



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

Date: Wednesday, 22 February 2023
Time: 2:00 PM
Location: Wiradjuri Condobolin Corporation

BUSINESS PAPER

Ordinary Council Meeting

22 February 2023

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 - 14 December 2022

**MINUTES OF LACHLAN SHIRE
ORDINARY COUNCIL MEETING
HELD AT THE CONDOBOLIN COUNCIL CHAMBERS
ON WEDNESDAY, 14 DECEMBER 2022 AT 2:00 PM**

PRESENT: Mayor John Medcalf (OAM), Cr Judith Bartholomew (via Zoom), Cr Melissa Blewitt, Cr Dennis Brady, Cr Dave Carter, Cr Peter Harris, Deputy Mayor Paul Phillips (via Zoom), Cr Melissa Rees

IN ATTENDANCE: Greg Tory (General Manager), Karen Pegler (Director - Corporate and Community Services), Adrian Milne (Director - Infrastructure Services) (via Zoom), Bryce Koop (Acting Director - Environment, Tourism and Economic Development) and Carolyne Marchant (Minute Taker)

The Chair welcomed those present and declared the meeting open at 2.10pm.

Cr Medcalf commented on the passing of Councillor Elaine Bendall who's funeral was held on Monday at Tullibigeal, she will be sadly missed by her family and the community. The meeting paused for a minutes silence in memory if Cr Bendall.

Cr Medcalf opened the floor to any councillors wishing to speak on the passing of Cr Bendall. Cr Brady, Cr Harris and Cr Rees shared memories and joined Council in paying condolences to her family.

Cr Phillips joined the meeting at 2.15pm via zoom

1 WEBCASTING

Statement regarding webcasting was read by the Mayor.

2 ACKNOWLEDGEMENT OF COUNTRY AND ELDERS

The acknowledgement of Country and Elders was made by Cr Harris.

3 CONFIRMATION OF MINUTES

RESOLUTION 2022/328

Moved: Cr Peter Harris

Seconded: Cr Dennis Brady

That the minutes of the Ordinary Meeting held on 23 November 2022 be confirmed.

CARRIED

4 APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE

RESOLUTION 2022/329

Moved: Cr Dennis Brady

Seconded: Cr Peter Harris

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

CARRIED

5 MAYORAL MINUTE**5.1 MAYORAL MINUTE - CENTRAL NSW JOINT ORGANISATION BOARD MEETING - NOVEMBER 2022****RESOLUTION 2022/330**

Moved: Cr Peter Harris

Seconded: Cr Dave Carter

That the Mayor's report No. R22/398 on the Central NSW Joint Organisation Board meeting held on 24 November 2022 be received and noted.

CARRIED**5.2 MAYORAL MINUTE - MEETINGS AND FUNCTIONS - DECEMBER****RESOLUTION 2022/331**

Moved: Cr Peter Harris

Seconded: Cr Melissa Rees

That the Mayoral Minute No R22/407 be received and noted with the following changes, the visit by Premier Dominic Perrottet occurred 25.11.2022, a meeting with Western NSW LHD was held on 14.12.2022.

CARRIED**5.3 MAYORAL MINUTE - DECEMBER****RESOLUTION 2022/332**

Moved: Cr Peter Harris

Seconded: Cr Dennis Brady

That the Mayoral Minute No. R22/413 be received and noted.

CARRIED

Note of condolence for Maurice 'Mo' Simpson who was a former Mayor of Weddin Shire Council.

RESOLUTION 2022/333

Moved: Cr Dennis Brady

Seconded: Cr Peter Harris

That Council move into closed session in accordance with Section 10A(2)b of the Local Government Act 1993 as it deals with discussion in relation to the personal hardship of a resident or ratepayer.

CARRIED

6 PUBLIC FORUM

Festival of the Lakes 2023 Committee update

Cr Dave Carter – Item 17.3 Proposed debt recovery Assessment Number 1001925

7 DISCLOSURE OF INTEREST

Cr Blewitt declared a Non-Pecuniary Less Than Significant interest in Item 8.1 Building Project Monthly Update for November/December as her brother-in-law manages Willow Bend Sports Centre.

Dennis Brady declared a Non-Pecuniary Less Than Significant interest in Item 9.2.2 Donations as he is a member of the Rotary Club of Condobolin.

Cr Carter declared a Pecuniary Interest in Item 17.3 Proposed debt recovery Assessment Number 1001925 as he is the concerned ratepayer.

8 READ AND NOTE

Cr Blewitt declared a Non-Pecuniary Less Than Significant interest in Item 8.1 Building Project Monthly Update for November/December as her brother-in-law manages Willow Bend Sports Centre.

RESOLUTION 2022/334

Moved: Cr Peter Harris

Seconded: Cr Dave Carter

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

- 8.1 Building Projects Monthly Update for November/December
- 8.2 Development Application Data November 2022
- 8.3 FY22/23 Urban Works Monthly Update For December
- 8.4 Investments as at 30 November 2022
- 8.5 FY22/23 Utilities Monthly Update for December
- 8.6 Active Resolutions - December

CARRIED

9 DECISION REPORTS**9.1 GENERAL MANAGER****9.1.1 LACHLAN SHIRE COUNCIL - CODE OF MEETING PRACTICE 2022****RESOLUTION 2022/335**

Moved: Cr Peter Harris

Seconded: Deputy Mayor Paul Phillips

That

1. The General Manager's Report No. R22/390 be received and noted.
2. The Lachlan Shire Council – Code of Meeting Practice 2022 be adopted as presented.

CARRIED

9.2 CORPORATE AND COMMUNITY SERVICES**9.2.1 STATEMENT OF BUSINESS ETHICS POLICY REVIEW****RESOLUTION 2022/336**

Moved: Cr Peter Harris

Seconded: Cr Judith Bartholomew

That

1. The Director Corporate & Community Services Report R22/381 be received and noted.
2. The revised Statement of Business Ethics Policy (version 2) be adopted.

CARRIED

Dennis Brady declared a Non-Pecuniary Less Than Significant interest in Item 9.2.2 Donations as he is a member of the Rotary Club of Condobolin.

9.2.2 DONATIONS**RESOLUTION 2022/337**

Moved: Cr Peter Harris

Seconded: Deputy Mayor Paul Phillips

That the Director of Corporate and Community Services Report No. R22/397 be received and noted.

CARRIED

RESOLUTION 2022/338

Moved: Cr Peter Harris

Seconded: Cr Dennis Brady

That Council provide a donation of \$1,839.20 to the Tess Cross Memorial Team Penning.

CARRIED

RESOLUTION 2022/339

Moved: Cr Dennis Brady

Seconded: Deputy Mayor Paul Phillips

That Council provide \$1,000 to Tottenham Welfare Council to upgrade the Aged Care and Community Accommodation units.

CARRIED

RESOLUTION 2022/340

Moved: Cr Dennis Brady

Seconded: Cr Dave Carter

That Council defer this item until the next meeting of Council. The Director of Corporate and Community Services to request further information regarding the number of schools from the Lachlan Shire that participate and provide a report to Council.

CARRIED

RESOLUTION 2022/341

Moved: Cr Dennis Brady

Seconded: Cr Peter Harris

That Council provide \$500 for the Tullibigeal Swimming Pool Committee's free BBQ at the Christmas Tree and Carols in the Park event.

CARRIED

Cr Rees left the meeting at 3.09pm.

9.3 ENVIRONMENT, TOURISM AND ECONOMIC DEVELOPMENT**9.3.1 LACHLAN SHIRE LOCAL APPROVALS POLICY****RESOLUTION 2022/342**

Moved: Cr Peter Harris

Seconded: Deputy Mayor Paul Phillips

That

1. The Director of Environment, Tourism and Economic Development Report No. R22/392 be received and noted.
2. The draft Local Approvals Policy – ENV014 be placed on public exhibition for a minimum of 28 days.
3. Following expiry of the public exhibition period, subject to no public submissions being received, the draft Local Approvals Policy – ENV014 be adopted.
4. The existing Local Approvals Policy remain in force until the expiry of the public exhibition period and adoption of the new draft policy ENV014.

CARRIED

Cr Rees returned to the meeting at 3.10pm.

9.4 INFRASTRUCTURE SERVICES**9.4.1 FY22/23 ROADWORKS MONTHLY UPDATE FOR NOVEMBER****RESOLUTION 2022/343**

Moved: Cr Peter Harris

Seconded: Deputy Mayor Paul Phillips

That:

1. The Director Infrastructure Services Report No. R22/399 be received and noted.

CARRIED

10 DEPUTATIONS

Nil

11 NOTICES OF MOTION

Nil

12 NOTICES OF RESCISSION

Nil

13 DELEGATES REPORT**13.1 COUNTRY MAYORS MEETING AND ANNUAL GENERAL MEETING****RESOLUTION 2022/344**

Moved: Cr Dennis Brady

Seconded: Cr Judith Bartholomew

That:

1. The Mayor's Delegate Report No: R22/411 be received and noted.

CARRIED

Cr Brady informed the meeting that the Association of Mining and Energy Related Councils meeting was postponed due to flooding, the meeting will be held in February 2023.

14 CORRESPONDENCE**14.1 CORRESPONDENCE****RESOLUTION 2022/345**

Moved: Cr Peter Harris

Seconded: Deputy Mayor Paul Phillips

That:

1. The Correspondence Report No. R22/415 be received and noted.
2. Council accept the invitation from the Mayor of Inner West Council to register the Lachlan Shire Council Mayor's name as supporting the joint Statement of Mayors supporting the Uluru Statement from the Heart and the upcoming referendum on a Voice to Parliament.

CARRIED

15 QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

16 PETITIONS

Nil

17 CLOSED SESSION**RESOLUTION 2022/346**

Moved: Cr Dennis Brady

Seconded: Cr Peter Harris

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 Proposal - Enterprise Risk Register development

This matter is considered to be confidential under Section 10A(2)f 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 details of systems and/or arrangements that have been implemented to protect council, councillors, staff and Council property.

17.2 Write-off of Debts - Accounts Receivable Balances

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).

17.3 Proposed debt recovery Assessment Number 1001925

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.

17.4 Final Audit Management Letter 2022 & Council rankings

This matter is considered to be confidential under Section 10A(2)f 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 details of systems and/or arrangements that have been implemented to protect council, councillors, staff and Council property.

17.5 Small Market Sites - Electricity Contract

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.

CARRIED

RESOLUTION 2022/347

Moved: Cr Peter Harris

Seconded: Cr Dennis Brady

That Council moves out of Closed Council into Open Council.

CARRIED

17.1 PROPOSAL - ENTERPRISE RISK REGISTER DEVELOPMENT**RESOLUTION 2022/348**

Moved: Cr Peter Harris

Seconded: Deputy Mayor Paul Phillips

That

1. The Director of Corporate and Community Services Report No. R22/375 be received and noted.
2. The proposal from Marsh to workshop and prepare an Enterprise Risk Register be accepted.
3. The additional cost of this project being \$10,000 be funded from savings identified in the Corporate Services budget.

CARRIED

17.2 WRITE-OFF OF DEBTS - ACCOUNTS RECEIVABLE BALANCES**RESOLUTION 2022/349**

Moved: Cr Peter Harris

Seconded: Cr Dennis Brady

That

1. The Director of Corporate & Community Services Report R22/394 be received and noted;
2. Council approve the write off of Accounts Receivable balances totalling \$16,166.20 as presented.

CARRIED

Cr Carter declared a Pecuniary Interest in Item 17.3 Proposed debt recovery Assessment Number 1001925 as he is the concerned ratepayer.

Cr Carter left the meeting at 3.49 pm

17.3 PROPOSED DEBT RECOVERY ASSESSMENT NUMBER 1001925

It was moved Crs Phillips/Bartholomew

That:

1. The General Manager's Report R22/358 be received and noted.
2. Council note the proposed commencement of debt recovery action in accordance with Council resolution No. 2022/234 to recover all outstanding water consumption charges and interest in relation to assessment 1001925.

An amendment was moved Crs Blewitt/Brady

That Council accept 50% of the current debt as full settlement provided the debt to be paid within 12 weeks, if the amount is not paid by this period the debt reverts back to the original amount and debt recovery action will be commenced.

The amendment was put to the vote and lost.

The original recommendation was put to the vote and CARRIED

RESOLUTION 2022/350

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Judith Bartholomew

CARRIED

Cr Carter returned to the meeting at 4.27pm

17.4 FINAL AUDIT MANAGEMENT LETTER 2022 & COUNCIL RANKINGS**RESOLUTION 2022/351**

Moved: Cr Dennis Brady

Seconded: Deputy Mayor Paul Phillips

That

1. The Director Corporate & Community Services Report No. R22/396 be received and noted.
2. The Final Audit Management letter and associated comments for the financial year ended 30 June 2022 be noted.

CARRIED

17.5 SMALL MARKET SITES - ELECTRICITY CONTRACT

RESOLUTION 2022/352

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Judith Bartholomew

That:

1. The Director Environment Tourism and Economic Development Report No. R22/409 be received and noted.
2. Council approve the transition to the NSW Government contract for small market electricity sites with Shell Energy from 1 January 2023 for a period of 2.5 years, and select 10% Green Power.
3. The Mayor and General Manager be authorised to sign the contract documents and affix the Council seal.

CARRIED

Adrian Milne left the meeting at 3.57pm

Cr Brady left the meeting at 4.33pm

Cr Brady returned to the meeting at 4.35pm

Cr Medcalf wished all Councillors and staff a Merry Christmas.

The Meeting closed at 4.35pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 22 February 2023.

.....
CHAIRPERSON

5 MAYORAL MINUTE**5.1 MAYORAL MINUTE - MEETINGS AND FUNCTIONS - JANUARY AND FEBRUARY****TRIM Number: R23/30****Author: Administration Officer****RECOMMENDATION**

That the Mayoral Minute No. R23/30 be received and noted.

PURPOSE

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

MEETINGS AND FUNCTIONS ATTENDED BY THE MAYOR AND DEPUTY MAYOR**JANUARY**

- 03.01.2023 Meeting with Premier Deputy Premier and Sam Farroway Minister for Regional Transport Molong
- 25.01.2023 Dinner with Australia Ambassador Condobolin
- 26.01.2023 Australia Day function and Citizenship Ceremony's
- 27.01.2023 Grant Announcements with Minister Sam Farroway in Condobolin Lake Cargelligo and Tullibigeal
- 30.01.2023 Country Mayors Executive Zoom Meeting

FEBRUARY

- 08.02.2023 Strategic Briefing Condobolin
- 13.02.2023 Budget Work Shop Condobolin
- 20.02.2023 Rural Regional Summit Sydney
- 21.02.2023 Country Mayors Association State Election Leader Round Table Sydney
- 22.02.2023 ARIC Condobolin
- 22.02.2023 Council Meeting February Condobolin

LINK TO POLKICY AND / OR COMMUNITY STRATEGIC PLAN

CSP 4.2 Strong effective and responsive Council.

ATTACHMENTS

Nil

5.2 MAYORAL MINUTE**TRIM Number: R23/39****Author: Administration Officer****RECOMMENDATION**

That the Mayor's report No. R23/39 be received and noted.

Let's see what 2023 can dish up to Lachlan Shire as 2022 was something different with flooding most of the year mixed with a bit of Covid-19. It looks like summer is going to hang around a bit longer than usual.

The road system in the shire has certainly taken a battering over the last twelve months. The government has been stepping up to the plate with money to help bring the roads back to some state of repair. They're certainly not going to be a quick fix to repair all the roads at once. The shire is still preparing our Natural Disaster Funding application which will take time, as we do have four and a half thousand kilometres of road which has nearly all been impacted in some way.

Please drive in a safe manner and to the condition of the road.

It's very sad to hear the cancellation of the Condobolin Picnic races due to the hot weather, it is certainly having a big say in our life. This is certainly an event we need to help people get on with their lives and meet socially. Let's hope the Tottenham Picnic Races on Saturday 4th March 2023 don't have the same fate with the weather.

The by-election in Ward D which is required following the sudden passing of Elaine Bendall RIP was due to go to the polls on the 25th February 2023 but due to the lack of nominations has been rescheduled to May 2023 by the Minister for Local Government and the NSW Electoral Commission. There will be a call for nomination again in the future, so give this opportunity to serve your community some consideration.

Happy New Year and good health for 2023 to all.

ATTACHMENTS

Nil

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

8 READ AND NOTE**8.1 INVESTMENTS AS AT 31 DECEMBER 2022****TRIM Number: R23/1****Author: Finance Accountant****RECOMMENDATION**

That the Director Corporate and Community Services Report No. R23/1 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 December 2022 is \$1,167,943. Investments held at 31 December 2022 totalling \$64,753,668 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 December 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 December 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 +1.63% p.a., outperforming the AusBond Bank Bill Index (bank bills) by 0.37% p.a.

As widely expected, the RBA raised the cash rate by 25bp for the eight consecutive Board meeting in December to 3.10%. The important final paragraph again notes that "*the Board expects to increase interest rates further over the period ahead*", but importantly added "*it is not on a pre-set course*" and concludes with the reaffirmation "*the Board remains resolute in its determination to return inflation to target and will do what is necessary to achieve that*".

Investment returns above 4.25% 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 December 2022**

8.2 DEVELOPMENT DATA DECEMBER 2022 & JANUARY 2023

TRIM Number: R23/2

Author: Manager- Town Planning

RECOMMENDATION

That the Director Environment, Tourism and Economic Development Report No. R23/2 be received and noted.

PURPOSE

This report is to provide Council with information in relation to development activity occurring within the shire during December 2022 and January 2023.

SUPPORTING INFORMATION

Council’s Development Data.

BACKGROUND

December 2022

During the month of December 2022 there was one (1) application lodged with a value totalling \$788,000. Two (2) approvals were issued within this time.

Development Applications and Complying Development Certificates Approved in December 2022.

Approval Number	Development Description	Location	Value	Delegated Authority/Council
DA 2022/43	Dwelling and associated building works.	783 Curlew Road, Lake Cargelligo	\$153,720	Delegated Authority
DA 2022/52	Removal of Existing dwelling and Installation of Moveable Dwelling	3381 Boona Road, Condobolin	\$454,000	Delegated Authority
TOTAL No. OF APPROVED DEVELOPMENTS	2		\$607,700	

Comparison to Previous Year: Applications Approved December 2021

Total **Number** of Applications ***approved in December 2021:*** 4

Total **Value** of Applications ***approved for December 2021:*** \$105,300

Development Applications and Complying Development Certificates Received in December 2022.

Development Identifier	Development Description	Location	Value
DA 2022/53	Change of use to Outbuilding from Dwelling and Installation of Moveable Dwelling	335 McInnes Street, Lake Cargelligo	\$788,000
TOTAL	1		\$788,000

Comparison to Previous Year: Applications Received December 2021

Total Number of Applications **received in December 2021**: 6

Total Value of Applications **received for December 2021**: \$218,300

January 2023

During the month of January 2023 there was one (1) application lodged with a value totalling \$24,000. Five (5) approvals were issued within this time.

Development Applications and Complying Development Certificates Approved in January 2023.

Approval Number	Development Description	Location	Value	Delegated Authority/Council
DA 2021/70	Installation of Swimming Pool	234 North Forbes Road, Condobolin	\$39,000	Delegated Authority
DA 2022/30	Three (3) Lot Torrens Title Subdivision	115 McInnes Street, Lake Cargelligo	\$5,000	Delegated Authority
DA 2022/49	Multi-Dwelling Housing – Installation of Three (3 x 1 Bedroom) Moveable Dwellings	1 Quirk Drive, Condobolin	\$1,267,647	Delegated Authority
DA 2022/53	Change of use to Outbuilding from Dwelling and Installation of Moveable Dwelling	335 McInnes Street, Lake Cargelligo	\$788,000	Delegated Authority

DA 2023/02	Demolition of Two (2) Buildings	Walker Street (Railway Lands), Lake Cargelligo	\$24,000	Delegated Authority
TOTAL No. OF APPROVED DEVELOPMENTS	5		\$2,123,647	

Comparison to Previous Year: Applications Approved January 2022

Total ***Number*** of Applications ***approved in January 2022***: 3

Total ***Value*** of Applications ***approved for January 2022***: \$197,500

Development Applications and Complying Development Certificates Received in January 2023

Development Identifier	Development Description	Location	Value
DA 2023/02	Demolition of Two (2) Buildings	1 Currajong Street, Tullibigeal	\$24,000
TOTAL	1		\$24,000

Comparison to Previous Year: Applications Received January 2022

Total Number of Applications ***received in January 2022***: 7

Total Value of Applications ***received for January 2022***: \$1,037,285

ISSUES AND COMMENTS

A total of thirty-three (33) approvals have been issued this financial year at an average of 32 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 \$7,980,113 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

8.3 INVESTMENTS AS AT 31 JANUARY 2023**TRIM Number: R23/7****Author: Accountant****RECOMMENDATION**

That the Director Corporate and Community Services Report No. R23/7 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 January 2023 is \$2,353,016 Investments held at 31 January 2023 totalling \$64,769,276 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 January 2023, 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 January 2023, Council's portfolio is compliant across its counterparty and credit quality limits. Over the past 12 months, the portfolio, excluding on call cash, returned +1.80% p.a., outperforming the AusBond Bank Bill Index (bank bills) by 0.28% p.a. Aggressive interest rate rises have been reducing Council's performance against the AusBond Bank Bill Index.

As widely expected, the Reserve Bank of Australia (RBA) raised the cash rate for the ninth consecutive time in February 2023 to 3.35%, the highest rate since 2012.

Investment returns above 4.25%-4.50% p.a. now appears likely if Council can place the majority of its surplus funds for terms of 12 months to 2 years.

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 January 2023**

8.4 BUILDING PROJECTS MONTHLY UPDATE FOR JANUARY/FEBRUARY

TRIM Number: R23/15

Author: Manager - Projects and Building

RECOMMENDATION

That the Director of Environment, Tourism and Economic Development Report No. R23/15 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

Please note that all projects were heavily impacted by the October/November/December flooding events. No work was undertaken in November/December. The majority of the projects recommenced in mid-January.

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	\$19.9k	\$77,765	Revised option accepted by committee via confirmation email. Scope variation has been approved. Purchase order issued for the structure which has now arrived. Meeting held with local contractor on 7 January 2023. Awaiting quotes for the remaining works.

<p>Condoblin Works Depot</p>	<p>\$7,246,707.60</p>	<p>\$6,000,000 Loan and remaining \$1.25m from Council reserves</p>	<p>\$2,953,289.97</p>	<p>\$7,246,707.60</p>	<p>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. The contractor has ceased works on-site whilst the dispute remains unresolved.</p>
<p>Lachlan Shire Visitor Information Centre</p>	<p>\$4,403,973.00 above includes contingency of \$347,836.03</p>	<p>Growing Local Economies Fund</p>	<p>\$2,008,067.95</p>	<p>\$4,404,974.00</p>	<p>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 commenced works. PBG had to leave the site due to flooding. Works recommenced in the middle of January 2023. Significant progress has been made over the last month.</p>
<p>Lake Cargelligo Hall Upgrade</p>	<p>\$50,000</p>	<p>SCCF R4</p>	<p>\$46.7k</p>	<p>\$50,000</p>	<p>Most of the works have been completed. A variation was approved to install an alarm system which has been</p>

					purchased. Now awaiting installation of alarm system.
Willow Bend Sport Centre – Roof Repair	\$75,000	SCCF R4	\$73.7k	\$75,000	All items purchased. Internal windows have been installed. Awaiting installation of new vents to complete the project.
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. Scope has been reviewed and revised quote not received to date. Approaches made to another local builder requesting quote. Anticipated that the quote will be received by the end of February.
Companion Animal Surrender Cages - Lake Cargelligo	\$50,000	LRCI P3	\$1.7k	\$50,000	Preferred site has been identified. Plans have been finalised, quote has been received and purchase order has been issued to local builder. Project was delayed due to the flooding. Onsite meeting held with contractor to start commencement of works.

Administration Centre Upgrade	\$320,000	LRCI P3	\$114K	\$320,000	Works have commenced. New A/C system has been installed, new lighting throughout. PO issued for Carpet, Electrical, IT equipment, partition wall. Above works were scheduled to commence in late November. However the space was required as the Emergency Operations Centre for the flooding event. The works commenced in late January and are now well underway.
Tottenham Caravan Park Enhancement	\$190,000	LRCI P3 \$190k & Council funds \$35k	\$77.7	\$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 been completed on the new office, patio slab and renewal of several rooms. Other works continuing.
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. Sign details are now being prepared with the stakeholders but have been delayed

					due to the flooding events.
Provision of hearing loop – Tullibigeal Hall	\$20,000	22/23 Capital	\$18.9k	\$20,000	Project completed 19 December 2022.
Fire Appliance Display - Tullibigeal	\$125,000	SCCFR5	Nil	\$125,000	Initial meeting held with community members on 16 January 2023. Discussion was had in regard to obtaining some local history of the appliance, photographs, fire stories and interest in community members fixing up the appliance locally. Further meetings and discussions are being scheduled to progress the project now that the funding has been confirmed.

Condobolin Works Depot Budget Update

Please note there has been no change to these figures due to suspension of the 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	\$262,978.32
Remaining contingency	\$51,708.80
Current Expenditure	\$2,953,289.97

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.

Visitor Information Centre Budget Update

Budget	\$4,403,973.00
Contract Value	\$3,709,490.63
Other Works and Project Management Costs	\$341,058.56
Contingency	\$353,423.81
Approved Variations	\$179,068.83
Remaining contingency	\$142,225.54
Current Expenditure	\$2,008,067.95

All figures include GST

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

8.5 LAKE CARGELLIGO CUSTOMER SERVICE OFFICE - CHANGE OF DAYS**TRIM Number:** R23/11**Author:** Director - Corporate and Community Services**RECOMMENDATION**

That the Director Corporate & Community Services Report No. R23/11 be received and noted.

PURPOSE

To provide formal notification to Council of the change to operating days at the Lake Cargelligo Customer Service Centre.

SUPPORTING INFORMATION

Not applicable

BACKGROUND

Council's Service NSW Agreement expired on 30 June 2022, and we are waiting on Service NSW to finalise the new agreement. This agreement sets out opening hours and days of operation of our Service NSW agencies at Condobolin and Lake Cargelligo.

UPDATE

Councillors may be aware that it has been some time since we have been able to consistently attract 2 staff members to work at the Lake Cargelligo Customer Service Centre. During the last recruitment process for Lake Cargelligo staff, days of operation were not stated. The intention was to ask applicants which 3 days might work for them. Contact had been previously made with Service NSW to ascertain the process for changing the days of operation, in case this was necessary.

We were able to attract 2 staff members willing to work Monday through to Wednesday. As the new Service NSW agreement was not in place, we were able to change the days of operation. The office is now closed on Friday and opened on Tuesday. Opening hours have remained the same.

In January 2023, the formal decision was made to change days, an agreement was reached with Service NSW, and widespread media issued. The new days of operation commenced on 30 January 2023 and to date has been a smooth transition. A second staff member has been recruited and commences training with Service NSW on Monday 13 February 2023. It is anticipated this new staff member will start work in the Lake Cargelligo Customer Service Centre within 4 weeks.

Councillors in attendance at the February 2022 Strategic Briefing were notified of this change.

FINANCIAL UPDATE

There are no financial implications associated with this change.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

Community Strategic Plan

4.2 Strong, effective & responsive Council

Delivery Program

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

CONCLUSION

Changes to the days of operation for the Lake Cargelligo Customer Service Centre have been implemented and details are provided in the report for Council's information.

ATTACHMENTS

Nil

8.6 BUSH BURSARY 2022 UPDATE**TRIM Number: R23/23****Author: Administration Officer - Corporate & Community Services****RECOMMENDATION**

That the Director of Corporate and Community Services Report No R23/23 be received and noted.

PURPOSE

The purpose of this report is to provide Council with an update on the recent Bush Bursary placement undertaken across the shire.

SUPPORTING INFORMATION

As attached.

BACKGROUND

The NSW Rural Doctors Network (RDN) Bush Bursaries and Country Women's Association (CWA) Scholarships provide selected medical, midwifery and nursing students in NSW/ACT with \$1,500 each to assist with costs associated with their studies. Recipients also spend two weeks on a rural placement in country NSW during their university holidays. The placement aims to provide the students with experiences in the enjoyable aspects of country life and the challenge of rural medicine.

ISSUES AND COMMENTS

In December 2022 Council hosted two Bush Bursary students, Abby Connor and Angeline Reed over a two-week period. The students spent their time between the Aboriginal Health Service, Tottenham Multi-Purpose Service and the Condobolin Hospital. The students were unable to get to Lake Cargelligo this year as the roads were closed due to the flood event.

Both of the students reported that they were very happy with their experience in Lachlan Shire, and were appreciative of the support provided to them by Council. The students thanked Council for looking after their safety on the placement and for allowing the use of a Council vehicle.

Angeline wrote "This experience has further validated my wish to practice rurally following my training and studies." Angeline was very eager to return to a rural area.

Rural Doctors Network, Program Leader Ang Kerr complimented Council for making it such an enjoyable placement for the students. Ang hoped Lachlan Shire Council will continue to support the Bush Bursary program in 2023.

Council's Corporate and Community Services Administration Officer co-ordinated the placement and, as in prior years, was complimented for her efforts.

FINANCIAL AND RESOURCE IMPLICATIONS

Council supported the Rural Doctors Network Bush Bursary program with a contribution of \$3,300 in the 2022/23 FY budget.

LEGAL IMPLICATIONS

Not applicable.

RISK IMPLICATIONS

Not applicable.

STAKEHOLDER CONSULTATION

Rural Doctors Network

Health Service providers in the Lachlan Shire Council

OPTIONS

Not applicable.

CONCLUSION

This report is provided for the information of Council and to aid in decision making in relation to future funding of the Bush Bursary program.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

1.6.1 Facilitate annual Bush Bursary Program

ATTACHMENTS

- 1. 2022 Lachlan Shire Council Bush Bursary Placement report**

8.7 CONDOBOLIN AND TOTTENHAM AIRPORT RESEAL UPDATE

TRIM Number: R23/24

Author: Director Infrastructure Services

RECOMMENDATION

That the Director Infrastructure Services Report No. R23/24 be received and noted.

PURPOSE

To update Council on the Condobolin and Tottenham Airport runway reseal project.

SUPPORTING INFORMATION



Figure 1 View of Condobolin Airport Runway 01



Figure 2 Condobolin Airport fuel facility



Figure 3 Tottenham Airport Runway 21 end

BACKGROUND

The runway and associated bitumen surfaces assets at Tottenham and Condobolin Aerodromes were at the end of life their useful lives. Opportunities were explored to obtain external funding to assist with the renewal of these asset.

In 2022, Council applied for and received \$277,000 funding under the Remote Airstrips Upgrade Program to undertaken reseal and line marking of Condobolin and Tottenham aerodromes. Council provided additional funds, creating a total project value of \$575,000.

ISSUES AND COMMENTS

Council's sealing contractor Boral, was engaged to undertake the reseal works. Council staff designed new line marking on CAD and set out using GPS. A separate contractor Gandy Project Management (a specialist airport line marking company) was engaged to complete the line marking works. Council staff performed ancillary tasks such as sweeping before and after sealing. All works were completed by 10 February 2023.

Some issues arose during the works -

- Tottenham - A pavement failure of around 400m² near the turning area at the southern end of the runway appeared during the reseal. This failure was made evident though the movement of the resealing traffic. The location of the traffic is not critical to the operation of the runway. However, this should be repaired as soon as practicable. Council staff will repair by removing the damaged pavement completely, and reconstructing the pavement. Estimated repair cost is around \$20,000.
- Small pavement failure near the hangar of the Condobolin Aerodrome. The plan is to compact the area with a smooth drum roller and patch with the patch truck. If that is unsuccessful, the failure will need to be excavated and replaced. Cost is \$500.
- During the floods, additional traffic and wet conditions resulted in the entrance road to the Condobolin airport failing. This repair is not eligible for funding under the natural disaster funding guidelines. Other funding opportunities to repair the failure and improve the access to the Condobolin Airport will be investigated. Estimated cost \$30,000

FINANCIAL AND RESOURCE IMPLICATIONS

Original project estimate \$575,000.

Actual Project costs \$570,000

The original grant application was submitted in March 2022, with a 13% contingency.

This contingency was almost entirely utilised as there was a 17% increase (or \$68k) in bitumen costs from when the grant was submitted to when the works were complete.

Funding options are being investigated for the repair of the pavement failure at Tottenham Airport. This repair work is required to be completed as soon as practicable. Budget allocations for FY23/24 will be considered to repair the Condobolin airport entrance.

LEGAL IMPLICATIONS

Condobolin Aerodrome is Certified under Civil Aviation Safety Regulations. It must comply with requirements set out in the Part 139 MOS (Manual of Standards) for such things as physical characteristics, markings, lighting and maintenance. The reseal meets all requirements such as skid resistance. Line marking complies with the latest version of MOS and corrects some previous errors.

Tottenham Aerodrome is classified as an ALA (Aircraft Landing Area). It does not have to meet any requirements in the MOS. Nevertheless, to facilitate use by services such as Royal Flying Doctor Service and Air Ambulance, the aerodrome is maintained to the relevant clauses in the MOS. As with Condobolin Aerodrome, some errors in line marking were corrected.

RISK IMPLICATIONS

This project will provide extended life for both airport pavements. Keeping the bitumen seal in adequate condition is essential to maintain pavement integrity and is by far the most economical way to manage roads and similar sealed surfaces. The seals at both aerodromes were at end of life so this project has been done prior to pavement failures developing.

Ensuring both aerodromes are maintained in accordance with the Manual of Standards minimises financial and legal risk to Council.

STAKEHOLDER CONSULTATION

Prior to work commencing, stakeholders were advised. For Tottenham Aerodrome, staff visited the local hospital to advise dates that the runway would be unavailable, noting helicopters could still use the aerodrome. Hospital staff in turn communicated with RFDS and Ambulance.

Prior to work at Condobolin Aerodrome, the Aero Club was advised. NOTAMs (Notice to Airmen) were issued via Airservices Australia for days the runway was unavailable. NOTAMs are distributed to pilots flying to, from or near the aerodrome.

OPTIONS

Nil – the report is for information.

CONCLUSION

Council has been updated about the reseal and line marking of Tottenham and Condobolin Aerodromes.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

CSP 3.1 Improved transport networks that meet community and business needs

ATTACHMENTS

Nil

8.8 FY22/23 URBAN WORKS MONTHLY UPDATE FOR FEBRUARY**TRIM Number: R23/27****Author: Manager Urban Works****RECOMMENDATION**

That the Director Infrastructure Services Report No. R23/27 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 December 2022 and January 2023, in progress for the month of February 2023 and forecast for the month of March 2023.

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.

Supply chains for materials, contractors and manufactured goods have been affected by the flooding event. Staff continue to liaise with stakeholders and grant bodies regarding possible impacts. The majority of projects have re-commenced as the contractors and supplies have returned.

Works Completed in January

Tourism Precinct – stage 3. BBRF	The irrigation Contractors have re-commenced works installing the stage two main line and pump installation to the pump shed. Dog park and feature fencing materials have been ordered. Landscape has ordered materials for topdressing and filling.
LED street light replacement	Essential Energy only have 45 lights remaining to replace throughout the shire. Project is underspent.
Scott Street Subdivision	Awaiting executed Contract Documents and other Quality Assurance Documentation to be returned to Council. Stormwater materials have been ordered (3 months until delivery).
Footpaths	The footpath contractor has confirmed works will re-commence in March. Their proposed program has changed, with Frog’s Hollow path commencing first.
SRA power upgrade	Custom power board cabinets are currently being manufactured. Additional materials have been ordered and delivered. Awaiting on Essential Energy for final design approval.
SRA Ground LED Lighting Tender	Unfavourable geotechnical conditions have necessitated a change in design from piers to a 4x4 block. This requires a \$36k increase in costs. Contractor has confirmed site works will commence in March.
SRA Ground Changeroom upgrade	Final tender documentation was prepared and published on Tender Link portal. Tenders Close 10 February 2023.
SRA Ground fencing upgrade	Design and specification of this component of the project will recommence when the tender is awarded for the building of the changerroom upgrade. This will ensure adequate budget allowance for the building works.
Apex Park Pontoon	Works are yet to re-commenced due to the water levels of the Lake being too high. Clean up and installation of Gabion basket will commence when water levels are reduced. Timeframe is not yet known
Lake Cargelligo Cricket Nets	POs issued and materials have been ordered. Site works to commence in early February.
Lake Cargelligo Cricket club toilet	POs issued and materials have been ordered.
Tottenham Swimming Pool Carpark	Sealing of the carpark was complete. Installation of line marking and car stops to follow.
Albert BBQ and Shelter	Installation the BBQ and shelter was complete and is now operational.
Tullibigeal Netball Court Refurbishment	The refurbishment of the netball courts is complete. The only outstanding matter is the installation of the netball posts.

Works Underway in February

Tourism Precinct – stage 3. BBRF	Continuation of the irrigation works, stage 2 complete ready for topsoil and installation of the storage tank and pumps. Delivery and installation of topsoil.
Scott Street Sub-division	Expecting completed Contract Documents and Quality Assurance documentation.
Footpath Construction	Works to continue.
SRA power upgrade	Site works to commence when approvals have been granted. Delivery of custom power cabinets are expected in March.
SRA Ground LED Lighting	Foundations and trenching to be completed.
SRA Ground Changeroom upgrade	Tender review to be complete and report submitted to Council.
SRA Ground fencing upgrade	Quotations and scope of works to be reviewed and budgets adjusted.
Lake Cargelligo Cricket Nets	Earthworks, concreting and installation of the netting complete. Synthetic will be installed in March when the concrete has fully cured.
Lake Cargelligo Cricket club toilet	Toilet building is being manufactured off site.
Tottenham Swimming Pool Carpark	Line marking and wheel stops installed and the carpark to be operational.
Tullibigeal Netball court resurfacing	Installation of new netball posts to be installed in March.

Works Scheduled in March

Tourism Precinct – stage 3. BBRF	Irrigation complete and landscaping to continue with installation of topsoil, fencing, and turf. Installation of dog park fencing to commence.
Footpath Construction	Contractor to confirm when resources will be committed to the other footpath construction projects.
SRA Power upgrade	Essential Energy design approval. Site works to commence.
SRA Lighting upgrade	Light towers installed and commissioned. Site works to be completed.
SRA Ground Changeroom upgrade	Building contractor awarded contract and demolition to commence.
SRA Ground fencing upgrade	Works to commence when budget adjustments have been complete.
Lake Cargelligo Cricket club toilet	Main services installation to commence as the toilet building is being manufactured.
Lake Cargelligo Cricket Nets	Cricket pitch and nets to be installed and operational.

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 underspent
7 footpath locations	\$1,221k	FLR, LRCI3, General Rev	\$106k	\$1,221k	Budget on track
SRA Power Upgrade	\$267k	Showground Stimulus	\$76	\$267k	Budget on track
SRA Facility Upgrades	\$1.5m	MSCFF & Council	\$14k	\$1.4m	Budget on track
Apex Park pontoon	\$200K	Boating now	\$130K	\$200K	Budget is on track
Tottenham Recreation Security fencing	\$50k	SCCFR4	\$16k	\$50k	Budget underspent
Tullibigeal Net Ball Courts	\$135k	SCCF4	\$65k	\$70k	Budget underspent
Lake Cargelligo Cricket Nets	\$40k	Cricket NSW	\$31k	\$40k	Budget on track
Lake Cargelligo Cricket club Toilet	\$65k	SCCF4	\$15k	\$50k	Budget underspent
Tottenham Recreation Goal Posts	\$41k	LRCI 3	\$15k	\$30k	Budget underspent
Tottenham Swimming Pool Carpark	\$65k	LRCI2	\$64k	\$65k	On Budget
Albert Park BBQ and Picnic shelter	\$30k	LRCI2	\$29k	\$30k	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.

Inflation is causing some concern with budgets and supply of goods and materials.

The floods and the flood recovery have delayed a number of projects, council staff are monitoring closely and will inform the relevant stakeholders and funding bodies of delays or issues.

STAKEHOLDER CONSULTATION

Staff are seeking to engage with specific stakeholders on each project, in accordance with Council's community consultation policy. Meetings have been held with Tullibigeal Netball committee and Lake Cargelligo Junior & Senior Cricket Association, Condobolin Rugby, Junior League, Junior Cricket and Show society.

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 December 2022 and January 2023, in progress for February 2023 and forecast work for March 2023.

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

8.9 ACTIVE RESOLUTIONS - FEBRUARY

TRIM Number: R23/29

Author: Administration Officer

RECOMMENDATION

That the General Manager's Report No. R23/29 be received and noted.

PURPOSE

To provide Council with an update on Active Resolutions as at February 2023.

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**

8.10 FY22/23 UTILITIES MONTHLY UPDATE JANUARY/FEBRUARY

TRIM Number: R23/34

Author: Manager - Utilities

RECOMMENDATION

That the Director Infrastructure Services Report No. R23/34 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 December 2022 and January 2023, in progress for the month of February and forecast for the month of March 2023.

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"> • This project is not able to be finalised until DPE Water provides comments on the final draft of Condobolin WTP Scoping Study. Comments are now expected to be received by the end of February 2023. • This project is at the finalisation stage. INSW has provided comments on the draft of the finalisation report.
RNSW 755 Condobolin Bore Fields II	<ul style="list-style-type: none"> • The bore and land boundary matters are continuing to progress. In principal agreement has been reached. • Hunter H2O has been engaged to develop a detailed design and technical specifications for the modifications to the existing Condobolin WTP.
DWS072 Condobolin Drought Water Security Project	<ul style="list-style-type: none"> • Contract 1: Pipeline – The finalisation of the concreting works around the scour valves and a few areas of minor subsidence along the pipeline is aimed to be finalised by early March 2023 (weather permitting). • Contract 4: Under bore – the flow and pressure tests were repeated on 6 February 2023 and we are waiting for the result.

	<ul style="list-style-type: none"> Contract 5: Transfer Pump Station – this project resumed on 4 January 2023. The concrete pad for the pump shed and a balance tank has been poured. The evaporation basin to capture the scoured water is being built.
Lachlan St Sewer Pump Station – Concept and Detail Design Upgrade	<ul style="list-style-type: none"> The detailed design is currently in progress. Recent inspections discovered that the wall between the dry well and the wet well of this sewer pump station is experiencing multiple leaks in different locations. A quote is currently obtained to repair these leaks under emergency works.
Condobolin Reservoir No.2 – Investigation Study	<ul style="list-style-type: none"> A draft business case has been received and is currently being reviewed by Council staff. The option with the lowest long term cost is to renew/seal the Reservoir. This will extend the asset life by approximately 15 years. This will also provide Council additional time to secure the necessary funds to demolish and construct new Reservoir.

Lake Cargelligo

Project	Progress
Lake Cargelligo STP – Screen Extractor	<ul style="list-style-type: none"> Quotes are currently being sought to install the screen extractor.
Lake Cargelligo STP – Sewer Lagoons	<ul style="list-style-type: none"> With the warmer temperature, the sewer lagoons are starting to evaporate. Once the lagoons are dry enough and accessible, works on the banks can commence.
Lake Cargelligo Reservoir No.1 (4ML) and 16 Mile Reservoir Remediation	<ul style="list-style-type: none"> The condition assessment for 16mile reservoir was postponed due to site access. This was now completed on 8 February 2023. The report is expected to be received by the end of February 2023.

Tottenham

Project	Progress
RNSW 841 Tottenham Water Supply	<ul style="list-style-type: none"> Geotechnical investigation for the new Albert reservoir was undertaken on 31 January 2023. An option is currently explored to relocate the raw water pump station to the newer and deeper section of Leg O’ Mutton Dam.
Tottenham WTP Upgrade	<ul style="list-style-type: none"> Quotes have been received and are being evaluated by Council staff.
Relocation of Albert Water Main Offtake	<ul style="list-style-type: none"> The construction of the new Albert water main off-take is currently progressing. Approximately 900m of the new 100mm water main has been constructed. The underbore contractor still needs to complete the construction of the new water main underneath the Bogan Way. This will be

	connected to the existing b-section pipeline after the Meadowview Road intersection.
Boil water alert	<ul style="list-style-type: none"> Flushing of the pipeline commenced on 9 January 2023 from multiple hydrants in Albert and Tottenham. Council officer is currently working closely with NSW Health to comply with all the requirements and aiming to have the boil water alert lifted by the end of February.

Shire Wide

Project	Progress
RNSW 842 Sewage Effluent Reuse Management System (Lake Cargelligo, Condobolin & Tottenham)	<ul style="list-style-type: none"> The geotechnical investigation for the new holding dam and the proposed pipeline was undertaken on 1-2 February 2023. With the result of the investigation, it is anticipated that the detailed design for the new holding dam can be finalised.
Integrated Water Cycle Management (IWCM) Strategy	<ul style="list-style-type: none"> The review of the IWCM Issues Paper has been completed by Council officers and comments have been provided to PWA for finalisation of the document.
Natural Resources Access Regulator (NRAR) – metering requirements	<ul style="list-style-type: none"> The gradual upgrade work to the flowmeters is progressing. Merri Abba Bore sites are the first sites that have been upgraded. Works have been scheduled to replace the flowmeters at the Condobolin WTP that are used to monitor the volume of the pumping line from the raw water pumps at the Goobang Creek weir.

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 to assist with project delivery is mitigated 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 (Roscco), 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 December/January, underway for February and planned for March 2023.

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

8.11 FY22/23 ROADWORKS MONTHLY UPDATE FOR DECEMBER/JANUARY**TRIM Number: R23/20****Author: Manager - Roads****RECOMMENDATION**

That the Director Infrastructure Services Report No. R23/20 be received and noted.

PURPOSE

The purpose of this report is to provide a summary of road works undertaken by the Infrastructure Services Department completed in December 2022 and January 2023, works in progress in the month of February and works scheduled for the month of March. The execution and completion of works varies depending on resource availability, weather conditions, work priorities and unforeseen circumstances.

SUPPORTING INFORMATION

Nil

BACKGROUND

Improvement in weather since December 2022 has seen the majority of roads within the shire re-open, albeit many still in very poor condition. At this stage the only major road not reopened is Lake Cargelligo Road between Nillsons Lane and Booth Road although a number of unsealed roads are still only accessible by 4WD light vehicles.

The State Government has made available two significant funding announcements which will assist all councils in the State recover from the 2022 adverse weather events. The first was a \$50 million Fixing Local Roads Pothole Repair Program, of which Lachlan Shire has a signed funding deed for \$1,336,350.26. These funds need to be spent between 1 December 2022 and 1 January 2024.

The second is a \$500 million Regional and Local Roads Repair program, of which Lachlan Shire has a signed funding deed for \$7,095,267. These funds must be spent between 1 January 2023 and 29 February 2024.

Neither of these grants can be spent on upgrading works such as road widening, drainage improvements, sealing of un-sealed shoulders or gravel roads and planned or scheduled asset renewals. These grants will be in addition to funds received for flood damage restoration work.

Advice has also been received that Council has been successful in Round 4 of the Fixing Local Roads program with a grant of \$2,970,000 for rehabilitation where required and widening of 18 km of Boona Road. \$330,000 of local funds, Roads to Recovery, are also required for this \$3.3 million project. Work must commence within 12 months of receipt of a signed Funding Deed and be completed within 2 years.

UPDATE**Road Construction**

Smythes culvert, MR 57S Lachlan Valley Way. Installation of the culverts and wing walls has been completed by McMahons. Their contractual obligations with Lachlan Shire are now discharged. Installation of fill up to the culverts and completion of the roadwork including Lachlan Valley Way/The Gipps Way intersection will re-commence mid-February.

Murie culvert, MR 57S The Gipps Way. A temporary seal will be installed over the section of road that failed during the flood event to reduce dust problems at this location. The new culverts have been delivered to site. The installation of the culverts will now be re-tendered with tenders being invited from the list of previously short-listed contractors through the Expression of Interest process that was undertaken in 2021.

MR 57S The Gipps Way – Nerathong bridge replacement. The contractor is programmed to be on site mid-February to commence installation of temporary by-pass and replacement of the bridge.

MR 7513 Lake Cargelligo Road – Seal widening. Work has commenced on widening of shoulders from Brotherony Road east for 8 km.

Foster Street, Lake Cargelligo. Works recommence the week of 16 January after a 3-month delay. Water main replacement work continues to progress, with final stormwater works to follow in February.

Officers Parade – upgrade. Extension of the stormwater drainage system is in progress. This work is required before K&G, footpath and road pavement reconstruction can commence.

Road Maintenance / flood damage

With the recommencement of the construction projects during February five of Council's graders will continue completing flood damage restoration and routine maintenance grading on the unsealed road network. Three contract graders have been engaged to assist in completing flood damage repairs on unsealed roads.

In addition, a grader that was to be sold following its replacement will be retained. This will increase the number of graders to 10. This grader will focus on flood restoration work on the unsealed road network, and where possible, the additional funding will assist with improving the standard of the unsealed roads. Emphasis will be placed over the next twelve months in reforming, reshaping and building up the unsealed roads, where possible, and ensuring that all drainage is functioning properly.

Shepherd Services have been engaged to assist Council staff in the collection of flood damage information. They will also prepare cost estimates to restore the network to pre-flood conditions and submit the report to the NDRRA funding body. The data collected will be combined with the data that Council staff have already collected. The complete network survey will commence in February.

Works undertaken in December/January

- **Heavy patching, re-sheeting and grade water and roll undertaken on the following unsealed roads**
 - Main Road
 - MR 461 Henry Parkes Road – part length – gwr/flood damage/restore access
 - MR 7514 Nyngan Road – part length – gwr/flood damage/restore access
 - Shire Roads
 - SR 5 Lansdale Road – gwr/flood damage/restore access
 - SR 34 Wilmatha Road – part length – gwr/flood damage/restore access
 - SR 50 Vermont Hill Road – part length – gwr/flood damage/restore access
 - SR 62 Carlisle Road – gwr/flood damage/restore access
 - SR 85 North Forbes Road – gwr/flood damage/restore access
 - SR 113 Salems Road – gwr/flood damage/restore access
 - SR 114 Sandy Camp Road – gwr/flood damage/restore access
 - SR 1347 Albert Road – part length – gwr/flood damage/restore access

- **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 and wingwall installation completed in January.
 - Shire Roads and Town Streets
 - No construction work was possible during December. Preparation for re-starting projects was undertaken during January.

- **Road reseals/sealing**
 - All Roads
 - nil

- **Maintenance grading/sucker removal/storm damage repairs undertaken on the following unsealed roads**
 - Main Roads
 - nil
 - Shire Roads
 - SR 23 Jumble Plains Road – maintenance grading/flood damage/restore access
 - SR 25 Kerriwah Road – maintenance grading/flood damage/restore access
 - SR 26 Emu Valley Road – maintenance grading/flood damage/restore access
 - SR 35 Larkings Road – maintenance grading/flood damage/restore access
 - SR 36 Lorraine Lane – maintenance grading/flood damage/restore access
 - SR 37 Yambora Road – maintenance grading/flood damage/restore access
 - SR 43 Back Tullamore Road – part length – maintenance grading/flood damage/restore access
 - SR 66 Ootha Road – maintenance grading/flood damage/restore access
 - SR 70 Burando Road – maintenance grading/flood damage/restore access
 - SR 71 Condobolin Road – maintenance grading/flood damage/restore access
 - SR 74 Derriwong Road – maintenance grading/flood damage/restore access
 - SR 91 Marsden Road – maintenance grading/flood damage/restore access
 - SR 121 Camp Road – maintenance grading/flood damage/restore access

- SR 124 Crown Camp Road – maintenance grading/flood damage/restore access
 - SR 144 Burgooney Road – maintenance grading/flood damage/restore access
 - SR 153 Gormans Hill Road – maintenance grading/flood damage/restore access
 - SR 184 Booth Road – maintenance grading/flood damage/restore access
 - SR 187 Skipworth Road – maintenance grading/flood damage/restore access
 - SR 188 Gleesons Road – maintenance grading/flood damage/restore access
 - SR 199 Bootoowa Road – maintenance grading/flood damage/restore access
 - SR 253 Studwicks Road – maintenance grading/flood damage/restore access
 - SR 256 Bolams Road – maintenance grading/flood damage/restore access
 - SR 279 Waroona Road – maintenance grading/flood damage/restore access
 - SR 301 Hockey Road – maintenance grading/flood damage/restore access
 - SR 340 Silos Road – sealed section – reinstatement of road formation/flood damage/restore access
 - SR 413 Keronga Road – maintenance grading/flood damage/restore access
 - SR 435 Yethera Road – maintenance grading/flood damage/restore access
 - SR 436 Minemoorong Road – maintenance grading/flood damage/restore access
- **Shoulder grading/slashing/vegetation control/patching and flood damage undertaken on the following sealed roads**
 - Main Roads
 - MR 57N Fifield Road – shoulder reinstatement/flood damage/restore access
 - MR 57NN The Bogan Way – pothole patching
 - MR 57S The Gipps Way – shoulder reinstatement and pavement repair/flood damage/restore access
 - MR 347 Dandaloo Road – pavement repair/flood damage/restore access
 - MR 461 Henry Parkes Way north – pavement repair/flood damage/restore access
 - MR 7513 Lake Cargelligo Road – pavement repair/flood damage/restore access
 - MR 7514 Kiacatoo Road – reinstatement of road formation/flood damage/restore access
 - Shire Roads
 - SR 3 Tabratong Crossing Road – reinstatement of road formation/flood damage/restore access
 - SR 59 North River Road – reinstatement of road formation/flood damage/restore access
 - SR 90 Grassmere Road – reinstatement of road formation/flood damage/restore access
 - SR 1029 Tullibigeal Road – vegetation control

Works in progress February

- **Heavy patching, re-sheeting and grade water and roll in progress on the following unsealed roads**
 - Main Roads
 - nil
 - Shire Roads
 - SR 84 Booth Road – RTR/flood damage/restore access– gwr/gravel re-sheeting
 - SR 1169 Bobadah Road – gwr/flood damage/restore access
 - SR 1187 Palesthan Road – SRV – gwr/gravel re-sheeting (contractor)

- **Road and culvert reconstruction and sealing in progress on the following roads**
 - Main Roads
 - MR 57S Lachlan Valley Way/The Gipps Way – Regional NSW/Block grant – Construction of approaches to Smythes culvert is in progress
 - MR 57S Murie Culvert – Regional NSW/Block grant – New culverts delivered to site
 - MR 57S The Gipps Way – FCR/Block grant – Nerathong bridge replacement, contractor due on site 20 February to commence construction work
 - MR 57S The Gipps Way – flood damage/restore access – repair of pavement failures over culverts
 - MR 461 Melrose Street – HVSP/Block grant – Silos Road intersection reconstruction is in progress
 - MR 7513 Lake Cargelligo Road – REPAIR program – Widening of 8 km of road is in progress
 - Shire Roads
 - nil
 - Town Streets
 - Officers Parade – FLR/RTR – installation of stormwater system in progress
 - Busby Street/Harding Ave – FLR –milling out of existing pavement programmed to commence on 20 February

- **Road reseals/sealing**
 - All Roads
 - nil

- **Maintenance grading/sucker removal/storm damage repairs in progress on the following roads**
 - Main Roads
 - nil
 - Shire Roads
 - SR 11 Moira Vale Road – maintenance grade
 - SR 20 Braalghy Road – maintenance grade
 - SR 42 Gobondary Road – maintenance grade (contractor)
 - SR 43 Back Tullamore Road – part length – maintenance grade (contractor)
 - SR 44 Melrose Plains Road – part length – maintenance grade (contractor)
 - SR 78 The Troffs Road – maintenance grade (contractor)

- SR 79 Halls Road – part length – maintenance grade (contractor)
 - SR 87 Hubbards Road – maintenance grade
 - SR 94 Diggers Road – maintenance grade
 - SR 97 Driftway Road – maintenance grade
 - SR 110 Euglo Trig Road – maintenance grade
 - SR 144 Burgooney Road – maintenance grade
 - SR 146 Glasgows Lane – maintenance grade
 - SR 147 Four Corners Road – maintenance grade
 - SR 152 Timmins Lane – maintenance grade
 - SR 361 Shanklin Lane – maintenance grade (contractor)
 - SR 380 Cincinnati Lane – maintenance grade (contractor)
 - SR 382 Bloomfield Road – Part length – maintenance grade (contractor)
- **Shoulder grading/slashing/vegetation control and patching in progress on the following sealed roads**
 - All Roads
 - nil

Works planned for March

- **Heavy patching, re-sheeting and grade water and roll to be undertaken on the following unsealed roads**
 - Main Roads
 - nil
 - Shire Roads
 - SR 1187 Palesthan Road – gwr and gravel re-sheeting 5 km (contractor)
- **Road resealing/sealing**
 - Main Roads
 - MR 57S The Gipps Way/Lachlan Valley Way intersection sealing
 - MR 57N The Bogan Way reseal 500 metres of heavy patch
 - MR 461 Melrose Street/Silos Road intersection – HVSP- seal reconstructed pavement
 - MR 461 Henry Parkes Way reseal 10 km
 - MR 501 Lachlan Valley Way (aka Hillston Road) reseal 10 km
 - MR 7521 Kiacatoo Road reseal 5 km
 - Shire Roads
 - SR 3 Tabratong Crossing Road – FAG Roads – reseal 600 metres
 - SR 10 Meadowview Road – RTR – reconstruct and reseal 3 causeways
 - SR 25 Kerriwah Road – RTR – reseal 4.6 km
 - SR 60 Springvale Road – RTR – reseal 5 km of narrow seal
 - SR 91 Grassmere Road – RTR – reseal 2.6 km of narrow seal
 - Shire Roads
 - Turner Street reseal 500 metres

- **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
 - 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
 - Shire Roads
 - SR 120 Merribogie Road – FLR/RTR – road widening 4 km
 - SR 230 Lachlan Valley Way – FLR/RTR - road construction for 10 km of seal extension
 - 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
 - Roads not completed in February

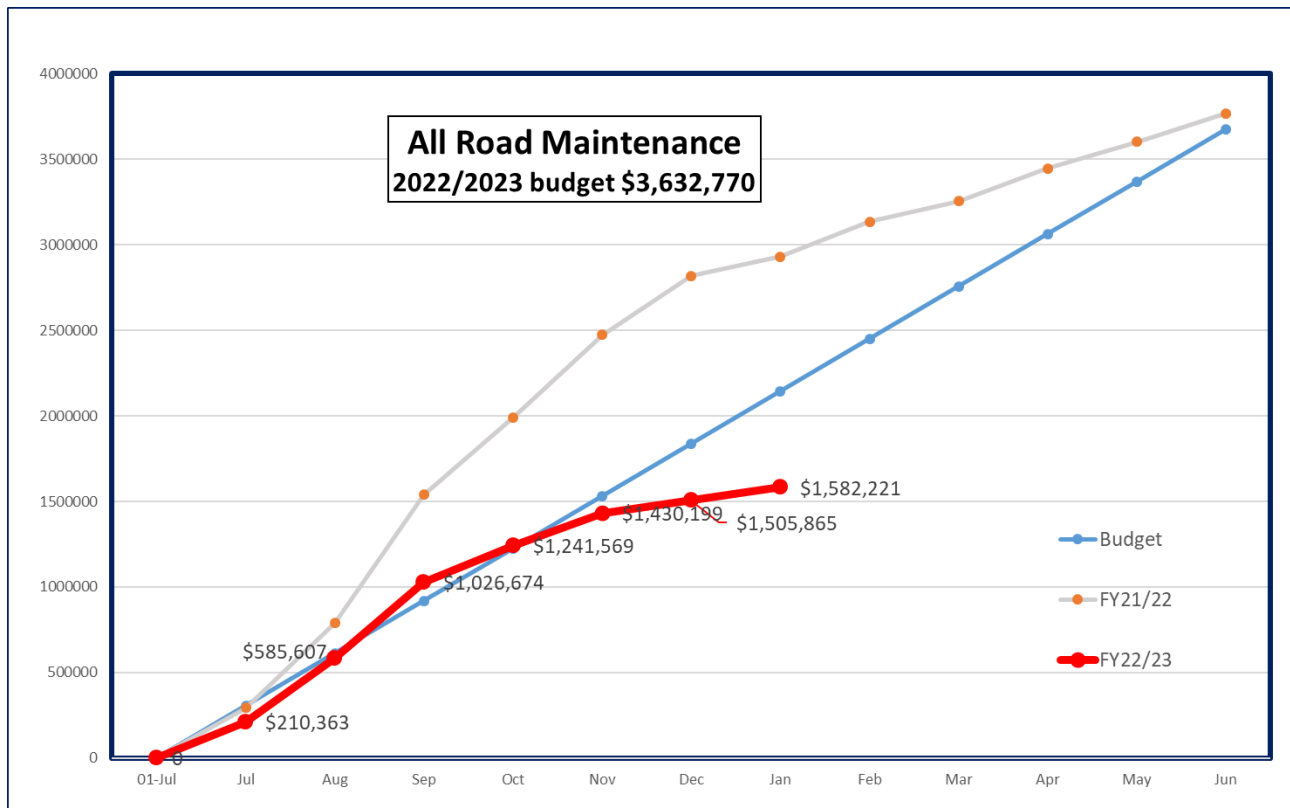
- **Shoulder grading/slashing/vegetation control and patching undertaken on the following sealed roads**
 - All Roads
 - Ongoing pothole patching

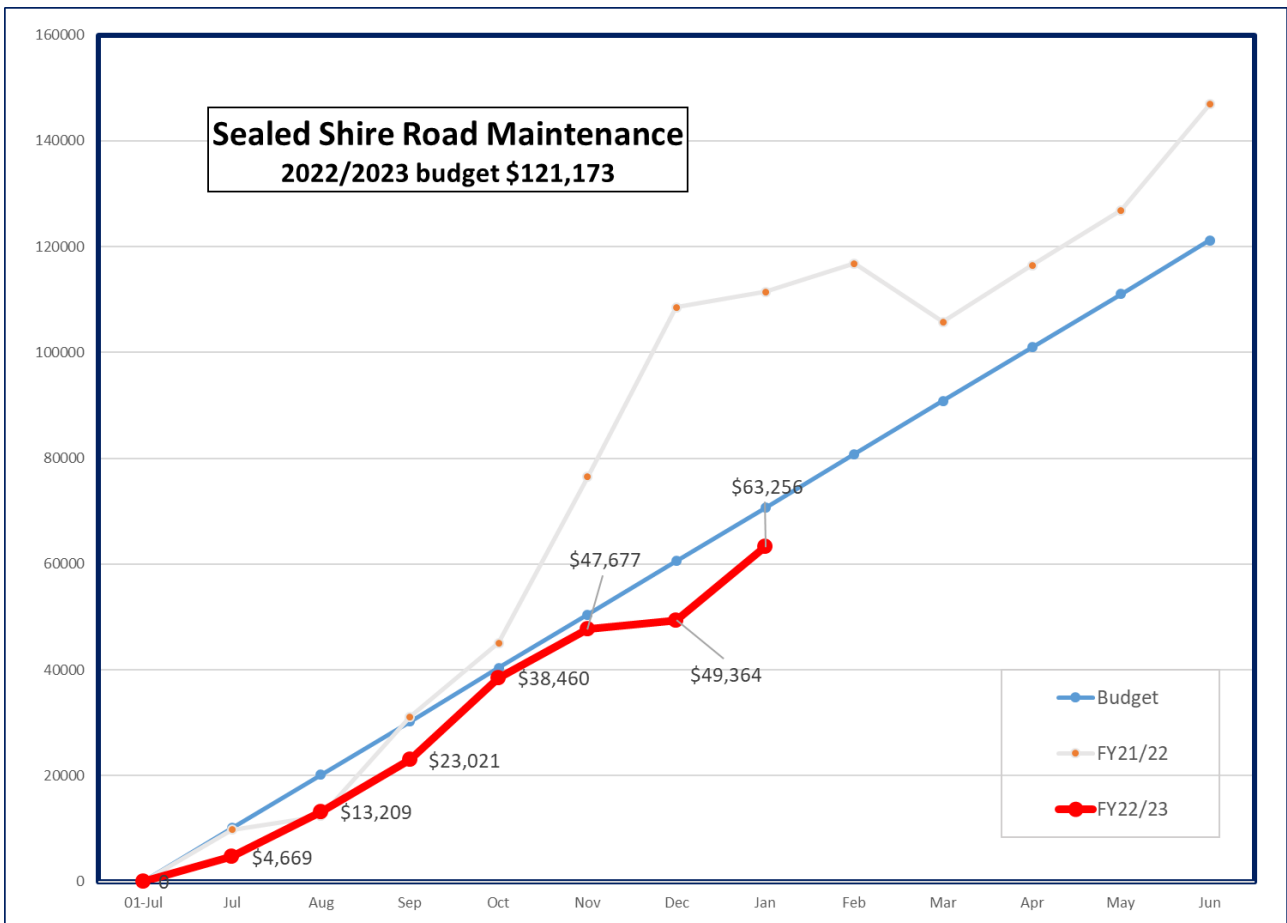
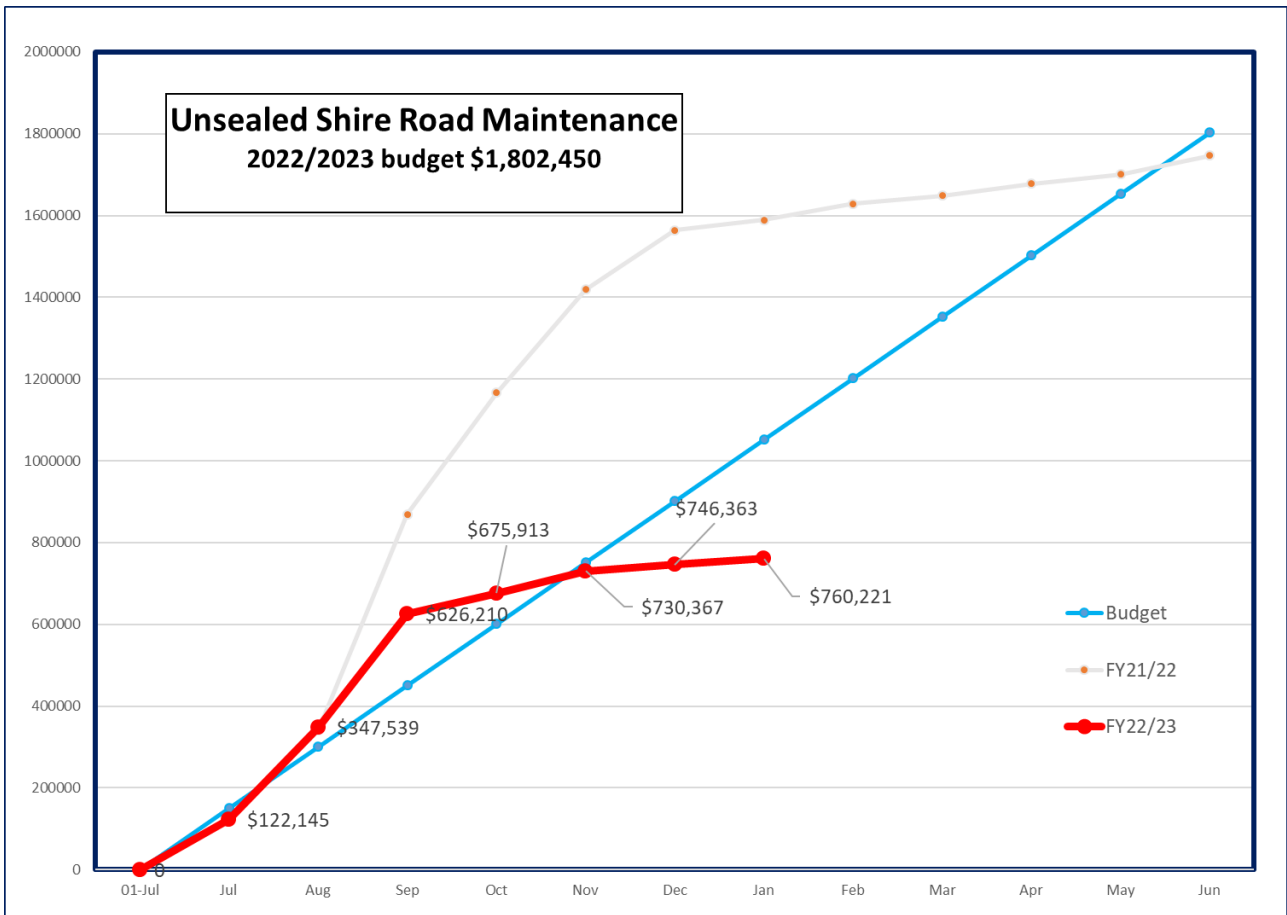
FINANCIAL UPDATE

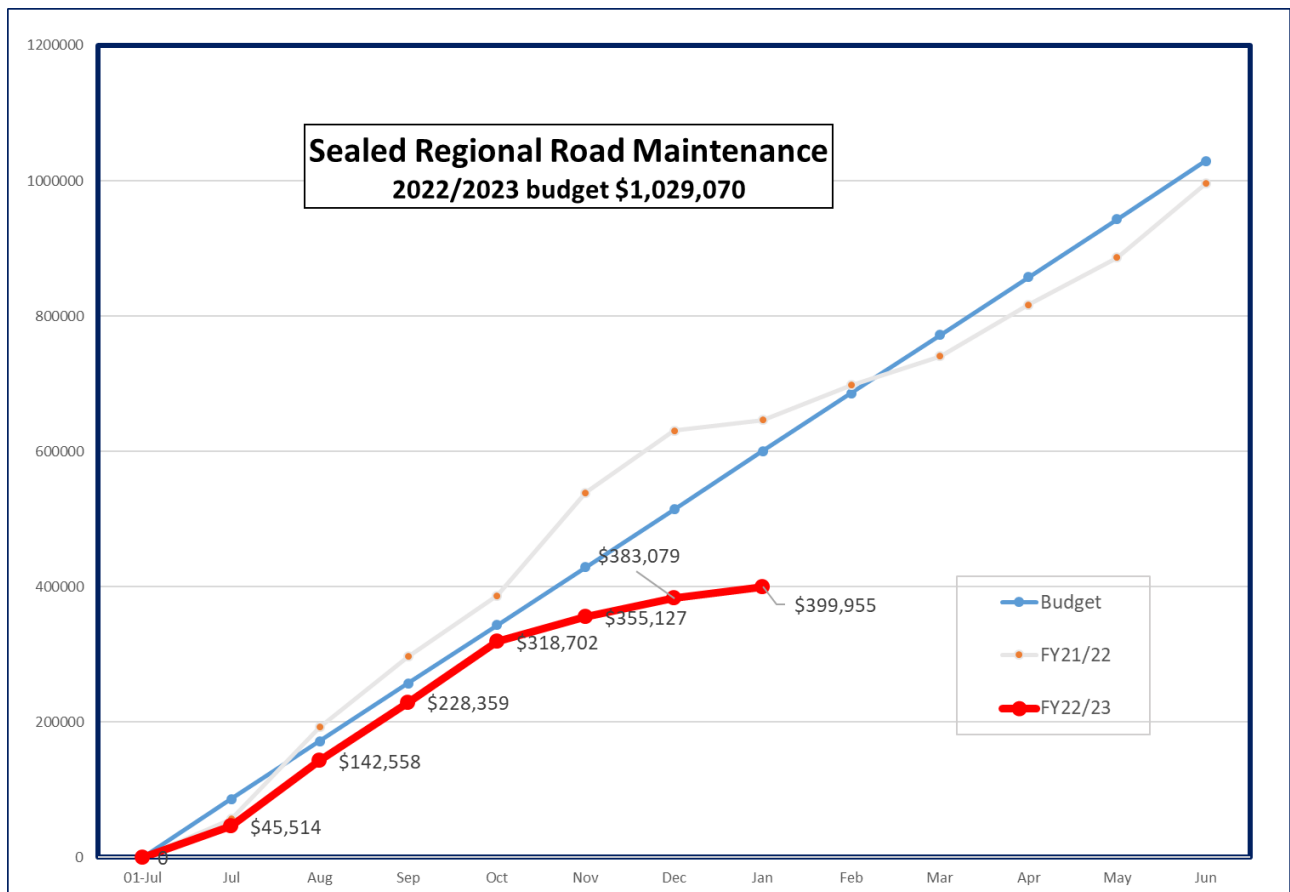
CONSTRUCTION PROJECTS					
Regional Roads					
Project	Budget	Funding source	Expend to date	Forecast Expend	Comments
Regional Roads, reseals					
MR 501 Lachlan Valley Way (aka Hillston Road)	418k	TfNSW Block Grant	\$0k	\$438k	10.0 km of 7.6 m wide seal
MR 461 Henry Parkes Way	\$396k		\$0k	\$396k	10.0 km of 7.2 m wide seal
RR 7521 Kiacatoo Road	\$308k		\$0k	\$308k	7.0 km of 8.0 m wide seal
Total	\$1.1m		\$0k	\$1.1m	Programmed for Q3
Regional Roads, heavy patching	\$50k	TfNSW Block Grant	\$0k	\$50k	Programmed for Q3
Regional Roads, culvert renewal	\$60k	TfNSW Block Grant	\$0k	\$60k	Programmed for Q3
MR 461 William St / MR 57S Lachlan St intersection reconstruction	\$274k	TfNSW Block Grant \$0k, RTR \$274k	\$0k	\$274k	Design still be finalized. Block grant funding to be determined Project will not commence until FY22/23
MR 371 Foster St, Lake Cargelligo, Lake St to Lorne St reconstruction	\$3.6m	RTR \$500k, State Government funding \$2,800k, LRCI \$300k	\$480k in FY21/22 \$587k in FY 22/23 Total \$1.1m	\$3.6m	Construction in Progress
MR 57N The Bogan Way, widening 28 km	\$3.5m	FCR \$2.686m, TfNSW Block Grant \$814k	\$965k in FY20/21, \$2.103k in FY21/22, \$52k in FY22/23 Total \$3.12m	\$3.5m	Jumble Plains Road intersection reconstruction will commence in Q3
MR 57S The Gipps Way, Nerathong Bridge replacement	\$2.808m	FCR \$2.387m, TfNSW Block Grant \$421k	\$89k in FY20/21, \$358k in FY21/22, \$12K in FY22/23 Total \$459k	\$2.808m	Contractor programmed to be on site in mid-February
MR 57S, MR 377, Condobolin Freight Betterment and Visitor Centre road works	\$1.203m FY20/21, \$8.196m FY21/22	Regional NSW funding \$5,971k, TfNSW Block grant \$1,553k, TfNSW Repair \$400k, RTR \$272k	\$1.235m pre 1 July 2021, \$2.41m in FY21/22, \$2.065m in FY22/23 Total \$5.71m	\$9.3m	Smythes culvert completed, work will recommence on road in mid-February
MR 461 Henry Parkes Way intersection upgrades, MR 7521 Kiacatoo Road and SR 340 Silos Road	\$516k	HVSPP \$258k, TfNSW Block Grant \$208k, Graincorp \$50k	\$102k in FY21/22, 190k in FY22/23 Total \$295k	\$516k	Silos Road intersection reconstruction programmed to commence in mid-February
RR 7513 Lake Cargelligo Road seal widening 8 km	\$800k	Repair \$400k, Block \$400k	\$1k	\$800k	Shoulder widening of 4 km is in progress

CONSTRUCTION PROJECTS					
Local Roads					
Project	Budget	Funding source	Expend to date	Forecast Expend	Comments
Local road reseals					
SR 60 Springvale Road	\$130k	FAG Roads \$140k, RTR \$450k	\$0k	\$130k	5.0 km of 4 m wide seal
SR 90 Grassmere Road	\$85k		\$0k	\$85k	2.6 km of 3.6 m wide seal
SR 10 Meadowview Road	\$60k		\$0k	\$60k	Reconstruction/reseal of 3 causeways
SR 25 Kerriwah Road	\$180k		\$0k	\$180k	4.6 km of 6.2 m wide seal
Total	\$455k		\$0k	\$455k	Programmed for Q3
Local roads gravel re-sheets					
SR 1187 Palesthan Road	\$200k	Special Rate Variation \$200k, RTR \$504k	\$0k	\$200k	Programmed for Q3
SR 45 Boona Road	\$160k		\$36k	\$160k	Work in progress
SR 186 Booth Road	\$120k				Work in progress
Total	\$480k		\$36k	\$480k	
Maitland Street HV upgrade	\$1.51m	FRC \$765k, RTR \$745k	\$1,465k pre 1 July 2022, \$50k in FY22/23, Total \$1.52m	\$1.51m	Complete Last 200 metre will be resealed as part of local road reseals budget
SR 120 Merribogie Road widen and reseal	\$1.4m	Fixing Local Roads \$1,260k, RTR 140k	\$649k in FY21/22	\$1.4m	Project will be recommenced in Q4
SR 230 Lachlan Valley Way, 10 km seal extension	\$1.3m FY21/22, \$700k FY22/23	Fixing Local Roads \$1.9m, RTR \$100k	\$649k in FY21/22, \$420k in FY22/23 Total \$1,069m	\$2.0m	Gravel cartage and pavement construction in progress. Project will be completed in FY22/23
Busby St/Harding Ave reconstruction	\$800k	Fixing Local Roads	\$23k in FY21/22, \$215k in FY22/23 Total \$238k	\$800k	Road pavement reconstruction will commence in mid-February
Condobolin School Precinct	\$1.68m	Fixing Local Roads \$1,360k, RTR \$50k, FAG Roads \$270k	\$660k in FY21/22, \$764k in FY22/23 Total \$1,424m	\$1.68m	Final sealing work programmed for Q3
Officers Parade upgrade	\$1.0m	Fixing Local Roads \$600k, RTR \$400k	\$169k in FY21/22, \$6k in FY22/23 Total \$175k	\$1.0m	New stormwater installation in progress
Lansdale Road widening and upgrade	\$400k	Roads to Recovery	\$0k	\$400k	Programmed for Q4
Willis Lane seal extension	\$400k	Roads to Recovery	\$0k	\$400k	Programmed for Q4

FUNDING SOURCES					
Funding Source	Amount	Contribution	% spent	Used by	Comments
Roads to Recovery	\$2.748m including revote	100% Federal grant	18.0%	30-Jun	Year 4 of five program.
TfNSW Block and Supplementary Grants	\$3.132m	100% TfNSW	30.0%	30-Jun	To be spent by 30 June 2023
TfNSW Traffic Facilities	\$148k	100% TfNSW	66.0%	30-Jun	
TfNSW repair	\$400k	100% TfNSW	0%	31-Jul	
FAG Roads	\$3.28m	100% Federal grant	39.0%		To reserve if not used by 30 June.







Note: In addition to the above expenditure \$564k has been spent on Regional Road flood damage and \$876k has been spent on Local Road flood damage, total \$1.44 million.

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

CONCLUSION

Progress on restoring the road network following damage due to winter rain and flood damage continues to be a priority with focus on maintaining access and freight links to the majority of the community. However as funding for a number of capital projects must be finalised over the next few months work on these projects must continue to ensure council’s commitments to funding bodies are met.

ATTACHMENTS

Nil

9 DECISION REPORTS

9.1 GENERAL MANAGER

9.1.1 DETERMINATION OF THE ADMINISTRATION ARRANGEMENTS FOR THE SEPTEMBER 2023 LOCAL GOVERNMENT ELECTIONS

TRIM Number: R23/14

Author: General Manager

RECOMMENDATION

That Lachlan Shire Council resolves;

1. Pursuant to Sec 296(2) and (3) of the Local Government Act 1993 (NSW) ("the Act") that an election arrangement be entered into by contract for the Electoral Commissioner to administer all elections of the Council.
2. Pursuant to Sec 296(2) and (3) of the Act, as applied and modified by Sec 18, that a Council poll arrangement be entered into by contract for the Electoral Commissioners to administer all Council polls of the Council.
3. Pursuant to Sec 296(2) and (3) of the Act, as applied and modified by Sec 18, that a constitutional referendum arrangement be entered into by contract for the Electoral Commissioner to administer all constitutional referenda of the Council.

PURPOSE

Under section 296AA of the Local Government Act 1993 (the Act), Councils must make a decision on how their September 2024 ordinary elections are to be administered no later than **13 March 2023**.

Each council must resolve either to enter into an election arrangement with the NSW Electoral Commissioner (NSWEC) to administer all the council's elections, polls and constitutional referenda or that the council's elections are to be administered by the General Manager of the Council.

SUPPORTING INFORMATION

Nil

BACKGROUND

See the Issues and Comments section of this report

ISSUES AND COMMENTS

Under section 296AA of the Local Government Act 1993 (the Act), Councils must make a decision on how their September 2024 ordinary elections are to be administered no later than 13 March 2023.

Each council must resolve either to enter into an election arrangement with the NSW Electoral Commissioner (NSWEC) to administer all the council's elections, polls and constitutional referenda or that the council's elections are to be administered by the General Manager of the Council.

A council should only resolve to administer its own elections if it is confident that it has the capacity to do so.

If a council is proposing to engage the NSWEC to administer its elections, it should resolve to do so as soon as possible and notify the NSWEC.

Where councils resolve to engage the NSWEC to administer their elections, polls and referenda they should use the model resolution.

Where councils resolve to administer the elections themselves, they must specify the following information in their resolution:

- 1) whether the general manager intends to administer elections personally or to engage an electoral services provider,
- 2) if the general manager intends to administer elections personally, whether the general manager has identified any persons to be appointed as the returning officer and substitute returning officer and, if so, their names,
- 3) if the general manager intends to engage an electoral services provider, whether the general manager has identified an electoral services provider and, if so, the name of that provider.

FINANCIAL AND RESOURCE IMPLICATIONS

Council has been allocating funds into an election reserve to ensure there are sufficient funds available to conduct the September 2024 Lachlan Shire Local Government election. The reserve opening balance at 1 July 2022 was \$40,245 plus a FY2022/23 budget allocation of \$25,000 however, the impending by-election will cost approximately \$35,000 leaving an expected reserve balance of approximately \$30,000 at 30 June 2023.

The NSWEC advise that the estimated cost of the September 2024 ordinary election will be approximately \$75,000 excluding GST. Therefore election cost budget allocations of \$20,000 will be required in FY2023/24 and FY2024/25.

LEGAL IMPLICATIONS

Section 296AA of the Local Government Act 1993 (the Act).

RISK IMPLICATIONS

The challenges posed to Council implementing the action/s contained in this report, in the current environment with available resources is considered to be very low.

STAKEHOLDER CONSULTATION

Nil

OPTIONS

Enter in a contract with the NSW Electoral Commission to administer Council elections.

Resolve that Council administer the election and determine if they wish the General Manager to administer the election or engage an electoral service provider.

CONCLUSION

Council must determine if it wishes the New South Wales Electoral Commission of administer the September 2024 local government elections in Lachlan Shire Council before 13 March 2023.

Given internal resource constraints and the availability of Council's Election Reserve to partially fund the local government elections Council should engage the NSWEC to administer the September 2024 election.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

Outcome 4.2: Strong effective and responsive Council

ATTACHMENTS

Nil

9.1.2 REVIEW AND ADOPTION OF THE CODE OF CONDUCT - COUNCILLORS**TRIM Number: R23/25****Author: General Manager****RECOMMENDATION**

That:

1. The General Manager's Report No. R23/25 be received and noted.
2. Council adopt the Lachlan Shire Council Code of Conduct – Councillors, Delegates and Council committee members 2023 and Procedures for the Administration of the Model Code of Conduct.
3. Council rescind the Lachlan Shire Council Code of Conduct - Councillors 2020.
4. The Lachlan Shire Council Code of Conduct - Councillors 2023 policy be updated in Council's Policy register and be displayed on Council's website.

PURPOSE

Council is required to review its Code of Conduct following an ordinary election, while the due date for review of the current policy was April 2023. The policy has been reviewed against the Model Code of Conduct and the Procedures for the Administration of the Model Code of Conduct and was found to be compliant.

SUPPORTING INFORMATION

Lachlan Shire Council Code of Conduct – Councillors, Delegates and Council Committee Members 2020.

Model Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW.

BACKGROUND

The Lachlan Shire Council Code of Conduct – Councillors 2020 was adopted by Council on 26 August 2020 with the next review due in April 2023.

ISSUES AND COMMENTS

Clause 440(7) of the Local Government Act 1993 requires Council to review the Code of Conduct within 12 months of an ordinary election however, due to the flood events affecting Lachlan Shire in late 2022 and the increased staff workload this event created, the review was not completed by the due date.

The Code of Conduct has now been reviewed and found to be compliant with the current OLG Model Code of Conduct and the Model Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW.

There are no changes proposed or recommended to the existing Lachlan Shire Council Code of Conduct – Councillors other than format changes consistent with Council's policy template.

FINANCIAL AND RESOURCE IMPLICATIONS

There are no identified financial or resource implications associated with the adoption of the Code of Conduct.

LEGAL IMPLICATIONS

The new Model Code of Conduct and Procedures have been prescribed under the *Local Government (General) Regulation 2005*.

RISK IMPLICATIONS

There is legislative risk if Council does not adopt and comply with the revised Code.

Failure by a councillor to comply with the standards of conduct prescribed under this code constitutes misconduct. There are a range of penalties that may be imposed on councillors for misconduct, including suspension or disqualification from civic office. A councillor who has been suspended on three or more occasions for misconduct is automatically disqualified from holding civic office for five years.

STAKEHOLDER CONSULTATION

Not applicable

OPTIONS

Not applicable

CONCLUSION

The Lachlan Shire Council Code of Conduct – Councillors 2020 has been reviewed against the Office of Local Government Model Code of Conduct and the Model Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW and was found to be compliant. The reviewed document is submitted for adoption by Council.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

CSP No. 4.2 – Strong effective and responsive Council

ATTACHMENTS

1. **LSC - Code of Conduct for Councillors 2020**
2. **OLG - Model Procedures for the Administration of the Model Code of Conduct**
3. **LSC - Code of Conduct 2023**

9.2 CORPORATE AND COMMUNITY SERVICES

9.2.1 DONATIONS

TRIM Number: R22/416

Author: Director - Corporate and Community Services

RECOMMENDATION

That:

1. The Director of Corporate and Community Services Report No. R22/416 be received and noted.
2. Council provide \$450 in support for the NAIDOC Week 2023 School Initiatives.
3. Council resolve to provide to the Condo 750 Cross-Country Navigational Rally:
 - a financial donation of \$5,000;
 - in-kind support as requested, where the facilities are available; and
 - waive fees associated with the running of the event.
4. Council decline to provide to the Condo 750 Cross-Country Navigational Rally a further discount on fees for use of the SRA Grounds and facilities, as not for profits already receive a 50% reduction on any fees.
5. Council provide a \$300 donation to the Country Women's Association of NSW - Oxley Group

URPOSE

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

Council received an allocation of \$239,651 in the Reconnecting Regional NSW Community Events Grants program. In July 2022, Council received an 80% upfront payment of \$191,720.80. Councillors will see transactions in the donation spreadsheet that are noted as such. These donations are not being presented to Council on a monthly basis.

NAIDOC Week – Koori Kids

Koori Kids has provided a proposal for the 2023 initiatives. The contribution of \$450 will contribute to the costs of printing and distribution of information packs, posters, and entry forms to schools across the Lachlan Shire. Council has provided \$450 support every year since 2016. In response to Council's question from the December 2022 Ordinary Meeting, the following information was provided: in the 2021 year there were 529 entries received from schools in the Lachlan Shire Council, and in 2022 there were 511 entries.

Condobolin Sports Promotion

This organisation is requesting a donation of \$5,000 for the Condo 750 Cross-Country Navigational Rally to be held from 31 March to 2 April 2023. The group has also requested in kind support in the form of the:

- use of Shire Vehicles and drivers to transport officials for the race;
- use of GPS;
- waiving of fees associated with the running of the event; and
- the use of the SRA grounds at a discounted fee.

As Not for Profit organisations already have a 50% discount on the hire of the SRA Pavilion facilities, Council needs to decide if any further discount will be offered. Consistent with recent Council decisions, it is recommended this is declined. The group should pay for any bonds required as they are fully refundable if the premises are left clean and undamaged.

The Director of Infrastructure has advised the Rugby Union/AFL toilets and changerooms are likely be demolished before this event, although the SRA Pavilion and/or Pat Timmins toilets and showers could be utilised. It is also likely the SRA lighting upgrade will be part way through construction, so the show ring lights will not be operational.

Council provide a financial donation of \$5,000 in 2019, 2018, 2016 and 2014. In kind support costs as shown in the work order system, amounted to \$3,688 in 2019 and \$6,800 in 2018. Council has budgeted for in kind support of \$4,890 for the 2022.23FY.

Country Women's Association of NSW - Oxley Group

The Country Women's Association of NSW Oxley Group are requesting a donation of \$300 towards their Junior Public Speaking Competition which will be held in Condobolin on Tuesday 23 May 2023. Council have donated \$300 in the years 2016-2020 and 2022.

Awaiting Response

Tess Cross Memorial Team Penning

Council is waiting for a response from the Tess Cross Memorial Team Penning Organisation. A donation was approved at the December 2022 meeting and staff were in contact with the organisation on 15 December 2022 to obtain the organisation's bank account details. A follow up email was sent on 25 January 2023. Without these details, the donation cannot be paid.

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 \$20,353 available in the elected member's general donations 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

February 2023 Strategic Briefing

OPTIONS

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

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. **NAIDOC Initiatives**
2. **Condobolin Sports Promotion**
3. **Country Women's Association of NSW - Oxley Group**
4. **Donations to 10022023**

9.2.2 QUARTERLY BUDGET REVIEW 2 2023 FY**TRIM Number:** R23/9**Author:** Finance Accountant**RECOMMENDATION**

That:

1. The Director Corporate and Community Service Report No. R23/9 be received and noted.
2. The Quarterly Budget adjustments including reserve movements be adopted as presented.

PURPOSE

To provide Council with a quarterly review of the Operational Plan budget as at 31 December 2022, as required by the *Local Government (General) Regulation 2021*.

SUPPORTING INFORMATION

A copy of Council's Quarterly Budget adjustments, projected results and proposed reserve balances are included as attachments.

In addition, as previously requested by Council, CDRV reserve movements and the unallocated balance of each location is provided in this report.

BACKGROUND

The *Local Government (General) Regulation 2021* requires the Council to prepare and consider a budget review statement each quarter (aside from June), which shows:

- Estimates of Income and Expenditure
- Any relevant revisions of these estimates

This review is completed in consultation with the responsible Director or Manager of the relevant department.

The statement must comply with the Local Government Code of Accounting Practice and be considered by the Council no later than 2 months past the conclusion of the quarter.

ISSUES AND COMMENTS

A review of the 2022-2023 budget has been complete to identify:

- Budget variations;
- Council resolutions impacting on budget; and
- Information that has become available since the adoption of the current year's budget which is not currently reflected in the 2022-2023 Operational Budget.

The actual year to date operating result as at 31 December 2022 shows an operating gain of \$6.03M before capital income. This result should be tempered by acknowledging that rating revenue is recognised at the beginning of the year when rates notices are levied. It is important to note that this is not rates revenue (income) received, it is the rates notices issued.

Fees and charges income remained lower than expected. Fees and Charges income is impacted due to the fact that water meter reading rounds one & two had not commenced by the end of December. This was due to flooding and limited road access. Water meter reading is now well advanced and expected to be finalised within weeks.

Overall, actual operating income and expenses are within acceptable ranges as at 31 December 2022 at 47.2% and 44.1% respectively, with 50% of the financial year elapsed. The cost impact of the flood across the Shire's assets, is still being assessed. It is reasonable to expect that government funding will be available to restore Council's flood damaged network. The amount cannot be ascertained until after the assessment and costings have been submitted to the funding body. Council will have a contribution to make towards this.

Significant budget variances have been summarised below, please refer to **Attachment 1** for individual line items:

- Operating Income – Due to the floods, Children Services Fees have been impacted with Mobile services not being delivered at Tullibigeal and Lake Cargelligo over the past 3 months. Tullibigeal has now resumed but Lake Cargelligo remains on pause due to unsustainable enrolments.
- Operating grants – Increased by \$2.5M with the advance payment of the Lachlan Natural Disaster Grant. This is expected to be expended by the end of this financial year.
- Operating Expenditure – Materials and services have increased by \$2.5M in line with the Natural Disaster Grant. After indexation was applied to a significant portion of Councils assets at the end of 2022, a review of the depreciation budget was undertaken. An additional \$349K in depreciation expense has been included in the quarterly review.

Council's expected net financial position as at 30 June 2023, after the proposed budget amendments, is reflected in **Attachment 2**, along with the actual financial results for the period ended 31 December 2023. This quarterly review adjustments show an operating budget decline of \$297k, reducing the overall expected operating gain (including capital income) to \$10.1M. The overall operating loss before capital income has also increased, both mainly attributable to the review of depreciation expense across the asset classes.

REPORT BY RESPONSIBLE ACCOUNTING OFFICER

The following statement is made in accordance with Clause 203(2) of the *Local Government (General) Regulation 2021*:

Council's projected financial position as reflected in QBR2 will be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

LEGAL IMPLICATIONS

Nil to this report

RISK IMPLICATIONS

There are financial risks with projecting budgeted income and expenditure as unexpected variances can occur. These can be mitigated by careful management of costs.

STAKEHOLDER CONSULTATION

Council officers with budgetary responsibilities have been consulted in identifying these budget variations.

OPTIONS

That Council approve the budget variations as listed in the Quarterly Budget Review (2) adjustment documents.

CONCLUSION

Council's financial position remains reasonable.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

CSP: 4.2 - Strong effective and Responsive Council

Delivery Program Action 4.2.1 - Council is financially sustainable and provides services at a level expected by the community.

ATTACHMENTS

1. **QBR 2 Summary of adjustments**
2. **Operational Plan Budget and results as at 31 December 2022**
3. **Reserve Balances as at 31 December 2022**
4. **CDRV Reserve Balances as at 31 December 2022**

9.3 ENVIRONMENT, TOURISM AND ECONOMIC DEVELOPMENT

9.3.1 AMENDED SECTION 7.12 CONTRIBUTIONS PLAN

TRIM Number: R23/4

Author: Manager- Town Planning

RECOMMENDATION

That:

1. The Director of Environment, Tourism and Economic Development Report No. R23/4 be received and noted.
2. The amended Section 7.12 Contributions Plan, as attached, be adopted by Council.
3. A notice of Councils decision be published on Councils website, within 28 days, advising the public.
4. A copy of the amended contributions plan be provided to the Minister for Planning, Industry and Environment.

PURPOSE

The purpose of this report is to request that Council adopt the amended "Section 7.12 Contributions Plan".

SUPPORTING INFORMATION

Amended Section 7.12 Contributions Plan

BACKGROUND

At the 23 November 2022 Council Meeting, Council resolved (Resolution No. 2022/314) to place the amended Section 7.12 Contributions Plan on public exhibition for a minimum period of 28 days. The policy was subsequently placed on public exhibition between 11 January and 10 February 2023. No submissions were received during the notification period.

Section 7.12 of the Environmental Planning and Assessment Act 1979 allows a levy, based on a percentage of the development cost, to be imposed when a development consent or complying development certificate is issued. Levies paid to Council are applied towards the provision, extension or augmentation of public facilities, or towards recouping the cost of their provision, extension or augmentation. However, those projects need to be specifically listed in a contributions plan.

Council's Section 7.12 (formerly Section 94A) Contribution Plan ("the plan") commenced 8 July 2015 and applies to all land within the local government area of Lachlan Shire Council. The levies, under the plan, are calculated as a percentage of the cost of development as follows:

Proposed cost of the development	Maximum percentage of the levy
Up to \$100,000	Nil
\$100,001 - \$200,000	0.5 percent
More than \$200,000	1.0 percent

For example, if the cost of a development is \$500,000, the levy is \$5,000 ($\$500,000 \times 0.01 = \5000).

The maximum percentages of the cost that can be imposed as a levy are specified in clause 209 of the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation). The levy can only be imposed by a council if a council has a section 7.12 (s7.12) development contributions plan in place.

The plan enables Council to provide high quality and diverse public amenities and services to achieve the above actions and as a consequence meet the expectations of the existing and future residents of the Lachlan Shire.

Council has been collecting funds under the plan and have been receiving approximately \$50,000 annually from the fund, however with the development values increasing this has risen towards \$100,000 per year. There is a current balance in the reserve of approximately \$300,000. In addition, several approvals have been issued requiring the payment of a contribution (but are yet to be paid to Council).

Pursuant to Clause 212 of the EP&A Regulation, the plan must include “a works schedule that contains an estimate of the cost and staging of the public amenities and public services”. Schedule 1 of the plan includes a works schedule. Each project has been assigned a priority being either short (1-2 years), medium (3-4 years) or long term (5-10 years).

The Plan has only been amended twice, firstly in 2018, to adjust the title from Section 94A to Section 7.12 to correspond with changes in legislation.

Secondly on 25 August 2021, to provide a realistic and up-to-date set of projects, as it had a total of \$8.177 million in projects to complete over the 10 year period. The funds collected did not match the projects listed for completion. Also the majority of the projects listed in the plan had been completed with funding from other sources.

As part of the second amendment, the Plan was also amended to be consistent with the Department of Planning, Industry and Environment (DPIE) practice note issued February 2021, which outlined in detail, requirements for Section 7.12 fixed development consent levies.

ISSUES AND COMMENTS

Contributions plans are prepared on the basis of Council’s assessment of the community’s needs and priorities as the Shire develops. They are prepared at a point in time based on information that is available at that time. Just as the community is dynamic, Council’s various plans need to be reviewed as the community’s needs change or are better understood. As more detailed strategy and action planning is undertaken, service plans and capital works programs are refined to better align with the community’s needs, expectations and aspirations.

Council’s Section 7.12 Contribution Plan is to resemble one that is ongoing and achievable. Individual projects of a significant value, over \$300,000, are not recommended or appropriate given the current rate of accumulation and they are better achieved through other funding sources.

A summary of the amendments, to Schedule 1 “Works Schedule”, including the three (3) additional public facilities are outlined below (with those recommended for addition shown in **BOLD** and those recommended for deletion shown in ~~strikethrough~~):

ITEM	PARKS	EXPENDITURE	STAGING
D 1	Burcher Park Playground	\$20,000	Medium Term
D 2	Hannah Mahon Park, Fifield Improvements	\$11,400	Medium Term
D 3	Albert Park Improvements	\$16,200	Medium Term
D 4	Tullibigeal Park	\$20,000 \$40,000	Short-Medium Term

ITEM	PUBLIC FACILITIES	EXPENDITURE	STAGING
1	Gum Bend Lake Walking Track	\$200,000	Short Term
2	Gum Bend Lake BBQ and Amenities	\$30,000	Short Term
3	Lake Cargelligo Pool Facility	\$100,000	Short-Medium Term
3	Tottenham Township Improvements	\$50,000	Short-Medium Term
4	Condobolin SRA Facilities	\$100,000	Short Term
5	Condobolin Visitor Information Centre Precinct	\$100,000	Short Term
6	Lake Cargelligo Township Improvements	\$300,000	Short-Medium Term

Items 1 and 2 of the Plan, are yet to be finalised but are being undertaken at Gum Bend Lake. However, this work has been delayed due to flooding.

The Plan is consistent with the Department of Planning, Industry and Environment (DPIE) practice note issued February 2021, which included detailed requirements for Section 7.12 fixed development consent levies.

FINANCIAL AND RESOURCE IMPLICATIONS

Details on the current Section 7.12 reserve have been provided above. The amended Section 7.12 Contributions Plan has been prepared by staff within existing budgets and will have no financial implications for Council.

LEGAL IMPLICATIONS

The Environmental Planning and Assessment Act (and Regulation) sets out the legislative requirements for the making of amended development contribution plans. The recommended amendments have taken this legislation into account.

Under Section 215 of the *Environmental Planning and Assessment Regulation 2021*:

(5) A council may make the following kinds of amendments to a contributions plan without preparing a new contributions plan—

(a) *minor typographical corrections,*

(b) *changes to the rates of development contributions set out in the plan to reflect quarterly or annual variations to—*

(i) *readily accessible index figures adopted by the plan, such as the Consumer Price Index, or*

(ii) *index figures prepared by or on behalf of the council from time to time that are adopted by the plan,*

(c) *the omission of details of works that have been completed.*

As the changes to the Plan don't meet the above criteria, Council can still amend their existing plan, however it will be subject to the processes under Division 3 of the of the *Environmental Planning and Assessment Regulation 2021* (i.e. Public exhibition). This position has been clarified with the Department of Planning and Environment.

A contributions plan comes into effect on the date that notice of the council's decision to approve the plan is published on its website, or on a later date specified in the notice. Council's decision will need to be published on Council's website following the decision.

Should Council not wish to proceed with the plan a notice must also be published to advise the public that the plan will not proceed. Pursuant to Clause 31(3) of the *Environmental Planning and Assessment Regulation 2021*, notice of a decision not to proceed with a contributions plan must include the council's reasons for the decision.

RISK IMPLICATIONS

Amending the plan will enable Council to provide high quality and diverse public amenities and services to achieve the actions in the plan and as a consequence meet the expectations of the residents of the Lachlan Shire

STAKEHOLDER CONSULTATION

The amended Section 7.12 Contributions Plan was placed on public exhibition for a minimum of 28 days between 11 January 2023 and 10 February 2023 in accordance with Council's Community Participation Plan.

The amended Section 7.12 Contributions Plan was available for comment on Council's website and notices were published in each of the local newspapers (Lake Cargelligo and Condobolin).

During the public exhibition period no (0) submissions were received.

OPTIONS

1. Decide to adopt the amended Section 7.12 Contributions Plan, as attached.
2. Decide to make amendments to the amended Section 7.12 Contributions Plan and then exhibit the policy for a further period of 28 days.
3. Decide not to proceed with the amendments to the Section 7.12 Contributions Plan and provide reasons for this decision in accordance with Clause 31(3) of the *Environmental Planning and Assessment Regulation 2000*.

CONCLUSION

Section 7.12 of the Environmental Planning and Assessment Act 1979 allows a levy, based on a percentage of the development cost, to be imposed when a development consent or complying development certificate is issued.

Council's Section 7.12 Contribution Plan ("the plan") commenced 8 July 2015 and applies to all land within the local government area of Lachlan Shire Council. It has only been updated twice since being adopted and regular reviews are required to ensure the plan is consistent with the community's aspirations.

Amendments are now proposed to the Lachlan Section 7.12 Contribution Plan, to provide three (3) additional public facilities in the Plan, with expenditure allocations in Council's works program, which reflects Council's and the communities current priorities.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

4.2 Strong effective and Responsive Council

ATTACHMENTS**1. Amended Section 7.12 Contributions Plan**

9.3.2 BUSHFIRE PRONE LAND MAP**TRIM Number:** R23/5**Author:** Manager- Town Planning**RECOMMENDATION**

That:

1. The Director of Environment, Tourism and Economic Development Report No. R23/5 be received and noted.
2. Council adopt the Final Draft BFPL Map and the map be issued to the NSW Rural Fire Service Commissioner for final review and certification.

PURPOSE

The purpose of this report is to seek Council's endorsement of the Final Draft Bushfire Prone Land Map (provided in Attachment 1) and that the map be issued to the NSW Rural Fire Service Commissioner for final review and certification.

SUPPORTING INFORMATION

Final Draft Bushfire Prone Land Maps

Town and Village Draft Bush Fire Prone Land Maps as Exhibited 25 May 2022 – 23 June 2022

Exhibition Fact Sheet - 25 May 2022 – 23 June 2022

BACKGROUND

This matter was first reported to the Ordinary Meeting of Council in November 2020 but was deferred to the December meeting so that clarification could be given on the list of exclusions from bush fire prone land mapping. Specifically, the exclusion of "agricultural lands used for annual and/or perennial cropping, orchard, market gardens, nurseries and the like". This land has not been excluded on the draft bushfire prone land map, produced by the NSW Rural Fire Service, as there is no certainty that land that is currently used for annual and/or perennial cropping or will be used for this purpose in perpetuity. Bush Fire prone land maps are land that can either support a bush fire or that is subject to bush fire attack. It is always better, from a risk perspective, to map land that has the potential to support a bush fire rather than not mapping this land, which is perhaps why the RFS have mapped the agricultural land within the Lachlan Shire on the draft map. It is also important to note that a number of other rural Council areas within NSW have already been through this process and the agricultural land within those shire areas is now identified as being bushfire prone land on their adopted maps.

At the 9 December 2020 Council Meeting, Council resolved (Resolution No. 2020/348) to adopt the recommendations of the report prepared by bush fire planning consultant, Integrated Consulting, and place the draft Bush Fire Prone Land (BFPL) map on public exhibition for a minimum period of 28 days. The draft BFPL map was subsequently placed on public exhibition and three (3) submissions were received during the exhibition period. The details of the submission are discussed in detail, in the stakeholder consultation section of this report, below.

The BFPL maps were subsequently altered to factor in the comments of the community and those received from the NSW RFS. At the 25 August 2021 Council Meeting, Council resolved (Resolution No. 2021/172) to have NSW RFS review Council suggested changes following public submission and place the amended draft Bush Fire Prone Land (BFPL) Map on public exhibition for a minimum period of 28 days. The amended draft BFPL Map, including Attachments 2-9, showing Lachlan Shire towns and villages in detail, was subsequently placed on public exhibition for 28 days. No submissions were received.

ISSUES AND COMMENTS

The *Environmental Planning and Assessment Act 1979* (EP&A Act) and the *Rural Fires Act 1997* (RF Act) were amended on 1 August 2002 to enhance bush fire protection in the development assessment process. This included the requirement for the preparation of a Bush Fire Prone Land (BFPL) map identifying vegetation with Local Government Areas (LGAs) that has the potential to support a bushfire. The identification of Bush Fire Prone Land (BFPL) in NSW is required under Section 10.3 of the EP&A Act, which states:

“10.3 Bush fire prone land (cf previous s 146)

(1) If a bush fire risk management plan applies to land within the area of a council, the council must, within 12 months after the commencement of this section (and before the end of the period of every 5 years after the commencement)—

(a) request the Commissioner of the NSW Rural Fire Service to designate land (if any) within the area that the Commissioner considers, having regard to the bush fire risk management plan, to be bush fire prone land, and

(b) must record any land so designated on a map.

(2) The Commissioner of the NSW Rural Fire Service must, if satisfied that the land designated by the Commissioner has been recorded by the council on a map, certify the map as a bush fire prone land map for the area of the council.

(2A) The Commissioner of the NSW Rural Fire Service may, in accordance with the regulations, review the designation of land on a bush fire prone land map for an area at any time after the map is certified and revise the map accordingly. The revised map—

(a) becomes the bush fire prone land map for the area on being certified by the Commissioner, and

(b) is to be provided to the council by the Commissioner.

(3) Land recorded for the time being as bush fire prone land on a bush fire prone land map for an area is bush fire prone land for the area for the purposes of this or any other Act.

(4) The bush fire prone land map for an area is to be available for public inspection during normal office hours for the council.

(5) In this section—

bush fire risk management plan has the same meaning as it has in the Rural Fires Act 1997.

Note—

Division 8 of Part 4 of the Rural Fires Act 1997 contains provisions relating to the carrying out of development and bush fire hazard reduction work on bush fire prone land.”

Bush Fire Prone Land (BFPL) is land that has been identified as land that can either support a bush fire or that is subject to bush fire attack. Not being identified as being bush fire prone land on the BFPL map is not a guarantee that losses from bush fires will not occur. Changes to the landscape and the environment may occur from time to time or over time and therefore the certified BFPL maps may not be a true indication of bush fire risk.

Bush fire prone land maps are certified by the Commissioner of the NSW RFS. The identification of BFPL is a trigger to consider a set of specifications for building on land identified as bush fire prone. Those specifications are outlined in a document titled "Planning for Bushfire Protection" (PBP) and the current legislated version that is adopted is PBP 2019 as well as Australian Standard 3959-2009 – *Construction of buildings in bush fire prone areas*. Previous editions of PBP were published in 2001 and 2006, and an Addendum Appendix 3 to PBP 2006 was published in 2010. PBP 2019 was made available in December 2019 and was legislatively adopted in the Environmental Planning & Assessment Regulations on 1 March 2020.

Bush Fire Prone Land Maps are required to be reviewed at least every five years under the *Guide for Bush Fire Prone Land Mapping (Version 5b)* (NSW Rural Fire Service 2015) and Section 10.3 of the EP&A Act. Council has not updated the BFPL map since 2009.

In 2019 contact between Council officers and NSW Rural Fire Service (RFS) identified inconsistencies between data on the NSW RFS online map and Council's BFPL map. NSW RFS progressed the matter by preparing a Draft Lachlan Shire BFPL map, based on the current BFPL map guidelines and in September 2020 provided the document to Council.

To ensure that the BFPL Map provided the best outcomes for Council and the community an accredited bush fire consultant, from Integrated Consulting, was engaged to review the mapping and as part of that engagement they were asked to determine any clear inconsistencies between the draft BFPL Map the applicable legislation and policy. It is important to note, however, that the Commissioner can make direct changes to a BFPL map at any time, as outlined in Section 10.3 of the EP&A Act, above. The recommendations of Integrated Consulting's report to Council were subsequently supported by Council at the December 2020 Council Meeting.

Following the completion of the first public exhibition period, Council officers made a submission to NSW RFS on 8 July 2021. The submission included a summary of the matters raised during the public exhibition period and additional areas within the LGA requested for further analysis. This included areas where the land is currently well managed such as large lot residential areas on the fringe of urban areas and public infrastructure i.e. waste treatment facilities, cemeteries and public swimming pool sites.

The NSW RFS responded on 20 July 2021, stating adjustments had been made to the draft BFPL map to show some of the changes that had been proposed, however they requested to meet with officers later in August to discuss a number of other areas in more detail. The outcomes of the detailed analysis will provide feedback to assist in the finalisation of Council BFPL map.

To ensure that the public were aware of the changes that had been made to the BFPL map since its original exhibition, it was endorsed by Council that another round of community consultation be undertaken. Following receipt of the revised mapping from the NSW RFS, the revised draft Bush Fire Prone Land Map – including Attachments 2-9, was placed public exhibition for a minimum period of 28 days and no public submissions were received.

Council officers were contacted by NSW RFS on 10 November 2022 regarding the progression of the draft BFPL Map and were advised that the endorsement of the BFPL Map should be completed as a matter of priority. On 4 January 2023 the final draft map Attachment 1, including the applied buffers

was provided by NSW RFS who advised it was ready to be issued to the NSW RFS Commissioner subject to endorsement from Council.

FINANCIAL AND RESOURCE IMPLICATIONS

The BFPL Map has been prepared by NSW Rural Fire Service at no cost to Council. The independent review of the draft BFPL map by the certified bushfire consultant and public exhibition was undertaken within Councils existing budget. There is not expected to be any further cost to Council in the finalisation of the BFPL map outside of Councils adopted budget.

LEGAL IMPLICATIONS

Section 10.3 of the EP&A Act requires councils, where a Bush Fire Risk Management Plan applies, to record a bush fire prone land map after consulting with the Commissioner of the NSW RFS. The Commissioner will designate lands to be bush fire prone within an area and, when satisfied that the lands have been recorded on a map, certify the map as the Bush Fire Prone Land map. Councils are required to make these maps available for public inspection.

Section 4.14 of the EP&A Act requires that where development of bush fire prone land occurs, the consent authority must be satisfied that the development complies with Planning for Bush Fire Protection 2006 or has consulted with the Commissioner of the NSW RFS. Complying development is permitted on bush fire prone land for the lower risk bush fire attack levels (Australian Standard 3959 BAL levels 12.5, 19, and 29). Such development is required to meet development standards complying with Planning for Bush Fire Protection 2006.

Section 100B of the Rural Fires Act 1997 requires that a Bush Fire Safety Authority is issued by the Commissioner of the NSW RFS for all residential subdivision or special fire protection purpose developments on Bush Fire Prone Land. A Bush Fire Safety Authority is issued where the Commissioner believes that the development complies with standards that provide the development with appropriate protection measures against bush fire.

Council, once having had its Bush Fire Prone Land Map certified by the Commissioner of the NSW RFS, should regularly monitor and review the information to ensure currency and reliability of data depicted. Monitoring and review of the bush fire prone land should reflect required certification and approval standards within legislative timeframes (i.e. before the end of the period of every five years after the certification date of the map as outlined in section 10.3 of the EP&A Act).

Section 10.7 of the EP&A Act requires that a council will, in the planning certificate, include advice on relevant matters affecting a parcel of land of which it may be aware. This includes Bush Fire Prone Land, as specified in Schedule 4 of Environmental Planning and Assessment Regulation 2000. The Section 10.7 certificate is an important mechanism for councils to inform people living in or looking to purchase into a bush fire prone area, that bush fire risk is a consideration.

RISK IMPLICATIONS

Bush fire events present a great deal of risk for many properties across Lachlan Shire and NSW wide. Catastrophic fire events across NSW and Australia over recent years have shown the serious and critical need to have current mapping and policy to reduce the risk to life and property through ensuring that new developments are appropriately located and designed for the level of bush fire threat that they are exposed to.

The current mapping was implemented in 2009 and has not been updated in accordance with Rural Fire Service's *Guide for Bush Fire Prone Land Mapping (Version 5b) 2015*. The adoption of a present-day bush fire prone land map will ensure that where there is an elevated bushfire risk, well defined

controls for development are considered and the risk associated with bush fire events is mitigated to an acceptable level.

STAKEHOLDER CONSULTATION

The draft BFPL map was first placed on public exhibition between 3 March 2021 and 7 April 2021 in accordance with Council's adopted Community Participation Plan (CPP).

The draft BFPL map, along with a supporting fact sheet, were made available for comment from Council's offices in Condobolin and Lake Cargelligo. These were also made available at towns and villages throughout the Shire being Albert, Tottenham, Tullibigeal, Fifield and Burcher, in addition to being available on Council's website. Social media and newspaper notifications were also used to advertise the exhibition process.

A total of three (3) submissions were made during the public exhibition period. All three (3) submissions requested the properties on the western side of Moulder Street in Condobolin be removed from the draft BFPL map. Council officers have included this request in a submission to NSW RFS which was made on 8 July 2021. The submission also included additional areas within the LGA that officers requested be considered in further detail. The NSW RFS responded on 20 July 2021 noting that they had adjusted the BFPL map to show some of the changes that had been proposed however wanted to meet with officers to discuss a number of other areas in more detail.

Following the amendments by the NSW RFS, the draft BFPL Map including **Attachments 2-9**, was placed on public exhibition again between 25 May 2022 and 23 June 2022 in accordance with Council's resolution. The exhibition material included a fact sheet, which is provided as **Attachment 10**. No (0) submissions were received during the second public exhibition period.

Council officers have been in regular contact with NSW RFS and were advised on 4 January 2023 the final draft map (attached), including the applied buffers, was ready to be issued to the NSW RFS Commissioner subject to endorsement from Council.

OPTIONS

1. Decide to endorse the Final Draft BFPL Map and have it issued to the Commissioner of NSW RFS for review and certification.
2. Decide to request amendments to the Final BFPL map, through further consultation with NSW RFS and then request a report be provided to Council for finalisation of the BFPL Map.
3. Decide not to proceed with the BFPL Map, noting the risks to Council associated with this option and that the Commissioner has the power to amend the map at any time. Council will need to provide reasons for not proceeding with the preparation of the map.

CONCLUSION

Council is required to have a re-certified bush fire prone land map under amendments to the Environmental Planning and Assessment Act 1979. Council is therefore legally obliged to endorse the mapping as soon as possible for it to be issued to the NSW RFS. It is imperative now that the draft BFPL map, which has been exhibited on two (2) occasions and reviewed in detail through consultation with the NSW RFS, be endorsed by Council and issued to the Commissioner of NSW RFS for final review and certification.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

4.2 Strong effective and Responsive Council

ATTACHMENTS

- 1. Final Draft Bush Fire Prone Land Map**
- 2. Draft Bush Fire Prone Land Map - Albert**
- 3. Draft Bush Fire Prone Land Map - Burcher**
- 4. Draft Bush Fire Prone Land Map - Condobolin**
- 5. Draft Bush Fire Prone Land Map - Fifield**
- 6. Draft Bush Fire Prone Land Map - Lake Cargelligo 1**
- 7. Draft Bush Fire Prone Land Map - Lake Cargelligo 2**
- 8. Draft Bush Fire Prone Land Map - Tottenham**
- 9. Draft Bush Fire Prone Land Map - Tullibigeal**
- 10. Exhibition Fact Sheet - Bush Fire Prone Land**

9.3.3 REQUEST TO SUSPEND ALCOHOL FREE ZONE AT LIBERTY PARK LAKE CARGELLIGO**TRIM Number: R23/13****Author: Manager- Town Planning****RECOMMENDATION**

That

1. The Director of Environment, Tourism and Economic Development Report No. R23/13 be received and noted.
2. Council approve the suspension of the Alcohol Free Zone in Lake Cargelligo, over part of Liberty Park, for the “Lake Long Lunch” event on 11 March 2023 between 11am and 4pm.
3. Council notify the NSW Police of the suspension.
4. Council advertise the suspension for a period of 14 days on Council’s website and Facebook page and alter any signage within the event area over this period.

PURPOSE

The purpose of this report is to seek Council’s endorsement for the suspension of the Lake Cargelligo Alcohol Free Zone (AFZ) following lodgement of a request to hold an event in part of Liberty Park, from Lower Lachlan Community Services.

SUPPORTING INFORMATION

Nil.

BACKGROUND

Council have received an event application for an event known as “Lake Long Lunch” which requires the suspension of the Alcohol Free Zone (AFZ) in part of Liberty Park, Lake Cargelligo. The event will be held between 11:00am and 4:00pm, with 150 people expected to attend.

The effect of an AFZ is to prohibit the consumption of alcohol in streets, public car parks and lanes, to allow for the confiscation of alcohol found in the immediate possession of any person who attempts to drink any of it, and for the issue of penalty notices to offenders that fail to comply.

ISSUES AND COMMENTS

The establishment of AFZ’s assist local Police Officers in controlling anti-social behaviour within the designated area. Not having these zones increases the difficulty for policing of anti-social behaviour.

The current AFZ in Lake Cargelligo was re-endorsed by Council on 28 September 2021, for a period of four (4) years and in total has been in place for over 10 years.

Section 645 of the *Local Government Act 1993* states:

“645 Suspension or cancellation

(1) The council may, at the request of any person or body or of its own motion, suspend the operation of an alcohol-free zone by publishing notice of the suspension in a manner that the council is satisfied is likely to bring the notice to the attention of members of the public in the area as a whole or in a part of the area that includes the zone concerned.

(2) *During the period indicated in such a notice as the period of suspension, the zone does not operate as an alcohol-free zone.*

(3) *In like manner the council may at any time cancel the operation of an alcohol-free zone."*

The power to suspend or cancel an AFZ during its period of operation is provided so that a council may respond to more immediate situations that arise within the area of the zone such as, one off events like the one proposed on Liberty Park at Lake Cargelligo. It should be noted that the suspension will only apply to that part of Liberty Park being used for the event. The other areas within the AFZ in Lake Cargelligo will not be suspended and will remain in place.

FINANCIAL AND RESOURCE IMPLICATIONS

There will be fees associated with advertising the suspension of the AFZ. There are sufficient funds available within Council's operating budget to cover the cost of advertising.

Council may also need to allocate funding to cover any signs which outline the AFZ within Liberty Park, to suspend the operation of the AFZ over the period of the event. There are sufficient funds available within Council's operating budget to cover this cost.

LEGAL IMPLICATIONS

As outlined above, Council does have the power to suspend AFZs under the *Local Government Act 1993*. Pursuant to Section 645(1) of the Act Council must publish a notice of the suspension.

RISK IMPLICATIONS

Nil

STAKEHOLDER CONSULTATION

Council will liaise with the NSW Police Force regarding the use Liberty Park for the event as well as notifying the public through advertisements in accordance with the legislation requirements.

CONCLUSION

A request has been made for a Long Lunch Event at Liberty Park, Lake Cargelligo by Lower Lachlan Community Services. The event will include the service of alcohol, which requires the partial suspension of the AFZ in Lake Cargelligo. Council has the power to suspend the AFZ under the *Local Government Act 1993*. It is recommended that Council:

- Approve the suspension of the alcohol free zone on 13 March 2023, on part of Liberty Park, as shown by the boundaries in red;



- notify the NSW Police of the suspension;
- notify the public through an advertisement on Council’s website and Facebook page;

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

4.2 Strong effective responsive Council

ATTACHMENTS

Nil

9.3.4 DOING BUSINESS IN LAKE CARGELLIGO – SHOP LOCAL**TRIM Number: R23/37****Author: Director - Environment, Tourism and Economic Development****RECOMMENDATION**

That:

1. The Director of Environment, Tourism and Economic Development Report No. R23/37 be received and noted.
2. Council endorse the partnership with Growing Lachlan and Lower Lachlan and provide \$900 in financial assistance to the Doing Business in LC – Shop Local Lake Cargelligo group to test and try several shop local initiatives.
3. The financial assistance for the initiatives be funded from the Economic Development – Community Programs and Events Budget.
4. A report be brought back to Council to inform Council on the outcomes of the trials.

PURPOSE

The purpose of this report is to seek Council's endorsement to a partnership with Growing Lachlan and Lower Lachlan to support a "Doing Business in LC – Shop Local Lake Cargelligo" group and to seek financial assistance to test and trial several shop local initiatives.

SUPPORTING INFORMATION

Nil

BACKGROUND

Growing Lachlan / Lower Lachlan were successful in obtaining a grant during the second small business month (in November 2022) and ran an extremely successful event which was attended by approximately 50 people. Given the situation at that time Lower Lachlan had to alter the event. Originally the event was going to be an opportunity for service providers to come and discuss the types of services available to the business community. As access at that time to Lake Cargelligo was limited, Growing Lachlan / Lower Lachlan changed to a shop local type of event. They arranged for a representative from Business West Wyalong (the Chamber of Commerce) to come and speak at the event (noting that access from Condobolin was not possible at this time). This generated significant discussion around the potential initiatives that could be tested into the future.

The images below show some of the material that was prepared for the night:



ISSUES AND COMMENTS

As a result of the November Small Business Month Event Growing Lachlan / Lower Lachlan have been able to generate significant interest in the Shop Local – Lake Cargelligo campaign and they would like to capitalise on this momentum and test a few ideas out with the community to trial their success.

The initiatives that the group is interested in pursuing are:

- Shop Local Cards/Loyalty Cards – these would be physical cards that consumers would use at each participating store when making a purchase (possibly around a \$20 purchase). When they have a full card, they would then go into the draw to WIN either a voucher or a product from one of the participating stores.
- Shop Local Vouchers – these would also be physical cards that community members can purchase and use at participating stores.

In order to pursue these initiatives the group would like to organise three (3) events with the business community in the coming months to discuss the campaign and how it works.

FINANCIAL AND RESOURCE IMPLICATIONS

The “Doing Business in LC – Shop Local Lake Cargelligo” group, led by Growing Lachlan and Lower Lachlan would like some financial assistance to trail the above initiatives and run the events to promote them. The group is requesting \$900 which can be broken up as follows:

- Shop Local Cards/Loyalty Cards – they would be physical cards that consumers would use at each participating store when making a purchase. When they have a full card, they would then go into the draw to win either a voucher or a product from one of the participating stores. The group is requesting \$200 for the design and printing of the cards.

- Shop Local Vouchers – they would also be physical cards that community members could purchase and use at participating stores. The group is requesting \$200 for the design and printing of the cards.
- Three (3) events with the business community. The group is requesting \$500 to cover venue hire and catering costs across the three (3) events.

There are sufficient funds within Council's budget to cover the request. The funds could be taken from Economic Development – Community programs (4170.460).

LEGAL IMPLICATIONS

There are no legal implications to report at this time.

RISK IMPLICATIONS

Council's Delivery Program includes actions to "encourage residents to shop local" and for "a strong retail sector". There is a risk that not supporting this request may impact on the ability of Council to deliver on the delivery program set by the community which may impact on Council's reputation.

STAKEHOLDER CONSULTATION

Discussions have been held with Growing Lachlan and Lower Lachlan to discuss how the program could be developed and the support that could be provided from Council staff.

OPTIONS

1. Decide to support the request to form a partnership with Growing Lachlan/Lower Lachlan and provide \$900 in financial assistance towards the initiatives outlined in this report.
2. Decide to support the request to form a partnership with Growing Lachlan/Lower Lachlan and provide an alternative amount in financial assistance towards the initiatives outlined in this report, noting that this may impact on the delivery of the program.
3. Decide not to support the request.

CONCLUSION

Growing Lachlan / Lower Lachlan have been able to generate significant interest in a Shop Local – Lake Cargelligo campaign and they would like to capitalise on this momentum and test a few ideas out with the community to trial their success. In order to trial these initiatives they are looking to form a partnership with Council and are also requesting financial assistance of \$900. The project directly aligns with Council's delivery program and there are sufficient funds within Council's budget to support the project.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

- 2.2.1 Encourage residents to shop local
- 2.2.2 A strong retail sector
- 2.3.5 Improve marketing of businesses in the Shire
- 4.2 Strong effective and responsive Council

ATTACHMENTS

Nil

9.4 INFRASTRUCTURE SERVICES**9.4.1 CONTRIBUTION TO THE COST OF KERB AND GUTTER CONSTRUCTION POLICY UPDATE****TRIM Number:** R23/35**Author:** Director Infrastructure Services**RECOMMENDATION**

That:

1. The Director Infrastructure Services Report R23/35 be received and noted.
2. The Contribution to the Cost of Kerb and Gutter Construction Policy be adopted as presented.
3. The policy be applied to the kerb and gutter works between 89-123 Officers Parade, Condobolin

PURPOSE

The purpose of this report is to update Council's Contribution to the Cost of Kerb and Gutter Construction Policy and confirm that this policy is applied to the upcoming project between 89-123 Officers Parade, Condobolin.

SUPPORTING INFORMATION

See attached – updated Contribution to the Cost of Kerb and Gutter Construction Policy

BACKGROUND

Council has previously updated the policy in November 2018. This Policy is now overdue for renewal.

ISSUES AND COMMENTS

The revised policy document has been updated with Council's new branding and reviewed with only minor amendments. The amendments are marked in tracked changes in the attached policy as is the removal of a reference to Council's Fees and Charges. The corresponding section within the Fees and Charges simply states "50% of actual costs" which provides limited additional information and clarity for the application of this Policy. The other amendment to the Policy affected property owners can make written application to pay their contribution by monthly instalments. This should be paid over no more than a 12 month period, unless mutually agreeable by both parties.

This application of this policy will ensure that the beneficiaries of the improved infrastructure are directly contributing to the cost of the installation.

This Policy was not applied to a grant funded kerb and gutter project in Officers Parade. However, the kerb and gutter project between 89 and 123 Officers Parade is funded through Council's Kerb & Gutter Capital Works Budget and therefore should be applied.

FINANCIAL AND RESOURCE IMPLICATIONS

The updated Policy will enable Council to continue to install additional kerb and gutter throughout towns and villages, with less reliance on applying for and obtaining grant funding.

LEGAL IMPLICATIONS

Roads Act 1993 – Sect 217 and 218

Local Government Act 1993.

RISK IMPLICATIONS

Generally, it is not widely known that Local Road Authorities have the provision within the Roads Act to charge up to 50% of the associated costs of kerb and gutter. If residents are not aware of this provision, then there may be “bill shock” when they are advised of the potential costs of the associated works, with reputational risk to Council. Communication included in the policy states that 3 months’ notice to residents should be provided before the commencement of any works. In addition, there is allowance for staged payments to be made to reduce the financial impact of the works for landowners.

STAKEHOLDER CONSULTATION

Previously four (4) of the eight (8) impacted land owners have written to Council requesting kerb and gutter be installed along this section of Officers Parade.

OPTIONS

- 1) Council adopt the updated Contribution to the Cost of Kerb and Gutter Construction Policy
- 2) Council amend the Contribution to the Cost of Kerb and Gutter Construction Policy

CONCLUSION

Council has been presented with an updated policy for landowner contribution to the cost of kerb and gutter construction and Council is asked to confirm that this policy should be applied to the upcoming project between 89-123 Officers Parade Condobolin

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

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

CSP No. 7.3 Adequate Town Drainage

ATTACHMENTS

1. **Updated Contribution to kerb and gutter construction Policy**

10 DEPUTATIONS

11 NOTICES OF MOTION

Nil

12 NOTICES OF RESCISSION

Nil

13 DELEGATES REPORT

Nil

14 CORRESPONDENCE**14.1 CORRESPONDENCE****TRIM Number: R23/31****Author: Administration Officer****RECOMMENDATION**

That the Correspondence Report No. R23/31 be received and noted.

PURPOSE

To provide Council with details of correspondence received in January and February.

SUPPORTING INFORMATION

Correspondence was received from:

Minister for Energy The Hon. Matt Kean MP - letter of response

Rotary Club of Lake Cargelligo - letter of thanks

Tullibigeal Central School - letter of thanks

Local Roads and Community Infrastructure Program - Phase 4

Minister for Local Government The Hon. Wendy Tuckerman MP – delay the date for by-election

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

CSP 4.2 Strong effective and responsive Council.

ATTACHMENTS

- 1. Minister for Energy The Hon. Matt Kean MP - letter of response**
- 2. Rotary Club of Lake Cargelligo - letter of thanks**
- 3. Tullibigeal Central School - letter of thanks**
- 4. Local Roads and Community Infrastructure Program - Phase 4**
- 5. Minister for Local Government The Hon. Wendy Tuckerman**

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 ARIC Minutes - November 2022 meeting

This matter is considered to be confidential under Section 10A(2)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 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.

17.2 Update on Rates & Charges Debt Recovery

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).

17.3 Contract for Sprayed Bitumen Sealing of Roads

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.

17.4 Tender T2022/15 - Condobolin SRA Changeroom Upgrade

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.

17.5 Land Acquisition - Lachlan Valley Way for road widening and condobolin bore fields

This matter is considered to be confidential under Section 10A(2)a and 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 personnel matters concerning particular individuals (other than councillors) and information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.