the certainty of continued public access that Council was originally requesting.

STAKEHOLDER CONSULTATION

The Lake Cargelligo Central School and the Department have been consulted regularly throughout this process. Local Cricket Clubs were last updated in March, following the refusal of Licence. It is assumed that the clubs would be happy to finally see the facility constructed.

OPTIONS

- 1.) Council resolve to accept and sign the proposed Access Deed with the Minister of Education and Early Childhood Learning.
- 2.) Council resolve to Decline the proposed Access Deed with the Minister of Education and Early Childhood Learning

CONCLUSION

Council is provided with the proposed Access Deed between the Minister of Education and Early Childhood Learning and Council. This Deed will permit Council to construct a Cricket Net facility for the community at "the Complex". Council can consider if the community access agreement with individual groups and the Department is able to provide sufficient certainty to satisfy the original request to ensure ongoing community access.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

CSP 4.2 Strong effective and Responsive Council

CSP 6.4 Improve Parks, Gardens and sporting ovals.

ATTACHMENTS

1. **Works Access Deed - proposed** [⇒](#)
2. **Community Use Agreement** [⇒](#)

10 DEPUTATIONS

11 NOTICES OF MOTION

Nil

12 NOTICES OF RESCISSION

Nil

13 DELEGATES REPORT

Nil

14 CORRESPONDENCE**14.1 CORRESPONDENCE****TRIM Number:** R22/305**Author:** Executive Assistant**RECOMMENDATION**

That:

1. The Correspondence Report be received and noted

PURPOSE

To provide Council with correspondence received for the month of September.

SUPPORTING INFORMATION

A letter from Broken Hill City Council advising of a possible withdrawal from the NSW Local Government Association.

A letter from Roy Butler MP – Member for Barwon asking the Minister to re-consider the elected regional towns for Round 3 of the Accelerated Infrastructure Fund, and investigate the potential for nomination within the Barwon Electorate.

A Circular from the Office of Local Government NSW advising of a meeting that was held to discuss the crippling financial implications of Rural Fire Service assets being imposed on Council's financial statements.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

CSP 4.2 Strong effective and responsive Council.

ATTACHMENTS

Nil

15 QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

16 PETITIONS

Nil

17 CLOSED SESSION**RECOMMENDATION**

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 10A(2) of the Local Government Act 1993:

17.1 Rates and Charges Donations - 2022/2023

This matter is considered to be confidential under Section 10A(2)b of the Local Government Act, and the 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 discussion in relation to the personal hardship of a resident or ratepayer.

17.2 Tender Assessment - SRA Lighting Upgrade

This matter is considered to be confidential under Section 10A(2)c and di of the Local Government Act, and the 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.

17.3 Update on Youth Services and seek direction on unspent funds from the 30 June 2022 Financial year.

This matter is considered to be confidential under Section 10A(2)c of the Local Government Act, and the 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.

17.4 Condobolin Sewage Treatment Plant Concept Design

This matter is considered to be confidential under Section 10A(2)di of the Local Government Act, and the 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.

17.5 Condobolin Works Depot Update

This matter is considered to be confidential under Section 10A(2)c and g of the Local Government Act, and the 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 advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.