

## NOTICE OF ORDINARY MEETING

Notice is hereby given that the next Meeting of Council will be held in the Council Chambers on **Tuesday, 18 April 2023 at 4.00pm.**

### Agenda

1. Submission of Questions for Next Meeting
2. National Anthem
3. Prayer
4. Acknowledgement of Traditional Owners:

*“I acknowledge the traditional custodians of the land on which we live, work and play. I pay my respects to our Elders past and present and thank them for the contribution they have made, and continue to make, in the cultural identity of our nation.”*

5. Commencement of recording
6. Apologies
7. Declarations of Interest

At this juncture, Councillors should indicate any items in which they have an interest and therefore will not be participating in discussion or voting.

8. Confirmation of Minutes
  - Ordinary meeting held on 21 March 2023
9. Listing of matters to be considered in Closed Council

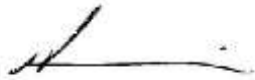
The following matters are listed to be considered in Closed Council in line with the confidentiality policy of Council and Clause 10A (2) of the Local Government Act, 1993, relating to:

- (a) personnel matters concerning particular individuals (other than councillors)
- (b) the 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 the 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 grounds of legal professional privilege information concerning the nature and location of a place or an item of Aboriginal significance on community land.

- Procedural Motion to close Council to Press and Public
- Reports from Servants to Closed Council Meeting
  - Groworx (Late) (c)
- Procedural Motion to re-open meeting to Press and Public

10. Reports



Neil Alchin  
Acting General Manager

Procedural Motion – to exclude Press and Public

“That by reason of the confidential nature of the matters to be considered in line with the confidentiality policy of Council and Clause 10(2) of the Local Government Act, 1993, relating to financial matters, staff matters, industrial matters, acceptance of tenders, personal affairs of private individuals, possible or pending litigation and such other matters considered appropriate – the Press and Public be excluded from the Meeting.

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**MAYORAL MINUTE - 5/23**  
**MAYORAL COMMITMENTS**

**SUMMARY**

To advise of the Mayor's activities since the 21 March 2023 meeting.

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03/04/23	Bendigo Bank opening of new premises
11/04/23	Inspection of Orana Living premises
18/04/23	Councillor information workshop, including Inland Rail Grade Separation
18/04/23	Regular monthly Council Meeting

**Principal Activity**

Lead

**Policy Implications**

Nil

**Budget Implications**

Nil

**Delivery Program Actions**

**4.2.1.1**

Implement the Community Engagement Strategy to inform, involve, empower, consult and collaborate with stakeholders

**RECOMMENDATION**

That the report be noted.

D Batten  
**Mayor**

## **COUNCILLOR WORKSHOPS AND BRIEFING SESSIONS**

### **SUMMARY**

To provide a response to Councillor Walker's question posed to him by a member of the public regarding Councillor Workshop process, as there is a perception in the community that Council makes decisions at these workshops.

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Under the *Local Government Act 1993*, a Council can hold a Workshop or pre meeting Briefing Sessions under its general powers as a body corporate.

Workshops/Briefing Sessions are informal gatherings generally discussing matters of significant importance or interest and can provide useful background information to Councillors on the business of Council. The information provided during these forums are generally confidential. These Workshops/Briefing Sessions may involve Councillors, Council staff and invited external participants.

Councillor Workshops/Briefing Sessions can be held immediately prior to Council Meetings. Workshops/Briefing Sessions are not decision making forums but an opportunity to provide background information or context and present options that supports a future resolution or action in Council. Feedback obtained from Councillors at a Workshop/Briefing will often help guide Council Officers in preparing reports or other documents.

The Workshops and Briefing Sessions allow the Mayor, Councillors, Executive Leadership Team and Staff to:

- Clarify issues, exchange information and to seek feedback/general direction on proposals
- Provide a forum for discussion on initiatives and discuss options in determining Council's strategic corporate direction
- Facilitate effective communications and information flow between staff and Councillors
- Provide a team building forum in which to develop trust and understanding between those attending the Workshops/Briefing Sessions.

Section 3.32 of Council's adopted meeting code of practice permits Briefing Sessions and states that Councillors must not use them to debate or make preliminary decisions on items of business they are being briefed on. Additionally, it outlines that debate and decision-making must be left to the formal council meeting at which time the item of business is to be considered.

In Workshops and Briefings, Councillors and staff are to abide by the conduct obligations of the Code of Conduct, and to remain courteous, professional and respectful of all attendees. I am pleased to report that this the case for all of Councils Workshops/Briefing Sessions.

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Principal Activity Lead

Policy Implications Nil

Budget Implications Nil

Delivery Program Actions **4.3.1.1**  
Ensure all governance targets and statutory requirements are met in line with the relevant Acts and Regulations and Council policy

RECOMMENDATION

That the report be noted.

Neil Alchin  
Acting General Manager

**WARREN ROAD RAIL CROSSING PEDESTRIAN MAZE**

**SUMMARY**

To advise the outcome of investigations into the dimensions of the pedestrian crossing maze across the Warren Road railway line following a complaint from a resident.

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In mid-2022, a local resident raised a concern regarding the difficulty he was encountering in getting their gopher through the pedestrian maze adjacent to the rail crossing on Warren Road.

Contact has been made with Transport for NSW and ARTC (by both the resident and Council) with no entity able to provide a suitable contact or satisfactory option to appease the resident. He has since contacted the local member along with the former Minister for Infrastructure and Active Transport and has been told the only way to fix it is an Active pedestrian crossing with lights. Whilst he has also been told this may not be possible due to the number of vehicle movements across the rail line, he was advised that funding is available through some form of pedestrian safety initiative funding.

The dimensions of the 'maze' have been checked against the Australian Standards and is compliant. Unfortunately, recent investigations failed to identify any suitable funding source and, even if suitable funding is located, it may be difficult to prove a need for an Active pedestrian crossing.

The resident also spoke to the General Manager in February to follow up. In addition, Cr Walker raised a question last meeting arising from the same resident. I met with the resident on 5 April 2023 at the site and he indicated the gopher can be maneuvered through the 'maze' however, as it is a larger model it requires the need to reverse back to make the turn. The resident advised me that there is an Active pedestrian crossing in Nyngan which is what he would like to see in Gilgandra.

Under the Public Roads Road Rail Interface Agreement, UGL Regional Linx is the manager of the crossing, including the pedestrian access, of the Country Regional Network (CRN) on behalf of TfNSW. I have made contact with UGL who have confirmed verbally that it was an asset under their management. A follow up email was sent, which was acknowledged with an indication that a formal response would be forthcoming. This has been conveyed to the resident.



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<u>Principal Activity</u>	Live
<u>Policy Implications</u>	Nil
<u>Budget Implications</u>	Nil
<u>Delivery Program Actions</u>	<b>4.3.5</b> Provide an advocacy role on behalf of the community

RECOMMENDATION:

That Council note the actions to date regarding the pedestrian maze at the rail crossing on Warren Road, Gilgandra.

Daryl Colwell  
Director Infrastructure

**NEW POLICY – SCHOOL BUS ROUTE SIGNAGE ON RURAL ROADS**

**SUMMARY**

To present a policy in relation to School Bus Route Signage on rural roads for consideration and adoption.

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From time to time Council receives requests for School Bus Stop signs to be installed along rural roads within Gilgandra Shire at particular locations.

Following a recent request, this issue was again considered by the Traffic Committee at its February meeting where it was determined to develop a policy to guide future requests.

The general feeling of the Traffic Committee is that School Bus Route signs are a better option than School Bus Stop signs, given that bus routes change less frequently than bus stops as families move or their circumstances change.

Further, the School Bus Route signs indicate to drivers to be mindful along the whole route, not just at certain stops along the way. There are already School Bus Route signs on several local roads.



<u>Principal Activity</u>	Live
<u>Policy Implications</u>	Nil
<u>Budget Implications</u>	Nil
<u>Delivery Program Actions</u>	<b>4.3.5</b> Provide an advocacy role on behalf of the community

**RECOMMENDATION:**

That the new policy “School Bus Route Signage on Rural Roads” be adopted.

Daryl Colwell  
Director Infrastructure

**REVIEW OF POLICY - LIGHT VEHICLE REPLACEMENT**

**SUMMARY**

To present an amendment to the Light Vehicle Replacement Policy for consideration and adoption.

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The Light Vehicle Replacement Policy presently stipulates:

*That diesel vehicles be traded at a minimum of 2 years or 80,000kms (whichever occurs first) and the remainder of light vehicles be traded at 2 years or 50,000kms (whichever occurs first).*

This approach may have been feasible at the time the Policy was formulated, however the plant replacement budget is increasingly being challenged by increased prices and supply chain issues.

Council has increased the light vehicle fleet in line with the growth of staff but the vehicle replacement vote has not changed, apart from normal CPI adjustments. It has been identified that the turnover of the light vehicles is contributing to the growing backlog of vehicles in need of replacement in line with the Policy and it is financially unsustainable.

For the past few years a few vehicles were allowed to run up to 150,000kms before trading them in as a trial. It has been established that there has been no noticeable difference in the trade value of these vehicles. Conversely, some vehicles were being traded with very low mileage because of the nature of their work but the time limit in the Policy had been reached.

Therefore, it is proposed that the Policy be amended that all light vehicles be traded at 150,000kms or 4yrs (whichever occurs first). Staff which are affected because they have leaseback arrangements have been consulted with the proposed change.

Additionally, the present Policy nominates that Gilgandra Toyota be Council's preferred supplier with a review date March 2021. This is an opportunity to amend this to read March 2025.

<u>Principal Activity</u>	Live
<u>Policy Implications</u>	Nil
<u>Budget Implications</u>	Nil
<u>Delivery Program Actions</u>	<b>1.2.2.4</b> Review the 10 year Plant Replacement Program annually.

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RECOMMENDATION:

That the Light Vehicle Replacement Policy, as amended, be adopted.

Daryl Colwell  
Director Infrastructure

## **RATE MODELS - 2023/24**

### **SUMMARY**

To present rate models for Council's consideration for the 2023/24 rating period.

.....

Council needs to consider the proposed rating structure for its Ordinary Rates for the forthcoming rating period.

Council's current structure is composed of the following rating categories:

<b>Category/Subcategory</b>	<b>Summary of Criteria for Category</b>	<b>Section of LG Act</b>
<b>Farmland</b>	All assessments engaged in farming that has a significant or substantial commercial purpose	515
<b>Residential</b>	All assessments used for residential purposes including rural residential assessments	516
<b>Residential - <i>Gilgandra</i></b>	All assessments used for residential purposes within the township of Gilgandra	516
<b>Business</b>	All assessments used for commercial purposes (excluding farming)	518
<b>Business - <i>Gilgandra</i></b>	All assessments used for commercial purposes within the township of Gilgandra	518

The Categories are determined by the Local Government Act while individual Councils determine the subcategories.

It is proposed to maintain the existing Sub-Categories used in Council's rating structure, namely, Residential - Gilgandra and Business - Gilgandra.

Council will be using land values with base date 1 July 2022 to levy the 2022/23 rates.

For 2023/24, the rate peg has been set between 3.7% and 6.8%, dependent on the population factor. The rate peg for Gilgandra has been set at 3.7%. It is proposed to increase Council's general income by the full 3.7% rate peg set by the Independent Pricing and Regulatory Tribunal (IPART). One model reflecting this increase will be presented to Council.

The interest rate on overdue rates and charges for 2023/24 is yet to be determined, and it is recommended that it be charged at the maximum as set by the Minister for Local Government. The interest rate for 2022/23 is 6.0%.

**MODEL 1**

The principles of this model are as follows:

- Increase the total income by a catch up from 2022/23 of \$9,734
- 3.7% rate peg maximum limit determined by the Independent Pricing and Regulatory Tribunal (IPART)
- Minimums have increased by 3.7% on the previous year
- Income relativities have been kept the same as previous years

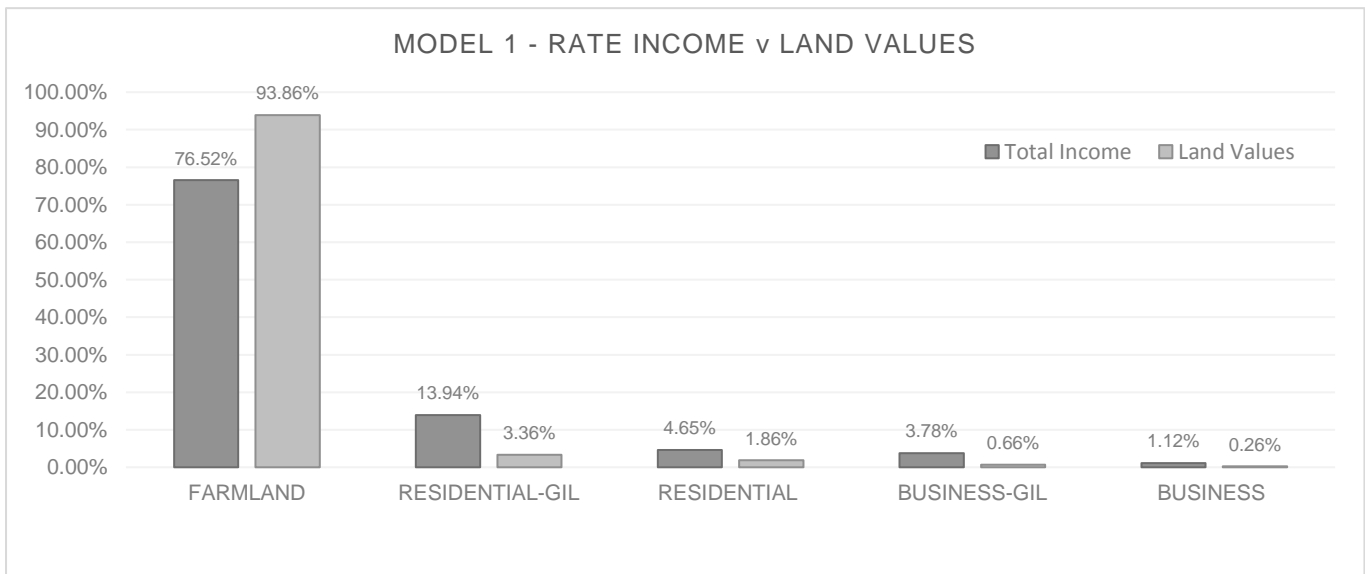
CATEGORY	Assess on Cents in \$	Rate	Amount	Assess on Min	Minimum	Amount	Total
FARMLAND	771	0.444254	\$ 4,307,724	50	\$ 622.90	\$ 31,145	\$ 4,338,869
RES-GILGANDRA	172	1.665421	\$ 163,541	884	\$ 705.15	\$ 623,352	\$ 786,894
RESIDENTIAL	151	1.018975	\$ 164,640	156	\$ 635.70	\$ 99,169	\$ 263,809
BUS-GILGANDRA	95	2.835961	\$ 169,953	62	\$ 712.70	\$ 44,187	\$ 214,141
BUSINESS	16	1.795381	\$ 38,469	39	\$ 637.40	\$ 24,858	\$ 63,328
	<b>1205</b>		<b>\$ 4,844,328</b>	<b>1191</b>		<b>\$ 822,713</b>	<b>\$ 5,667,041</b>

The impact of the rating increase on a selection of properties within the Shire is included below:

Assess	Rate Category	Location	Rate Levied Last Year	Rate Levied This Model	Var %	Var \$
A1045	FARMLAND	TONDERBURINE	7593.58	8351.98	9.99%	758.4
A2337	FARMLAND	BALLADORAN	2643.48	2425.63	-8.24%	-217.85
A249	FARMLAND	CURBAN	17528.04	18836.37	7.46%	1308.33
A3102	FARMLAND	TOORAWEEAH	6737.16	7952.15	18.03%	1214.99
A32	FARMLAND	BEARBONG	2135.34	2199.06	2.98%	63.72
A384	FARMLAND	COLLIE	11761.49	12616.81	7.27%	855.32
A427	FARMLAND	GILGANDRA	7821.96	8351.98	6.78%	530.02
A444	FARMLAND	MENDOORAN	3505.61	3616.23	3.16%	110.62
A467	FARMLAND	ARMATREE	4864.46	4575.82	-5.93%	-288.64
A522	FARMLAND	KICKABIL	8906.76	8129.85	-8.72%	-776.91
A1352	RESIDENTIAL - GIL	BARDEN STREET	794.28	831.05	4.63%	36.77
A1426	RESIDENTIAL - GIL	BUNDY STREET	679.99	705.15	3.70%	25.16
A1433	RESIDENTIAL - GIL	BUTLER DRIVE	679.99	705.15	3.70%	25.16
A1531	RESIDENTIAL - GIL	CHELMSFORD AVENUE	2367.56	2464.82	4.11%	97.26
A1559	RESIDENTIAL - GIL	DUDLEY STREET	679.99	705.15	3.70%	25.16
A1636	RESIDENTIAL - GIL	FARRAR STREET	708.36	741.11	4.62%	32.75
A2046	RESIDENTIAL - GIL	MYRTLE STREET	752.27	786.08	4.49%	33.81
A2464	RESIDENTIAL - GIL	WARREN ROAD	855.38	714.47	-16.47%	-140.91
A1153	RESIDENTIAL	TOORAWEEAH	613.05	635.7	3.69%	22.65
A1413	RESIDENTIAL	ARMATREE	613.05	635.7	3.69%	22.65

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A2618	RESIDENTIAL	EVERTON ROAD	826.29	838.62	1.49%	12.33
A3078	RESIDENTIAL	WALKER DRIVE	1652.59	1671.12	1.12%	18.53
A636	RESIDENTIAL	QUEALEYS LANE	810.2	822.31	1.49%	12.11
A661	RESIDENTIAL	EAST COONAMBLE ROAD	1191.15	1243.15	4.37%	52
A673	RESIDENTIAL	NEWELL HIGHWAY	613.05	635.7	3.69%	22.65
A824	RESIDENTIAL	BROWNWOOD DRIVE	925.02	939.5	1.57%	14.48
A1412	BUSINESS - GIL	BRIDGE STREET	687.26	712.7	3.70%	25.44
A1477	BUSINESS - GIL	CASTLEREAGH STREET	1402.16	2506.99	78.79%	1104.83
A1921	BUSINESS - GIL	MILLER STREET	687.26	712.7	3.70%	25.44
A1938	BUSINESS - GIL	MILLER STREET	687.26	712.7	3.70%	25.44
A3201	BUSINESS - GIL	ENTERPRISE DRIVE	2166.69	1936.96	-10.60%	-229.73
A49	BUSINESS - GIL	WARREN ROAD	919.97	822.43	-10.60%	-97.54
A1171	BUSINESS	TOORAWEEAH	614.69	637.4	3.69%	22.71
A1207	BUSINESS	TOORAWEEAH	614.69	750.47	22.09%	135.78
A3121	BUSINESS	NEWELL HWY GILGANDRA	10807.39	10880.01	0.67%	72.62
A347	BUSINESS	BACK CREEK ROAD BREELONG	618.84	637.4	3.00%	18.56
A805	BUSINESS	ARTHURSLEIGH ROAD GILGANDRA	614.69	763.04	24.13%	148.35
A854	BUSINESS	NEWELL HWY GILGANDRA	1961.74	1974.92	0.67%	13.18



Principal Activity

Lead

Policy Implications

Nil

Budget Implications

As per the above model 1

Delivery Program Actions

**4.3.3.1** Prepare annual Budgets, Long Term Plan Reviews, Quarterly Budget Reviews and Annual

Statements and place  
investments in line with  
legislative requirements  
and Council policy\*

RECOMMENDATION

1. That Council adopt the proposed rating structure outlined in rate model 1 in this report for inclusion in the Statement of Revenue Policy and Draft Operational Plan for 2023/24
2. That Council set the interest rate on overdue rates and charges for 2023/24 at the maximum allowable as determined by the Minister for Local government

Neil Alchin  
Director of Growth & Liveability



## **CHARGING FOR GILGANDRA WATER SUPPLY SERVICES 2023/24**

### **SUMMARY**

To determine a charging structure for Council's Gilgandra Water Supply Services for the 2023/24 rating year.

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Council's charging structure is in line with Best Practice Pricing as directed by the State Government and it is proposed to continue with the two-part structure being an access charge and a usage charge per kilolitre.

Councillors would be aware of the difficulty in forecasting water usage and therefore making the usage revenue difficult to estimate. However, the water usage charge is based on production costs and any variation from the estimate will be compensated for by respective increased or decreased production costs.

It is proposed to increase both the usage charge and the access charges by 5% compared to the previous year. The effects of the proposed changes are illustrated in the following tables:

### **2022/23 STRUCTURE**

<b>Service</b>	<b>Charge</b>	<b>Assess/Kilolitres</b>	<b>Revenue</b>
Access Charge - 20mm	\$329.00	1,261	\$414,869
Access Charge - 25mm	\$512.00	75	\$38,400
Access Charge - 32mm	\$841.00	9	\$7,569
Access Charge - 40mm	\$1,318.00	8	\$10,544
Access Charge - 50mm	\$2,059.00	6	\$12,354
Access Charge - 80mm	\$5,273.00	2	\$10,546
Access Charge - 100mm	\$8,238.00	3	\$24,714
Usage Charge *	\$1.49	570,800 kl	\$850,492
<b>TOTAL REVENUE ESTIMATE</b>			<b>\$1,369,488</b>

\* Based on average consumption for the last 10 years.

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**PROPOSED 2023/24 STRUCTURE**

Service	Charge	Assess/Kilolitres	Revenue
Access Charge - 20mm	\$345.00	1,261	\$435,045
Access Charge - 25mm	\$538.00	75	\$40,350
Access Charge - 32mm	\$883.00	9	\$7,947
Access Charge - 40mm	\$1,384.00	8	\$11,072
Access Charge - 50mm	\$2,162.00	6	\$12,972
Access Charge - 80mm	\$5,537.00	2	\$11,074
Access Charge - 100mm	\$8,650.00	3	\$25,950
Usage Charge *	\$1.53	556,745 kl	\$851,819
<b>TOTAL REVENUE ESTIMATE</b>			<b>\$1,396,229</b>

\* Based on average consumption for the last 10 years.

In order to achieve the required income under Council's 30-year plan for water infrastructure and operating costs, it is proposed to increase the usage charge and the access charges by 5% from the previous year.

Utilising the proposed charging structure will realise estimated income of \$1,396,229 being an increase of \$26,741 from the 2022/23 charging structure. Water usage is a variable factor and water income will increase more if water usage increases.

<u>Principal Activity</u>	Lead
<u>Policy Implications</u>	Nil
<u>Budget Implications</u>	As presented.
<u>Delivery Program Actions</u>	<b>4.3.3.1</b> Prepare annual Budgets, Long Term Plan Reviews, Quarterly Budget Reviews and Annual Statements and place investments in line with legislative requirements and Council policy

**RECOMMENDATION**

That Council adopt the proposed charging structure for 2023/24 and include the charges in Council's statement of revenue policy to be included in the Draft Operational Plan for 2023/24.

Neil Alchin  
Director Growth & Liveability

## **CHARGING FOR TOORAWEEAH WATER SUPPLY SERVICES 2023/24**

### **SUMMARY**

To determine a charging structure for Council's Tooraweenah Water Supply Service for the 2023/24 rating year.

.....

Council has used a two-part structure consisting of an access charge and usage charge per kilolitre.

Council's charging structure is in line with Best Practice Pricing as directed by the State Government and it is proposed to continue with the two-part structure currently in use.

Councillors would be aware of the difficulty in forecasting usage and, therefore, making the usage revenue difficult to estimate. However, the water usage charge is based on production costs and any variation from the usage estimate will be compensated for by respective increased or decreased production costs.

It is proposed that the usage charge and the access charge be increased by 5% compared to the previous year.

### **2022/23 STRUCTURE**

<b>Service</b>	<b>Charge</b>	<b>Assess/Kilolitres</b>	<b>Revenue</b>
Access Charge	\$156.00	79	\$12,324
Usage Charge *	\$1.86	11,807 kl	\$21,961
<b>TOTAL REVENUE ESTIMATE</b>			<b>\$32,881</b>

The proposed structure for Tooraweenah Water Supply charges for 2023/24 is:

### **PROPOSED 2023/24 STRUCTURE**

<b>Service</b>	<b>Charge</b>	<b>Assess/Kilolitres</b>	<b>Revenue</b>
Access Charge	\$164.00	77	\$12,628
Usage Charge *	\$1.95	11,002 kl	\$21,453
<b>TOTAL REVENUE ESTIMATE</b>			<b>\$34,081</b>

\* Based on average consumption for the last 10 years.

The above charging structure represents a 5% increase for both the access and usage charges and will raise an additional \$1,015 compared to the previous year.

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<u>Principal Activity</u>	Lead
<u>Policy Implications</u>	Nil
<u>Budget Implications</u>	As presented
<u>Delivery Program Actions</u>	<b>4.3.3.1</b> Prepare annual Budgets, Long Term Plan Reviews, Quarterly Budget Reviews and Annual Statements and place investments in line with legislative requirements and Council policy*4.2.2.3

RECOMMENDATION

That Council adopt the proposed charging structure for 2023/24 and the charges be included in Council's Statement of Revenue Policy to be included in the Draft Operational Plan for 2023/24.

Neil Alchin  
Director Growth & Liveability

**SEWER CHARGING – 2023/24**

**SUMMARY**

To determine a charging structure for Council’s Sewerage Services for the 2023/24 rating year.

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Council’s charging structure is in line with Best Practice Pricing as directed by the State Government and, it is proposed to continue with a two part charging structure comprised of an access charge and a usage charge (based on water usage) with the usage charge including Trade Waste charges.

In order to achieve the required income under Council’s 30-year plan for sewer infrastructure and operating costs, it is proposed to increase the overall estimated income raised by 7% in 2023/24 for both the usage charges and the access charges compared to the previous year.

In order to calculate the sewer usage charges, estimated water usage has been determined. Councillors would be aware of the difficulty in forecasting water usage and, therefore, making the sewer usage revenue difficult to estimate. However, the sewer usage charges are based on operating costs and any variation from the estimate should be compensated for by respective increased or decreased operating costs.

The effects of the proposed changes are illustrated in the following tables:

**2022/23 STRUCTURE**

<b>Service</b>	<b>Current Charges (pa)</b>	<b>Revenue</b>
Trade Waste Usage Charge	\$3.81 x 35,964* kls	\$23,553*
Residential Usage Charge	\$537 x 1,009 assessments	\$541,833
Commercial & Non Rateable Usage Charge	\$2.41 x 111,040* kls	\$133,304
Access Charge - 20mm	\$430 x 1,246 assessments	\$535,780
Access Charge - 25mm	\$669 x 66 assessments	\$44,154
Access Charge - 32mm	\$1,095 x 8 assessments	\$8,760
Access Charge - 40mm	\$1,712 x 6 assessments	\$10,272
Access Charge - 50mm	\$2,663 x 5 assessments	\$13,315
Access Charge - 80mm	\$6,753 x 1 assessment	\$6,753
Access Charge -100mm	\$10,548 x 3 assessments	\$31,644
<b>TOTAL REVENUE ESTIMATE</b>		<b>\$1,349,368</b>

**PROPOSED 2023/24 STRUCTURE**

Service	Current Charges (pa)	Revenue
Trade Waste Usage Charge	\$4.08 x 36,853* kls	\$26,806*
Residential Usage Charge	\$575 x 1,010 assessments	\$580,750
Commercial & Non Rateable Usage Charge	\$2.58 x 112,099* kls	\$156,378
Access Charge - 20mm	\$460 x 1,246 assessments	\$573,160
Access Charge - 25mm	\$716 x 66 assessments	\$47,256
Access Charge - 32mm	\$1,172 x 8 assessments	\$9,376
Access Charge - 40mm	\$1,832 x 6 assessments	\$10,992
Access Charge - 50mm	\$2,849 x 5 assessments	\$14,245
Access Charge - 80mm	\$7,226 x 1 assessment	\$7,226
Access Charge -100mm	\$11,286 x 3 assessments	\$33,858
<b>TOTAL REVENUE ESTIMATE</b>		<b>\$1,460,047</b>

\* Based on the estimated water consumption.

Utilising the proposed charging structure will realise estimated income of \$1,460,047 being an increase of \$110,679 from the 2022/23 rating year structure.

Principal Activity

Lead

Policy Implications

Nil

Budget Implications

As presented

Delivery Program Actions

**4.3.3.1** Prepare annual Budgets, Long Term Plan Reviews, Quarterly Budget Reviews and Annual Statements and place investments in line with legislative requirements and Council policy\*

RECOMMENDATION

That Council adopt the proposed charging structure for 2023/24 and include the charges in Council's Statement of Revenue Policy to be included in the Draft Operational Plan for 2023/24.

Neil Alchin  
Director Growth & Liveability

## **STORMWATER CHARGES 2023/24**

### **SUMMARY**

To present a proposed structure for 2023/24 for the Stormwater Management Service Charge.

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The commencement of the Local Government Amendment (Stormwater) Act 2005 on 13 April 2006 enabled Council to make or levy an annual charge for stormwater management services for urban land categorised as residential or business for which the service is available.

Council however cannot make or levy an annual charge for stormwater management services on vacant land, crown land or crown land held under lease for private purposes granted under the Housing Act 2001 or the Aboriginal Housing Act 1998.

Income raised from the implementation of this charge can be spent on capital projects and recurrent expenditure relating to new or additional stormwater management services to eligible land.

It is proposed that the charge remain at the \$25 per assessment limit set by the Local Government Amendment (Stormwater) Act 2005. The proposed structure for stormwater management service charge for 2023/24 is:

<b>Category</b>	<b>Assess</b>	<b>Charge</b>	<b>Revenue</b>
Residential - Gilgandra	925	\$25 / assessment	\$23,125
Business - Gilgandra	140	\$25 / assessment	\$3,500
<b>TOTAL REVENUE ESTIMATE</b>			<b>\$26,625</b>

Using the proposed structure will realise an estimated income of \$26,625 for 2023/24.

<u>Principal Activity</u>	Lead
<u>Policy Implications</u>	Nil
<u>Budget Implications</u>	As presented
<u>Delivery Program Actions</u>	<b>4.3.3.1</b> Prepare annual Budgets, Long Term Plan Reviews, Quarterly Budget Reviews and Annual Statements and place investments in

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line with legislative  
requirements and Council  
policy

RECOMMENDATION

That Council adopt the proposed charging structure for 2023/24 and include the charges in Council's Statement of Revenue Policy to be included in the Draft Operational Plan for 2023/24.

Neil Alchin  
Director Growth & Liveability



## **WASTE MANAGEMENT CHARGES FOR 2023/24**

### **SUMMARY**

To determine a charging structure for Council's Waste Services for the 2023/24 rating year.

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Council is required to set the charges for domestic waste so as not to exceed the reasonable cost of providing such services. As the domestic waste service and other services are of identical nature, all waste charges can be determined on the same principles.

Council also levies a rural waste charge on all rating assessments that are outside the Gilgandra town boundary. The charge has been calculated to recover costs associated with the maintenance of the former rural waste facilities as the closure of the rural waste facilities does not eliminate all costs associated with them.

### **Domestic Waste Services**

It is proposed to continue with a Domestic Waste Services charging structure for the Tooraweenah and Armatree village and the Gilgandra township as in previous years. It is proposed that the charges for Tooraweenah, Armatree and Gilgandra will increase by 2.00% compared to the 2022/23 year. All charges raised will not exceed the reasonable cost of providing such services. This will raise an estimated \$526,992 for the 2023/24 year.

### **Other Waste Services**

It is proposed to continue with an Other Waste Services charging structure for the Tooraweenah and Armatree village and the Gilgandra township as in previous years. It is proposed that the charges for Tooraweenah, Armatree and Gilgandra will increase by 2.0% compared to the 2022/23 year. All charges raised will not exceed the reasonable cost of providing such services. This will raise an estimated \$127,032 for the 2023/24 year.

### **Rural Waste Charges**

It is proposed the rural waste charge will remain at \$22 per assessment for 2023/24. All charges raised will not exceed the cost of maintaining the closed rural waste facilities. This will raise an estimated \$22,968 for the 2023/24 year.

**2022/23 STRUCTURE**

<b>Service</b>	<b>Assessments</b>	<b>Amount</b>	<b>Totals</b>
Domestic Waste - Residence Charge	988	\$455	\$449,540
Domestic Waste – Village Residence	77	\$420	\$32,340
Domestic Waste - No Residence Charge	62	\$63	\$3,906
Domestic Waste – Village No Residence	34	\$61	\$2,074
Domestic Waste - 2 Flats Charge	8	\$571	\$4,568
Domestic Waste - 3 Flats Charge	4	\$833	\$3,332
Domestic Waste - 4 Flats Charge	5	\$1,087	\$5,435
Domestic Waste - 5 Flats Charge	4	\$1,368	\$5,472
Domestic Waste - 8 Flats Charge	1	\$2,162	\$2,162
Domestic Waste - 10 Flats Charge	1	\$2,679	\$2,679
<b>Total Domestic Waste Income</b>			<b>\$511,418</b>
Commercial Waste Non Business	38	\$65	\$2,470
Commercial Waste CBD	45	\$732	\$32,940
Commercial Waste Other	76	\$609	\$46,284
Commercial Waste Villages	11	\$590	\$6,490
Non Rateable 1 Service	18	\$504	\$9,072
Non Rateable 2 to 5 Services	3	\$1,499	\$4,497
Non Rateable 6 to 10 Services	1	\$2,932	\$2,932
Non Rateable Over 10 Services	1	\$19,215	\$19,215
<b>Total Other Waste Income</b>			<b>\$123,900</b>
Rural Waste Charge	1,040	\$22	\$22,880
<b>Total Rural Waste Income</b>			<b>\$22,880</b>
<b>TOTAL REVENUE ESTIMATE</b>			<b>\$658,198</b>

**PROPOSED 2023/24 STRUCTURE**

<b>Service</b>	<b>Assessments</b>	<b>Amount</b>	<b>Totals</b>
Domestic Waste - Residence Charge	991	\$468	\$463,788
Domestic Waste - Village Residence	77	\$431	\$33,187
Domestic Waste - No Residence Charge	63	\$64	\$4,032
Domestic Waste - Village No Residence	36	\$62	\$2,232
Domestic Waste - 2 Flats Charge	7	\$588	\$4,116
Domestic Waste - 3 Flats Charge	4	\$857	\$3,428
Domestic Waste - 4 Flats Charge	5	\$1,119	\$5,595
Domestic Waste - 5 Flats Charge	4	\$1,408	\$5,632
Domestic Waste - 8 Flats Charge	1	\$2,225	\$2,225
Domestic Waste - 10 Flats Charge	1	\$2,757	\$2,757
<b>Total Domestic Waste Income</b>			<b>\$526,992</b>
Commercial Waste Non Business	37	\$66	\$2,442
Commercial Waste CBD	45	\$753	\$33,885
Commercial Waste Other	76	\$626	\$47,576
Commercial Waste Villages	11	\$626	\$6,886
Non Rateable 1 Service	17	\$519	\$8,823
Non Rateable 2 to 5 Services	3	\$1,543	\$4,629
Non Rateable 6 to 10 Services	1	\$3,017	\$3,017
Non Rateable Over 10 Services	1	\$19,774	\$19,774
<b>Total Other Waste Income</b>			<b>\$127,032</b>
Rural Waste Charge	1,044	\$22	\$22,968
<b>Total Rural Waste Income</b>			<b>\$22,968</b>
<b>TOTAL REVENUE ESTIMATE</b>			<b>\$676,992</b>

**TABLE 1 (2022/23):**

**EXPENDITURE:**

% of Gilgandra Waste costs applicable to service	Total Waste	% Applicable	\$ Applicable
	Estimate	To Services	To Services
Admin Expenses - Gilgandra	\$46,399.00	100.00%	\$46,399
Contractor Charges	\$140,953.00	100.00%	\$140,953
Gilgandra Waste Facility Costs	\$428,959.00	80.00%	\$343,167
Gilgandra Waste Reserve	\$45,000.00	80.00%	\$36,000
Kerbside Recycling Costs	\$80,263.00	100.00%	\$80,263
Rural Waste Operating Costs	\$22,340.00	100.00%	\$22,340
Rural Waste Reserve	\$0.00	100.00%	\$0
	<b>\$763,914.00</b>		<b>\$669,122.20</b>
	<b>Domestic Waste</b>	<b>Other Waste</b>	<b>Rural Waste</b>
	<b>80.00%</b>	<b>20.00%</b>	<b>0.00%</b>
Admin Expenses - Gilgandra	\$37,119.20	\$9,279.80	\$0.00
Contractor Charges	\$112,762.40	\$28,190.60	\$0.00
Gilgandra Waste Facility Costs	\$274,533.76	\$68,633.44	\$0.00
Gilgandra Waste Reserve	\$28,800.00	\$7,200.00	\$0.00
Kerbside Recycling Costs	\$64,210.40	\$16,052.60	\$0.00
Rural Waste Operating Costs	\$0.00	\$0.00	\$22,340.00
Rural Waste Reserve	\$0.00	\$0.00	\$474.00
<b>TOTAL EXPENDITURE 2022/23</b>	<b>\$517,425.76</b>	<b>\$129,356.44</b>	<b>\$22,814.00</b>

**INCOME:**

<b>Domestic Waste Income</b>	Qty	Charge	Totals
Residence Charge	988	\$459.00	\$453,492.00
Village Residence Charge	77	\$423.00	\$32,571.00
No Residence Charge	62	\$63.00	\$3,906.00
Village No Residence Charge	34	\$61.00	\$2,074.00
2 Flats Charge	8	\$576.00	\$4,608.00
3 Flats Charge	4	\$840.00	\$3,360.00
4 Flats Charge	5	\$1,097.00	\$5,485.00
5 Flats Charge	4	\$1,380.00	\$5,520.00
8 Flats Charge	1	\$2,181.00	\$2,181.00
10 Flats Charge	1	\$2,703.00	\$2,703.00
<b>Total Domestic Waste Income</b>			<b>\$515,900.00</b>
<b>Other Waste Income</b>			
Commercial Non Business	38	\$65.00	\$2,470.00
Commercial CBD	45	\$738.00	\$33,210.00
Commercial Other	76	\$614.00	\$46,664.00
Village Commercial	11	\$614.00	\$6,754.00
Non Rateable 1 Service	18	\$509.00	\$9,162.00
Non Rateable 2 to 5 Services	3	\$1,513.00	\$4,539.00
Non Rateable 6 to 10 Services	1	\$2,958.00	\$2,958.00
Non Rateable Over 10 Services	1	\$19,386.00	\$19,386.00
<b>Total Other Waste Income</b>			<b>\$125,143.00</b>
<b>Rural Waste Income</b>			
Rural Waste Charge	1,037	\$22.00	\$22,814.00
<b>Total Rural Waste Income</b>			<b>\$22,814.00</b>
<b>TOTAL WASTE INCOME 2022/23</b>			<b>\$663,857.00</b>

**RESULT 2022/23:**

**Domestic Waste**

Income	\$515,900.00
Expenditure	\$517,425.76
Surplus / (Deficit)	<b>(\$1,525.76)</b>

*\* To comply with the Act, the forecast must be a deficit.*

**Other Waste**

Income	\$125,143.00
Expenditure	\$129,356.44
Surplus / (Deficit)	<b>(\$4,213.44)</b>

**Rural Waste**

Income	\$22,814.00
Expenditure	\$22,814.00
Surplus / (Deficit)	<b>\$0.00</b>

Should any figures that have been used in this calculation that have been extracted from the proposed estimates be altered by Council, then this calculation will have to be re-done.

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**TABLE 2 (2023/24):**

**EXPENDITURE:**

% of Gilgandra Waste costs applicable to service	Total Waste	% Applicable	\$ Applicable
	Estimate	To Services	To Services
Admin Expenses - Gilgandra	\$40,160.00	100.00%	\$40,160
Contractor Charges	\$144,477.00	100.00%	\$144,477
Gilgandra Waste Facility Costs	\$443,158.00	80.00%	\$354,526
Gilgandra Waste Reserve	\$50,000.00	80.00%	\$40,000
Kerbside Recycling Costs	\$82,269.00	100.00%	\$82,269
Rural Waste Operating Costs	\$22,900.00	100.00%	\$22,900
Rural Waste Reserve	\$0.00	100.00%	\$0
	<b>\$782,964.00</b>		<b>\$684,332.40</b>

	Domestic Waste 80.00%	Other Waste 20.00%	Rural Waste 0.00%
Admin Expenses - Gilgandra	\$32,128.00	\$8,032.00	\$0.00
Contractor Charges	\$115,581.60	\$28,895.40	\$0.00
Gilgandra Waste Facility Costs	\$283,621.12	\$70,905.28	\$0.00
Gilgandra Waste Reserve	\$32,000.00	\$8,000.00	\$0.00
Kerbside Recycling Costs	\$65,815.20	\$16,453.80	\$0.00
Rural Waste Operating Costs	\$0.00	\$0.00	\$22,900.00
Rural Waste Reserve	\$0.00	\$0.00	\$68.00
<b>TOTAL EXPENDITURE 2023/24</b>	<b>\$529,145.92</b>	<b>\$132,286.48</b>	<b>\$22,968.00</b>

**INCOME:**

Domestic Waste Income	Qty	Charge	Totals
Residence Charge	991	\$468.00	\$463,788.00
Village Residence Charge	77	\$431.00	\$33,187.00
No Residence Charge	63	\$64.00	\$4,032.00
Village No Residence Charge	36	\$62.00	\$2,232.00
2 Flats Charge	7	\$588.00	\$4,116.00
3 Flats Charge	4	\$857.00	\$3,428.00
4 Flats Charge	5	\$1,119.00	\$5,595.00
5 Flats Charge	4	\$1,408.00	\$5,632.00
8 Flats Charge	1	\$2,225.00	\$2,225.00
10 Flats Charge	1	\$2,757.00	\$2,757.00
<b>Total Domestic Waste Income</b>			<b>\$526,992.00</b>

Other Waste Income	Qty	Charge	Totals
Commercial Non Business	37	\$66.00	\$2,442.00
Commercial CBD	45	\$753.00	\$33,885.00
Commercial Other	76	\$626.00	\$47,576.00
Village Commercial	11	\$626.00	\$6,886.00
Non Rateable 1 Service	17	\$519.00	\$8,823.00
Non Rateable 2 to 5 Services	3	\$1,543.00	\$4,629.00
Non Rateable 6 to 10 Services	1	\$3,017.00	\$3,017.00
Non Rateable Over 10 Services	1	\$19,774.00	\$19,774.00
<b>Total Other Waste Income</b>			<b>\$127,032.00</b>

Rural Waste Income	Qty	Charge	Totals
Rural Waste Charge	1,044	\$22.00	\$22,968.00
<b>Total Rural Waste Income</b>			<b>\$22,968.00</b>
<b>TOTAL WASTE INCOME 2023/24</b>			<b>\$676,992.00</b>

**RESULT 2022/23:**

Domestic Waste	
Income	\$526,992.00
Expenditure	\$529,145.92

Surplus / (Deficit) **(\$2,153.92)**

*\* To comply with the Act, the forecast must be a deficit.*

Other Waste	
Income	\$127,032.00
Expenditure	\$132,286.48
Surplus / (Deficit)	<b>(\$5,254.48)</b>

Rural Waste	
Income	\$22,968.00
Expenditure	\$22,968.00

Surplus / (Deficit)

\$0.00

Should any figures that have been used in this calculation that have been extracted from the proposed estimates be altered by Council, then this calculation will have to be re-done.

Where relevant, the above figures are directly related to the figures in the 2023/24 estimates. Therefore, if Council should reduce any of the related costs in the estimates, the savings should then be reflected in the charges to ratepayers.

Alternatively, should Council wish to increase any of the related charges (such as amounts transferring to reserves), the increased costs should then be reflected in increased charges to ratepayers.

Section 504 (3) of the act clearly states that "income obtained from domestic waste management must be calculated so as not to exceed the reasonable cost to the council of providing those services."

<u>Principal Activity</u>	Lead
<u>Policy Implications</u>	Nil
<u>Budget Implications</u>	As presented
<u>Delivery Program Actions</u>	<b>4.3.3.1</b> Prepare annual Budgets, Long Term Plan Reviews, Quarterly Budget Reviews and Annual Statements and place investments in line with legislative requirements and Council policy

### RECOMMENDATION

1. That Council adopt the proposed charging structure as set out in the above report and include the charges in Council's Statement of Revenue Policy to be included in the Draft Operational Plan for 2023/24.
2. That Council's Revenue Policy includes relevant information stating that the Recycling Service is funded by the Domestic Waste Management Service Charge.

Neil Alchin  
Director Growth & Liveability

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(A1476)

**DA 2022/477 NEW SERVICE STATION & REQUEST FOR VARIATION TO DCP**

**SUMMARY**

To consider a request for variation to Development Control Plan standards and to determine DA 2022/477.

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A development application was received via the NSW Planning Portal for the construction of a new service station at 15-17 Castlereagh Street, Gilgandra NSW (Lot 10/DP 569802 and Lot 1/4/DP758439). The application is for DA consent only.

The land is an irregular shaped vacant block surrounded by existing residences and a BP service station on the adjacent corner. It is zoned Enterprise Corridor (B6) under the provisions of the Gilgandra Local Environmental Plan (LEP) 2011. Service stations are a permissible use.



Figure 1: Current site

The objectives of the B6 zone are:

- To promote businesses along main roads and to encourage a mix of compatible uses.
  - To provide a range of employment uses (including business, office, retail and light industrial uses).
  - To maintain the economic strength of centres by limiting retailing activity.
  - To provide for residential uses, but only as part of a mixed use development.
-

As a note, the SEPP Amendment (Land Use Zones) 2022 will be gazetted on 26 April 2023, which will result in B6 Enterprise Corridor Zone to become E3 Zone, Productivity Support. Service Stations are identified as permissible with consent under the Amendment.

The development proposes to construct a new service station, including sales building, car fuelling canopy, underground fuel tanks, car parking, landscaping and site ID signage. The proposal is designed to cater for light vehicles only and operate 24 hours, 7 days week with one way traffic movement via entry from Newell Highway and exit onto Mullion Street.



Figure 2: Proposed site layout, indicative only

Notification of neighbours and opportunity for submissions was undertaken from Monday, 6 February 2023 to Friday, 24 February 2023. One (1) submission was received from the adjacent BP service station raising concerns around potential increased future truck movements at their own site and traffic generally along with the proposal being for another service station. The submission has been considered as part of the assessment process.

The DA was referred to Transport for NSW (TfNSW) given proposed development fronting classified road, Castlereagh Street (Newell Highway) along with Essential Energy given proximity of their services and infrastructure. Both public authorities have provided their advice along with suggested conditions and notations which have been incorporated into the proposed conditions.

There is also a Telstra public phone box located in the road reserve on the corner of Castlereagh Street and Gumble Street. The proposal does not



indicate any impact to this service and is included as a proposed condition to ensure it is preserved.

Request for Variation to DCP standards

The application includes construction of a new service station and associated structures and elements. The proposal seeks a number of variations to specific standards in the Gilgandra Development Control Plan 2011 as outlined below in the request from the applicant:

Gilandra DCP Provisions to be varied	Proposed Standard variation	Standard to be achieved by development
<p><b>9.4 Siting and streetscape</b>  <i>c. Buildings are to face public spaces (roads and open space areas).</i></p>	<p>Building required to face inwards for service station in order to oversee the forecourt and provide connection to the fueling points.</p>	<p>Mural proposed on southern wall to provide attractive external façade to main road.</p>
<p><b>9.5 Building setback</b>  <b>Minimum requirements:</b>  <b>a. Front setback – 6 metres</b></p>	<p>Sales building:            4.5m to highway (variation of 1.5m)            5m to Gumble Street (variation of 1m)</p> <p>Canopy edge - 520mm to highway; 1.095m to western boundary.</p> <p>Up to 14.9m from Mullion Street</p> <p>Parking spaces: setback 1.29m from western boundary</p>	<p>Larger setbacks to adjoining residential property provided.</p> <p>No walls or side screens to highway boundary – clear vision under canopy.</p> <p>Adjacent existing garage of adjoining residence)</p> <p>Setback to be landscaped with acoustic wall along the boundary.</p>
<p><b>9.7.1 Advertising signs</b>  <i>b. Single occupant sites:            ii. one advertising sign placed on the facade of the building, but not higher than the building roofline.</i></p>	<p>More than one sign on the sales building.</p>	<p>Each sign relates to the internal food offer. Others are Metro corporate signs only.</p> <p>On a merit-based assessment the site signage is well coordinated, is not overbearing, relates to the site, its products and services (not third-party signage) and where illuminated (Site IDs sign) it is appropriately located away from the adjoining residential properties.</p>

<p><b>9.8 Safety</b></p> <p><i>a. The front door to a building should face the road, wherever possible.</i></p>	<p>Front door of sales building faces the forecourt and fuel dispensers – not the roadway.</p>	<p>Front door of sales building needs to face the forecourt and fuel dispensers to ensure oversight of the fuelling area. This requires the orientation of the sales building to be as submitted in the DA plan set.</p>
<p><b>Part 14 Car Parking</b>  <i>4 per service bay plus 1 per 200m<sup>2</sup> site area, and 1 per 20m<sup>2</sup> GFA of convenience store area</i></p> <p>Required as per DCP: 26 spaces.</p>	<p>Proposed: Thirteen (13) parking spaces provided.</p>	<p>Applying the service station parking rate from the DCP is excessive for the proposed land use where much of the site area is associated with car parking, fuel pumps and vehicle manoeuvring.</p> <p>In this regard, reference to the RTA publication 'Guide to Traffic Generating Developments', October 2002, includes parking provision guidelines for service stations and has been applied – required 15 spaces.</p> <p>The Applicant has provision for 21 spaces, including the 8 spaces at the fuel pumps and 13 car parking spaces.</p>

It is considered reasonable to vary Gilgandra Shire Council's Development Control Plan 2011 based on the information provided and to approve the proposed development to be built as proposed:

- The development design is considered appropriate for the subject property, noting its irregular shape and frontage to Castlereagh Street/Newell Highway. TfNSW have reviewed and provided advice on the proposed design with no concerns raised in terms of site design and access.
- The proposed front building setback facilitates a considerable buffer area between the sales building and neighbouring residences, providing space for landscaping and softening of the development along with being sympathetic to nearby receptors.
- The proposed advertising is in-keeping with the development type and a number of proposed conditions are proposed to ensure it will be in accordance with relevant standards and policies regarding proximity to highway and illumination.
- The proposed number of car spaces is considered acceptable for the property size and to service the development, noting the applicant has considered the RTA publication: "Guide to Traffic Generating Developments", service station provisions.
- The building would be required to be constructed to achieve the required Fire Resistance Levels (FRL) under the National Construction Code (NCC).

The proposed development is considered to be generally acceptable with respect to the relevant provisions of the applicable Environmental Planning Instruments, Development Control Plans and Council policies. The proposal is not considered likely to have significant negative impact upon the environment or upon the amenity of the locality and is therefore recommended for approval subject to conditions.

<u>Principal Activity</u>	Lead
<u>Policy Implications</u>	Variation to Council's DCP standards
<u>Budget Implications</u>	Nil
<u>Delivery Program Actions</u>	4.3.1.3 Assess and process Development Applications, Complying Development Certificates, Construction Certificate Applications and Local Activity Approvals in a timely manner

#### RECOMMENDATION

1. That permission be granted to vary Clauses 9.4, 9.5, 9.7.1, 9.8 and Part 14 of Gilgandra Shire Council's Development Control Plan 2011 for the property of 15-17 Castlereagh Street, Gilgandra NSW 2827 (Lot 10/DP 569802 and Lot 1/4/DP758439) to allow for construction of the proposed development under DA 2022/477.
2. That DA 2022/477 be approved in accordance with the Environmental Planning and Assessment Act 1979
3. That the conditions outlined in Attachment A be noted as forming part of the conditions of consent.
4. That, in accordance with section 375A of the Local Government and Planning Legislation Amendment (Political Donations Act) 2008, the names of councillors who support and oppose the decision be recorded.

Neil Alchin  
Director Growth & Liveability

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**ATTACHMENT A – CONDITIONS OF CONSENT DA 2022/477**

**CONDITIONS**

1. Development of the site shall be carried out generally in accordance with the approved plans, specifications and documentation submitted with the application, subject to any notations in red or modification required as a consequence of any condition.

Plan Title	Drawing No.	Rev.	Date
Proposed Site Plan	22-005-DA01	E	8/3/22
Proposed floor Plan	22-005-DA02	D	8/3/22
Proposed Building Elevations	22-005-DA03	C	8/3/22
Proposed Canopy Elevations	22-005-DA04	C	8/3/22
Sections & Signage details	22-005-DA05	C	8/3/22
Cover sheet, Drawing Schedule	22T26_DA_C000	02	11/2022
General Arrangement Plan	22T26_DA_C100		
Stormwater Misc. Details	22T26_DA_C200		
Pre-Development Catchment Plan	22T26_DA_C250		
Post Development Catchment Plan	22T26_DA_C251		
Sediment & Erosion Control Plan	22T26_DA_SE01		
Sediment & Erosion Control Details	22T26_DA_SE02		
Landscape Cover Sheet	LA00	P2	
Landscape Principles Plan	LA01		
Landscape Plan	LA02		
Planting Character	LA03		
Planting Plan	LA04		
Landscape Details	LD01		
Detail Survey over Lot 1 DP758439 & Lot 10, Section 4 DP569802	22019_P01	01	
Document Title	Reference		
Statement of Environmental Effects, DM Planning, 15-17 Castlereagh Street			December 2022
Noise Assessment, Service Station Development, Atkins Acoustics and Associates Pty Ltd	52.7275.R1:GA/DT/2020	0	December 2022
Arboricultural Impact Assessment, Blue Gum Tree Care and Consultancy			December 2022
Preliminary Hazard Analysis, MCHP Architects			2 November 2022
Preliminary Site Investigation, Neo Consulting	N6688		24 November 2022
Traffic Report, TTM Consulting			13 December 2022
Waste Management Plan, MCHP Architects			2 November 2022

Reason: To ensure compliance with this consent.

2. Compliance with any attached Prescribed Conditions that may be relevant to the proposed development.

Reason: To ensure compliance with the Environmental Planning and Assessment Act, 1979.

3. All construction work must be carried out in accordance with the requirements of the National Construction Code.

Reason: Compliance with statutory requirements.

4. Notice of appointment of a Principal Certifying Authority and Notice of Commencement must be submitted at least two (2) days prior to any building or ancillary work being carried out must be submitted to Council on the relevant form.

Reason: Required by the Environmental Planning and Assessment Regulation, 2021

5. Road numbers must be affixed to the building or fence, and such numbers must be clearly visible from the street or road.

Reason: To properly identify the property.

6. A sign must be erected on the development site showing:

- a. Name, address and telephone number of the Principal certifying Authority for the work.
- b. Name of the Principal Contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours.
- c. Stating that unauthorised entry to the work site is prohibited.

Reason: To ensure compliance with the Environmental Planning and Assessment Act, 1979.

7. A Construction Certificate must be obtained from Council or an accredited certifier for the construction work and a Notice of appointment of a Principal Certifying Authority and Notice of Commencement must be submitted at least two (2) days prior to any building or ancillary work commencing. Where the Construction Certificate is obtained from an accredited certifier, the determination and all appropriate documents must be notified to Council within seven (7) days of the date of determination.

Reason: Required by the Environmental Planning and Assessment Act, 1979 and the Environmental Planning and Assessment Regulation, 2021

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8. Payment of the applicable Long Service Levy fee must be made prior to a Construction Certificate being issued.

Reason: Legislative requirement

9. Prior to release of Construction Certificate, approval pursuant to Section 68 of the Local Government Act 1993 to carry out water supply, stormwater and sewerage works must be obtained from Council

Reason: Compliance with statutory requirements

10. The development must not impact the Telstra public phone box located in the road reserve at the corner of Castlereagh Street and Gumble Street or other associated infrastructure.

Reason: To ensure protection of existing services.

11. The site shall be protected from erosion and sediment loss during the construction works. This work must be carried out and maintained in accordance with erosion and sediment control guidelines for building sites.

NOTE: All erosion and sediment control measures must be in place prior to earthworks commencing.

Reason: To protect the environment.

12. Prior to any work commencing toilet facilities must be provided at or in the vicinity of the work site.

Reason: To provide sanitary facilities for workers.

13. Construction works are to be limited as follows:

- a. Monday to Friday: 7.00 am to 6.00 pm.
- b. Saturday: 7.00 am to 1.00 pm.
- c. No construction work which will adversely impact on the amenity of the area is to take place on Sundays or Public Holidays.

Reason: To preserve the amenity of the area

14. All roofed and paved areas are to be drained and the water from those areas conveyed to the street drainage system by means of a fully sealed downpipe and stormwater system. Where applicable, a metal kerb-box to suit lay-back kerb shall be fitted in accordance with AS/NZS 3500.
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Reason: To ensure a safe and sustainable storm water drainage system and that adequate drainage of the site occurs.

15. An application form under the Plumbing & Drainage Act 2011 shall be completed and payment of fee, submitted to Council prior to any plumbing & drainage works being undertaken

Reason: To ensure compliance with statutory provisions.

16. All plumbing, drainage and stormwater work shall be carried out by a licensed person in accordance with the requirements of AS/NZS 3500 and Plumbing Code of Australia.

Reason: Required by the Local Government Act 1993 and Australian Standard AS3500.

17. The floor level shall be 150mm above adjacent ground level. The ground level must be graded away at a minimum of 50mm per metre to achieve a floor level clearance of 300mm above ground level.

Reason: To reduce impact of local flooding.

18. Existing services that require reconstruction or adjusting to suit a development (water, sewerage, stormwater, roadworks, kerb and gutter, etc.) are to be done at the developer's expense. Construction is to be in accordance with AUS SPEC and Council's standards.

Reason: To protect existing services.

19. All earthworks, filling, building, driveways or other works, are to be designed and constructed (including stormwater drainage if necessary) so that at no time will any ponding of stormwater occur on adjoining land as a result of this development. All stormwater from the development is to discharge to Council's stormwater network.

Reason: To protect public health, safety and the environment.

20. The applicant shall repair any part of Council's property damaged during the course of this development to pre-existing conditions.

Reason: To protect public health, safety and the environment.

21. All excavations and backfilling associated with the proposed development must be executed safely and in accordance with appropriate professional standards.

Reason: To ensure safe working practice and to comply with the prescribed conditions as set out under the Environmental Planning and Assessment Act, 1979.

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22. Any soils requiring excavation, onsite reuse and/or removal must be classified in accordance with "Waste Classification Guidelines Part 1: Classifying Waste" NSW EPA (2014).

Reason: To ensure compliance with regulatory requirements.

23. Offensive noise as defined under the Protection of the Environment Operations Act 1997 shall not be emitted from the proposed development.

Reason: To ensure compliance with the Protection of the Environment Operations Act 1997

24. Car parking for the proposed development is to incorporate at least one (1) disabled car parking space. This space shall be clearly identified by sign posting complying with AS1428.1-2009.

Reason: To ensure compliance with Gilgandra Development Control Plan 2011 and The National Construction Code.

25. The proposed building works must be designed and constructed in conformity with the applicable criteria under the National Construction Code and the Disability (Access to Premises – Buildings) Standards 2010 of the Disability Discrimination Act and in accordance with AS 1428.1-2009 (Design for Access and Mobility).

Reason: Council requirement in consideration of the Premises Standards under the DDA and the NCC

26. A maximum number of seven (7) exterior light fittings is permitted, with no more than five (5) such fittings being non-automatic light fittings. The exterior light fittings shall be shielded light fittings and shall not result in the total emission of light of 1,000,000 lumens or more. Should additional external lighting be required that will exceed this requirement, concurrence must be sought and approval granted from The Director of The Siding Spring Observatory.

Reason: To ensure compliance with Gilgandra Local Environmental Plan 2011.

27. The design and content of any signage is to be in accordance with State Environmental Planning Policy 64-Advertising and Signage. Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must be satisfied that any proposed illuminated signs do not emit a luminance of above 600 Candela per m<sup>2</sup> and are designed and installed to prevent direct light shining above the horizontal plane in

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accordance with the principles of good lighting design detailed in the Department of Planning and Environment Dark Sky Planning Guideline, June 2016.

Reason: To ensure compliance with Gilgandra Local Environmental Plan 2011.

28. The developer shall be entirely responsible for the costs of any extension to electricity or telecommunications services to the development, if required.

Reason: Any extension of services is the responsibility of the applicant.

29. The creation of easements for services, rights of carriageway and restrictions as to user may be applicable under Section 88B of the Conveyancing Act. Easements may be required for electricity creation of easements for services, rights of carriageway and restrictions as to user may be applicable under Section 88B of the Conveyancing Act. Easements may be required for electricity.

Reason: To provide adequate access and protection for services.

30. A plan of consolidation of the land is to be registered and evidence to be provided to Council; being a consolidation of Lot 10 DP 569802 & Lot 1, Sect 4, DP 758439 prior to Issue of the Occupation Certificate.

Reason: To ensure the built structure is not encroaching lot boundaries.

31. The portions of the building to be used for receiving, storing and handling food shall be constructed, fitted out and operated in accordance with the minimum requirements of the Australian Food Safety Standards.

Reason: Statutory requirement to comply with Food Safety Standards.

32. The proponent is required to enter into a trade waste agreement with Council prior to the issue of the final Occupation Certificate. A grease arrestor must be provided in the sanitary drainage line from the sink to trap and retain any oil/grease. In this regard, the developer must first apply for and obtain a Trade Waste Approval from Council prior to the selection and installation of any grease arrestor. A trade waste agreement is required to discharge waste to Council's sewer.

Reason: Implementation of statutory provisions of the Local Government Act 1993.

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33. All of the conditions are to be at the full cost of the developer and to be completed prior to the issuing of an Occupation Certificate, unless stated otherwise.

Reason: To ensure that the development is completed as per this consent and the approved plans.

34. The occupation or use of the building must not commence until an Occupation Certificate has been issued by the Principal Certifying Authority.  
(N.B. All Critical Stage Inspections must have been completed prior to the issue of the Occupation Certificate).

Reason: To ensure compliance with the Development Consent and Construction Certificate and to ensure that the building is substantially completed and does not constitute a danger to the occupants.

#### Traffic and Access

35. Road works as illustrated on Concept Plan Drawing No. 22-005-DA01 revision E (page 1), prepared by MCHP Architects, and dated 8 March 2022, including Basic Right (BAR) and Basic Left (BAL) turn treatments, are to be designed and constructed in accordance with Austroads Guide to Road Design, Australian Standards and TfNSW supplements and to the satisfaction of TfNSW and completed prior to the issue of any Occupation Certificate (Interim or Final):

- a. Prior to operation of the service station no stopping signage is to be installed in Castlereagh Street to formalise the provision of the BAR and BAL turn treatments.
- b. A sealed shoulder on the eastern side of Castlereagh Street must be provided to facilitate the safe southbound through movements of 36.5m heavy vehicle past a stationary light vehicle turning into the site.
- c. The existing street light pole adjacent to the proposed access to Castlereagh Street is to be relocated and positioned in accordance with AS/NZS 1158.1.2:2010. Street lighting illuminating the service station intersection with Castlereagh Street and the Mullion and Castlereagh Streets intersection is to be in accordance with AS/NZS 1158.1.2:2010 and light poles located outside the clear zone pursuant to Part 6 of Austroads.
- d. Any line marking proposed must not interfere with existing accesses on Castlereagh Street.

Reason: To ensure compliance with Transport for NSW recommendations

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36. As road works are required on Castlereagh Street, a classified (State) road, the developer must enter into a Works Authorisation Deed (WAD) with TfNSW. TfNSW will exercise its powers and functions of the road authority, to undertake road works in accordance with Sections 64, 71, 72 and 73 of the Roads Act 1993, as applicable, for all works under the WAD.

Reason: To ensure compliance with Transport for NSW recommendations

37. Vehicular access to the site is to be limited to vehicles up to 11m in length consistent with the maximum vehicle swept path design of the site. Prior to operation of the service station, signage on the site facing Castlereagh Street is to be installed displaying "NO FUELING OF VEHICLES OVER 11 METRES LONG".

Reason: To ensure compliance with Transport for NSW recommendations

38. Prior to the operation of the service station, "No Entry" (R2-4) signs (minimum Size B) are to be provided on the land at each side of the exit driveway facing Mullion Street to advise motorists not to enter the exit driveway.

Reason: To ensure compliance with Transport for NSW recommendations

39. Any works within the road reserve associated with the development shall require a s138 Approval of the Roads Act 1993 from Council.

Reason: To protect public amenity

40. Where construction affects any traffic on a public road, a Traffic Guidance System (TGS) completed by a "Certified Person" for implementation during works is to be submitted to Gilgandra Shire Council prior to any work commencing. The Contractor's public liability insurance cover for a minimum of \$20,000,000 (twenty million dollars) is to be provided to Council prior to any traffic control being implemented.

Reason: To protect public health, safety and the environment.

41. All accesses must be sealed from the edge of the carriageway to the property boundary, match existing road levels and be constructed in accordance with Council's engineering standards. Additionally, driveway works must not adversely affect existing stormwater drainage.

Reason: To ensure compliance with Transport for NSW recommendations

42. All accesses are to be constructed of 32MPa reinforced concrete, 200mm thick with two (2) layers of FL82 mesh located top and bottom of the slab with 50mm cover each. The concrete slab shall be placed over a bedding layer of crusher dust or similar not less than 200mm thickness.

Reason: To ensure compliance with Gilgandra Shire Council requirements

43. All redundant vehicular laybacks are to be removed and made good to Council's specifications.

Reason: To ensure compliance with Transport for NSW recommendations

44. Prior to the commencement of construction work impacting traffic on Castlereagh Street, the proponent is to contact TfNSW Road Access Unit at [road.access@transport.nsw.gov.au](mailto:road.access@transport.nsw.gov.au) to determine if a Road Occupancy Licence (ROL) is required. In the event an ROL is required, the proponent is to provide the consent number in the ROL application. Please note that up to 10 working days is required for ROL applications to be assessed and processed. <https://roads-waterways.transport.nsw.gov.au/business-industry/road-occupancy-licence/index.html>

Reason: To ensure compliance with Transport for NSW recommendations

45. All signage, including any proposed internally lit signs, are to be contained within property boundaries and designed to meet the objectives of Transport Corridor Outdoor Advertising and Signage Guidelines 2017 including, but not limited to, Section 3.3.3.

Reason: To ensure compliance with Transport for NSW recommendations

46. All construction activities, including loading, unloading, storage of materials and construction activities must be undertaken wholly within the bounds of the site and not impact the safety of all road users, including pedestrians or the efficiency of the public road network.

Reason: To ensure compliance with Transport for NSW recommendations

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47. Fuel deliveries to the site are to be scheduled to occur outside of the peak hours.

Reason: To ensure compliance with Transport for NSW recommendations

48. All vehicles must enter and exit the site in a forward direction.

Reason: To ensure compliance with Transport for NSW recommendations

49. Any landscaping, fencing and signage to be provided within the site or along the boundary with any adjoining road reserve is to be designed and maintained to provide safe sight distance to pedestrians for motorists entering and exiting the site to minimise conflict in accordance with Austroads SISD and AS2890.1-2004 "Off-street car parking".

Reason: To ensure compliance with Transport for NSW recommendations

50. All operational activities including fuel delivery associated with this development are to take place within the subject site.

Reason: To ensure compliance with Transport for NSW recommendations

Underground Petroleum Storage System (UPSS)

51. An UPSS must have mandatory pollution protection equipment installed, consistent with the Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019, comprising non-corrodible secondary containment tanks and associated pipework and overfill protection devices.

Reason: To comply with statutory requirements.

52. An UPSS must have water wells installed and tested in accordance with the Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019.

Reason: To comply with statutory requirements.

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53. An UPSS must have a certificate showing that an equipment integrity test (ETI) has been carried out in line with the written directions of duly qualified persons in accordance with Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019.

Reason: To comply with statutory requirements.

54. Installation of underground fuel tanks and fuel system pipework shall be designed and installed to AS1940 and AS4897 (underground fuel code)

Reason: To ensure compliance with relevant Australian Standards and ensure site and community safety

55. All operational activities shall occur on a concrete (impervious) bunded slab, including tanker loading/unloading and vehicle refuelling areas. This area is to drain to approved Class 1 treatment device.

Reason: To protect groundwater and the Castlereagh River

56. The proposed development shall be carried out in accordance with the Protection of Environment Operations (Underground Petroleum Storage Systems) Regulation 2019 and relevant Australian Standards.

Reason: To comply with statutory requirements

57. Prior to the operation of the UPSS system, the applicant is to provide to Council:

- a. A fuel system Operational Plan
- b. Details of the Loss Monitoring System
- c. The Incident Management Procedure for the site
- d. The UPSS Leak Detection System
- e. A copy of the proposed Maintenance Schedule
- f. A detailed site plan in conjunction with the as built drawings of the system.

Reason: To comply with statutory requirements.

58. An UPSS must be appropriately designed, installed and commissioned by duly qualified persons in accordance with the Protection of Environment Operations (Underground Petroleum Storage Systems) Regulation 2019.

Reason: To comply with statutory requirements

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59. "As built" drawings of the UPSS shall be provided to Council, in accordance with the Protection of Environment Operations (Underground Petroleum Storage Systems) Regulation 2019.

Reason: To comply with statutory requirements

60. The applicant is install a Vapour Recovery (VR2) System at the petroleum tank as part of the construction works. The system is to be installed in accordance with the Protection of Environment Operations (Clean Air) Regulation.

Reason: To comply with statutory requirements.

61. The owner shall ensure any water discharged from the site meets all quality standards being chemical, physical and microbiological for primary recreational water contact as stated in ANZECC Guidelines and water quality objectives in NSW 2000.

Reason: To prevent pollution of waterways and the environment

62. No tyres, rubbish or waste of any kind must not be stored between any storage tank and the buildings or in the rear of yard anywhere within 20 metres of the tank or bund.

Reason: To preserve the amenity of the area and reduce risk of fire to aboveground storage of fuel.

63. All waste generated on site is to be disposed at an approved waste management facility licensed to receive such waste.

Reason: To protect public health, safety and the environment.

64. In the event any Aboriginal archaeological material is discovered during earthmoving/construction works, all work in that area shall cease immediately and the Office of Environment and Heritage notified of the discovery as soon as possible. Work shall only recommence upon the authorisation of OEH.

Reason: To protect Aboriginal heritage.

## **Notes**

### **Mural Design**

1. Consultation with Gilgandra Shire Council's Growth and Liveability directorate is encouraged when designing the proposed wall mural to ensure consistency and connection with local themes.
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### **Transport for NSW**

2. Conditions of Consent do not guarantee TfNSW's final consent to the specific road work, traffic control facilities and other structures or works, for which it is responsible, on the road network. TfNSW must provide a final consent for each specific change to the classified (State) road network prior to the commencement of any work. The WAD process, including acceptance of design documentation and construction, can take time. The developer needs to be aware of this and allow sufficient lead time within the project development program to accommodate this process. It is therefore suggested that the developer work through this process as soon as possible with TfNSW.

### **Essential Energy**

- A distance of 4.5 metres from the nearest part of the development to Essential Energy's infrastructure (measured horizontally from the nearest conductor) is required to ensure that there is no safety risk.
  - It is also essential that all works comply with SafeWork clearance requirements. In this regard it is the responsibility of the person/s completing any works to understand their safety responsibilities. The applicant will need to submit a [Request for Safety Advice](#) if works cannot maintain the safe working clearances set out in the [Working Near Overhead Powerlines Code of Practice](#), or [CEOP8041 - Work Near Essential Energy's Underground Assets](#).
  - If the applicant believes the development complies with safe distances or would like to submit a request to encroach then they will need to complete a Network Encroachment Form via Essential Energy's website [Encroachments \(essentialenergy.com.au\)](https://essentialenergy.com.au) and provide supporting documentation. Applicants are advised that fees and charges will apply where Essential Energy provides this service.
  - If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment;
  - Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with;
  - Any activities in proximity to electrical infrastructure must be undertaken in accordance with the latest industry guideline currently known as ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure;
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- Prior to carrying out any works, a “Dial Before You Dig” enquiry should be undertaken in accordance with the requirements of *Part 5E (Protection of Underground Electricity Power Lines)* of the *Electricity Supply Act 1995* (NSW); the location of overhead and underground powerlines are also shown in the Look Up and Live app [essentialenergy.com.au/lookupandlive](https://essentialenergy.com.au/lookupandlive).

### **Fire Safety**

3. A list of Fire Safety Measures must be submitted with the Construction Certificate application pursuant to the Environmental Planning and Assessment Regulation 2021. The regulation prescribes that the information to be submitted must include:
    - a. A list of any existing fire safety measures provided in relation to the land or any existing building on the land; and
    - b. A list of the proposed fire safety measures provided in relation to the land and any building on the land as a consequence of the building work.
  4. On completion of the erection of the subject development, the owner of the land/building is required to submit to the Principal Certifying Authority (PCA) a Fire Safety Certificate(s) with respect to each essential fire safety measure installed in association with the building- as listed on the Fire Safety Schedule attached to the Construction Certificate. Such certificates(s) must be submitted to the PCA prior to occupation or use of the subject building/land.
  5. Copies of the Fire Safety Certificates(s) must also be forwarded by the owner to Council (if not appointed as the PCA) and the Commissioner of Fire and Rescue NSW and displayed within the subject building in a prominent position.
  6. The owner of the premises is required to submit to Council at least once in each period of 12 Months following completion of the building an Annual Fire Safety Statement(s) with respect to each essential fire safety measure associated with the building.
  7. Copies of the subject Annual Fire Safety Statements must also be forwarded by the owner to the Commissioner of Fire and Rescue NSW and displayed within the subject building in a prominent position. In this regard Fire and Rescue NSW has requested that only electronic copies of the statements be forwarded, with their dedicated email address for such statements being: [afss@fire.nsw.gov.au](mailto:afss@fire.nsw.gov.au)
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(PM.AD.1)

**CASTLEREAGH COUNTRY - REGIONAL DROUGHT RESILIENCE PLAN  
PROJECT**

**SUMMARY**

To advise of the success of a grant application under the Regional Drought Resilience Planning (RDRP) Program in collaboration with Warrumbungle Shire Council

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**Grant Program Overview**

The Regional Drought Resilience Planning Program is co-funded by the Commonwealth Government's Future Drought Fund and the NSW Government's Regional Growth Fund. It provides support to identified regions in NSW to develop drought resilience plans that can be implemented by Councils and their communities to manage future risks.

The RDRP aims to build capability and empower regional communities to plan and act early to reduce and respond to drought risks.

The program is designed to support the development of drought plans to consider:

- Growing the self-reliance and drought resilience of regional communities including the agricultural sector
- Improving natural capital of agricultural landscapes for better environmental outcomes
- Strengthening the wellbeing and social capital of rural, regional and remote communities.

It will enable small Council led groups of between 2 and 6 local governments to better prepare for, respond to and recover from drought.

Eligible applicants must be Councils located in one of the eligible Local Government Areas (LGAs) identified in the Program Guidelines. These LGAs are eligible because they have been identified as being vulnerable to drought, with a strong reliance on agriculture.

**Castlereagh Country – Regional Drought Resilience Plan Project**

Gilgandra, Warrumbungle, and Mid-Western Councils were identified in the guidelines as a group of LGA's eligible to lodge a joint application to develop a Regional Drought Resilience Plan in collaboration. Council contacted both of the other Councils to gauge their interest in a joint submission, and Warrumbungle accepted the invitation, while Mid-Western Regional Council declined.

A joint application for funding was subsequently developed in collaboration, by staff of both Councils, under the project title Castlereagh Country – Regional Drought Resilience Plan Project.

The Castlereagh Country RDRP Project will identify proactive strategies for the community, develop investment-ready project opportunities, share information, data and learning across regions, capitalise on economies of scale and strengthening partnerships, ensure data driven decision making and improving management of natural assets across the Castlereagh region and beyond.

The development of the RDRP will capture key regionally significant ecological, economic and social community invest-ready opportunities and transformational projects under the key focus areas: Farm Gate, Wellbeing, Vitality and Service, Investment and Sustainment, and Ecology and System Health.

Along with strategically aligned transformation projects determined through the project, anticipated community benefits identified in the RDRP and Priority Action Plan, under the five key priority areas include:

**Farm Gate:**

- Improved water security
- Identifying new technological infrastructures and modern learning and education
- Increased data collection on weather patterns, river levels
- Education programs
- Improved connectivity
- Increased agri-tourism initiatives or diversifying business opportunities and private investment
- Strengthened industry that can support through down-times

**Wellbeing:**

- Programs and initiatives that support community functionality and healthy wellbeing
- Healthy wellbeing and promotions
- Increased events and social connections
- Greater communications and opportunities for networking and sharing
- Strengthening social capital

**Vitality and Service:**

- River beautification initiatives
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- Increased service and recreation provision including parks, pools and sportsgrounds
- Cultural celebration, heritage and town beautification
- Provisions or water supply and access

**Investment and Sustainment:**

- Leveraging Inland Rail opportunities
- Increasing industrial opportunities
- Improved connectivity
- Tourism opportunities
- Business expansion and diversification
- Village management planning
- Business support
- Road networks

**Ecology and System Health:**

- Long-term planning and prioritising of natural assets through renewable energy, water saving mechanisms and new technologies to reduced water consumption, overflows and unnecessary emissions, and long-term impacts of drought.
- Smart technologies for water readings, weather station data, water levels.

The local community, industries and key stakeholders will further benefit from the extensive community consultations and workshops throughout the planning process by highlighting and sharing their priorities, and needs, and stories, and how as a community we can plan for a more resilient and sustainable future.

**Grant Funding**

Grant funding for the project totals \$450,000 in two parts:

- RDRP development \$200,000
- RDRP implementation actions \$250,000

The project is required to be completed by 30 October 2023

**Project Management**

A third party consultant will be engaged to assist in the development of the RDRP across the two Councils. Additionally, Gilgandra has made an offer to

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Warrumbungle to provide an internal project management resource to lead the project, which has been accepted.

<u>Principal Activity</u>	Lead
<u>Policy Implications</u>	Nil
<u>Budget Implications</u>	\$450k additional income and expenditure for the project across the two Councils
<u>Delivery Program Actions</u>	<b>4.3.4.1</b> Actively pursue external funding opportunities for strategically aligned community and Council projects* <b>4.3.4.2</b> Ensure reporting, acquittal and review processes are managed in line with external funding deeds and agreements*

#### RECOMMENDATION

That the successful grant application under the RDRP Program to deliver the Castlereagh Country – Regional Drought Resilience Plan Project in collaboration with Warrumbungle Shire Council be noted.

Neil Alchin  
Director Growth & Liveability

**HUNTER PARK SPORT AND RECREATION PRECINCT - MULTIPURPOSE  
SPORTS CENTRE**

**SUMMARY**

To consider an opportunity to apply for Grant Funding, and associated budget commitment, to progress the Hunter Park Sport and Recreation Precinct - Multipurpose Sports Centre Project.

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**Background Information**

For many years the Gilgandra Youth Service, Gilgandra Basketball Association, and more recently Gilgandra Fitness Centre have operated from the Gilgandra Youth Club, a 1950's build premises located at 4 Hall Street, Gilgandra. This location has met the basic needs of the Gilgandra Basketball Association with one indoor basketball court, albeit smaller than the standard dimension, and an outdoor court. However, the facility is dated and no longer meets the standards for modern basketball facilities.

The Fitness Centre operates in an area which was originally squash courts meaning the current layout of the facilities is no longer adequate for its purpose. The Gilgandra Youth Services drop in centre and offices are also not fit for purpose due to the age of the building and very limited spaces.

The existing Gilgandra Swimming Pool, tennis courts and recently updated skate park and children's play areas are all located within Hunter Park. The Gilgandra pool is a first generation pool constructed in 1939, 33m in length with an attached toddler wading pool. Associated buildings at the facility include toilets and antiquated change rooms, a kiosk/entry turnstiles, swimming club storage facility, plus a plant room and chemical storage area.

Despite multiple renovations and repairs, there is a concerning leakage issue and limited capacity to expand swimming activities and services from this facility. Council reports indicate the pool was originally designed for 50m. However, the Council during that time was required to construct a shorter pool due to budget concerns.

In 2021, a working party which included Council representatives along with the Gilgandra Basketball Association (Senior and Junior), Gilgandra Swimming Club, Gilgandra Rugby League (Senior and Junior), Gilgandra Cricket Association (Senior and Junior), Rugby Union, Gilgandra Little Athletics and the Gilgandra Tennis Club was involved in developing the vision and scope for this project. This group had a key role in the design, development and construction phase of the project. The concept plans were made available to the community with overwhelming positive feedback received.

## Project Vision

*“To create a Multipurpose Indoor Sports Centre which provides for a modern youth centre, gymnasium and outdoor public swimming pool which supports the growth and development of sports and recreation in Gilgandra.”*

## Objectives

- Renew/Replace existing community assets in poor state of repair
- Modernise the communities sport and recreational facilities
- Centralise/Co Locate community sporting and recreational facilities
- Modernise and Co Locate Councils Youth Services facilities
- Achieve ongoing maintenance and operational cost savings

## Site Plan



## Project Elements

- 50m swimming pool, all abilities access, separate learn to swim and water splash pool
  - Shaded viewing areas, generous grassed seating areas
  - Amenities
  - Multipurpose Club House
  - Two full size multipurpose basketball courts and spectator area
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- A modern indoor gymnasium and fitness spaces
- A youth centre including a “chill out” youth space
- Office and administration areas
- Provide a central access and egress point and shared kiosk and canteen area facilities
- Four new tennis courts
- Extensive On-site parking
- External lighting and CCTV

### **Budget Estimates**

Separately attached with this business paper is a detailed assessment of probable costs prepared by The Facility Construction Group at the time of finalising the concept design. The total estimated cost at the time was \$13.5m (GST exclusive) and it is suggested that given recent tender results, and the general increase in construction costs, a \$16m estimate be used as a guide.

### **Grant Opportunity - NSW Government Growing Regional Economies Fund**

- Grant focuses on growing local economies through the building of sustainable infrastructure with a regional focus/impact
- Grant allocations between \$2m and \$30m
- EOI applications close 23 May 2023
- Detailed applications by invitation in July 2023 closing 17 October 2023
- Projects to be completed by 30 June 2026.
- Co-contribution required 25% of project cost
- Resolution of Council to commit to co-contribution

This opportunity was flagged at Council’s workshop on 4 April 2023, including the potential for a two stage approach to include Council’s budget commitment in terms of co-contribution.

Remplan is preparing the economic and social assessment, and business case for use with this and future grant opportunities.

### **Staged Approach**

Given the estimated budget of \$16m and level of co-contribution required, it is suggested that a staged approach be considered. The project has therefore been dissected into two stages.

Stage 1 includes the construction of the Sports Centre including the car park.

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Stage 2 involves the pool complex and amenities along with the canteen and Tennis Courts.

### **Council Contribution**

Council's Long Term Financial Plan (LTFP) currently includes expenditure of \$15m towards the project with a \$1m contribution from Council funded from loan borrowings.

- 2025/26 \$8m Sports Centre
- 2026/27 \$7m Pool Complex

An increase in allocation for the project to an estimated \$16m in two stages, and bringing forward stage 1 to 2024/25, will be put forward for consideration when reviewing our LTFP for 2023/24-2032/33.

- 2024/25 \$8m Sports Centre
- 2026/27 \$8m Pool Complex

Council's co-contribution budget commitment to the project of \$2m for stage 1 could be funded by way of a long term loan given the intergenerational benefits associated with the project .

<u>Principal Activity</u>	Enjoy
<u>Policy Implications</u>	Nil
<u>Budget Implications</u>	Council co-contribution \$2m Stage 1 in 2024/25
<u>Delivery Program Actions</u>	<b>2.1.1.1</b> Provide a range of recreational and sporting facilities which enable the community to pursue active recreational pursuits*
	<b>2.1.1.2</b> Identify and pursue external funding opportunities for the Hunter Park Sporting and Recreational Precinct construction*
	<b>2.1.1.4</b> Collaborate with user groups of sports grounds and facilities to ensure their operational requirements are met*
	<b>2.1.3.2</b> Provide a range of activities for youth*

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RECOMMENDATION

1. That Council lodge an expression of interest under the NSW Government Growing Regional Economies Fund for \$6m in funding towards the construction of Stage 1 of the Hunter Park Hunter Park Sport and Recreation Precinct - Multipurpose Sports Centre Project.
2. That Council include a budget for a co-contribution of \$2m towards stage 1 of the project, as outlined in this report, in its 2023/24-2032/33 Long Term Financial Plan in the 2024/25 financial year.

Neil Alchin  
Director Growth & Liveability

**DOLLY PARTON'S IMAGINATION LIBRARY**

**SUMMARY**

To update Council regarding the existing Dolly Parton's Imagination Library program, and consider long-term funding for the project.

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In 2021, Gilgandra was one of 25 NSW LGAs selected to be funded by the State Government for the Dolly Parton's Imagination Library (DPIL) early literacy project. The selection was based on combined socio-economic and childhood development data including the Australian Early Developmental Census and the ABS SEIFA Index. Gilgandra rated as the 15th most disadvantaged of the 128 LGAs in NSW on these combined indexes.

The project delivers the gift of a book each month to children born from 1 January 2022. The goal is to encourage families to read to their babies from birth, building the bonding, brain development and language skills they need. All children born from 1 January 2022, residing in the Gilgandra LGA, are eligible. The project is delivered through a partnership between United Way Australia (who administer the project with DPIL), Gilgandra Shire Library and Western NSW Local Health District.

At the first baby health check, the local Community and Family Health Nurse provides the option for parents to register, provides the form and presents the baby with their first book. From approximately two months following this appointment, they receive the gift of a book each month in the mail. The books are all of high quality and are specially selected for this program.

Under the funding, the program will enrol children up to 30 June 2024, providing each enrolled child at least 2 years of books (24) by the end of the program in June 2026. The Library's role is to input the registration information into the DPIL book ordering system, and to approve the registrations that parents complete themselves, online. The Library is also the local contact point for DPIL enquiries. As at 12 April 2023, 61 babies are currently enrolled in Gilgandra.

As the funding for new enrolments will cease at the end of June 2024, United Way recently contacted Council to seek Council's help in funding additional enrolments to the program from July 2024, or in fostering community fundraising for the program. United Way are interested in supporting Council to fundraise for the program or find philanthropic partners. United Way are currently liaising with a philanthropic partner for one aspect of the program - the book that is given to the babies at their first health check has been funded independently by Joblink Plus. United Way have been collaborating with Tamworth Council for 3 years to fund their program, through a combination of Council funding, local fundraising and philanthropic partners. There are 3,300 children in the Tamworth program.

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The cost of the program has been estimated as follows:

Babies receive books from 0-5yrs. United Way have advised that the cost of the book and postage will remain fixed at \$9 per book per month, and will not increase with inflation, and that the following estimate is fair.

Projections:

1. 45 babies will be born each year (not taking into account time of year when child is born.)
2. Children already in DPIL prior to July 2024 will receive books until they turn 5 from State Funding.
3. Children leave program when they turn 5 years of age.

2024/25 estimate (Year 1) =  $45 \times \$9 \times 12 \text{ moths} = \$4,860$ .

2025/26 estimate (Year 2) = (Year 1 cost)  $\times 2 = \$9,720$ .

2026/27 estimate (Year 3) = (Year 2 cost)  $\times 1.5 = \$14,580$

2027/28 estimate (Year 4) = (Year 3 cost)  $\times 1.3333 = \$19,440$

2028/29 estimate (Year 5) = (Year 4 cost)  $\times 1.25 = \$24,300$ .

Following years = same cost as Year 5, as the maximum number of children is reached in Year 5.

The program has been operating in Gilgandra since April 2022. Parents have commented that they love receiving the books and it has encouraged them to spend time reading regularly to their children. At the Library, we have seen increased community interest in reading to little ones, with more families visiting to borrow books. The loans of baby board books from 1 April 2022-1 April 2023 increased 46.6% from the same period in the previous year. The loans of picture books from 1 April 2022-1 April 2023 increased by 81.8% from the same period in the previous year. Reading to children every day has been shown to improve their schooling outcomes regardless of their family background and home environment.

<https://www.education.vic.gov.au/documents/about/research/readtoyoungchild.pdf>

<u>Principal Activity</u>	Enjoy
<u>Policy Implications</u>	Nil
<u>Budget Implications</u>	Potentially \$4,860 increase in 2024/25, incrementing annually up to a \$24,300 annual cost from 2028/29 onwards.

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Delivery Program Actions

**2.1.5.2**

Provide appropriate high quality, current collections, information services, programs, technology and community space for personal, business and community development

RECOMMENDATION

1. That Council consider funding or partly funding the Dolly Parton's Imagination Library program from 2024/25 onwards.
2. That Council invite Mr Leo Krikmann from United Way to work with Council towards finding additional funding avenues for the Dolly Parton's Imagination Library program.

Neil Alchin  
Director Growth and Liveability

(CM.PO.1)

**COUNCIL RELATED DEVELOPMENT – CONFLICT OF INTEREST POLICY**

**SUMMARY**

Councils are required to adopt a policy outlining how conflicts of interest will be managed with regard to Council related developments.

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Changes to the *Environmental Planning and Assessment Regulation 2021* commence on 3 April 2023 which have been introduced to strengthen accountability and transparency in the NSW planning system.

The changes include the requirement for NSW Councils to have a policy in place addressing how conflicts of interest will be handled. Where Council is a developer, landowner or holds a commercial interest in the land whilst also acting as the regulator, conflicts of interest can potentially arise.

Council adopted the draft Council Related Development Application Conflict of Interest Policy at the February 2023 meeting for public exhibition:

(CM.PO.1)

**COUNCIL RELATED DEVELOPMENT – CONFLICT OF INTEREST POLICY**

**SUMMARY**

Councils are required to adopt a policy outlining how conflicts of interest will be managed with regard to Council related developments.

<b>RESOLVED 17/23</b>	Cr Peart/Cr Babbage
That the draft Conflict of Interest (Council Related Development) policy be adopted and placed on public exhibition for 28 days.	

Public exhibition of the draft policy and opportunity for written submissions occurred from Tuesday, 7 March 2023 until 5pm Monday, 3 April 2023. There were no submissions received.

<u>Principal Activity</u>	Lead
<u>Policy Implications</u>	New policy developed
<u>Budget Implications</u>	Not applicable
<u>Delivery Program Actions</u>	<b>4.3.1.1</b> Ensure all governance targets and statutory requirements are met in line with the relevant Acts and Regulations and Council policy

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RECOMMENDATION

That the Conflict of Interest (Council Related Development) policy be adopted.

Neil Alchin  
Director Growth & Liveability

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## **REPORTS FOR INFORMATION AND NOTATION**

### **SUMMARY**

To present reports for information and notation.

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- Statement of Bank Balances (Local Government (Financial Management) Regulation No. 93) and Investment Balances
- Matters Outstanding from Previous Council Meetings
- Questions for Next Meeting
- Development Applications

Any questions which Councillors may have in relation to these reports and/or issues to be raised, should be brought forward at this time.



**STATEMENT OF BANK BALANCES AND INVESTMENT BALANCES**

**SUMMARY**

Statement of Bank Balances and Investment Balances  
To present the following information relative to the above report headings:

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1. Statement of Bank Balances (Local Government Financial Management Regulation No.19) - Month of March 2023.
2. Certificate of Bank Reconciliation - Month of March 2023.
3. Details of investments as at 31 March 2023 (Local Government Financial Management Regulation No.19).

<b>CASH BOOK BALANCE AS AT</b>	<b>28-Feb-23</b>	<b>\$4,566,312.06</b>
Plus: Receipts		\$4,762,337.13
Less: Payments		\$6,005,264.69
<b>CASH BOOK BALANCE AS AT</b>	<b>31-Mar-23</b>	<b><u>\$3,323,384.50</u></b>

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<b>STATEMENT BALANCE AS AT</b>	<b>28-Feb-23</b>	<b>\$4,747,828.62</b>
Plus: Receipts		\$4,827,347.61
Less: Payments		\$6,233,202.28
<b>STATEMENT BALANCE AS AT</b>	<b>31-Mar-23</b>	<b><u>\$3,341,973.95</u></b>

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Plus: Unpresented Receipts		\$1,806.21
Less: Unpresented Payments		\$20,395.66
<b>RECONCILED BALANCE AS AT</b>	<b>31-Mar-23</b>	<b><u>\$3,323,384.50</u></b>

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Cashbook balance as at 31 March 2023:	\$3,323,384.50
Investments held as at 31 March 2023:	\$30,000,013.70
<b>Total Cash &amp; Investments Held as at 31 March 2023:</b>	<b><u>\$33,323,398.20</u></b>

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The bank balances in each of the funds as at 31 March 2023 are:

General Fund	\$13,387,717.48
Water Fund	\$3,125,904.57
Sewer Fund	\$2,992,629.45
Orana Living	\$5,487,684.38
Carlinda Enterprises	\$526,662.31
Cooee Villa Units	\$2,558,640.10
Cooee Lodge	\$3,751,286.21
Jack Towney Hostel	\$1,187,345.51
Trust Fund	\$305,528.29

**Balance as per Total Cash & Investments Held: \$33,323,398.30**

Details of Council's investments are as follows:

(a)	\$1,000,000.00	For 365 days	4.90%	Due 08-Mar-24	With Defence	
(b)	\$1,000,013.70	For 274 days	3.14%	Due 04-Sep-23	With Bendigo	
(c)	\$1,500,000.00	For 366 days	4.30%	Due 04-Mar-24	With Bendigo	
(d)	\$1,000,000.00	For 182 days	3.97%	Due 12-Apr-23	With Macquarie	
(e)	\$1,000,000.00	For 272 days	4.00%	Due 11-Sep-23	With Macquarie	
(f)	\$1,000,000.00	For 364 days	3.54%	Due 25-Aug-23	With Macquarie	
(g)	\$1,000,000.00	For 273 days	4.24%	Due 28-Jul-23	With Macquarie	
(h)	\$1,000,000.00	For 181 days	3.93%	Due 08-May-23	With Macquarie	
(i)	\$1,000,000.00	For 365 days	1.80%	Due 14-April-23	With Bank of Qld	
(j)	\$2,500,000.00	For 240 days	4.21%	Due 10-Jul-23	With Suncorp	
(k)	\$2,000,000.00	For 180 days	4.05%	Due 30-May-23	With NAB	
(l)	\$2,000,000.00	For 270 days	4.05%	Due 14-Jul-23	With NAB	
(m)	\$2,000,000.00	For 180 days	4.30%	Due 26-Jun-23	With NAB	
(n)	\$2,000,000.00	For 150 days	4.11%	Due 18-May-23	With NAB	
(o)	\$1,000,000.00	For 180 days	3.45%	Due 28-Feb-23	With NAB	
(p)	\$3,000,000.00	For 150 days	3.46%	Due 09-Feb-23	With NAB	
(q)	\$2,000,000.00	For 242 days	3.88%	Due 15-May-23	With NAB	
(r)	\$2,000,000.00	For 181 days	4.60%	Due 28-Aug-23	With NAB	
(s)	\$2,000,000.00	For 365 days	3.15%	Due 01-Jun-23	With Bank of Qld	
Total						<b>\$30,000,013.70</b>
Investments:						

**OUTSTANDING MATTERS FROM PREVIOUS MEETINGS**

**SUMMARY**

To provide an update in relation to matters previously resolved at Council Meetings requiring further action to be taken.

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<u>Res. No.</u>	<u>Subject</u>	<u>Action</u>
<u>September 2020</u>		
175/20	GrainCorp Industrial Precinct	Report to future meeting
<u>July 2021</u>		
124/21	Industrial Land – Purchase Offer	Report to future meeting
<u>June 2022</u>		
115/22	Development application – Temporary Workforce Accommodation Facility	DA Documentation progressing
<u>July 2022</u>		
141/22	Compulsory Acquisition by Agreement Of Road Reserves and Licence Agreement	Report to future meeting
<u>November 2022</u>		
221/22	Creation of a New Rate Sub Category	To be developed in line with 2023/2024 rating
231/22	ARTC Housing Design	To be included in Tenders in 2023
233/22	Betterment Fund Application	Application completed and funding granted
<u>December 2022</u>		
227/22 240/22	Audit Risk Improvement Committee Chair	Commencement Pending
241/22	Community Plaza Upgrade – Streets, Beats & Eats Project	Construction is underway, variations pending

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247/22	Subdivision of 6324 Newell Highway, Gilgandra	Stage 1 Subdivision completed
248/22	Castlereagh River Restoration and Beautification Project – Sears and EOI/Tender	No progress since last meeting
250/22	Orana Living Advisory Board of Management	Report to future meeting

#### February 2023

7/23	Consideration of Lease Brenshaw Medical	Reported to March 2023 meeting
10/23	Organisational Review Update	Report to future meeting regarding daycare options for Council staff
12/23	Administration of 2024 Local Government Elections	Contracts to be entered into in due course
21/23	Stronger Country Communities Round 5 and Local Government Recovery Grant	Submissions back to relevant funding body have been sent, awaiting confirmation
22/23	Gilgandra Film Festival	Formal notice given to GFF Committee, meeting with GFF to progress. Requested updated detailed income and expenditure budget and following the event a detailed profit and loss statement.
27/23	Housing Support	Letter to NSW LAHC sent and response pending.

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**PROGRESS ON “QUESTIONS FOR NEXT MEETING”**

**SUMMARY**

To inform Council of appropriate action which has or will be taken in relation to Councilors “Questions for Next Meeting” outstanding from previous meetings.

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**December 2022**

Upgrade of National Park Road and Baronne Creek	Applications have been submitted, report to later meeting
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Gravel Pits	Report to later meeting
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**March 2023**

Warren Road	Report to this meeting
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Council’s Workshop Process	Report to this meeting
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## **DEVELOPMENT APPLICATIONS**

The following development applications were approved during March 2023:

<b>DA Number</b>	<b>Applicant's Name</b>	<b>Application</b>	<b>Property Address</b>	<b>Development Value</b>
2023/479	Taylor Made Buildings	Demountable dwelling	575 Balladoran Railway Road, Gilgandra NSW 2827	\$452,730
2023/482 (LAA)	Gilgandra Show Society	Annual Show	63-67 Warren Road, Gilgandra	\$0
			March	\$452,730
			<b>Total 2023</b>	<b>\$5,341,555</b>

## **Applications under assessment**

- DA 2022/434 – Service Station
  - DA 2022/441 – Sand Quarry
  - DA 2022/477 – Service station
  - DA 2023/480 – Solar Farm
  - DA 2023/481 – Residential subdivision
  - DA 2023/483 – New amenities, Tooraweenah Showground
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**MARCH 2023**

DA Number	Actual Days	Stopped Days	Total Days	Working Days	Stopped Work Days	Total Work Days
2023/479	34	0	34	24	0	24
2023/482	9	0	9	7	0	7

Summary Statistics	
No of Applications	2
Total Actual Days	43.00
Mean Actual Days	21.50
Mean Stopped Days	0.00
Mean Total Days	21.50
Mean Work Days	15.50
Mean Work Stop Days	0.00
Mean Total Work Days	15.50
Median Actual Days	21.50

**RECOMMENDATION**

That the reports be noted.

Neil Alchin  
Acting General Manager

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**PRECIS OF CATEGORY B CORRESPONDENCE**

**SUMMARY**

To pass on relevant information from correspondence received.

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Documents mentioned are available upon request for any interested Councillors.

**ALLIANCE OF WESTERN COUNCILS MINUTES**

Minutes of the meeting held on 16 March 2023.

**RECOMMENDATION**

That receipt of the Category B correspondence be noted.

Neil Alchin  
Acting General Manager