

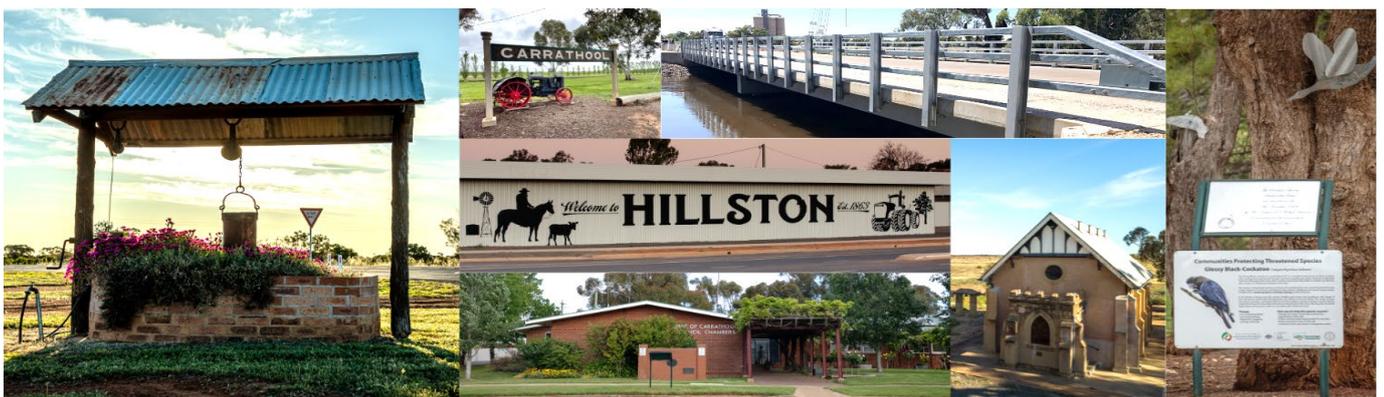


# ORDINARY MEETING AGENDA

## 20 September 2022

Hillston District Office  
139-145 High Street Hillston

---





**TABLE OF CONTENTS**

<b>1.</b>	<b>Present.....</b>	<b>5</b>
<b>2.</b>	<b>Apologies.....</b>	<b>5</b>
<b>3.</b>	<b>Declaration of Pecuniary and Conflicts of Interest .....</b>	<b>5</b>
<b>4.</b>	<b>Confirmation of the Previous Minutes .....</b>	<b>5</b>
	Ordinary Council Meeting 16 August 2022	5
<b>5.</b>	<b>Business Arising.....</b>	<b>5</b>
<b>6.</b>	<b>Motions &amp; Questions (notice given).....</b>	<b>5</b>
<b>7.</b>	<b>Presentations/Public Addresses (where scheduled).....</b>	<b>5</b>
<b>8.</b>	<b>Mayoral Report.....</b>	<b>7</b>
8.1	Mayors Report.....	7
<b>9.</b>	<b>Delegates Report.....</b>	<b>8</b>
<b>10.</b>	<b>General Managers Report.....</b>	<b>8</b>
10.1	Ongoing Action from Previous Business Papers .....	8
10.2	Precis of Correspondence .....	10
10.3	Internal Audit – Update.....	12
10.4	Fixing Country Roads –Round Six.....	13
10.5	Grant Projects – Update .....	15
10.6	General Manager Contracts .....	17
10.7	Electric Vehicle Charging Stations.....	18
10.8	Review of Local Government Rate Peg Methodology.....	20
10.9	General Road Conditions - Update.....	22
10.10	Infrastructure Report .....	24
10.11	Plant Report .....	31
10.12	Plant Replacement.....	32
10.13	Hillston Potable Water Supply – Snapshot .....	34
10.14	Development Applications August 2022 .....	39
10.15	Rezoning of Land in Rankins Springs and Merriwagga .....	40
10.16	Development Application 2023/003 – .....	42
	Use of Land to Install Four (4) Manufactured Dwellings .....	42
10.17	Development Application 2023/002 – .....	50
	Use of Land to Install Four (4) Manufactured Dwellings .....	50
10.18	Finance Report – Statement of Bank Balances – August 2022 .....	69
10.19	Finance Report – Investments Schedule – August 2022 .....	71
10.20	Draft Annual Financial Statements (AFS).....	75
10.21	Financial Assistance Grant.....	77
10.22	Outstanding Rates and Sundry Debtors .....	78
10.23	Delivery Plan Performance Report .....	80
10.24	Pecuniary Interest Returns Audit.....	83
10.25	NSW Treasury – Follow the Dollar Consultation.....	86
10.26	Transfer of Land to Council .....	89
10.27	Council’s 355 Committees.....	90
10.28	Economic Development Unit Report - September 2022 .....	92
<b>11.</b>	<b>Committee Reports .....</b>	<b>95</b>
<b>12.</b>	<b>Closed Council Reports.....</b>	<b>95</b>
12.1	Hillston Medical Centre - Status Update .....	95
12.2	General Manager Performance Review 2021-22.....	96
<b>13.</b>	<b>Next Meeting.....</b>	<b>97</b>

## Definitions

Author:	Officer who prepared the report
Purpose:	Brief reason for report
Attachment:	Document appended to report
Information Item:	Document provided as background information (not part of report)
Separately Circulated:	Document provided as background information (separate document/booklet)

---

## Council's Vision & Goals

### Motto

Council's Motto is:

***"Promoting our future through diversity"***

### Vision

Council's vision reflects what we are trying to achieve:

***"Carrathool Shire Council's VISION is to have a connected and thriving community enjoying active and fulfilling lives while protecting and appreciating our environment and unique way of life."***

The vision is the long term planning focus of council.

### Mission

Council's mission reflects what we will do to achieve the vision:

***"Council's MISSION is to provide the community of Carrathool Shire with cost effective works, services and planning."***

Council's mission is council's medium term planning focus.

### Values

We value:

- Honest, open, objective and accountable decision making;
- Our diverse communities;
- Responsiveness to community needs
- Open, fair and practical business relationships;
- Cost effective and commercially competitive service delivery, and
- Continuous improvement and best value in everything we do

**ORDINARY COUNCIL MEETING AGENDA**  
**OF THE CARRATHOOL SHIRE COUNCIL TO BE HELD**  
**AT THE HILLSTON DISTRICT OFFICE ON**  
**TUESDAY, 20 SEPTEMBER 2022 COMMENCING AT 10.00 AM**

---

***Recording of Meeting***

*This Council Meeting is being recorded. By speaking at the Council meeting you agree to being recorded. Please ensure that, if and when you speak at this meeting, you are respectful to others and use appropriate language at all times. Carrathool Shire Council accepts no liability for any defamatory or offensive remarks or gestures made during the course of this Council Meeting. A recording will be made for administrative purposes and will be available on Council's website.*

*Please ensure that mobile phones and other electronic devices are turned off or are in silent mode for the duration of the meeting.*

---

**1. Present**

**2. Apologies**

**3. Declaration of Pecuniary and Conflicts of Interest**

Section 451 of the *Local Government Act 1993* requires that if a councillor or member of a council or committee has a pecuniary interest in any matter before the council or committee, he/she must disclose the nature of the interest to the meeting as soon as practicable and must not be present at, or in sight of, the meeting, when the matter is being discussed, considered or voted on.

A pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of financial gain or loss (see sections 442 and 443 of the *Local Government Act 1993*).

A non-pecuniary interest can arise as a result of a private or personal interest which does not involve a financial gain or loss to the councillor or staff member (eg friendship, membership of an association, or involvement or interest in an activity). A councillor or staff member may elect to leave the Council Chambers during consideration of the matter.

**4. Confirmation of the Previous Minutes**

Ordinary Council Meeting 16 August 2022

**5. Business Arising**

**6. Motions & Questions (notice given)**

**7. Presentations/Public Addresses (where scheduled)**

### **Parts of the Meeting that can be Closed to the Public**

Section 10A of the *Local Government Act 1993* states that a Council, or a Committee of the Council of which all the members are Councillors, may close to the public so much of its meeting as comprises:

- a) The discussion of any of the matters listed below, or
- b) The receipt or discussion of any information so listed

#### Matters & Information

- (a) *Personnel Matters concerning particular individuals (other than Councillors).*
- (b) *Personal hardship of any resident or ratepayer.*
- (c) *Information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*
- (d) *Commercial information of a confidential nature that would, if disclosed:*
  - (i) *Prejudice the commercial position of the person who supplied it, or*
  - (ii) *Confer a commercial advantage on a competitor of the Council, or*
  - (iii) *Reveal a trade secret.*
- (e) *Information that would, if disclosed, prejudice the maintenance of law.*
- (f) *Matters affecting the security of the Council, Councillors, Council Staff or Council property.*
- (g) *Advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.*
- (h) *Information concerning the nature and location of a place or an item of aboriginal significance on community land.*
- (i) *Alleged contraventions of any code of conduct requirements applicable under section 440.*

A Council or Committee of the Council may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

A meeting is not to remain closed during the discussion of anything referred to in the above list except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret - unless the Council or Committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

The grounds on which part of the meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. The grounds must specify the relevant provision of Section 10A(2), the matter that is to be discussed during the closed part of the meeting, and the reasons why part of the meeting is being closed.

## 8. Mayoral Report

### 8.1 Mayors Report

GOV:MCCC:AGA

Author: Mayor Jardine

Purpose: To inform Council of the Mayor's activity since the meeting held 16 August 2022.

#### Background

During the past month several politicians have been contacted to provide assistance in obtaining grant funds that Council had been successful in with our submissions.

It would appear that the Hon Wes Fang MLC was able to expedite announcements for the Community Events Program to ensure the organisations were able to conduct the activities within the timeframes proposed to the state government – thank you to Wes for his assistance in this matter.

Our \$936,000 funding for Mt Grace gravel resheeting seems to be in jeopardy. Although notified of the success of the funding on 27 April all endeavours to obtain the formal letter of offer have not come to fruition. Advice from the Commonwealth Government is that the program is under review. Letters have been written to the relevant Ministers seeking clarification of status however to date no response has been received. I have contacted the Office of Senator Perin Davey and also the Hon David Littleproud to seek their assistance in this matter.

On Saturday 10 September I attended the fundraising event for the Hillston Swans Football and Netball Club. Unfortunately, the event was unable to be held at the oval due to the weather however Hillston Hall provided a satisfactory alternate venue. The dunking chair proved quite popular with the mayor the victim of several accurate throws seeing him enter the water numerous times.

Also brought to my attention was the was the concerns on Lachlan River Road where it appears there is a very poor design on the corner about 15 kilometres from town. With the rise in river at present this section of road has water across it and has been closed to traffic. I believe it would be appropriate for staff to provide a design and costing for Council to consider alleviating this issue in future years.

A final issue needing to be resolved is that of attendees at the Local Government Conference in Cessnock from Sunday 23 October to Tuesday 25 October. At present only the Mayor and General Manager are confirmed as attending, Council has another participant registered however needs a nomination. Cancellation of a registration will incur a \$250 administration fee however cancellation after 10 October will not have any refund of the \$989 charge.

#### Recommendation:

##### That Council:

1. **note the Mayors report to the September 2022 meeting.**
2. **that staff develop a design and cost to improve the corner on Lachlan River Road currently under water with a view to alleviating the problem in future road programs.**

**9. Delegates Report**

**10. General Managers Report**

**10.1 Ongoing Action from Previous Business Papers**

GOV:MCCC:CR

Author: General Manager

Purpose: To update Council on ongoing action from previous Business Papers

**Background**

**1045/20.08.19 – Hillston Common**

**Responsible Officer: GM**

<b>DECISION</b>	<b>ACTION TAKEN</b>
Council renegotiate with the Department of Industry regarding the water licence of 972ML currently held by the Hillston Common Trust, being transferred to Council should it resolve to become the land manager of the land under the <i>Crown Lands Act 2016</i> .	Contact made with Deputy Secretary Crown Lands and Local Government.  Followed up on 11 July 2022, the officer is not available until August.

**1547/16.02.21 – Lot Size Dwelling Entitlement**

**Responsible Officer: MBRS**

<b>DECISION</b>	<b>ACTION TAKEN</b>
Review LEP with a view to look at all land use zones and minimum lot sizes for all urban areas within the LGA this to be included in the 2021-2022 budget for Council consideration for funding.	Report this meeting.

**1848/ 19.10.21 – Economic Development Unit Report – October 2021**

**Responsible Officer: EDO**

<b>DECISION</b>	<b>ACTION TAKEN</b>
That the EDO investigate possible grant funding for research and publication of other historically significant sites throughout the Shire.	Pending Contact being made with historians in the Griffith Area

**0054/ 15.02.22 – Remote Roads Upgrade Pilot Program**

**Responsible Officer: ADIS**

<b>DECISION</b>	<b>ACTION TAKEN</b>
Nominate Mt Grace Rd gravel resheeting project under this program .	Advice from Dept. Infrastructure, Transport & Regional Development that due to change of government programs are being reviewed and advice will be forthcoming in the future.
Council fund the co-contribution of 20% (\$234,000) from roads reserve	Letter written to Minister for Regional Development, Local Government and Territories.2/8/22 Letter written to Minister for Infrastructure and Transport 6/9/22.

**0124/ 19.04.22 – Hillston Caravan Park – Stormwater Drainage Improvements**

**Responsible Officer: PPO**

<b>DECISION</b>	<b>ACTION TAKEN</b>
3. finance the stormwater drainage improvements of \$160,000 from the Hillston Caravan Park Reserve.	Application submitted to Crown Lands Improvement Fund 3 June 2022.

**0154/ 17.05.22 – Boorga Road – Drainage Proposal**

**Responsible Officer: ADIS**

<b>DECISION</b>	<b>ACTION TAKEN</b>
Prepare a written agreement/licence with the land holder in relation to the proposed works.	Landowner and Council in agreement.
The funding up to \$40,000 be from Council's roads reserve account.	Scheduled for October 2022

**0169/ 17.05.22 – Land Plane/Scraper Test**

**Responsible Officer: DIS**

<b>DECISION</b>	<b>ACTION TAKEN</b>
Council undertake a trial to determine the suitability to repair a section of Mossgiel Road using Cr Geoff Peters equipment.	Pending.

**0246/ 16.08.22 – Accounting Treatment Rural Fire Service Red Fleet**

**Responsible Officer: GM**

<b>DECISION</b>	<b>ACTION TAKEN</b>
Council write to various bodies regarding Red Fleet	Letters written to all requested parties.

**0252/ 16.08.22 – Fixing Local Roads Round Four**

**Responsible Officer: GM/ADIS**

<b>DECISION</b>	<b>ACTION TAKEN</b>
Council submit applications for gravel resheeting	Application submitted 2/9/22.

**Recommendation:**

**That Council note the update on action report for August 2022.**

**10.2      Precis of Correspondence**

GOV:MCCC:AGA

Author:    General Manager

Purpose:    Matters for consideration by Council

Information Items: 10.2.1 Rebecca Morio  
                           10.2.2 Adela Dean  
                           10.2.3 Hon. Dugald Saunders  
                           10.2.4 Dept of Regional NSW

**10.2.1    Rebecca Morio Letter of Thanks - Council Scholarship**

Thanking Council for the award of the scholarship towards her Bachelor of Nursing Course at Charles Sturt University.

Stating the Scholarship has relieved some financial burden allowing her to concentrate on her studies.

**Recommendation:**

**That Council note the letter of thanks from Rebecca Morio**

**10.2.2    Adela Dean Letter of Thanks - Council Scholarship**

Thanking Council for the award of the scholarship towards her final session in a Bachelor of Nursing Course at Charles Sturt University.

The Scholarship has contributed to travel, accommodation and textbooks allowing her to complete her studies. Adela hopes to return to the local area in the capacity of a Registered Nurse.

**Recommendation:**

**That Council note the letter of thanks from Adela Dean**

**10.2.3    Hon. Dugald Saunders MP – Minister Agriculture and Western NSW**

Informing Council of Local Government areas that fall within his portfolio as Member for Western NSW.

Further stating that he is an advocate for this area and welcoming contact with him or his Ministerial Adviser, Ben Walker.

**Recommendation:**

**That Council note the information provided by the Hon. Dugald Saunders MP regarding Western NSW portfolio.**

**10.2.4    Department of Regional NSW**

Informing Council of the resignation of Mr Garry Barnes as the Secretary of the Department of Regional NSW.

Further stating Ms Rebecca Fox is acting in the position and Mr James Bolton is Deputy Secretary, Regional Precincts.

**Recommendation:**

**That Council note the changes to the Department of Regional NSW personnel.**

**10.2.5 Local Government NSW – 7<sup>th</sup> Annual National Flying Fox Forum**

Informing Council that Local Government NSW (LGNSW) is sponsoring 20 places to the above event which is to be held at the Adelaide Zoo on 28 and 29 September 2022. The sponsorship is valued at \$250 and is available to NSW Councils with a limit of one placement per Council. Further information can be obtained from the LGNSW Flying-Fox Project Manager.

**Recommendation:**

**That Council:**

- 1. note the 7<sup>th</sup> Annual National Flying-Fox Forum to be conducted 28 and 29 September at Adelaide Zoo.**
- 2. determine if it wishes to apply for a \$250 sponsorship to attend the event.**

**10.2.6 Rankins Springs Preschool / Playgroup**

Informing Council that they have applied for funding to improve the playground at the hall to increase the bicycle path inside the fenced area and increase the size of the storage shed in the playground.

Further requesting Council remove a pine tree inside the playground that has split and is regarded as unsafe. Council staff have inspected the tree and believe this to be the situation. A quote has been obtained from a Griffith Tree Service of \$2,750 to undertake the removal.

**Recommendation:**

**That Council approve the removal of the tree and instruct staff to make arrangements for its removal at an anticipated cost of \$2,750 with funding provided from the town maintenance vote.**

**10.2.7 Broken Hill City Council – Office of Mayor**

Informing Council that Broken Hill City Council is considering withdrawing from membership of the NSW Government Local Government Association.

A copy of their minute 46899 (from meeting of 27 July 2022) has been provided to Council, along with information from the Mayor Cr Tom Kennedy as to the discussion regarding the decision of Council. This information is included in the business paper envelope for Council perusal.

**Recommendation:**

**That Council note the correspondence from Broken Hill City Council regarding membership of the Local Government Association of NSW.**

**10.3 Internal Audit – Update**

CM:AUD:OAC

Author: General Manager

Purpose: To inform Council of recent updates from the Office of Local Government (OLG) regarding Audit Risk Management and Improvement Committees.(ARIC)

Separately Circulated: OLG Circular 22-21 plus attachment.

**Background**

The Office of Local Government in Circular 22-21 has provided further information regarding the membership requirements for audit risk and improvement committees.

**Issues**

Council considered the draft guidelines at its meeting of September 2021. The guidelines at the time proposed prequalification for committee chairpersons and members. The need for prequalification under the NSW government scheme will be relaxed however the criteria is still quite onerous. It may also prove difficult for committee members to reach the standard contained within the guidelines. There is also a requirement for Councils to undertake criminal record and bankruptcy checks of ARIC chairs and members before appointment.

Councils will have to comply with the eligibility requirements for chairs and members by 1 July 2024. This has been brought forward from the original date of 1 July 2027. The OLG has also stated that the guidelines will be finalised soon and full compliance is required from 1 July 2024.

The circular and information on the new requirements is provided for Councils attention.

**Financial Implications**

Unknown at this stage however costs will be substantially increased to source members of the committee who meet eligibility criteria.

**Statutory Implications (Governance including Legal)**

Guidelines will be legislated to commence 1 July 2024.

**Policy Implications**

Nil

**Risk Implications**

Nil

**Community Strategic Plan**

Nil

**Recommendation:**

**That Council:**

1. note the eligibility requirements for ARIC chairs and members.
2. note the guidelines when finalised will operate from 1 July 2024.

**10.4 Fixing Country Roads –Round Six**

GS:PGM:GEN

Author: General Manager

Purpose: To inform Council of the opening of another round of Fixing Country Roads.

**Background**

Council has received advice that round six of Fixing Country Roads Program has opened and will close on 14 October 2022. There is no minimum or maximum funding amount, however Councils need to submit a priority for projects. The funding is contestable and Council will need to demonstrate a sound business case with a positive cost benefit ratio.

There are 93 eligible Councils who may contest the funding, and again there is a focus on freight efficiency and economic benefit.

**Issues**

At the April meeting of the roads committee, the following projects were identified as priority for funding should the opportunity arise during 2022/23 financial year.

<b>Project</b>	<b>Grant Funds \$</b>	<b>Council Cost \$</b>
Mossgiel Road construction 10km	2,000,000	500,000
The Springs Road construction 10km	2,000,000	500,000
Lachlan Valley Way construction 6km	1,200,000	310,500

The above projects include the grant funds and Council contributions added together for the project total.

Projects must be able to commence within 18 months of receipt of successful notification and must be finalised within 24 months of starting construction.

The following criteria will be used to evaluate submissions.

- 1) Access, Productivity and Safety 25%
- 2) Growth and Economic Benefit 25%
- 3) Strategic Management 25%
- 4) Deliverability and Affordability 25%

**Financial Implications**

Council budgeted for these works to be undertaken in the 2022/23 financial year. While no date has been provided for notification of outcomes of submissions Council is in a position to undertake its portion of the works this financial year.

**Statutory Implications (Governance including Legal)**

Nil

**Policy Implications**

Nil

**Risk Implications**

Council has the risk in hand regarding the obligation to meet the criteria of its own contribution expenditure.

**Community Strategic Plan**

Goal 2 – Accessible and Connected

**Recommendation:**

**That Council determine the priority of the projects identified in the 2022/2023 roads program budget for funding under the Fixing Country Roads Program.**

**10.5 Grant Projects – Update**

GS:PGM:GEN

Author: General Manager

Purpose: To keep Council apprised of outstanding grant funded projects.

**Background**

Council has been successful in obtaining substantial funding over the past few years for community infrastructure projects such as halls, pools, public amenities, footpaths and kerb and guttering.

**Issues**

There are often time lags between obtaining, funding and completion of projects, this has been exacerbated by difficulty in getting tradespeople or contractors for specialised work to comply with contractual obligations of the funding deed.

Stronger Country Community Funds - Round Three

All projects under this round have been completed and are in the process of being acquitted.

Project	Grant \$	Expenditure \$
Hillston Oval Scoreboard	197,231	187,323
Goolgowi Skatepark/Amenities	93,513	92,047
Goolgowi Recreation Ground Amenities	148,223	164,473
Hillston Community Hall Amenities	73,680	74,108

Stronger Country Community Funds - Round Four

Council was successful in obtaining funding for the following projects.

Project	Grant \$	Expenditure \$
Rankins Springs Pony Club	115,000	Not Commenced
Goolgowi Recreation Ground Amenities	260,000	Not Commenced
Hillston Pool Change Rooms	85,000	95% Completed

Local Roads and Community Infrastructure – Round Three

Project	Grant \$	Expenditure \$
Refurbish Hillston Water Tower	196,500	Complete
Vegetation – Yoolaroi Water	178,200	85% (Wet weather)
Lachlan River Road	1,300,000	To Commence October
Goolgowi Sewer Ponds	230,000	Contractor/Weather
Carrathool Drainage	60,000	85% Complete
Rankins Springs Sports Ground	200,000	Waiting contractor
Goolgowi Park Rehabilitation	230,000	75% Completed
High Street Footpath	214,000	Complete
Hillston Subdivision	304,722	10% Waiting contractor

Crown Lands Improvement Fund

Project	Grant \$	Expenditure \$
Hillston Caravan Park Drainage	160,000	Submitted

Boating Now Fund

Project	Grant \$	Expenditure \$
Hillston Boat Ramp	420,000	To next stage
Carrathool Boat Ramp	420,000	To next stage

**Financial Implications**

Most of the projects above do not require any contribution from Council. Occasionally lead times and approval lags do result in increases in costs. As in the past should this occur Council will be informed of anticipated additional expense.

**Statutory Implications (Governance including Legal)**

Nil

**Policy Implications**

Nil

**Risk Implications**

Council is on target to meet timeframes for completion of projects.

**Community Strategic Plan**

Goal 2 – Accessible and Connected

**Recommendation:**

**That Council note the status of the various projects currently being undertaken through various grant funded opportunities.**

**10.6 General Manager Contracts**

PER:EC:MCE

Author: General Manager

Purpose: To inform Council of the new requirements of the OLG in relation to the standard contract of employment for general managers.

**Background**

The Chief Executive of the Office Local Government (OLG) has approved a new standard contract for general managers under section 338 of the *Local Government Act 1993*.

The new contracts were developed in consultation with the industry and in response to an Independent Commission Against Corruption ICAC investigation of the former Canterbury City Council.

**Issues**

Under the Act, General Managers must be employed under the standard contract as approved by the CEO of the OLG.

When renewing a contract or appointing a new General Manager Council must use the new contract form. The new contract does not impact existing arrangements unless both parties agree to incorporate the new contract terms.

The OLG has also issued updated guidelines for the Appointment and Oversight of General Managers. Both documents are included with the business paper for Councillor information.

**Financial Implications**

Nil

**Statutory Implications (Governance including Legal)**

OLG Circular 22-25, New Standard Contracts of Employment for General Managers.

*Local Government Act 1993* s338 – Nature of Contracts for Senior Staff.

**Policy Implications**

Nil

**Risk Implications**

Nil

**Community Strategic Plan**

Nil

**Recommendation:**

**That Council note that the new form of contract must be used when engaging or renewing the contract for a general manager.**

**10.7 Electric Vehicle Charging Stations**

GS:PGM:GEN

Author: General Manager

Purpose: To provide Council with an update in regard to Electric Vehicle Charging Status.

**Background**

Council considered a report in June 2022 regarding Electric Vehicle Charging Stations. A further report was suggested as more information became available.

**Issues**

It is apparent from documentation available that the Electric Vehicle (EV) revolution is being fostered by the State and Federal Governments – unfortunately at this stage Councils are expected to co-fund charging stations to overcome range anxiety in areas where the other levels of government have no strategy in place to address short comings with electric vehicles.

As noted in the previous business paper report, costs for charging stations can be between \$6,600 and \$7,600 without installation, software to manage costing or upgrades to electrical supply infrastructure at the proposed charging station location. Under the current co-funding arrangements funding is available for 75% of the EV charger, 75% of the installation cost to a maximum of \$1,000 per charger and 50% of the software subscription for two years. No mention is made for any upgrade to distribution infrastructure costs should they be necessary.

Chargeworks has been contracted by the NSW government under the Sustainable Councils and Communities Program to assess sites for suitability of Electric Vehicle Charging Stations. The assessments are being co-ordinated by RAMJO at no cost to Council. The organisation will conduct;

- 1) Feasibility Assessments
- 2) Facilitate quotations from charging providers/electricians
- 3) Assist with any application support

Given the above and as there is no obligation I have proposed that Rankins Springs, Goolgowi and Hillston be considered for both feasibility and quotation for charging stations. Should the sites change if the program comes to fruition Council will still have a standard against which to gauge costs.

**Financial Implications**

For feasibility assessment and relevant quotations – no costs will be incurred by Council.

**Statutory Implications (Governance including Legal)**

Nil

**Policy Implications**

Nil

**Risk Implications**

Nil

**Community Strategic Plan**

A state government initiative.

**Recommendation:**

**That Council:**

- 1. note the status for Electric Vehicle Charging Stations.**
- 2. note the approximate costs and co-funding arrangements currently available for installation of charging stations.**
- 3. note that a feasibility study has been requested at Rankins Springs, Hillston and Goolgowi in relation to charging stations at no cost to Council.**

**10.8 Review of Local Government Rate Peg Methodology**

FM:REV:FAC

Author: General Manager

Purpose: To inform Council of the status of the review of rate pegging legislation in NSW

**Background**

Rate pegging was introduced into NSW in 1976/77, from that time Councils have been limited in the amount that rates may be increased without going through a costly rate variation submission. The amount of the allowable increase under the legislation is generally less than the Consumer Price Index (CPI) which has had the effect of a forced efficiency impost on Councils as they adjust costs and services to keep budgets within the limitation of allowable funds sourced from rates.

The Independent Pricing and Regulatory Tribunal of NSW (IPART) have set the amount of the rate peg in NSW since 2010 and the allowable increase for the current financial year demonstrates the ineptness of this method with over 80% of Councils applying for a special rate variation to meet operational expenses.

Following from the angst created this year the Minister for Local Government has requested IPART to review the local government rate peg methodology including the Local Government Cost Index.

**Issues**

The following are key dates for the review of the methodology:

27 September 2022	Issues Paper released
November 2022	Workshops conducted
February 2023	Draft Report provided
March 2023	Public Hearings held
18 May 2023	Final Report provided

Any changes to the methodology arising from this report would apply from 2024/2025.

Specifically the Minister has requested IPART to:

1. investigate possible approaches to set the rate peg methodology to ensure it is reflective of inflation and costs of providing local government goods and services;
2. investigate possible approaches to stabilising volatility in the rate peg, and options for better capturing more timely changes in both Councils' costs and inflation movements;
3. alternate data sources to measure changes in Councils' costs;
4. options for capturing external changes, outside of Councils' control, which are reflected in Councils' costs;
5. the effectiveness of the current LGCI approach;
6. whether the population growth factor is achieving its intended purpose.

In undertaking the review, IPART should regard:

- The Government's commitment to protect ratepayers from excessive rate increases and to independently set a rate peg that is reflective of inflation and cost and enabling financial sustainability for Councils.
- The differing needs and circumstances of Councils and communities in metropolitan, regional and rural areas of the State.
- Ensuring the rate peg is simple to understand and administer.

**Financial Implications**

Nil

**Statutory Implications (Governance including Legal)**

Nil

**Policy Implications**

Nil

**Risk Implications**

Nil

**Community Strategic Plan**

Nil

**Recommendation:**

**That Council note the review of the Rate Pegging Methodology to be conducted by The Independent Pricing and Regulatory Tribunal of NSW (IPART) and associated milestones leading to the final report in May 2023.**

**10.9 General Road Conditions - Update**

RDS:IR

Author: General Manager

Purpose: To inform Council of issues with unsealed roads at the present time.

**Background**

Rain events over the past 12 months have resulted in many unsealed becoming increasingly impassable and subject to continual rework due to damage caused by heavy traffic using roads when wet. At present many roads and surrounding paddocks are saturated with water inundation.

**Issues**

Councillors will be aware of many damaged roads first hand and from ratepayers by way of complaint or conversation. Without doubt one of the worst areas of the Shire is the southern end around Rankins Springs and Pinteebakana road areas as well as natural surface roads. Many of these roads have over time been graded lower than the surrounding land resulting in a watercourse where water drains from surrounding land to the road and does not drain away with water starting to continuously pond across some roads for considerable time.

Over the past few months considerable angst has been felt by the producers in the above area in not being able to get produce off the farm. Unfortunately without a massive injection of funds, or a change in the weather conditions there would appear no immediate solution.

Included in the business paper envelope is an email from Mr Michael Pfitzner including photographs of the issues relevant to the roads surrounding his property. Council staff have been in this area recently however there is no drainage and some of these roads and others are simply too wet to grade. At the meeting there will be available photographs of many wet and ponded roads made available to Council.

The following measures have also been commenced by Council to address the surface of several of these roads.

Resilience NSW

18 August 2022 an application for \$500,000 natural disaster relief to address concerns with the following roads:

Jennings Road	\$108,000
Boorga Road	\$136,000
Ryans Road	\$40,000
Andersons Lane	\$36,000
Johnstons Road	\$36,000
Eight Mile Tank Road	\$36,000
Pinteebakana Road	\$72,000
Whitton Stock Route	\$36,000

Council will be aware that the criteria for these roads under this programme is to replace road damage to the condition it was prior to the event occurring. There is no provision to “make good” or remove the problem that is causing the road damage each time such an event happens.

Fixing Country Roads

Under the fixing local roads program Council has submitted an application for \$2,475,415 to address many of our local road issues across the shire. Relevant roads in this southern area of concern are:

Dumossa Road	\$88,750
Ryans Road	\$35,000
Johnstons Road	\$35,000
Boorga Road	\$106,000

Andersons Lane	\$35,000
Pinteebekana Road	\$142,000
	<b>\$441,750</b>

### 2022/2023 Roads Program

In the roads program this year Council allocated \$259,000 to address issues on five local roads which included Johnstons Road, Boorga Road, Back Hillston Road. This allocation has been identified as Councils contribution to the Fixing Local Roads submission in order to present a more favourable application. It does however still remain earmarked for the roads identified by Council under the 2022/23 roads program.

### **Financial Implications**

In producing cost estimates for resheeting of local roads Council staff calculated an average of \$36,000 a kilometre for a 75mm resheet. Conversations with some ratepayers in the affected area suggest they would like to see some of the roads raised by 300mm to 450mm to put them higher than the ponding water. Based on a compaction rate where material compacts to about 50% to increase a road surface by 300mm will require twice the material unless it can be won from the current roadside. Therefore a 100 metre length of raised road would cost somewhere in the vicinity of a maximum \$28,000.

### **Statutory Implications (Governance including Legal)**

Nil

### **Policy Implications**

Council does have a policy (157) regarding the level of Road Service the current extreme conditions do not allow a level of service to be provided at all times.

### **Risk Implications**

There is a risk to procedures in these areas that should the wet weather continue harvest and transport of produce could be delayed or not occur.

### **Community Strategic Plan**

Goal 4 – Reliable and Relevant Services

### **Recommendation:**

**That Council note the condition of unsealed local roads and the impact the unseasonable wet weather is having on roads and on the activity of local producers in the areas of concern.**

**10.10 Infrastructure Report**

RD:IR

Author: Director Infrastructure Services

Purpose: To Summarise Infrastructure Services Activities for August 2022

Attachment: Register of Roads Maintenance

**Background****Reporting Period 23 July 2022 to 2 September 2022**

The Infrastructure Report is provided for Council's information.

**Maintenance Reporting****Local Roads**

A summary of the capital works and maintenance activities on Council Local Roads is listed below:

Gravel Resheeting (m <sup>2</sup> )		Spraying/Slashing (hectares)		Maintenance Grading (cl kms)	
Arcadia Lane	5	Black Stump Road	9	Andersons Lane	8.2
Ryans Road	20	Cahills Road	24	Billings Road	6.7
<b>TOTAL</b>	<b>25</b>	Carrathool Road	34.6	Blackgate Road	2.5
<b>Guide Post (each)</b>		Erigolia Road	35	Booligal Road	15.2
Booligal Road	10	Lachlan River Road	12.8	Boorga Road	6.6
Carnells Road	4	Melbergen Road	12	Bunda North Road	3.5
Erigolia Road	5	Mitchells Road	1	Burchers Road	0.5
Euratha Road	4	Pintebakana Road	4	Camerons Road	8.5
Melbergen Road	25	Roto Road	24	Dumossa Road	17
Mitchells Road	12	Vaggs Road	5.6	Five Oaks Road	12.5
Murrumbidgee River Road	1	Moore Street	3	Merri Road	2
Reids Road	2	Cowper Street	0.01	Heaths Road	2
Roto Road	8	<b>TOTAL</b>	<b>165.01</b>	Holdens Road	4.6
Wollarma Road	3	<b>Replace Signs (each)</b>		Johnstons Road	4.8
<b>TOTAL</b>	<b>74</b>	Andersons Lane	3	Langtree Road	18.4
<b>Inspect Local Roads (each)</b>		Bakers Road	1	Lowlands Road	10
Barrys Scenic Drive	1	Coombie Road	6	McKays Road	6.5
Burchers Road	1	Grieves Road	1	McMasters Road	9
Pleasant Valley Road	1	Mallee Downs Road	1	Merungle Road	20
Roto Road	1	McMasters Road	2	Mitchells Road	18.5
The Bluff Road	1	Merungle Road	4	Motts Road	4
<b>TOTAL</b>	<b>5</b>	Mount Daylight Road	1	Peters Road	15.5
<b>Litter &amp; Amenity Maintenance (job)</b>		Murrumbidgee River Road	2	Pintebakana Road	4
Munros Road	5	Roto Road	1	Pulletop Road	1.5
<b>TOTAL</b>	<b>5</b>	Weavers Road	2	Roto Road	16.5
<b>Servicing Signs (each)</b>		Woods Road	1	Sloans Road	7.7
Back Hillston Road	5	Burns Street	2	Taylor's Road	5.5
Langtree Road	1	<b>TOTAL</b>	<b>27</b>	Whealbah Road	31
Merungle Road	2	<b>Temporary Pavement Repair (m<sup>2</sup>)</b>		Wollarma Road	2
Wallanthery Road	3	Back Hillston Road	22	<b>TOTAL</b>	<b>264.7</b>
Weavers Road	2	Cahills Road	25	<b>Gutter Cleaning (job)</b>	
Whitton Stock Route	6	Melbergen Road	121	Cobram Street	1

Cobram Street	3	Roto Road	135	<b>TOTAL</b>	<b>1</b>
Devon Street	1	Combo Street	8		
<b>TOTAL</b>	<b>23</b>	Napier Street	10		
		Penny Street	20		
		Grattan Street	15		
		Milton Street	8		
		Molesworth Street	25		
		Rose Street	80		
		Hillston Aerodrome	195		
		<b>TOTAL</b>	<b>664</b>		

### **Regional Roads**

A summary of the capital works and maintenance activities on Council Regional Roads is listed below.

Description	244R Tabbita Lane	321R Rankins Springs Rd	368R The Springs Rd	501R Lachlan Valley Way	80R Mossgiel Rd	371R Lake Cargelligo Rd
Temporary Pavement Repair (m <sup>2</sup> )	138		30	147	28	
Mowing and Slashing (hect)	32	24	21.96	12.4		
Litter and Amenity Maintenance (job)				6		
Servicing Signs (each)				2	16	
Replace Signs (each)			3	2		
Guideposts (each)		17	72	38	6	6
Stock Grid Maintenance (each)					20	
Inspections (each)					5	

### **TfNSW Road Maintenance Council Contract**

A list of general maintenance activities in line with the requirements of the contract is detailed below.

Code	Description	Unit	Accomplishment
A-312	Trim Tree Branches	each	1
A-322	Weed Spraying	m <sup>2</sup>	187,000
A-428	Service Rest Area	each	30
C-111	Safety Inspection	km	643.50
C-201	Repair Pothole	m	58
C-202	Repair Pavement Edge	m	260
C-203	Repair Wearing Surface	m <sup>2</sup>	55
C-204	Minor Pavement Patching	m <sup>2</sup>	2564
C-611	Guideposts	each	22
C-614	Reinstate Sign	each	7
S-272	Sweep Road Pavement	km	21.78

### **Urban Maintenance**

Parks and Garden Maintenance ongoing as required and as permitted due to wet weather. Aerodrome Inspections have been completed.

The following table represents the total man hours spent on each of the listed activities in each town.

Description	Activity	Carrathool	Goolgowi	Hillston	Merriwagga	Rankins Springs	Total Hours per Activity
Patching	1110/ 1150		7	25		13	
Footbridge Maintenance	1200						
Drainage & S/Water	1510						
Sign Maintenance	1610		17	10.50	1	4	
Sign Replacement	1620			12.50			
Resealing	4000						
Mowing	5100	3	102.50	30.50	10.50	98	
Slashing	5200	29.25	1	69.50		23	
Spraying	5300	5	12.50	101.50		5	
Tree Maintenance	5400	12.50	82	87	2	54.50	
Tree Removal	5410			2			
Watering	5500		14	52.50		1.50	
Weeding	5600	12.25	20.50	91.50		14	
Mowing – Stan Peters Oval	5710						
Slashing – Stan Peters Oval	5720						
Spraying – Stan Peters Oval	5730						
Watering – Stan Peters Oval	5740						
Weeding – Stan Peters Oval	5750						
Playground Equipment	5800			11	13		
Litter Collection	6100	1	24.50	21	13	28	
Street Sweeper	6200			52.50			
Hand Broom Gutters	6300		6.50	4			
Toilets	6400	3	23.50	44	17	1.50	
Footpath Maintenance	7100		4	5			
Clear Culverts	7100			57			
Street Maintenance	7200					17.50	
Miscellaneous Items	7500						
Playground Inspection	7510						
Office	7520						
Town Improvements	7530			2.50			
Graffiti Removal	7540						
Park Furniture/Fences	7540			31		8	
<b>Total Hours per Town</b>		<b>66</b>	<b>315</b>	<b>710.50</b>	<b>56.50</b>	<b>268</b>	<b>1416</b>
<b>Town % of Total Hours</b>		<b>4.66%</b>	<b>22.25%</b>	<b>50.18%</b>	<b>3.99%</b>	<b>18.93%</b>	

**Sewer Maintenance**

Description	Service Line Chokes	Mainline Chokes	Overflows	Pressure System Fault	Pump Station Fault	Screen Unit Faults
Hillston	3	1			2	
Goolgowi						
Rankins Springs Sullage						
<b>Totals</b>	<b>3</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>0</b>

**Water Maintenance**

Description	Mainline Breaks	Service line Breaks	Water Meter/Tap Leaking	Pump Station Faults	Telemetry Faults
Hillston	3	1	2	2	1
Langtree (Langtree Bore/Merriwagga/Goolgowi)			2		1
Yoolaroi/Goolgowi Rural (Palmyra to Y4 & Y5/Y6)	3			1	1
Bunda/Goorawin				1	1
Carrathool			1	1	
Merriwagga Village			2		
Goolgowi Village Raw	1				
Goolgowi Village Potable	1				
Rankins Springs Potable					
Rankins Springs Raw Town					
Rankins Springs Rural					
Melbergen					
<b>Total</b>	<b>8</b>	<b>1</b>	<b>7</b>	<b>5</b>	<b>4</b>

**Project Updates:****Carrathool Road Update**

Sealing operations will resume on 27,28 & 29 September 2022 for remainder 7.677km. Remaining works will consist of drainage works and installation of roadside furniture.

**The Springs Road MR368 Update**

Sealing operations will begin on 26 September 2022 for 2km.

**Water Mains Replacement**

Council has completed and commissioned 2.5km of water mains on Bunda Road and 1.5km on Mid-western Hwy on Rankins springs rural scheme under council's adopted capital works program for 2022-23.

**Water Tanks Re-lining**

Aqualine Coatings completed work to seal badly leaking three concrete tanks on the Whitton-Stock route under the 2022-23 capital works program.

**Generator Replacement Hillston (Bore-2)**

The council received the delivery of a new generator for the Bore-2 site from Cummins. This work has been delayed from last year due to supply and delivery issues. Generator installation and commissioning work will commence in the coming days.

**Issues**

Nil

**Financial Implications**

Nil

**Statutory Implications (Governance including Legal)**

Nil

**Policy Implications**

Nil

**Risk Implications**

Nil

**Community Strategic Plan**

Goal 2 – Accessible and Connected  
Goal 4 – Reliable and Relevant Services

**Recommendation:**

**That Council note the Infrastructure Report for August 2022.**

ATTACHMENT

**Register of Local Road Maintenance**

Road Hierarchy Number	Road Name	Road No.	Date Last Maintenance Grading Carried Out	Quantity (cl km)						
2	Alexanders Road	102	16/09/2020	3.00		6	Flanagans Lane	148	26/08/2021	5.30
	Alpens Lane	131	NIL	0.00		2	Foys Road	149	17/08/2021	2.00
6	Altys Road	103	10/12/2020	1.90		7	Gandys Road	150	3/06/2021	1.30
6	Andersons Lane	105	25/08/2022	8.20		2	Garrong Road	151	23/06/2021	5.00
6	Andersons Road	104	8/09/2020	1.50		7	Girdlers Road	153	14/07/2022	18.00
7	Arcadia Lane	106	16/09/2021	8.50		6	Goorawin East Road	154	5/07/2022	9.00
6	Audrey Lea Road	107	22/08/2019	22.60		6	Goorawin Road	155	19/02/2021	8.00
6	Avondale Road	108	3/08/2020	4.00		5	Greenhills Road	156	15/06/2020	24.00
2	Back Hillston Road	109	13/07/2022	19.00		6	Grieves Road	157	18/02/2022	22.30
4	Bakers Road	110	6/08/2021	4.40		2	Gullifers Road	158	21/02/2022	2.30
	Bales Avenue	101	23/10/2019	4.00		7	Gunbar Road	159	13/07/2021	8.00
2	Bandys Road	204	4/08/2021	1.40		7	Halcyon Park Road	160	9/03/2022	3.00
6	Barrys Road	112	14/12/2021	3.00		6	Heaths Road	161	24/08/2022	2.00
4	Barrys Scenic Drive	113	13/01/2022	8.10		5	Higgins Lane	162	22/01/2021	16.60
7	Belaley Road	114	20/03/2019	3.58		6	Hillmans Lane	163	16/02/2022	5.50
7	Berangerine Road	115	15/01/2018	1.00		6	Holdens Road	164	26/07/2022	4.60
4	Billings Road	116	17/08/2022	6.70		6	Huxleys Road	165	15/07/2020	8.50
3	Black Stump Road	118	19/10/2021	35.00		2	Ilkadoon Road	166	27/01/2022	3.40
6	Blackgate Road	117	2/09/2022	2.50		6	Jardines Road	167	15/02/2022	5.00
3	Booligal Road	119	10/08/2022	15.20		6	Jennings Road	168	23/03/2022	3.70
4	Boorga Road	120	9/08/2022	6.60		6	Johnstons Road	169	28/07/2022	4.80
	Bradys Road	121	SEALED			5	Jones Road	170	24/03/2022	12.00
7	Bretags Road	122	11/05/2022	1.00		6	Killara Road	171	30/09/2020	6.12
7	Brewer Road	123	25/06/2022	3.00		6	Kites Road	172	29/06/2021	6.20
3	Bringagee Road	124	SEALED	0.00		2	Lachlan River Road	173	2/05/2022	0.80
6	Bunda North Road	125	1/08/2022	3.50		2	Langtree Road	174	11/08/2022	18.40
2	Bunda Road	126	30/06/2022	9.50		2	Lowlands Road	175	2/09/2022	10.00
6	Burchers Road	127	1/09/2022	0.50		6	Luelfs Road	176	15/10/2021	9.86
7	Burgess Lane	128	22/07/2020	3.00		2	Mallee Downs Road	177	14/07/2022	9.50
2	Cahills Road	129	SEALED			7	Mallee Point Road	178	23/11/2017	1.50
3	Cameron Road	130	2/09/2022	8.50		6	Matakana Road	179	3/12/2020	10.90
7	Campbell Lane	240	2/09/2021	0.80		2	McDonalds Road	180	20/07/2022	14.50
6	Cannards Road	133	3/11/2021	2.30		7	McGills Road	181	31/01/2022	4.00
6	Carnells Road	132	20/07/2021	4.50		7	McKays Road	182	3/08/2022	6.50
2	Carrathool Road	134	10/05/2021	27.00			McKenzies Lane	183	8/06/2021	1.00
7	Carrego Lane	135	22/07/2019	9.00		2	McKinley Road	184	5/07/2022	6.10
	Chedburgh Road	136	12/10/2020	1.08		2	McMasters Road	185	18/08/2022	9.00
6	Clare Road	111	6/08/2020	2.00		7	McRaes Road	186	24/01/2018	4.00
7	Coates Lane	137	29/09/2020	1.40		2	Melbergen Road	187	18/03/2022	1.00
6	Coombie Road	138	13/09/2021	16.00		6	Mena Road	266	20/03/2012	1.00
2	Crows Nest Road	139	13/07/2021	17.40		6	Merri Road	152	24/08/2022	2.00
5	Darts Road	140	25/09/2019	13.14		5	Merriwagga Road	190	4/11/2019	2.50
6	Dirrung Road	141	22/07/2022	10.00		4	Merrondale Lane	188	23/06/2022	6.00
6	Dumossa Road	142	2/09/2022	17.00		6	Merungi Road	191	19/07/2022	15.10
6	Eight Mile Tank Road	143	31/08/2021	6.80		2	Merungle Road	192	8/08/2022	20.00
2	Erigolia Road	144	SEALED			7	Mitchell Track	189	23/11/2017	4.50
6	Euratha Road	146	25/08/2021	15.80		2	Mitchells Road	193	22/08/2022	18.50
						6	Monia Gap Road	202	30/06/2022	1.00
6	Nancarrow Lane	203	6/07/2022	23.00		7	Moores Road	195	19/08/2019	1.00
	Norwood Lane	205	14/07/2022	2.70		2	Motts Road	196	26/07/2022	4.00
6	OBriens Road	206	29/09/2020	7.10		4	Mount Bingar Road	197	20/10/2020	9.50
7	ODonnells Road	207	20/03/2018	4.00		3	Mount Daylight Road	198	24/06/2022	37.00
6	OKeeffes Road	208	16/09/2021	7.50		5	Mount Grace Road	145	25/05/2022	35.00
7	Old Gunbar Road	209	25/07/2019	9.50		7	Muirheads Road	199	4/02/2021	4.00
2	Parkers Road	210	25/01/2022	4.50		4	Munros Road	200	21/03/2022	7.00
3	Parrs Road	211	15/06/2022	17.70		3	Murrumbidgee River Roa	201	SEALED	
6	Parslows Road	212	3/08/2021	3.30		7	Ravenshaw Road	220	NIL	0.00
7	Parsons Road	213	12/01/2018	1.20		5	Redbank Road	221	23/06/2022	23.10
7	Paton Road	214	9/09/2021	1.80		6	Reids Road	222	25/08/2021	8.50
2	Peters Road	215	2/09/2022	15.50		6	Richards Road	223	6/10/2021	8.00
3	Pinteebakana Road	216	2/08/2022	4.00		7	Roberts Road	224	14/02/2022	3.00
6	Pleasant Valley Road	217	4/02/2022	7.40		PRV	Rothdene Lane	242	30/06/2019	0.50
5	Prestage Road	218	22/03/2022	1.00		2	Roto Road	225	18/08/2022	16.50
7	Pulletop Road	219	24/08/2022	1.50		6	Ryans Road	226	10/03/2022	3.80



**10.11 Plant Report**

PES:MAIN:PSR

Author: Manager Fleet & Town Services

Purpose: Plant Report as per 7 September 2022

**Background**

PLANT NO	HOURS KMS	TYPE	DETAILS
3528	3,450 hrs	Cat Motor Grader	Adjust circle and drawbar ball socket.
4531	11 yrs old 3096 hrs	Multipac Padfoot Roller	Manufacture new drum scraper bar.
2592	3 yrs old	Tri Star Side Tipper	Replace brake caliper bushes on RH front and middle axle. Replace all disc brake pads.
2052	8,472 hrs	Iveco Garbage Truck	Replace rear suspension air bags and height control unit. Replace seals in bin slide ram.
3527	4,826 hrs	Cat Motor Grader	Replace seals in RH side blade lift ram.
4535	8 yrs old	Combination Roller	Replace axle and bearings on RH front of Roller.
2072	58,577 kms	Paveliner Truck	Weld cracks in hopper frame (temporary repair) (Warranty) Replace hydraulic hose.
3525	6,425 hrs	Cat Motor Grader	Replace RH door windscreen wiper motor.

**Issues**

Nil

**Financial implications**

Repairs made from existing budget.

**Statutory implications (Governance including Legal)**

Nil

**Policy implications**

Nil

**Risk implications**

If repairs are not made safety issues would remain.

**Community Strategic Plan**

Nil

**Recommendation:**

**That Council note the Plant Report as at 7 September 2022.**

**10.12 Plant Replacement**

PES:AD:CRRPD

Author: Manager Fleet & Town Services

Purpose: Plant Replacement Report for August 2022

**Background**

The following vehicles were replaced during August as per the adopted replacement schedule for 2022/2023.

**Plant No. 1581 Toyota Hilux 4x2 petrol single cab utility (55,000km) – Town Maintenance Vehicle**

Budget \$2,681.92 under 2022/23 budget estimates.

		Amount \$ (excl GST)
<b>Successful Supply</b>		
Leo Franco Motors	Isuzu 4x2 Single Cab Diesel Auto	31,219.18
<b>Successful Purchase</b>		
Valley Motor Auctions	47 Munibung Road, Cardiff NSW 2285	25,719.10
<b>Changeover cost (after GST adjustment)</b>		<b>5,500.08</b>

**Plant No. 1866 Ford Ranger 4x4 Dual Cab (45,000km) – Overseers Vehicle.**

Budget \$6,355.27 under 2022/23 budget estimates

		Amount \$ (excl GST)
<b>Successful Supply</b>		
Leo Franco Motors	Isuzu 4x4 Dual Cab Tray Back	46,327.00
<b>Successful Purchase</b>		
M & J Spencer	27 Robrick Close, Griffith NSW 2680	44,137.27
<b>Changeover cost (after GST adjustment)</b>		<b>2,190.00</b>

**Plant No. 1329 Toyota Camry Hybrid Sedan (56,000km) 2 yrs old – Director Corporate & Community Services Vehicle**

Budget \$10,443.23 under 2022/23 budget estimates.

		Amount \$ (excl GST)
<b>Successful Supply</b>		
Owen Toyota	Toyota Camry Ascent Hybrid Sedan	27,730.50
<b>Successful Purchase</b>		
Valley Motor Auctions	47 Munibung Road, Cardiff NSW 2285	32,082.73
<b>Changeover cost (after GST adjustment)</b>		<b>(4,352.27)</b>

**Plant No. 1338 Toyota Camry Hybrid Sedan (65,000km) – General Managers Vehicle**

Budget \$10,338.41 under 2022/23 budget estimates.

		Amount \$ (excl GST)
<b>Successful Supply</b>		
Owen Toyota	Toyota Camry Ascent Hybrid Sedan	28,744.41
<b>Successful Purchase</b>		
Valley Motor Auctions	47 Munibung Road, Cardiff NSW 2285	32,991.82
<b>Changeover cost (after GST adjustment)</b>		<b>(4,247.82)</b>

**Plant No. 1577 Ford Ranger 4x2 Diesel Dual Cab Utility (66,000km) 2 yrs old – Goolgowi Works Crew Vehicle**

Budget \$4,391.40 under 2022/23 budget estimates.

		<b>Amount \$ (excl GST)</b>
<b>Successful Supply</b>		
Lanham Ford	Ford Ranger 4x2 Dual Cab Diesel Auto	37,208.87
<b>Successful Purchase</b>		
Blacklocks Motors	Lavington Road Albury	29,327.27
<b>Changeover cost (after GST adjustment)</b>		<b>7,881.60</b>

**Issues**

Nil

**Financial implications**

Nil

**Statutory implications (Governance including Legal)**

Nil

**Policy implications**

Nil

**Risk implications**

Nil

**Community Strategic Plan**

Nil

**Recommendation:**

**That Council receive the Plant Replacement report for August 2022.**

**10.13 Hillston Potable Water Supply – Snapshot**

WS:RAR

Author: Manager Water and Sewer

Purpose: To provide Council with information regarding the Hillston Potable Water Supply.

Attachment: Hillston Water Boundary, Schematic Supply Flow Chart.

**Background**

Council during the budget process requested information be brought back regarding the various water and sewer schemes operated by Council. This report is the first and will allow Council to determine if the information is relevant or other detail is needed.

**Issues**

The Hillston Water Supply commenced in 1937, and the supply was from the Lachlan River. Over time the supply source became bores and the current scheme is serviced by two bores, one located on Lachlan River Road, and the other on Boundary Road adjacent to the aerodrome, known as Bore 2 and Bore 4 respectively.

Water from the bores passes through an aeration system to reduce iron contamination and is also dosed with a chlorination treatment to meet NSW Health Drinking Water Guidelines. A schematic is provided with this report detailing these processes.

The Hillston Water Scheme consists of:

- 23 kilometres of pipe, 100mm to 200mm.
- 1,000 ML High Security Water Entitlement
- 627 Water Meter Connections
- 2 Operational Bores
- A One ML Storage Tower
- 4 other storage tanks with 392KL capacity
- 2 Aerators
- 2 Chlorine Disinfection Units

Visual and camera inspections were carried out in 2020/21 financial year and overall assets are considered satisfactory and fit for purpose.

5 - 10year concerns

- There are ongoing water pressure concerns, these are being addressed – part of the problem is the pressure limit on some pipe installed in earlier years, and head pressure that could be obtained from the tower prior to resealing.
- Inferior quality PVC pipes and ground movement causing breakage and subsequent leaks.
- Inadequate overall water storage capability should issues occur at pump stations.
- Discussion needs to be held following the IWMC plans being completed to ensure drought resilience.

2022/2023 Financial Year

The current year capital projects are \$390,000. The following assets are programmed to commence this year:

Mains Replacement	\$110,000
Fence Upgrade Bore 4	\$ 15,000
Telemetry Upgrade	\$ 50,000
Additional Storage Bore 4	\$ 65,000
Subdivision Costs	<u>\$150,000</u>
	<u>\$390,000</u>

Although the subdivision costs are paid for upfront as blocks are sold a contribution is made to the water fund to reimburse the expense of providing this service.

**Financial implications**

Bank Account Opening Balance 1/7/22 \$1,060,414

Charges for a standard 20mm service is \$494.00 per annum. Water usage is charged at one rate of \$1.14 per kilolitre.

Access charges generate around \$330,000 per annum with consumption charges generating around \$250,000 per annum. However, a wet summer can see the consumption charge reduce by up to \$130,000 per year which does have an impact on revenue.

On current projections Council is forecasting the following operational results for the next three years inclusive of depreciation which is around \$120,000.

2022/23	\$80,647
2023/24	\$82,260
2024/25	\$83,906
2025/26	\$85,584

With the following capital costs programmed for the same period Councils result becomes a deficit however should the depreciation figure of approximately \$120,000 be added back the cash position is generally positive.

Financial Year	Capital \$	Result in \$ + / (-)	Depreciation \$	Cash Result \$
2022/23	390,000	(309,353)	114,062	(195,291)
2023/24	135,000	(52,740)	116,343	63,603
2024/25	140,000	(56,094)	118,670	62,576
2025/26	117,000	(31,416)	121,044	89,628

In summary Council is in a sound financial position however consideration must be given to increasing charges for water within this scheme, and programmed capital works should be undertaken hopefully with subsidy following completion of the IWCM plan. While overall sound Council cannot allow the financial situation to decline which would result in the need for major price increases to the consumer.

**Statutory implications (Governance including Legal)**

Nil

**Policy implications**

Nil

**Risk implications**

Council needs to carefully consider and monitor the financial position of this operation each year when determining the budget and future capital works.

**Community Strategic Plan**

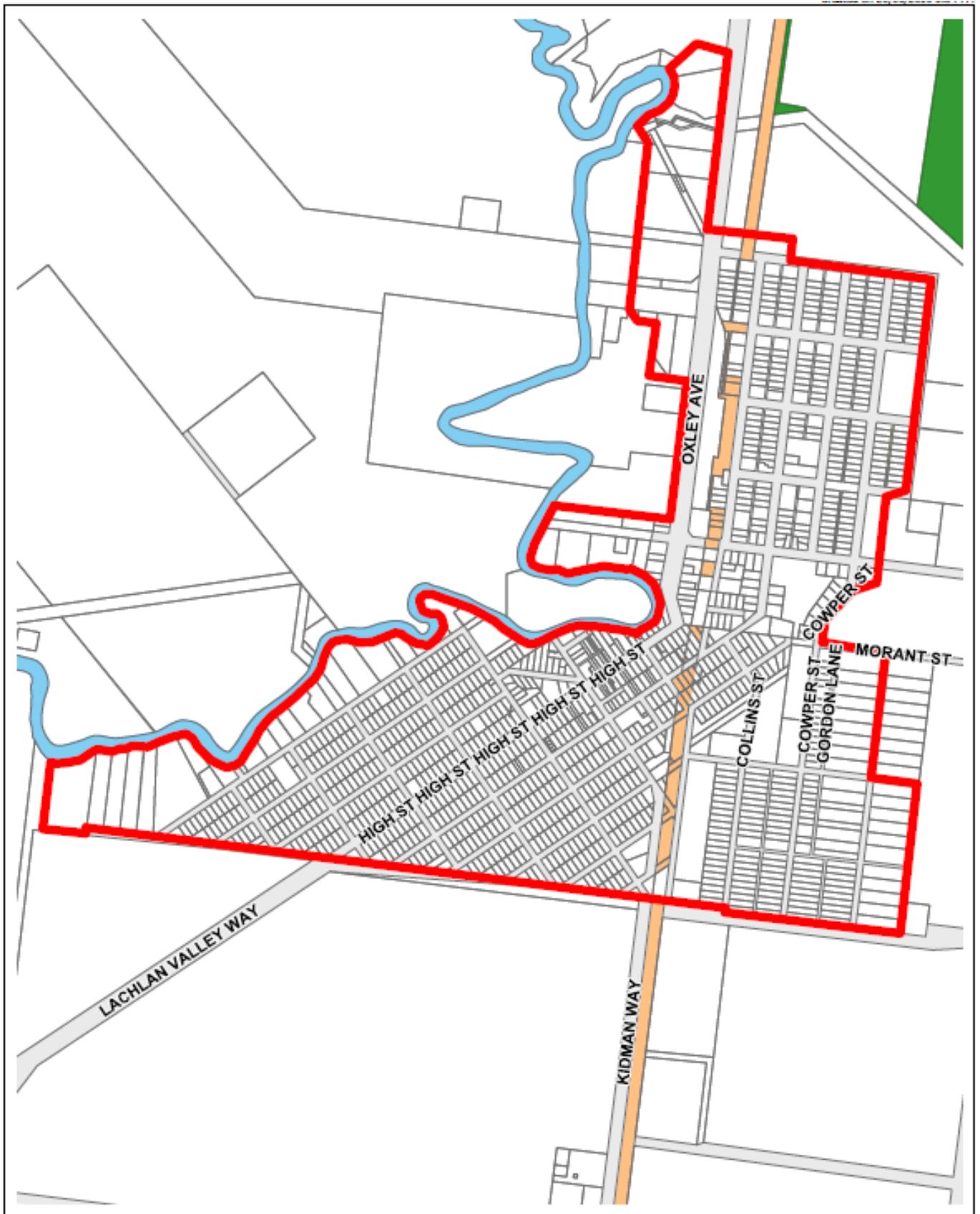
Goal 4 – Reliable and Relevant Services

**Recommendation:**

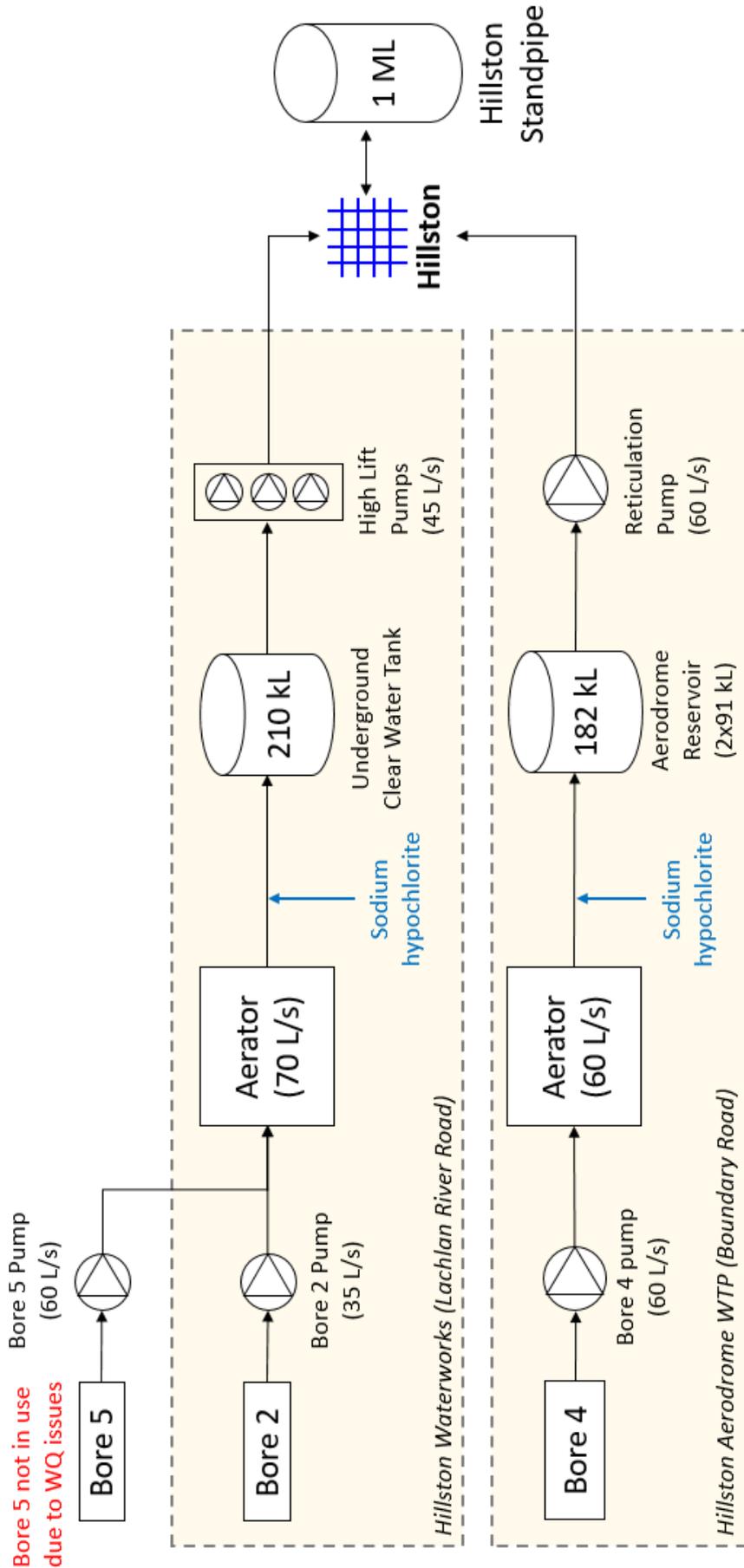
**That Council:**

- 1. note the report on the Hillston Potable Water Scheme.**
- 2. note that the financial position is sound.**
- 3. continue to monitor the financial status of the scheme each year.**

**ATTACHMENT**  
Hillston Water Supply Boundary Map



Hillston Water Supply Flow Chart



**10.14 Development Applications August 2022**

GOV:MTG:CR

Author: Manager Building & Regulatory Services

Purpose: Development Applications & Determinations – August 2022

**Background**

Lodgements

Type/No.	Name	Address	Development
DA2023/007	Anna-Lisse Dickinson	49 Lachlan Street Hillston NSW 2675	Inground swimming pool
DA2023/008	Paul Bateman	23 Burns Street Hillston NSW 2675	Shed
DA2023/009	Stahmann Property Pty Ltd	2384 Tabbita Lane Tabbita NSW 2652	3 Rural Worker's Dwellings, Hulling line shed, 2 Machinery sheds, Amenities building and Carpark
Total Estimated Value Of Works			\$3,519,960.00

Determination: Approved

Type/No.	Name	Address	Development	Processing Time
DA2022/034	Michael Brettschneider	11 Rose Street Hillston NSW 2675	Dual Occupancy	36
DA2023/005	Stahmann Property Pty Ltd	1739 Tabbita Lane Goolgowi NSW 2652	Extension to Existing Storage Shed, New Office and 3 Rural Workers Accommodation Dwellings	25

**Issues**

Nil

**Financial implications**

Nil

**Statutory implications (Governance including Legal)**

Nil

**Policy implications**

Nil

**Risk implications**

Nil

**Community Strategic Plan**

Nil

**Recommendation:**

**That the Determinations for Development Applications received for August 2022 be noted.**

**10.15 Rezoning of Land in Rankins Springs and Merriwagga**

LUP:ZON:ZE

Author: Manager Building and Regulatory Services

Purpose: To inform Council of the areas under consideration for rezone in Rankins Springs and Merriwagga

**Background**

Councillors will recall conversations from previous meetings that there is a shortage of available building lots across Carrathool Shire. With the rezoning of land complete in Hillston, Council staff have started investigating areas in Rankins Springs and Merriwagga that could, with the approval of the New South Wales Department of Planning and Environment, be rezoned to allow further residential development in the respective villages.

**Issues**

There are two elements within the Carrathool Local Environmental Plan (LEP) 2012 that are preventing the villages of Rankins Springs and Merriwagga from expanding, these are:

- 1) the zoning of land, and;
- 2) the required lot size for building.

Firstly, the zone of the two villages. Whilst the vast area of the two villages is zoned RU5 Village (which has a lot size of 4000m<sup>2</sup>), there are areas that are drawn up for residential land but are Zoned RU1 (minimum 40 Hectares) Primary Production.

Council could, with the approval of the NSW Department of Planning and Environment, rezone some areas of Rankins Springs from RU1 to RU5. As you can see from the supplied diagrams, there are areas in red on the north side of the highway that have the potential to be rezoned to RU5. The areas in red located on the southern side of the highway could be potentially rezoned to large lot residential (R5 Large Lot Residential), the R5 zones within Carrathool Shire are historically 2 hectares.

Merriwagga, like Rankins Springs, has an area south of Mons Street that could be potentially be rezoned from RU1 Primary Production to RU5 Village. The provided map of Merriwagga shows approximately 36 lots that are drawn up for residential lots but are zoned RU1.

Secondly, whilst changing the zones within the villages will potentially create more lots, it is equally important that Council considers reducing the minimum lot size. Currently the minimum lot size required to erect a dwelling in Rankins Springs and Merriwagga is 4000m<sup>2</sup>. This area generally equates to someone having to have 4 lots to be able to meet the minimum lot size. With the average size of a single lot in the villages being approximately 1200m<sup>2</sup>, it seems logical to try to reduce the minimum lot size requirements to around 1,000m<sup>2</sup>

**Summary**

The lack of available residential land within the Carrathool Shire is acknowledge by Council, staff and the wider community, this is due to the limitations within the current Carrathool Local Environmental Plan 2012. The land shortage prohibits the villages from growing and also attracting new residents to the villages. The flow on effects range from labour shortages to diminishing school numbers.

**Financial implications**

Should Council resolve to proceed with a planning proposal, there would be associated costs to submit a planning proposal to the NSW Department of Planning and Environment for approval.

It is estimated the cost for both villages would total approximately \$30,000. Council has a balance of \$37,000 carry over from the previous year LEP reserve.

**Statutory implications (Governance including Legal)**

Council will be required to prepare and submit a planning proposal in accordance with regulations for a gateway determination.

**Policy implications**

Nil

**Risk implications**

Nil

**Community Strategic Plan**

Goal 1 - Thriving and Liveable Communities

Objective - 1.1.1: Land Use planning supports population and business growth

**Recommendation:**

**That Council:**

- 1. note the need for more residential land in Rankins Springs and Merriwagga;**
- 2. determine the basis on which rezoning and changes to lot sizes should be made to both Merriwagga and Rankins Springs;**
- 3. prepare a planning proposal for submission for a gateway determination by the NSW Department of Planning and Environment.**

<b>10.16 Development Application 2023/003 – Use of Land to Install Four (4) Manufactured Dwellings</b>
--

DA2023-003

Author: Manager Building and Regulatory Services

Purpose: Development Application 2023/003 for Determination by Council

Attachment: Site Plan, Development Consent Conditions

<b>Background</b>
-------------------

On the 4 July 2022, Carrathool Shire Council received a Development Application (DA) and supporting documentation from Jeegar Property Holdings Pty Ltd for the installation of four (4) manufactured homes. The proposal is to be located at Lot 30 Section 7 DP3357 and Lot 31 DP3357, 8 Bank Street Hillston.

The subject site is Zoned RU5-Village and is not listed as a heritage item in schedule 5 of Carrathool Local Environmental Plan (LEP) 2012.

**Description of Proposed Development**

Each building contains three (3) bedrooms, a combined living and kitchen area, a lounge room, a bathroom with a separate laundry facility. All buildings are 115.9m<sup>2</sup> in size. There are provisions on site for eight (8) carparking spaces.

**Subject Site and Locality Description**

The subject site is Lot 30 Section 7 DP3357 and Lot 31 DP3357, 8 Bank Street Hillston New South Wales 2675, with the total area of the site being 1260m<sup>2</sup>. The site will be accessed off McGee Street, then Bank Street. Stormwater from the proposal will be required to be directed to Council's kerb and gutter infrastructure, which will be required to be upgraded at the owner's expense. Water, sewer, electricity and telephone are available.

The setback for the proposal is 3 metres, which is not in accordance with Carrathool Shire Council's policy, 071-Building Line Policy, which requires a 6-metre setback to the front boundary. Therefore, the proposal requires a variation to Council's building line policy Number 071 to vary the 6 meters to 3 meters.

<b>Issues</b>
---------------

The proposal was notified to adjoining landowners for a period of 28 days, whilst also advertised in the Hillston Spectator for the same time. During the notification period there were no submissions received.

Although no submissions were received during the notification period, at the site inspection there were a number of issues of concern that will require addressing prior to any works potentially beginning on site.

The site in Bank Street currently lacks the necessary infrastructure for the proposal to proceed. Prior to any works commencing onsite it is recommended that the road network, and kerb and gutter, be upgraded to facilitate the extra load the development will impose. Currently the kerb and gutter finishes on the corner of McGee and Bank Street, whilst the road network in Bank Street will require a full re-sheet.

The applicant will also be required to liaise with Council's Water and Sewer department to locate a sewer main that runs through the site. If approved, the applicant will be required to place all dwellings away from Council's sewer infrastructure.

**Summary**

The proposal is permitted with consent of Council and meets the objectives of the Carrathool Local Environmental Plan 2012.

With a lack of accommodation, and the high number of seasonal workers required to service the thriving agriculture sector in the Hillston area, the proposal should have a positive impact on the community and the area.

**Financial implications**

Under Carrathool Shire Council's Section 7.12 Fixed Levy Plan, a 1% levy applies to development over \$200,000.00. With the cost of the development being \$770,000.00, the contribution due is \$7,700.00.

**Statutory implications (Governance including Legal)**

Nil

**Policy implications**

Policy 071-Building Line

**Risk implications**

Nil

**Community Strategic Plan**

Goal 1 - Thriving and Liveable Communities

Objective 1.1.1: Land Use planning supports population and business growth

**Recommendation:**

**That Council approve DA2023/003 for the installation of four (4) manufactured homes subject to the conditions imposed.**



**ATTACHMENT - DRAFT CONDITIONS DA2023/003**

**1. PLANS**

The development shall be generally in accordance with the supporting documentation, including, but not limited to, the following:

Statement of Environmental Effects <i>Proposed Installation of 4 Manufactured Homes For 8 Bank Street Hillston</i> (11 sheets)
Structural drawings (S.01, S02 & S.03) Job No. 220153 Rev A dated April 2022 and Structural Engineer Certificate (13 pages) dated 5 April 2022 by Cook and Roe Structural Engineers
Geotechnical Report Ref: W22/01974 by K&H Geotechnical Services Pty Ltd dated 11 March 2022
Architectural plans: <i>Proposed Units</i> Preliminary Drawings 02(Sheet 05 Plumbing Plan) dated 1/03/2022 and Preliminary Drawings 03 (Sheets 01-06) dated 22/06/2022 by Cudden Construction

and as modified by any conditions of this consent.

**2. CONFORM WITH APPROVED PLANS**

No departure from the approved plans and specifications shall be made unless the prior approval of Council has been obtained in writing.

3. The development shall be carried out in conformity with the provisions of the *Environmental Planning and Assessment Act, 1979*, and the regulations made thereunder, in accordance with the plans and specifications approved by Council

**4. DEVELOPMENT APPLICATION RECORD TO BE KEPT ONSITE**

The builder shall maintain on the site, at all times a legible copy of the following:

- Development Consent including plans and related documentation;
- Construction Certificate when applied for and issued, including plans, specifications and certificates.

**5. SIGNS**

No more than two signs shall be erected at the front of the site to display the following details at the appropriate times. At least one of these signs shall have the following minimum information:

- the name of the Approval & Inspection Authority, their address and telephone number;
- the name of the person in charge of the work site and telephone number at which that person may be contacted outside working hours;
- that unauthorised entry to the work site is prohibited;

and each of the signs shall be maintained to a tidy and legible standard at all times and must be removed when the work has been completed.

**SITE PREPARATION**

**Cut and Fill**

6. The applicant shall ensure that any cut or fill on site is appropriately graded, drained, retained and vegetation commenced.
7. It is a prescribed condition of this consent that if the development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the consent shall, at the person's own expense:

- a) Protect and support the adjoining premises from possible damage from the excavation; and
- b) Where necessary, underpin the adjoining premises to prevent any such damage;
- c) This condition does not apply if the person having the benefit of the consent owns the adjoining land or the owner of the adjoining land has given written consent to this condition not applying.

## **8. EROSION CONTROL**

Erosion and sedimentation control measures shall be implemented on the site prior to work commencing.

**\*NOTE: ENSURE THAT SEDIMENT AND EROSION CONTROL ARE IN PLACE BEFORE EARTHWORKS COMMENCE**

## **HEALTH AND AMENITY**

### **Smoke Alarms**

9. A smoke alarm system complying with Australian Standard *AS3786 Self Contained Smoke Alarms* or listed in the Scientific Services Laboratory (SSL) *Register of Accredited Products - Fire Protection Equipment* shall be installed in suitable locations on or near the ceiling in every sleeping room.

10. No noise or nuisance sound exceeding 5dB(A) above the background ambient sound pressure level area shall leave this site, when measured at the boundary of the nearest residential receptor.

11. No parties, music or gatherings involving music, loud noise or raucous behaviour shall occur after 8pm on any night of the week from this development.

## **STORMWATER DRAINAGE**

12. Stormwater from roof and hardstand areas as well as any overflow from a tank shall be conveyed to the street piped drainage system. Connection to this system shall be under the supervision of Council's Utilities Staff.

## **WASTEWATER DRAINAGE**

13. The top of the yard gully to the sanitary drainage system is to be minimum of 150 mm below the finished floor level and a minimum of 150 mm above the finished ground level.

14. Separate Application shall be made for a Section 68 approval under the *Local Government Act 1993* for the connection of the Plumbing & Drainage to Council's infrastructure, or modifying or amplifying that existing on site.

## **15. PLUMBING AND DRAINAGE WORKS**

Any sewer or stormwater works associated with the development are to meet the requirements of the AS3500 and the New South Wales Plumbing Code of Practice. In this regard, it may be necessary for you to contact a Licensed Plumber and Drainer.

A Plumbing Permit must be obtained by a Licensed Plumber and Drainer, prior to any sewer or stormwater work being carried out on site. Further, a final inspection must be carried out upon completion of plumbing and drainage work and prior to occupation of the development.

## **16. WORKS AS EXECUTED DIAGRAM**

Council requires a "Works as Executed Diagram" to be approved by Council Plumbing Inspector, prior to the issue of a Final Plumbing Certificate.

The Works as Executed Diagram must be submitted in electronic format in PDF File in accordance with Council Requirements.

**17. PLUMBING INSPECTIONS**

The applicant must obtain a Compliance Certificate pursuant to Section 6.16 of the *Environmental Planning and Assessment Act 1979*, as amended from Council or an accredited certifying authority certifying that the plumbing work identified in column 1 has been installed in accordance with AS/NZS 3500 and New South Wales Code of Practice, Plumbing and Drainage. For the purposes of obtaining the Compliance Certificates the plumbing works must be inspected by the accredited certifying authority at the times specified in Column 2.

	<b>COLUMN 1</b>	<b>COLUMN 2</b>
A	Internal House Drainage	When all internal plumbing work is installed and prior to concealment.
B	External House Drainage	When all external plumbing work is installed and prior to concealment.
C	Stormwater Drainage	When all external stormwater drainage work is installed and prior to concealment.
E	Final	Prior to occupation of the building.

**18. LICENSED PLUMBER**

All plumbing and drainage work must be carried out by a Licensed Plumber and Drainer and to the requirements of AS/NZS 3500 and New South Wales Code of Practice, Plumbing and Drainage.

**19. HOURS OF OPERATION**

For reasons of residential amenity in the neighbourhood, work on the project shall be limited to the following hours:

- (i) Monday to Friday - 7:00 am to 6:00 pm
- (ii) Saturday- 8:00 am to 5:00 pm
- (iii) No work to be carried out on Sunday/Public Holidays, without the prior written consent of Council.

**ENGINEERING REQUIREMENTS**

**Roads**

**20.** Any construction work, including accesses, footpaths, or the like on public roads (Council or Crown Road Reserves) shall comply with the following requirements;

- a) Application made to Council for a Works Within Road Reserve Permit for the site
- b) Works Within Road Reserve Permit issued by Council for the site
- c) Works constructed in accordance with Works Within Road Reserve Permit for the site.

**21.** Any works within the road reserve requires the following to be carried out prior to commencement;

- a) Traffic Control Plan (TCP) shall be prepared and submitted to Council for approval
- b) The Traffic Control Plan shall be developed by an accredited person and it shall contain the certification number and the date of issue by the accredited person.

**22. VEHICULAR ACCESS WITHIN ROAD RESERVE**

Vehicular access within the road reserve must be constructed to Council standards, at full cost to the developer, by a licensed Council approved contractor.

**23. ALL WEATHER DRIVEWAY – MINIMUM THREE METRES**

An all weather driveway from the property entrance of the development site to the edge of the carriageway must be provided and maintained, having a minimum clear width of three (3) metres.

**24. ALL WEATHER ACCESS, MANOEUVRING & PARKING**

All weather access, manoeuvring and parking areas being provided and maintained within the site.

**25. CAR PARKING – LAYOUT**

The car park and all associated facilities must be laid out in accordance with Australian Standard AS2890.2 2002.

**26.** The applicant is to continue Council's kerb and gutter infrastructure along the northern and southern boundaries for the duration of the applicant's Lot along Bank Street. The new kerb and gutter is to match the existing kerb and gutter in McGee Street. The new kerb and guttering should include provisions for drainage where necessary.

**PRIOR TO THE COMMENCEMENT OF ANY WORKS**

**27.** The road surface is to be upgraded to Council's specifications for the duration of Bank Street. The applicant is to provide a road construction plan in accordance with Council's guidelines, for approval, prior to works commencing on site.

**28.** A kerb inlet drainage pit is to be installed near the intersection of Bank Street and McGee Street so that stormwater is disposed of in a satisfactory manner. All drainage works are to comply with the provisions of AS/NZS 3500, at the applicant's cost.

**29.** The Applicant is to submit a Plan of Management and the proposed Code of Conduct for the occupiers, to Council for approval.

**30.** Prior to commencing excavation of pier holes, the Applicant is to inform Council of their intention to commence work. Council's Water and Sewer department will locate the sewer main running through the property, before any works commence. No building is to be located over Council's sewer main.

**PRIOR TO OCCUPYING THE BUILDING**

**31. CONSOLIDATION – URBAN**

The subject land being Lot 30 Sec 7 DP3357 and Lot 31 DP3357 to be consolidated into one lot, within 12 months of Occupation of the dwelling, with evidence to be provided to the certifier that the process has commenced prior of the issue of a Completion Certificate.

**NOTE: Evidence of consolidation must be provided to Council.**

**32. COMPLETION CERTIFICATE**

The applicant must obtain a Completion Certificate, pursuant to Clause 69 of the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005*, from Council prior to occupation of the building.

**REASONS FOR CONDITIONS**

The reason for the imposition of the above consent conditions is as follows:-

1. To achieve the objectives of section 5(a) of the *Environmental Planning and Assessment Act 1979*, having regard to the relevant matters for consideration contained in section 79C of the *Act and the Environmental Planning Instruments* applying to the land.

2. To ensure compliance with the *Building Code of Australia*, to enable the achievement and maintenance of acceptable standards of structural sufficiency, safety, health and amenity, for the benefit of the community now and in the future.
3. To confirm the details of the application and plans submitted by the applicant;
4. To ensure compliance with relevant planning controls;
5. To ensure that appropriate environmental protection measures are in place;
6. To ensure the development complies with the requirements of Council policies.
7. To ensure that works do not interfere with reasonable amenity expectations of residents and the community.

#### **ADVICE TO APPLICANT**

1. The above consent is not an approval to commence work or to carry out any structural work. A Construction Certificate under *Part 4 of the Environmental Planning & Assessment Act 1979* (preceding the 1 March 2018 amendments) shall be sought and obtained before any work is carried out to implement the above consent. Also the applicant is not relieved of any obligation to obtain an approval required under any other Act.
2. This Notice of Determination does not remove the applicant's obligation to obtain approvals required by any other legislation.
3. Section 97 of the *Environmental Planning and Assessment Act 1979* confers on the applicant who is not satisfied with determination of the consent authority a right of appeal to the Land and Environment Court exercisable within 6 months of receipt of this notice.
4. Any person who contravenes this Notice of Determination of the above consent shall be guilty of a breach of the *Environmental Planning and Assessment Act, 1979*, and shall be liable to a monetary penalty and/or a restraining order which may be imposed by the Land and Environment Court.
5. The applicant should be aware of the provisions of the *Disability Discrimination Act 1992*. This Act imposes responsibilities additional to planning legislation.
6. Prior to commencing works on site, Telstra's "Dial Before You Dig" should be contacted by phoning 1100 (follow the prompts) and provide the following details:
  - Street name and number;
  - Side of street (north side, east or west);
  - Distance to nearest cross street
7. Section 82A of the *Environmental Planning and Assessment Act 1979* confers on the applicant the right to request Council to conduct a Review of this Notice of Determination within 6 months of receipt of this notice.

<b>10.17</b>	<b>Development Application 2023/002 – Use of Land to Install Four (4) Manufactured Dwellings</b>
--------------	--

DA2023-002

Author: Manager Building and Regulatory Services

Purpose: Development Application 2023/002 for Determination by Council

Attachment 1: Site Plan

Attachment 2: Submissions and Applicant's Response

Attachment 3: Assessment Report pursuant to Section 4.15 of the *Environmental Planning and Assessment Act 1979* (EP&A Act)

<b>Background</b>
-------------------

On 4 July 2022, Carrathool Shire Council received a Development Application (DA) and supporting documentation from Jeegar Property Holdings Pty Ltd for the installation of four (4) manufactured homes. The proposal is to be located at lot 14, Section 8, DP257, 166-170 High Street Hillston New South Wales 2675. The proposal also includes the consolidation of lot 14, Section 8, DP 257 with adjoining lot 13, Section 8, DP 257, 33 Molesworth Street Hillston NSW 2675 to create proposed lot 10. Lot 13 currently contains 3 manufactured homes, which have had Council approval previously.

The subject site is Zoned RU5-Village and is not listed as a heritage item in schedule 5 of Carrathool Local Environmental Plan (LEP) 2021. However, there are 8 items of Environmental Heritage in the vicinity of the subject site, this is addressed in Attachment 3.

The proposal was notified to adjoining landowners with an advertisement placed in the Hillston Spectator for a period of 28 days. During the notification period there were a total of 13 written submissions, all objecting to the proposal. These objections have been listed in Attachment 2 and addressed in Attachment 3.

**Description of Proposed Development**

Each building contains two (2) bedrooms, a combined living and kitchen area and a bathroom which also contains laundry facilities. All buildings are 77m<sup>2</sup> in size. There are provisions on site for ten (10) carparking spaces. The applicant has submitted a landscaping plan which has provisions for plants and shrubs to be planted along the front boundary and part the front unit only.

**Subject Site and Locality Description**

The subject site is lot 14, Section 8, DP257, 166-170 High Street Hillston New South Wales 2675, with the total area of the site being 1012m<sup>2</sup>. The site previously contained a commercial building consisting of several individual shops prior to the building being destroyed by fire in 2021, with the building being demolished a short time later.

<b>Issues</b>
---------------

As Council would be aware, Council undertook a planning proposal to rezone a large part of the Hillston CBD from RU5 Village to E1 Local Centre Zone. The planning proposal was placed on public exhibition on 10 June 2022, with no submissions received during the notification period.

This process was initiated as a result of several commercial premises being converted into residential use and a number of vacant lots within the business precinct being the subject of unsuitable developments in the past, and also to prevent the loss of vacant sites that would have been suitable for commercial developments.

Under Section 4.15 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), Council can take into consideration, when determining a Development Application, the following;

4.15(1)(a)(ii) “*any **proposed instrument** that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the **proposed instrument** has been deferred indefinitely or has not been approved)*”

Therefore, the proposed Planning Proposal will result in a future amendment to the Carrathool Local Environmental Plan 2012 which will have the effect of prohibiting residential short-term or long-term accommodation (except “*shop top*” housing) as a permissible land use in the E1 Local Centre Zone.

Another issue is that the proposed development will be out of character with the existing commercial nature of the surrounding built environment, with the exception of two existing dwellings which have been in their existing location for many years, including one which was built circa 1900.

Further, the proposed development will be in the vicinity of eight (8) heritage items currently listed in Schedule 5 of the Carrathool Local Environmental Plan 2012. The applicant in their Statement of Environmental Effects has not considered the potential impact of the proposed development will have on the heritage significance of these listed properties.

**Summary**

There are constraints associated with the site including environmental sensitivities, and it is considered that these constraints cannot be overcome due to the type of development proposed. The nature of the proposed development is considered to be completely unsuitable for the urban context in which the activity is proposed to be located. It is expected that there is likely to be unmanageable impacts associated with the development that make the development unsuitable for the area.

**Financial implications**

The applicant has appeal rights to the Land & Environment Court should they be dissatisfied with the determination. In the event the applicant pursues a legal avenue, and is successful, Council may incur costs for legal representation.

**Statutory implications (Governance including Legal)**

Nil

**Policy implications**

Policy 071-Building Line

**Risk implications**

The applicant has appeal rights to the Land & Environment Court should they be dissatisfied with the determination.

**Community Strategic Plan**

Goal 1- Thriving and Liveable Communities

Objective 1.1.1: Land Use planning supports population and business growth

**Recommendation That:**

1. **Development Application 2023/002 for a Multi- Dwelling Housing Development Consisting of Four (4) Detached Manufactured Homes/Moveable Dwellings on Lot 13 and Lot 14, Section 8, DP 257, 166-170High Street Hillston NSW 2675 (to be known as proposed Lot 10 following a consolidation of Lots 13 and 14, Section 8, DP 257), be REFUSED, for the following reasons:**
  - a) **The site is not considered to be suitable for the development given the existing urban context of the locality and the existing surrounding built environment. The development application is not consistent with the requirements of Section 4.15 (1)(c) of the Environmental Planning and Assessment Act 1979.**
  - b) **The proposed development is not considered to be in the public interest given that it will be insensitive to the surrounding environment and does not have regard to the reasonable amenity expectations of surrounding land users and land uses. The development application is not consistent with the requirements of Section 4.15 (1)(e) of the Environmental Planning and Assessment Act 1979.**
  - c) **The proposed development will be a “Prohibited” land use in the proposed E1 Local Centre Zone following the amendment to the Carrathool Local Environmental Plan 2012 to rezone land in the Central Business District of Hillston from RU5 Village to E1 Local Centre. The development application is not consistent with the requirements of Section 4.15 (1) (a) (ii) of the Environmental Planning and Assessment Act 1979.**
  - d) **The proposed development will have adverse impacts on the heritage significance of eight (8) existing buildings that are listed as Items of Environmental Heritage in Schedule 5 of the Carrathool Local Environmental Plan 2012 and no heritage management document has been prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage items. The development application is not consistent with the requirements of Section 4.15 (1) (b) of the Environmental Planning and Assessment Act 1979.**



**ATTACHMENT 2 – SUBMISSIONS AND APPLICANT’S RESPONSE**

<b>Summary of Submissions</b>	<b>Applicants Response</b>	<b>Council’s Responses</b>
Adverse impacts the proposed dwellings will have on the appearance of the streetscape	<p>The applicant disagrees with this statement due to the following:</p> <ul style="list-style-type: none"> <li>• There are existing residential homes in High Street and the proposal is not a unique development</li> <li>• The unoccupied commercial properties currently in Hillston ruin the streetscape and visitors want to see a vibrant main street.</li> <li>• The town needs accommodation for backpackers</li> </ul>	<p>Council staff agree that the design of the dwellings is out of character with the amenity of the area and the streetscape and will have an adverse impact on the locality. The existing nearby dwellings have been in the respective location for many years and are well screened from the street.</p> <p>The third dot point raised by the applicant has nothing to do with the amenity of the streetscape</p>
The dwellings do not fit in existing buildings in terms of use or design	Comments as above	Council staff agrees with this and can be summarised as per item above
Affect the future of potential businesses	<p>The applicant disagrees with this comment because of:</p> <ul style="list-style-type: none"> <li>• Ample existing premises available for business opportunities</li> <li>• Previously two of his three shops were vacant and was hard to find a tenant for the vacant shops</li> <li>• Has provided a list in High Street of vacant retail premises</li> <li>• Need accommodation for backpackers</li> </ul>	Council staff agree that any future Development Application for nearby land uses may be adversely impacted by the potential residential land use
Buildings are inconsistent with character and architecture of High Street	As per comments mentioned in the first item	Council staff agrees that the design and construction of the dwellings is out of character with the amenity and streetscape of the area
Commercial buildings should be encouraged for the site instead of residential buildings	<p>The applicant disagrees with this comment because of:</p> <ul style="list-style-type: none"> <li>• Ample existing premises available for business opportunities</li> <li>• Previously two of his three shops were vacant and was hard to find a tenant for the vacant shops</li> <li>• Has provided a list in High Street of vacant retail premises</li> <li>• Need accommodation for backpackers</li> </ul>	Council staff agree that residential land use in inappropriate and a commercial development would be a better land use

Potential for dwellings not to be maintained, therefore becoming an eyes-ore based on appearance of similar dwellings in Molesworth Street	The applicant disagrees with this opinion and feels that empty commercial spaces are more likely deteriorate compared to an occupied residential dwelling	This is subjective and is not a planning consideration as it can be controlled via conditions on any development approval
Previously land uses have been commercial and should be maintained	The applicant has addressed this above	Council staff agree that residential land use is inappropriate and a commercial development would be a better land use
Proposal would contravene Council's plans to rezone the CBD from RU5 to E1	The applicant believes that the proposal complies with the zoning and makes no mention of the proposed rezoning that will prohibit this type of development	Council staff agrees that the planning proposal to rezone this area will prohibit this type of development
There has been no support for the proposal, only objections after speaking with others	The applicant did not respond to this allegation	This is subjective and not a planning consideration and it is not possible to determine the veracity of this statement
Building effect on the streetscape	The applicant has addressed this above	Council staff agree that the design of the dwellings is out of character with the amenity of the area and the streetscape and will have an adverse impact on the locality
Adverse impact of visitors potentially parking in High Street	The applicant has not addressed this submission	There is a potential for this to occur notwithstanding that off-street carparking spaces are proposed as per the site plan
Site should be replaced with a commercial building/potential for site to look like a "caravan Park"	The applicant disagrees with this comment because of <ul style="list-style-type: none"> <li>• Ample existing premises available for business opportunities</li> <li>• Previously two of his three shops were vacant and was hard to find a tenant for the vacant shops</li> <li>• Has provided a list in High Street of vacant retail premises</li> <li>• Need accommodation for backpackers</li> </ul>	Council staff agrees that the residential land use is inappropriate and a commercial would be a better land-use
Access to units is from High Street	The applicant has not addressed this submission	Transport for New South Wales have not approved entry/exit from High Street

**ATTACHMENT 3 – ASSESSMENT REPORT PURSUANT TO SECTION 4.15 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (EP&A ACT)**

In determining this development application, the consent authority considered the following matters:

**1. Development Application Details**

Development Application Number	2023/002
Property Details	Lot 14 Section 8 DP 257 (Proposed Lot 10 following a consolidation of Lots 13 and 14, Section 8, DP 257)
Zoning	RU 5 Village under the Carrathool Local Environmental Plan 2012 (CLEP 2012). <b>NOTE:</b> A Planning Proposal has been prepared to rezone certain land in High Street from RU5 Village to E1 Local Centre. This Lot is included in the rezoning proposal.
Description of Proposed Development	Multi- Dwelling Housing Development Consisting of Four (4) Detached Manufactured Homes/Moveable Dwellings.
BCA Classification	Not Applicable at DA Stage
BASIX Certificate	Applicable Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Received	NA

**2. State Environmental Planning Policy**

State Environmental Planning Policy	Apply	Does Not
<a href="#">SEPP (Housing) 2021</a>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<a href="#">SEPP (Transport and Infrastructure) 2021</a>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<a href="#">SEPP (Primary Production) 2021</a>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<a href="#">SEPP (Biodiversity and Conservation) 2021</a>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<a href="#">SEPP (Resilience and Hazards) 2021</a>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<a href="#">SEPP (Industry and Employment) 2021</a>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<a href="#">SEPP (Resources and Energy) 2021</a>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<a href="#">SEPP (Planning Systems) 2021</a>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<a href="#">SEPP (Building Sustainability Index: BASIX) 2004</a>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<a href="#">SEPP (Exempt and Complying Development Codes) 2008</a>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<a href="#">SEPP No 65 - Design Quality of Residential Apartment Development</a>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Comment**

The application has been considered with regards to the relevant provisions of applicable State Environmental Planning Policies (SEPPs) as outlined and discussed below:

**SEPP (Housing) 2021**

The submitted Statement of Environmental Effects has listed the **former** SEPP (Affordable Rental Housing) as applying to the proposed development. This is incorrect.

On the 26 November 2021, the former SEPP (Affordable Rental Housing) was repealed and incorporated into the new SEPP (Housing) 2021. The proposed development **does not fit** into any of the three (3) Chapters or any of the 13 Parts of the SEPP (Housing) 2021 which are as follows:

- Chapter 1- Preliminary
- Chapter 2- Affordable Housing- Parts 1, 2 and 3
- Chapter 3- Diverse Housing- Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10.

In addition, the proposed development also does not fit into any of the “*Principles of the Policy*” listed in Section 3 of the new SEPP (Housing) 2021 and therefore can only be considered as a “multi dwelling housing” development pursuant to the relevant provisions of the Carrathool Local Environmental Plan 2012 (CLEP).

### SEPP (Transport and Infrastructure) 2021

The Application was referred to Transport for NSW (TfNSW) to obtain their comments in relation to Section 2.119 of this SEPP as it is “*development with frontage to classified road*”. By letter dated 3 August 2022, TfNSW responded and advised, inter alia:

- *Clause 2.119(2)(a) of State Environmental Planning Policy (Transport and Infrastructure) 2021 states that “the consent authority must not grant consent to development on land that has a frontage to a classified road...where practicable and safe, vehicular access to the land is provided by a road other than the classified road. In this instance, practical access is available to Molesworth Street;*
- *As practical access is available to a road other than a classified road, and that there has been no justification in the submitted information for requiring the access to High Street, Council as the consent authority should consider **denying vehicular access to High Street** and require all vehicular access to and from the site be to Molesworth Street;*

Therefore, should the Development Application be approved by Council, the Applicant will be required to submit an amended Site Plan showing vehicular access as being denied from High Street.

### SEPP (Resilience and Hazards) 2021

Chapter 4 (*Remediation of land*) of this SEPP aims to promote remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment. Section 4.6 (1) of the SEPP is as follows:

**Contamination and remediation to be considered in determining development application**

(1) *A consent authority must not consent to the carrying out of any development on land unless:-*

*(a) it has considered whether the land is contaminated, and*

*(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*

*(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose*

Pursuant to Section 4.6(1) of the SEPP, Council has undertaken a desktop review of the previous uses of the land and has also conducted a site inspection to ensure that there are no contamination issues present. As the former use of the site did not include agricultural activities, there is no apparent reason to consider that the land to be impacted by the proposal would be contaminated. In addition, the land has not been used for any other activity that may cause contamination.

No other SEPP’s are applicable to the proposed development.

### 3. Environmental Planning Instruments

**Federal & States legislation** (other than SEPP’s)

*Environmental Planning and Assessment Act 1979*

*Environmental Planning and Assessment Regulation 2021*

**Local Environmental Plan (Carrathool Local Environmental Plan 2012)**

Zone

RU1	– Primary production	<input type="checkbox"/>	
R5	– Large lot residential	<input type="checkbox"/>	
IN1	– General industrial		<input type="checkbox"/>
RU5	– Village ( <b>See LEP Permissibility below</b> )	<input checked="" type="checkbox"/>	
E1	– National parks and nature reserves		<input type="checkbox"/>
SP2	– Infrastructure		<input type="checkbox"/>
RU3	– Forestry		<input type="checkbox"/>

## **Carrathool Local Environmental Plan 2012 Permissibility**

The Development Application was submitted to Council on 4 July 2022. At the time of the submission, the Lot was (and continues to be) zoned RU5 Village under the CLEP 2012 and the proposed development is permissible with consent in this zone. The proposed development is legally defined as a “multi dwelling housing” development under the Dictionary to the CLEP 2012 as follows:

*“multi dwelling housing means 3 or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building”.*

As the Council would be aware, a Planning Proposal has been submitted to the Department of Planning and Environment by Council to rezone various Lots that face onto High Street, as well as Lots from the western boundary of Aidan Street to the North-Eastern boundary of Keats Street, from the current RU5 Village Zone to the new E1 Local Centre Zone.

The proposed amendment to the CLEP 2012 is to facilitate the restriction of residential dwellings within an existing business and commercial precinct of Hillston. Amending the zoning of the site is consistent with the statutory planning provisions under clause 1.3 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and complies with the following objectives of the EP&A Act:

- “(c) to promote the orderly and economic use and development of land,*
- (g) to promote good design and amenity of the built environment”*

In addition, clause 1.2 of the CLEP 2012 provides for the provision of a dedicated Local Centre within the LGA to:

- “(b) to promote the orderly and economic use and development of land within Carrathool, and*
- (e) to minimise land use conflicts and adverse environmental impacts”*

Currently, the development permitted with consent in the RU5 Village Zone allows a number of development types that are **not** conducive to the provision of a dedicated E1 Local Centre Zone characterised by small businesses and community services.

It is acknowledged that there is a current shortage of accommodation in Hillston and that Council has had a number of undesired changes of land use in the High Street business precinct. To prevent this undesired change of land use from continuing and potentially resulting in a conflict between different incompatible land uses as a result of cumulative impacts, the outcome of the Planning Proposal will ensure that the redevelopment of a site in the new E1 Local Centre Zone for residential short term or long term accommodation purposes will be a **prohibited** land use, except for “*shop top housing*”.

Council is able to consider the Planning Proposal as a head of consideration under Section 4.15 (1) (a) (ii) of the EP&A Act 1979, as follows:

### **4.15 Evaluation**

*(cf previous s 79C)*

#### **(1) Matters for consideration - general**

*In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application—*

- (a) the provisions of—*
  - (i) any environmental planning instrument, and*
  - (ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the*

*Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved),*

Therefore, the proposed Planning Proposal will result in a future amendment to the CLEP 2012 which will have the effect of **prohibiting** residential short-term or long-term accommodation (except “shop top” housing) as a permissible land use in the E1 Local Centre Zone.

**4. Any matters prescribed by the Regulations**

<b>Section of the EP &amp; A Regs 2021</b>	<b>yes</b>	<b>no</b>	<b>N/A</b>
S61(1) – Is demolition of a building involved? If yes, the provisions of AS 2601-1991 must be adhered to.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
S62 – is this development application for a change of use for an existing building NOT involving any rebuilding, alteration, enlargement or extension to the building?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
S64 – is this a development application comprising the rebuilding, alteration, enlargement or extension of an existing building?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
S69(1) – does the proposed development comply with the Building Code of Australia?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
S69(2) – is insurance required under the <i>Home Building Act 1989, Part 6</i> ?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is there evidence that the insurance has been paid?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**5 The likely impacts of the proposed development**

<b>Primary matters for consideration</b>	<b>Acceptable</b>		<b>Comments</b>
	<b>YES</b>	<b>NO</b>	
Context & setting	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The immediate locality in High Street is mainly a mixture of commercial development with two existing nearby dwellings that have been in the location for many years, with one dwelling having been constructed circa 1900.</p> <p>The site previously contained a commercial premises that was destroyed by fire in May 2021 and was subsequently demolished. The two nearby dwellings are setback from their respective front boundaries and are both well screened by vegetation.</p> <p>The area is predominantly commercial in nature and the siting of four (4) new dwellings in this dominant location in High Street would be completely out of character with the amenity and streetscape of the existing Central Business District of Hillston as the development is expected to have significant negative impacts on the locality context and setting with particular regard to existing and desired architectural qualities of surrounding buildings, the character and amenity of the locality and the character and density of the development in the locality.</p> <p>The development as proposed is considered to be out of context of the urban setting with regards to the proposed construction materials of the buildings.</p> <p>The proposed residential development may also inhibit any potential future change of use that may occur should Council receive a Development Application for a change of use of adjoining or adjacent commercial premises owing to a potential conflict in land uses between residential and commercial.</p>

			The proposed development proposes a number of issues, including its prohibition in the new E1 Local Centre Zone, its incompatibility with adjoining and adjacent commercial development and others, that cumulatively contribute to the proposed development being considered to be totally inappropriate for the area and inconsistent with other land uses in the local area.
Access, transport & traffic	<input type="checkbox"/>	<input checked="" type="checkbox"/>	As stated elsewhere in this report, TfNSW has deemed that the proposed access to the site from High Street is unsuitable as High Street is a classified State Road and there would be traffic conflict between passing vehicular traffic and vehicles entering and leaving the site. Therefore, access to and exiting from the site from High Street has been denied by TfNSW should the proposal be approved by Council and will need to occur from the existing access from Molesworth Street.
Public domain	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The proposed development is considered not to be in the public interest for the following reasons: <ul style="list-style-type: none"> <li>• It is not consistent with the objectives of the new E1 Zone as, although it is residential development, it is not “shop top housing” which is the only form of residential development that will be permissible in the E1 Zone.</li> <li>• The public interest is served by permitting the orderly and economic development of land, in a manner that is sensitive to the surrounding environment and has regard to the reasonable amenity expectations of surrounding land users. In view of the foregoing, it is considered that the proposed development will not achieve this amenity expectation as it will be insensitive to the surrounding land users and land uses.</li> </ul>
Utilities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The site is serviced by existing utilities. Reticulated water and sewer services are available to the site and can be augmented to the proposed development. Roofwater drainage from the proposed dwellings will be piped to the street gutter in High Street. However, neither the Site Plan nor the Statement of Environmental Effects provide any details as to the proposed drainage of stormwater from the concrete carparking and driveway areas. Reticulated electricity is available to the site and Telecommunications are also available to the site.
Heritage	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The site of the proposed dwellings is located in the vicinity of <b>eight (8)</b> existing buildings that are listed as Items of Environmental Heritage in Schedule 5 of the CLEP 2012. Even though the actual site of the proposed development does not contain an Item of Environmental Heritage, clause 5.10 (5) of the CLEP 2012 states: <p><b>(5) Heritage assessment</b></p> <p><i>The consent authority may, before granting consent to any development—</i></p> <p><i>(a) on land on which a heritage item is located, or</i></p>

			<p>(b) on land that is within a heritage conservation area, or</p> <p>(c) on land that is within <b>the vicinity of land referred to in paragraph (a) or (b),</b></p> <p>require a <b>heritage management document</b> to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.</p> <p>By virtue of subclause (c) above, if the proposed development is within “<b>the vicinity</b>” of land on which a heritage item is located, Council may require the submission of a “<i>heritage management document</i>” to assess the extent to which the proposed development would affect the heritage significance of the heritage item.</p> <p>In this case, the following heritage items that are listed in Schedule 5 of the CLEP 2012, can be considered to be located “<i>in the vicinity</i>” of the proposed development:</p> <ul style="list-style-type: none"> <li>• Lot 18, Section 8, DP 257, 156-160 High Street – Morgan’s Store.</li> <li>• Lot 1 DP 1268488, 174 High Street-Former Bank of New South Wales.</li> <li>• Lot 52 DP 620312, 176-178 High Street- Hillston Municipal Chambers.</li> <li>• Lot 4 DP 220206, 180 High Street- Hillston Pastures Protection Board.</li> <li>• Lot 1 DP 508224, 147 High Street- Club House Hotel.</li> <li>• Lot 2 DP 508224, 149 High Street-Former Club House Dance Hall.</li> <li>• Lot 23 DP 667342, 161-163 High Street-Former Brasington’s Cash Store.</li> <li>• Lot 2 DP 409124, 167 High Street- Nel’s Gifts and Homewares.</li> </ul> <p>The submitted Statement of Environmental Effects has <b>not</b> addressed the potential impact of the development on these significant items of environmental heritage. It is considered that the proposed development, consisting of factory-prefabricated manufactured homes/moveable dwellings located in the CBD of Hillston, will definitely have a major adverse environmental impact on the heritage significance of these heritage items, notwithstanding the fact that a “<i>heritage management document</i>” has not been submitted with the application.</p>
Other land resources	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No adverse impacts envisaged.
Water	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No adverse impacts envisaged. Reticulated water supplies are available to the site.

Soils	<input type="checkbox"/>	<input type="checkbox"/>	No adverse impacts envisaged as the majority of the site will be covered by buildings and concrete driveways/parking areas.
Air & microclimate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Emissions are not considered as an output of this development, so no adverse impacts envisaged.
Flora & fauna	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No adverse impacts envisaged. A Landscape Plan has been submitted with the application and shows the location of landscaping at the front of the development only. The proposed landscaping as shown on the Landscape Plan is considered to not be acceptable as it does not include any landscaping for the 3 dwellings behind the front dwelling (proposed dwellings 1, 2 and 3). Except for the front dwelling (proposed dwelling 4), there would be no screening of the dwellings from High Street or neighbouring properties.
Waste	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Any construction waste will be disposed of at a licensed landfill. Domestic waste disposal will be by the existing waste collection service run by Council.
Energy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No adverse impacts envisaged. Reticulated electricity is available to the site and should be able to cater for the proposed dwellings.
Noise & vibration	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Noise will be generated during the construction phase and hours of construction are normally controlled by attaching a suitable condition to the Development Consent. The proposed development will not generate vibration impacts.
Bushfire prone	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The site is not mapped as being Bush Fire Prone Land on Council's mapping and therefore a Bush Fire Assessment Report in accordance with Planning for Bush Fire Protection 2019 Guideline is not required to be submitted.
Natural hazards	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The site, like all of Hillston, is mapped on Council's mapping as being affected by Groundwater Vulnerability. However, as all the activity associated with the proposed development is on the land surface or near the surface, there will be no impact on groundwater resources. The site is not mapped on Council's mapping as being affected by other additional local provisions such as flood planning, terrestrial biodiversity, riparian land and watercourses or wetlands.
Technological hazards	<input checked="" type="checkbox"/>	<input type="checkbox"/>	None identified.
Safety, security & crime prevention	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No adverse impacts envisaged.
Social impacts on the locality	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The proposed development will provide additional housing choices for Hillston which apparently has a shortage of residential accommodation, however, the location of the proposed dwellings in the main street of Hillston is unsuitable and unnecessary as they will be a "prohibited" development in the new E1 Local Centre Zone when the current CLEP 2012 is amended in the near future. There have been a total of <b>13</b> written submissions received by Council objecting to the proposal (see elsewhere in the Report for a discussion concerning the submissions).

Economic impacts on the locality	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Having additional accommodation for more persons with potential disposable income has benefits for the community. The proposed development is expected to bring with it economic benefits both during the construction period and following the construction of the dwellings by providing additional residential opportunities for both existing and new residents of Hillston.
Site design & internal design	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The site design consisting of the four detached manufactured homes will be totally unsuitable for the locality and the immediate CBD area. Although there are two existing nearby dwellings, these dwellings have been in existence for a long time and an added benefit is that they are both well screened for the street and do not have any adverse impact on the streetscape. The proposed manufactured dwellings, however, will not be screened from adjoining and adjacent properties in an area which is predominantly commercial in nature. The siting of four (4) new dwellings in this dominant location in High Street would be completely out of character with the amenity and streetscape of the existing CBD of Hillston.
Construction	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Each dwelling is a manufactured home and will require a Section 68 Approval under Section 68 of the Local Government Act 1993, rather than a Construction Certificate under the Environmental Planning and Assessment Act 1979. Section 68 Applications can only be determined by Council. Manufactured homes must be constructed and installed to the relevant requirements of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021.
Cumulative impacts	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>There are three (3) existing manufactured homes on the adjoining Lot 13 DP 257, 33 Molesworth Street which are owned by the same owner as the proposed development. As part of the proposal, the owner has consolidated Lot 13 and Lot 14 into one allotment so that the new consolidated allotment will contain seven (7) manufactured homes. It is considered that the cumulative impacts resulting from a potential seven (7) dwellings on the one allotment is unsatisfactory given the prominent location of the development in the CBD of Hillston. Issues such as traffic movements to and from the site, stormwater drainage from hardstand areas and from roofwater from the whole development, vehicle headlight glare, potential noise from seven residential dwellings instead of the existing three, lack of suitable landscaping and other considerations are all matters that have not been thought of or addressed by the Applicant in the Statement of Environmental Effects (SOEE) particularly as it states, inter alia, under the heading of "Access and Traffic Requirements" in the SOEE:</p> <p><i>"it is the intent of the owner to consolidate the lots therefore no "right of carriageway" is needed".</i></p> <p>What this is referring to is the fact that if the two lots were not consolidated into one allotment, a Right of Carriageway</p>

			<p>would need to be created over existing Lot 13 from Molesworth Street for access to the new dwellings on Lot 14 as TfNSW will not allow entry/exit from High Street.</p> <p>In addition, the line of seven dwellings on the new Lot <b>may</b> now trigger the requirement for an onsite fire hydrant in accordance with the requirements of the publication "<i>Fire hydrants for minor residential developments- Fire safety guideline</i>" published by NSW Fire and Rescue and available on their website.</p>
--	--	--	--

**Additional comments:**

The assessment of the Development Application (DA) undertaken by Council staff has found that approval of the DA is not in the public interest due to the likelihood of adverse impacts on natural and built environments as well as social and economic impacts resulting from the proposed development being located in the Central Business District of Hillston and in an area that will soon be zoned E1 Local Centre which will have the effect of prohibiting such a land use. As a result of the internal assessment outcome, the DA is being referred to Council for determination.

**6 The suitability of the site for development**

General considerations	Yes	No
Is the proposal compatible with the locality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is the site conducive to the proposed development?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Council's statutory controls permit residential development in the RU5 Village Zone. However, the current Planning Proposal to rezone a large part of the Hillston CBD from RU5 Village to E1 Local Centre Zone will result in these types of land uses being a prohibited development. The proposed development is not suited to the location being an existing vacant allotment in the centre of the Hillston CBD.

There are constraints associated with the site including environmental sensitivities and it is considered that these constraints cannot be overcome due to the type of development proposed. The nature of the proposed development is considered to be completely unsuitable for the urban context in which the activity is proposed to be located. It is expected that there is likely to be unmanageable impacts associated with the development that make the development completely unsuitable for the area.

**7. Any submissions made in accordance with this legislation:**

Applicable  / Not applicable

General considerations	Public submissions		Submissions from Public Authorities	
	Yes	No	Yes	No
Have any issues been raised that are relevant to this development application?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Have all the relevant issues raised in the submissions been considered?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Additional comments:**

The Development Application was notified as follows in accordance with Council's Exhibition and Notification Policy 109 as follows:

- Hillston Spectator newspaper on 13 July 2022 and 3 August 2022
- Transport for NSW

- Council Website and Facebook on Wednesday 13 July 2022
- A total of 12 adjoining and adjacent property owners. Letters were dated 11 July and the notification period expired in 9 August 2022.

At the end of the notification period, a total of 13 submissions, in the form of **objections**, were received. A summary of the submissions is presented in the Table below:

Summary of Submissions	Applicants Response	Council's Responses
Adverse impacts the proposed dwellings will have on the appearance of the streetscape	The applicant disagrees with this statement due to the following <ul style="list-style-type: none"> <li>• There are existing residential homes in High Street and the proposal is not a unique development</li> <li>• The unoccupied commercial properties currently in Hillston ruin the streetscape and visitors want to see a vibrant main street.</li> <li>• The town needs accommodation for backpackers</li> </ul>	Council staff agree that the design of the dwellings is out of character with the amenity of the area and the streetscape and will have an adverse impact on the locality. The existing nearby dwellings have been in the respective location for many years and are well screened from the street.  The third dot points raised by the applicant has nothing to do with the amenity of the streetscape
The dwellings do not fit in existing buildings in terms of use or design	Comments as above	Council staff agrees with this and can be summarised as per item above
Affect the future of potential businesses	The applicant disagrees with this comment because of <ul style="list-style-type: none"> <li>• Ample existing premises available for business opportunities</li> <li>• Previously two of his three shops were vacant and was hard to find a tenant for the vacant shops</li> <li>• Has provided a list in High Street of vacant retail premises</li> <li>• Need accommodation for backpackers</li> </ul>	Council staff agree that any future Development Application for nearby land uses may be adversely impacted by the potential residential land use
Buildings are inconsistent with character and architecture of High Street	As per comments mentioned in the first item	Council staff agrees that the design and construction of the dwellings is out of character with the amenity and streetscape of the area
Commercial buildings should be encouraged for the site instead of residential buildings	The applicant disagrees with this comment because of <ul style="list-style-type: none"> <li>• Ample existing premises available for business opportunities</li> <li>• Previously two of his three shops were vacant and was hard to find a tenant for the vacant shops</li> </ul>	Council staff agree that residential land use in inappropriate and a commercial development would be a better land use

	<ul style="list-style-type: none"> <li>• Has provided a list in High Street of vacant retail premises</li> <li>• Need accommodation for backpackers</li> </ul>	
Potential for dwellings not to be maintained, therefore becoming an eyesore based on appearance of similar dwellings in Molesworth Street	The applicant disagrees with this opinion and feels that empty commercial spaces are more likely deteriorate compared to an occupied residential dwelling	This is subjective and is not a planning consideration as it can be controlled via conditions on any development approval
Previously land uses have been commercial and should be maintained	The applicant has addressed this above	Council staff agree that residential land use is inappropriate and a commercial development would be a better land use
Proposal would contravene Council's plans to rezone the CBD from RU5 to E1	The applicant believes that the proposal complies with the zoning and makes no mention of the proposed rezoning that will prohibit this type of development	Council staff agrees that the planning proposal to rezone this area will prohibit this type of development
There has been no support for the proposal, only objections after speaking with others	The applicant did not respond to this allegation	This is subjective and not a planning consideration and it is not possible to determine the voracity of this statement
Building effect on the streetscape	The applicant has addressed this above	Council staff agree that the design of the dwellings is out of character with the amenity of the area and the streetscape and will have an adverse impact on the locality
Adverse impact of visitors potentially parking in High Street	The applicant has not addressed this submission	There is a potential for this to occur notwithstanding that off-street carparking spaces are proposed as per the site plan
Site should be replaced with a commercial building/potential for site to look like a "caravan Park"	<p>The applicant disagrees with this comment because of</p> <ul style="list-style-type: none"> <li>• Ample existing premises available for business opportunities</li> <li>• Previously two of his three shops were vacant and was hard to find a tenant for the vacant shops</li> <li>• Has provided a list in High Street of vacant retail premises</li> <li>• Need accommodation for backpackers</li> </ul>	Council staff agrees that the residential land use is inappropriate and a commercial would be a better land-use
Access to units is from High Street	The applicant has not addressed this submission	Transport for New South Wales have not approved entry/exit from High Street

By letter dated 2 September 2022, the Applicant responded to the submissions and appropriate comments are included in the table above.

**8. Public interest (Federal, state and local government and community interests?)**

Applicable  / Not applicable

Specific considerations	Yes	No
Do any policy statements from Federal or State agencies have any impacts on this development?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there a S88B restriction impacting on the development?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Are there any planning studies or strategies that impact on this development?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are there management plans, planning guidelines or advisory documents that impact on this development?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Are any research findings that will impact on this development?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Have any additional issues been raised through public meetings or inquiries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Are there consultations and submissions in addition those identified in Part 7 of this document, that impact on this development?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Are there potential health and safety impacts for the public that will impact on this development?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Additional comments: NIL**

**9. Recommendation That:**

1. Development Application 2023/002 for a Multi- Dwelling Housing Development Consisting of Four (4) Detached Manufactured Homes/Moveable Dwellings on Lot 13 and Lot 14, Section 8, DP 257, 166-170High Street Hillston NSW 2675 (to be known as proposed Lot 10 following a consolidation of Lots 13 and 14, Section 8, DP 257), be **REFUSED**, for the following reasons:
  - (a) The site is not considered to be suitable for the development given the existing urban context of the locality and the existing surrounding built environment. The development application is not consistent with the requirements of Section 4.15 (1) (c) of the Environmental Planning and Assessment Act 1979.
  - (b) The proposed development is not considered to be in the public interest given that it will be insensitive to the surrounding environment and does not have regard to the reasonable amenity expectations of surrounding land users and land uses. The development application is not consistent with the requirements of Section 4.15 (1) (e) of the Environmental Planning and Assessment Act 1979.
  - (c) The proposed development will be a “Prohibited” land use in the proposed E1 Local Centre Zone following the amendment to the Carrathool Local Environmental Plan 2012 to rezone land in the Central Business District of Hillston from RU5 Village to E1 Local Centre. The development application is not consistent with the requirements of Section 4.15 (1) (a) (ii) of the Environmental Planning and Assessment Act 1979.
  - (d) The proposed development will have adverse impacts on the heritage significance of eight (8) existing buildings that are listed as Items of Environmental Heritage in Schedule 5 of the CLEP 2012 and no heritage management document has been prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage items. The development application is not consistent with the requirements of Section 4.15 (1) (b) of the Environmental Planning and Assessment Act 1979.

Signature R. Tambasco Date 12/09/2022

RALPH TAMBASCO  
BDC 1062  
**RELIEF BUILDING AND PLANNING OFFICER**

**10.18 Finance Report – Statement of Bank Balances – August 2022**

FM:RPT:SR

Author: Director Corporate & Community Services

Purpose: Statement of Bank Balances – August 2022

**Background**

The reconciliation of Council’s main bank account with the cash book controls within the Practical System for the month of August 2022 has now been completed, as shown in the tables below:

<b>Statement of Bank Balances as at 31 August 2022</b>				
<b>CASHBOOK SUMMARY</b>				<b>Data for August 2022</b>
<b>Balance As at 1/08/2022 (Consolidated Funds)</b>				<b>\$346,525.30</b>
		<b>Add For August 2022</b>	<b>Total for 01/07/2022 to 30/06/2023</b>	
Rates/Water/Debtor Receipts	\$1,126,880.25	\$1,879,758.00	\$3,006,638.25	
Investments Recalled	\$2,532,869.48	\$500,000.00	\$3,032,869.48	
RMS - RMCC, Block, Repair	\$37,544.57	\$193,041.76	\$230,586.33	
RMS - Bridge	\$0.00	\$0.00	\$0.00	
RMS - Flood Damage	\$0.00	\$0.00	\$0.00	
RMS - Regional Roads	\$0.00	\$0.00	\$0.00	
Grant - Roads to Recovery Program	\$0.00	\$0.00	\$0.00	
FAG - General & Local Roads	\$0.00	\$495,687.00	\$495,687.00	
All Other Misc Grant Payments	\$15,253.42	\$16,699.00	\$31,952.42	
Planning Receipts	\$8,516.00	\$12,059.00	\$20,575.00	
Plant / Property Trade-Ins & Sales	\$0.00	\$0.00	\$0.00	
Other Receipts	\$313,317.08	\$266,113.59	\$579,430.67	
<b>Sub Total Receipts</b>	<b>\$4,034,380.80</b>	<b>\$3,363,358.35</b>	<b>\$7,397,739.15</b>	<b>\$3,363,358.35</b>
<b>LESS PAYMENTS</b>				
		<b>Add For August 2022</b>	<b>Total for 01/07/2022 to 30/06/2023</b>	
Wages (Net of PAYG & Other Deductions)	(\$383,695.71)	(\$602,164.74)	(\$985,860.45)	
Plant Acquisitions	\$0.00	(\$104,922.57)	(\$104,922.57)	
Invested	(\$1,900,000.00)	(\$1,123,176.32)	(\$3,023,176.32)	
Other Creditors Payments	(\$1,563,091.81)	(\$1,592,398.46)	(\$3,155,490.27)	
<b>Sub Total Payments</b>	<b>(\$3,846,787.52)</b>	<b>(\$3,422,662.09)</b>	<b>(\$7,269,449.61)</b>	<b>(\$3,422,662.09)</b>
<b>Cashbook Balance 31/08/2022</b>				<b>\$287,221.56</b>
<b>BANK STATEMENTS</b>				
<b>Opening Balance 01/08/2022 (CSC's CBA Main Transaction Account)</b>				<b>\$314,029.24</b>
Less Bank Payments				<b>(\$3,378,323.28)</b>
Plus Bank Receipts				<b>\$3,348,886.30</b>
<b>Total As Per Bank Statements</b>				<b>\$284,592.26</b>
Plus Unpresented Deposits				<b>\$2,629.30</b>
Less Unpresented Cheques				<b>\$0.00</b>
<b>Reconciliation Cash Book Balance to Bank Statements 31/08/2022</b>				<b>\$287,221.56</b>

**Issues**

Nil

**Financial implications**

Nil

**Statutory implications (Governance including Legal)**

*Local Government Act (1993)*

*Local Government General Regulation (2021)*

**Policy implications**

Nil

**Risk implications**

Nil

**Community Strategic Plan**

Goal 5 – Civic Leadership and Governance

Objective 5.2 – Manage our resources to ensure that Council is financially sustainable over the long term.

**Recommendation:**

**That Council note the Statement of Bank Balances as at 31 August 2022 and confirm payment of accounts as summarised in the reconciliation statement totalling \$3,422,662.09.**

**10.19 Finance Report – Investments Schedule – August 2022**

FM:RPT:SR

Author: Director Corporate & Community Services

Purpose: Schedule of Investments – August 2022

**Background**

A complete listing of Council's investments as at 31 August 2022 is detailed below. A summary of opening and closing investment balances together with an analysis of movements during the month of August 2022 is included on the following page.

CARRATHOOL SHIRE COUNCIL INVESTMENTS - 31 AUGUST 2022							
Last Month @ 31/07/22	Financial Institution	Date Raised	Interest Rate	Duration (Days)	Maturity Date	Current Month @ 31/08/22	Change
\$513,269.02	CBA	12-Jul-22	2.74%	90 Days	10-Oct-22	\$513,269.02	\$0.00
\$533,049.42	CBA	28-Jun-22	2.48%	92 Days	28-Sep-22	\$533,049.42	\$0.00
\$504,776.02	CBA	19-Jul-22	2.84%	92 Days	19-Oct-22	\$504,776.02	\$0.00
\$500,000.00	CBA	15-Jul-22	3.41%	153 Days	15-Dec-22	\$500,000.00	\$0.00
\$509,541.15	CBA	31-May-22	1.91%	123 Days	28-Sep-22	\$509,541.15	\$0.00
\$503,072.53	CBA	23-Jun-22	2.65%	120 Days	21-Oct-22	\$503,072.53	\$0.00
\$500,798.12	CBA	30-Aug-22	2.94%	90 Days	28-Nov-22	\$502,956.63	\$2,158.51
\$502,321.90	CBA	29-Jul-22	2.83%	123 Days	29-Nov-22	\$502,321.90	\$0.00
\$501,208.22	CBA	27-Jun-22	2.44%	92 Days	27-Sep-22	\$501,208.22	\$0.00
\$502,988.35	CBA	30-May-22	2.09%	152 Days	31-Oct-22	\$502,988.35	\$0.00
\$505,996.16	CBA	28-Jun-22	2.48%	90 Days	28-Sep-22	\$505,996.16	\$0.00
\$505,731.21	CBA	30-May-22	1.90%	122 Days	30-Sep-22	\$505,731.21	\$0.00
\$5,513,019.18	CBA	19-Jul-22	3.12%	122 Days	18-Nov-22	\$5,513,019.18	\$0.00
\$503,575.25	CBA	27-Jul-22	2.79%	92 Days	27-Oct-22	\$503,575.25	\$0.00
\$550,831.78	CBA	08-Jun-22	1.94%	90 Days	06-Sep-22	\$550,831.78	\$0.00
\$500,999.45	CBA	18-Jul-22	2.82%	31 Days	18-Oct-22	\$500,999.45	\$0.00
\$500,723.97	CBA	30-Aug-22	2.94%	90 Days	28-Nov-22	\$502,882.16	\$2,158.19
\$506,881.52	CBA	10-Jun-22	2.18%	90 Days	08-Sep-22	\$506,881.52	\$0.00
\$503,944.85	CBA	26-Aug-22	3.10%	4 Months	23-Dec-22	\$506,030.49	\$2,085.64
\$501,966.93	CBA	05-Jul-22	2.22%	90 Days	03-Oct-22	\$501,966.93	\$0.00
\$501,946.53	CBA	06-Jul-22	2.93%	120 Days	03-Nov-22	\$501,946.53	\$0.00
\$499,630.43	CBA	29-Jul-22	3.07%	153 Days	29-Dec-22	\$499,630.43	\$0.00
\$502,753.02	CBA	27-Jul-22	2.79%	92 Days	27-Oct-22	\$502,753.02	\$0.00
\$510,898.22	Bendigo Bank	04-Aug-22	1.45%	123 Days	05-Dec-22	\$512,085.18	\$1,186.96
\$96,079.31	Bendigo Bank	03-Jun-22	0.45%	6 Months	03-Dec-22	\$96,079.31	\$0.00
\$25,159.70	Bendigo Bank	10-Mar-22	0.45%	214 Days	10-Oct-22	\$25,159.70	\$0.00
\$504,901.71	Westpac	23-Aug-22	3.04%	122 Days	23-Dec-22	\$506,747.02	\$1,845.31
\$521,973.74	NAB	30-May-22	0.95%	99 Days	05-Sep-22	\$521,973.74	\$0.00
\$500,747.95	NAB	30-May-22	0.95%	99 Days	05-Sep-22	\$500,747.95	\$0.00
\$502,239.76	NAB	20-Jun-22	1.77%	91 Days	19-Sep-22	\$502,239.76	\$0.00
\$503,264.18	NAB	22-Aug-22	2.40%	91 Days	21-Nov-22	\$504,456.16	\$1,191.98
\$504,570.45	NAB	13-Jun-22	2.00%	4 Months	13-Oct-22	\$504,570.45	\$0.00
\$504,827.07	NAB	20-Jun-22	2.00%	91 Days	20-Oct-22	\$504,827.07	\$0.00
\$513,504.51	NAB	14-Jun-22	2.29%	5 Months	14-Nov-22	\$513,504.51	\$0.00
\$502,298.28	NAB	30-May-22	0.95%	98 Days	05-Sep-22	\$502,298.28	\$0.00
\$535,735.30	IMB	25-Jul-22	2.45%	92 Days	25-Oct-22	\$535,735.30	\$0.00
\$512,621.40	IMB	03-Aug-22	3.05%	159 Days	09-Jan-23	\$513,480.92	\$859.52
\$526,461.09	IMB	17-Aug-22	2.65%	92 Days	17-Nov-22	\$527,904.89	\$1,443.80
\$500,626.71	IMB	31-Aug-22	2.80%	91 Days	30-Nov-22	\$502,456.40	\$1,829.69
\$500,000.00	IMB	15-Jul-22	2.75%	123 Days	15-Nov-22	\$500,000.00	\$0.00
\$501,255.18	IMB	06-Jul-22	2.20%	92 Days	06-Oct-22	\$501,255.18	\$0.00
\$506,515.01	IMB	21-Jul-22	3.00%	148 Days	16-Dec-22	\$506,515.01	\$0.00
\$501,072.61	IMB	29-Aug-22	2.70%	92 Days	29-Nov-22	\$502,814.70	\$1,742.09
\$505,051.04	IMB	22-Jun-22	2.30%	120 Days	20-Oct-22	\$505,051.04	\$0.00
\$509,242.48	IMB	13-May-22	1.25%	124 Days	14-Sep-22	\$509,242.48	\$0.00
\$507,858.29	IMB	31-Aug-22	2.80%	91 Days	30-Nov-22	\$509,714.41	\$1,856.12
<b>\$27,465,929.00</b>						<b>\$27,484,286.81</b>	<b>\$18,357.81</b>

ON CALL INVESTMENTS							
\$2,486,161.73	CBA	Variable	0.85%	N/A	On Call A/c	\$2,988,383.93	\$502,222.20
	Movements On Call Funds			CBA			
	01-Aug-22	Interest	\$2,222.20				
	During Month	From On Call	\$500,000.00				
	During Month	To On Call	\$1,000,000.00				
	On Call - Net Change for Month		<b>\$1,502,222.20</b>				
<b>\$2,486,161.73</b>						<b>\$2,988,383.93</b>	<b>\$502,222.20</b>
<b>\$29,952,090.73</b>						<b>\$30,472,670.74</b>	<b>\$520,580.01</b>
I certify that the above Investments have been made in accordance with the Local Government Act, the Regulations thereunder and Council's Investment Policy.							
Signed copy held in Council records			<b>Robert Rayner</b>				
			<b>Director Corporate Services</b>				

**Analysis – Opening and Closing Balances:**

INVESTMENT TYPE	OPENING 1/8/22	CLOSING 31/8/22	VARIATION AUG
IBDs	27,465,929.00	27,484,286.81	18,357.81
On Call Funds	2,486,161.73	2,988,383.93	502,222.20
<b>TOTAL</b>	<b>30,555,488.64</b>	<b>30,472,670.74</b>	<b>520,580.01</b>

**Analysis – Change During Month:**

	VARIATION – AUGUST 2022
ADD – Interest Incorporated in IBDs Rolled Over	18,357.81
ADD – New IBDs	0
LESS – IBDs recalled	0
ADD – Interest from On Call Funds	2,222.20
LESS – On Call Funds recalled	(500,000.00)
ADD – Funds applied to On Call Funds	1,000,000.00
<b>TOTAL VARIATION</b>	<b>520,580.01</b>

**Funds Held on Behalf of Other Organisations:**

The Schedule of Investments includes one separate deposit that Council is holding in trust.

- IBD with Bendigo Bank – Ref No. 173016924                      \$25,159.70

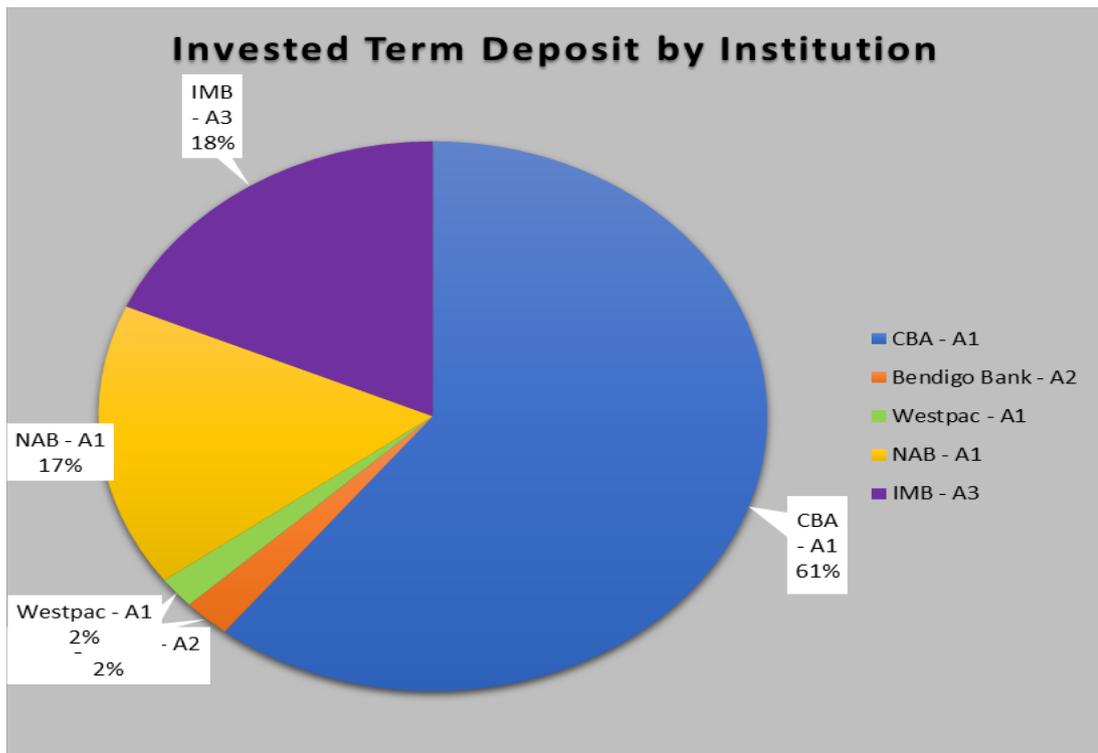
**Compliance with Policy Limits:**

Council Policy 019 – Investment of Surplus Funds limits the exposure of invested funds to an individual organisation by the credit rating of the organisation so that single entity exposure is limited as detailed in the table below:

S&P Long Term Credit Rating*	S&P Short Term Credit Rating*	Portfolio Maximum
AAA Category	A1 +	50%
AA Category or Major Bank	A1	50%
A Category	A2	30%
BBB Category	A3	30%
NSW Treasury Corp Hour Glass Facility	Unrated	30%
Unrated Authorised Deposit Taking Institution	Unrated	10%

Moody's/Fitch equivalent \*

Council funds invested in term deposits continue to exceed single institution threshold limits as previously detailed. Council is able to invest up to 50% of funds in a single AA rated organisation. CBA term deposits currently comprise 61% of invested funds. Details are provided in the chart below:



**Issues**

Nil

**Financial implications**

Council’s investment portfolio provides funding for some projects identified in the Operational Plan. Lack of diversification within the investment portfolio has the potential for higher risk to Council.

**Statutory implications (Governance including Legal)**

*Local Government Act (1993) s625*

*Local Government General Regulation (2021) Reg 205*

*Ministerial Investment Order (2011)*

**Policy implications**

Council Policy 019 - Investment of Surplus Funds

**Risk implications**

Nil

**Community Strategic Plan**

Goal 5 – Civic Leadership and Governance

Objective 5.2 – Manage our resources to ensure that Council is financially sustainable over the long term

**Recommendation:**

**That Council:**

- 1. receive the investment report as at 31 August 2022 and it be noted that the summary has been prepared in accordance with the Act, the Regulation and Council's Investment Policy,**
- 2. note that the investments reported exceed the single institution exposure limit of Council.**

**10.20 Draft Annual Financial Statements (AFS)**

FM:AUD:REP

Author: Director Corporate &amp; Community Services

Purpose: Overview of Annual Financial Statements for 2021/22

Separately Circulated: Principal Documents of the Draft Annual Financial Statements for 2021/22

**Background**

Council are required to complete a report on the results of Council's Annual Financial Statements (AFS) for 2021/22. A draft report has been completed and is now ready for audit.

Section 413 of the *Local Government Act 1993*, requires that:

1. A Council must prepare financial reports for each year, and must refer them for audit as soon as practicable (having regard to the requirements of section 416 (1) after the end of that year.  
**Note:** Under section 416 (1), a Council's financial reports for a year must be prepared and audited within four (4) months after the end of the year concerned and under section 428 (2)(a) the audited financial reports must be included in the Council's Annual Report.
2. A Council's financial report must include:
  - a general purpose financial report, and
  - any other matters prescribed by the regulations, and
  - a statement in the approved form by Council as to its opinion on the general purpose financial report
3. The general purpose financial report must be prepared in accordance with the Act and the Regulation and the requirements of:
  - the publications issued by the Australian Accounting Standards Board, as in force for the time being, subject to the regulations, and
  - such other standards as may be prescribed by the regulations.

**Issues**

The external auditor is scheduled to be on site on Monday 19 September 2022.

The documents from the draft AFS are provided as attachments to this report and these will provide a "consolidated" global summary, including water and sewer, for 2021/22:

**Consolidated General Purpose Statements (All Funds)**

Income / Expenditure Statement;  
Statement of Financial Position;  
Statement of Changes in Equity;  
Statement of Cash Flows;  
Water & Sewer Special Purpose Financial Statements

Greater (formal written) clarification on the overall financial result for 2021/22 will, as in prior years, be presented by the external auditor to the Council. In the meantime, senior staff will be able to provide a verbal analysis to this meeting of Council.

**Financial implications**

Council have budgeted \$37,000 for the 2021/22 external audit.

Financial results determine Council's ability to provide goods, services and facilities and to carry out activities appropriate to the current and future needs of the local community.

**Statutory implications (Governance including Legal)**

*Local Government Act 1993*

*Australian Accounting Standards and Professional Pronouncements*

*Local Government Code of Accounting Practice and Financial Reporting*

**Policy implications**

Nil

**Risk implications**

Nil

**Community Strategic Plan**

Goal 5 – Civic Leadership & Governance

Objective 5.2 – Manage our resources to ensure that Council is financially sustainable over the long term

**Recommendation:**

**That Council:**

- 1. refer the 2021/22 draft Annual Financial Statements for audit.**
- 2. the Statement of Councillors and Management be signed in accordance with sections 413 (1), (2) and (3) *Local Government Act 1993*.**

**10.21 Financial Assistance Grant**

GS:PRO:FAG

Author: Director Corporate & Community Services

Purpose: To provide information from the Grants Commission on the Financial Assistance Grant for the 2022/23 financial year

Information Items: Information from the Grants Commission

**Background**

The NSW Local Government Grants Commission has informed Council of its entitlement for the 2022/23 financial assistance grants (including adjustments). These are detailed below (with comparison to 2021/22 grants):

Component	2021/22 - \$	2022/23 - \$	Variation - %
General Purpose	4,250,399	4,534,865	+6.69
Local Roads	2,534,152	2,652,695	+4.68
<b>Total FAG Grant</b>	<b>6,784,551</b>	<b>7,187,560</b>	<b>+5.94</b>

**Issues**

Council provided the following votes in the 2022/23 Operational Plan:

- General purpose component \$4,335,404
- Local roads component \$2,584,834

**Issues**

Therefore, there is an increase in estimated income of \$199,461 for the general purpose component and an increase of \$118,543 for the local roads component. This provides an overall increase of \$318,004 against original budget estimates.

The Grants Commission have provided information on the financial assistance grant. These documents are provided in the information items section of the Business Paper.

**Financial Implications**

The financial assistance grant provides Council with approximately 25% of its annual income.

**Statutory Implications**

Nil

**Policy Implications**

Nil

**Risk Implications**

Nil

**Community Strategic Plan**

Goal 5 – Civic Leadership and Governance

**Recommendation:**

**That Council note the overall increase in the Financial Assistance Grant of \$318,004 for 2022/23 against the original budget estimate.**

**10.22 Outstanding Rates and Sundry Debtors**

RCV:NOT:REP

Author: Director Corporate and Community Services

Purpose: To provide Council with a status report of outstanding rates and charges.

**Background**

This report provides an update on rates, annual charges and debtor arrears at 30 June 2022. The Office of Local Government issued guidelines during the COVID pandemic regarding the processes that could be undertaken to collect outstanding debts. By continuing to communicate with our ratepayers Council has been able to maintain debt levels similar to previous years. Any costs associated with debt recovery are on-charged to the relevant customer. Council addresses hardship requests on a case-by-case basis in accordance with both the Recovery of Outstanding Debts and Hardship Assistance for Rates and Annual Charges policies. Rates are a major source of Council revenue and there is an expectation by the community that all ratepayers should meet their obligations.

**Issues**

The following tables show debt levels in rates and sundry debtors for the 2021/22 financial year together with comparative figures for the 2020/21 financial year.

Rates 2020/21		Rates 2021/22		
Fund	Outstanding \$	Fund	Outstanding \$	Variation
General	289,748.68	General	275,366.47	-14,382.21
Water	181,769.45	Water	177,955.68	-3,813.77
Sewerage	80,570.72	Sewerage	96,009.62	15,438.90
Sullage	3,018.09	Sullage	2,046.63	-971.46
Garbage	30,795.07	Garbage	32,014.40	1,219.33
Tipping Charges	73,387.00	Tipping Charges	77,130.67	3,743.67
Water Consumption	229,006.95	Water Consumption	194,129.07	-34,877.88
Legal Fees	17,189.73	Legal Fees	37,990.16	20,800.43
<b>Total</b>	<b>905,485.69</b>	<b>Total</b>	<b>892,642.70</b>	<b>-12,842.99</b>

Debtors 2020/21		Debtors 2021/22		
Debtor Type	Outstanding \$	Debtor Type	Outstanding \$	Variation
Other/Govt	170,841.60	Other/Govt	257,003.78	86,162.18
Private	169,235.05	Private	126,874.55	-42,360.50
<b>Total</b>	<b>340,076.65</b>	<b>Total</b>	<b>383,878.33</b>	<b>43,801.68</b>

Council have a number of rate payers already on payment arrangements and further arrangements are being pursued. Other debt collection avenues are applied when communication and arrangements do not achieve satisfactory outcomes. The majority of Other/Govt debtors outstanding were current at 30 June 2022.

**Financial implications**

Outstanding rates, charges and interest reduce Council's cash flow. Additionally, they are a performance measure reported in the annual financial statements.

**Statutory implications (Governance including Legal)**

*Local Government Act 1993*

**Policy implications**

Rates – Recovery of Outstanding Debts Policy

Rates – Hardship Assistance for Rates and Annual Charges Policy

**Risk implications**

Council must maintain reasonable debt collection efforts and balance fiscal policy with ratepayers' circumstances to minimise reputational damage

**Community Strategic Plan**

Goal 5 – Civic Leadership and Governance

Objective 5.2 – Manage our resources to ensure that Council is financially sustainable over the long term.

**Recommendation:**

**That Council note the report on outstanding rates and sundry debtors.**

**10.23 Delivery Plan Performance Report**

CM:POL:SCBP

Author: Director Corporate & Community Services

Purpose: To provide Council with a report on progress against the Delivery Plan

Attachment: Delivery Plan Performance Report

**Background**

Council is required to report on progress with respect to principal activities in the Delivery Program at least every six months.

**Issues**

These progress reports are normally to be received in the months of February and August each year as this aligns with the outgoing report from one Council to another at the end of a Council term, and for Annual Reporting Requirements.

The report has been completed and is attached for your reference.

**Financial implications**

Nil

**Statutory implications (Governance including Legal):**

*Local Government Act 1993*, Section 404 5) The general manager must ensure that regular progress reports are provided to the council reporting as to its progress with respect to the principal activities detailed in its delivery program. Progress reports must be provided at least every 6 months.

**Policy implications:**

Nil

**Risk implications:**

Nil

**Community Strategic Plan:**

This report covers all the themes within the Community Strategic Plan

**Recommendation:**

**That Council note the Delivery Plan Progress Report for August 2022.**

Action	Responsible Directorate	Partners	Performance Measure	Target Quarter				Outcome
				1 <sup>st</sup> Quarter	2 <sup>nd</sup> Quarter	3 <sup>rd</sup> Quarter	4 <sup>th</sup> Quarter	
<b>1. An Inclusive, Connected and Healthy Community</b>								
<b>1a. Increased transport options for all sectors of the community</b>								
<b>1b. A connected community for pedestrians through well planned walking tracks</b>								
1b(ii) Implement Footpath Master plan	MFTS		Footpath Master plan implemented		x	x		Draft plan partially completed
<b>1c. A community where young people are engaged and valued</b>								
1c(v) Install youth page on Council Website	EDO		Youth page operating			x		New website developed and online, with youth page partially developed
<b>1d. An engaged and trusting community with strong social and support networks</b>								
<b>1e. A healthy community with access to services that meet community needs</b>								
<b>2. Infrastructure for a Sustainable Future</b>								
<b>2a. Carrathool Shire is connected through appropriate infrastructure to support freight and logistic</b>								
2a(ii) Work with RMS to increase RMCC work leading to improvement in roads	DIS	Local producers and farms RMS	Improved RMS funding for Shire road improvements relevant to produce logistics			x	x	Ongoing discussions have been held
<b>2b. Community infrastructure that is accessible for everyone</b>								
<b>2c. A community where increased number of community members have access to water supply</b>								
2c(ii) Undertake a feasibility study to determine viability for any identified expansion	MWS		Feasibility study prepared and presented to Council				x	Council are currently undertaking an IWMC study
2c(iii) Implement asset replacement programme	MWS		Report to Council re W&S Asset Replacement Programme approved			x		5 year asset management plan developed

### 3. Growing and Diverse Economy

**3a. Establish Carrathool Shire as a welcoming and exciting place for our community and visitors**

**3b. Growth (population and business development) is supported through revised land use planning**

**3c. Promote opportunities for local economic diversity**

3c(iii) Canvas potential businesses to implement new business opportunities	EDO		New potential businesses identified and canvassed		x	x	x	GM's work in this area has been ongoing.
---	-----	--	---	--	---	---	---	--

**3d. Support partnerships to achieve positive outcomes for the community**

**3e. A connected community with reliable telecommunications**

### 4. Sustainable Natural Environment

**4a. A community that thrives on sustainable farming practices**

**4b. Educate our future generations about the natural environment**

4b(iii) Facilitate road side clean ups and other activities across the Shire	BRSM		Continued community engagement by Council with roadside clean-ups and similar activities	x	x	x	x	Roadside clean up has been suspended by the RMS
--	------	--	--	---	---	---	---	---

4b(iv) Support major events such as Tree Day and Clean Up Australia Day	BRSM		Major environmental events in Shire publicised and promoted as required	x		x		Events are ongoing and are supported as required.
---	------	--	---	---	--	---	--	---

**4c. Consider recycling and waste reduction strategies**

**4d. Provide a safe environment for the local fauna and flora**

**4e. Promote an environment that is conducive to the production of high quality fresh fruit and vegetables**

### 5. Leadership and Governance

**5a. A community that values the opinions of all and supports young leaders to contribute to the community**

**5b. Encourage more volunteering within the community**

5b(iii) Undertake a Skills Audit for Shire's Volunteer Pool to identify skills within the Shire's Volunteer Pool	EDO		Pool of volunteers available for engagement as required			x		Not yet completed
--	-----	--	---	--	--	---	--	-------------------

**5c. The community to benefit by access to more community grants**

**5d. The community to be better informed of local issues and activities and have increased opportunity to participate in decision making.**

**10.24 Pecuniary Interest Returns Audit**

GOV:COU:PCDR

Author: Director Corporate & Community Services

Purpose: To advise councillors and designated staff that the Office of Local Government (OLG) will be undertaking an audit of Pecuniary Interest Returns

Attachment: Circular No.22-23 / 25 August 2022 / A826280

**Background**

The *Local Government Act 1993* provides for the management of pecuniary interests. It places specific obligations on councillors, council delegates, key council staff and other people involved in making decisions or giving advice on Council matters to act honestly and responsibly in carrying out their functions.

The Disclosure of Pecuniary Interest Returns is in compliance with *Clause 4.9* of the *Code of Conduct*: A councillor or designated person must make and lodge with the general manager a return disclosing the councillor or designated person’s interest within 3 months after –

- becoming a councillor or designated person, and
- at 30 June each year, and
- the councillor or designated person becoming aware of an interest they are required to disclose in a return

Information contained in returns made under the *Code of Conduct* is to be made publicly available in accordance with the requirements of the *Government Information (Public Access) Act 2009 (GIPA)*, the *Government Information (Public Access) Regulation 2009* and any guidelines issued by the Information Commissioner.

Each year, the Office of Local Government stresses the need for councillors to ‘give due care and attention when dealing with pecuniary interest matters at council meetings under *s451* of the *Local Government Act 1993*’.

**Issues**

The OLG have now advised in their circular dated 25 August 2022 that they will be now be auditing the returns. Advanced notice is being given to Councils to ensure Councillors and designated persons have an opportunity to review their returns.

The OLG has reminded Council that a failure to correctly lodge and/or disclose interests is misconduct and can result in disciplinary action being taken.

Council will provide a copy of all completed pecuniary interest returns to Councillors and designated officers for review, prior to their tabling at the October 2022 meeting.

**Financial implications**

Nil

**Statutory implications (Governance including Legal)**

*Local Government Act 1993 s449 & s451*  
*Government Information (Public Access) Act 2009*  
*Government Information (Public Access) Regulation 2009*  
*Privacy and Personal Information Protection Act 1998 (NSW)*

**Policy implications**

Code of Conduct  
 Council Policy 21 – Designated Officers Pecuniary Interest Returns Provisions

**Risk implications**

If the returns are not completed correctly, Councillors and the designated officers may be held accountable and be subject to disciplinary actions

**Community Strategic Plan**

Goal 5 Civic Leadership and Governance

**Recommendation:**

**That Councillors receive the information provided and complete a review of their pecuniary interest returns.**

ATTACHMENT



Circular to Councils

<b>Circular Details</b>	Circular No 22-23 / 25 August 2022 / A826280
<b>Previous Circular</b>	N/A
<b>Who should read this</b>	Councillors / General Managers / 'designated persons' / council governance staff
<b>Contact</b>	Investigations Team / 02 4428 4100 / <a href="mailto:olg@olg.nsw.gov.au">olg@olg.nsw.gov.au</a>
<b>Action required</b>	Information

**Audit of written returns of interests**

**What's new or changing**

- The Office of Local Government (OLG) will be undertaking an audit of written returns of interests lodged by councillors and designated persons.

**What this will mean for your council**

- Councillors, administrators, and other council officials (general managers, senior staff and other 'designated persons') should note that their written returns of interests may be subject to review as part of the OLG audit.
- Advance notice of the audit is being given to allow councillors, administrators, and designated persons the opportunity to ensure their returns are accurate and complete.
- Councils may wish to undertake their own review of returns to facilitate compliance, particularly to ensure all sections of the return have been completed, and that the return period and date are correct.

**Key points**

- Councillors and designated persons are required to lodge written returns of interest in accordance with the requirements set out in their council's code of conduct.
- Councillors and designated persons are required to lodge a new return with their council's general manager no later than 30 September 2022, unless exempt from doing so.
- A failure to correctly lodge and/or disclose interests is misconduct and can result in disciplinary action being taken.

**Where to go for further information**

- The OLG has issued guidance on the completion of disclosure of interest returns, which is available [here](#).
- For more information about the completion of returns of interests, please contact OLG's Council Governance Team by telephone on 4428 4100 or by email to [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au).

**Melanie Hawyes**  
**Deputy Secretary, Crown Lands and Local Government**

Office of Local Government  
 5 O'Keefe Avenue NOWRA NSW 2541  
 Locked Bag 3015 NOWRA NSW 2541  
**T** 02 4428 4100 **F** 02 4428 4199 **TTY** 02 4428 4209  
**E** [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au) **W** [www.olg.nsw.gov.au](http://www.olg.nsw.gov.au) **ABN** 20 770 707 468

Strengthening local government

**10.25 NSW Treasury – Follow the Dollar Consultation**

GR:SL:SG

Author: Director Corporate & Community Services

Purpose: To advise councillors that NSW Treasury are consulting with key stakeholders on a proposal to empower the NSW Auditor-General (A-G) to carry out performance audits on Non-Public Sector Entities (NPSEs)

Attachment: Follow the Dollar Consultation Overview

**Background**

NSW Treasury is consulting with key stakeholders on a proposal to empower the A-G to carry out performance audits of the use of public resources (including public monies) by NPSEs to provide goods or services to the public on behalf of the NSW Government and local government.

These additional A-G powers are known as ‘Follow the Dollar’ (FTD) powers. It is proposed that these powers would be vested in the A-G through amendments to the *Government Sector Audit Act 1983* and *Local Government Act 1993*. This current consultation follows an earlier round of consultation within the NSW Government in 2019/20.

New South Wales is the only Australian jurisdiction where the A-G does not have FTD powers. FTD performance audits could assist in highlighting an accountability gap, if it exists, when NPSEs are contracted by State and Local Governments to deliver goods and services using public resources. This is because currently the A-G does not have the authority to directly examine the use of public resources by NPSEs to provide goods or services to the public. The NSW Government has committed to consulting on FTD powers for the A-G to close this gap.

**Issues**

The Council has policies and managerial practices in place to monitor the use of public resources by NPSEs. These further powers that may be given to the A-G is another additional administrative burden on Council and those NPSEs subject to these performance audits.

A copy of the consultation paper will be tabled at the meeting for information as the submission period closed on Wednesday 7 September 2022.

**Financial implications**

The performance audits performed on the NPSEs will be covered under the A-G budget but Council will have to provide assistance as required, which will impose an additional burden on Council’s existing staff resources.

**Statutory implications (Governance including Legal)**

*Local Government Act 1993*

**Policy implications**

Procurement and Credit Card Policy No.166

Business Ethics Statement Policy No.88

**Risk implications**

The risk implications would be dependent on the outcomes of any performance audits

**Community Strategic Plan**

Goal 5 Civic Leadership and Governance

**Recommendation:**

**That Councillors note the information provided on the Follow the Dollar consultation**

## ATTACHMENT

NSW Treasury



## FOLLOW THE DOLLAR REFORM IN NEW SOUTH WALES

### CONSULTATION OVERVIEW

#### Purpose

NSW Treasury is consulting on a proposal to provide legislative powers to the NSW Auditor-General (A-G) to carry out performance audits of the use of public resources (including public monies) by non-public sector entities (NPSEs) to provide goods or services to the public. These additional A-G powers are known as 'Follow the Dollar' (FTD) powers. The powers would be vested in the A-G through amendments to the *Government Sector Audit Act 1983* and the *Local Government Act 1993*. This current consultation follows an earlier round of consultation within the NSW Government.

#### Why introduce FTD in NSW?

NSW is the only Australian jurisdiction where the A-G does not have FTD powers. FTD powers could assist in addressing an accountability gap, when NPSEs are resourced by governments (State or local) to deliver activities and services. This is because currently the A-G has no remit to examine the delivery performance of the NPSE. The NSW Government has committed to consulting on, and legislating, FTD powers for the A-G to close this gap.

#### The considerations for FTD in NSW

In developing a proposal for FTD powers in NSW, we reviewed the approach of other Australian jurisdictions and identified five key dimensions of FTD powers to consider:

1. How to determine when the A-G will use their FTD powers,
2. How the scope / objective of FTD performance audits will be determined,
3. How the NPSE will be engaged with about determining the scope / objective of a FTD performance audit and the findings and recommendations arising from the FTD performance audit, and
4. What type of funding arrangements will be within scope of FTD powers,
5. How to protect commercially sensitive information of the NPSEs.

#### The proposed FTD model

Reflecting the reform objective of closing the accountability gap, and adopting typical and/or good practices in FTD models elsewhere in Australia, the FTD model proposed for NSW has the following features:

- a) FTD powers will be primarily exercised as part of, and in association with, the A-G's powers to undertake performance audits. It is not intended to impose any specific triggers or thresholds for the A-G to employ FTD powers in association with a performance audit.
- b) That performance audits using FTD powers will be restricted to determining whether the NPSE (including any 'downstream' NPSE engaged by the 'lead' NPSE to undertake the work) has applied public resources effectively, efficiently, economically and in compliance with all relevant laws, for the particular purpose for which they were made available to the 'lead' NPSE.
- c) That existing provisions for formal engagement on the audit scope also include any NPSEs included as auditees in the audit.
- d) The types of arrangements that are included in FTD performance audit powers are broad, and include at a minimum outsourcing, public private partnerships, grants, service concession, fee for service,

## NSW Treasury



contracting, subsidy/entitlement funding models, and lease arrangements where the lessee has obligations related to the maintenance or safe operation of public assets.

- e) The A-G is empowered to inspect the records and interview the staff of the NPSE, as they currently are empowered for performance audits. FTD performance audits are not the same as a financial audit but are an examination and inspection that is likely to include financial information relevant to the FTD audit. Performance audits using FTD powers would be tabled in Parliament, as all performance audits reports are.

The result of FTD powers will not be the creation of a new workstream of 'FTD audits' for the A-G. FTD powers will improve the A-G's ability to assure that government funding delivers against the purpose for which it was provided, within the A-G's existing performance audit program.

When FTD powers have been examined previously by Parliamentary committees, the main concerns raised by stakeholders centred on the potential risk that the reform would introduce additional compliance costs to service providers, and ultimately impact service delivery for the people of NSW. It is essential that any proposal to introduce FTD reform in NSW ensures that performance audits involving the exercise of FTD powers are reasonable and do not place an excessive burden on NPSEs. These risks will be explored with NPSEs during consultation.

### Other considerations

This consultation paper seeks feedback both on the model proposed in this paper, as well as feedback on any other considerations including experience with FTD in other jurisdictions, compliance costs and the performance audit process.

In New South Wales, the jurisdictions of the Independent Commission Against Corruption ('ICAC') and the Ombudsman are linked to the jurisdiction of the A-G, meaning that expanding the A-G's jurisdiction may also result in the expansion of the jurisdiction of ICAC and the Ombudsman). Given the singular focus of this proposed FTD reform on the NSW AO, the expansion of the jurisdiction of the ICAC and NSW Ombudsman to include NPSEs is outside the scope of this consultation.

### Stakeholder feedback

The full position paper, including specific questions on the considerations and model outlined above, will be available at [[www.treasury.nsw.gov.au/budget-financial-management/reform/government-sector-finance-act-2018](http://www.treasury.nsw.gov.au/budget-financial-management/reform/government-sector-finance-act-2018)]. We seek stakeholder feedback on the proposed FTD model, including any impact these legislative powers may have on the NPSE sector. Feedback is due by 7 September 2022 and should be sent to [legislation@treasury.nsw.gov.au](mailto:legislation@treasury.nsw.gov.au).

**10.26 Transfer of Land to Council**

RCV:PAY:DR

Author: Director Corporate &amp; Community Services

Purpose: To report on a request to transfer land to Council

**Background**

Council have received a request from the owner of Mena Road, Rankins Springs (Assessment No. 597-0) and Bland Street, Rankins Springs (Assessment No. 599-0) to transfer the vacant blocks to Council, in exchange for clearance of the outstanding rates and all legal costs.

**Issues**

The ratepayer has not made a payment since September 2013 and does not reside in Carrathool Shire. Both blocks of land are vacant. The Mena Rd block has an area of 2,718 m<sup>2</sup> and the Bland St block has an area of 1303m<sup>2</sup>. The blocks back onto each other. Both blocks are zoned RU1 (Farmland). Council had commenced legal action due to the outstanding balance and has undertaken a rigorous financial examination of the ratepayer's financial position.

While both properties are eligible for sale under s713, to avoid further legal costs it would be prudent to accept the transfer and sell the land by private treaty.

The *Local Government Act 1993* allows for the transfer of land in lieu of the payment of rates and/or charges. The Act states that a council may accept a transfer of the land in respect of which rates or charges are or accrued interest is due and payable in full satisfaction of the rates, charges or accrued interest.

The rates outstanding currently total \$12,375.18 for both blocks (Assessment 597 Mena Road \$6,322.29 and Assessment 599 Bland Street \$6,052.89). The Valuer Generals valuation for the Mena Road block is \$1,790 and for the Bland Street block it is \$1,510.

**Financial implications**

The current rates owed on the assessments total \$12,375.18. The legal fees would be paid by Council and would be approx. \$1,400.00.

**Statutory implications (Governance including Legal)**

*Local Government Act 1993 – s570 & s713*

**Policy implications**

Nil

**Risk implications**

Nil

**Community Strategic Plan**

Goal 5 – Civic Leadership & Governance

Objective 5.2 – Manage our resources to ensure that Council is financially sustainable over the long term

**Recommendation:****That Council:**

1. approve the transfer of the land to Council's name for the value of the unpaid rates.
2. note that the land is to be classified as operational land.

**10.27 Council's 355 Committees**

GOV:MCCC:S355C

Author: Director Corporate &amp; Community Services

Purpose: To advise councillors of the status of Council's 355 Committees

**Background**

Council was provided a report on the 355 Committees at its December 2019 meeting which included information on the internal audit. The report indicated that Council was in the process of rolling out its new Section 355 Committees manual to all its committees during 2016 and 2017. This process was interrupted by a number of changes at Council and the closure of two committees, the Gunbar Hall and the Hillston Community Centre. This left the following management committees still in place: Rankins Springs War Memorial Hall, Rankins Springs Recreation Group, Goolgowi Community Hall, Merriwagga Community Hall, Carrathool Memorial Hall and Sports Ground and the Wallanthery Community Hall.

A subsequent internal audit of the Section 355 Committees was undertaken in March 2018 with a number of adverse findings. The reports summary was as follows:

*“Council has appointed all section 355 Committees in accordance with the Local Government Act 1993 however such appointments have not been made in accordance with Council’s “Section 355 Management Committee Manual”. In particular we note:*

- *Advertisements were not placed to advise the local community and request nomination of Committee members*
- *Public meetings were not arranged in the district in which the facility is situated.*

*Additionally, we report that Council has not resolved to specifically:*

- *state the delegations conferred on the s355 committees as provided for in s377*
- *authorise the committees to expend any monies the Council may vote.*

*From an operational perspective there have been numerous breaches of the Manual. We note Council’s lack of control and accountability over the Committees which has potentially exposed Council to serious consequences.”*

Council discussed the issues and resolved to complete delegations to the 355 Committees.

**Issues**

Council completed the delegations and undertook another review of the 355 Committee manuals during the COVID period. Due to COVID, Council could not meet with the committees to provide them with the manuals, and to discuss the ongoing governance issues.

Council completed meetings with all the committees during 2022, issuing new manuals and discussing the minimum requirements for governance of the committees.

Most of the 355 Committees are struggling to maintain members or hold meetings, with Wallanthery and Carrathool having 2 and 3 members respectively. At the meeting with Carrathool it was decided by the members present to close the committee. The Committee’s fundraising opportunities were limited and they were struggling to pay the electricity accounts. Arrangements have been made to take over the electricity accounts and key holders have consented to make the keys available when Council hires out the facilities.

Council will continue to monitor compliance by the other committees in relation to their governance responsibilities.

**Financial implications**

The Hall electricity budget will be impacted. The actual impact will not be definable, until the end of the financial year.

**Statutory implications (Governance including Legal)**

*Local Government Act 1993 s355*

**Policy implications**

355 Committee Manual

**Risk implications**

Council may not meet its statutory or legal obligations

**Community Strategic Plan**

Goal 5 Civic Leadership and Governance

**Recommendation:**

**That Councillors note the information provided on the 355 Committees.**

**10.28 Economic Development Unit Report - September 2022**

ED:TOUR:TEP

Author: Economic Development Support Officer

Purpose: To advise Council of recent activities undertaken by the Economic Development Unit (EDU)

**Background**

Each month the Economic Development Unit (EDU) provides Council with an update of activity that has taken place and future proposals for Council consideration.

**Issues**

**Stronger Country Communities Fund (SCCF) Round 5**

Council has been allocated \$866,308 in this round of Stronger Country Communities. The application is being prepared for 4 projects and will be submitted by 23 September 2022.

<b>1</b>	<b>Water Tower Mural</b>	<b>\$200,000</b>
<b>2</b>	<b>Lake Woorabinda Upgrades</b>	<b>\$275,000</b>
<b>3</b>	<b>Town Beautification Projects</b>	<b>\$173,000</b>
	• Settlers Park Irrigation	\$50,000
	• Town Welcome Signage Goolgowi & Hillston	\$60,000
	• Footpath Rankins Springs	\$63,000
<b>4</b>	<b>Community Facility Upgrades</b>	<b>\$220,000</b>
	• Merriwagga Hall Upgrades	\$90,000
	• Caravan Park Office Rankins Springs	\$70,000
	• Toilet Upgrade Pinkers Beach	\$60,000
	<b>Total</b>	<b>\$868,000</b>

**Boat Ramps**

Applications for the Carrathool Boat Ramp and Hillston Boat Ramp are being prepared ready for submission by 28 October 2022.

**School Holiday Break Program**

Spring Holiday Break - \$7,000

5 October 2022 – 10am – 3pm Stan Peters Oval Hillston

Our application has been successful for our BOUNCE!!! Event. This will include 3 inflatable elements; an Obstacle course, 2 lane slide and giant soccer darts. Transport will be available. The day will also include catering and other games. The day is open to everyone however children under 12 must be accompanied by a responsible adult.

Summer Holiday Break - \$15,000

Activities to be delivered between 21 December 2022 – 5 February 2023

Applications close 21 October 2022

Suggestions – large inflatable slide on the Lake/pools, scavenger hunts (using digital technology), cooking class.

**Shop Carrathool Shire Gift Card Program Update**

The Shop Carrathool Shire Gift Card Program is continuing. To date \$12,070 has been loaded onto cards, with \$8,751 being spent. Cards are being redeemed at a variety of businesses throughout the Carrathool Shire, including Carrathool, Goolgowi & Hillston. The EDSO will continue to work with businesses to encourage participation and promotion.

**Australia Day 2023**

Preparations are underway for the 2023 Australia Day Celebrations. The host community is Goolgowi and celebrations will be held at the Goolgowi Swimming Complex. Nominations for the various Australia Day Awards will open on Monday 10 October 2022 and close Wednesday 7 December 2022. A report will be completed for consideration at the Council meeting in December 2022. Funding of \$10,000 has been secured through the Reconnecting Regional NSW Community Events Program to assist with this event.

**Reconnecting Regional NSW – Community Events Program**

The application for 14 events has been approved. The first event, a family fun day, was hosted by Hillston Swans and held on 10 September. The EDSO will work with the community groups to ensure guidelines and financial procedures are followed.

<b>Event</b>	<b>Proposed Date</b>	<b>Organiser</b>	<b>Funding Allocated</b>
Family Fun Day	10/9/2022	Hillston Swans	\$10,000
Hats Off Tools Down	18/9/2022	Rankins Springs CWA	\$5,000
Community Connect Night	TBC	Hillston CWA	\$2,000
Spring in the Springs	8/10/2022	Springs Committee	\$3,932
Pool Parties	November/December	CSC	\$3,000
St Joseph’s Christmas Tree	December	St Joseph’s P & F	\$2,200
Rankins Springs Community Christmas party	December TBC	Rankins Springs Golf Club	\$2,500
Australia Day	26/1/2023	CSC	\$10,000
Carrathool Fun Day	TBC	CSC/RFS	\$5,000
Merriwagga Ball	TBC February 2023	Merriwagga Hall Committee	\$6,000
Summer Nights Movie Series	Feb-Mar 2023	CSC	\$11,280
Lake Woorabinda Festival	Feb-Mar 2023	CSC	\$31,000
Goolgowi Country Music	March 2023	Goolgowi Club/CSC	\$10,000
Hillston Country Music	March 2023	CSC	\$10,000
			<b>\$111,912</b>
Event Management Costs			\$8,060
		<b>Total</b>	<b>\$119,972</b>

**Goolgowi Pump Track**

Community consultations, including a school visit, was held on 25 August 2022. Feedback and support for this project has been positive. The plans, designs and costings will be used to apply to the Places to Play Program which will open later this year.

**New Flag Poles – Hillston**

In 2021-2022 Council approved a capital works project valued at \$26,000 to install new flag poles along the footpath High Street, Hillston. The existing infrastructure on the electricity poles in the centre islands has been removed. The new poles and flag system will make the access for the raising and lowering of flags easier, safer and more cost effective as staff can access the flags from the ground instead of hiring cherry pickers and submitting traffic control plans. The new poles (16 in total) have arrived and the EDSO has been working with Council’s Parks & Gardens Department and the RMS (through the Infrastructure department) to map out locations for the new poles. The proposed plan of locations will be tabled at the meeting.

**Information Distributed to the Community**

- Choice Hotels Community Sports Grant
- Basketball NSW – Dads & Daughters Program
- Gone Fishing Day
- Stronger Country Communities Round 5
- Free School Holiday Camps - Spring

**Financial implications**

Existing EDU budget and grant funding.

**Statutory implications (Governance including Legal)**

Nil

**Policy implications**

Nil

**Risk implications**

Nil

**Community Strategic Plan**

Goal 1 – Thriving and Liveable Communities

Goal 3 – Resilient and Welcoming

**Recommendation:**

**That Council note the Economic Development Support Officers report for September 2022.**

**11. Committee Reports**

**12. Closed Council Reports**

**12.1 Hillston Medical Centre - Status Update**

CP:LSCP/HMC

Author: General Manager

Purpose: To Inform Council of the Status of the Hillston Medical Centre

**Background**

Council is asked to consider this report Hillston Medical Centre – Status Report in Closed Council under the provisions of section 10A (c) of the *Local Government Act 1993*

**Financial implications**

Nil

**Statutory implications (Governance including Legal)**

This item is classified CONFIDENTIAL under section 10A (a) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business in relation to the following:

- (c) *Information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

**Policy implications**

Nil

**Risk implications**

Nil

**Community Strategic Plan**

Nil

**Recommendation:**

**That Council resolve into closed council pursuant to Section 10A (a) of the *Local Government Act 1993*.**

**12.2 General Manager Performance Review 2021-22**

PERSONNEL

Author: Mayor

Purpose: For Council to consider the performance of the General Manager over the past 12 months.

**Background**

Council is asked to consider this report on the performance of the General Manager over the past 12 months 2021-22 in Closed Council under the provisions of section 10A (a) of the *Local Government Act 1993*

**Financial implications**

Nil

**Statutory implications (Governance including Legal)**

This item is classified CONFIDENTIAL under section 10A (a) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business in relation to the following:

- (a) *Personnel Matters concerning particular individuals (other than Councillors).*

**Policy implications**

Nil

**Risk implications**

Nil

**Community Strategic Plan**

Nil

**Recommendation:**

**That Council resolve into closed council pursuant to Section 10A (a) of the *Local Government Act 1993*.**

**13. Next Meeting**

The next **Ordinary Meeting** of Council will be held at the **Council Chambers Goolgowi** on **18 October 2022** commencing at **10.00am**.