



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

Date: Wednesday, 22 March 2023
Time: 2:00 PM
Location: Condobolin Council Chambers

BUSINESS PAPER

Ordinary Council Meeting

22 March 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**

Clause 254A of the NSW Local Government Act 1993 state...

254A Circumstances in which annual fees may be withheld-

- (1) *Despite this Division, a council may resolve that an annual fee will not be paid to a councillor or that a councillor will be paid a reduced annual fee determined by the council—*
- (a) *for any period of not more than 3 months for which the councillor is absent, with or without leave, from an ordinary meeting or ordinary meetings of the council, or*
- (b) *in any other circumstances prescribed by the regulations.*
- (2) *Despite this Division, if a councillor is absent, with or without leave of the council, from ordinary meetings of the council for any period of more than 3 months, the council must not pay any annual fee, or part of an annual fee, to that councillor that relates to the period of absence that is in excess of 3 months."*

4 CONFIRMATION OF MINUTES

Ordinary Meeting - 22 February 2023

**MINUTES OF LACHLAN SHIRE
ORDINARY COUNCIL MEETING
HELD AT THE WIRADJURI CONDOBOLIN CORPORATION
ON WEDNESDAY, 22 FEBRUARY 2023 AT 2:00 PM**

PRESENT: Mayor John Medcalf (OAM), Cr Judith Bartholomew, Cr Melissa Blewitt, Cr Peter Harris, Cr Megan Mortimer, Deputy Mayor Paul Phillips, Cr Melissa Rees

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

The Chair welcomed those present and declared the meeting open at 2:06pm.

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 Blewitt

3 APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE

RESOLUTION 2023/1

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Judith Bartholomew

That the apology received from Cr Carter and the request for leave of absence from Cr Brady be accepted.

CARRIED

4 CONFIRMATION OF MINUTES

RESOLUTION 2023/2

Moved: Cr Judith Bartholomew

Seconded: Deputy Mayor Paul Phillips

That the minutes of the Ordinary Meeting held on 14 December 2022 be confirmed.

CARRIED

5 MAYORAL MINUTE**5.1 MAYORAL MINUTE - MEETINGS AND FUNCTIONS - JANUARY AND FEBRUARY****RESOLUTION 2023/3**

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Megan Mortimer

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

CARRIED**5.2 MAYORAL MINUTE****RESOLUTION 2023/4**

Moved: Cr Melissa Rees

Seconded: Cr Melissa Blewitt

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

CARRIED**6 PUBLIC FORUM**

Nil

7 DISCLOSURE OF INTEREST

Nil

8 READ AND NOTE**RESOLUTION 2023/5**

Moved: Cr Melissa Rees

Seconded: Cr Megan Mortimer

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

- 8.1 Investments as at 31 December 2022
- 8.2 Development Data December 2022 & January 2023
- 8.3 Investments as at 31 January 2023
- 8.4 Building Projects Monthly Update for January/February
- 8.5 Lake Cargelligo Customer Service Office - Change of Days
- 8.6 Bush Bursary 2022 update
- 8.7 Condobolin and Tottenham Airport Reseal Update
- 8.8 FY22/23 Urban Works Monthly Update for February
- 8.9 Active Resolutions – February
- 8.10 FY22/23 Utilities Monthly Update January/February

CARRIED

8.11 FY22/23 ROADWORKS MONTHLY UPDATE FOR DECEMBER/JANUARY**RESOLUTION 2023/6**

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Melissa Blewitt

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

CARRIED

9 DECISION REPORTS**9.1 GENERAL MANAGER****9.1.1 DETERMINATION OF THE ADMINISTRATION ARRANGEMENTS FOR THE SEPTEMBER 2023 LOCAL GOVERNMENT ELECTIONS****RESOLUTION 2023/7**

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Judith Bartholomew

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.

CARRIED

9.1.2 REVIEW AND ADOPTION OF THE CODE OF CONDUCT - COUNCILLORS**RESOLUTION 2023/8**

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Megan Mortimer

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.

CARRIED

9.2 CORPORATE AND COMMUNITY SERVICES**9.2.1 DONATIONS****RESOLUTION 2023/9**

Moved: Cr Melissa Rees

Seconded: Cr Megan Mortimer

That the Director of Corporate and Community Services Report No. R22/416 be received and noted.

CARRIED

RESOLUTION 2023/10

Moved: Cr Melissa Rees

Seconded: Deputy Mayor Paul Phillips

That Council provide \$450 in support for the NAIDOC Week 2023 School Initiatives from the general donations budget.

CARRIED

RESOLUTION 2023/11

Moved: Cr Melissa Blewitt

Seconded: Cr Megan Mortimer

1. That 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.
2. 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.

CARRIED

RESOLUTION 2023/12

Moved: Cr Melissa Blewitt

Seconded: Deputy Mayor Paul Phillips

That Council provide a \$300 donation to the Country Women's Association of NSW - Oxley Group.

CARRIED

9.2.2 QUARTERLY BUDGET REVIEW 2 2023 FY**RESOLUTION 2023/13**

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Judith Bartholomew

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.

CARRIED

9.3 ENVIRONMENT, TOURISM AND ECONOMIC DEVELOPMENT**9.3.1 AMENDED SECTION 7.12 CONTRIBUTIONS PLAN****RESOLUTION 2023/14**

Moved: Cr Melissa Rees

Seconded: Cr Megan Mortimer

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.

CARRIED

9.3.2 BUSHFIRE PRONE LAND MAP**RESOLUTION 2023/15**

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Megan Mortimer

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.

CARRIED

9.3.3 REQUEST TO SUSPEND ALCOHOL FREE ZONE AT LIBERTY PARK LAKE CARGELLIGO**RESOLUTION 2023/16**

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Judith Bartholomew

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.

CARRIED

9.3.4 DOING BUSINESS IN LAKE CARGELLIGO – SHOP LOCAL**RESOLUTION 2023/17**

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Melissa Blewitt

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.

CARRIED

9.4 INFRASTRUCTURE SERVICES

9.4.1 CONTRIBUTION TO THE COST OF KERB AND GUTTER CONSTRUCTION POLICY UPDATE

RESOLUTION 2023/18

Moved: Deputy Mayor Paul Phillips
 Seconded: Cr Megan Mortimer

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.

CARRIED

Cr Blewitt recorded her vote against the motion.

10 DEPUTATIONS

Nil

11 NOTICES OF MOTION

Nil

12 NOTICES OF RESCISSION

Nil

13 DELEGATES REPORT

Nil

14 CORRESPONDENCE

14.1 CORRESPONDENCE

RESOLUTION 2023/19

Moved: Cr Megan Mortimer
 Seconded: Cr Judith Bartholomew

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

CARRIED

15 QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

16 PETITIONS

Nil

The meeting paused at 2.43pm.

The meeting resumed at 3.02pm

17 CLOSED SESSION**RESOLUTION 2023/20**

Moved: Cr Melissa Blewitt

Seconded: Cr Judith Bartholomew

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.

CARRIED

RESOLUTION 2023/21

Moved: Cr Megan Mortimer

Seconded: Deputy Mayor Paul Phillips

That Council moves out of Closed Council into Open Council.

CARRIED

17.1 ARIC MINUTES - NOVEMBER 2022 MEETING**RESOLUTION 2023/22**

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Megan Mortimer

That:

1. The Director Corporate & Community Services Report R22/412 be received and noted.
2. The confirmed minutes of the Audit, Risk & Improvement Committee (ARIC) meeting held on 23 November 2022 be received and noted.

CARRIED

17.2 UPDATE ON RATES & CHARGES DEBT RECOVERY**RESOLUTION 2023/23**

Moved: Cr Melissa Rees

Seconded: Deputy Mayor Paul Phillips

That the Director of Corporate and Community Services Report No. R23/19 be received and noted.

CARRIED

17.3 CONTRACT FOR SPRAYED BITUMEN SEALING OF ROADS**RESOLUTION 2023/24**

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Megan Mortimer

That:

1. The Director Infrastructure Services Report No. R23/32 be received and noted.
2. Council resolve that the termination date for contract VP84610 – Term Panel for Sprayed Bitumen Sealing of Roads be 30 June 2023.

CARRIED

17.4 TENDER T2022/15 - CONDOBOLIN SRA CHANGEROOM UPGRADE**RESOLUTION 2023/25**

Moved: Cr Megan Mortimer

Seconded: Deputy Mayor Paul Phillips

That:

1. The Director Infrastructure Services Report No. R23/36 be received and noted.
2. Council resolve to accept the tender submitted by Greenwich Build in response to T2022/15 SRA Changeroom Upgrade
3. The Mayor and General Manager be authorised to execute the contract documents and affix the Council seal.

CARRIED

17.5 LAND ACQUISITION - LACHLAN VALLEY WAY FOR ROAD WIDENING AND CONDOBOLIN BORE FIELDS**RESOLUTION 2023/26**

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Megan Mortimer

That:

1. The General Manager's Report No R23/38 be received and noted.
2. Council note the conditions of the draft Deed of Agreement for the Acquisition of Land and Grant of Easement and Water Use.
3. Council authorise General Manager to negotiate and accept any minor variations to the agreement requested by the landowner that do not materially change the agreement.
4. The Mayor and General Manager be authorised to sign the Deed of Agreement for the Acquisition of Land and Grant of Easement and Water Use upon acceptance by the landowner.
5. Upon signing the Deed of Agreement Council acquire the land shown as New Road Land in Schedule 2 of the Deed of Agreement under the Land Acquisition (Just Terms Compensation) Act 1991 (NSW).
6. Upon signing the Deed of Agreement Council close and transfer the redundant road reserve shown as Verge Land in Schedule 2 of the Deed of Agreement to the landowner under Section 44 of the Roads Act 1993.
7. The Mayor and General Manager be authorised to sign all necessary documents, applications and plans associated with the acquisition, closure, transfer and registration of the land matters contemplated in this report and affix the Council seal as necessary.

CARRIED

The Meeting closed at 3.20pm.

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

.....

CHAIRPERSON

5 MAYORAL MINUTE**5.1 MAYORAL MINUTE - MEETINGS AND FUNCTIONS MARCH****TRIM Number: R23/56****Author: Executive Assitant****RECOMMENDATION**

That:

1. The Mayoral Minute No. R23/56 be received and noted.

PURPOSE

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

MEETINGS AND FUNCTIONS ATTENDED BY THE MAYOR AND DEPUTY MAYOR**FEBRUARY:**

- 22.02.2023 Opening of Waste Recovery Centre – Condobolin.
23.02.2023 Central West Joint Organisation (CWJO) – Forbes.
26.02.2023 SES Community Thank you – Condobolin.

MARCH:

- 07.03.2023 Collaborative Care Stakeholders meeting with National Rural Health Commissioner – Condobolin.
07.03.2023 4 T's Project update with National Rural Health Commissioner – Tottenham.
08.03.2023 Enterprise Risk Register Workshop - Condobolin.
08.03.2023 Newcastle City Council - welcome reception for Country Mayors Association.
09.03.2023 Country Mayors Association Meeting – Newcastle.
15.03.2023 Budget Workshop – Condobolin.
17.03.2023 Farewell to Ken Neville Rural Fire Services (RFS) – Forbes.
22.03.2023 Meeting with RFS Officer Mick Robinson – Condobolin.
22.03.2023 Ordinary Meeting of Council – Condobolin.

LINK TO POLICY AND /OR COMMUNITY STRATEGIC PLAN

CSP 4.2 Strong effective and responsive Council.

ATTACHMENTS

Nil

5.2 MAYORAL MINUTE - CENTRAL NSW JOINT ORGANISATION BOARD MEETING - FEBRUARY 2023**TRIM Number: R23/68****Author: Executive Assitant****RECOMMENDATION**

That:

1. The Mayoral Minute Report No. R23/68 be received and noted.
2. The report on the Central NSW Joint Organisation Board meeting of 23 February 2023 held online be received and Council note the changes to the NSW Charter with the following additions and changes highlighted in yellow.

3.2 Associate Members

The following organisations are Associate Members of the Organisation as at February 2023:

***Central Tablelands County Council;
Upper Macquarie County Council; and
Lithgow City Council.***

4.2 Non-Voting Representatives

iv. the Mayor of Lithgow City Council

v. the Chair of Upper Macquarie County Council

the General Managers of Member Councils [and of Central Tablelands County Council, Upper Macquarie Country Council and Lithgow City Council ...

4.7 Chairperson and Deputy Chairperson

Remuneration for the Chair of the Central NSW Joint Organisation is \$10,000 per annum and will increase in line with CPI and be paid quarterly in advance subsequent to Board meetings.

PURPOSE

To provide Council with a report on the Central NSW Joint Organisation Board meeting held in 23 November 2022 attended by the Deputy Mayor and General Manager.

SUPPORTING INFORMATION

The report from the Central NSW Joint Organisation is attached.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

CSP 4.2 Strong effective and responsive Council.

ATTACHMENTS

1. Central NSW Joint Organisation Board meeting

6 PUBLIC FORUM

Mr. Elias Bartholomew.

Mr. Dave Rees.

7 DISCLOSURE OF INTEREST

8 READ AND NOTE**8.1 INVESTMENTS AS AT 28 FEBRUARY 2023****TRIM Number:** R23/47**Author:** Manager - Finance**RECOMMENDATION**

That:

1. The Director Corporate and Community Services Report No. R23/47 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 28 February 2023 is \$7,572,233. Investments held at 28 February 2023 totalling \$66,783,398 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 28 February 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 February 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 +1.96% p.a., outperforming the AusBond Bank Bill Index (bank bills) by 0.21% p.a. Aggressive interest rate rises have been reducing Council's performance against the AusBond Bank Bill Index.

The RBA continued its rates hikes increasing the cash rate again in March 2023 by 25 bp to 3.60%. Governor Lowe's Media Release stated that whilst inflation appears to have peaked in Australia, global inflation remains high.

Investment returns above 4.75% 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 as at 28 February 2023**

8.2 BUILDING PROJECTS MONTHLY UPDATE FOR FEBRUARY/MARCH

TRIM Number: R23/48

Author: Manager - Projects and Building

RECOMMENDATION

That:

1. The Director of Environment, Tourism and Economic Development Report No. R23/48 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	\$31.6k	\$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. PO

					issued to builder for works, confirmed commencement by builder in late March.
Condobolin Works Depot	\$7,246,707.60	\$6,000,000 Loan and remaining \$1.25m from Council reserves	\$2,953,289.97	\$7,246,707.60	Contracts signed. Works commenced 8 March 2021. Ongoing issue with alleged subsoil moisture which is the subject of a formal dispute raised by the contractor. In accordance with Interim Arbitration Award, Council has undertaken further site investigations and testing. Final report has been received. The contractor has ceased works on-site whilst the dispute remains unresolved. The Arbitrator has advised that his final determination will not be available until mid-April.
Lachlan Shire Visitor Information Centre	\$4,403,973.00 above includes contingency of \$347,836.03	Growing Local Economies Fund	\$2,270,833.54	\$4,404,974.00	PWA engaged to provide Project Management Services. PCG established to oversee project delivery. Contract has been issued to Patterson Building Group (PBG) to construct the VIC. PBG commenced works. PBG had to leave the site due to flooding. Works recommenced in the middle of

					January 2023. Significant progress has been made since works recommenced.
Lake Cargelligo Hall Upgrade	\$50,000	SCCF R4	\$46.7k	\$50,000	Most of the works have been completed. A variation was approved to install an alarm system which has been 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. One of the vents have been installed. Awaiting installation of other nine vents to complete the project.
Willow Bend Sports Centre Renewal	\$300,000	LRCI P3	\$46k	\$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. Discussions held with local builder and awaiting a quote for revised scope. PO issued for both new fans and A/C units within the gym.
Companion Animal	\$50,000	LRCI P3	\$1.7k	\$50,000	Preferred site has been identified. Plans have been

Surrender Cages - Lake Cargelligo					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 commence works.
Administration Centre Upgrade	\$320,000	LRCI P3	\$206k	\$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. The main internal works have been completed, with some minor internal works remaining.
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.
Fire Appliance Display - Tullibigeal	\$125,000	SCCFR5	Nil	\$125,000	Initial meeting held with community members on 16 January 2023. Discussion was held 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	\$74,691.54
Remaining contingency	\$156,602.83
Current Expenditure	\$2,270,833.54

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

8.3 FY22/23 URBAN WORKS MONTHLY UPDATE FOR MARCH**TRIM Number: R23/57****Author: Manager Urban Works****RECOMMENDATION**

That:

1. The Director Infrastructure Services Report No. R23/57 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 February 2023, in progress for the month of March 2023 and forecast for the month of April 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 February

Tourism Precinct – stage 3. BBRF	The irrigation Contractors have continued works installing the irrigation lines, sprinklers, pump and pump shed. Dog park and feature fencing materials have been ordered. Landscaper delivered the topsoil to top-dress the site ready for Turf installation.
LED street light replacement	Essential Energy only have 45 lights remaining to replace throughout the shire. Essential Energy are not able to provide timeframes on when the remaining lights will be completed. Project is underspent. Project will be considered complete and remaining light replacements will be covered through general O&M.
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	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	Greenwich Building have been advised of the Council decision and are progressing towards construction.
SRA Ground fencing upgrade	The design and specification of this component of the project has recommenced now the building costs have been confirmed.
Apex Park Pontoon	Clean up and installation of Gabion basket will commence when water levels are reduced by Water NSW. Possibly May
Lake Cargelligo Cricket Nets	Concrete slabs poured and posts for the nets installed. Awaiting synthetic grass delivery before installing wall netting.
Lake Cargelligo Cricket club toilet	POs issued and materials have been ordered. Delivery of the Toilet block is expected to be delivered in June this year.
Tottenham Swimming Pool Carpark	line marking was complete and car stops to follow.
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 March

Tourism Precinct – stage 3. BBRF	Continuation of the irrigation works, completed sections ready for topdressing.
Scott Street Subdivision	Expecting completed Contract Documents and Quality Assurance documentation. Working towards April site establishment.
Footpath Construction	Works to continue at Frog’s Hollow.
SRA power upgrade	Site works to commence when approvals have been granted. Delivery of custom power cabinets are expected this month.
SRA Ground LED Lighting	Materials delivered to site. Foundations and trenching to be completed.
SRA Ground Changeroom upgrade	Site meeting has been held with Greenwich build. Demolition of existing toilet block and building platform to be built.
SRA Ground fencing upgrade	Quotations to be reviewed and reconfirmed.
Lake Cargelligo Cricket Nets	Earthworks, concreting and installation of the netting complete. Synthetic will be installed late march when the concrete has fully cured.
Lake Cargelligo Cricket club toilet	Toilet building is being manufactured off site.
Tottenham Swimming Pool Carpark	Project complete.
Tullibigeal Netball court resurfacing	Installation of new netball posts to be installed late March.

Works Scheduled in April

1. Tourism Precinct – stage 3. BBRF	2. Irrigation complete and landscaping to continue with installation of topsoil, fencing, and turf. Installation of dog park fencing to commence.
3. Scott Street Subdivision	4. Site establishment expected to occur.
5. Footpath Construction	6. Contractor to confirm timeframes for remaining projects. River walk, Bathurst Street, Officers Parade, Busby Street and Gum Bend Lake.
7. SRA Power upgrade	8. Essential Energy design approval. 9. Site works to commence.
10. SRA Lighting upgrade	11. Light towers installed and commissioned. Site works to be completed.
12. SRA Ground Changeroom upgrade	13. Bulk earthworks to be complete. 14. Construction of the changerrooms to commence.
15. SRA Ground fencing upgrade	16. Quotations to be confirmed and PO issued.
17. Lake Cargelligo Cricket club toilet	18. Main services installation to commence as the toilet building is being manufactured.
19. Lake Cargelligo Cricket Nets	20. 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	\$76k	\$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 February 2023, in progress for March 2023 and forecast work for April 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

8.4 FY22/23 UTILITIES MONTHLY UPDATE MARCH

TRIM Number: R23/66

Author: Manager - Utilities

RECOMMENDATION

That:

1. The Director Infrastructure Services Report No. R23/66 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 February, in progress for the month of March and forecast for the month of April 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"> • Awaiting comments from DPE Water on the final draft of Condobolin WTP Scoping Study. • Preparing financials for the finalisation report.
RNSW 755 Condobolin Bore Fields II	<ul style="list-style-type: none"> • See Council’s resolution 2023/26. • The bore and land boundary matters are progressing. The final Deed of Agreement is being reviewed with the landowner. • Hunter H2O is progressing with the detailed design and technical specification for the installation of a new chlorinator and aeration process at the existing Condobolin WTP to treat the bore water.

DWS072 Condobolin Drought Water Security Project	<ul style="list-style-type: none"> Contract 1: Pipeline – Concrete surrounds for valves have largely been completed. Once all the concrete surrounds are complete, this contract can be formally closed off. Contract 4: Under bore – a design deficiency has resulted in difficulty in testing the HDPE and mPVC pipe sections. As there is a different testing methodology and inadequate vales to isolate the different sections to allow the tests. Trazibat will have to modify and repeat the flow and pressure test, in order to comply with the contract requirements. Contract 5: Transfer Pump Station – The brick work for the pump shed has commenced. Concrete works for kerb and gutter around the site have also commenced.
Lachlan St Sewer Pump Station – Concept and Detail Design Upgrade	<ul style="list-style-type: none"> The detailed design is progressing. 75% of the civil and mechanical components in the design has been completed.
Condobolin Reservoir No.2 – Investigation Study	<ul style="list-style-type: none"> Nil update

Lake Cargelligo

Project	Progress
Lake Cargelligo STP – Screen Extractor	<ul style="list-style-type: none"> Awaiting quotes for the installation of the screen extractor.
Lake Cargelligo STP – Sewer Lagoons	<ul style="list-style-type: none"> Planning is underway to carry-out works on the external banks.
Lake Cargelligo Reservoir No.1 (4ML) and 16 Mile Reservoir Remediation	<ul style="list-style-type: none"> Awaiting condition assessment report for the inspection of the 16 Mile reservoir.

Tottenham

Project	Progress
RNSW 841 Tottenham Water Supply	<ul style="list-style-type: none"> The concept design and the REF for the new Albert Reservoir are currently being reviewed by Council officers. The option to relocate the raw water pump station to the newer and deeper section of Leg O Mutton Dam has been discounted due to the limitation of the scope of the project. This option may have to be further explored and directly funded by Council.
Tottenham WTP Upgrade	<ul style="list-style-type: none"> Due to the urgency of other projects, there is a delay in evaluating the quotes. It is aimed to complete the evaluation by the end of March.

Relocation of Albert Water Main Offtake	<ul style="list-style-type: none"> The underbore underneath the Bogan Way has been completed. The disinfection and flow & pressure test of the new pipeline have also been completed. The final connection to the existing b-section pipeline and the new service connection are being scheduled for March.
Boil water alert	<ul style="list-style-type: none"> The boil water alert for Tottenham, Albert and surrounds was lifted on 1 March 2023.

Shire Wide

Project	Progress
RNSW 842 Sewage Effluent Reuse Management System (Lake Cargelligo, Condobolin & Tottenham)	<ul style="list-style-type: none"> Following on the result of the geotechnical investigation and concerns raised by the Tottenham racecourse committee, the design of the new holding dam is being revised Further discussions are required with all stake holders.
Integrated Water Cycle Management (IWCM) Strategy	<ul style="list-style-type: none"> The IWCM Issues Paper is now being reviewed by PWA for finalisation.
Natural Resources Access Regulator (NRAR) – metering requirements	<ul style="list-style-type: none"> Due to the urgency of other works, the works to replace the flowmeters at the Condobolin WTP is currently on-hold. It is anticipated that the works will be completed by the end of April.

FINANCIAL AND RESOURCE IMPLICATIONS

Project	Budget	Funding Source	Expenditure to Date	Forecast Expenditure	Comments
RNSW 1879 Condobolin Water Supply Upgrade Scoping Study	\$110K	Restart NSW	\$63,584	\$110K	Budget is on track
RNSW 1880 Condobolin Sewerage Scheme Scoping Study	\$80k	Restart NSW	\$38,773	\$80k	Budget is on track
RNSW 755 Condobolin Bore Fields II	\$3.9M	Restart NSW	\$2,330,072	\$3.9M	Budget is on track
DWS072 Condobolin Drought Water Security Project	\$20M	Safe & Secure Water Program	\$12,447,405	\$20M	Budget is on track

Project	Budget	Funding Source	Expenditure to Date	Forecast Expenditure	Comments
Lachlan St Sewer Pump Station – Concept and Detail Design Upgrade	\$130K	Sewer Fund	\$116,150	\$130K	Budget is on track
Condobolin Reservoir No.2 – Investigation Study	\$103,170	Water Fund	\$21,630	\$103,170	Budget is on track
Lake Cargelligo STP – Screen Extractor	\$66,946	Sewer Fund	\$48,240	\$66,946	Budget is on track
Lake Cargelligo STP – Sewer Lagoons	\$150K	Sewer Fund	\$8,355	\$150K	Budget is on track
Lake Cargelligo Reservoir No.1 (4ML) and 16 Mile Reservoir Remediation	\$180K	Water Fund	\$24,951	\$180K	Budget is on track
RNSW 841 Tottenham Water Supply	\$4.6M	Restart NSW	\$461,485	\$4.6M	Budget is on track
Tottenham WTP Upgrade	\$270K	Water Fund	\$216,207	\$270K	Budget is on track
Relocation of Albert Water Main Offtake	\$100K	Water Fund	\$197,627	\$220,000	Significant Budget overspend due to inadequate project scoping and unforeseen issues during construction
RNSW 842 Sewage Effluent Reuse Management System (Lake Cargelligo, Condobolin & Tottenham)	\$2.556M	Restart NSW	\$403,484	\$2.556M	Budget is on track
Integrated Water Cycle Management (IWCM) Strategy	\$491,433	Safe & Secure Water Program	\$226,109	\$491,433	Budget is on track
Natural Resources Access Regulator (NRAR) – metering requirements	\$102,962.00	Water Fund	\$104,482	\$104,482	Budget overspent (budget variation will be submitted in QBR3)

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 February, underway for March and planned for April 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

8.5 DEVELOPMENT DATA FEBRUARY 2023

TRIM Number: R23/70

Author: Manager- Town Planning

RECOMMENDATION

That:

1. The Director Environment, Tourism and Economic Development Report No. R23/70 be received and noted.

PURPOSE

This report is to provide Council with information in relation to development activity occurring within the Shire during February 2023.

SUPPORTING INFORMATION

Council’s Development Data.

BACKGROUND

During the month of February 2023 there were five (5) applications lodged with a value totalling \$629,101. Three (3) approvals were issued within this time.

Development Applications and Complying Development Certificates Approved in February 2023.

Approval Number	Development Description	Location	Value	Delegated Authority/Council
DA 2022/26	Telecommunications Facilities	1 Currajong Street, Tullibigeal	\$30,000	Delegated Authority
DA 2023/03	Construction of Outbuilding (Golf Cart Shed)	Tasker Street, Condobolin	\$20,000	Delegated Authority
DA 2023/04	Two Lot Subdivision	243 Vermont Hill Road, Condobolin	\$5,000	Delegated Authority
TOTAL No. OF APPROVED DEVELOPMENTS	3		\$55,000	

Comparison to Previous Year: Applications Approved February 2022Total ***Number*** of Applications ***approved in February 2022***: 3Total ***Value*** of Applications ***approved for February 2022***: \$90,000***Development Applications and Complying Development Certificates Received in February 2023***

Development Identifier	Development Description	Location	Value
DA 2022/48	Removal of Existing Dwelling and Installation of Moveable Dwelling	267 North Forbes Road, Condobolin	\$444,601
DA 2022/54	Conversion of Existing Commercial Building to a Dwelling	4 Melrose Street, Condobolin	\$150,000
DA 2023/03	Construction of Outbuilding (Golf Cart Shed)	Tasker Street, Condobolin	\$20,000
DA 2023/04	Two Lot Subdivision	243 Vermont Hill Road, Condobolin	\$5,000
DA 2023/05	Install Outbuilding (Shipping Container) and 1.5m high front fence	106 Orange Street, Condobolin	\$9,500
TOTAL	5		\$629,101

Comparison to Previous Year: Applications Received February 2022Total Number of Applications ***received in February 2022***: 2Total Value of Applications ***received for February 2022***: \$403,000**ISSUES AND COMMENTS**

A total of thirty-six (36) 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

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.

LEGAL IMPLICATIONS

All applications are assessed in accordance with relevant legislation including the Environmental Planning and Assessment Act.

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 \$8,035,113 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

8.6 DELIVERY PROGRAM 6 MONTHLY UPDATE TO 31 DECEMBER 2022**TRIM Number: R23/43****Author: General Manager****RECOMMENDATION**

That:

1. The General Manager's Report No. R23/43 be received and noted.

PURPOSE

To provide Council with progress updates on the Delivery Program as at 31 December 2022, in compliance with legislation.

SUPPORTING INFORMATION

As attached.

BACKGROUND

The General Manager must ensure that progress reports are provided to the council, with respect to the principal activities detailed in the Delivery Program, at least every 6 months.

ISSUES AND COMMENTS

In compliance with the Integrated Planning and Reporting Guidelines, a 6 monthly update to Council on progress towards achieving the Delivery Program is attached.

Council will note a new format for reporting. The Pulse Corporate Reporting & Planning template has been implemented to provide streamlined reporting and a consistent format.

FINANCIAL AND RESOURCE IMPLICATIONS

The Annual Budget and Long Term Financial Plan, including the Resourcing Strategy, provide the financial resources to progress the Delivery Program.

LEGAL IMPLICATIONS

Local Government Act NSW 1993 clause 404 Delivery program

A council must have a program (called its delivery program) detailing the principal activities to be undertaken by the council to perform its functions (including implementing the strategies set out in the community strategic plan) within the resources available under the resourcing strategy.

Integrated Planning and Reporting Guidelines

The general manager must ensure 6 monthly updates to Council on progress towards achieving the Delivery Program are provided.

RISK IMPLICATIONS

There are legislative risks if compliance with regulations and guidelines are not adhered to.

Reputational risk may stem from community dissatisfaction with the progress of the Delivery Program projects.

STAKEHOLDER CONSULTATION

Not applicable

OPTIONS

None

CONCLUSION

An update on progress toward the achievement of the objectives and outcomes in the Delivery Program is provided for Councils review, comment and adoption.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

CSP 4.2 Strong effective and Responsive Council

ATTACHMENTS

- 1. LSC Delivery Program Progress Report July to December 2022**

8.7 ACTIVE RESOLUTIONS - MARCH

TRIM Number: R23/55

Author: Executive Assitant

RECOMMENDATION

That:

1. The General Manager's Report No. R23/55 be received and noted.

PURPOSE

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

SUPPORTING INFORMATION

The active resolutions are attached.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

CSP 4.2 Strong effective and responsive Council.

ATTACHMENTS

1. Active Resolutions - March.

8.8 FY22/23 ROADWORKS MONTHLY UPDATE FOR FEBRUARY**TRIM Number: R23/54****Author: Manager - Roads****RECOMMENDATION**

That:

1. The Director Infrastructure Services Report No. R23/54 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 February, works in progress in the month of March and works scheduled for the month of April. The execution and completion of works varies depending on resource availability, weather conditions, work priorities and unforeseen circumstances.

SUPPORTING INFORMATION

Nil

BACKGROUND

With the recent opening of MR 7513 Lake Cargelligo Road at Nillsons Lane only Burcher Road, between Marsden Road and the Shire Boundary at Lake Cowal, remains closed due to flooding. A small number of other roads are still only suitable for local 4WD traffic.

Advice has been received that Council's application for Fixing Country Roads (FCR) funding for reconstruction of 14.6 km of Dandaloo Road (MR347) has been unsuccessful. This outcome is disappointing however, there is still an opportunity to apply for funding under the next round of the Heavy Vehicles Safety Productivity Program (HVSP) which closes on 31 May 2023. This Federal program requires a minimum of 20% of non-Federal funding for rural roads. Council's only possible remaining funding source for this project is the TfNSW Block grant funds for Regional Roads. The Roads Minister did advise that, subject to the State Government election outcome, his office will investigate other possible funding sources for this project.

Based on the unsuccessful FCR application a contribution of \$750,000 would be required from the block grant budget over the next two financial years (FY23/24 and FY24/25) if a HVSP application was successful. This could possibly be reduced if some of the current damage on Dandaloo Road is approved for Permanent Restoration work under flood damage.

UPDATE**Road Construction**

Smythes culvert, MR 57S Lachlan Valley Way. Construction of the approaches to the culvert are in progress. Formation of the road will continue with sealing over the culvert programmed for late April.

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. Tenders for the installation of the culverts are to be considered in a separate report to Council.

MR 57S The Gipps Way – Nerathong bridge replacement. The contractor has commenced work on site and in preparing a side track for use by traffic during the bridge replacement.

MR 7513 Lake Cargelligo Road – Seal widening. Work is continuing on widening the shoulders from Brotherony Road east for 8 km.

MR 461 Melrose St intersection with Silos Roads – Reconstruction of this intersection is in progress with final sealing planned for late March. Due to the deterioration of Silos Road, as a result of wet weather and ongoing use by grain trucks, the section of Silos Road from Melrose Road to Golf Links Road is being reconstructed at the same time with funding from the Roads to Recovery program.

Foster Street, Lake Cargelligo. Water Main installation works are nearing completion. Stormwater works are in progress. Kerb and gutter works will commence in late March. The project is on track to be completed in early July.

Officers Parade – upgrade. Extension of the stormwater drainage system is continuing. Progress has been slower than planned due to the number of conflicts with other services.

Busby St/Harding Ave – reconstruction. Both streets have had 200 mm of the existing pavement removed and replaced with gravel. It was proposed to seal the new formation in late March however wet areas due to leaking underground services are creating soft spots in the pavement and will delay final sealing work.

Palesthan Road – gravel re-sheeting. A contractor has been engaged to under approx. 5 km of gravel re-sheeting on this road; the work is progressing well.

Road Maintenance / flood damage

Four of Council's graders are undertaking construction projects or grade, water, roll projects. One grader is in the workshop waiting for routine service and repair and one grader is stood down following the resignation of the operator. Four of Council's graders and one contractor grader are continuing to complete flood damage restoration and routine maintenance grading on the unsealed road network. Council has retained an additional grader in its fleet to increase the speed of the flood restoration work. Due to other commitments two contract graders have not been able to assist in completing flood damage repairs on unsealed roads at this stage.

Council's new Jet Patcher has been undertaking pothole repairs on many roads under the Fixing Local Roads Pothole Repair Program, with expenditure up to end of February being \$84,250 out of the \$1,336,350 allocation. A second operator is being trained so the old Jet Patcher that has been temporarily retained can also be used to repair the large number of potholes.

Shepherd Services have commenced inspections and recording of Council's road network for the collection of flood damage evidence and preparation of a Natural Disaster Funding claim. They are programmed to complete this work by mid-April with a schedule of works to be prepared by mid-May.

Works undertaken in February

- **Heavy patching, re-sheeting and grade water and roll undertaken on the following unsealed roads**
 - Main Road
 - Nil. Heavy Patching works on MR61E is being undertaken by TfNSW.
 - Shire Roads
 - SR 84 Booth Road – RTR/flood damage/restore access– gwr/gravel re-sheeting
 - SR 138 Yaddra Road – gwr/flood damage
 - SR 147 Four Corners Road – gwr/flood damage
 - SR 1169 Bobadah Road – 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 – Construction of approaches to Smythes culvert commenced in February and is continuing
 - MR 57S The Gipps Way – FCR/Block grant – Nerathong bridge replacement, contractor established on site and commenced work to construct side track
 - 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 continued with slow progress due to conflicts with existing services
 - Busby Street/Harding Ave – FLR –milling out of existing pavement was undertaken and gravel placed for road pavement
 - Foster Street – Tourism Activation - installation of water mains and stormwater system continue.

- **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 11 Moira Vale Road – maintenance grade/flood damage
 - SR 20 Braalghy Road – maintenance grade/flood damage
 - SR 37 Yambora Road – maintenance grade/flood damage
 - SR 49 Myamley Road – maintenance grade/flood damage
 - SR 62 Carlisle Road – maintenance grade/flood damage
 - SR 67 Carlisle-Trundle Road – maintenance grade/flood damage

- SR 77 Goobang Creek Road – maintenance grade/flood damage
 - SR 87 Hubbards Road – maintenance grade/flood damage
 - SR 94 Diggers Road – maintenance grade/flood damage
 - SR 97 Driftway Road – maintenance grade/flood damage
 - SR 110 Euglo Trig Road – maintenance grade/flood damage
 - SR 144 Burgooney Road – maintenance grade/flood damage
 - SR 146 Glasgows Lane – maintenance grade/flood damage
 - SR 152 Timmins Lane – maintenance grade/flood damage
 - SR 194 North Uabaa Road – maintenance grade/flood damage
 - SR 303 Gleninga Road – maintenance grade/flood damage
 - SR 367 Coopers Lane – maintenance grade/flood damage
 - SR 375 Belswick Park Lane – maintenance grade/flood damage
 - SR 383 Glenowra Road – maintenance grade/flood damage
 - SR 388 Mines Road – maintenance grade/flood damage
- **Shoulder grading/slashing/vegetation control/patching and flood damage undertaken on the following sealed roads**
 - Main Roads
 - MR 57NN The Bogan Way – causeway repairs/flood damage
 - MR 57S The Gipps Way – culvert pavement repairs/flood damage
 - MR 347 Dandaloo Road – pavement repair/flood damage
 - MR 377 Lachlan Valley Way (aka North Forbes Road) – vegetation control
 - MR 461 Henry Parkes Way north – pavement repair/flood damage access
 - MR 7513 Lake Cargelligo Road – pavement repair/flood damage/restore access
 - MR 7514 Kiacatoo Road – slashing
 - Shire Roads
 - Pothole repair on several roads

Works in progress March

- **Heavy patching, re-sheeting and grade water and roll in progress on the following unsealed roads**
 - Main Roads
 - MR 231 Wyalong Road – Heavy Patch on failed section/flood damage.
 - Shire Roads
 - SR 84 Booth Road – RTR/flood damage/restore access– gwr/gravel re-sheeting
 - 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 continuing
 - MR 57S Murie Culvert – Regional NSW/Block grant – Tenders for culvert installation to be considered
 - MR 57S The Gipps Way – FCR/Block grant – Nerathong bridge replacement, contractor continuing to construct side track

- MR 461 Melrose Street – HVSP/Block grant – Silos Road intersection reconstruction is continuing
- MR 7513 Lake Cargelligo Road – REPAIR program – Widening of 8 km of road is continuing
- Shire Roads
 - SR 340 Silos Road – RTR – reconstruction of 400 metres is in progress
- Town Streets
 - Officers Parade – FLR/RTR – installation of stormwater system in progress
 - Busby Street/Harding Ave – FLR – final preparation and sealing to be undertaken late March.
 - Foster Street – Tourism Activation - installation of water mains and stormwater system to be completed. Kerb and gutter works to commence on Lorne Street intersection.
- **Road reseals/sealing**
 - Main Roads
 - MR 57 NN The Bogan Way – 500m heavy patching seal
 - MR 57S The Gipps Way – 300m heavy patching seal
 - MR 57S The Gipps Way – Murie culvert flood damage repair
 - MR 57S Lachlan Valley Way/The Gipps Way intersection –double coat seal
 - MR 461 Melrose Street/Silos Road intersection – double coat seal
 - MR 501 Lachlan Valley Way (aka Hillston Road) – 10km reseal
 - Shire Roads
 - SR 3 Tabratong Crossing Road – 600 metres reseal
 - Town Streets
 - Maitland Street – 200m reseal
 - McDonnell/Molong Street – 400m reseal
- **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 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 63 Wilga Ridge Road – maintenance grade
 - SR 65 Euligal Road – maintenance grade
 - SR 78 The Troffs Road – maintenance grade (contractor)
 - SR 79 Halls Road – part length – maintenance grade (contractor)
 - SR 90 Grassmere Road – maintenance grade
 - SR 97 Driftway Road – maintenance grade
 - SR 115 Elsmore Road – maintenance grade
 - SR 128 Roberts Road – maintenance grade
 - SR 129 Bahrs Road – maintenance grade
 - SR 145 Imries 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 April

- **Heavy patching, re-sheeting and grade water and roll to be undertaken on the following unsealed roads**
 - Main Roads
 - nil
 - Shire Roads
 - SR 45 Boona Road – gwr
- **Road resealing/sealing**
 - Main Roads
 - MR 7521 Kiacatoo Road reseal 5 km
 - Shire Roads
 - 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
 - Busby St/Harding Ave – 400m double coat seal
 - Turner Street – 500 metres reseal
- **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. Contractor continuing on site.
 - MR 461 Henry Parkes Way/Silo Roads – HVSPP/Block grant widening. Project programmed for completion in April.
 - Shire Roads
 - SR 120 Merriboogie Road – FLR/RTR – road widening 4 km. Project will be recommenced in April.
 - SR 230 Lachlan Valley Way – FLR/RTR - road construction for 10 km of seal extension, on hold until Merriboogie Road project completed.
 - SR 340 Silos Road – RTR – reconstruction of 400m. Project planned for completion is April
 - Town Streets
 - Visitor information centre – Regional NSW – completion of carpark construction

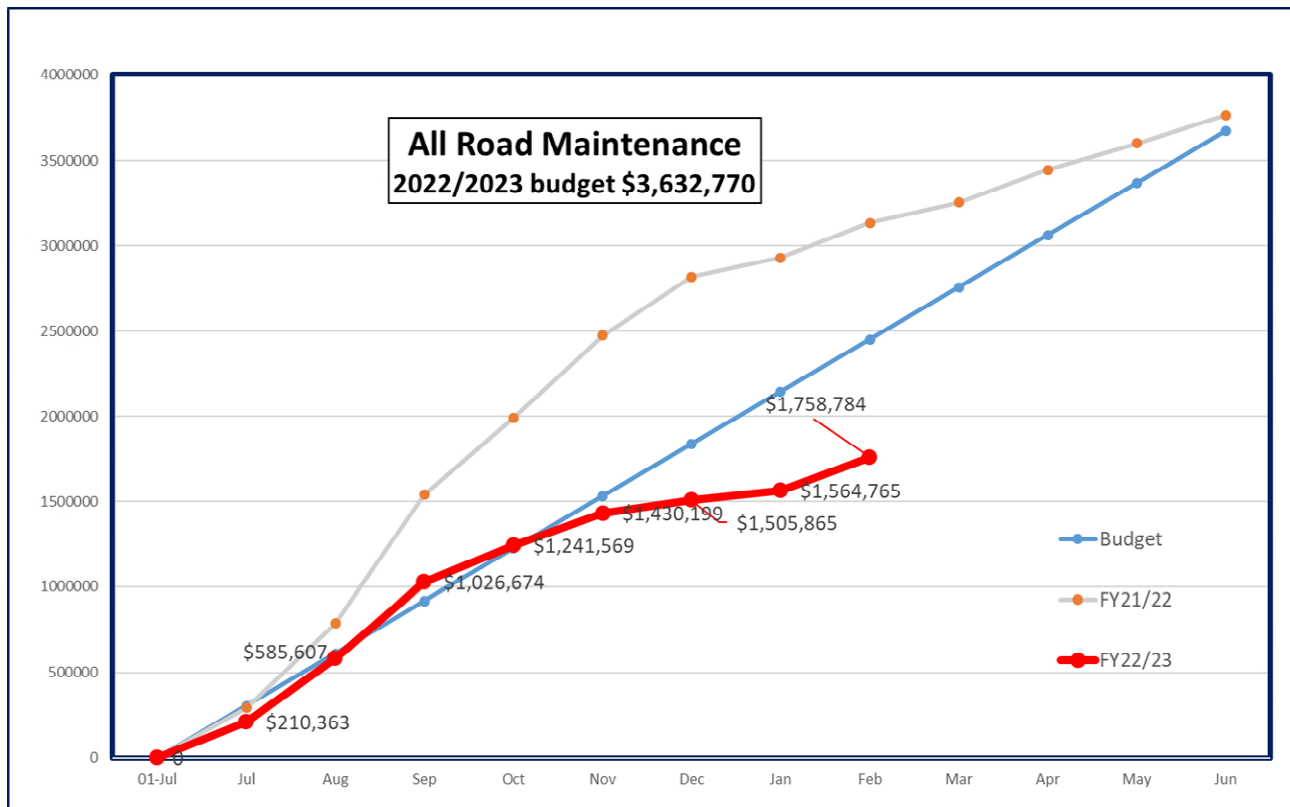
- Busby St/Harding Ave, Condobolin – FLR – Street reconstruction planned for completion in April.
 - Officers Parade – FLR/RTR – kerb and gutter, footpath installation and road reconstruction programmed for commencement in April.
 - Foster Street – Tourism Activation – Kerb and gutter will continue, followed by footpath works and road pavement construction.
-
- **Maintenance grading/sucker removal/storm damage repairs undertaken on the following roads**
 - Main Roads
 - nil
 - Shire Roads
 - Roads not completed in March
-
- **Shoulder grading/slashing/vegetation control and patching undertaken on the following sealed roads**
 - All Roads
 - Ongoing pothole patching

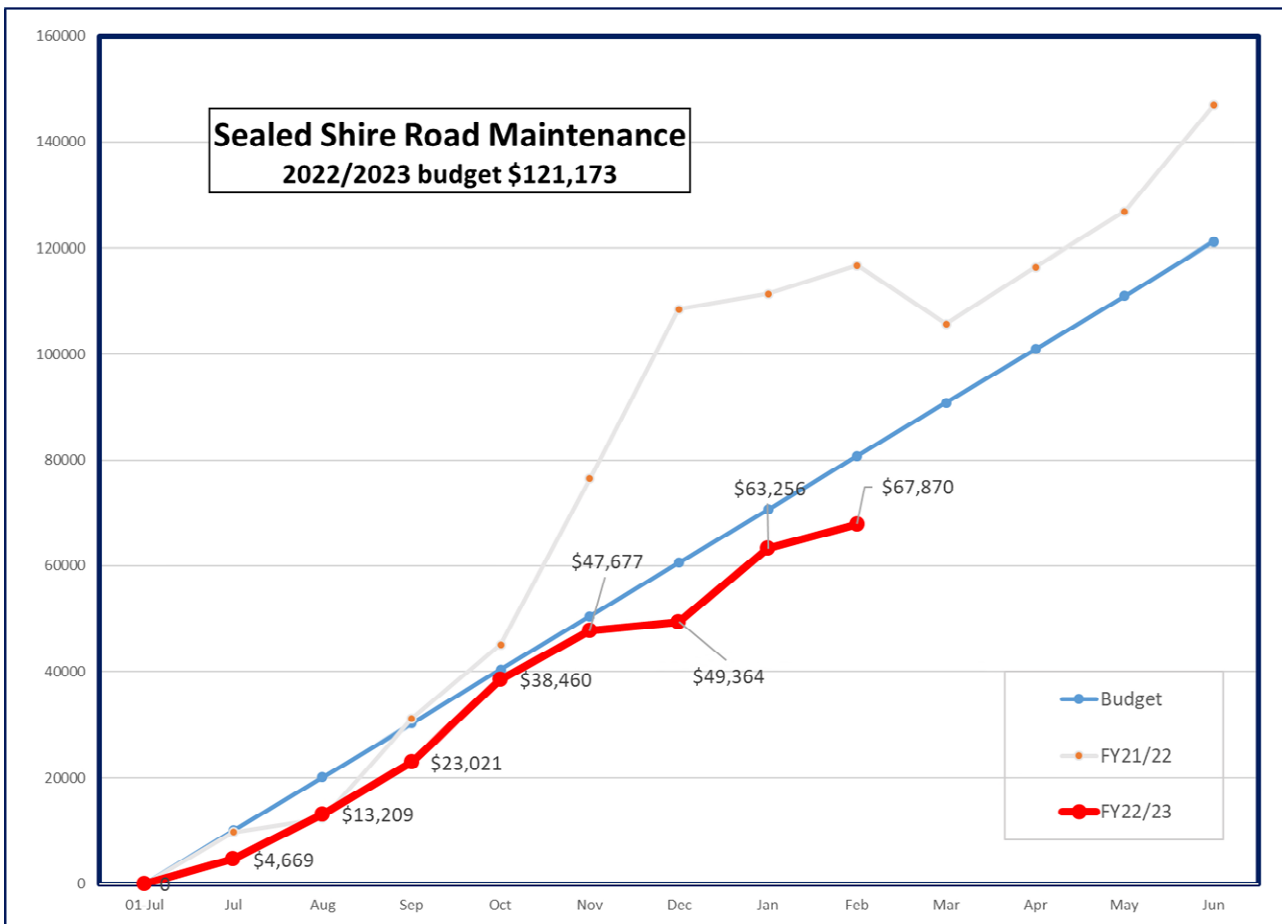
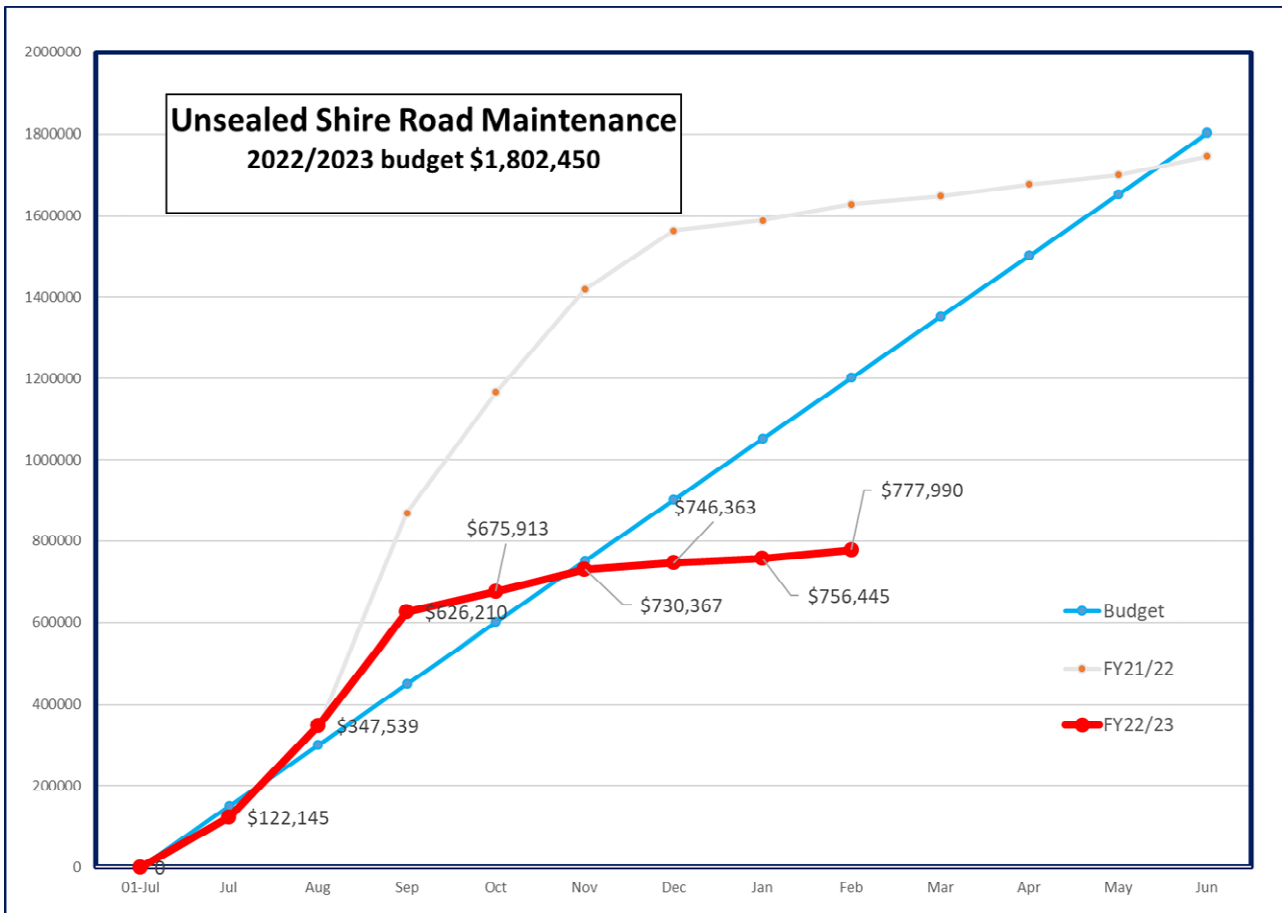
FINANCIAL UPDATE

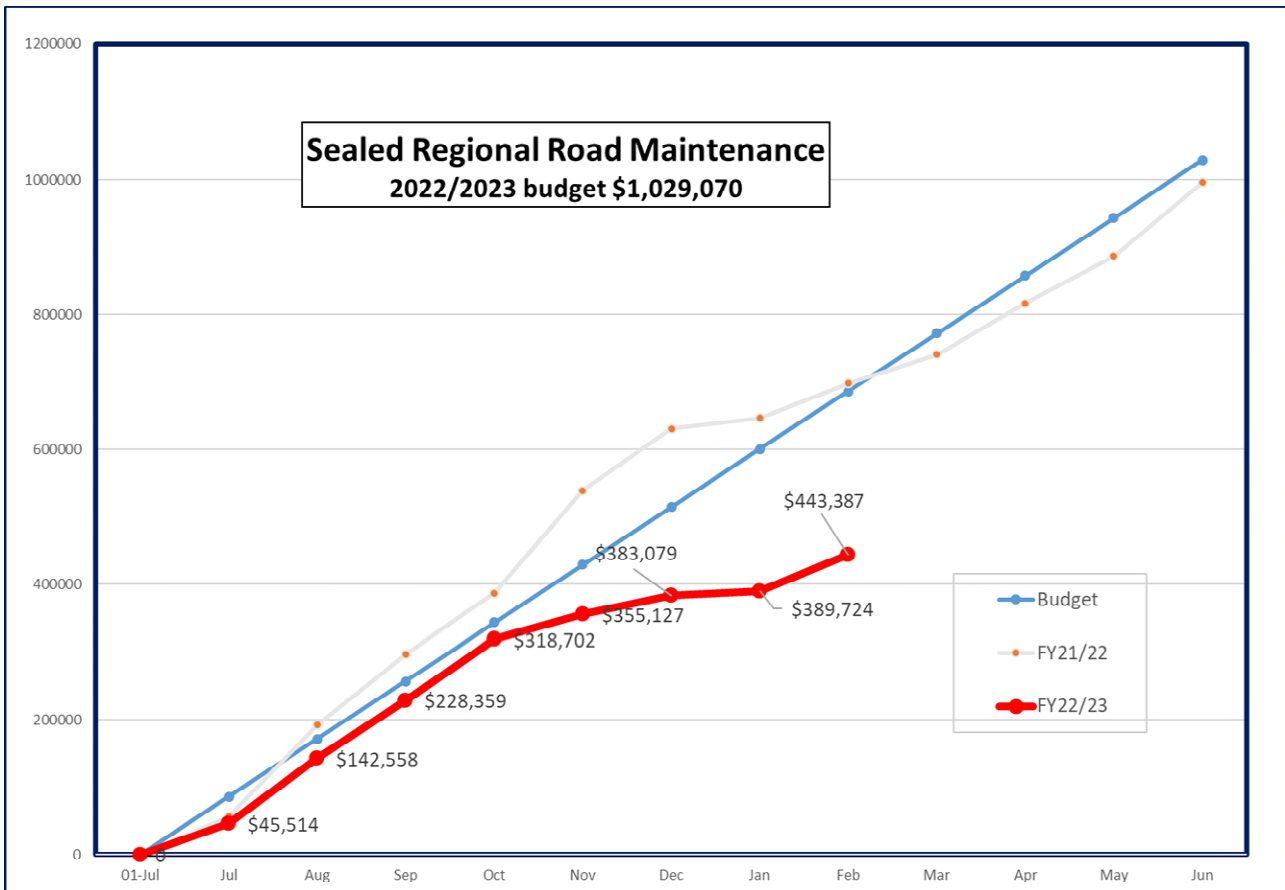
CONSTRUCTION PROJECTS					
Regional Roads					
Project	Budget	Funding source	Expend to date	Forecast Expend	Comments
Regional Roads, reseals					
MR 501 Lachlan Valley Way (aka Hillston Road)	418k	TfNSW Block Grant	\$0k	\$438k	10.0 km of 7.6 m wide seal
RR 7521 Kiacatoo Road	\$308k		\$0k	\$308k	7.0 km of 8.0 m wide seal
Total	\$716k		\$0k	\$716k	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 \$884k in FY 22/23 Total \$1.364m	\$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, \$58k in FY22/23 Total \$3.13m	\$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, \$13K in FY22/23 Total \$460k	\$2.808m	Contractor on site and constructing side track
MR 57S, MR 377, Condobolin Freight Betterment and Visitor Centre road works	\$8.448m	Regional NSW funding \$5,599k, TfNSW Block grant \$2,149k, TfNSW Repair \$400k, RTR \$300k	\$1.235m pre 1 July 2021, \$2.41m in FY21/22, \$2.522m in FY22/23 Total \$6.18m	\$8.448m	Road construction to final level in progress
MR 461 Henry Parkes Way intersection upgrades, MR 7521 Kiacatoo Road and SR 340 Silos Road	\$516k	HVSP \$258k, TfNSW Block Grant \$208k, Graincorp \$50k	\$102k in FY21/22, 270k in FY22/23 Total \$372k	\$516k	Silos Road intersection reconstruction in progress
RR 7513 Lake Cargelligo Road seal widening 8 km	\$800k	Repair \$400k, Block \$400k	\$132k	\$800k	Shoulder widening of 8 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	\$4k	\$200k	Work in progress
SR 45 Boona Road	\$160k		\$45k	\$160k	Work in progress
SR 186 Booth Road	\$120k		\$44k		Complete Accounts still to be processed
Total	\$480k		\$93k	\$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 Merriboogie 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, \$280k in FY22/23 Total \$303k	\$800k	Road pavement reconstruction in progress
Condobolin School Precinct	\$1.68m	Fixing Local Roads \$1,360k, RTR \$50k, FAG Roads \$270k	\$660k in FY21/22, \$775k in FY22/23 Total \$1,435m	\$1.68m	Final sealing work programmed for Q3
Officers Parade upgrade	\$1.0m	Fixing Local Roads \$600k, RTR \$400k	\$169k in FY21/22, \$98k in FY22/23 Total \$267k	\$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	40.0%	30-Jun	Year 4 of five program.
TfNSW Block and Supplementary Grants	\$3.132m	100% TfNSW	68.0%	30-Jun	To be spent by 30 June 2023
TfNSW Traffic Facilities	\$148k	100% TfNSW	70.0%	30-Jun	
TfNSW repair	\$400k	100% TfNSW	17%	30-Jun	
FAG Roads	\$3.28m	100% Federal grant	49.0%		To reserve if not used by 30 June.







Note: In addition to the above expenditure \$859k has been spent on Regional Road flood damage and \$1,199m has been spent on Local Road flood damage, total \$2.058 million and \$84k has been spent of pothole repairs.

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

Good progress on restoring the unsealed road network is being made, however the availability of contractors and Council resources is starting to slow that progress. Progress is also being made on several of the construction projects to ensure council’s commitments to funding bodies are meet.

ATTACHMENTS

Nil

9 DECISION REPORTS

9.1 GENERAL MANAGER**9.1.1 CORRESPONDENCE REPORT****TRIM Number: R23/59****Author: Executive Assitant****RECOMMENDATION**

That:

1. The Correspondence Report No. R23/59 be received and noted.

PURPOSE

To provide Council with details of correspondence received in March.

SUPPORTING INFORMATION

Futurebus - Hydrogen refuelling station proposal.

Transport NSW - RNSW2778 Dandaloo Road (MR 347) Albert – upgrade.

Fixing Local Roads Rd4 – Boona Road funding.

Local Road and Community Infrastructure Phase 4 – funding announcement.

SES – Certificate of Appreciation 2022 Mid Lachlan Flood Event.

ATTACHMENTS

1. **Futurebus - Hydrogen refuelling station proposal**
2. **Transport NSW - RNSW2778 Dandaloo Road (MR 347) Albert - upgrade**
3. **FLR4 - Boona Road funding**
4. **LRCI Phase 4 funding announcement**
5. **SES - Certificate of Appreciation**

9.2 CORPORATE AND COMMUNITY SERVICES

9.2.1 DONATIONS

TRIM Number: R23/45

Author: Director - Corporate and Community Services

RECOMMENDATION

That:

1. The Director of Corporate and Community Services Report No. R23/45 be received and noted.
2. Council provide a \$200 donation to the RSL Life Care William Beech Gardens for their Biggest Morning Tea event.
3. Council approve the \$900 donation requested by Lake Cargelligo & District Historical Museum Inc.
4. Council decline the \$20,300 donation requested by the Anglican Parish of Lake Cargelligo.

PURPOSE

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

SUPPORTING INFORMATION

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

BACKGROUND

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

ISSUES AND COMMENTS

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.

RSL LifeCare

RSL Life Care William Beech Gardens are requesting a donation to support their 4th in house Biggest Morning tea event on 25 May 2023. The event could not take place in 2022 due to COVID. The organisation aims to invite all the residents, families of residents and staff. The RSL Life care did not request a particular amount. Council provided \$200 for their biggest morning tea event in 2021.

Lake Cargelligo & District Historical Museum Inc.

This group are requesting a donation of \$900 towards the repair of their KL Bulldog tractor. This amount will cover the cost of the flywheel for the tractor. They hope to participate in the street parade at the Festival of the Lakes in October this year. This will also provide another tourist attraction for the community. There is no recent history of financial support for this group.

Anglican Parish of Lake Cargelligo

The Anglican Parish of Lake Cargelligo has requested a donation of \$20,300 from Council for the upgrade and repairs of the Anglican Church. The works will include replacing an old evaporative air conditioner with a new reverse cycle system, replacing damaged/ missing ceiling panels, upgrades to lighting and power points, replacing an old fridge and stove, and the delivery of gravel mix.

The success of this project will provide a more comfortable and safer environment for community. The Parish will acknowledge council's financial contribution through Facebook, the local paper and by word of mouth. They aim to work with local trades people. This organisation has no recent history of financial support from Council.

This donation is unable to be supported in full due to the limited funds remaining in the Elected Members' budget. Council should carefully consider this decision as the community has many groups that potentially need their facilities upgrading. In addition, Council should carefully review the policy attached to ensure the policy aims and assessment criteria are met.

Awaiting ResponseTess 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 \$14,603 available in the elected member's general donations budget. There is insufficient funding available to support all of the requests.

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. **RSL LifeCare - Donation**
2. **Lake Cargelligo & District Historical Museum donation**
3. **Anglican Parish of Lake Cargelligo**
4. **Donations Policy**
5. **Donations as at 140323**

9.2.2 INVESTMENT POLICY ANNUAL REVIEW**TRIM Number: R23/51****Author: Governance and Risk Officer****RECOMMENDATION**

That:

1. This Director Corporate & Community Services' Report No R23/51 be received and noted
2. The reviewed Investment Policy be adopted as presented.

PURPOSE

To present a copy of the reviewed Lachlan Shire Council (LSC) Investment Policy to Council for adoption.

SUPPORTING INFORMATION

Not applicable.

BACKGROUND

The Lachlan Shire Council Investment Policy has been developed to establish investment management guidelines for surplus funds that are not immediately required for any other purpose.

As per the Office of Local Government (OLG) Investment Policy Guidelines, a review of Council's Investment Policy is required annually.

ISSUES AND COMMENTS

The Investment Policy provides a framework for the investing of surplus Council funds at the most favourable rate of interest available, whilst having due consideration of the risk and security of investments. The preservation of capital remains the principal objective of the investment portfolio ensuring Council's liquidity requirements can be met.

In particular, this policy aims to clearly state the types of investments that can be entered into, in compliance with section 625 of the *Local Government Act NSW 1993* and all other legislation. The policy also defines the types of institutions with which Council can invest, the maximum proportion of funds that may be placed with individual organisations (based on credit rating).

No changes have been made in this review aside from minor formatting and title updates. The Policy was reviewed and found to be compliant with all applicable legislation and guidelines. Only formatting has been updated in line with Council's new branding.

In compliance with the Investment Policy, the current Investment Advisor Imperium was appointed by a resolution of Council in June 2018, after an Expression of Interest process. As required by the Investment Policy, Imperium Markets have provided a Statement of Independence which is attached.

FINANCIAL AND RESOURCE IMPLICATIONS

Adopting this reviewed Investment Policy ensures Council's investments are prudent, permitted by the most current Ministerial Investment Order, and protects Council financially by maintaining liquidity while earning interest.

LEGAL IMPLICATIONS

Council is required to comply with all relevant legislation, including but not limited to section 625 of the *Local Government Act NSW 1993*. The Investment Policy has been reviewed in line with current legislation, ministerial orders and OLG Guidelines including:

- NSW Office of Local Government Investment Policy Guidelines 2010
- Office of Local Government Circulars
- Ministerial Order

In accordance with any current Ministerial Investment Order, this investment policy prohibits any investment carried out for speculative purposes, including but not limited to:

- Derivative based instruments;
- Principal only investments or securities that provide potentially nil or negative cash flow; and
- Standalone securities issued that have underlying futures, options, forward contracts and swap of any kind.

RISK IMPLICATIONS

Council's investments are subject to a variety of risk including credit, interest rate, inflation, liquidity, and cyber-crime. Council uses Credit Ratings (such as Standard and Poors) to manage risk. Credit ratings are essentially opinions about exposure to risk. They can express a forward-looking opinion about the capacity and willingness of an entity to meet its financial commitments as they become due, and also the credit quality and the relative likelihood that the issuer may default.

Lachlan Shire Council's Investment Policy endeavours to minimise risk to Council by preserving capital as its principal objective. This means returns could be lower than otherwise permitted under the OLG guidelines, Ministerial Order and the Trustee Act.

STAKEHOLDER CONSULTATION

Council's management and External Financial Advisor reviewed the Policy. No changes were proposed or recommended.

CONCLUSION

The reviewed Lachlan Shire Council Investment Policy is submitted for adoption by Council.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

4.2 Strong, effective and responsive Council

4.2.1 Council is financially sustainable and provides services at a level expected by the community
– Annual review of Investment Policy

4.2.2 Council’s decision making is equitable and ethical

– Schedule policy reviews throughout Council term or within legislative requirements.

4.2.5 Council’s exposure to risk is minimised

ATTACHMENTS

1. **Investment Policy v9 2023**
2. **Imperium Investments Statement of Independence**

9.3 ENVIRONMENT, TOURISM AND ECONOMIC DEVELOPMENT

9.3.1 TOTTENHAM AERODROME - REQUEST FOR ADDITIONAL PERMITTED USE

TRIM Number: R23/21

Author: Director - Environment, Tourism and Economic Development

RECOMMENDATION

That:

1. The Director of Environment, Tourism and Economic Development Report No. R23/21 be received and noted.
2. Council request that the Applicant (Delta Agribusiness) prepare and submit a scoping proposal, including consideration of land tenure, to allow Council to formally consider a request to add an additional permitted use on Lot 1 in DP 862360 (5077 The Bogan Way, Tottenham) known as Tottenham aerodrome.
3. A report be presented to Council before formal advice is issued regarding the scoping proposal.

PURPOSE

The purpose of this report is for Council to consider a request from Delta Agribusiness to permit a “rural supplies” business on Lot 1 in DP 862360 (5077 The Bogan Way, Tottenham) known as Tottenham aerodrome.

SUPPORTING INFORMATION

Nil

BACKGROUND

The Business Unit Manager of Delta Agribusiness in Tottenham has sent an email requesting that Council consider a proposal to relocate Delta Agribusiness from its current location to Lot 1 in DP 862360 (5077 The Bogan Way, Tottenham) (“the subject site”) known as Tottenham aerodrome.

Tottenham aerodrome is currently zoned SP2-Infrastructure pursuant to Lachlan Local Environmental Plan 2013 (LLEP 2013).

Delta Agribusiness would most likely be defined as a “rural supplies” business which is defined as:

“a building or place used for the display, sale or hire of stockfeeds, grains, seed, fertilizers, veterinary supplies and other goods or materials used in farming and primary industry production.”

A “rural supplies” business is not currently permitted in the SP2 Infrastructure zone under LLEP 2013.

ISSUES AND COMMENTS

In order to permit the proposal on the subject site, the site would need to be either rezoned or an additional permitted use would need to be added to the site under LLEP 2013. In order to consider an amendment to LLEP 2013 a planning proposal would need to be prepared.

There are four categories for planning proposals:

“Basic - Minor LEP amendment for administrative, housekeeping, and minor matters of significance.

Standard – A site-specific LEP amendment seeking a change in planning controls that are consistent with the existing strategic planning framework.

Complex – Complex LEP amendment which may not be wholly consistent with the existing strategic planning framework and/or are types of LEP amendments not defined as Basic of Standard types of proposals.

Principal LEP – Comprehensive LEP amendment progressed by council and/or a proposal that includes multiple housekeeping amendments.”

A planning proposal can be initiated by either a proponent or Council. Council typically initiates a planning proposal to permit changes to the LEP to align with strategic plans and directions. There are no current planning strategies or documents that directly align with the proposal put forward by Delta Agribusiness.

A landowner, developer or an individual seeking to amend the zoning or development standards that apply to land they own or have an interest in may initiate a planning proposal. The information required to support the proposal is prepared by or on behalf of the landowner with the assistance of specialist consultants and submitted to the relevant council for consideration and assessment through the Planning Portal.

Council must support the planning proposal before it is submitted to the department via the Planning Portal for a Gateway determination.

The first step in the planning proposal process is the pre-lodgement process. This is not a legislative requirement but is highly recommended for standard and complex planning proposals which includes this proposal. In this stage, the proponent (Delta Agribusiness) prepares and submits a scoping proposal to Council. The Department of Planning and Environment (DPE) have prepared a template for the proponent to follow. The scoping proposal provides an opportunity to the proponent to outline the strategic merits of the proposal and preliminary environmental considerations. Once the scoping proposal is received it is referred to relevant state government authorities and agencies. Then a pre-lodgement meeting is usually held with the proponent and written advice is issued. This stage would confirm whether the proposal has strategic and site-specific merit to progress to a planning proposal and identify necessary supporting information required for assessment.

According to the Department of Planning and Environment’s LEP making guideline, the purpose of the pre-lodgement stage is to:

- *“provide early feedback to proponents and councils, in particular about the strategic and site-specific merits of a proposal*
- *understand the expectations for what justification and key supporting studies are required to support a planning proposal*

- *facilitate early consultation with key authorities and government agencies to understand and resolve agency issues earlier in the process, which is expected to facilitate a quicker consultation during exhibition*
- *identify infrastructure needs and determine what form of infrastructure funding may be needed to support the proposal*
- *resolve planning issues upfront to enable a streamlined LEP making process”*

There has been limited discussion with Delta Ag representatives regarding land tenure and this issue should be considered as part of the scoping proposal.

FINANCIAL AND RESOURCE IMPLICATIONS

Delta Agribusiness would need to pay a fee (in accordance with Council’s adopted fees and charges at the time) should the matter progress to the lodgement of a planning proposal. The high level assessment of a scoping proposal and a pre-lodgement meeting will be undertaken by Council staff using Council’s adopted budgets.

LEGAL IMPLICATIONS

Division 3.4 of the *Environmental Planning and Assessment Act 1979* prescribes the LEP making process. This is supplemented by the *Local Environmental Plan Making Guideline* prepared by the Department of Planning and Environment. Any requests or applications would need to comply with the relevant provisions of the Act.

RISK IMPLICATIONS

Council needs to ensure that any request to amend Lachlan Local Environmental Plan 2013 complies with the relevant legislation and also that the request has strategic planning merit. The submission of a scoping proposal would allow a high level assessment to be undertaken to determine that the proposal has strategic merit before the proponent proceeds to the preparation of a planning proposal.

STAKEHOLDER CONSULTATION

Nil at this stage. There are detailed requirements as part of the LEP making process but they are not applicable at this stage.

OPTIONS

1. Decide to consider the request from Delta Agribusiness and request that a scoping proposal be prepared and submitted to allow a high level assessment to be undertaken.
2. Decide that a scoping proposal is not required and request that the Applicant proceed with the preparation of a planning proposal and lodge the planning proposal with the required fees.

CONCLUSION

Delta Agribusiness in Tottenham are requesting that Council consider a proposal to relocate Delta Agribusiness from its current location to Lot 1 in DP 862360 (5077 The Bogan Way, Tottenham) known as Tottenham aerodrome.

In order to permit the proposal on the subject site, the site would need to be either rezoned or an additional permitted use would need to be added to the site under LLEP 2013. In order to consider an amendment to LLEP 2013 a planning proposal would need to be prepared.

As the proposal does not align with any current policies or strategies of Council it is recommended that Council consider a scoping proposal from the proponent first before the proponent prepares a planning proposal.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

2.3 Encourage business activity

4.2 Strong effective and responsive Council

ATTACHMENTS

Nil

9.3.2 COUNCIL DEVELOPMENT APPLICATION CONFLICT OF INTEREST POLICY**TRIM Number: R23/58****Author: Director - Environment, Tourism and Economic Development****RECOMMENDATION**

That

1. The Director of Environment, Tourism and Economic Development Report No. R23/58 be received and noted.
2. The draft Council Development Application Conflict of Interest Policy attached to this report be adopted.
3. The Council Development Application Conflict of Interest Policy be placed on exhibition for a minimum period of 28 days, with any significant submissions received to be reported to Council for consideration. If no significant submissions are received, no further action will be required.

PURPOSE

The purpose of this report is to advise Council that the Department of Planning and Environment have made changes to the *Environmental Planning and Assessment (EP&A) Regulation* and that as a result of those changes Council will need to adopt a Council Development Application Conflict of Interest Policy. A draft policy is attached to this report for Council's consideration to meet the new legislative requirements.

SUPPORTING INFORMATION

Nil

BACKGROUND

The NSW State Government is introducing new requirements into the *Environmental Planning and Assessment Regulation 2021* to address potential conflicts of interest in Council-related development.

The amendments will take effect on 3 April 2023.

Council must adopt a policy to manage development applications where Council is the developer or landowner, or where Council holds a commercial interest in the land that is the subject of an application.

The intent of the policy is to specify how potential conflicts of interest will be identified and managed.

ISSUES AND COMMENTS

Councils are development regulators but they also can be the developer, landowner or hold a commercial interest in relation to the land they regulate. Where councils have this dual role, an inherent conflict can arise between their interests in the development and their duty as regulator.

The following requirements have been introduced into the *Environmental Planning and Assessment Regulation 2021*:

- Councils must adopt and have a policy that specifies how conflicts of interest in connection with council-related development applications will be handled.
- Council-related development applications must now be accompanied by either a management strategy statement, which explains how the council will manage potential conflicts of interest, or a statement that the council has no management strategy for the application.
- Councils must record conflicts of interest in connection with each council-related development application, and the measures taken to manage the conflicts, in their existing DA register.
- Council-related development applications must be exhibited for a minimum of 28 days.

The changes to the Regulation will include the following new definition:

*“**council-related development application** means a development application for which council is the consent authority, that is:*

(a) made by or on behalf of the council, or

(b) for development on land (other than a public road within the meaning of the Local Government Act 1993):

(i) of which council is the owner, a lessee, or a licensee, or

(ii) otherwise vested in or under the control of the council

Note— Land vested in or under the control of the council includes public land within the meaning of the Local Government Act 1993.

Any policy prepared and adopted by a council must:

- establish management controls and/or a management strategy to address potential conflicts of interest at the different phases of the development process for the types of council-related development that the council could be involved in,
- outline the process through which potential conflicts of interest will be identified, the risks assessed and appropriate management controls determined, and
- outline the process that will be followed to publicly communicate the management approaches for each development subject to the policy.

A draft policy has been prepared, in accordance with the guidelines prepared by the Department of Planning and Environment, and is attached to this report for Council’s consideration.

The draft policy establishes the process for identifying and managing potential conflicts of interest, and includes requirements during the preparation, assessment, and determination stages of a council-related development application.

In summary:

- prior to finalising the preparation of such an application the Director Environment, Tourism and Economic Development, or their delegate, is to undertake a conflict of interest risk assessment and determine what (if any) management controls will be implemented during the assessment and determination of the application
- assessment and determination options are proposed for council-related applications, based on type and scale of the application, in accordance with the following table:

Category of DA/Modification	Assessment Options	Determination
<p>Minor DA / Modification</p> <p>Refers to development that is small-scale, routine and/or non-controversial¹</p>	<p>Assessment by staff not involved in the preparation of the application and peer review by Manager Town Planning or Director Environment, Tourism and Economic Development</p>	<p>Determination under delegated authority, other than for development on community land under section 47E of the Local Government Act 1993.</p>
<p>Standard DA</p> <p>Refers to development proposed on council-owned or managed land that substantially complies with zoning, land use provisions and council policies, with no substantial or numerous submissions²</p>	<p>Assessment by staff not involved in the preparation of the application and peer review by Manager Town Planning or Director Environment, Tourism and Economic Development,</p> <p>Or</p> <p>Assessment by external independent town planning consultant, or Assessment by neighbouring council or Penrith City Council planning staff.</p>	<p>Determination under delegated authority by Director Environment, Tourism and Economic Development, other than for development on community land under section 47E of the Local Government Act 1993.</p>
<p>Major DA</p> <p>Refers to large-scale, significant and/ or controversial DAs³</p> <p>Includes Regionally Significantly Development as defined in <i>State Environmental Planning Policy (Planning Systems) 2021</i></p>	<p>Assessment by staff not involved in the preparation of the application and peer review by Manager Town Planning or Director Environment, Tourism and Economic Development,</p> <p>or</p> <p>Assessment by external independent town planning consultant, or Assessment by neighbouring council or Penrith City Council planning staff.</p>	<p>Determination by elected council, or Referral to Western Regional Planning Panel for determination (regionally significant development).</p>

Notes:

1. Designation as Minor DA is to be made based on project-specific assessment of criteria, including, but not limited to:

- the estimated value of the works to be undertaken,
- the potential impact on surrounding residential amenity and/or environmental values of the site and locality,
- whether the proposal will lead to any financial benefit for council.

2. Examples of a Standard DA include alterations and additions to an existing building, new community infrastructure, subdivision of land. The Director Environment, Tourism and Economic Development, or delegate, shall determine which assessment option is to be pursued and whether the application is to be referred to Council's Audit, Risk and Improvement Committee.

3. For each Major DA, the Director Environment, Tourism and Economic Development, in consultation with the General Manager, shall determine which assessment and determination options are to be pursued and whether application is to be referred to Council's Audit, Risk, and Improvement Committee.

The draft policy also includes a template for the Management Statement that will be required to accompany all council-related development applications, to create a record of potential conflicts identified and management measures undertaken.

It is recommended that Council adopt the policy but also place the policy on public exhibition for a minimum period of 28 days. If any significant submissions are received a report will be prepared for Council's consideration. If no significant submissions are received, then no further action would be required.

FINANCIAL AND RESOURCE IMPLICATIONS

No financial or resource implications are expected as a result of the introduction of the policy. The introduction of the policy formalises the current practices in place already.

LEGAL IMPLICATIONS

The adoption of the policy before 3 April 2023 will ensure that Council related Development Applications can continue to be determined. The draft policy has been prepared in accordance with the guidelines prepared by the Department of Planning and Environment.

RISK IMPLICATIONS

If Council does not have a policy in place by 3 April 2023 Council cannot determine Council related Development Applications. Adoption of the policy will help to reduce perceived conflict of interest risks for future Council-related development proposals.

STAKEHOLDER CONSULTATION

Nil

OPTIONS

1. Adopt the draft Council Development Application Conflict of Interest Policy as presented.
2. Make changes to the draft Council Development Application Conflict of Interest Policy and adopt the policy.
3. Decide not to adopt the Council Development Application Conflict of Interest Policy, noting that Council related Development Applications cannot be determined until a policy is in place.

CONCLUSION

The Department of Planning and Environment is requiring all Councils to adopt a Council Development Application Conflict of Interest Policy. If Council does not have the policy in place by 3 April 2023 Council cannot determine Council related Development Applications. A draft Council Development Application Conflict of Interest Policy is attached to this report for Council's consideration and adoption.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

4.2 Strong effective and responsive Council

ATTACHMENTS

1. **Draft Council Related DAs Conflict of Interest Policy**

9.3.3 REQUEST FOR FINANCIAL ASSISTANCE - LAKE CARGELLIGO TAXI TRUCK PROMOTIONAL CURTAIN**TRIM Number: R23/65****Author: Communications and Engagement Officer****RECOMMENDATION**

That:

1. The Director of Environment, Tourism and Economic Development Report No. R23/65 be received and noted.
2. Council resolve to support the continued promotion of Lake Cargelligo through the digital printing of two (2) new truck body curtains for the Lake Cargelligo Taxi Truck at a cost of \$3,680.00 (inclusive of GST).
3. The financial assistance for the initiative be funded from the Tourism Promotional Materials and Activities budget.

PURPOSE

The purpose of this report is to consider a request for \$3,680.00 in financial assistance, from Lake Cargelligo Taxi Truck Service, for the printing of two (2) new promotional truck body curtains.

SUPPORTING INFORMATION

Nil.

BACKGROUND

The Lake Cargelligo Taxi Truck Service has been in operation for over 30 years servicing the Lake Cargelligo, Murrin Bridge, Euabalong and Tullibigeal communities, and provides daily freight services to/from Griffith each weekday.

The current owners, Broden and Brooke Imrie, manage a range of transport and freight services including IPEC and Toll contracts, furniture removals, and private freight movements and have owned the business for four (4) years.

The current vehicle features imagery of the town and lake (see image below). This vehicle has travelled thousands of kilometres, visited hundreds of towns, been the backdrop for community events and captured the attention of many tourists and passers-by.



ISSUES AND COMMENTS

The Imrie's are committed to growing their business and supporting the local community and are currently in the process of upgrading their fleet, including the Lake Cargelligo Taxi Truck. This has created an opportunity for Council to promote Lake Cargelligo and the Lachlan Shire on the new vehicle.

With a strong history of community support, this initiative has attracted funding from various local groups over the past 15-plus years according to local residents. However, funding opportunities are now limited and the Imrie's have approached Lachlan Shire Council to ensure the continuation of the roving billboard.

The opportunity presented to Council aligns with the Lachlan Shire Community Strategic Plan:

2.1 - A vibrant tourism industry and Action 2.1.1 of the Delivery Program: Promote specific towns in the Lachlan Shire as tourist destinations.

Council has shown its commitment to growing the tourism economy, through the construction of the Lachlan Shire Visitor Information Centre and Tourism precinct in Condobolin, the creation of a new tourism brand, tourism product development, and input into the new Central West NSW Destination Management Plan 2022-2030 that lists Lachlan Shire as a "true taste of rural Australia."

Should Council fund this initiative, this would be the first major promotional activity undertaken by Council using the new tourism branding.

FINANCIAL AND RESOURCE IMPLICATIONS

There are sufficient funds within Council's 2022/23 Tourism Promotions budget to support this request for \$3,680.00 in financial assistance to help promote tourism in Lake Cargelligo and the Lachlan Shire.

LEGAL IMPLICATIONS

There are no known legal implications. Any images that are used will be those which Council has the rights to display.

RISK IMPLICATIONS

Council's Delivery Program includes an action to "promote specific towns in the Lachlan Shire as tourist destinations." This initiative has been a long-standing promotional tool for Lake Cargelligo for over 15-plus years. There is a reputational risk for Council should it not support this request.

STAKEHOLDER CONSULTATION

Discussions have been held with individual members of the Lakes Alive Committee, Lower Lachlan Community Services and Lake Cargelligo Tourist Association to seek comment on the benefits of continuing the initiative. All feedback received has been positive.

OPTIONS

1. Support the project and provide the full amount of the requested contribution.
2. Support the project but vary the level of financial contribution.
3. Decline to support project and/or provide financial assistance to the project.

CONCLUSION

This initiative has been well supported by the Lake Cargelligo community in the past and continues to be a significant promotional tool for not only Lake Cargelligo but the Lachlan Shire. Council is requested to consider and determine the level of support if any for this initiative.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

Community Strategic Plan:

2.1 - A vibrant tourism industry

Delivery Program Action:

2.1.1 Promote specific towns in the Lachlan Shire as tourist destinations

ATTACHMENTS

Nil

9.3.4 TOTTENHAM WATER TOWER MURAL DESIGN**TRIM Number:** R23/67**Author:** Communications and Engagement Officer**RECOMMENDATION**

That:

1. The Director of Environment, Tourism and Economic Development Report No. R23/67 be received and noted.
2. Council resolve to engage Bastian Allfrey to paint Option A on the Tottenham water tower, provided that the Artist Agreement and Construction Management Plan have been submitted to Council and executed.
3. The Project Panel work with Bastian Allfrey to finalise design components of Option A.

PURPOSE

The purpose of the report is to seek Council's endorsement in relation to the engagement of the preferred artist for the Tottenham water tower mural, as selected by the community through an open voting process.

SUPPORTING INFORMATION

Nil

BACKGROUND

In recent years silo/water tower art has captured the imagination of travellers, with installations becoming a 'must see' in communities around Australia. Silo art trails are earning international recognition and Lachlan Shire is well placed to capitalise on this trend. Last year, the Tottenham community identified the tourism potential of the Tottenham water tower and embarked on a process to transform the tower into a piece of public art.

The mural concept was the brainchild of local residents Sue and Ben Nicholls and has gained widespread community support over the past 12 months.

To support the initiative Council committed funds in the current 2022/2023 Operational Budget for the art installation.

In late 2022, Council sought expressions of interest for the art installation and received a number of submissions. Following evaluation by the panel two (2) artists were selected to prepare design concepts.

On 28 February 2023, the project moved to the next stage with two (2) design concepts being released for public comment and voting.

The design concepts are included below:



ISSUES AND COMMENTS

Community feedback has been collated and during the consultation period a total of 739 votes were received.

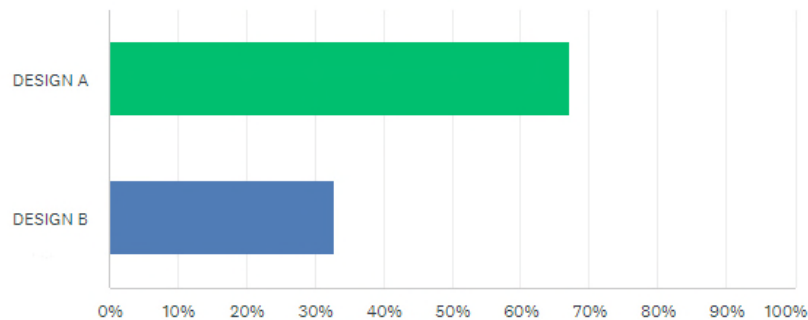
Option A: was the preferred design with 67.25% of the votes (497)

Option B: 32.75% of the votes (242)

171 respondents provided a feedback comment with their vote.

My preferred design is: (please tick your choice)

Answered: 739 Skipped: 0



ANSWER CHOICES	RESPONSES
DESIGN A	67.25% 497
DESIGN B	32.75% 242
Total Respondents: 739	

Graph sourced from Survey Monkey – Tottenham Water Tower Mural Survey

FINANCIAL AND RESOURCE IMPLICATIONS

Funds for this project have been included in the 2022/2023 Operational Budget, and both design concepts fall within the budget allocation.

LEGAL IMPLICATIONS

Lachlan Shire Council will manage the project in conjunction with the Project Panel.

Legal advice will be sought in the development the Artist Contract including the general terms of business to ensure a binding agreement is in place for the artwork.

To allow Council to utilise the artwork in ongoing marketing and tourism campaigns and merchandising, the artist will be required to sign a Copyright Licence and Moral Rights deed with Council as part of their contract.

To ensure that the works are carried out safely on Council’s land, it is recommended that the artist provide a construction management plan which details how the works will be carried out and how any impacts on the surrounding area will be minimised.

RISK IMPLICATIONS

There are legal risks identified above in the legal implications section, which can be satisfactorily addressed through the provision of an agreement between Lachlan Shire Council and the contracted artist.

There is also the potential for reputational risk to Council, should the preferred option not be approved.

STAKEHOLDER CONSULTATION

Consultation Timeline:

28 February	Public consultation commenced. Community engagement via Talking Tottenham, social and print media, website, flyers, posters, telephone discussions, paper-based and online survey, and Tottenham Picnic Races.
15 March	Voting closed
16 March	Survey results collated and report prepared for Council's endorsement.

The mural concept has generated considerable discussion in the Tottenham district over the past twelve months, with local residents Sue and Ben Nicholls actively driving the project.

Council has recently undertaken the community engagement phase of the project which included a voting process and an opportunity for the community to provide feedback on their preferred design.

Both online and hard copy voting options were rolled out, with a total of 739 votes received during the consultation period. Voting boxes were available at Foodworks, the Post Office, Bowling Club, Visitor Information Centre, Tottenham Hotel and Tottenham Central School.

Voting closed at 5:00pm on Wednesday 15 March 2023.

OPTIONS

1. Council provide final approval to engage Bastian Allfrey to paint Option A on the Tottenham water tower, provided that the Artist Agreement and Construction Management Plan have been submitted to Council and executed.
2. Decide not to endorse the preferred artist or option.

CONCLUSION

Lachlan Shire Council Tottenham Water Tower Mural panel presented two design concepts to the community on 28 February 2023. The community was asked to vote on their preferred option and offer feedback. At the close of voting, Council received an overwhelming response with 739 votes received, showing a strong preference for Option A.

It is recommended that Council resolve to engage Bastian Allfrey to paint Option A on the Tottenham water tower.

Once endorsed, the Project Panel will work with Mr Allfrey to finalise design components following consideration of community feedback.

Once complete the mural will enhance Tottenham's tourism product and will add to Lachlan Shire's art / mural trail offering.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

CSP No. 2.1	A vibrant tourism industry.
CSP No. 2.5	Improve the appearance of each town.
CSP No. 4.1	Involved and active community groups.
CSP No. 4.2	Strong effective and responsive Council.

ATTACHMENTS

Nil

9.4 INFRASTRUCTURE SERVICES**9.4.1 ROAD ENCROACHMENT ORANGE STREET, CONDOBOLIN****TRIM Number:** R23/62**Author:** Manager - Roads**RECOMMENDATION**

That:

1. The Director Infrastructure Services Report No. R23/62 be received and noted.
2. Council acquire part of Lot 3, Sec A, DP 16964 pursuant to section 177 of the Roads Act 1993 for the purpose of road widening at the intersection of Orange, Tasker and Fay Streets, Condobolin.
3. Council will acquire the Land by compulsory process pursuant to section 30 of the Land Acquisition (Just Terms Compensation) Act 1991.
4. Council instructs its solicitors to make application to the Minister of Local Government to approve the acquisition under the Land Acquisition (Just Terms Compensation) Act 1991.

PURPOSE

To consider the encroachment of Council's road assets, namely kerb and gutter and road formation, onto private land.

SUPPORTING INFORMATION

Letter from K I Lupis, Registered Surveyor

Letter from Moore and Co, Solicitors

BACKGROUND

Advice has recently been received from K I Lupis, Registered Surveyor that the kerb and gutter on the north-west corner of Orange and Tasker Streets, Condobolin encroach on private land. Advice has been sought from Council's solicitors on a way forward.



ISSUES AND COMMENTS

It is not known what discussion if any took place between Council and the landowner at the time the kerb and gutter was installed. Although the fact that the fence has been erected back from the boundary on a splay would indicate that, there was some previous awareness of the road encroachment. There is an obligation on Council to legalise the situation now that it is aware of the encroachment.

FINANCIAL AND RESOURCE IMPLICATIONS

There will be some cost to resolving this matter including legal fees, surveyor costs and land compensation, however the matter needs to be resolved. The cost of doing nothing could be greater in the future.

LEGAL IMPLICATIONS

As outlined in the letter from Moore & Co, Solicitors

RISK IMPLICATIONS

If this matter is not resolved, there is a risk that the landowner may take action to resume occupancy of the land. This could possibly result in a traffic hazard as the actual property boundary is on the road pavement.

STAKEHOLDER CONSULTATION

Council's solicitors

OPTIONS

There are three options to acquire the encroached land

1. Purchase land that is for private sale
2. Compulsory acquisition the land by agreement
3. Compulsory acquisition

The land is not being offered for private sale so option 1 is not a consideration at this stage. As the landowner, through their surveyor, has approached council, it seems likely that option 2 is the preferred option. Option 3 would only need to be perused if agreement cannot be reached.

CONCLUSION

The advice from Moore & Co be followed and that steps be taken to compulsorily acquire the land by agreement.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

CSP No. 3.1 Efficient transport networks that meet community and business needs.
Transport Asset Management Plan

ATTACHMENTS

1. **Orange, Tasker St, Condo letters**

10 DEPUTATIONS

11 NOTICES OF MOTION**11.1 NOTICE OF MOTION - REQUEST FOR FUNDING SUPPORT COMMUNITY WELCOME EVENTS****TRIM Number: R23/73**

I, Councillor Paul Phillips, give notice that at the next Ordinary Meeting of Council be held on 22 March 2023, I intend to move the following motion:-

MOTION

That:

1. Notice of Motion report no. R23/73 be received and noted.
2. Council provide two (2) donations of \$300 each to fund welcome to community events in Lake Cargelligo.
3. The funds be allocated from Council's General Donations Elected Members budget which has an available balance of \$14,603.

The following letter outlines the proposal and reasons for this request.

Greg Tory
 General Manager
 Lachlan Shire Council
 Condobolin NSW

16/03/2023

**Request from Lachlan Shire Council – Financial Support
 Welcome to community events x 2 @ \$300 per event.**

To Greg and LSC Councillors,

This request for financial support comes at a time where community are now finding ways to re-connect and return to face-to-face community contact.

There have recently been several community meetings held across Lake Cargelligo in the areas of business and shopping locally and health and education with a particular focus on attracting and retaining trained staff and welcoming of staff to familiarise, encourage to stay, shop, and play locally.

We have consistently heard from new residents that they would like the chance to connect socially with locals but aren't sure where to look or who to contact.

Recently at the small business month event held in Lake Cargelligo – new store proprietors noted that they were unaware of what was available locally – who were the right people to talk too in terms of purchasing, staffing, stock etc.

Also, conversations with MLHD – have also indicated the need to find ways to welcome staff on short term stays – invitations to community events, welcome packs to town, vouchers for activities and and/or access to calendars of events.

We are planning to host one community welcome event around Easter once the school term resumes and one later in the year.

Previously welcome to community was a funded activity by Lachlan Shire – however this has not occurred now for some years and given the feedback and community interest we would like the opportunity to deliver this locally and see how they are received.

With the LSC support – I would also be willing to match the funding provided by LSC personally if we are successful in your support.

This will be a council lead event – hosted by myself and staff interested.
 We appreciate your consideration of our request.

Regards,

Paul Phillips
 Deputy Mayor
 E-Ward Councillor



11.2 NOTICE OF MOTION - DEMENTIA AWARENESS DAY**TRIM Number: R23/74**

I, Councillor Paul Phillips, give notice that at the next Ordinary Meeting of Council be held on 22 March 2023, I intend to move the following motion:-

MOTION

That:

1. Notice of Motion Report No. R23/74 be received and noted.
2. Council provide a donation of \$300 toward the Dementia Awareness Day occurring on 1 April 2023 to help fund the cost of the fundraising event.
3. The funds be allocated from Council's General Donations Elected Members budget which has an available balance of \$14,603.

The following letter outlines the proposal and reasons for this request.

Greg Tory
General Manager
Lachlan Shire Council
Condobolin NSW

16/03/2023

**Request from Lachlan Shire Council – Financial Support
Dementia Awareness Day**

To Greg and LSC Councillors,

Request for support financially to support the Dementia Awareness Fundraising day occurring in Lake Cargelligo on the 1st April 2023.

The fundraising day is being organised by Lake Cargelligo Allcare as a follow up to David Batterham's original ride from Griffith to Goondiwindi in October 2023 – where he was unable to complete the final leg of his stop over – being the swim from Deadman's Point to the island and back.

David has requested to make the return and hold a fundraising evening to grow awareness of the impacts of Dementia.

The fundraising event to occur that evening is at the Bowling Club. We are seeking financial support of \$300 to go towards the cost of the fundraising night to meet David's expenses, meal costs, hosting costs.

I will also undertake to make a personal contribution to the efforts outlined above.

We look forward to your ongoing support.

Regards,

Paul Phillips
Deputy Mayor
E-Ward Councillor



Dementia Awareness Fundraiser – David Batterham returns to complete fundraising plans.

For those who follow along on the Allcare and dementia advocacy journey you may remember David came through in October 2022 when he was riding for Dementia Awareness from Griffith to Goodiwindi.

During that ride - he faced family losses, floods, intense rain and roadblocks - none of which stopped him from completing his journey. David had intended to complete a swim leg while in Lake, but the floods just made it impossible.

David is now returning on the 1st April to complete what he started.

He will have companion swimmers in locals Craig Baul and Brad Hart, Mr K at the helm of the support boat and island education and HnM Butchery cooking some of their finest for those chasing an early breaky. (EFTPOS available)

Following that - there will be a fundraiser at the Bowling Club - kicking off at 5.30 with entertainer Brian Allan as our MC.

Brian is a master of the ridiculous with a real knack for connecting with his audience. He's been entertaining in a range of venues over 25 years and has had a colourful life, being a drover, shearer, horseman, farmer, entertainer, artist and much more. Most recently he has been the owner of the Quirky Crow Gallery in Jugiong where he resides on the banks of the Murrumbidgee River.

A fun-filled evening is assured with Brian regaling humorous life experiences, coupled with verse and comical, animated antics. Come and join us for a memorable evening with lots of laughs.

For a bit of inspiration or motivation to jump on board or simply share your story with David come along to the swim and/or the fundraising evening.

We hope to see our community come out in support of Allcare, David and Dementia Awareness.

Cost for the evening will be \$40 – banquet and entertainment included.

Please rsvp by 28th March by contacting Laken on 0431615249



Brian Allan



David Batterham

12 NOTICES OF RESCISSION

Nil

13 DELEGATES REPORT

Nil

14 CORRESPONDENCE

Nil

15 QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

16 PETITIONS

Nil

17 CLOSED SESSION

RECOMMENDATION

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

17.1 Audit Engagement Plan for the financial year ended 30 June 2023

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 Tender T2023/03 - Murie Creek Culvert Installation

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.

17.3 ARIC Minutes - February 2023 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.

17.4 Condobolin Pool Leak Sealing

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 Condobolin Depot

This matter is considered to be confidential under Section 10A(2)c and g of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

17.6 50 Lachlan Street Condobolin - Offer to purchase

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.

17.7 Outstanding sundry debtor 21656

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

17.8 Tender Plant and Truck Hire - Additional Contractor

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.