



ORDINARY COUNCIL MEETING

AGENDA

18 APRIL 2023

Notice is hereby given, in accordance with the provisions of the Local Government Act 1993 that an **ORDINARY MEETING of ORANGE CITY COUNCIL** will be held in the **COUNCIL CHAMBER, CIVIC CENTRE, BYNG STREET, ORANGE** on **Tuesday, 18 April 2023** commencing at **6.30PM**.

David Waddell

CHIEF EXECUTIVE OFFICER

For apologies please contact Administration on 6393 8106.

AGENDA

EVACUATION PROCEDURE

In the event of an emergency, the building may be evacuated. You will be required to vacate the building by the rear entrance and gather at the breezeway between the Library and Art Gallery buildings. This is Council's designated emergency muster point.

Under no circumstances is anyone permitted to re-enter the building until the all clear has been given and the area deemed safe by authorised personnel.

In the event of an evacuation, a member of Council staff will assist any member of the public with a disability to vacate the building.

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1 INTRODUCTION

1.1 APOLOGIES AND LEAVE OF ABSENCE

1.2 LIVESTREAMING AND RECORDING

This Council Meeting is being livestreamed and recorded. By speaking at the Council Meeting you agree to being livestreamed and recorded. Please ensure that if and when you speak at this Council Meeting that you ensure you are respectful to others and use appropriate language at all times. Orange City Council accepts no liability for any defamatory or offensive remarks or gestures made during the course of this Council Meeting. A recording will be made for administrative purposes and will be available to Councillors.

1.3 ACKNOWLEDGEMENT OF COUNTRY

I would like to acknowledge the Traditional Custodians of the land on which we meet today, the people of the Wiradjuri Nation. I pay my respects to Elders past and present, and extend those respects to Aboriginal Peoples of Orange and surrounds, and Aboriginal people here with us today.

1.4 DECLARATION OF PECUNIARY INTERESTS, SIGNIFICANT NON-PECUNIARY INTERESTS AND LESS THAN SIGNIFICANT NON-PECUNIARY INTERESTS

The provisions of Chapter 14 of the Local Government Act, 1993 (the Act) regulate the way in which Councillors and designated staff of Council conduct themselves to ensure that there is no conflict between their private interests and their public role.

The Act prescribes that where a member of Council (or a Committee of Council) has a direct or indirect financial (pecuniary) interest in a matter to be considered at a meeting of the Council (or Committee), that interest must be disclosed as soon as practicable after the start of the meeting and the reasons given for declaring such interest.

As members are aware, the provisions of the Local Government Act restrict any member who has declared a pecuniary interest in any matter from participating in the discussion or voting on that matter, and requires that member to vacate the Chamber.

Council's Code of Conduct provides that if members have a non-pecuniary conflict of interest, the nature of the conflict must be disclosed. The Code of Conduct also provides for a number of ways in which a member may manage non pecuniary conflicts of interest.

RECOMMENDATION

It is recommended that Councillors now disclose any conflicts of interest in matters under consideration by the Council at this meeting.

1.5 OPENING PRAYER

COUNCIL MEETING ADJOURNS FOR THE CONDUCT OF THE OPEN FORUM

COUNCIL MEETING RESUMES

2 MAYORAL MINUTES

Nil

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RECOMMENDATION

That the Minutes of the Ordinary Meeting of Orange City Council held on 4 April 2023 (copies of which were circulated to all members) be and are hereby confirmed as a true and accurate records of the proceedings of the Council meeting held on 4 April 2023.

ATTACHMENTS

- 1 Minutes of the Ordinary Meeting of Orange City Council held on 4 April 2023

ORANGE CITY COUNCIL**MINUTES OF THE
ORDINARY COUNCIL MEETING**

HELD IN COUNCIL CHAMBER, CIVIC CENTRE, BYNG STREET, ORANGE

ON 4 APRIL 2023

COMMENCING AT 6.30PM

1 INTRODUCTION**ATTENDANCE**

Cr J Hamling (Mayor)(*Audio Visual Link*), Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr J Whitton

A/Chief Executive Officer (Maunder), Director Corporate and Commercial Services, Director Development Services, Director Technical Services, Manager Corporate Governance, Governance Officer, Manager Development Assessment

RESOLVED - 23/088**Cr K Duffy/Cr J Evans**

That Cr Whitton chair the Council Meeting of 4 April 2023, as Cr Hamling (Mayor) is attending via Audio Visual Link.

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr J Whitton

Against: Nil

Absent: Cr G Power

1.1 APOLOGIES

RESOLVED - 23/089**Cr K Duffy/Cr J Evans**

That the apologies be accepted from Cr Gerald Power for the Council Meeting of Orange City Council on 4 April 2023.

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr J Whitton

Against: Nil

Absent: Cr G Power

RESOLVED - 23/090**Cr T Greenhalgh/Cr M McDonell**

That Cr J Hamling (Mayor) be permitted to attend the Council Meeting of 4 April 2023 via Audio Visual Link (*Teams*).

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr J Whitton

Against: Nil

Absent: Cr G Power

1.2 LIVESTREAMING AND RECORDING

The Chairperson advised that the meeting was being livestreamed and recorded.

1.3 ACKNOWLEDGEMENT OF COUNTRY

The Chairperson conducted an Acknowledgement of Country.

1.4 DECLARATION OF PECUNIARY INTERESTS, SIGNIFICANT NON-PECUNIARY INTERESTS AND LESS THAN SIGNIFICANT NON-PECUNIARY INTERESTS

Cr Mileto declared a Significant Non-Pecuniary Interest in PDC item 2.2 Development Application DA265/2022(1) – 1 Summer Street and 160 Woodward Street, as his family has property in the vicinity of the subject site.

Cr Mallard declared a Non-Significant Non-Pecuniary Interest in PDC item 2.5 Development Application DA314/2022(1) – Former DPI building – 159-179 Kite Street, as he lives nearby to the subject site.

Cr Peterson declared a Non-Significant Non-Pecuniary Interest in item 6.3 Road Closure Application Part Road Reserve – Yackerboon Place Orange as he is a member of the church who owns the subject land.

Cr Kinghorne declared a Non-Significant Non-Pecuniary Interest in item 6.3 Road Closure Application Part Road Reserve – Yackerboon Place Orange as she owns property boarding the subject site.

THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL ADJOURNED FOR THE CONDUCT OF THE OPEN FORUM AT 6.35PM

THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL RESUMED AT 6.39PM

2 MAYORAL MINUTES

Nil

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RESOLVED - 23/091

Cr K Duffy/Cr G Floyd

That the Minutes of the Ordinary Meeting of Orange City Council held on 21 March 2023 (copies of which were circulated to all members) be and are hereby confirmed as a true and accurate record of the proceedings of the Council meeting held on 21 March 2023.

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr J Whitton

Against: Nil

Absent: Cr G Power

RESOLVED - 23/092**Cr K Duffy/Cr G Floyd**

That Council be provided with a report containing detailed costings and designs for the next stage of the Southern Feeder Road (SFR).

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr J Whitton

Against: Nil

Absent: Cr G Power

THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL ADJOURNED FOR THE CONDUCT OF THE POLICY COMMITTEE MEETINGS AT 6.46PM

THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL RESUMED AT 7.56PM

4 NOTICES OF MOTION/NOTICES OF RESCISSION

4.1 NOTICE OF MOTION - RECOGNITION FOR FRIDGY'S FOR EUGOWRA TEAM AND OTHER BUSINESSES, GROUPS, INDIVIDUALS WHO ASSISTED IN FLOOD RAVAGED CENTRES

TRIM REFERENCE: 2023/372

RESOLVED - 23/124**Cr G Floyd/Cr T Greenhalgh**

That Council resolves to:

- 1 Acknowledge in the Chamber the outstanding work of Mr David Conyers and the Fridgy's for Eugowra team, while also acknowledging the work of the many other individuals, groups and businesses from Orange that have helped flood ravaged centres across the Central West.
- 2 Contact Cabonne Council to discuss the opportunity for both Councils jointly, to show gratitude for this outstanding work in the form of a framed Certificate of Appreciation or similar (eg community BBQ) or both, for Mr Conyers and the Fridgy's for Eugowra team and support groups.

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr J Whitton

Against: Nil

Absent: Cr G Power

5 GENERAL REPORTS

5.1 COMMUNITY ENGAGEMENT SURVEY

TRIM REFERENCE: 2023/435

RESOLVED - 23/125**Cr S Peterson/Cr D Mallard**

That the report by the Manager of Communications and Engagement be acknowledged.

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr J Whitton

Against: Nil

Absent: Cr G Power

Cr Kinghorne asked what constitutes a statistically valid response.

The Director Corporate & Commercial Services advised it is the amount of responses to a survey base on the number of our population and meeting a percentage of the population number, to be obtained from a consultant once engaged.

5.2 STRATEGIC POLICY ADOPTION - POST EXHIBITION

TRIM REFERENCE: 2023/376

RESOLVED - 23/126

Cr M McDonell/Cr J Whitton

- 1 That Council resolves to adopt the following policies:
 - ST19 - Media
 - ST29 - Water & Sewer Infrastructure
- 2 That Council resolves to defer the following policy for further consultation and engagement:
 - ST20 - Community Engagement

For: Cr J Hamling, , Cr J Evans, Cr G Floyd, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr J Whitton

Against: Cr T Greenhalgh, Cr K Duffy

Absent: Cr G Power

Cr Evans asked for details on time frames for when Engagement should occur.

The Director Corporate & Commercial Services advised it is about the approach of engagement. More detailed information can be provided to Councillors at a briefing on 21 April 2023 when discussing community engagement, the media and social media policy's. This is generally not contained in the strategic policy, but is included in operational plans.

6 CLOSED MEETING

In accordance with the Local Government Act 1993, and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the following business is of a kind as referred to in Section 10A(2) of the Act, and should be dealt with in a Confidential Session of the Council meeting closed to the press and public.

In response to a question from the Mayor, the Chief Executive Officer advised that no written submissions had been received relating to any item listed for consideration by the Closed Meeting of Council. The Mayor extended an invitation to any member of the public present at the meeting to make a presentation to the Council as to whether the meeting should be closed for a particular item.

RESOLVED - 23/127**Cr M McDonell/Cr S Peterson**

That Council adjourn into a Closed Meeting and members of the press and public be excluded from the Closed Meeting, and access to the correspondence and reports relating to the items considered during the course of the Closed Meeting be withheld unless declassified by separate resolution. This action is taken in accordance with Section 10A(2) of the Local Government Act, 1993 as the items listed come within the following provisions:

6.1 Western Water Strategy - Memorandum of Understanding

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

6.2 Tender for the Design and Construction of Glenroi Skate Park

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

6.3 Road closure application - Part Cottonwood Way Orange

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

6.4 Road Closure Application Part Road Reserve - Yackerboon Place Orange

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

6.5 Minutes of the Audit Risk and Improvement Committee Meeting 28 February 2023

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (f) matters affecting the security of the Council, Councillors, Council staff or Council property.

6.6 Submission Redactions 4 April 2023

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (e) information that would, if disclosed, prejudice the maintenance of law.

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr J Whitton

Against: Nil

Absent: Cr G Power

The Mayor declared the Ordinary Meeting of Council adjourned for the conduct of the Closed Meeting at 8.13pm.

The Mayor declared the Ordinary Meeting of Council resumed at 8.27pm.

7 RESOLUTIONS FROM CLOSED MEETING

The Chief Executive Officer read out the following resolutions made in the Closed Meeting of Council.

6.1 WESTERN WATER STRATEGY - MEMORANDUM OF UNDERSTANDING

TRIM REFERENCE: 2023/318

RESOLVED - 23/128

Cr G Floyd/Cr T Greenhalgh

That Orange City Council:

- 1 Partner with Centennial by entering into a Memorandum of Understanding (draft Attachment 1 to this report) for the Western Water Strategy Project.
- 2 Grant authority to affix the Council Seal on any document as required.

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr J Whitton

Against: Nil

Absent: Cr G Power

6.2 TENDER FOR THE DESIGN AND CONSTRUCTION OF GLENROI SKATE PARK

TRIM REFERENCE: 2023/460

RESOLVED - 23/129

Cr D Mallard/Cr M McDonell

That Council resolves:

- 1 That the Tender F3540-4 for the Design and Construction of Glenroi Skate Park be awarded to Haley Constructions Pty Ltd for their tendered price of \$429,846.51 (Ex GST).
- 2 That permission be granted for the use of the Council Seal on any relevant document as required.

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr J Whitton

Against: Nil

Absent: Cr G Power

6.3 ROAD CLOSURE APPLICATION - PART COTTONWOOD WAY ORANGE

TRIM REFERENCE: 2023/382

Cr Peterson declared a Non-Significant Non-Pecuniary Interest in this item as he is a member of the church who owns the subject land and remained in the chamber for discussion and voting on this item.

Cr Kinghorne declared a Non-Significant Non-Pecuniary Interest in this item as she owns property boarding the subject site and remained in the chamber for discussion and voting on this item.

RESOLVED - 23/130**Cr D Mallard/Cr M McDonell**

That Council resolves:

- 1 To advertise the proposed road closure in accordance with the requirements of the Crown Land Management Act.
- 2 That Council's Chief Executive Officer be given delegation to finalise determination for the road closure of part Cottonwood Way Orange post exhibition.
- 3 To grant approval for the use of the Council Seal on any necessary documentation.

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr J Whitton

Against: Nil

Absent: Cr G Power

6.4 ROAD CLOSURE APPLICATION PART ROAD RESERVE - YACKERBOON PLACE ORANGE

TRIM REFERENCE: 2023/402

RESOLVED - 23/131**Cr K Duffy/Cr S Peterson**

That Council resolves:

- 1 To advertise the proposed road closure in accordance with the requirements of the Crown Land Management Act.
- 2 That Council's Chief Executive Officer be given delegation to finalise the sale of the road closure of part Yackerboon Place Orange post exhibition.
- 3 To grant approval for the use of the Council Seal on any necessary documentation.

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr J Whitton

Against: Nil

Absent: Cr G Power

6.5 MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE MEETING 28 FEBRUARY 2023

TRIM REFERENCE: 2023/431

RESOLVED - 23/132**Cr K Duffy/Cr F Kinghorne**

That Council resolves:

- 1 That Council acknowledge the reports presented to the Audit, Risk & Improvement Committee at its meeting held 28 February 2023.
- 2 That Council determine recommendation 4.5 & 4.20 from the minutes of the Audit, Risk & Improvement Committee of 28 February 2023:
4.5 (1) That Strategic Policy - ST15 - Risk Management be placed on public exhibition for a period of 28 day.
4.5 (2) That Council approve the Risk Appetite Statements as endorsed by the ARIC.
4.20 That Council acknowledges the ARIC Annual Report for the year ending 31 December 2022.
- 3 That the remainder of the minutes of the Audit, Risk & Improvement Committee at its meeting held on 28 February 2023 be adopted.

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr J Whitton

Against: Nil

Absent: Cr G Power

6.6 SUBMISSION REDACTIONS 4 APRIL 2023

TRIM REFERENCE: 2023/442

RESOLVED - 23/133**Cr T Greenhalgh/Cr M McDonell**

That the information in this report be acknowledged.

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr J Whitton

Against: Nil

Absent: Cr G Power

THE MEETING CLOSED AT 8.33PM

This is Page Number 8 and the Final Page of the Minutes of the Ordinary Meeting of Orange City Council held on 4 April 2023.

4 NOTICES OF MOTION/NOTICES OF RESCISSION

4.1 NOTICE OF RESCISSION - STRATEGIC POLICY ADOPTION - POST EXHIBITION - ST19 MEDIA, ST20 COMMUNITY ENGAGEMENT, ST29 WATER & SEWER INFRASTRUCTURE

RECORD NUMBER: 2023/512

We, **CR KEVIN DUFFY, CR JEFF WHITTON and CR TAMMY GREENHALGH** wish to move the following Notice of Rescission at the Council Meeting of 18 April 2023:

MOTION

That Council rescind the following resolution of Council at its Meeting of 4 April 2023:

5.2 STRATEGIC POLICY ADOPTION - POST EXHIBITION

TRIM REFERENCE: 2023/376

RESOLVED - 23/126

Cr M McDonell/Cr J Whitton

- 1 That Council resolves to adopt the following policies:
 - ST19 - Media
 - ST29 - Water & Sewer Infrastructure
- 2 That Council resolves to defer the following policy for further consultation and engagement:
 - ST20 - Community Engagement

For: Cr J Hamling, Cr J Evans, Cr G Floyd, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr J Whitton

Against: Cr K Duffy, Cr T Greenhalgh

Absent: Cr G Power

Signed Cr Kevin Duffy Cr Jeff Whitton Cr Tammy Greenhalgh

FINANCIAL IMPLICATIONS

Nil

POLICY AND GOVERNANCE IMPLICATIONS

Each of the policy's have been on Public Exhibition. Should significant changes be made to any of the policy's, a further exhibition period will be required before consideration of adoption. Strategic Policy ST19 – Media is based on the OLG Model Policy for best practice.

ATTACHMENTS

- 1 Council Report 4 April 2023 - Strategic Policy Adoption - Post Exhibition with Attachments ST19 ST20 ST29, D23/23325 [↓](#)

COUNCIL MEETING

4 APRIL 2023

5.2 STRATEGIC POLICY ADOPTION - POST EXHIBITION

RECORD NUMBER: 2023/376

AUTHOR: Janessa Constantine, Manager Corporate Governance

EXECUTIVE SUMMARY

This report presents policies for the adoption of Council. The policies have been on public exhibition for a period of 28 days and no submissions were received during the exhibition period. The below policies are now recommended for adoption:

- ST19 - Media
- ST20 - Community Engagement
- ST29 - Water & Sewer Infrastructure

LINK TO DELIVERY/OPERATIONAL PLAN

The recommendation in this report relates to the Delivery/Operational Plan strategy “17.1. Provide representative, responsible and accountable community governance”.

FINANCIAL IMPLICATIONS

Nil

POLICY AND GOVERNANCE IMPLICATIONS

Council’s Strategic Policies are reviewed and amended to ensure ongoing compliance with legislation and industry best practice.

Policies of Council are of two types – Strategic Policies are determined by Council, and relate to Councillors, required by Legislation or Regulation and/or have an impact on the Orange community. The Local Government Act 1993 requires the public exhibition of Policies (if new or include significant changes) and adoption by Council. Operational Policies are determined and implemented by the Chief Executive Officer and relate to staff and the operations of the organisation.

RECOMMENDATION

That Council resolves to adopt the following policies:

- ST19 - Media
- ST20 - Community Engagement
- ST29 - Water & Sewer Infrastructure

FURTHER CONSIDERATIONS

Consideration has been given to the recommendation’s impact on Council’s service delivery; image and reputation; political; environmental; health and safety; employees; stakeholders and project management; and no further implications or risks have been identified.

COUNCIL MEETING

4 APRIL 2023

5.2 Strategic Policy Adoption - Post Exhibition

SUPPORTING INFORMATION

Policies for Adoption

The following policies have been reviewed and outlined below are changes/updates made to each policy. It is recommended these policies be placed on public exhibition for a period of at least 28 days to allow for Council and public review and submissions.

ST19 – Media

The Media policy is based on the Model policy issued by the Office of Local Government. The policy is not mandatory, and Councils can adapt the policy for our own purposes. If adopted, the policy will operate to supplement the provisions of the adopted Code of Conduct.

Reference	Update
General	<ul style="list-style-type: none"> • New Policy

ST20 – Community Engagement

Reference	Update
General	<ul style="list-style-type: none"> • Renumbering of Policies commenced – New Numbering ST20, Previously ST049. • Condensed Policy information to remove any information covered in the Social Media and Media policies. • Operational Information on how Community Engagement is to be undertaken through specific mechanisms has been removed from Strategic Policy into an Operational Procedure.

ST29 – Water & Sewer Infrastructure

Reference	Update
General	<ul style="list-style-type: none"> • Combination of Water and Sewer policies - no major changes to the content: <ul style="list-style-type: none"> • ST125 – Working on Council's Water & Sewer Infrastructure • ST129 – Water Supply Infrastructure Services • ST130 – Sewer Infrastructure Policy • Separation of Operational procedures out of the Strategic Policy.

ATTACHMENTS

- 1 FOR ADOPTION - Strategic Policy - ST19 - Media, D23/6710 (Under Separate Cover)
- 2 FOR ADOPTION - Strategic Policy - ST20 - Community Engagement, D23/6711 (Under Separate Cover)
- 3 FOR ADOPTION - Strategic Policy - ST29 - Water & Sewer Infrastructure, D23/7720 (Under Separate Cover)



Strategic Policy ST19

Media

FOR ADOPTION

PO Box 35, Orange
NSW 2800 Australia

135 Byng Street, Orange
NSW 2800 Australia

P: +61 2 6393 8000
F: +61 2 6393 8199

council@orange.nsw.gov.au
www.orange.nsw.gov.au



All policies can be reviewed or revoked by a resolution of Council, at any time.

1 OVERVIEW

- 1.1 The Model Media Policy has been developed to provide a framework to assist councils when dealing with the media and to ensure that media engagement by councillors and staff is consistent, accurate and professional and enhances the council's reputation.
- 1.2 Effective media engagement can assist councils to keep their community informed, explain decisions and to promote community confidence in the council and its decisions.
- 1.3 The term "media" used in this policy means print, broadcast and online media used for communicating information to the public, including, but not limited to, newspapers, magazines, internet publishers, radio, and television broadcasters.

2 PRINCIPLES

- 2.1 We, the Councillors, staff, and other officials of Orange City Council, are committed to upholding and promoting the following principles of media engagement:

Openness We will ensure that we promote an open exchange of information between our council and the media.

Consistency We will ensure consistency by all councillors and staff when communicating with the media.

Accuracy The information we share with the media will be a source of truth for our council and community and we will prioritise the need to correct inaccuracies when they occur.

Timeliness We will ensure that we respond to media enquiries in a timely manner.

3 ADMINISTRATIVE FRAMEWORK FOR ENGAGEMENT WITH MEDIA

Appointment and role of the Media Coordinator

- 3.1 The Chief Executive Officer will appoint a member of Council staff to be the Council's Media Coordinator. The Media Coordinator should be a suitably qualified member of staff being the Manager Communications & Engagement.
- 3.2 The Chief Executive Officer may appoint more than one Media Coordinator.
- 3.3 The Media Coordinator's role is to:
- a) be the lead point of contact for all media enquiries, requests for interviews, requests to film or photograph Council staff, facilities or events for news and current affairs purposes
 - b) be responsible for preparing all media statements prior to their release
 - c) liaise with relevant staff members within the organisation where appropriate.
 - d) ensure that media statements are approved by the Mayor and/or Chief Executive Officer prior to their release



All policies can be reviewed or revoked by a resolution of Council, at any time.

- e) develop and/or approve media training and/or induction to be provided to relevant staff and/or Councillors
- f) maintain a record of all media enquiries and responses
- g) ensure that media organisations and their representatives are treated professionally, equally and without bias
- h) ensure that media enquiries are dealt with promptly
- i) provide guidance to Councillors approached by the media for comment to avoid communication of misinformation, and
- j) ensure that all media releases are published on the Council's website.

4 WHO CAN ENGAGE WITH THE MEDIA

The Chief Executive Officer

- 4.1 The Chief Executive Officer is the official spokesperson for the Council on operational and administrative matters.
- 4.2 The Chief Executive Officer may delegate to other Council staff to speak on their behalf where appropriate, (for example, where the delegated staff member has professional expertise regarding the subject matter, or the Chief Executive Officer is unavailable).

The Mayor

- 4.3 The Mayor is the principal member and spokesperson of the governing body of the Council, including representing the views of the Council as to its local priorities (section 226(c) of the Local Government Act 1993).
- 4.4 If the Mayor is unavailable, the Deputy Mayor may act as the Council's spokesperson.

- 4.5 The Mayor may delegate their role as spokesperson to other Councillors where appropriate, (for example, where another Councillor is best placed to comment, because the issue is of particular interest to them, or it is within their particular area of expertise).

Councillors

- 4.6 As a member of the governing body and as a representative of the community, councillors are free to express their personal views to the media.
- 4.7 When engaging with the media Councillors:
 - a) must not purport to speak for the Council unless authorised to do so
 - b) must clarify when speaking to the media that they are expressing their personal views as an individual Councillor and that they are not speaking for the Council (unless authorised to do so)
 - c) must uphold and accurately represent the policies and decisions of the Council
 - d) must not disclose Council information unless authorised to do so, and
 - e) must seek information and guidance from the Chief Executive Officer/Manager Communications & Engagement where appropriate before providing comment to the media to ensure they have the most up-to-date and relevant information and have considered reputational or other risks.



All policies can be reviewed or revoked by a resolution of Council, at any time.

- 4.8 In the interests of promoting a positive, safe and harmonious organisational culture, Councillors should endeavour to resolve personal differences privately and must not prosecute them publicly through the media
- 4.9 Where Councillors (including the Mayor) become aware of potential issues that could result in media interest, they should provide this information to the Chief Executive Officer or Manager Communications & Engagement.
- Council Staff
- 4.10 Council staff must not speak to the media about matters relating to the Council unless authorised by the Chief Executive Officer or Manager Communications & Engagement to do so.
- 4.11 If Council staff receive a media enquiry or they are invited to comment to the media on a matter relating to the Council, they must refer the enquiry to the Chief Executive Officer or Manager Communications & Engagement.
- 4.12 Council staff are free to express their personal views to the media on matters that do not relate to the Council, but in doing so, must not make comments that reflect badly on the Council or that bring it into disrepute.
- 4.13 If authorised to speak to the media, Council staff:
- must uphold and accurately represent the policies and decisions of the Council
 - must not disclose Council information unless authorised to do so by the Chief Executive Officer or Manager Communications & Engagement, and
 - must seek information and guidance from the Chief Executive Officer or Manager Communications & Engagement where appropriate before providing comment to the media to ensure they have the most up-to-date and relevant information and have considered reputational or other risks
- 4.14 Where Council staff become aware of potential issues that could result in media interest, they should provide this information to the Chief Executive Officer or Manager Communications & Engagement.
- Tone
- 4.15 All media engagement by Council officials must be conducted in a professional, timely and respectful manner.
- Induction & Training
- 4.16 The Council must provide training to Council officials who engage or are authorised to engage with the media.
- 4.17 Media engagement training will be provided to Councillors as part of their induction or refresher training or as part of their ongoing professional development program.
- Councillors' questions about media engagement
- 4.18 Councillors must direct any questions about their obligations under this policy to the Chief Executive Officer or Manager Communications & Engagement.



All policies can be reviewed or revoked by a resolution of Council, at any time.

5 STANDARDS OF CONDUCT WHEN ENGAGING WITH THE MEDIA

- 5.1 Council officials must comply with the Council's Code of Conduct when engaging with the media in an official capacity or in connection with their role as a Council official.
- 5.2 Council officials must not share information or make comments to the media through either direct or indirect mechanisms that:
- a) are defamatory, offensive, humiliating, threatening, or intimidating to other Council officials or members of the public
 - b) contains profane language or is sexual in nature
 - c) constitutes harassment and/or bullying within the meaning of the *Model Code of Conduct for Local Councils in NSW*, or is unlawfully discriminatory
 - d) is contrary to their duties under the Work Health and Safety Act 2011 and their responsibilities under any policies or procedures adopted by the Council to ensure workplace health and safety
 - e) contains content about the Council, Council officials or members of the public that is misleading or deceptive
 - f) divulges confidential Council information
 - g) breaches the privacy of other Council officials or members of the public
 - h) contains allegations of suspected breaches of the Council's Code of Conduct or information about the consideration of a matter under the *Procedures for the Administration of the Model*

Code of Conduct for Local Councils in NSW

- i) could be perceived to be an official comment on behalf of the Council where they have not been authorised to make such comment
- j) commits the Council to any action
- k) violates an order made by a court
- l) breaches copyright
- m) advertises, endorses, or solicits commercial products or business.

6 USE OF MEDIA DURING EMERGENCIES

- 6.1 During emergencies, such as natural disasters or public health incidents, The Manager Communications & Engagement will be responsible for coordinating media releases and statements on behalf of the Council.
- 6.2 Councillors, Council staff and other Council officials must not provide comment or information to the media that is inconsistent with official advice issued by the Council and any other agency coordinating the emergency response.

7 MEDIA ENGAGEMENT IN THE LEAD UP TO ELECTIONS

- 7.1 This policy does not prevent the Mayor or Councillors who are candidates at a Council or any other election from providing comment to the media in their capacity as candidates at the election.



All policies can be reviewed or revoked by a resolution of Council, at any time.

- 7.2 Any media comment provided by the Mayor or Councillors who are candidates at a Council or another election must not be provided in an advertisement, newspaper column, or a radio or television broadcast paid for by the Council or produced by the Council or with Council resources.

8 RECORDS MANAGEMENT REQUIREMENTS

- 8.1 Media content created and received by Council officials (including Councillors) acting in their official capacity is a Council record and may be subject to information access applications made under the Government Information (Public Access) Act 2009. These records must also be managed in accordance with the requirements of the State Records Act 1998 and the Council's approved records management policies and practices.

9 DEFINITIONS

In this Media Policy, the following terms have the following meanings:

Council official	Councillors, members of staff and delegates of the council (including members of committees that are delegates of the council)
Media Coordinator	means a person appointed under clause 1.3 of this policy
Media	means print, broadcast and online media used for communicating information to the public, including, but not limited to, newspapers, magazines, internet publishers, radio, and television broadcasters
Personal information	means information or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion
Social media	means online platforms and applications, such as but not limited to social networking sites, wikis, blogs, microblogs, video and audio sharing sites, and message boards, that allow people to easily publish, share and discuss content. Examples of social media platforms include, but are not limited to Facebook, Twitter, Snapchat, LinkedIn, Yammer, YouTube, Instagram, Flickr and Wikipedia

ST19 – Strategic Policy – Media		
Review Due: November 2024	Version 1_23	Last Revision: New Policy
Approved By:	Minute Number:	Approval Date:



Strategic Policy ST20

Community Engagement

FOR ADOPTION

PO Box 35, Orange
NSW 2800 Australia

135 Byng Street, Orange
NSW 2800 Australia

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F: +61 2 6393 8199

council@orange.nsw.gov.au
www.orange.nsw.gov.au



All policies can be reviewed or revoked by a resolution of Council, at any time.

1 PURPOSE

- 1.1 This Community Engagement Policy guides a consistent approach to engaging with the community.
- 1.2 The policy provides for Council's compliance with relevant legislation and the Integrated Planning & Reporting guidelines for Local Government in NSW requiring Council's to have a strategy that sets out how they will engage with the community.
- 1.3 This Policy is based on the internationally recognised levels of community participation –Inform, Consult, Involve, Collaborate and Empower (see below).
- 1.4 The Policy operates in conjunction with the Operational Community Engagement procedures.

2 APPLICABILITY

This policy applies to all areas of Orange City Council including Staff, Councillors, Contractors, Volunteers and Council Delegates.

3 OBJECTIVES

- 3.1 Engagement assists Council to:
 - a) better meet the needs of the community
 - b) tap into local knowledge and expertise
 - c) have a more informed community
 - d) encourage and enable the community to participate in decision making
 - e) ensure Council works on behalf of the people in the community
 - f) meet the requirements of legislation, policies and procedures
 - g) to provide corporate direction and ensure the community, Councillors and staff are informed of decisions, policies, issues, events and programs of Council
 - h) to ensure that this information is provided consistently and accurately.

4 ENGAGEMENT

When to engage

- 4.1 Council must consult when:
 - a) It is required by legislation
 - b) It wants to identify community issues, needs and priorities
- 4.2 Council should consult when:
 - a) Any proposed changes will impact on current users or customers of a Council service or facility
 - b) Any proposed changes which will affect the rights or entitlements of community members, including minority groups
 - c) There is potential impact on surrounding neighbours
 - d) It wants to monitor customer satisfaction with Council's services facilities
 - e) There is a level of controversy or sensitivity about a particular issue
 - f) There is conflict among community members about an issue.

When will community engagement occur

- 4.3 Council will engage the community in the following areas:
 - a) **Strategic Planning** – This refers to the development of strategic plans and projects that inform the Delivery/Operational Plan.
 - b) **Policy Development and Implementation** - This includes any policy development that has a direct impact on the community.
 - c) **Site Specific** - This refers to any changes to a site that may have impact on the community.
 - d) **Service Planning** - This includes the development and/or improvement/changes to a service.
 - e) **Areas of Improvement** - This refers to any improvement required to increase the quality of lifestyle for the community.



All policies can be reviewed or revoked by a resolution of Council, at any time.

- f) **Legislative Requirements (including planning issues)** - This refers to all prescribed plans and
- g) projects under the Local Government Act (1993) and other relevant Acts.
- c) Media Releases
- d) E-News
- e) Media Briefings
- f) Report It
- g) Your Say
- h) Memos, Briefings and Meeting Notifications to Councillors
- i) Advertising
- j) Letters or Mailbox drops to residents or stakeholders
- k) Community Committees
- l) Community Interaction at Council Meetings
- m) Community Meetings and Medication outside the regular meeting structure.
- What Level of engagement will occur**
- 4.4 Council will call for different levels of engagement depending on the issue and the immediate or long term impact on the community.
- 4.5 Council's Operational Community Engagement Procedures are followed by staff to develop, deliver, monitor and evaluate community engagement campaigns for their projects and programs using the following tools:
- a) Orange City Council Website
- b) Social Media

IAP2'S PUBLIC PARTICIPATION SPECTRUM



The IAP2 Federation has developed the Spectrum to help groups define the public's role in any public participation process. The IAP2 Spectrum is quickly becoming an international standard.

INCREASING IMPACT ON THE DECISION					
	INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
PUBLIC PARTICIPATION GOAL	To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision making in the hands of the public.
PROMISE TO THE PUBLIC	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.

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ST20 – Strategic Policy – Community Engagement

Review Due: November 2024	Version 1_23	Last Revision: 20 April 2021
Approved By:	Minute Number:	Approval Date:



Strategic Policy ST29

Water & Sewer Infrastructure

FOR ADOPTION

PO Box 35, Orange
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NSW 2800 Australia

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F: +61 2 6393 8199

council@orange.nsw.gov.au
www.orange.nsw.gov.au



All policies can be reviewed or revoked by a resolution of Council, at any time.

1 PURPOSE

This policy provides an overview of Council's Water and Sewer Infrastructure including the supply of Water and Sewerage Services to the community and guidelines for working on contractors working on Council's Water & Sewer infrastructure.

2 APPLICABILITY

- 2.1 This policy applies to all areas of Orange City Council including Staff, Councillors, Contractors, Developers, Civil Contractors, Plumbers and Council Delegates.
- 2.2 This Policy is to be used in conjunction with Council's Operational Procedures for Water & Sewer Infrastructure.
- 2.3 This policy applies to all Water Sewer Services and Infrastructure within the Orange City Council Local Government area.

3 WATER SUPPLY INFRASTRUCTURE SERVICES

Overview

- 3.1 Council's will provide the city with a safe, reliable and secure water supply via infrastructure that is operated and maintained in accordance with Council's adopted Water Supply Asset Management Plan.
- 3.2 Council will provide residents with a portfolio of water supply assets that are serviced and maintained to a level which reflects the community's expectations, and operates in a manner that is both functional and cost effective, but also meets industry standards.

Procedure

- 3.3 Council staff will implement this Policy in conjunction with Council's adopted Water Supply Asset Management Plan

and Water Infrastructure Services Operational Procedures. The Operational Procedures include guidance on such things as:

- Water Quality Management
- Rainwater Tank Rebates
- Water Supply Subdivision Code
- Water Mains and Water Services
- Water Meters; and
- Dams Safety Management

Related Water Documents

- 3.4 The following documents should be considered in conjunction with this policy:

- Asset Management Strategic Policy and Water Supply Asset Management Plan
- Water Supply Infrastructure Services Operational Procedures
- Water Supply Code of Australia – Regional New South Wales Edition
- Drinking Water Management System and Recycled Water Management System
- Dams Safety Management System
- Working on Council's Water and Sewer Infrastructure Strategic Policy

4 SEWER INFRASTRUCTURE SERVICES

Overview

- 4.1 Council will provide the City with sustainable and efficient sewerage services via infrastructure that is operated and maintained in accordance with Council's adopted Sewer Asset Management Plan.



All policies can be reviewed or revoked by a resolution of Council, at any time.

- 4.2 Council will provide residents with a portfolio of sewerage assets that are serviced and maintained to a level which reflects the community's expectations, and operates in a manner that is both functional and cost effective, but also meets industry standards.

Procedure

Council staff will implement this policy in conjunction with Council's adopted Sewer Asset Management Plan, and the Sewerage Infrastructure Services Operational Procedures. The Operational Procedures includes guidance on such things as:

- Sewer mains and services
- Sewerage Subdivision Code
- Pressure Sewerage Systems; and
- Vacuum Sewerage Systems

Related Sewer Documents

- 4.3 The following documents should be considered in conjunction with this policy:
- Asset Management Strategic Policy and Sewer Asset Management Plan
 - Sewer Infrastructure Services Operational Procedure
 - Gravity Sewerage Code of Australia – Regional New South Wales Edition
 - Water Supply Code of Australia – Regional New South Wales Edition
 - WSA 04-2022 Sewage Pumping Station Code of Australia Version 3.1
 - WSA 05-2020 Conduit Inspection Reporting Code of Australia Version 4.1
 - Liquid Trade Waste Strategic Policy
 - Working on Council's Water and Sewer Infrastructure Strategic Policy

5 WORKING ON COUNCIL'S WATER & SEWER INFRASTRUCTURE

Overview

- 5.1 Council will accredit Contractors who are suitably qualified, licensed, insured and experienced to work on Orange City Council's Water and Sewer infrastructure.

Procedure

- 5.2 Council may permit appropriately Accredited Contractors to work on its Water and Sewer Infrastructure according to Councils Procedures.
- 5.3 The term 'accredited' refers to a contractor who has been granted accreditation by Orange City Council to either:
- Extend or alter any Orange City Council sewer or water asset, or
 - Repair or replace any Orange City Council sewer or water main, either on behalf of Orange City Council or as part of an approved development.

Related Working on Infrastructure Documents

- 5.4 The following documents should be considered in conjunction with this policy:
- Contractors Working on Council's water and Sewer Infrastructure Procedure
 - Local Government Act 1993 and the Local Government (General) Regulation 2005
 - Work Health and Safety Act 2011

ST29 – Strategic Policy – Water & Sewer Infrastructure

Review Due: November 2024	Version 1_23	Last Revision: 2018
Approved By:	Minute Number:	Approval Date:

5 GENERAL REPORTS

5.1 RECOMMENDATIONS AND RESOLUTIONS FROM POLICY COMMITTEES

RECORD NUMBER: 2023/306

AUTHOR: Janessa Constantine, Manager Corporate Governance

EXECUTIVE SUMMARY

Council's Policy Committees (Planning and Development Committee, Employment and Economic Development Policy Committee, Infrastructure Policy Committee, Sport and Recreation Policy Committee, Environmental Sustainability Policy Committee, Finance Policy Committee and Services Policy Committee) have delegation to determine matters before those Committees with the exception of items that impact on Council's Delivery/Operational Plan.

This report provides minutes of the Policy Committees held this month. Resolutions made by the Committees are presented for adoption or amendment by Council.

LINK TO DELIVERY/OPERATIONAL PLAN

The recommendation in this report relates to the Delivery/Operational Plan strategy "17.1. Provide representative, responsible and accountable community governance".

FINANCIAL IMPLICATIONS

Nil

POLICY AND GOVERNANCE IMPLICATIONS

Nil

RECOMMENDATION

That Council resolves:

- 1 That the Minutes of the Planning & Development Policy Committee at its meeting held on 4 April 2023 be and are hereby confirmed as a true and accurate record of the proceedings.**
- 2 That the Minutes of the Infrastructure Policy Committee at its meeting held on 4 April 2023 be and are hereby confirmed as a true and accurate record of the proceedings.**
- 3 That the Minutes of the Finance Policy Committee at its meeting held on 4 April 2023 be and are hereby confirmed as a true and accurate record of the proceedings.**
- 4 That the Minutes of the Services Policy Committee at its meeting held on 4 April 2023 be and are hereby confirmed as a true and accurate record of the proceedings.**

FURTHER CONSIDERATIONS

Consideration has been given to the recommendation's impact on Council's service delivery; image and reputation; political; environmental; health and safety; employees; stakeholders and project management; and no further implications or risks have been identified.

SUPPORTING INFORMATION**Planning and Development Policy Committee**

At the Planning and Development Policy Committee meeting held on 4 April 2023, all resolutions were made under delegation, and the minutes are presented for adoption.

Infrastructure Policy Committee

At the Infrastructure Policy Committee meeting held on 4 April 2023, all resolutions were made under delegation, and the minutes are presented for adoption.

Finance Policy Committee

At the Finance Policy Committee meeting held on 4 April 2023, all resolutions were made under delegation, and the minutes are presented for adoption.

Services Policy Committee

At the Services Policy Committee meeting held on 4 April 2023, all resolutions were made under delegation, and the minutes are presented for adoption.

ATTACHMENTS

- 1 PDC 4 April 2023 Minutes, 2023/487 [↓](#)
- 2 IPC 4 April 2023 Minutes, 2023/490 [↓](#)
- 3 FPC 4 April 2023 Minutes, 2023/491 [↓](#)
- 4 SPC 4 April 2023 Minutes, 2023/492 [↓](#)

ORANGE CITY COUNCIL

MINUTES OF THE

PLANNING AND DEVELOPMENT COMMITTEE

HELD IN COUNCIL CHAMBER, CIVIC CENTRE, BYNG STREET, ORANGE

ON 4 APRIL 2023

COMMENCING AT 6.46PM

1 INTRODUCTION

ATTENDANCE

Cr J Whitton (Chairperson), Cr J Hamling (Mayor)(*Audio Visual Link*), Cr D Mallard, Cr K Duffy, Cr M McDonell, Cr T Mileto, Cr G Floyd, Cr S Peterson, Cr T Greenhalgh, Cr F Kinghorne, Cr J Evans

A/Chief Executive Officer (Maunder), Director Corporate and Commercial Services, Director Development Services, Director Technical Services, Manager Corporate Governance, Governance Officer, Manager Development Assessment

APOLOGIES AND LEAVE OF ABSENCE

RESOLVED - 23/093**Cr K Duffy/Cr J Evans**

That the apologies be accepted from Cr Gerald Power for the Planning and Development Committee of Orange City Council on 4 April 2023.

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr J Whitton

Against: Nil

Absent: Cr G Power

RESOLVED - 23/094**Cr T Greenhalgh/Cr M McDonell**

That Cr J Hamling (Mayor) be permitted to attend the Planning & Development Committee Meeting of 4 April 2023 via Audio Visual Link (*Teams*).

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr J Whitton

Against: Nil

Absent: Cr G Power

MINUTES OF PLANNING AND DEVELOPMENT COMMITTEE**4 APRIL 2023****1.1 DECLARATION OF PECUNIARY INTERESTS, SIGNIFICANT NON-PECUNIARY INTERESTS AND LESS THAN SIGNIFICANT NON-PECUNIARY INTERESTS**

Cr Mileto declared a Significant Non-Pecuniary Interest in item 2.2 Development Application DA265/2022(1) – 1 Summer Street and 160 Woodward Street, as his family has property in the vicinity of the subject site.

Cr Mallard declared a Non-Significant Non-Pecuniary Interest in item 2.5 Development Application DA314/2022(1) – Former DPI building – 159-179 Kite Street, as he lives nearby to the subject site.

2 GENERAL REPORTS**2.1 ITEMS APPROVED UNDER THE DELEGATED AUTHORITY OF COUNCIL**

TRIM REFERENCE: 2023/280

RESOLVED - 23/095**Cr G Floyd/Cr T Greenhalgh**

That Council resolves to acknowledge the information provided in the report by the Manager Development Assessments on Items Approved Under the Delegated Authority of Council.

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr J Whitton

Against: Nil

Absent: Cr G Power

Cr Mileto left the meeting with the time being 6.47pm

2.2 DEVELOPMENT APPLICATION DA 265/2022(1) - 1 SUMMER STREET AND 160 WOODWARD STREET

TRIM REFERENCE: 2023/414

Cr Mileto declared a Significant Non-Pecuniary Interest in this item as his family has property in the vicinity of the subject site left the chamber and did not participate in voting or discussion on this item.

RESOLVED - 23/096**Cr K Duffy/Cr D Mallard**

That Council consents to development application DA 265/2022(1) for Residential Flat Building (five units), multi dwelling housing (six dwellings) and Subdivision (consolidation and eight lot Community Title, five lot Strata title) at Lot 11 DP 1228107, Lot 12 DP 1228107 - 1 Summer Street and 160 Woodward Street, Orange, pursuant to the conditions of consent in the attached Notice of Approval.

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr S Peterson, Cr J Whitton

Against: Nil

Absent: Cr G Power, Cr T Mileto

Cr Hamling asked for information about a tree being removed.

The Manager Development Assessment advised that the tree being removed is located on private property and there is an mutual agreement with the applicant to replace the tree.

MINUTES OF PLANNING AND DEVELOPMENT COMMITTEE**4 APRIL 2023**

Cr Mileto returned to the meeting with the time being 6.54pm**2.3 DEVELOPMENT APPLICATION DA 128/2022(1) - 56 WISE ROAD, SPRINGSIDE**

TRIM REFERENCE: 2023/256

RESOLVED - 23/097**Cr F Kinghorne/Cr S Peterson**

That Council consents to development application DA 128/2022(1) for Dual Occupancy (one additional dwelling - detached) at Lot 511 DP 713661 - 56 Wise Road, Springside pursuant to the conditions of consent in the attached Notice of Approval.

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr J Whitton

Against: Nil

Absent: Cr G Power

2.4 DEVELOPMENT APPLICATION DA 252/2022(1) - 52 LEEWOOD DRIVE

TRIM REFERENCE: 2023/366

RESOLVED - 23/098**Cr K Duffy/Cr G Floyd**

That Council consents to development application DA 252/2022(1) for Hardware and Building Supplies, and Business Identification Signage at Lot 101 DP 1111123 - 52 Leewood Drive, Orange pursuant to the conditions of consent in the attached Notice of Approval.

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr J Whitton

Against: Nil

Absent: Cr G Power

2.5 DEVELOPMENT APPLICATION DA 314/2022(1) - FORMER DPI BUILDING - 159-179 KITE STREET

TRIM REFERENCE: 2023/433

Cr Mallard declared a Non-Significant Non-Pecuniary Interest in item 2.5 as he lives nearby to the subject site.

RESOLVED - 23/099**Cr K Duffy/Cr T Greenhalgh**

That Council consents to development application DA314/2022(1) for Office Premises (change of use from public administration building) and Alterations and Additions to Existing Building at Lot 814 DP 813348 - 159-179 Kite Street, Orange pursuant to the conditions of consent in the attached Notice of Determination.

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr J Whitton

Against: Nil

Absent: Cr G Power

MINUTES OF PLANNING AND DEVELOPMENT COMMITTEE**4 APRIL 2023**

Cr Kinghorne asked where the monetary contributions for car parking go and what are the incentives for using public transport.

The Manager Development Assessment advised the Development Control Plan for carparking takes in the majority of the central business district and beyond that the contributions can be assigned to other development plans within the district, noting the conditions on Notice of Development. As part of the offset, incentives included in the travel demand management plan encourage the developer to include, as part of facility strategies, to encourage their staff to walk and ride to work and using a bicycle fleet management strategy.

Cr Mileto asked if the site is later sold to another investor who wanted the car spaces back, would they have to 'buy back' the spaces.

The Director Development Services advised once the contribution is paid there is no money paid back. If owners desire the car spaces back then a modification can be made or plans tweaked, but contributions will not be returned.

THE MEETING CLOSED AT 7.08PM

ORANGE CITY COUNCIL

MINUTES OF THE

INFRASTRUCTURE POLICY COMMITTEE

HELD IN COUNCIL CHAMBER, CIVIC CENTRE, BYNG STREET, ORANGE

ON 4 APRIL 2023

COMMENCING AT 7.08PM

1 INTRODUCTION

ATTENDANCE

Cr J Evans (Chairperson), Cr J Hamling (Mayor)(*Audio Visual Link*), Cr D Mallard, Cr K Duffy, Cr M McDonell, Cr T Mileto, Cr G Floyd, Cr S Peterson, Cr T Greenhalgh, Cr F Kinghorne, Cr J Whitton

A/Chief Executive Officer (Maunder), Director Corporate and Commercial Services, Director Development Services, Director Technical Services, Manager Corporate Governance, Governance Officer, Manager Development Assessment

APOLOGIES AND LEAVE OF ABSENCE

RESOLVED - 23/100**Cr K Duffy/Cr J Evans**

That the apologies be accepted from Cr Gerald Power for the Infrastructure Policy Committee of Orange City Council on 4 April 2023.

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr J Whitton

Against: Nil

Absent: Cr G Power

RESOLVED - 23/101**Cr T Greenhalgh/Cr M McDonell**

That Cr J Hamling (Mayor) be permitted to attend the Infrastructure Policy Committee of 4 April 2023 via Audio Visual Link (*Teams*).

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr J Whitton

Against: Nil

Absent: Cr G Power

1.1 DECLARATION OF PECUNIARY INTERESTS, SIGNIFICANT NON-PECUNIARY INTERESTS AND LESS THAN SIGNIFICANT NON-PECUNIARY INTERESTS

Nil

MINUTES OF INFRASTRUCTURE POLICY COMMITTEE

4 APRIL 2023

2 COMMITTEE MINUTES

RESOLVED - 23/102**Cr K Duffy/Cr G Floyd**

That item 2.1 – Minutes of the City of Orange Traffic Committee held on 14 March 2023 be heard and voted on in seriatim.

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr J Whitton

Against: Nil

Absent: Cr G Power

2.1 MINUTES OF THE CITY OF ORANGE TRAFFIC COMMITTEE HELD ON 14 MARCH 2023

TRIM REFERENCE: 2023/430

RESOLVED - 23/103**Cr K Duffy/Cr T Greenhalgh**

1 That Council acknowledge the reports presented to the City of Orange Traffic Committee at its meeting held on 14 March 2023.

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr J Whitton

Against: Nil

Absent: Cr G Power

RESOLVED - 23/104**Cr M McDonell/Cr J Whitton**

2 That Council determine recommendation 3.1 from the minutes of the City of Orange Traffic Committee meeting of 14 March 2023.

3.1 Street Event – 2023 Anzac Day March

That the Conditional Approval for the ANZAC Day March on 25 April 2023 be endorsed subject to compliance with the attached conditions.

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr J Whitton

Against: Nil

Absent: Cr G Power

MOTION**Cr F Kinghorne/Cr S Peterson**

2 That Council determine recommendation 3.2, from the minutes of the City of Orange Traffic Committee meeting of 14 March 2023.

3.2 Request for Crossing – Nile Street

That Council not install a pedestrian crossing in Nile Street near the UPA – 68 Nile Street.

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr J Whitton

Against: Nil

Absent: Cr G Power

MINUTES OF INFRASTRUCTURE POLICY COMMITTEE

4 APRIL 2023

AMENDMENT	Cr K Duffy/Cr S Peterson
<p>2 That Council determine recommendation 3.2 from the minutes of the City of Orange Traffic Committee meeting of 14 March 2023.</p> <p>3.2 Request for Crossing – Nile Street</p> <p>That the decision on the pedestrian crossing in Nile Street near UPA – 68 Nile Street be deferred for further investigation to occur and reported back to Council for decision.</p> <p>For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr J Whitton</p> <p>Against: Nil</p> <p>Absent: Cr G Power</p>	
RESOLVED - 23/105	Cr K Duffy/Cr S Peterson
<p>2 That Council determine recommendation 3.2 from the minutes of the City of Orange Traffic Committee meeting of 14 March 2023.</p> <p>3.2 Request for Crossing – Nile Street</p> <p>That the decision on the pedestrian crossing in Nile Street near UPA – 68 Nile Street be deferred for further investigation to occur and reported back to Council for decision.</p> <p>For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr J Whitton</p> <p>Against: Nil</p> <p>Absent: Cr G Power</p>	
RESOLVED - 23/106	Cr K Duffy/Cr G Floyd
<p>2 That Council determine recommendation 3.3 from the minutes of the City of Orange Traffic Committee meeting of 14 March 2023.</p> <p>3.3 McLachlan Street – Parking Angle Prescription Change</p> <p>That the parking angle prescription in McLachlan Street, between Bathurst Road and Warrendine Street, be altered as shown in Attachment 1 of this report.</p> <p>For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr J Whitton</p> <p>Against: Nil</p> <p>Absent: Cr G Power</p>	
RESOLVED - 23/107	Cr K Duffy/Cr G Floyd
<p>2 That Council determine recommendation 3.4 from the minutes of the City of Orange Traffic Committee meeting of 14 March 2023.</p> <p>3.4 Update on William Street Parking Prescription (between Byng and Dalton Streets)</p> <p>That Council alter the parking prescription in William Street, as shown on the attached plan, between Byng Street and Dalton Street.</p> <p>For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr J Whitton</p> <p>Against: Nil</p> <p>Absent: Cr G Power</p>	

MINUTES OF INFRASTRUCTURE POLICY COMMITTEE

4 APRIL 2023

RESOLVED - 23/108**Cr K Duffy/Cr S Peterson**

2 That Council determine recommendation 3.5 from the minutes of the City of Orange Traffic Committee meeting of 14 March 2023.

3.5 Dalton and Clinton Street Roundabout

That Council install regulatory signs and line marking as per the plans shown in the body of this report.

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr J Whitton

Against: Nil

Absent: Cr G Power

RESOLVED - 23/109**Cr G Floyd/Cr T Mileto**

2 That Council determine recommendation 3.6 from the minutes of the City of Orange Traffic Committee meeting of 14 March 2023.

3.6 CBD Parking Changes From 45 Degrees to 60 Degrees (Lords Place, Kite Street, Anson Street, Moulder Street)

That Council alter the parking prescription in Anson Street, Lords Place, Kite Street, and Moulder Streets from 45 degrees to 60 degrees as shown in the attachment.

For: Cr J Hamling, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr J Whitton

Against: Cr K Duffy

Absent: Cr G Power

RESOLVED - 23/110**Cr T Mileto/Cr T Greenhalgh**

3 That the remainder of the minutes of the City of Orange Traffic Committee at its meeting held on 14 March 2023 be adopted.

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr J Whitton

Against: Nil

Absent: Cr G Power

Cr Peterson asked why the crossing at UPA was not recommended.

The Director Technical Services advised it was not usual to put a crossing in front of a private residence and on review there is more pedestrian traffic across the road between the facilities than across to the park.

Cr Duffy asked after the parking angle in Lords Place and why it's now 60 degrees and how will this be policed.

The Director Technical Services advised the GHD study and report supports changing the angle to 60 degrees, straighter to curb, creating room for additional car spaces and it has been documented to be a more natural angle of drivers. As agreed under the future city concept plan the spaces will be line marked.

Cr McDonell asked for a timeframe for line marking in Lords Place.

The Director Technical Services advised that, subject to weather, there is some work allocated for this week on this and the Ophir car park.

MINUTES OF INFRASTRUCTURE POLICY COMMITTEE**4 APRIL 2023**

Cr Kinghorne asked how many extra parking spaces the 60 degree parking provided.

The Director Technical Services advised as per GHD report, approximately 43 spots will be created with the change.

QUESTION TAKEN ON NOTICE**Cr K Duffy**

Cr Duffy asked if a previous resolution of Council, to not fine cars who parked outside of the lines, still stood.

3 GENERAL REPORTS**3.1 CURRENT WORKS**

TRIM REFERENCE: 2023/426

RESOLVED - 23/111**Cr J Whitton/Cr M McDonell**

That the information provided in the report on Current Works be acknowledged.

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr J Whitton

Against: Nil

Absent: Cr G Power

Cr Hamling asked whether the current stormwater harvesting system was activated.

The Director Technical Services advised that our licence conditions do not allow us to pump when storage is above 90%. There is no need to spend money on pumping water when stormwater harvesting is not active. The combined water storage is currently sitting above 95%.

Cr Mileto asked after the status of the causeway between McLachlan & William Streets and whether a levy could be constructed in this area after water flowed into business carparks backing onto this area.

The Director Technical Services advised the area is not a causeway but a natural system part of Blackmans Swamp Creek with rules around what we can do. The Floodplain Risk Management Committee looks at specific mitigation methods and prioritise across city. There is a business owner from McLachlan Street who has been invited to attend and view the flood mitigation proposals.

Cr Greenhalgh asked for an update on the report for the Function Centre.

The Acting Chief Executive Officer advised the report has been prepared and is under review by Manager Performing Arts, planned to be part of the next Council Meeting.

QUESTION TAKEN ON NOTICE**Cr K Duffy**

Cr Duffy asked for information around building structures in flood plain areas with recent flooding occurring in Lords Place.

Director Technical Services gave advice that recent localised flooding within Lords Place was from a blocked drain on Lords Place, not the new structures.

THE MEETING CLOSED AT 7.37PM

ORANGE CITY COUNCIL

MINUTES OF THE

FINANCE POLICY COMMITTEE

HELD IN COUNCIL CHAMBER, CIVIC CENTRE, BYNG STREET, ORANGE

ON 4 APRIL 2023

COMMENCING AT 7.37PM

1 INTRODUCTION

ATTENDANCE

Cr K Duffy (Chairperson), Cr J Hamling (Mayor)(*Audio Visual Link*), Cr D Mallard, Cr M McDonell, Cr J Evans, Cr T Mileto, Cr G Floyd, Cr S Peterson, Cr T Greenhalgh, Cr F Kinghorne, Cr J Whitton

A/Chief Executive Officer (Maunder), Director Corporate and Commercial Services, Director Development Services, Director Technical Services, Manager Corporate Governance, Governance Officer, Manager Development Assessment

APOLOGIES AND LEAVE OF ABSENCE

RESOLVED - 23/112**Cr K Duffy/Cr J Evans**

That the apologies be accepted from Cr Gerald Power for the Finance Policy Committee of Orange City Council on 4 April 2023.

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr J Whitton

Against: Nil

Absent: Cr G Power

RESOLVED - 23/113**Cr T Greenhalgh/Cr M McDonell**

That Cr J Hamling (Mayor) be permitted to attend the Finance Policy Committee Meeting of 4 April 2023 via Audio Visual Link (*Teams*).

1.1 DECLARATION OF PECUNIARY INTERESTS, SIGNIFICANT NON-PECUNIARY INTERESTS AND LESS THAN SIGNIFICANT NON-PECUNIARY INTERESTS

Nil.

MINUTES OF FINANCE POLICY COMMITTEE

4 APRIL 2023

2 GENERAL REPORTS**2.1 SMALL DONATIONS AND GRANTS PROGRAM APPLICATIONS**

TRIM REFERENCE: 2023/413

RESOLVED - 23/114**Cr M McDonell/Cr G Floyd**

1 That Council donate \$2,500 to Orange Male Voice Choir as a contribution towards honorariums for Music Director and Accompanist.

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr J Whitton

Against: Nil

Absent: Cr G Power

RESOLVED - 23/115**Cr T Mileto/Cr G Floyd**

2 That Council donate \$2,000 to 3rd Orange Scouts as a contribution to the payment of rates for FY2022/23 and contribute towards day-to-day costs such as power, insurance and registration.

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr J Whitton

Against: Nil

Absent: Cr G Power

RESOLVED - 23/116**Cr T Mileto/Cr M McDonell**

3 That Council donate \$2,500 to Central West Gymsports for the purchase and installation of a hydration station.

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr J Whitton

Against: Nil

Absent: Cr G Power

RESOLVED - 23/117**Cr J Whitton/Cr M McDonell**

4 That Council donate \$750 to Sharon Cooper of Pinnacle Dragons Abreast to attend the International Breast Cancer Paddling Commission (IBCPC) festival being held at Lake Karapiro (NZ).

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr J Whitton

Against: Nil

Absent: Cr G Power

Cr Peterson asked if this was the last round of the program and why do community organisations need to pay honorarium for services such as Accompanist.

The Director Corporate & Commercial Services advised there is 1 more round closing 4 April 2023 and the honorarium pays for the skills and the experience the organisation requires.

Cr Whitton asked if the funding for the 3rd Orange Scouts was cash or in-kind.

The Director Corporate & Commercial Services advised that for this period it is a cash donation and moving forward they will not be charged rates.

MINUTES OF FINANCE POLICY COMMITTEE**4 APRIL 2023**

2.2 EVENTS SPONSORSHIP PROGRAM

TRIM REFERENCE: 2023/436

RESOLVED - 23/118**Cr G Floyd/Cr S Peterson**

That Council sponsor the Austin Motor Vehicle Club NSW Incorporated for an amount of \$3,500 from the 2022/23 Financial Year budget.

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr J Whitton

Against: Nil

Absent: Cr G Power

THE MEETING CLOSED AT 7.45PM

ORANGE CITY COUNCIL

MINUTES OF THE

SERVICES POLICY COMMITTEE

HELD IN COUNCIL CHAMBER, CIVIC CENTRE, BYNG STREET, ORANGE

ON 4 APRIL 2023

COMMENCING AT 7.45

1 INTRODUCTION

ATTENDANCE

Cr M McDonell (Chairperson), Cr J Hamling (Mayor)(*Audio Visual Link*), Cr K Duffy, Cr D Mallard, Cr J Evans, Cr T Mileto, Cr G Floyd, Cr T Greenhalgh, Cr S Peterson, Cr F Kinghorne, Cr J Whitton

A/Chief Executive Officer (Maunder), Director Corporate and Commercial Services, Director Development Services, Director Technical Services, Manager Corporate Governance, Governance Officer, Manager Development Assessment

APOLOGIES AND LEAVE OF ABSENCE

RESOLVED - 23/119**Cr K Duffy/Cr J Evans**

That the apologies be accepted from Cr Gerald Power for the Services Policy Committee of Orange City Council on 4 April 2023.

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr J Whitton

Against: Nil

Absent: Cr G Power

RESOLVED - 23/120**Cr T Greenhalgh/Cr M McDonell**

That Cr J Hamling (Mayor) be permitted to attend the Service Policy Committee Meeting of 4 April 2023 via Audio Visual Link (*Teams*).

1.1 DECLARATION OF PECUNIARY INTERESTS, SIGNIFICANT NON-PECUNIARY INTERESTS AND LESS THAN SIGNIFICANT NON-PECUNIARY INTERESTS

Nil.

MINUTES OF SERVICES POLICY COMMITTEE**4 APRIL 2023**

2 COMMITTEE MINUTES**2.1 MINUTES OF THE NAIDOC COMMUNITY COMMITTEE MEETING - 2 MARCH 2023**

TRIM REFERENCE: 2023/411

RESOLVED - 23/121**Cr D Mallard/Cr G Floyd**

- | | |
|---|--|
| 1 | That Council acknowledge the reports presented to the NAIDOC Week Community Committee at its meeting held on 2 March 2023. |
| 2 | That the minutes of the NAIDOC Week Community Committee at its meeting held on 2 March 2023 be adopted. |

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr J Whitton

Against: Nil

Absent: Cr G Power

MINUTES OF SERVICES POLICY COMMITTEE

4 APRIL 2023

2.2 MINUTES OF THE AGEING AND ACCESS COMMUNITY COMMITTEE HELD ON 14 FEBRUARY 2023

TRIM REFERENCE: 2023/415

RESOLVED - 23/122**Cr T Mileto/Cr F Kinghorne**

- 1 That Council acknowledge the reports presented to the Ageing and Access Community Committee at its meeting held on 14 February 2023.
- 2 That Council determine recommendations 3.2, 4.1.1, 4.2.1, 4.2.2, 4.2.3 and 4.2.4 from the minutes of the Ageing and Access Community Committee meeting of 14 February 2023:
 - 3.2 *That the following information provided by Committee members be forwarded to the Manager Building and Environment for consideration during possible future Civic Centre Foyer renovations.*
 - *The manual door between the foyer and Ticketek be replaced with an automatic door*
 - *Enlarge the lift button and ensure contrast between the button and surrounding surfaces*
 - *Use contrasting colours e.g. light floor and dark furniture*
 - *Install tactile ground surface indicators at all entrances*
 - *Use chairs with arm rests*
 - *Install a path from the accessible car park at the rear of the Theatre to the rear entry of Council*
 - *Winding ramp at the front of the Theatre is difficult to negotiate*
 - *Enlarge the path and rear entry door of Council*
 - *Install a lower section of the Customer Service desk for community members in wheelchairs*
 - *Install a scooter and electric wheelchair charging point*
 - *Storage space for walkers when user is attending a meeting or show*
 - 4.1.1 *That a Movement in Place strategy be included in the Active Travel Plan review.*
 - 4.2.1 *That Council continue to investigate a program to assist local businesses to purchase temporary ramps to allow access for people with disability and limited mobility*
 - 4.2.2 *That Council investigate including the installation of an accessible bathroom with an adult change table and hoist in the central business district in the access audit.*
 - 4.2.3 *That Council investigate utilising dark tinted concrete around bollards in new footpath installations.*
 - 4.2.4 *That Council continue to investigate the installation of permanent ramps to the grassed areas of Robertson Park.*
- 3 That the remainder of the minutes of the Ageing and Access Community Committee at its meeting held on 14 February 2023 be adopted.

For: Cr J Hamling, Cr K Duffy, Cr J Evans, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr J Whitton

Against: Nil

Absent: Cr G Power

MINUTES OF SERVICES POLICY COMMITTEE**4 APRIL 2023****QUESTION TAKEN ON NOTICE****Cr D Mallard**

Cr Mallard asked for information to be provided to Councillors on the Movement in Place Strategy and the Active Travel Plan.

Cr Hamling asked if ramps would be in place in Robertson Park for Anzac Day.

The Acting Chief Executive Officer advised yes they would be in place.

RESOLVED - 23/123**Cr J Evans/Cr M McDonell**

That Council conduct a site inspection of the Showground with the Show Society, Showground Committee and Councillors to discuss the scope of works planned for the site.

Cr Mileto asked for an update on the Bow Owners Club at the Showground and what happened to the funding allocated to this project.

The Acting Chief Executive Officer advised there was an attempt to establish an Indoor Archery Club on a number of occasions (approximately 6 attempts) however each of these failed to form a club or committee. Some work was undertaken and funds spent. Any unspent budget allocation would have been absorbed into Council's funds at the end of that financial year.

THE MEETING CLOSED AT 7.56PM

5.2 STATEMENT OF INVESTMENTS - MARCH 2023

TRIM REFERENCE: 2023/331

AUTHOR: Julie Murray, Financial Accountant

EXECUTIVE SUMMARY

The purpose of this report is to provide a statement of Council's investments held for the period March 2023.

LINK TO DELIVERY/OPERATIONAL PLAN

The recommendation in this report relates to the Delivery/Operational Plan strategy "17.2. Ensure financial stability and support efficient ongoing operation".

FINANCIAL IMPLICATIONS

Nil

POLICY AND GOVERNANCE IMPLICATIONS

Nil

RECOMMENDATION

That Council resolves:

- 1 To note the Statement of Investments for the period March 2023.
- 2 To adopt the certification of the Responsible Accounting Officer.

FURTHER CONSIDERATIONS

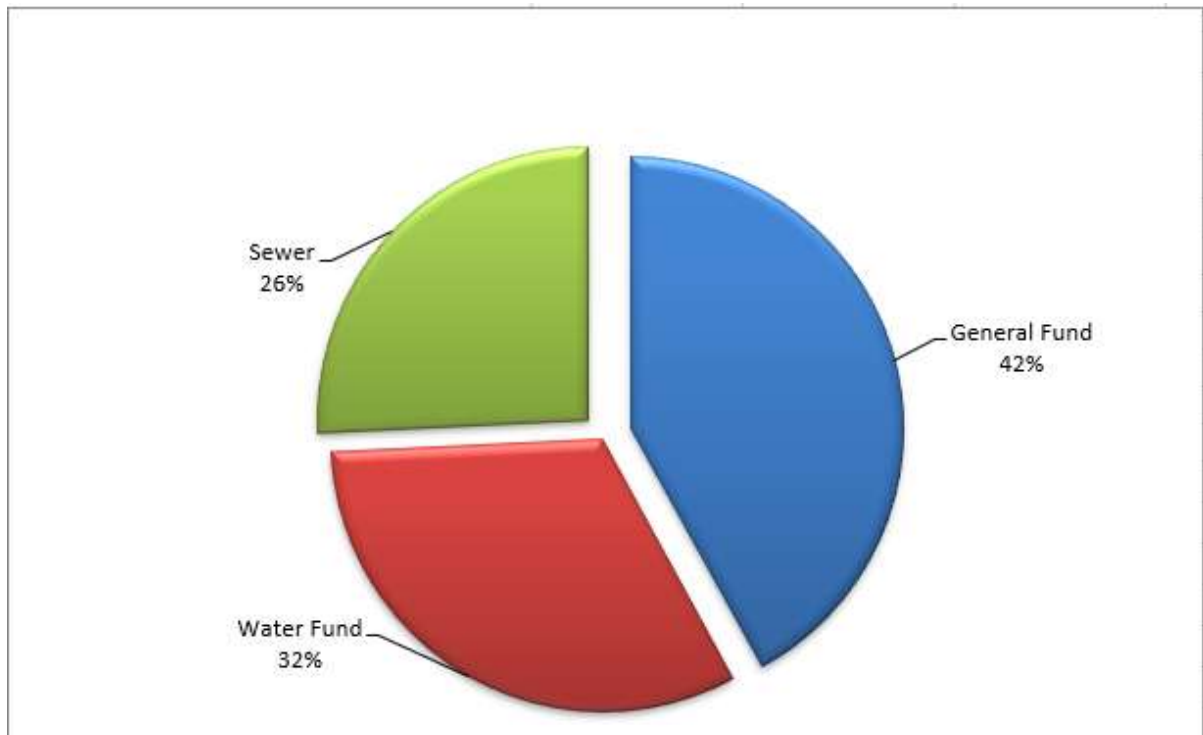
Consideration has been given to the recommendation's impact on Council's service delivery; image and reputation; political; environmental; health and safety; employees; stakeholders and project management; and no further implications or risks have been identified.

SUPPORTING INFORMATION

Section 212(1) of the Local Government (General) Regulation 2005 requires that a written report be presented each month at an Ordinary Meeting of the Council detailing all money that Council has invested under Section 625 of the Local Government Act 1993.

For the period March 2023, the investments held by Council in each fund is shown below:

	31/03/2023	28/02/2023
General Fund	103,425,572.13	103,575,021.77
Water Fund	79,329,490.61	77,270,345.33
Sewer Fund	63,361,085.36	62,954,668.49
Total Funds	246,116,148.10	243,800,035.59

**Portfolio Advice**

Council utilises the services of an independent investment advisor in maintaining its portfolio of investments. Council's current investment advisor is Imperium Markets, an independent asset consultant that works with wholesale investors to develop, implement and manage their investment portfolio. Imperium Markets is a leading provider of independent investment consulting services to a broad range of institutional investors including government agencies, superannuation funds and not-for-profit organisations.

Imperium Markets major services provided to Council include:

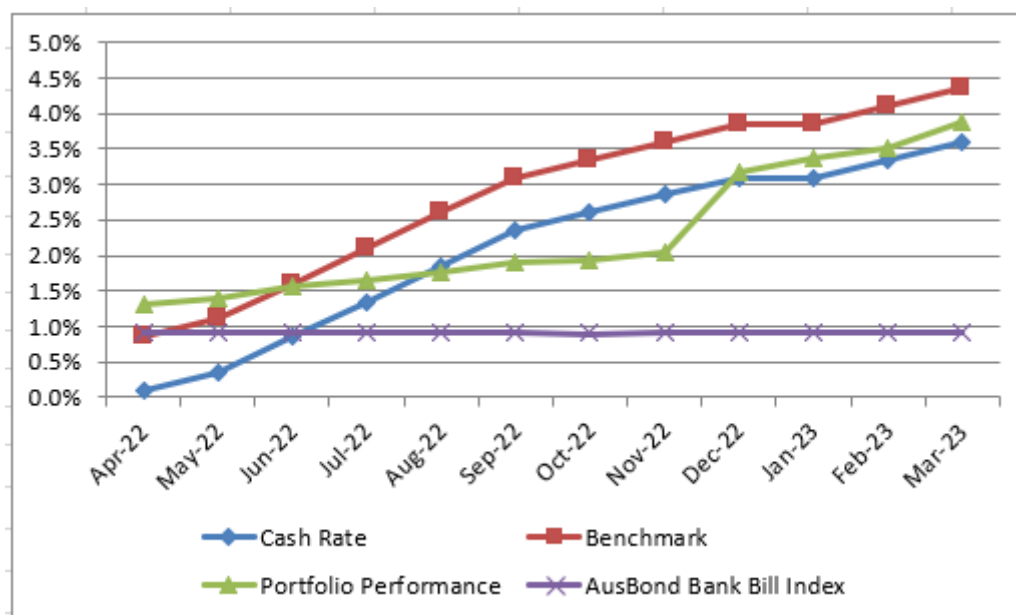
- Quarterly portfolio summary reports
- Advice on investment opportunities, in particular Floating Rate Note products
- Advice on policy construction
- Year-end market values for Floating Rate Note products held by Council.

Portfolio Performance

Council's current Long Term Financial Plan establishes the benchmark for Council's interest on investments at "75 basis points above the current cash rate". The cash rate for the period March 2023 was 3.60 percent. The weighted average interest rate of Council's investment portfolio at the same reporting date was 3.89 per cent which is below Council's benchmark i.e., the cash rate of 3.60 per cent plus 0.75 per cent (or 435 basis points). This is being monitored closely with retiring investments being reinvested to optimise their returns.

Council has also utilised the AusBond Bank Bill Index to provide a further benchmark focused on long term investments. For the period March 2023, the AusBond rate was 0.9207 per cent. The weighted average interest rate of Council's investment portfolio at the same reporting date was 3.89 per cent.

5.2 Statement of Investments - March 2023



Council's Investment Policy establishes limits in relation to the maturity terms of Council's investments as well as the credit ratings of the institutions with whom Council can invest.

The following tables provide a dissection of Council's investment portfolio as required by the Policy. The Policy identifies the maximum amount that can be held in a variety of investment products or with institutions based on their respective credit ratings.

Table 1 shows the percentage held by Council (holdings) and the additional amount that Council could hold (capacity) for each term to maturity allocation in accordance with limits established by Council's Policy.

Table 1: Maturity – Term Limits

Term to Maturity Allocation	Maximum	Holdings	Capacity
0 - 3 Months	100.00%	19.00%	81.00%
3 - 12 Months	100.00%	40.57%	59.43%
1 - 2 Years	70.00%	22.81%	47.19%
2 - 5 Years	50.00%	17.01%	32.99%
5+ Years	25.00%	0.61%	24.39%

Table 2 shows the total amount held, and the weighted average interest rate (or return on investment), by credit rating. The credit rating is an independent opinion of the capability and willingness of a financial institution to repay its debts, or in other words, the providers' financial strength or creditworthiness. The rating is typically calculated as the likelihood of a failure occurring over a given period, with the higher rating (AAA) being superior due to having a lower chance of default. However, it is generally accepted that this lower risk will be accompanied by a lower return on investment.

The level of money held in the bank accounts has been added to the table to illustrate the ability of Council to cover the operational liabilities that typically occur (for example payroll, materials and contracts, utilities).

Table 2: Credit Rating Limits

Credit Rating	Maximum	Holding	Remaining Capacity	Value	Return on investment
Bank Accounts	100.00%	8.03%	91.97%	19,764,120.12	3.65%
AAA	100.00%	0.41%	99.59%	1,003,794.84	4.50%
AA	100.00%	51.36%	48.64%	126,397,190.22	3.79%
A	60.00%	22.65%	37.35%	55,751,253.40	3.93%
BBB & NR	40.00%	17.55%	22.45%	43,199,789.52	4.13%
Below BBB	0.00%	0.00%	0.00%	N/A	N/A

Council still holds a number of lower interest rate investments at this point at time, many of these have a maturity of less than 3 months and the costs to redeem early were significant and would have been detrimental to the interest revenue received. These investments shall be redeemed at their maturity and reinvested into a higher performing product.

Certification by Responsible Accounting Officer

I, Veronica Webb, hereby certify that all investments have been made in accordance with Section 625 of the Local Government Act 1993, Clause 212 of the Local Government (General) Regulation 2005 and Council's Investment Policy.

ATTACHMENTS

- 1 Monthly Investment Report - March 2023, D23/22416 [↓](#)



Investment Report

01/03/2023 to 31/03/2023



Portfolio Valuation as at 31/03/2023

Issuer	Rating	Type	Alloc	Interest	Purchase	Maturity	Rate	Capital Value	Accrued	Accrued MTD
Members Equity Bank	BBB+	TD	WATER	At Maturity	08/04/2022	13/04/2023	1.8500	2,500,000.00	45,363.01	3,928.08
ING Direct	A	TD	GENERAL	Annual	19/04/2022	20/04/2023	2.2100	4,500,000.00	94,545.62	8,446.44
ING Direct	A	TD	WATER	Annual	26/04/2022	27/04/2023	2.4000	3,000,000.00	67,068.49	6,115.07
NAB	AA-	TD	GENERAL	At Maturity	16/12/2022	18/05/2023	4.1500	5,000,000.00	60,260.27	17,623.29
Suncorp	A+	TD	WATER	At Maturity	16/12/2022	18/05/2023	4.1600	5,000,000.00	60,405.48	17,665.75
Suncorp	A+	TD	SEWER	At Maturity	16/12/2022	18/05/2023	4.1600	5,000,000.00	60,405.48	17,665.75
Westpac	AA-	TD	SEWER	Quarterly	09/06/2022	15/06/2023	3.4500	1,000,000.00	2,173.97	2,173.97
Westpac	AA-	TD	WATER	Quarterly	09/06/2022	15/06/2023	3.4500	500,000.00	1,086.99	1,086.99
Westpac	AA-	TD	GENERAL	Quarterly	09/06/2022	15/06/2023	3.4500	500,000.00	1,086.99	1,086.99
Suncorp	A+	TD	WATER	At Maturity	12/01/2023	20/07/2023	4.4500	5,000,000.00	48,157.53	18,897.26
Commonwealth Bank	AA-	TD	SEWER	At Maturity	16/12/2022	20/07/2023	4.4000	5,000,000.00	63,890.41	18,684.93
Westpac	AA-	TD	GENERAL	Quarterly	28/07/2022	27/07/2023	3.7700	3,000,000.00	18,901.64	9,605.75
Commonwealth Bank	AA-	TD	GENERAL	At Maturity	02/02/2023	03/08/2023	4.4300	5,000,000.00	35,197.26	18,812.33
NAB	AA-	TD	GENERAL	At Maturity	08/12/2022	24/08/2023	4.2000	5,000,000.00	65,589.04	17,835.62
NAB	AA-	TD	WATER	At Maturity	22/12/2022	31/08/2023	4.3500	2,000,000.00	23,835.62	7,389.04
NAB	AA-	TD	GENERAL	At Maturity	22/12/2022	31/08/2023	4.3500	2,000,000.00	23,835.62	7,389.04
BOQ	BBB+	TD	SEWER	At Maturity	01/12/2022	31/08/2023	4.3000	2,000,000.00	28,509.59	7,304.11
BOQ	BBB+	TD	GENERAL	At Maturity	01/12/2022	31/08/2023	4.3000	1,000,000.00	14,254.79	3,652.05



Issuer	Rating	Type	Alloc	Interest	Purchase	Maturity	Rate	Capital Value	Accrued	Accrued MTD
Australian Unity Bank	BBB+	TD	SEWER	At Maturity	20/01/2023	19/10/2023	4.6000	2,000,000.00	17,895.89	7,813.70
Commonwealth Bank	AA-	TD	WATER	At Maturity	10/11/2022	09/11/2023	4.4400	1,000,000.00	17,273.42	3,770.96
Commonwealth Bank	AA-	TD	SEWER	At Maturity	16/12/2022	16/11/2023	4.6000	5,000,000.00	66,794.52	19,534.25
Commonwealth Bank	AA-	TD	GENERAL	At Maturity	17/11/2022	16/11/2023	4.2900	1,500,000.00	23,800.68	5,465.34
Commonwealth Bank	AA-	TD	SEWER	At Maturity	17/11/2022	16/11/2023	4.2900	1,000,000.00	15,867.12	3,643.56
Commonwealth Bank	AA-	TD	WATER	At Maturity	17/11/2022	16/11/2023	4.2900	1,500,000.00	23,800.68	5,465.34
NAB	AA-	TD	GENERAL	At Maturity	24/11/2022	23/11/2023	4.4000	5,000,000.00	77,150.68	18,684.93
Defence Bank	BBB	TD	GENERAL	At Maturity	01/12/2022	30/11/2023	4.6000	3,000,000.00	45,747.95	11,720.55
Commonwealth Bank	AA-	TD	GENERAL	At Maturity	22/12/2022	30/11/2023	4.5800	5,000,000.00	62,739.73	19,449.32
Suncorp	A+	TD	GENERAL	At Maturity	22/12/2022	30/11/2023	4.4000	3,000,000.00	36,164.38	11,210.96
Defence Bank	BBB	TD	GENERAL	Annual	01/12/2022	30/11/2023	4.6000	2,000,000.00	30,498.63	7,813.70
Auswide Bank	BBB	TD	SEWER	Annual	10/12/2020	14/12/2023	0.6300	2,000,000.00	3,797.26	1,070.14
Westpac	AA-	TD	GENERAL	Quarterly	16/12/2022	21/12/2023	4.4500	5,000,000.00	9,753.42	9,753.42
Suncorp	A+	TD	WATER	Quarterly	16/12/2022	21/12/2023	4.4700	5,000,000.00	9,797.26	9,797.26
ING Direct	A	TD	GENERAL	At Maturity	23/03/2023	21/12/2023	4.4500	3,500,000.00	3,840.41	3,840.41
BOQ	BBB+	TD	GENERAL	At Maturity	12/12/2022	21/12/2023	4.3000	3,000,000.00	38,876.71	10,956.16
ING Direct	A	TD	SEWER	At Maturity	05/01/2023	11/01/2024	4.3200	3,000,000.00	30,535.89	11,007.12
Westpac	AA-	TD	WATER	Quarterly	20/01/2022	25/01/2024	1.4300	1,000,000.00	2,781.64	1,214.52
NAB	AA-	TD	WATER	At Maturity	16/02/2023	15/02/2024	4.9300	5,000,000.00	29,715.07	20,935.62
Westpac	AA-	TD	SEWER	Quarterly	16/02/2023	15/02/2024	4.9000	1,340,000.00	7,915.18	5,576.60



Issuer	Rating	Type	Alloc	Interest	Purchase	Maturity	Rate	Capital Value	Accrued	Accrued MTD
Defence Bank	BBB	TD	GENERAL	At Maturity	03/03/2023	07/03/2024	5.0000	5,000,000.00	19,863.01	19,863.01
Westpac	AA-	TD	GENERAL	Quarterly	10/03/2023	21/03/2024	4.7500	2,500,000.00	7,157.53	7,157.53
NAB	AA-	TD	GENERAL	At Maturity	10/03/2023	21/03/2024	4.8000	2,000,000.00	5,786.30	5,786.30
NAB	AA-	TD	SEWER	At Maturity	10/03/2023	21/03/2024	4.8000	1,500,000.00	4,339.73	4,339.73
Rabobank Australia Branch	A+	FRN	SEWER	Quarterly	19/04/2021	19/04/2024	3.6550	498,684.70	3,604.93	1,552.12
Rabobank Australia Branch	A+	FRN	WATER	Quarterly	19/04/2021	19/04/2024	3.6550	498,684.70	3,604.93	1,552.12
BOQ	BBB+	TD	GENERAL	At Maturity	16/12/2022	20/06/2024	4.4900	5,000,000.00	65,197.26	19,067.12
ING Direct	A	TD	WATER	Quarterly	30/06/2022	27/06/2024	4.5000	1,000,000.00	246.58	246.58
ING Direct	A	TD	SEWER	Quarterly	30/06/2022	27/06/2024	4.5000	500,000.00	123.29	123.29
ING Direct	A	TD	GENERAL	Quarterly	30/06/2022	27/06/2024	4.5000	3,000,000.00	739.73	739.73
Commonwealth Bank	AA-	TD	GENERAL	Semi-Annual	05/01/2023	04/07/2024	4.8300	5,000,000.00	56,901.37	20,510.96
Commonwealth Bank	AA-	TD	SEWER	Semi-Annual	05/01/2023	04/07/2024	4.8300	5,000,000.00	56,901.37	20,510.96
Commonwealth Bank	AA-	TD	WATER	Semi-Annual	05/01/2023	04/07/2024	4.8300	5,000,000.00	56,901.37	20,510.96
Westpac	AA-	TD	GENERAL	Quarterly	08/07/2021	11/07/2024	0.7800	2,000,000.00	3,504.66	1,324.93
Suncorp	A+	FRN	WATER	Quarterly	25/07/2019	30/07/2024	4.1612	1,000,217.90	6,954.33	3,534.17
BOQ	BBB+	TD	WATER	Annual	02/08/2019	01/08/2024	2.2000	2,000,000.00	29,172.60	3,736.99
BOQ	BBB+	TD	SEWER	Annual	18/08/2022	22/08/2024	4.0400	2,000,000.00	49,144.11	6,862.47
Bendigo and Adelaide	BBB+	FRN	SEWER	Quarterly	05/09/2019	06/09/2024	4.6025	1,001,466.62	3,278.49	3,278.49
Police Bank	BBB	TD	WATER	Annual	14/10/2022	17/10/2024	4.7500	1,000,000.00	21,993.15	4,034.25
Citibank, N.A.	A+	FRN	SEWER	Quarterly	14/11/2019	14/11/2024	4.3690	999,646.89	5,506.14	3,710.66



Issuer	Rating	Type	Alloc	Interest	Purchase	Maturity	Rate	Capital Value	Accrued	Accrued MTD
Westpac	AA-	TD	GENERAL	Quarterly	02/12/2021	05/12/2024	1.6000	3,000,000.00	3,945.21	3,945.21
Newcastle Greater Mutual Group Ltd	BBB	FRN	WATER	Quarterly	05/02/2020	04/02/2025	4.4849	349,161.45	2,322.32	1,333.18
Newcastle Greater Mutual Group Ltd	BBB	FRN	SEWER	Quarterly	05/02/2020	04/02/2025	4.4849	349,161.45	2,322.32	1,333.18
Macquarie Bank	A+	FRN	SEWER	Quarterly	12/02/2020	12/02/2025	4.3402	1,999,099.21	11,177.50	7,372.39
Commonwealth Bank	AA-	TD	SEWER	Semi-Annual	11/02/2022	13/02/2025	2.1200	350,000.00	1,788.93	630.19
Commonwealth Bank	AA-	TD	WATER	Semi-Annual	11/02/2022	13/02/2025	2.1200	350,000.00	1,788.93	630.19
ING Direct	A	TD	GENERAL	Quarterly	17/02/2022	20/02/2025	2.5800	2,250,000.00	6,838.77	4,930.27
Westpac	AA-	TD	WATER	Quarterly	02/03/2023	03/03/2025	4.9500	3,000,000.00	12,205.48	12,205.48
Westpac	AA-	TD	SEWER	Quarterly	06/03/2023	06/03/2025	4.9300	1,000,000.00	3,511.78	3,511.78
Westpac	AA-	TD	WATER	Quarterly	06/03/2023	06/03/2025	4.9300	1,000,000.00	3,511.78	3,511.78
Westpac	AA-	TD	GENERAL	Quarterly	06/03/2023	06/03/2025	4.9300	1,000,000.00	3,511.78	3,511.78
Defence Bank	BBB	TD	SEWER	Annual	16/03/2023	20/03/2025	4.6000	4,000,000.00	8,065.75	8,065.75
ING Direct	A	TD	WATER	Annual	19/03/2020	20/03/2025	1.7800	2,000,000.00	1,170.41	1,170.41
NAB	AA-	TD	SEWER	Quarterly	31/03/2022	03/04/2025	2.9500	3,500,000.00	282.88	282.88
NAB	AA-	TD	WATER	Quarterly	31/03/2022	03/04/2025	2.9500	1,500,000.00	121.23	121.23
Westpac	AA-	TD	WATER	Quarterly	25/11/2021	27/11/2025	1.9400	2,000,000.00	3,507.95	3,295.34
ING Direct	A	TD	GENERAL	Quarterly	16/12/2022	18/12/2025	4.7000	5,000,000.00	10,301.37	10,301.37
Commonwealth Bank	AA-	FRN	WATER	Quarterly	13/01/2023	13/01/2026	4.2140	3,009,869.57	27,015.78	10,737.04
Westpac	AA-	TD	SEWER	Quarterly	10/02/2022	12/02/2026	2.1500	1,000,000.00	2,945.21	1,826.03
Westpac	AA-	TD	WATER	Quarterly	10/02/2022	12/02/2026	2.1500	1,000,000.00	2,945.21	1,826.03



Issuer	Rating	Type	Alloc	Interest	Purchase	Maturity	Rate	Capital Value	Accrued	Accrued MTD
Westpac	AA-	TD	GENERAL	Quarterly	10/02/2022	12/02/2026	2.1500	1,000,000.00	2,945.21	1,826.03
Westpac	AA-	TD	WATER	Quarterly	04/03/2021	05/03/2026	1.2000	1,500,000.00	1,282.19	1,282.19
Westpac	AA-	TD	SEWER	Quarterly	04/03/2021	05/03/2026	1.2000	1,000,000.00	854.79	854.79
P&N Bank	BBB	TD	WATER	Quarterly	16/03/2023	19/03/2026	4.7000	5,000,000.00	10,301.37	10,301.37
Westpac	AA-	TD	GENERAL	Quarterly	28/10/2021	29/10/2026	1.7800	1,000,000.00	2,974.79	1,511.78
Westpac	AA-	TD	SEWER	Quarterly	28/10/2021	29/10/2026	1.7800	1,000,000.00	2,974.79	1,511.78
Westpac	AA-	TD	WATER	Quarterly	28/10/2021	29/10/2026	1.7800	2,000,000.00	5,949.59	3,023.56
Westpac	AA-	TD	WATER	Quarterly	28/10/2021	29/10/2026	1.7800	4,500,000.00	13,386.58	6,803.01
Westpac	AA-	TD	WATER	Quarterly	02/12/2021	03/12/2026	2.0000	1,000,000.00	1,643.84	1,643.84
Westpac	AA-	TD	SEWER	Quarterly	02/12/2021	03/12/2026	2.0000	2,000,000.00	3,287.67	3,287.67
Westpac	AA-	TD	GENERAL	Quarterly	02/12/2021	03/12/2026	2.0000	2,000,000.00	3,287.67	3,287.67
NAB	AA-	TD	SEWER	Quarterly	10/02/2022	09/02/2027	2.3500	1,000,000.00	3,219.18	1,995.89
NAB	AA-	BOND	WATER	Semi-Annual	25/02/2022	25/02/2027	2.9000	426,438.84	1,179.86	1,108.36
NAB	AA-	BOND	SEWER	Semi-Annual	25/02/2022	25/02/2027	2.9000	426,438.84	1,179.86	1,108.36
Royal Bank of Canada	AAA	BOND	WATER	Semi-Annual	13/07/2022	13/07/2027	4.5000	1,003,794.84	9,616.44	3,821.92
ANZ Bank	AA-	FRN	SEWER	Quarterly	31/03/2023	31/03/2028	4.7750	1,499,362.97	196.23	196.23
Commonwealth Bank	AA-	CASH	WATER	Monthly	31/03/2023	31/03/2023	3.6500	7,691,323.31	29,045.01	29,045.01
Commonwealth Bank	AA-	CASH	SEWER	Monthly	31/03/2023	31/03/2023	3.6500	5,397,224.67	18,608.54	18,608.54
Commonwealth Bank	AA-	CASH	GENERAL	Monthly	31/03/2023	31/03/2023	3.6500	6,675,572.13	16,551.19	16,551.19
TOTALS								246,116,148.10	1,908,000.62	710,839.41



Counterparty Compliance as at 31/03/2023

Long Term Investments

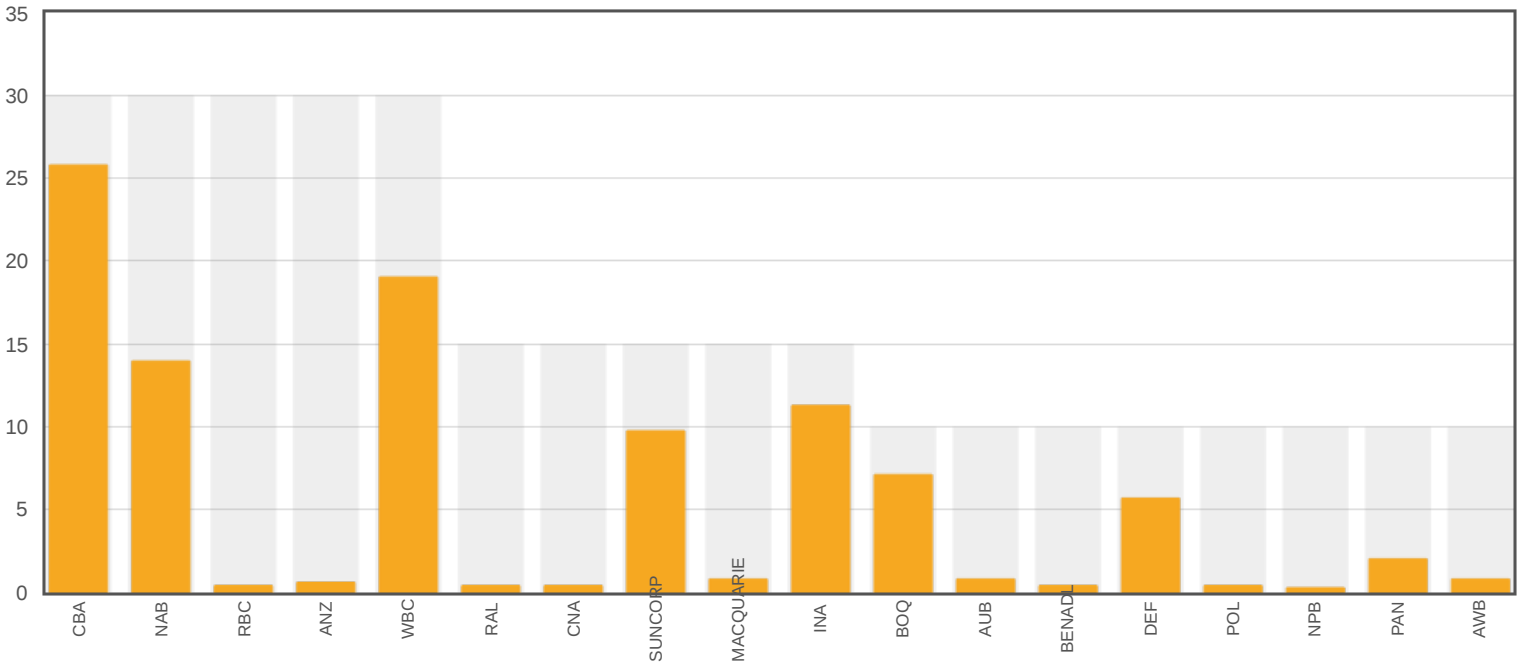
Compliant	Bank Group	Term	Rating	Invested	Invested (%)	Limit (%)	Limit (\$)	Available
✓	Commonwealth Bank	Long	AA-	63,473,989.68	25.79	30.00	-	10,360,854.75
✓	NAB	Long	AA-	34,352,877.68	13.96	30.00	-	39,481,966.75
✓	Royal Bank of Canada	Long	AA-	1,003,794.84	0.41	30.00	-	72,831,049.59
✓	ANZ Bank	Long	AA-	1,499,362.97	0.61	30.00	-	72,335,481.46
✓	Westpac	Long	AA-	46,840,000.00	19.03	30.00	-	26,994,844.43
✓	Rabobank Australia Branch	Long	A+	997,369.41	0.41	15.00	-	35,920,052.81
✓	Citibank, N.A.	Long	A+	999,646.89	0.41	15.00	-	35,917,775.33
✓	Suncorp	Long	A+	24,000,217.90	9.75	15.00	-	12,917,204.31
✓	Macquarie Bank	Long	A+	1,999,099.21	0.81	15.00	-	34,918,323.00
✓	ING Direct	Long	A	27,750,000.00	11.28	15.00	-	9,167,422.22
✓	BOQ	Long	BBB+	17,500,000.00	7.11	10.00	-	7,111,614.81
✓	Australian Unity Bank	Long	BBB+	2,000,000.00	0.81	10.00	-	22,611,614.81
✓	Bendigo and Adelaide	Long	BBB+	1,001,466.62	0.41	10.00	-	23,610,148.19



Compliant	Bank Group	Term	Rating	Invested	Invested (%)	Limit (%)	Limit (\$)	Available
✓	Defence Bank	Long	BBB	14,000,000.00	5.69	10.00	-	10,611,614.81
✓	Police Bank	Long	BBB	1,000,000.00	0.41	10.00	-	23,611,614.81
✓	Newcastle Permanent	Long	BBB	698,322.90	0.28	10.00	-	23,913,291.91
✓	P&N Bank	Long	BBB	5,000,000.00	2.03	10.00	-	19,611,614.81
✓	Auswide Bank	Long	BBB	2,000,000.00	0.81	10.00	-	22,611,614.81
TOTALS				246,116,148.10	100.00			



Counterparty Compliance - Long Term Investments



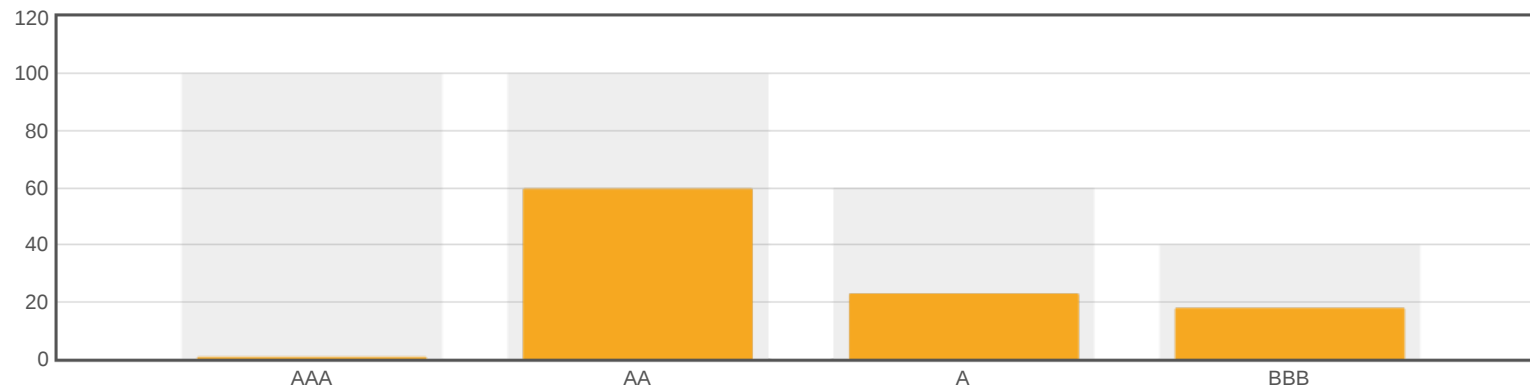


Credit Quality Compliance as at 31/03/2023

Long Term Investments

Compliant	Rating	Invested (\$)	Invested (%)	Limit (%)	Available
✓	AAA	1,003,794.84	0.41	100.00	245,112,353.25
✓	AA	146,166,230.32	59.39	100.00	99,949,917.77
✓	A	55,746,333.41	22.65	60.00	91,923,355.45
✓	BBB	43,199,789.52	17.55	40.00	55,246,669.72
TOTALS		246,116,148.10	100.00		

Credit Quality Compliance - Long Term Investments

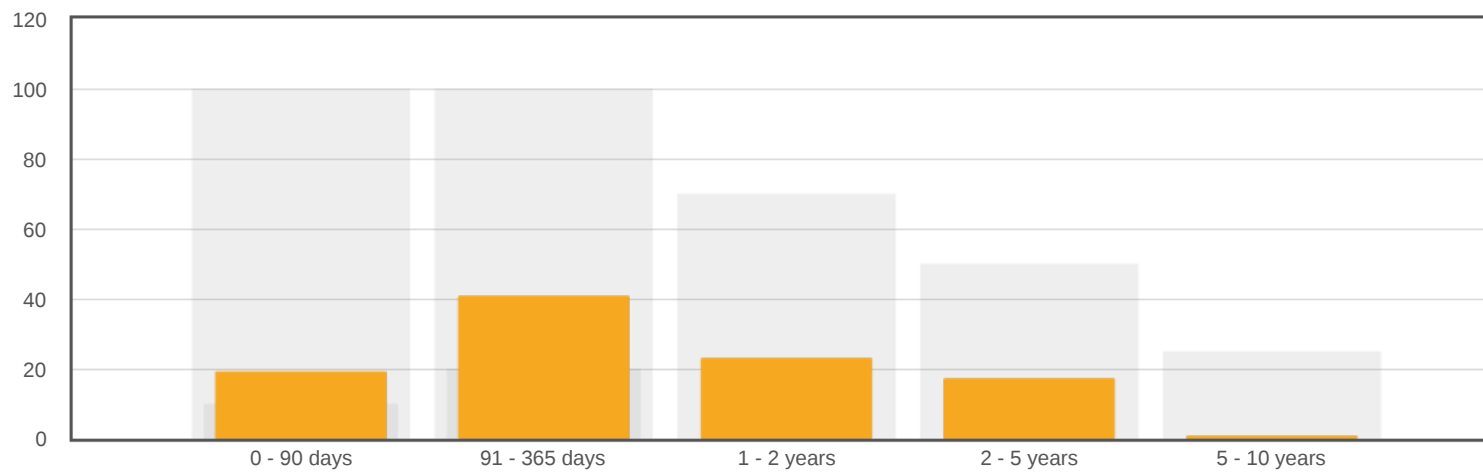




Maturity Compliance as at 31/03/2023

Compliant	Term	Invested	Invested (%)	Min Limit (%)	Max Limit (%)	Available
✓	0 - 90 days	46,764,120.11	19.00	10.00	100.00	199,352,027.99
✓	91 - 365 days	99,840,000.00	40.57	20.00	100.00	146,276,148.10
✓	1 - 2 years	56,146,122.93	22.81	0.00	70.00	116,135,180.74
✓	2 - 5 years	41,866,542.09	17.01	0.00	50.00	81,191,531.96
✓	5 - 10 years	1,499,362.97	0.61	0.00	25.00	60,029,674.05
TOTALS		246,116,148.10	100.00			

Maturity Compliance



5.3 FEASIBILITY AND IMPACTS OF FISHING IN SUMA PARK DAM

RECORD NUMBER: 2023/296

AUTHOR: Wayne Beatty, Water and Sewerage Strategic Manager

EXECUTIVE SUMMARY

At its meeting of 17 May 2022, Council considered a Notice of Motion on the recreational use of Suma Park Dam. Council resolved:

RESOLVED - 22/142**Cr S Peterson/Cr J Evans**

That Council staff provide a report for Councillor's consideration into the feasibility and impacts of fishing in Suma Park Dam or other water sources (including Lake Canobolas and Gosling Creek), if a jetty was constructed.

Council owns and operates 4 dams for both water supply and recreational purposes:

- Water Supply Dams – Suma Park Dam (Primary) and Spring Creek Dam (Secondary)
- Recreational Dams – Gosling Creek Dam and Lake Canobolas

Council is in receipt of a letter from NSW Fisheries exploring potential opportunities for creating a new native fish/trout fishery at Spring Creek Dam.

Water supply dams that act as the primary source of town water connected via pipeline to the water treatment plant are typically not open for water based recreational activities including fishing in NSW. The exception to this are our irrigation dams and town water supply dams that discharge to creek to be collected via a weir and pump out point further downstream. Almost all of NSW irrigation dams are open to water based recreational activities including fishing.

The only water supply dam that we reviewed in NSW connected via pipeline to the water treatment plant that allows fishing is Googong Dam (within NSW and managed by the ACT Government). It is a secondary supply dam to manage peak water demands or when there are water quality issues with the Cotter Dam system.

This report reviews several town water supply dams within NSW and the considerations required before allowing water based recreational activities including fishing on our water supply dams. The recommendations are based on the guiding principle from the Australian Drinking Water Guidelines; *“Protection of water sources and treatment are of paramount importance and must never be compromised”*.

LINK TO DELIVERY/OPERATIONAL PLAN

The recommendation in this report relates to the Delivery/Operational Plan strategy “2.1. Identify and deliver sport and recreation facilities to service the community into the future”.

FINANCIAL IMPLICATIONS

The cost of a feasibility study currently not in the budget.

5.3 Feasibility and Impacts of Fishing in Suma Park Dam

POLICY AND GOVERNANCE IMPLICATIONS

Change of Use requiring Plan of Management and REF as a minimum. Any Built Infrastructure would require Development Approval similar to the Kinross facilities at Spring Creek Dam.

RECOMMENDATIONS

That Council resolves to:

- 1 Not permit land or water-based activity at Suma Park Dam at this stage;**
- 2 Undertake a detailed Feasibility Study for introducing controlled access to Spring Creek Dam for passive watercraft (canoes and kayaks) and land-based fishing/fly casting considering the issues raised in this report and in consultation with the NSW of Primary Industry (Fisheries); and**
- 3 Prepare such documentation as required to effect a change to the Plan of Management for Spring Ck Dam.**

FURTHER CONSIDERATIONS

The recommendation of this report has been assessed against Council's other key risk categories and the following comments are provided:

Service Delivery	Drinking water quality, security of drinking water supply assets
Image and Reputation	Tourism/economic impacts
Environmental	Wildlife and wildlife habitat management, preservation of historic sites in the area, introduction of weeds or exotic plants, introduction of vermin and exotic animals, foreshore erosion, litter and heightened risk of bushfires. NB: Environmental Defenders Office challenged the Kinross rowing proposal on Spring Creek Dam through the Land and Environment Court.
Health and Safety	Legal and public liability, water quality health risks to users
Stakeholders	Orange residents, external/regional users (including sporting clubs), Federal and State Government Approvals Authorities/Regulators

SUPPORTING INFORMATION**BACKGROUND**

Council owns and operates 4 dams for both water supply and recreational purposes:

- Water Supply Dams – Suma Park and Spring Creek Dams
- Recreational Dams – Gosling Creek Dam and Lake Canobolas

Multiple reports on the recreational use of Council's water supply dams have been presented to Council since 2017. These are listed below and are included as attachments to this report for information

- Recreational Use of Gosling Creek, Spring Creek and Suma Park Dam (6 June 2017)
- Recreational Use of Gosling Creek, Spring Creek and Suma Park Dam (5 September 2017)
- Recreational Use of Gosling Creek, Spring Creek and Suma Park Dam (15 May 2018)
- Recreational Use of Gosling Creek, Spring Creek and Suma Park Dam (4 September 2018)

5.3 Feasibility and Impacts of Fishing in Suma Park Dam

- Recreational Use of Gosling Creek, Spring Creek and Suma Park Dam – Report following Public Exhibition (4 December 2018)
- Recreational Use of Spring Creek and Suma Park Dams (4 June 2019)

RECREATIONAL DAMS**GOSLING CREEK DAM**

The Gosling Creek Reserve Plan of Management was adopted by Council on 17 August 2017. The Plan was updated on 12 July 2019 to include additional provision of recreational facilities to recognise Council resolutions since that time.

Recreational activities include:

- Shared pathways for walking, running and recreational cycling;
- Children’s play facility, barbecue and picnic shelters;
- A beach or graded access point to the reservoir body has been constructed to permit ease of access to the reservoir for athletes competing in the swimming leg of triathlon events;
- Recreational fishing/fly casting;
- Playground/outdoor fitness stations;
- Bird watching;
- Bird refuge island.

LAKE CANOBOLAS

A *Master Plan for Lake Canobolas Reserve and Environs (Sanctuary and Scout Camp)* was prepared in May 2005 and adopted by Council on 16 March 2006. This plan (along with the *Plan of Management for Lake Canobolas Reserve Wildlife Sanctuary and Scout Camp* (November 2006)) provides for the future development of the site as a whole.

The March 2006 Masterplan has since been superseded by the *Lake Canobolas Precinct Masterplan* dated 22 April 2021. This Masterplan was adopted by Council on 8 July 2021. The 2021 Masterplan allows for a range of passive recreational activities including:

- Swimming;
- Non-powered boating;
- Recreational fishing/fly casting;
- A bush camping ground in the northwest section of Lake Canobolas Reserve;
- An extended walking trail network;
- Tourist cabins in the old deer park (the eastern area); and
- Defined native regeneration areas.

WATER SUPPLY DAMS**SUMA PARK DAM**

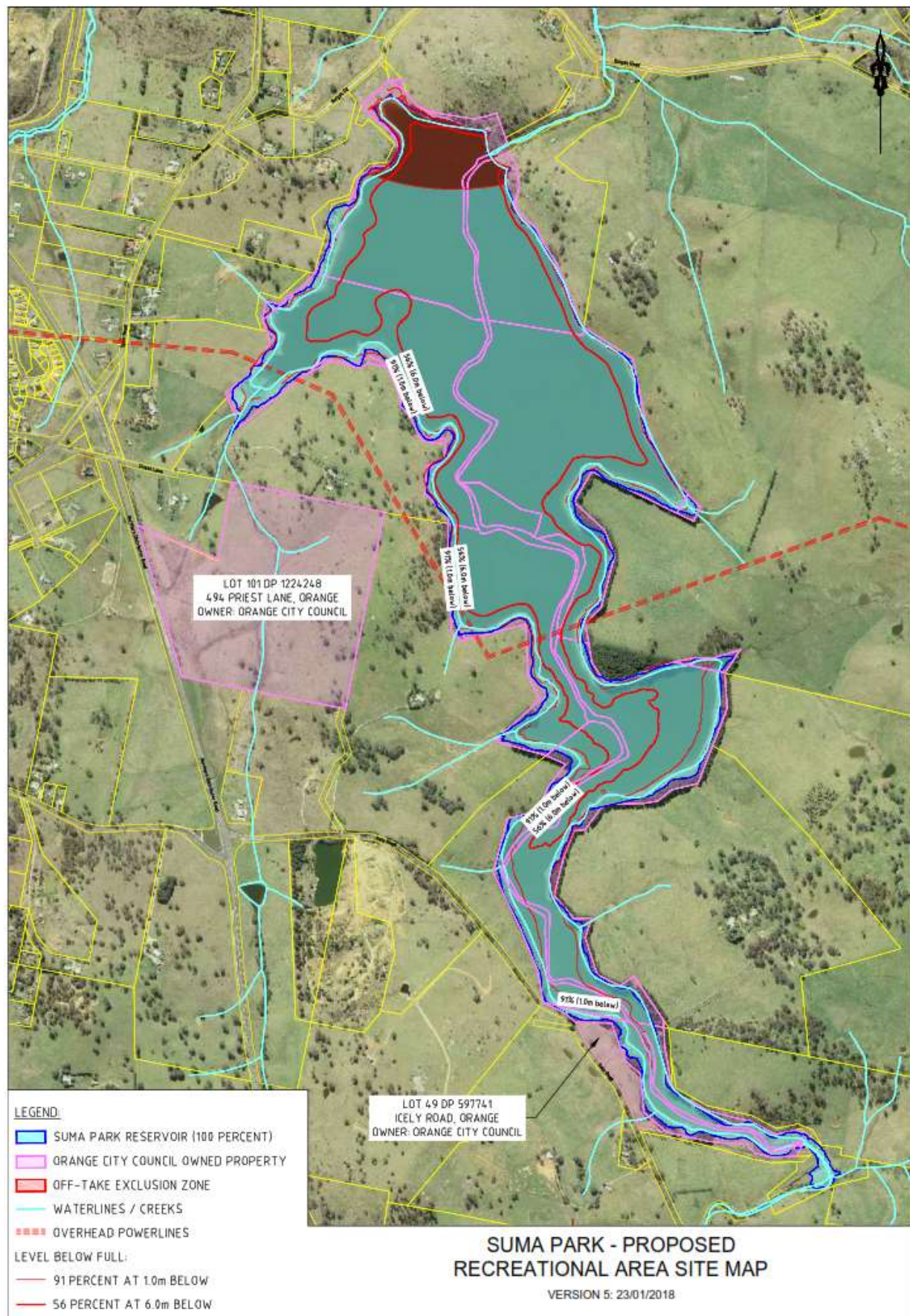
Owned and operated by Council, Suma Park Dam has a total storage volume of **18,000 ML**. It is Council’s primary water supply source and pumps water via a pipeline directly into Council’s water treatment plant at Icely Road.

The Suma Park Reservoir is classified as Community Land and there is no current Plan of Management.

The current Council resolution from report dated 4 June 2019 is to:

“Not permit land or water-based activity at Suma Park Dam”.

5.3 Feasibility and Impacts of Fishing in Suma Park Dam



5.3 Feasibility and Impacts of Fishing in Suma Park Dam

Key considerations

The following areas are key issues to consider if Council were to introduce recreational activities onto Suma Park Dam:

a Impact on drinking water quality

The Australian Drinking Water Guidelines (ADWG 2011) is the authoritative document for drinking water management in Australia. It contains information about management of drinking water systems from catchment to consumer. The second guiding principle of the ADWG highlights the importance of protecting water sources:

‘Protection of water sources and treatment are of paramount importance and must never be compromised’

NSW Health are introducing additional requirements that will be used to determine the appropriate treatment process to address the source water risk. Recreational use of the water body is one of the risk considerations. Unprotected catchments may require a higher level of treatment in order to provide a safe drinking water supply. The Orange drinking water supply catchment would be considered an unprotected catchment and, as such, additional treatment upgrades may be necessary unless catchment management practices can be improved. Water treatment cost implications (potential treatment plant upgrades) may need to be considered if water-based recreational activities are introduced to Council’s drinking water storages.

b Land zoning

Land zoning dictates how the land is to be used. The only activity that the current zoning allows is a water supply. The LEP will require amendment in order to rezone the site to Public Recreation RE1. The surrounding private land is zoned E3 Environmental Management and RU1 Primary Production.

c Potential health impact on recreational users

As mentioned earlier, recreational use on dams should follow the Guidelines for Managing Risks in Recreational Water (NHMRC 2008). Although not mandatory, following these guidelines ensures recreational water environments are managed as safely as possible. The potential impacts of water quality, water temperature and blue green algae should be considered

d Legal and public liability

Duty of care to persons using the water storage (potential hazards associated with access to dam wall, hazards above and below the water)

e Operational management

The potential costs associated with the operational management of recreational activities could include:

- Additional drinking water treatment processes;
- Management of access to water storages;
- Maintenance and rehabilitation of infrastructure to support the recreational activities;
- Monitoring of water quality and recreational users;
- Policing of recreational users.

5.3 Feasibility and Impacts of Fishing in Suma Park Dam

Other issues to consider include:

- Health risks of users;
- Public use impacts of foreshore erosion introducing sediment into the water storage;
- Wildlife and wildlife habitat management;
- Changes in system ecology;
- Increased risk of fire;
- Legal/public liability/public safety - Proximity to spillway, outlet structures and dam wall;
- Security of drinking water supply assets;
- Potential land acquisition requirements;
- Water storage levels;
- Impacts on adjoining neighbours.

OPPORTUNITIES AND CONSIDERATIONS

Opportunity	Considerations	Advantages	Disadvantages
Passive watercraft – canoes and kayaks	<ul style="list-style-type: none"> • Access points • Requires development of Plan of Management • Amendment to LEP and Development Application • Risk to drinking water 	<ul style="list-style-type: none"> • Accessible from Icely Road 	<ul style="list-style-type: none"> • Increased cost for management of drinking water as primary source for Orange. • Conflict with current users and landholders
Camping located on the southern side (council owned) area	<ul style="list-style-type: none"> • Supervision of site 	<ul style="list-style-type: none"> • Defined area • Accessible from Icely Road 	<ul style="list-style-type: none"> • No facilities • Requires active supervision of users • Site adjacent to busy road • Operational Cost
Boating – powered	<ul style="list-style-type: none"> • Access points • Water quality risk • Requires development of plan of management • Amendment to LEP and Development Application 	<ul style="list-style-type: none"> • Nil 	<ul style="list-style-type: none"> • Conflict with current users and landholders
Land-based fishing/fly casting	<ul style="list-style-type: none"> • Requires access points • Requires development of Plan of Management • Amendment to LEP and Development Application 	<ul style="list-style-type: none"> • Provides alternative location for recreational fishing in Orange LGA. 	<ul style="list-style-type: none"> • Limited access from land based sites • Conflict with current landholders

Cost Implications

Depending on the type of use, there are cost and resourcing implications in managing all of the risks and infrastructure requirements. Infrastructure requirements need to be funded and other risks mitigated by operational practices and procedures.

5.3 Feasibility and Impacts of Fishing in Suma Park Dam

Council staff were asked to provide information on boating, camping, fishing, amenities and car parking. For these to proceed, Council would be required to conduct the following works:

- Pathways/non-vehicle access routes;
- Rubbish Bins;
- Signage;
- Toilets;
- Cleared areas;
- Potable water;
- Water Entrance similar to that constructed at Gosling Creek;
- Operational costs;
- System for security of water supply assets;
- Fish cleaning areas;
- Establishment of restricted zones;
- Boating equipment for supervision and inspection of water activities.

The capital cost estimate based on the above requirements is \$4M to \$5M. This estimate requires further refinement during project development.

Operational Costs

Operational Costs are estimated to be significant given the sensitivity of the dam and the need for active management and supervision of the precinct. It is estimated that the site would require two staff to monitor on weekends and one staff member to monitor during weekdays.

The site would also require rubbish removal and maintenance.

On this basis, the estimated operational cost is \$200,000 - \$300,000 per annum.

Funding

As recreational use is not for water supply purposes, all capital works and operational costs associated with the project are to be funded from Council's General Fund or other external sources.

Timeframe for approvals, development and implementation

It is difficult to estimate a timeframe for the delivery of such a project given its complexity and key issues that will need to be considered.

Using the example of access to Spring Creek by Kinross Wolaroi School it is estimated that this process may take several years.

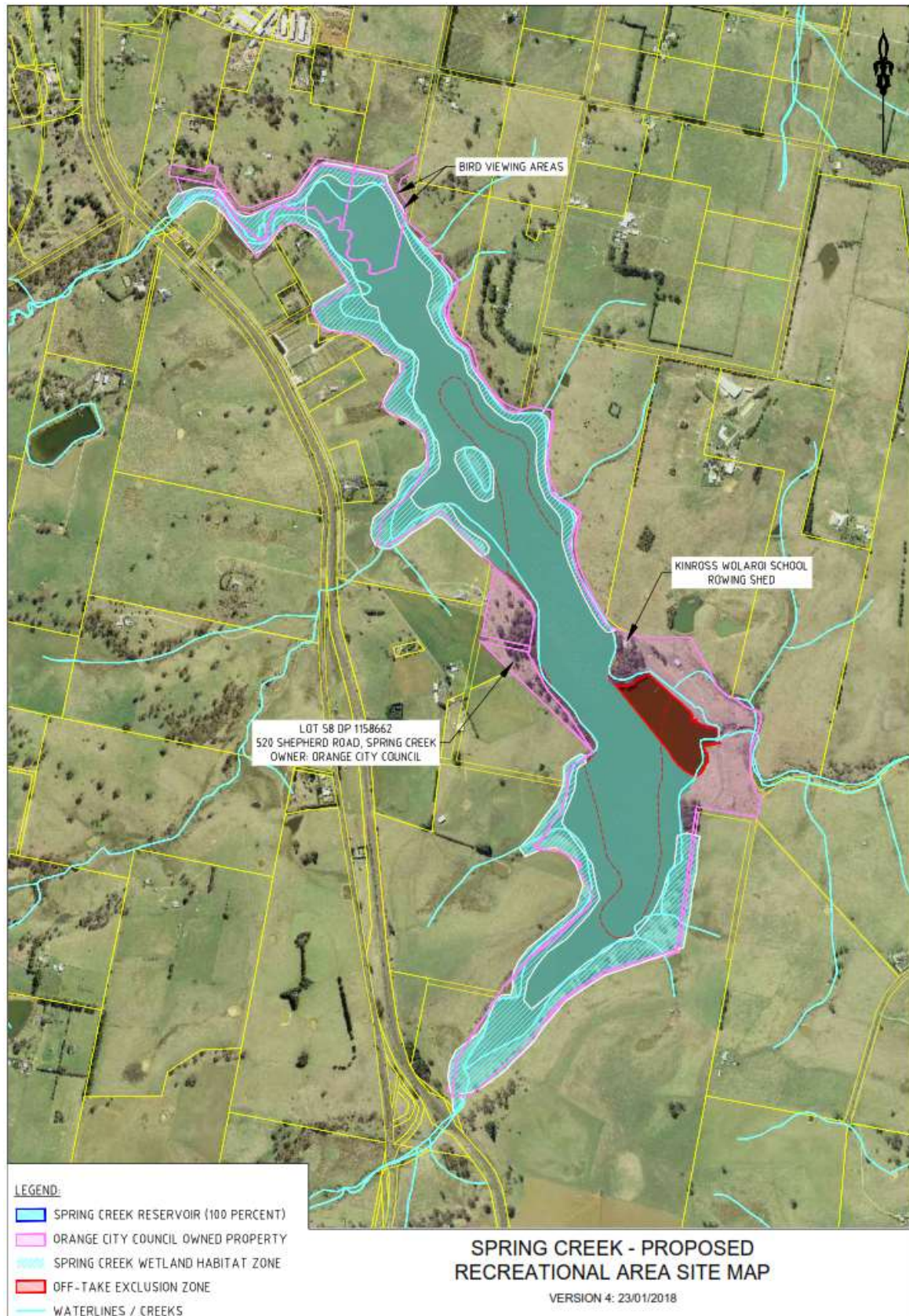
SPRING CREEK DAM

Owned and operated by Orange City Council, Spring Creek Dam has a total storage volume of **4,500 ML**. It is part of Council's water supply system and pumps water via a pipeline directly into Council's Water Treatment Plant at Icely Road.

The reservoir is classified as Community Land. The Plan of Management was adopted by Council on 3 December 2007.

5.3 Feasibility and Impacts of Fishing in Suma Park Dam

This plan specifically provides for the use of the land for “public water supply purposes along with specific provisions to permit the controlled and supervised rowing training and other low impact recreational activities subject to development consents and licensing arrangements”.



5.3 Feasibility and Impacts of Fishing in Suma Park Dam

Creating a mixed native fish/trout fishery at Spring Creek Dam

Please refer to DPI Fisheries letter attached to this report for potential opportunities for creating a new native fish/trout fishery at Spring Creek Dam.

This letter also suggests the *“potential access to the reservoir could involve passive watercraft (canoes and kayaks) as well as opportunities for land-based fishing”*.

Key considerations**a Impact on drinking water quality**

The Australian Drinking Water Guidelines (ADWG 2011) is the authoritative document for drinking water management in Australia. It contains information about management of drinking water systems from catchment to consumer. The second guiding principle of the ADWG highlights the importance of protecting water sources:

‘Protection of water sources and treatment are of paramount importance and must never be compromised’

NSW Health are introducing additional requirements that will be used to determine the appropriate treatment process to address the source water risk. Recreational use of the water body is one of the risk considerations. Unprotected catchments may require a higher level of treatment in order to provide a safe drinking water supply. The Orange drinking water supply catchment would be considered an unprotected catchment and, as such, additional treatment upgrades may be necessary unless catchment management practices can be improved. Water treatment cost implications (potential treatment plant upgrades) may need to be considered if water-based recreational activities are introduced to Council’s drinking water storages.

Introducing recreational activities onto Spring Creek Dam will have public health implications for the Orange Drinking Water Supply

b Plan of Management

Spring Creek Dam is classified as Community Land. The current Plan of Management was adopted by Council on 3 December 2007. This plan specifically provides for the use of the land for *“public water supply purposes along with specific provisions to permit the controlled and supervised rowing training and other low impact recreational activities subject to development consents and licencing arrangements”*.

Any change to this Plan of Management needs to be exhibited and adopted by Council as required under the Local Government Act. The current Plan of Management for Spring Creek Dam specifically states that *“Uncontrolled recreation activities were considered inappropriate due to the needs to protect habitat values and limit access to protect the integrity of the water supply, considering the likely impacts of a range of activities”*.

Limited, controlled and supervised rowing training is permitted in Spring Creek reservoir subject to a number of controls.

The objective of controlled recreational use of the reservoir is to be achieved by providing for the establishment of rowing with associated facilities on the land to operate in a controlled manner in order that the habitat values and water supply are not

5.3 Feasibility and Impacts of Fishing in Suma Park Dam

adversely affected. Other low risk aquatic activities shall be subject to Council's authorisation.

Access to the reservoir for purposes other than rowing shall be subject to the written authorisation by Council and required development consent and shall be undertaken in accordance with any requirements of Council.

Applications to use the reservoir for recreational purposes shall indicate how the use will be carried out in a manner that will not impact on the integrity of the water supply, or the safety or convenience of any other approved users or to waterbird habitats.

Due to the primary need to protect the water supply quality and because of the limited area available within the site, this Plan of Management does not permit the use of the reservoir for picnics, barbeques, camping, swimming, fishing, sailing or powered boats.

c Land zoning

The zoning for Spring Creek Dam is for water supply purposes and recreational use is not permissible under this zoning. The LEP will need to be amended in order to rezone the whole site to Public Recreation RE1. The surrounding private land is zoned E3 Environmental Management and RU1 Primary Production. Recreation would then be permissible in the zone, subject to consent.

d Access to Spring Creek Dam for water non-powered boating activities

As illustrated below, access to Spring Creek Dam is controlled by a locked gate and pedestrian access point at the southern end of Lone Pine Avenue at the northeast point of the dam. This is the access point to the Kinross Wolaroi School rowing facility. All other land surrounding Spring Creek Dam is privately owned. The impact of introducing uncontrolled recreation onto Spring Creek Dam on adjoining landowners also needs to be considered.



Access point – Spring Creek Dam

5.3 Feasibility and Impacts of Fishing in Suma Park Dam

- Council could explore the redevelopment of this entrance point to provide a parking area and access point for non-powered boating activities. Access to the dam wall is available along the eastern side.
- Topography – the slope of land adjacent to the waterbody is suitable for access points.
- Variable (low or high) water levels at any one given time may restrict access to the waterbody.
- “No-go” zones – buffer zones around critical water supply infrastructure will be required (i.e. near the dam wall).
- Opening hours need to be considered.

e Access and variable water levels

Spring Creek Dam is a water supply source for the City of Orange and will be operated accordingly. Water levels are variable, dropping to below 25% during drought making it unusable as a recreational facility

f Health impact on users

- blue green algae outbreaks – using the waterbody would be restricted when blue green algae concentration is above health guidelines.

OPPORTUNITIES AND CONSIDERATIONS

Opportunity	Considerations	Advantages	Disadvantages
Passive watercraft (canoes and kayaks)	<ul style="list-style-type: none"> • Access points • Amendment to plan of management, LEP and Development Application 	<ul style="list-style-type: none"> • Accessible from existing access road • Used by community currently • Regulate current unapproved activity 	<ul style="list-style-type: none"> • Conflict with current users and landholders
Camping located on western side of Spring Creek Dam	<ul style="list-style-type: none"> • Supervision of site • Access • Provision of amenities 	<ul style="list-style-type: none"> • Council owned • Defined area 	<ul style="list-style-type: none"> • Land locked no access • No facilities • Requires active supervision of users • Operational Cost
Boating – powered	<ul style="list-style-type: none"> • Access points • Water quality risk • Amendment to plan of management, LEP and Development Application 	<ul style="list-style-type: none"> • Nil 	<ul style="list-style-type: none"> • Conflict with current users and landholders
Fishing/fly casting	<ul style="list-style-type: none"> • Access points • Amendment to plan of management, LEP and Development Application 	<ul style="list-style-type: none"> • Provides an additional location for recreational fishing in Orange LGA. 	<ul style="list-style-type: none"> • Limited access from land based sites.

Cost Implications

5.3 Feasibility and Impacts of Fishing in Suma Park Dam

Council staff were asked to provide information on boating, camping, fishing, amenities and car parking. For these to proceed, Council would be required to conduct the following works:

- Land acquisition for camping;
- Access road(s) and car parking;
- Pathways/non-vehicle access routes;
- Rubbish Bins;
- Signage;
- Toilets;
- Cleared areas;
- Potable water;
- Water Entrance similar to that constructed at Gosling Creek;
- Operational costs.

The capital cost estimate based on the above requirements is \$3m to \$5m. This estimate requires further refinement during project development.

If Council were to consider only access for non-powered boating and fishing, the requirements may minimise the need for land acquisition and reduced infrastructure requirement for the other elements.

Pending approvals, it is estimated that the cost for the provision of access for non-powered boating and fishing would require:

- Access road and car parking;
- Rubbish Bins;
- Signage;
- Toilets;
- Potable water;
- Water Entrance similar to that constructed at Gosling Creek;
- Fish cleaning areas;
- Operational Costs.

The capital cost estimate for these elements would be \$2M to \$4M. This estimate requires further refinement during project development.

Operational Costs

Operational Costs are estimated to be significant given the sensitivity of the dam and the need for active management and supervision of the precinct. It is estimated that the site would require two staff to monitor on weekends and one staff member to monitor during weekdays.

The site would also require rubbish removal and maintenance.

On this basis the estimated operational cost is \$200,000 - \$300,000 per annum.

5.3 Feasibility and Impacts of Fishing in Suma Park Dam

Funding

As recreational use is not for water supply purposes, all capital works and operational costs associated with the project are to be funded from Council's General Fund or other external sources.

Timeframe for approvals, development and implementation

At this early stage, it is difficult to estimate a timeframe for the delivery of such a project given its complexity and key issues that will need to be considered.

As a guide, the timeframe for the implementation of rowing training for Kinross Wolaroi School on Spring Creek Reservoir was:

- August 1999 – Commence Plan of Management development.
- June 2001 – Plan of Management adopted by Council.
- June 2002 – Development Application lodged for facility (Boatshed and pontoon jetty) and approved with consent to operate.
- July 2002 – the Central West Environment Group sought intervention from NSW Land and Environment Court.
- May 2003 – NSW Land and Environment Court decision in favour of Kinross Wolaroi School and Orange City Council.
- May 2004 – Orange City Council and Kinross Wolaroi School entered into a licence to use Spring Creek Dam as a rowing facility.
- December 2004 – rowing training commenced.

RECREATIONAL USE OTHER WATER SUPPLY DAMS**LAKE ROWLANDS**

The same size as Spring Creek Dam, Lake Rowlands is owned and operated by Central Tablelands Water and has a total storage volume of 4,500 ML. It has a closed catchment with no public access and a direct pipeline to Carcoar Water Treatment Plant.

CHIFLEY DAM

Owned and operated by Bathurst Regional Council, the major water storage for Bathurst is Chifley Dam located on the Campbell's River 17 kilometres upstream of Bathurst. The dam's capacity is 30,800 ML.

Water released from the dam flows down the Campbells River into the Macquarie River. It is then drawn from the Macquarie River and treated to supply Bathurst. Recreational activities permitted on the dam include:

- Fishing;
- Swimming;
- Sailing and canoeing;
- Power boating (skiing); and
- Camping and cabins.

5.3 Feasibility and Impacts of Fishing in Suma Park Dam

PEJAR DAM

Owned and operated by Goulburn Mulwaree Council, Pejar Dam is located downstream of the former junction of Pejar Creek and the Wollondilly River. It is approximately 27 kilometres northwest of Goulburn. Pejar Dam has a current capacity of 9,000 ML.

When required water from Pejar Dam is released and flows to Goulburn down 54 kilometres of the Wollondilly River. This water is impounded at Rossville Weir and is then drawn from Rossville Weir for treatment at the Goulburn Water Filtration Plant.

Pejar Dam is stocked with Brown Trout, Rainbow Trout and Australian Bass.

- Picnicking
- Fishing
- Bird watching

GOOGONG DAM

The Googong foreshores includes Googong Dam and Reservoir, a large water source for the ACT. While the area is part of New South Wales, it is managed by the ACT Parks and Conservation Service under a special agreement with NSW and the Commonwealth Governments.

Recreational activities permitted include:

- Canoeing
- Fishing
- Walking; and
- Cycling

The dam is the single largest reservoir in the Capital region, holding **119,400 ML** of water. It supplies drinking water to Canberra, Queanbeyan and the Googong township in times of peak summer demand and offers a redundancy supply system if water quality in the Cotter catchment deteriorates.

The Queanbeyan River catchment, which feeds Googong Dam, is an inhabited rural catchment and extensive treatment is necessary to ensure a safe drinking water supply.

At Googong Dam, water is drawn from the storage and pumped to the nearby water treatment plant where water is fed to Canberra's service reservoirs through the Googong Bulk Supply Main.

LAKE BURRAGORANG (WARRAGAMBA DAM)

Owned and operated by WaterNSW, Lake Burragorang (impounded by Warragamba Dam) has a total storage volume of **2,031,000 ML**. It is located within the World Heritage Site of the Greater Blue Mountains Area.

Lake Burragorang serves as a major water supply for greater metropolitan Sydney.

The reservoir collects water from the converged flows of the Coxs, Kowmung, Nattai, Wingecarribee, Wollondilly, and Warragamba rivers and their associated tributaries, all within the Nepean and Hawkesbury River catchment.

From Warragamba Dam, water flows by gravity through two pipelines, 27km to Prospect Reservoir after which it is treated at Prospect Water Treatment Plant.

5.3 Feasibility and Impacts of Fishing in Suma Park Dam

No water based activities including fishing are allowed at Lake Burragorang (Warragamba Dam).

PROSPECT RESERVOIR

The Prospect Reservoir is a heritage-listed **50,200 ML** potable water supply and storage reservoir created by the Prospect Dam. The reservoir has a large recreational area on its eastern side with a number of park precincts that feature picnic spots, lookouts and BBQs.

Prospect Reservoir is Sydney's largest reservoir and stores water conveyed from Warragamba Dam, the Upper Nepean Dams (Cataract, Cordeaux, Avon and Nepean) and if necessary, from the Shoalhaven Scheme, for supplying the larger component of the water distribution system of the Sydney metropolis.

No water based activities including fishing are allowed at Prospect Reservoir.

ATTACHMENTS

- 1 DPI Fisheries - Creating Fishery at Spring Creek Reservoir - Orange NSW, D23/17502 [↓](#)
- 2 Report - IPC 6 June 2017 Recreational use of Gosling Creek, Spring Creek and Suma Park Dams, D23/17505 [↓](#)
- 3 Report - IPC 5 September 2017 Recreational use of Gosling Creek Dam, Spring Creek Dam and Suma Park Dam, D23/17508 [↓](#)
- 4 Report - CCL 15 May 2018 Recreational use of Gosling Creek, Spring Creek and Suma Park Dams, D23/17509 [↓](#)
- 5 Report - SPC 4 September 2018 Recreational use of Gosling Creek, Spring Creek and Suma Park Dams, D23/17510 [↓](#)
- 6 Report - SRPC 4 December 2018 Recreational use of Gosling Creek, Spring Creek and Suma Park Dams - Report Following Public Exhibition, D23/17511 [↓](#)
- 7 Report - CCL 4 June 2019 Recreational use of Spring Creek and Suma Park Dams, D23/17514 [↓](#)

DPI Fisheries – Creating a new fishery at Spring Creek Reservoir

Department of Primary Industries
Department of Regional NSW



24/2/2023

Mr David Waddell
CEO
Orange City Council
Po Box 35
Orange NSW, 2800

Re: Creating a new fishery at Spring Creek Reservoir

Dear David,

Thanks again for the recent catch up to discuss ways we can work with you to improve recreational fishing opportunities in the Orange region via the implementation of managed access to Spring Creek Reservoir.

As you are aware, Spring Creek Reservoir is situated close to central Orange and is currently used in a limited capacity for recreational rowing. Given its size and the availability of public access locations along the northern and eastern shoreline, we consider Spring Creek Reservoir to offer significant potential as a new, high-class impoundment fishery. Potential access to the reservoir could involve passive watercraft (canoes and kayaks) as well as opportunities for land-based fishing.

Given the location and size of Spring Creek Reservoir, and taking into account the favourable local climatic conditions, we consider this reservoir would be well suited to a mixed native fish/trout fishery (Murray Cod, Golden Perch, Brown Trout, Rainbow Trout and potentially Tiger Trout). A mixed fishery such as this would provide an excellent fishing amenity for local anglers. Additionally, a new fishery at Spring Creek Reservoir would deliver tourism opportunities by providing travelling anglers with extra incentive to choose the Orange region as their next fishing destination.

As this would be a new fishery, I'd like to highlight the opportunities for Council and DPI Fisheries to work together to tailor management and stocking to maximise the reservoir's appeal and productivity. This could range from designating the reservoir as a lure and fly only fishery/or restricted bait fishery, having restricted bag limits and limiting use to daylight hours only.

DPI Fisheries understands this reservoir is part of the Orange Council water supply network and recognises that it is an important asset in terms of general water security. With this in mind, you will be interested to know that similar NSW water supply reservoirs including Pejar Dam near Goulburn

and Googong Dam near Queanbeyan are already managed to provide high quality fishing amenity. Additionally, South Australia also has recently established many of its water supply reservoirs as popular recreational fisheries via specific rules and regulations for each waterbody. Please see <https://www.reservoirs.sa.gov.au/activities/fishing> for more information.

While I realise discussions about opening Spring Creek Reservoir to recreational fishing access are currently at an early stage, I would like to let you know that there may be funding opportunities from the Recreational Fishing Trust for facilities and infrastructure to enhance fishing access and amenity. For example, funding, if approved, could be utilised for fishing platforms, fencing, car parks, toilet facilities and signage. Furthermore, if Spring Creek is opened as a new fishery, we can also add it to the DPI stocking schedule and provide native fish and trout to stock into the future.

As discussed, there is also opportunity for Orange Council to apply to the popular Dollar-for-Dollar stocking program, which is managed by DPI with support from the Recreational Fishing Trusts.

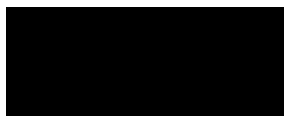
We would like to take the opportunity here to highlight the socio-economic importance of recreational fishing in NSW, particularly in regional areas. You may be interested to note that on an annual basis the recreational fishing sector is enjoyed by 1 million people, contributes \$3.2bn to the NSW economy and supports 14,000 full-time jobs.

Given these significant socio-economic benefits, you will appreciate that a key priority for DPI Fisheries involves working with local government and other agencies to identify new opportunities for increased fishing access.

In closing, DPI Fisheries looks forward to working with you to progress this opportunity. We will be available to provide any additional information either in person, via presentation or via email. DPI is also available to meet further with relevant Council staff as needed.

If you require any further information, please do not hesitate to contact me on 0436 454 393 or email rohan.rehwinkel@dpi.nsw.gov.au.

Sincerely



Rohan Rehwinkel
Fisheries Management Officer inland
Fisheries and Aquaculture Management Unit
DPI Fisheries

INFRASTRUCTURE POLICY COMMITTEE

6 JUNE 2017

3.4 RECREATIONAL USE OF GOSLING CREEK, SPRING CREEK AND SUMA PARK DAMS

TRIM REFERENCE: 2017/783

AUTHOR: Wayne Beatty, Water and Sewerage Strategic Manager

EXECUTIVE SUMMARY

This report is in response to Council's resolution (below) and a subsequent Council briefing session held on Tuesday 11 April 2017.

On 3 November 2015 Council resolved:

2.1 PASSIVE RECREATION USES FOR SPRING CREEK DAM AND SUMA PARK DAM

TRIM REFERENCE: 2015/2793

RESOLVED - 15/497**Cr J Davis/Cr N Jones**

- 1 *That Council investigate passive recreation uses for the Spring Creek Dam and Suma Park Dam.*
- 2 *That Council investigate the acquisition of land with direct frontage to Suma Park Dam in the Sporting and Recreational Precinct.*

At the briefing session, Council indicated to staff that Gosling Creek Dam be considered for water-based recreational activities for the upcoming 2017/2018 summer season.

The main focus of this report is the introduction of water-based recreational activities on Gosling Creek Dam. Activities proposed for Gosling Creek Dam will, essentially, reflect activities that are currently undertaken at Lake Canobolas.

While Council will pursue the use of both Spring Creek and Suma Park Dams for recreational purposes, it was generally agreed that these water storages could be considered for recreational use in the future – Spring Creek Dam in the first instance followed by Suma Park Dam.

Developing a Plan of Management and an associated Master Plan will address all key considerations, infrastructure, management and operational requirements in order to implement water-based recreational activities on Council's water storages. These issues are outlined in more detail in the body of this report. In considering these issues, Council should then be able to make informed decisions around any infrastructure and operational requirements going forward.

Whilst these issues do present their challenges, by way of potential resourcing implications, and associated costs, they can be managed now and into the future in order to implement water-based activities onto Gosling Creek Dam.

LINK TO DELIVERY/OPERATIONAL PLAN

The recommendation in this report relates to the Delivery/Operational Plan strategy "15.2 Our Environment – Operate, maintain, renew and upgrade water, sewer and stormwater infrastructure assets and services as specified within the Asset Management Plans at agreed levels of service".

INFRASTRUCTURE POLICY COMMITTEE**6 JUNE 2017****3.4 Recreational use of Gosling Creek, Spring Creek and Suma Park Dams**

FINANCIAL IMPLICATIONS

Additional funds and resources will need to be allocated in order to build infrastructure, manage and operate Suma Park Dam, Spring Creek Dam and Gosling Creek Reserve, if both land-based and water-based recreational use is to be permitted.

POLICY AND GOVERNANCE IMPLICATIONS

Council will be required to comply with requirements set by the Local Government Act 1993 as well as the Crown Lands Act 1989.

RECOMMENDATION

- 1 That the July 1996 Gosling Creek Reservoir Plan of Management be updated in accordance with the Local Government Act, 1993 and the Crown Lands Act 1989, with the aim of including additional water-based activities such as swimming and non-motorised boating on Gosling Creek Reservoir, as well as additional land-based activities to enable the site to achieve its full recreational potential.**
- 2 That the recreational use of Spring Creek Reservoir and Suma Park Dam be considered by Council after the implementation of recreational use at Gosling Creek Dam.**

FURTHER CONSIDERATIONS

Consideration has been given to the recommendation's impact on Council's service delivery; image and reputation; political; environmental; health and safety; employees; stakeholders and project management; and no further implications or risks have been identified.

SUPPORTING INFORMATION**GOSLING CREEK RESERVE**

Council wishes to expand the range of activities at Gosling Creek Reservoir based on feedback from the community that the site is not being utilised to its full potential. Given its current popularity with users, its proximity to the city and convenient linkages to nearby cycle routes, plus the feedback from the recently held NSW Club Championship Triathlon at Gosling Creek Reservoir, the addition of a limited range of water based activities would add significant community value to this facility. It is proposed to permit the following additional water-based recreational activities on Gosling Creek Dam:

- Swimming
- Non-motorised boating (canoeing, kayaking and sailing)

Gosling Creek Reserve is also currently used for a range of land-based recreational activities, with activities such as camping, hunting and trail bike riding specifically prohibited. While these prohibitions should remain in place it is proposed to explore a range of other permissible activities, such as triathlons, Human Powered Vehicle (HPV) racing and the like which have emerged in recent years as opportunities for the Gosling Creek reserve.

Plan of Management and Master Plan Report

The *Gosling Creek Reserve Plan of Management* was adopted by Council on 14 July 1996 and is the key management document which outlines what activities are allowed and which are prohibited at the site.

INFRASTRUCTURE POLICY COMMITTEE**6 JUNE 2017****3.4 Recreational use of Gosling Creek, Spring Creek and Suma Park Dams**

Gosling Creek Reserve is unique in that 30 percent of the reserve comprises Council owned Community Land, being the area of the reserve principally to the south of the actual reservoir; with the remaining 70 percent portion Crown land, which includes the majority of the water body as well as most of the developed areas to the north of the reservoir (see aerial photo). This division reflects the alignment of the original creek prior to the dam wall being constructed.

The Crown Land portion of the reserve was recently gazetted as *Public Recreation* under Section 121A of the Crown Lands Act, 1989, which now permits activities such as triathlons on the reservoir and surrounding northern land. This also enables Council to use the land for Public Recreation purposes.

The *General Community Use* land category which applies to the portion of the site owned by Council allows recreational activities to be undertaken on the Reserve. However the existing Plan of Management, which covers the entire site, is more prescriptive on what activities can occur on the site and prohibits activities such as swimming and non-powered boating on both the 70 percent Crown Land portion as well as the 30 percent Council owned portion.

To ensure the entire site can be utilised for recreational activities the Plan of Management requires updating for Gosling Creek Reserve under both the Local Government Act, 1993 and the Crown Lands Act, 1989. The recently revised Crown Lands Act refers to the processes of the Local Government Act when developing Plans of Management.

The *Gosling Creek Reserve Master Plan Report* was prepared in July 2001. It was subsequently resolved by Council on 21 February 2002:

"That Council adopts and commences the implementation of the preferred (July 2001) Landscape Master Plan."

This Plan provides more detail on how the Gosling Creek Reserve can be utilised and has guided much of the development of the site since its adoption in 2001. This Plan should be used to inform the update of the Plan of Management so that the two Plans align with each other. The Masterplan can also assist in guiding future development on the site, however consideration should be given to updating this plan, particularly if Dams Safety Committee requirements (see below) dictate the need for changes to be made with the dam wall and associated infrastructure.

Potential issues with increased water-based activities

Council needs to adopt an appropriately diligent assessment of the water quality issues associated with allowing increased recreational use on Gosling creek reservoir. Consideration needs to be given to the National Health and Medical Research Council's (NHMRC) 2008 Guidelines for Managing Risks in Recreational Water. Although not mandatory, following these guidelines ensures recreational water environments are managed as safely as possible.

The NHMRC Australian Drinking Water Guidelines (ADWG 2011) is the authoritative document for drinking water management in Australia. It contains information about management of drinking water systems from catchment to consumer. The NHMRC are considering the introduction of additional requirements in a pending guideline review that will be used to determine the appropriate treatment process to address the source water risk. Recreational use of the water body is one of the risk considerations.

INFRASTRUCTURE POLICY COMMITTEE

6 JUNE 2017

3.4 Recreational use of Gosling Creek, Spring Creek and Suma Park Dams

The proposed update to the guidelines, discuss 'inner' and 'outer' catchments. Gosling Creek Dam could be considered to be in the 'outer' catchment and as such, the introduction of water-based recreational activities poses less of a risk to source water than our primary and secondary water storages i.e. Suma Park and Spring Creek Dams.

Dam Safety Upgrade Works

Gosling Creek Dam is on the NSW Dams Safety Committee's (DSC) highest risk dams list. Given the age and condition of the dam wall, it is the DSC's view *'that structural failure would likely occur if a 1:100,000 Annual Exceedance Probability (AEP) flood were to overtop the dam'*.

Based on this structural uncertainty, the DSC has requested that geotechnical testing be undertaken to confirm the stability of the dam wall. Information from this geotechnical work is essential for any likely subsequent work in assessing remedial options for the dam wall and detail design. This work is scheduled to be undertaken in the 2017/18 financial year.

The outcomes of this investigation work may be a need for upgrade works to be undertaken on the dam wall in the near future, with possible work to upgrade the wall currently identified in the 2022/23 financial year.

IF that were to occur the dam wall itself and the area surrounding the dam wall would need to be a restricted area in regard to any water based activities.

Update of Plan of Management

It is anticipated that the following activities need to occur to enable the necessary changes to the Plan of Management at Gosling Creek reserve:-

- Consent of the Minister (Crown Lands) for draft Plan of Management to be prepared (4 weeks)
- Prepare draft Plan of Management (2 weeks)
- Public exhibition of draft Plan of Management for at least 28 days (4 weeks)
- Assessment of any submissions (2 weeks)
- Post exhibition report to Council meeting (proposed October 2017) that considers all submissions. Council may then adopt and/or amend the draft Plan of Management. Any amendment triggers re-exhibition if the changes are "substantial". If changes are not substantial, then it can be adopted with a public notice of adoption and the terms of the amended Plan of Management.
- Plan of Management adopted by the Minister (Crown Lands)
- Once the Plan of Management is adopted, Council can then approve the additional recreational activities, subject to the provision of any funding required to enable these activities to be implemented. This could include access/launch points to waterbody (for swimming and boating), signage etc.

INFRASTRUCTURE POLICY COMMITTEE

6 JUNE 2017

3.4 Recreational use of Gosling Creek, Spring Creek and Suma Park Dams

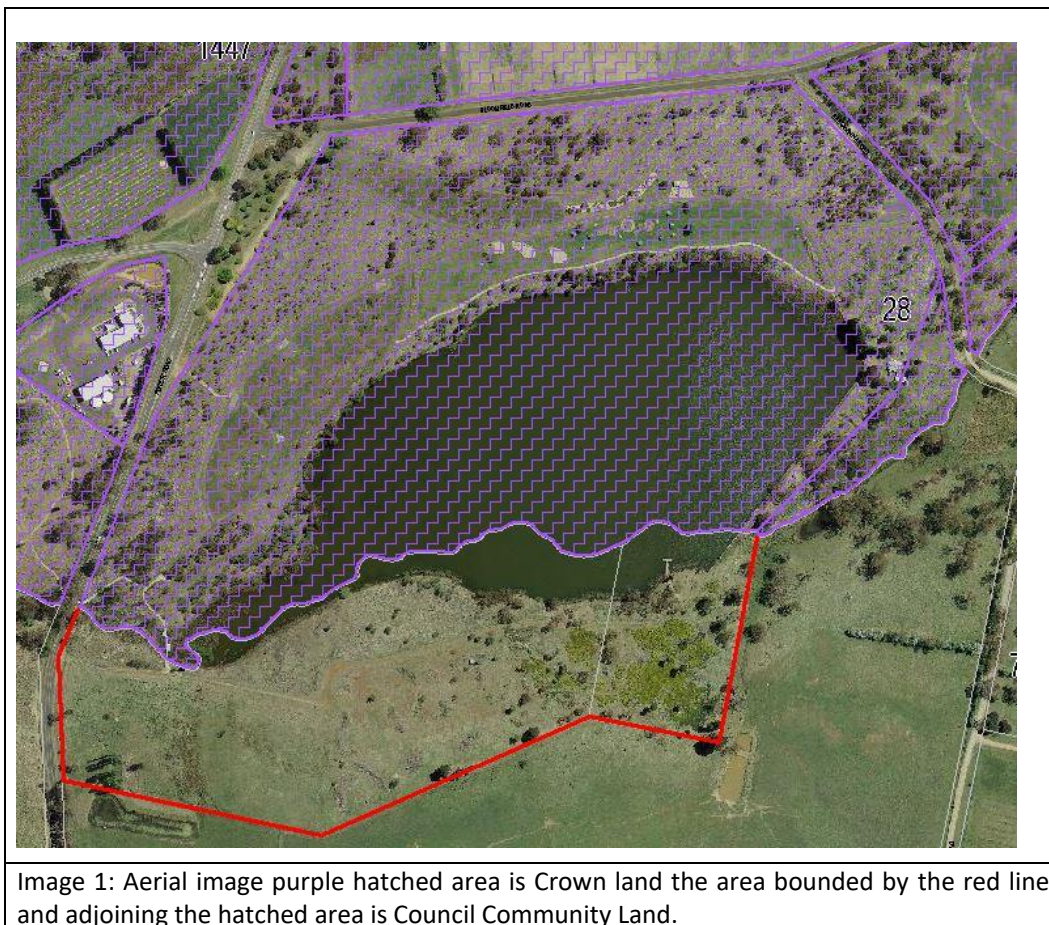


Image 1: Aerial image purple hatched area is Crown land the area bounded by the red line and adjoining the hatched area is Council Community Land.

SPRING CREEK RESERVOIR**Plan of Management**

Spring Creek Reservoir is owned by Orange City Council and is classified as Community Land. The Plan of Management was adopted by Council on 3 December 2007. This plan specifically provides for the use of the land for *“public water supply purposes along with specific provisions to permit the controlled and supervised rowing training and other low impact recreational activities subject to development consents and licensing arrangements”*.

If Council was to consider alternate recreational uses for the reservoir, the Plan of Management would need to be updated and an associated Master Plan prepared.

SUMA PARK RESERVOIR**Plan of Management**

Suma Park Reservoir is owned by Orange City Council and is classified as Community Land. The land is categorised as *Natural Area* (with subcategories of *Bushland*, *Watercourse* and *Wetland*) and will require a Plan of Management to be developed and adopted by Council under the Local Government Act, 1993.

INFRASTRUCTURE POLICY COMMITTEE

5 SEPTEMBER 2017

3.2 RECREATIONAL USE OF GOSLING CREEK DAM, SPRING CREEK DAM AND SUMA PARK DAM

TRIM REFERENCE: 2017/1883

AUTHOR: Wayne Beatty, Water and Sewerage Strategic Manager

EXECUTIVE SUMMARY

Council, at its Infrastructure Policy Committee Meeting of 6 June 2017 resolved as follows:

3.4 RECREATIONAL USE OF GOSLING CREEK, SPRING CREEK AND SUMA PARK DAMS

TRIM REFERENCE: 2017/783

RESOLVED - 17/229**Cr J Davis/Cr J Hamling**

- 1 *That the July 1996 Gosling Creek Reservoir Plan of Management be updated in accordance with the Local Government Act, 1993 and the Crown Lands Act 1989, with the aim of including additional water-based activities such as swimming and non-motorised boating on Gosling Creek Reservoir, as well as additional land-based activities to enable the site to achieve its full recreational potential by September 2018.*
- 2 *That the recreational use of Spring Creek Reservoir and Suma Park Dam be considered by Council after the implementation of recreational use at Gosling Creek Dam.*
- 3 *That a report on the timeline and actions to be finalised to allow recreational use of Spring Creek Reservoir and Suma Park Dam be provided to Council within three months.*

This report is an update on the status of these recommendations. It outlines the key issues that Council needs to take into consideration in developing a city-wide Recreational Waters Strategy. It is intended that this strategy will assess the water use recreational needs of Orange and make recommendations to Council on a way forward with this project.

LINK TO DELIVERY/OPERATIONAL PLAN

The recommendation in this report relates to the Delivery/Operational Plan strategy “15.2 Our Environment – Operate, maintain, renew and upgrade water, sewer and stormwater infrastructure assets and services as specified within the Asset Management Plans at agreed levels of service”.

FINANCIAL IMPLICATIONS

This project has not been identified in the current Delivery/Operational Plan or 2017/18 – 2026/27 Long Term Financial Plan.

Consideration will need to be given to how a Recreational Water Strategy could be staged and funded.

POLICY AND GOVERNANCE IMPLICATIONS

Nil

INFRASTRUCTURE POLICY COMMITTEE

5 SEPTEMBER 2017

3.2 Recreational use of Gosling Creek Dam, Spring Creek Dam and Suma Park Dam

RECOMMENDATION

That Council develop a Recreational Water Strategy for the City of Orange.

FURTHER CONSIDERATIONS

Consideration has been given to the recommendation's impact on Council's service delivery; image and reputation; political; environmental; health and safety; employees; stakeholders and project management; and no further implications or risks have been identified.

Service Delivery	Drinking water quality, security of drinking water supply assets
Image and Reputation	Tourism/economic benefit
Political	Project funding and impact on Council's Long Term Financial Plan
Environmental	Wildlife and wildlife habitat management, preservation of historic sites in the area, introduction of weeds or exotic plants, introduction of vermin and exotic animals, foreshore erosion, litter and heightened risk of bushfires.
Health and Safety	Legal and public liability, water quality health risks to users
Employees	Additional skilled staff resources and operational costs
Stakeholders	Orange residents, external/regional users (including sporting clubs), Federal and State Government Approvals Authorities/Regulators
Projects	Project requires high level strategic planning which has not yet been undertaken. This includes land acquisition and infrastructure considerations and detailed cost estimates.

SUPPORTING INFORMATION

Council staff are currently investigating all of the key issues that need to be addressed when introducing recreational use on to its drinking water storages. Depending on the type of use that Council may wish to pursue, these issues will be addressed differently, with different infrastructure and operational requirements for the facility.

Managing risk in Recreational Water

The National Health and Medical Research Council's (NHMRC) 2008 Guidelines for Managing Risks in Recreational Water classifies recreational activities by the degree of water contact as described below:

- Primary contact — activity in which the whole body or the face and trunk are frequently immersed or the face is frequently wet by spray, and where it is likely that some water will be swallowed or inhaled, or come into contact with ears, nasal passages, mucous membranes or cuts in the skin (such as swimming)
- Secondary contact — activity in which only the limbs are regularly wet and in which greater contact (including swallowing water) is unusual (such as non-motorised boating (canoeing, kayaking, sailing, fishing, wading), and including occasional and inadvertent immersion through slipping)
- Aesthetic uses — activity in which there is normally no contact with water (e.g. angling from shore), or where water is incidental to the activity (e.g. bushwalking/orienteering, bird watching, picnicking, mountain biking)

INFRASTRUCTURE POLICY COMMITTEE

5 SEPTEMBER 2017

3.2 Recreational use of Gosling Creek Dam, Spring Creek Dam and Suma Park Dam

Infrastructure requirements for all three classifications are outlined in this report.

Gosling Creek Reserve

The process for introducing aquatic activities, swimming and non-powered boating onto Gosling Creek Dam this summer is well underway.

Gosling Creek Reserve is predominately Crown Land (70% of the land/water mass of the Reserve is Crown Land) under the care and control of the 'Brandy Corner Reserve Trust' (Council) and the remaining 30% is community land (Council); as such Council must develop a draft Plan of Management compliant with Crown Lands requirements.

Following Council's resolution, a letter formally requesting the Minister for Lands and Forestry, the Hon Paul Toole MP, to approve the Trust (Council) to develop a new Plan of Management for Gosling Creek Reserve to include, within the purpose of the Reserve, Public Recreation – aquatic activities; swimming and non-powered watercraft access within and upon the reservoir, was sent. Council received notification from the Minister, on 9 August 2017, granting approval for the preparation of a Draft Plan of Management by the Trust (Council) under section 112 of the Crown Lands Act 1989.

Staff commenced writing a draft Plan of Management in July 2017 and it is anticipated that the draft Plan of Management will be placed on public exhibition for 28 days, as required by Crown Lands Act 1989, in early September 2017. Following a review of submissions any amendments or additions will be made to the draft Plan of Management (PoM) for Council's consideration before forwarding the draft PoM and all comments received during the public exhibition period to the Minister for adoption, amendment or revocation.

Suma Park Dam and Spring Creek Reservoir**Key considerations**

The following risks are key issues to consider if Council were to introduce recreational activities onto either Spring Creek or Suma Park Dam:

- Impact on drinking water quality – The Australian Drinking Water Guidelines (ADWG 2011) is the authoritative document for drinking water management in Australia. It contains information about management of drinking water systems from catchment to consumer. The second guiding principle of the ADWG highlights the importance of protecting water sources:

'Protection of water sources and treatment are of paramount importance and must never be compromised'

The NHMRC are now considering the introduction of additional requirements in a pending guideline review that will be used to determine the appropriate treatment process to address the source water risk. Recreational use of the water body is one of the risk considerations. Unprotected catchments may require a higher level of treatment in order to provide a safe drinking water supply. The Orange drinking water supply catchment would be considered an unprotected catchment and, as such, additional treatment upgrades may be necessary unless catchment management practices can be improved. Water treatment cost implications (potential treatment plant upgrades) may need to be considered if water-based recreational activities are introduced to Council's drinking water storages.

INFRASTRUCTURE POLICY COMMITTEE

5 SEPTEMBER 2017

3.2 Recreational use of Gosling Creek Dam, Spring Creek Dam and Suma Park Dam

- Potential health impact on recreational users – As mentioned earlier, recreational use on dams should follow the Guidelines for Managing Risks in Recreational Water (NHMRC 2008). Although not mandatory, following these guidelines ensures recreational water environments are managed as safely as possible. The potential impacts of water quality, water temperature and blue green algae should be considered
- Legal and Public Liability – duty of care to persons using the water storage (potential hazards associated with access to dam wall, hazards above and below the water)
- Public use impacts of foreshore erosion introducing sediment into the water storage
- Wildlife and wildlife habitat management
- Changes in system ecology
- Increased risk of fire
- Security of drinking water supply assets

Other issues to consider include:

- Land acquisition requirements
- Water storage levels
- Impacts on adjoining neighbours – e.g. noise

Required infrastructure

Depending on the type of use, there are cost and resourcing implications in managing all of the risks and infrastructure requirements. Infrastructure requirements need to be funded and other risks mitigated by operational practices and procedures.

Depending on the type of use, infrastructure requirements include:

Aesthetic uses (Bushwalking/biking)

- Bike/bush walking paths
- Non-vehicle access routes
- Toilet facilities
- Rubbish bins
- Signage; and
- Fencing

Biking may also require appropriate car parking and road access.

Secondary contact (Non-motorised boating (canoeing, kayaking, sailing)/picnicking)

Infrastructure requirements in addition to requirements for *aesthetic uses*:

- Access road(s)
- Car parking
- Access/launch points to water body; and
- Barbeques

INFRASTRUCTURE POLICY COMMITTEE**5 SEPTEMBER 2017****3.2 Recreational use of Gosling Creek Dam, Spring Creek Dam and Suma Park Dam**

Primary contact (Swimming/fishing)

Infrastructure requirements in addition to requirements for secondary contact

- Marker buoys
- Bike/ bush walking paths
- Non-vehicle access routes
- Toilet/change room facilities
- Fencing
- Rubbish bins
- Signage
- Covered areas
- Cleared areas
- Drinking water for users
- Fish cleaning areas
- Beach areas

Operational management

The potential costs associated with the operational management of recreational activities could include:

- Additional drinking water treatment processes
- Management of access to water storages
- Maintenance and rehabilitation of infrastructure to support the recreational activities
- Monitoring of water quality and recreational users
- Policing of recreational users

Timeframe for approvals, development and implementation

At this early stage, it is difficult to estimate a timeframe for the delivery of such a project given its complexity and key issues that will need to be considered.

It is worth noting, however, the timeframe for the implementation of Rowing Training for Kinross Wolaroi School on Spring Creek Reservoir. In order to gain approval to undertake this Rowing Training on the Reservoir, the Plan of Management was prepared and adopted by Council in June 2001 after which Kinross Wolaroi School lodged a Development Application to construct a Boatshed and Pontoon Jetty for Council approval.

INFRASTRUCTURE POLICY COMMITTEE**5 SEPTEMBER 2017****3.2 Recreational use of Gosling Creek Dam, Spring Creek Dam and Suma Park Dam**

The consent and approvals process to enable Kinross Wolaroi School to use the Reservoir for Rowing Training commenced in August 1999. From this date, it took over five years before Kinross Wolaroi School actually commenced Rowing Training on the Reservoir. The timeline is outlined below for Council's information:

- August 1999 – Commence Plan of Management development
- June 2001 – Plan of Management adopted by Council
- June 2002 – Development Application lodged for facility (Boatshed and Pontoon Jetty) and approved with consent to operate
- July 2002 – the Central West Environment Group took both Kinross Wolaroi School and Orange City Council to the NSW Land and Environment Court.
- May 2003 – NSW Land and Environment Court decision in favour of Kinross Wolaroi School and Orange City Council
- May 2004 – Orange City Council and Kinross Wolaroi School entered into a Licence to use Spring Creek Dam as a Rowing Facility
- December 2004 – Rowing Training commenced

Cost estimates

In order to give Council an appreciation of the infrastructure and operational costs to implement recreational use onto Spring Creek Reservoir or Suma Park Dam, the following information is relevant for Gosling Creek Reserve.

- Infrastructure costs \$950,000 which includes the following:
 - Concept masterplan design
 - Toilet facilities
 - Picnic tables, shelters and BBQs
 - Pathways and boardwalks
 - Playground
 - Signage
 - Landscaping trees shrubs features
 - Fencing
 - Pontoon/jetty fishing access; and
 - Beach access

- Operational costs \$90,000 per annum

The infrastructure and operational costs to introduce recreational use onto either Spring Creek Reservoir or Suma Park Dam would be considerably higher due to the relative size of these facilities and associated infrastructure requirements (including land acquisition costs). It could be expected that Council may need to commit between \$5m – \$10m into this project in the medium to long term with annual operational costs in the order of \$500,000.

INFRASTRUCTURE POLICY COMMITTEE**5 SEPTEMBER 2017****3.2 Recreational use of Gosling Creek Dam, Spring Creek Dam and Suma Park Dam**

Recreational Waters Strategy

Investigations to date have revealed that introducing recreation onto Spring Creek Reservoir and Suma Park Dam is a complex, lengthy and costly exercise for Council to embark on. The issues that have been identified in this report need to be addressed by further developing a Recreational Waters Strategy and Masterplan for all of Council's water storages which can subsequently be implemented or staged over a number of years.

COUNCIL MEETING

15 MAY 2018

5.6 RECREATIONAL USE OF GOSLING CREEK, SPRING CREEK AND SUMA PARK DAMS

TRIM REFERENCE: 2018/934

AUTHOR: Scott Maunder, Director Community, Recreation and Cultural Services

EXECUTIVE SUMMARY

This report provides information on the costs and timeframe for permitting supervised fishing, camping and boating at Suma Park Dam, Gosling Creek Reserve and Spring Creek Dam, to include amenities, car parking and a camping ground.

LINK TO DELIVERY/OPERATIONAL PLAN

The recommendation in this report relates to the Delivery/Operational Plan strategy “15.2 Our Environment – Operate, maintain, renew and upgrade water, sewer and stormwater infrastructure assets and services as specified within the Asset Management Plans at agreed levels of service”.

FINANCIAL IMPLICATIONS

Additional funds and resources will need to be allocated in order to build infrastructure, manage and operate Suma Park Dam, Spring Creek Dam and Gosling Creek Reserve, if both land-based and water-based recreational use is to be permitted.

POLICY AND GOVERNANCE IMPLICATIONS

Council will be required to comply with requirements set by the Local Government Act 1993 as well as the Crown Lands Act 1989.

RECOMMENDATION

That Council publicly exhibits, for a period of 28 days, proposals to:

- 1 Permit primitive camping on the southern side of Gosling Creek;
- 2 Permit access to Spring Creek Dam for non-powered and electric boating, fishing but not camping;
- 3 Not permit land or water based activity at Suma Park;

FURTHER CONSIDERATIONS

The recommendation of this report has been assessed against Council’s other key risk categories and the following comments are provided:

Service Delivery	Drinking water quality, security of drinking water supply assets
Image and Reputation	Tourism/economic benefit
Political	Project funding and impact on Council’s Long Term Financial Plan

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15 MAY 2018

5.6 Recreational use of Gosling Creek, Spring Creek and Suma Park Dams

Environmental	Wildlife and wildlife habitat management, preservation of historic sites in the area, introduction of weeds or exotic plants, introduction of vermin and exotic animals, foreshore erosion, litter and heightened risk of bushfires
Health and Safety	Legal and public liability, water quality health risks to users
Stakeholders	Orange residents, external/regional users (including sporting clubs), Federal and State Government Approvals Authorities/Regulators

SUPPORTING INFORMATION

At its meeting of 7 November 2017 Council resolved

RESOLVED - 17/493**Cr S Romano/Cr M Previtera**

That Council receive report that provides information on the costs and timeframe for allowing supervised fishing, camping and boating at Suma Park Dam, Gosling Creek Reserve and Spring Creek Dam, to include amenities, car parking and a camping ground.

Council has previously received reports on this subject matter with the reports also circulated to Councillors on 20 October 2017. Those reports are attached for reference and background.

POTENTIAL ISSUES WITH INCREASED WATER-BASED ACTIVITIES ON RESERVOIRS

Council needs to adopt an appropriately diligent assessment of the water quality issues associated with allowing increased recreational on reservoirs. Consideration needs to be given to the National Health and Medical Research Council's (NHMRC) 2008 Guidelines for Managing Risks in Recreational Water. Although not mandatory, following these guidelines ensures recreational water environments are managed as safely as possible.

The NHMRC Australian Drinking Water Guidelines (ADWG 2011) is the authoritative document for drinking water management in Australia. It contains information about management of drinking water systems from catchment to consumer. The NHMRC are considering the introduction of additional requirements in a pending guideline review that will be used to determine the appropriate treatment process to address the source water risk. Recreational use of the water body is one of the risk considerations.

The proposed update to the guidelines, discuss 'inner' and 'outer' catchments. Gosling Creek Dam could be considered to be in the 'outer' catchment and as such, the introduction of water-based recreational activities poses less of a risk to source water than our primary and secondary water storages i.e. Suma Park and Spring Creek Dams.

SUPERVISION

The resolution of Council sought information in relation to "supervised" activities of fishing, camping and boating.

Supervision can be conducted in a number of ways including:

- 1 Staff on site at times of operation (similar to Aquatic Centre)
- 2 Issuing of licences and spot checks by staff

COUNCIL MEETING**15 MAY 2018****5.6 Recreational use of Gosling Creek, Spring Creek and Suma Park Dams**

3 Remote supervision (similar to system imposed on open space areas of Council where certain activities are permitted or prohibited)

4 A combination of above elements

Council utilises the principals of remote supervision for the management of its open space and recreational areas. This has been implemented using the best practice guidelines of Council's insurer, Statewide Mutual. (With the change of insurer this will require review).

Essentially a risk management analysis is conducted for the site based on:

- Nature of reserve, hazard or pool
- Population use at any one time
- Frequency of use

Each area is then given a score and the relevant signage is installed.

Each proposed site would require assessment and controls to ensure the level of supervision is appropriate.

Example of assessment and required supervision level

For areas which have deep water bodies (depth in excess of 3 metres), high population use at any one time and high frequency of use Council are recommended to consider full time supervision whilst the facility is occupied as well as the display of warning symbols.

In this example the level of risk is such that the installation of a sign alone warning people of the hazards would not be the most appropriate risk reduction technique. A combination of both supervision and signage is the most appropriate approach.

PRIMITIVE CAMPING

Council's experience over recent years with the provision of primitive camping sites at Lake Canobolas, Orange Showground and Caravan Park is that they require active management to ensure compliance with camp ground provisions, garbage removal, cleaning of amenities, and payment of site fees.

RECREATIONAL VEHICLE (RV) SITE

Council has established RV sites at the Showground and with development consent at Lake Canobolas.

Should Council wish to pursue the establishment of a permanent RV site adjacent to a water body it is recommended that this site be located at Lake Canobolas taking advantage of existing infrastructure.

1 GOSLING CREEK

Gosling Creek precinct consists of two components Crown Land to the north and two parcels of council owned community land to the south.

The three parcels of land that make up Gosling Creek are zoned RE1 – Public Recreation and together with the Plan of Management governs its use and development.

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5.6 Recreational use of Gosling Creek, Spring Creek and Suma Park Dams



The Zone RE1 - Public Recreation objectives are:

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.
- To protect open space at riparian and foreshore locations.

Developments permitted with consent are:

Child care centres; Community facilities; Depots; Environmental facilities; Environmental protection works; Function centres; Information and education facilities; Kiosks; Markets; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite day care centres; Restaurants or cafes; Roads; Water recreation structures.

An aerial view of Gosling Creek follows:

COUNCIL MEETING

15 MAY 2018

5.6 Recreational use of Gosling Creek, Spring Creek and Suma Park Dams



Aerial view from south western corner above Forest Road looking down stream along Gosling Creek. Note the shared path network, passive recreational precinct – irrigated grassland, remnant vegetation significant small patch centre left of image.

KEY CONSIDERATIONS

Consistent with the RE1 zoning the precinct is able to be developed to include the provision for camping with an amendment to the Plan of Management. Non-powered boating and fishing is currently permitted at the site.

However the Gosling Creek Reserve is a highly valued recreational area originally set aside to protect the water quality of Orange's drinking supply following the damming of Gosling Creek in 1890. The Reserve and its surrounds of remnant woodland remains a habitat for native wildlife and is also highly valued as a place for passive recreation and a refuge from the urban development of Orange and the Bloomfield Hospital complex to the North.

The development of the site for camping in particular needs to consider the overall goals of the management of the site in particular sensitive areas. Council has identified areas of high conservation biodiversity as indicated below.

COUNCIL MEETING

15 MAY 2018

5.6 Recreational use of Gosling Creek, Spring Creek and Suma Park Dams



OPPORTUNITIES AND CONSIDERATIONS

Opportunity	Considerations	Advantages	Disadvantages
Camping Located on the southern side (council owned) area with access from Forest Road.	<ul style="list-style-type: none"> Supervision of site 	<ul style="list-style-type: none"> Defined area Eliminates conflict with current users 	<ul style="list-style-type: none"> No facilities Requires active supervision of users Operational Cost
Boating – non powered and electric	<ul style="list-style-type: none"> Non powered boating is permitted 	<ul style="list-style-type: none"> Existing activity Good access to water No additional cost. 	<ul style="list-style-type: none"> Nil
Boating – powered	<ul style="list-style-type: none"> Not permitted and would require a change to the plan of 		<ul style="list-style-type: none"> Small area for conduct of activity

COUNCIL MEETING

15 MAY 2018

5.6 Recreational use of Gosling Creek, Spring Creek and Suma Park Dams

Opportunity	Considerations	Advantages	Disadvantages
	management as activity is with Crown Land zone.		<ul style="list-style-type: none"> Degradation of water quality for other uses
Fishing	<ul style="list-style-type: none"> Permitted activity 	<ul style="list-style-type: none"> Current activity Does not require active supervision 	

Cost estimates

- Pending the level of additional infrastructure and estimate of the capital cost for the development of camping on the southern side of Gosling Creek is \$240,000. This includes the following:
 - Composting Toilet facilities: \$100,000
 - Access Road and Parking: \$100,000
 - Signage: \$10,000
 - Fencing – biosecurity areas: \$10,000
 - Potable Water: \$20,000
- Operational costs \$120,000 per annum for active management of camp sites and management.
- Nil additional operational costs if camping is excluded

Timeframe for approvals, development and implementation

Should Council wish to include camping at Gosling Creek this process would involve advertisement of the proposed amendment to the Plan of Management, report to Council and then if resolved by Council the update of the Plan of Management.

Council would then need to conduct the associated works for the installation of the infrastructure.

It is anticipated that this process would be completed within 9 – 12 months.

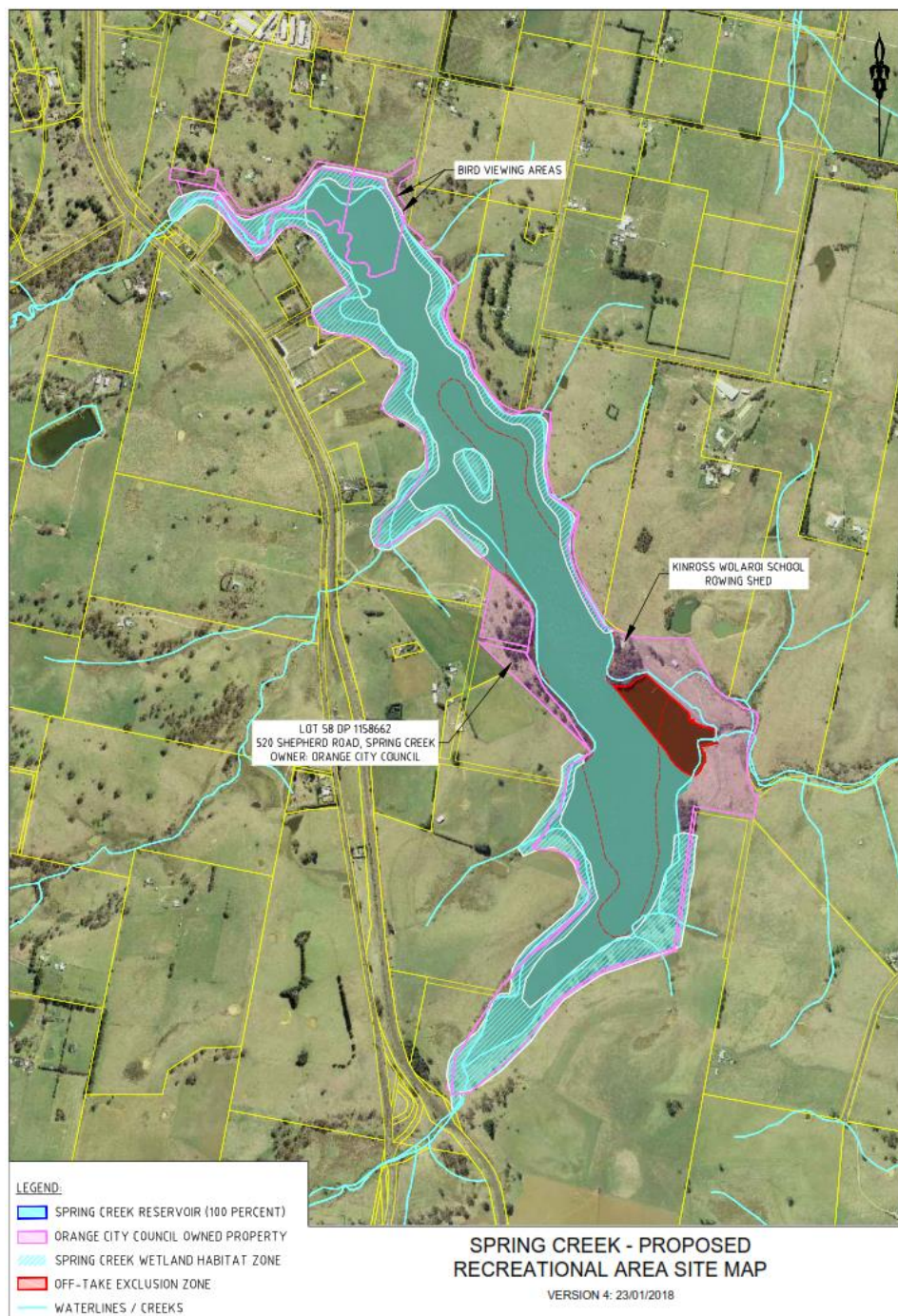
2 SPRING CREEK DAM

Spring Creek Reservoir is owned by Orange City Council and is classified as Community Land. The Plan of Management was adopted by Council on 3 December 2007. This plan specifically provides for the use of the land for “public water supply purposes along with specific provisions to permit the controlled and supervised rowing training and other low impact recreational activities subject to development consents and licensing arrangements”.

COUNCIL MEETING

15 MAY 2018

5.6 Recreational use of Gosling Creek, Spring Creek and Suma Park Dams

**Key considerations***a Drinking Water Quality Risks*

Spring Creek Dam is the secondary source of drinking water for Orange residents. The Australian Drinking Water Guidelines outline six guiding principles that are fundamental in the considerations of safe drinking water. One of these principles says that the “*protection of water sources and treatment are of paramount importance and must never be compromised*”

COUNCIL MEETING

15 MAY 2018

5.6 Recreational use of Gosling Creek, Spring Creek and Suma Park Dams

Introducing recreational activities onto Spring Creek Dam will have public health implications for the Orange Drinking Water Supply

b Plan of Management

Spring Creek Dam is classified as Community land. The current Plan of Management was adopted by Council on 3 December 2007. This plan specifically provides for the use of the land for *“public water supply purposes along with specific provisions to permit the controlled and supervised rowing training and other low impact recreational activities subject to development consents and licencing arrangements”*

Any change to this Plan of Management needs to be exhibited and adopted by Council as required under the Local Government Act. The current Plan of Management for Spring Creek Dam specifically states that *“Uncontrolled recreation activities were considered inappropriate due to the needs to protect habitat values and limit access to protect the integrity of the water supply, considering the likely impacts of a range of activities”*

c Land zoning

The zoning for Spring Creek Dam is for water supply purposes and recreational use is not permissible under this zoning. The LEP will need to be amended in order to rezone the whole site to Public Recreation RE1. The surrounding private land is zoned E3 Environmental Management and RU1 Primary Production. Recreation would then be permissible in the zone, subject to consent.

d Access To Spring Creek Dam For Water Non Powered Boating Activities

As illustrated below access to Spring Creek Dam is controlled by a locked gate and pedestrian access point at the southern end of Lone Pine Avenue at the North East point of the dam. This is the access point to the Kinross Wolaroi School Rowing facility. All other land surrounding Spring Creek Dam is privately owned. The impact of introducing uncontrolled recreation onto Spring Creek Dam on adjoining landowners also needs to be considered.

Council should also note that adjoining landowners access the dam for non-powered boating activities and fishing. There is also strong evidence that members of the public also access the dam for these activities gaining access through fence lines or via the pedestrian access at this access point.

The regulation of this activity would improve the safety of its conduct and provide access to the community.

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5.6 Recreational use of Gosling Creek, Spring Creek and Suma Park Dams



Access point – Spring Creek Dam

- Council could explore the redevelopment of this entrance point to provide a parking area and access point for non-powered boating activities. Access to the dam wall is available along the eastern side.
- Topography – the slope of land adjacent to the waterbody is suitable for access points
- Variable (low or high) water levels at any one given time may restrict access to the waterbody.
- “No-go” zones – buffer zones around critical water supply infrastructure will be required (i.e. near the dam wall)
- Opening hours need to be considered

e Access and variable water levels

f Health impact on users

- blue green algae outbreaks – using the waterbody would be restricted when blue green algae concentration is above health guidelines

OPPORTUNITIES AND CONSIDERATIONS

Opportunity	Considerations	Advantages	Disadvantages
Boating – non powered and electric	<ul style="list-style-type: none"> • Access points • Amendment to plan of management, LEP and Development Application 	<ul style="list-style-type: none"> • Accessible from existing access road • Used by community currently • Regulate current 	<ul style="list-style-type: none"> • Conflict with current users and landholders

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5.6 Recreational use of Gosling Creek, Spring Creek and Suma Park Dams

Opportunity	Considerations	Advantages	Disadvantages
		unapproved activity	
Camping Located on western side of Spring creek dam	<ul style="list-style-type: none"> Supervision of site Access Provision of amenities 	<ul style="list-style-type: none"> Council Owned Defined area 	<ul style="list-style-type: none"> Land locked no access No facilities Requires active supervision of users Operational Cost
Boating – powered	<ul style="list-style-type: none"> Access points Water quality risk Amendment to plan of management, LEP and Development Application 	<ul style="list-style-type: none"> Nil 	<ul style="list-style-type: none"> Conflict with current users and landholders
Fishing	<ul style="list-style-type: none"> Access points Amendment to plan of management, LEP and Development Application 	<ul style="list-style-type: none"> Provides an additional location for recreational fishing in Orange LGA. 	<ul style="list-style-type: none"> Limited access from land based sites.

Cost Implications

Council staff were asked to provide information on boating, camping, fishing, amenities and car parking. For these to proceed Council would be required to conduct the following works:

- Land acquisition for camping
- Access road(s) and car parking
- Pathways/non-vehicle access routes
- Rubbish Bins
- Signage
- Toilets
- Cleared areas
- Potable water
- Water Entrance similar to that constructed at Gosling Creek
- Operational costs

Cost estimate based on the above requirements is \$1.5m to \$3.0m

COUNCIL MEETING**15 MAY 2018****5.6 Recreational use of Gosling Creek, Spring Creek and Suma Park Dams**

If Council were to consider only access for non-powered boating and fishing the requirements would eliminate the need for land acquisition and reduced infrastructure requirement for the other elements.

Pending approvals it is estimated that the cost for the provision of access for non-powered boating and fishing would require

- Access road and car parking
- Rubbish Bins
- Signage
- Toilets
- Potable water
- Water Entrance similar to that constructed at Gosling Creek
- Fish cleaning areas
- Operational Costs

Estimated cost for these elements would be \$500,000 to \$1M.

Timeframe for approvals, development and implementation

At this early stage, it is difficult to estimate a timeframe for the delivery of such a project given its complexity and key issues that will need to be considered.

As a guide the timeframe for the implementation of Rowing Training for Kinross Wolaroi School on Spring Creek Reservoir was:

- August 1999 – Commence Plan of Management development
- June 2001 – Plan of Management adopted by Council
- June 2002 – Development Application lodged for facility (Boatshed and Pontoon Jetty) and approved with consent to operate
- July 2002 – the Central West Environment Group sought intervention from NSW Land and Environment Court.
- May 2003 – NSW Land and Environment Court decision in favour of Kinross Wolaroi School and Orange City Council
- May 2004 – Orange City Council and Kinross Wolaroi School entered into a Licence to use Spring Creek Dam as a Rowing Facility
- December 2004 – Rowing Training commenced

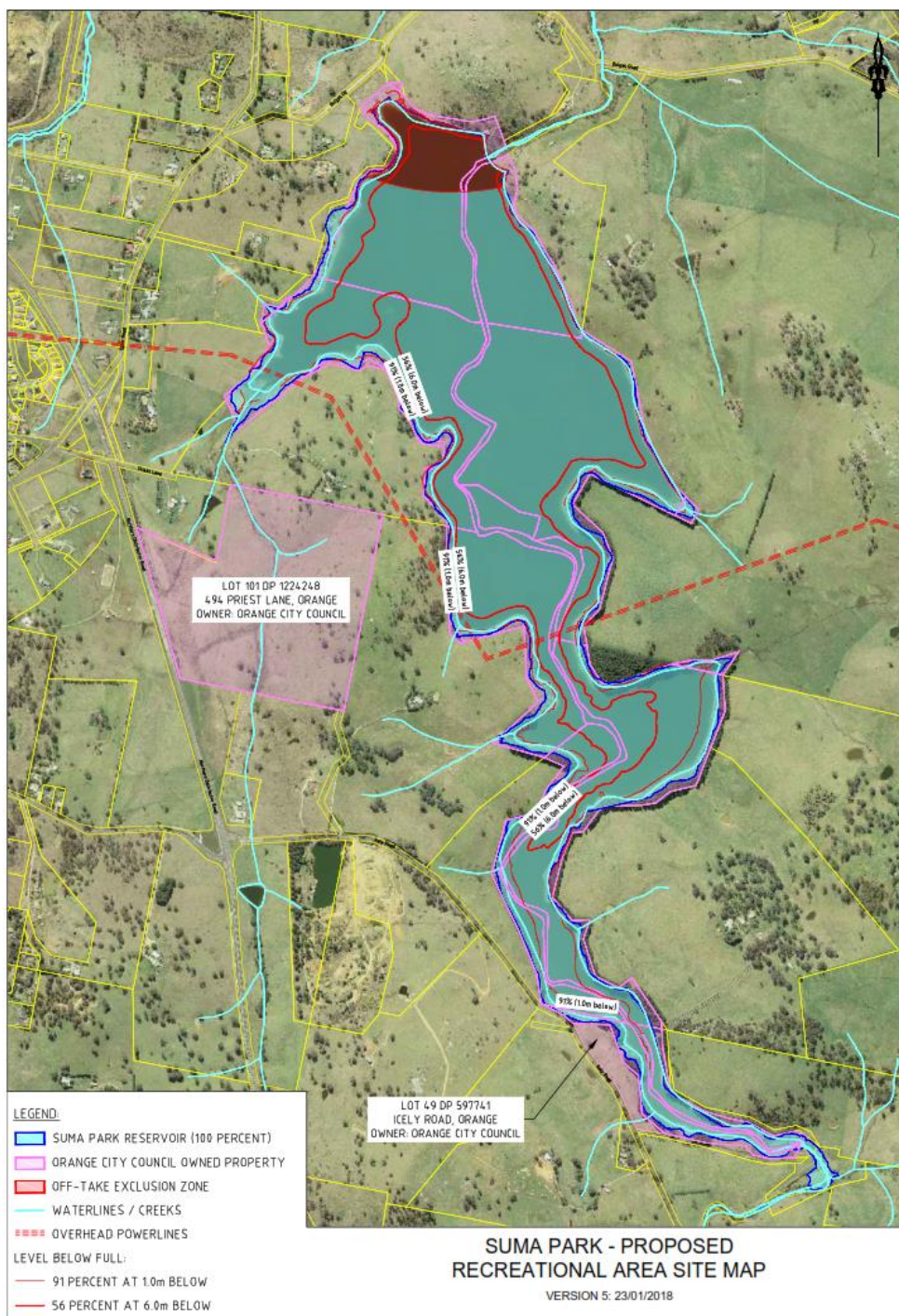
COUNCIL MEETING

15 MAY 2018

5.6 Recreational use of Gosling Creek, Spring Creek and Suma Park Dams

3 SUMA PARK

Suma Park Reservoir is owned by Orange City Council and is classified as Community Land. The land is categorised as Natural Area (with subcategories of Bushland, Watercourse and Wetland) and will require a Plan of Management to be developed and adopted by Council under the Local Government Act, 1993.



COUNCIL MEETING

15 MAY 2018

5.6 Recreational use of Gosling Creek, Spring Creek and Suma Park Dams

Key considerations

The following areas are key issues to consider if Council were to introduce recreational activities onto Suma Park Dam:

a Impact on drinking water quality

The Australian Drinking Water Guidelines (ADWG 2011) is the authoritative document for drinking water management in Australia. It contains information about management of drinking water systems from catchment to consumer. The second guiding principle of the ADWG highlights the importance of protecting water sources:

‘Protection of water sources and treatment are of paramount importance and must never be compromised’

The NHMRC are now considering the introduction of additional requirements in a pending guideline review that will be used to determine the appropriate treatment process to address the source water risk. Recreational use of the water body is one of the risk considerations. Unprotected catchments may require a higher level of treatment in order to provide a safe drinking water supply. The Orange drinking water supply catchment would be considered an unprotected catchment and, as such, additional treatment upgrades may be necessary unless catchment management practices can be improved. Water treatment cost implications (potential treatment plant upgrades) may need to be considered if water-based recreational activities are introduced to Council’s drinking water storages.

b Land zoning

Land zoning dictates how the land is to be used. The only activity that the current zoning allows is a water supply. The LEP will require amendment in order to rezone the site to Public Recreation RE1. The surrounding private land is zoned E3 Environmental Management and RU1 Primary Production.

c Potential health impact on recreational users

As mentioned earlier, recreational use on dams should follow the Guidelines for Managing Risks in Recreational Water (NHMRC 2008). Although not mandatory, following these guidelines ensures recreational water environments are managed as safely as possible. The potential impacts of water quality, water temperature and blue green algae should be considered

d Legal and Public Liability

Duty of care to persons using the water storage (potential hazards associated with access to dam wall, hazards above and below the water)

e Access To Suma Park Dam For Non-Powered Boating And Fishing

Council recently acquired 494 Priest Lane for the purpose of a future sporting precinct. As demonstrated in the map above this lot does not have access to Suma Park Dam and is not viable for an access point to Suma Park without the acquisition of adjoining land.

Council also owns Lot 49, DP597741 which adjoins Suma Park Dam at the southern extremity of the Dam with entry off Icely Road. Should Council wish to progress access to Suma Park Dam an access point could be established at this location.

Camping is also possible at this site.

COUNCIL MEETING

15 MAY 2018

5.6 Recreational use of Gosling Creek, Spring Creek and Suma Park Dams

f Operational management

The potential costs associated with the operational management of recreational activities could include:

- Additional drinking water treatment processes
- Management of access to water storages
- Maintenance and rehabilitation of infrastructure to support the recreational activities
- Monitoring of water quality and recreational users
- Policing of recreational users

Other issues to consider include:

- a Health risks of users
- b Public use impacts of foreshore erosion introducing sediment into the water storage
- c Wildlife and wildlife habitat management
- d Changes in system ecology
- e Increased risk of fire
- f Legal/public liability/public safety - Proximity to spillway, outlet structures and dam wall
- g Security of drinking water supply assets
- h Potential land acquisition requirements
- i Water storage levels
- j Impacts on adjoining neighbours

OPPORTUNITIES AND CONSIDERATIONS

Opportunity	Considerations	Advantages	Disadvantages
Boating – non powered and electric	<ul style="list-style-type: none"> • Access points • Requires development of plan of management • Amendment to LEP and Development Application • Risk to drinking water 	<ul style="list-style-type: none"> • Readily accessible from Icely Road 	<ul style="list-style-type: none"> • Increased cost for management of drinking water as primary source for Orange. • Conflict with current users and landholders • Water recedes at water levels under 90%
Camping Located on the southern side (council owned) area with access from Forest Road.	<ul style="list-style-type: none"> • Supervision of site 	<ul style="list-style-type: none"> • Defined area • Accessible from Icely Road 	<ul style="list-style-type: none"> • No facilities • Requires active supervision of users • Site adjacent to busy road • Operational Cost
Boating – powered	<ul style="list-style-type: none"> • Access points • Water quality risk • Requires 	<ul style="list-style-type: none"> • Nil 	<ul style="list-style-type: none"> • Conflict with current users and landholders

COUNCIL MEETING

15 MAY 2018

5.6 Recreational use of Gosling Creek, Spring Creek and Suma Park Dams

Opportunity	Considerations	Advantages	Disadvantages
	development of plan of management <ul style="list-style-type: none"> Amendment to LEP and Development Application 		
Fishing	<ul style="list-style-type: none"> Requires access points Requires development of plan of management Amendment to LEP and Development Application 	<ul style="list-style-type: none"> Provides alternative location for recreational fishing in Orange LGA. 	<ul style="list-style-type: none"> Limited access from land based sites Conflict with current landholders

Cost Implications

Depending on the type of use, there are cost and resourcing implications in managing all of the risks and infrastructure requirements. Infrastructure requirements need to be funded and other risks mitigated by operational practices and procedures.

Council staff were asked to provide information on boating, camping, fishing, amenities and car parking. For these to proceed Council would be required to conduct the following works:

- Pathways/non-vehicle access routes
- Rubbish Bins
- Signage
- Toilets
- Cleared areas
- Potable water
- Water Entrance similar to that constructed at Gosling Creek
- Operational costs
- System for security of water supply assets
- Fish cleaning areas
- Establishment of restricted zones
- Boating equipment for supervision and inspection of water activities.

Capital cost estimate based on the above requirements is \$1.5m to \$2.5m

Operational Costs

COUNCIL MEETING**15 MAY 2018****5.6 Recreational use of Gosling Creek, Spring Creek and Suma Park Dams**

Operational Costs are estimated to be significant given the sensitivity of the Dam and the need for active management and supervision of the precinct. It is estimated that the site would require two staff to monitor on weekends and one staff member to monitor during weekdays.

The site would also require rubbish removal and maintenance.

On this basis the estimated operational cost is \$200,000 - \$300,000 per annum.

Timeframe for approvals, development and implementation

As with Spring Creek Dam it is difficult to estimate a timeframe for the delivery of such a project given its complexity and key issues that will need to be considered.

Using the example of access to Spring Creek by Kinross Wolaroi School it is estimated that this process would take several years.

ATTACHMENTS

- 1 Suma Park Dam Recreation Map, D18/20764
- 2 Spring Creek Dam Recreation Map, D18/20763
- 3 IPC 6 June 2017 Recreational use of Gosling Creek, Spring Creek and Suma Park Dams, D18/24491
- 4 IPC 5 September 2017 Recreational use of Gosling Creek Dam, Spring Creek Dam and Suma Park Dam, D18/24493
- 5 Facility Signs Assessment form Councils, D18/21857

SERVICES POLICY COMMITTEE

4 SEPTEMBER 2018

3.1 RECREATIONAL USE OF GOSLING CREEK, SPRING CREEK AND SUMA PARK DAMS

TRIM REFERENCE: 2018/2175

AUTHOR: Scott Maunder, Director Community, Recreation and Cultural Services

EXECUTIVE SUMMARY

This report follows a report to Council on 15 May 2018 and a subsequent workshop to discuss an increase in the recreational use of Gosling Creek, Spring Creek and Suma Park Dams.

This report provides information on the costs and timeframe for permitting supervised fishing, camping and boating at Suma Park Dam, Gosling Creek Reserve and Spring Creek Dam, to include amenities, car parking and a camping ground.

LINK TO DELIVERY/OPERATIONAL PLAN

The recommendation in this report relates to the Delivery/Operational Plan strategy “15.2 Our Environment – Operate, maintain, renew and upgrade water, sewer and stormwater infrastructure assets and services as specified within the Asset Management Plans at agreed levels of service”.

FINANCIAL IMPLICATIONS

Additional funds and resources will need to be allocated in order to build infrastructure, manage and operate Suma Park Dam, Spring Creek Dam and Gosling Creek Reserve, if both land-based and water-based recreational use is to be permitted.

POLICY AND GOVERNANCE IMPLICATIONS

Council will be required to comply with requirements set by the Local Government Act 1993 as well as the Crown Lands Act 1989.

RECOMMENDATION

That Council publicly exhibits, for a period of 28 days, proposals to:

- 1 Permit camping on the Southern side of Gosling Creek with access to amenities on the Northern Side of Gosling Creek;
- 2 Permit Camping on the Northern side of Gosling Creek within a designated area at times determined by Council so as not to conflict with events or activities;
- 3 Permit RV parking within established car parks at Gosling Creek;
- 4 Permit access to Spring Creek Dam for non-powered and electric boating, fishing but not camping;
- 5 Not permit land or water based activity at Suma Park; and
- 6 Report to Council following the public exhibition on the submissions received.

SERVICES POLICY COMMITTEE

4 SEPTEMBER 2018

3.1 Recreational use of Gosling Creek, Spring Creek and Suma Park Dams

FURTHER CONSIDERATIONS

The recommendation of this report has been assessed against Council's other key risk categories and the following comments are provided:

Service Delivery	Drinking water quality, security of drinking water supply assets
Image and Reputation	Tourism/economic benefit
Political	Project funding and impact on Council's Long Term Financial Plan
Environmental	Wildlife and wildlife habitat management, preservation of historic sites in the area, introduction of weeds or exotic plants, introduction of vermin and exotic animals, foreshore erosion, litter and heightened risk of bushfires
Health and Safety	Legal and public liability, water quality health risks to users
Stakeholders	Orange residents, external/regional users (including sporting clubs), Federal and State Government Approvals Authorities/Regulators

SUPPORTING INFORMATION

At its meeting of 7 November 2017 Council resolved

RESOLVED - 17/493**Cr S Romano/Cr M Previtera**

That Council receive report that provides information on the costs and timeframe for allowing supervised fishing, camping and boating at Suma Park Dam, Gosling Creek Reserve and Spring Creek Dam, to include amenities, car parking and a camping ground.

Council has previously received reports on this subject matter with the reports also circulated to Councillors on 20 October 2017. Those reports are attached for reference and background.

POTENTIAL ISSUES WITH INCREASED WATER-BASED ACTIVITIES ON RESERVOIRS

Council needs to adopt an appropriately diligent assessment of the water quality issues associated with allowing increased recreational on reservoirs. Consideration needs to be given to the National Health and Medical Research Council's (NHMRC) 2008 Guidelines for Managing Risks in Recreational Water. Although not mandatory, following these guidelines ensures recreational water environments are managed as safely as possible.

The NHMRC Australian Drinking Water Guidelines (ADWG 2011) is the authoritative document for drinking water management in Australia. It contains information about management of drinking water systems from catchment to consumer. The NHMRC are considering the introduction of additional requirements in a pending guideline review that will be used to determine the appropriate treatment process to address the source water risk. Recreational use of the water body is one of the risk considerations.

The proposed update to the guidelines, discuss 'inner' and 'outer' catchments. Gosling Creek Dam could be considered to be in the 'outer' catchment and as such, the introduction of

SERVICES POLICY COMMITTEE**4 SEPTEMBER 2018****3.1 Recreational use of Gosling Creek, Spring Creek and Suma Park Dams**

water-based recreational activities poses less of a risk to source water than our primary and secondary water storages i.e. Suma Park and Spring Creek Dams.

SUPERVISION

The resolution of Council sought information in relation to “supervised” activities of fishing, camping and boating.

Supervision can be conducted in a number of ways including:

- 1 Staff on site at times of operation (similar to Aquatic Centre)
- 2 Issuing of licences and spot checks by staff
- 3 Remote supervision (similar to system imposed on open space areas of Council where certain activities are permitted or prohibited)
- 4 A combination of above elements

Council utilises the principals of remote supervision for the management of its open space and recreational areas. This has been implemented using the best practice guidelines of Council’s insurer, Statewide Mutual. (With the change of insurer this will require review).

Essentially a risk management analysis is conducted for the site based on:

- Nature of reserve, hazard or pool
- Population use at any one time
- Frequency of use

Each area is then given a score and the relevant signage is installed.

Each proposed site would require assessment and controls to ensure the level of supervision is appropriate.

Example of assessment and required supervision level

For areas which have deep water bodies (depth in excess of 3 metres), high population use at any one time and high frequency of use Council are recommended to consider full time supervision whilst the facility is occupied as well as the display of warning symbols.

In this example the level of risk is such that the installation of a sign alone warning people of the hazards would not be the most appropriate risk reduction technique. A combination of both supervision and signage is the most appropriate approach.

CAMPING

Council’s experience over recent years with the provision of camping sites at Lake Canobolas, Orange Showground and Caravan Park is that they require active management to ensure compliance with camp ground provisions, garbage removal, cleaning of amenities, and payment of site fees.

RECREATIONAL VEHICLE (RV) SITE

Council has established RV sites at the Showground and with development consent at Lake Canobolas.

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Should Council wish to pursue the establishment of a permanent RV site adjacent to a water body it is recommended that this site be located at Lake Canobolas taking advantage of existing infrastructure.

Parking of RVs could also be considered within established Car Parks at Gosling Creek.

1 GOSLING CREEK

Gosling Creek precinct consists of two components Crown Land to the north and two parcels of council owned community land to the south.

The three parcels of land that make up Gosling Creek are zoned RE1 – Public Recreation and together with the Plan of Management governs its use and development.



Aerial image purple hatched area is Crown land the area bounded by the red line and adjoining the hatched area is Council Community Land.

The Zone RE1 - Public Recreation objectives are:

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.
- To protect open space at riparian and foreshore locations.

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Developments permitted with consent are:

Child care centres; Community facilities; Depots; Environmental facilities; Environmental protection works; Function centres; Information and education facilities; Kiosks; Markets; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite day care centres; Restaurants or cafes; Roads; Water recreation structures.

An aerial view of Gosling Creek follows:



Aerial view from south western corner above Forest Road looking down stream along Gosling Creek. Note the shared path network, passive recreational precinct – irrigated grassland, remnant vegetation significant small patch centre left of image.

SERVICES POLICY COMMITTEE**4 SEPTEMBER 2018****3.1 Recreational use of Gosling Creek, Spring Creek and Suma Park Dams****KEY CONSIDERATIONS**

Consistent with the RE1 zoning the precinct is able to be developed to include the provision for camping with an amendment to the Plan of Management. Non-powered boating and fishing is currently permitted at the site.

However the Gosling Creek Reserve is a highly valued recreational area originally set aside to protect the water quality of Orange's drinking supply following the damming of Gosling Creek in 1890. The Reserve and its surrounds of remnant woodland remains a habitat for native wildlife and is also highly valued as a place for passive recreation and a refuge from the urban development of Orange and the Bloomfield Hospital complex to the North.

The development of the site for camping in particular needs to consider the overall goals of the management of the site in particular sensitive areas. Council has identified areas of high conservation biodiversity as indicated below.

**OPPORTUNITIES AND CONSIDERATIONS**

Opportunity	Considerations	Advantages	Disadvantages
Camping Located	<ul style="list-style-type: none"> Supervision of site 	<ul style="list-style-type: none"> Defined area 	<ul style="list-style-type: none"> No facilities Requires active

SERVICES POLICY COMMITTEE

4 SEPTEMBER 2018

3.1 Recreational use of Gosling Creek, Spring Creek and Suma Park Dams

Opportunity	Considerations	Advantages	Disadvantages
on the southern side area with access from Forest Road.		<ul style="list-style-type: none"> Eliminates conflict with current users 	<ul style="list-style-type: none"> supervision of users Operational Cost
Camping Located on the Northern side in designated areas at designated times.	<ul style="list-style-type: none"> Supervision of site Ensuring provision of camping does not conflict with current uses or recreational use. 	<ul style="list-style-type: none"> Provides for camping adjacent to existing amenities in a controlled manner. 	<ul style="list-style-type: none"> Requires active supervision of users Operational Cost
Boating – non powered and electric	<ul style="list-style-type: none"> Non powered boating is permitted 	<ul style="list-style-type: none"> Existing activity Good access to water No additional cost. 	<ul style="list-style-type: none"> Nil
Boating – powered	<ul style="list-style-type: none"> Not permitted and would require a change to the plan of management as activity is with Crown Land zone. 		<ul style="list-style-type: none"> Small area for conduct of activity Degradation of water quality for other uses
Fishing	<ul style="list-style-type: none"> Permitted activity 	<ul style="list-style-type: none"> Current activity Does not require active supervision 	

Cost estimates

- Should Council require the establishment of additional infrastructure an estimate of the capital cost for the development of camping on the southern side of Gosling Creek is \$240,000. This includes the following:
 - Composting Toilet facilities: \$100,000
 - Access Road and Parking: \$100,000
 - Signage: \$10,000
 - Fencing – biosecurity areas: \$10,000
 - Potable Water: \$20,000
- Operational costs \$120,000 per annum for active management of camp sites and overall management.
- Nil additional operational costs if camping is excluded

SERVICES POLICY COMMITTEE

4 SEPTEMBER 2018

3.1 Recreational use of Gosling Creek, Spring Creek and Suma Park Dams

Timeframe for approvals, development and implementation

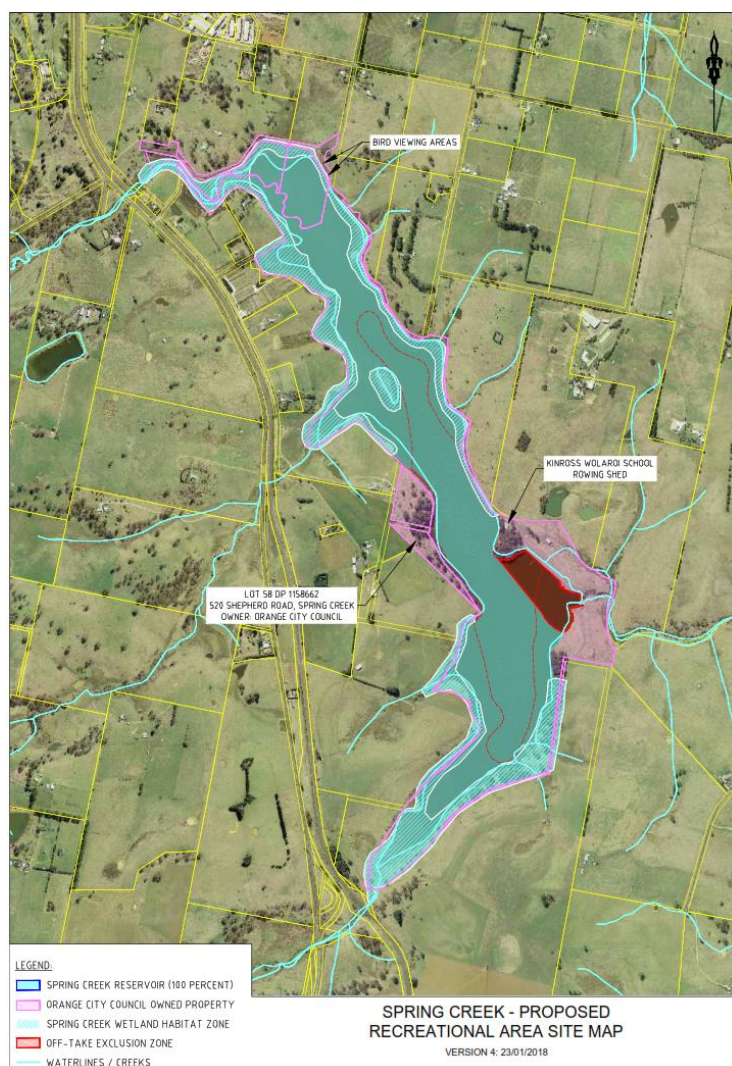
Should Council wish to include camping at Gosling Creek this process would involve advertisement of the proposed amendment to the Plan of Management, report to Council and then if resolved by Council the update of the Plan of Management.

Council would then need to conduct the associated works for the installation of the infrastructure.

It is anticipated that this process would be completed within 9 – 12 months.

2 SPRING CREEK DAM

Spring Creek Reservoir is owned by Orange City Council and is classified as Community Land. The Plan of Management was adopted by Council on 3 December 2007. This plan specifically provides for the use of the land for “public water supply purposes along with specific provisions to permit the controlled and supervised rowing training and other low impact recreational activities subject to development consents and licensing arrangements”.



SERVICES POLICY COMMITTEE

4 SEPTEMBER 2018

3.1 Recreational use of Gosling Creek, Spring Creek and Suma Park Dams

Key considerations*a Drinking Water Quality Risks*

Spring Creek Dam is the secondary source of drinking water for Orange residents. The Australian Drinking Water Guidelines outline six guiding principles that are fundamental in the considerations of safe drinking water. One of these principles says that the *“protection of water sources and treatment are of paramount importance and must never be compromised”*

Introducing recreational activities onto Spring Creek Dam will have public health implications for the Orange Drinking Water Supply

b Plan of Management

Spring Creek Dam is classified as Community land. The current Plan of Management was adopted by Council on 3 December 2007. This plan specifically provides for the use of the land for *“public water supply purposes along with specific provisions to permit the controlled and supervised rowing training and other low impact recreational activities subject to development consents and licencing arrangements”*

Any change to this Plan of Management needs to be exhibited and adopted by Council as required under the Local Government Act. The current Plan of Management for Spring Creek Dam specifically states that *“Uncontrolled recreation activities were considered inappropriate due to the needs to protect habitat values and limit access to protect the integrity of the water supply, considering the likely impacts of a range of activities”*

c Land zoning

The zoning for Spring Creek Dam is for water supply purposes and recreational use is not permissible under this zoning. The LEP will need to be amended in order to rezone the whole site to Public Recreation RE1. The surrounding private land is zoned E3 Environmental Management and RU1 Primary Production. Recreation would then be permissible in the zone, subject to consent.

d Access To Spring Creek Dam For Water Non Powered Boating Activities

As illustrated below access to Spring Creek Dam is controlled by a locked gate and pedestrian access point at the southern end of Lone Pine Avenue at the North East point of the dam. This is the access point to the Kinross Wolaroi School Rowing facility. All other land surrounding Spring Creek Dam is privately owned. The impact of introducing uncontrolled recreation onto Spring Creek Dam on adjoining landowners also needs to be considered.

Council should also note that adjoining landowners access the dam for non-powered boating activities and fishing. There is also strong evidence that members of the public also access the dam for these activities gaining access through fence lines or via the pedestrian access at this access point.

The regulation of this activity would improve the safety of its conduct and provide access to the community.

SERVICES POLICY COMMITTEE

4 SEPTEMBER 2018

3.1 Recreational use of Gosling Creek, Spring Creek and Suma Park Dams



Access point – Spring Creek Dam

- Council could explore the redevelopment of this entrance point to provide a parking area and access point for non-powered boating activities. Access to the dam wall is available along the eastern side.
- Topography – the slope of land adjacent to the waterbody is suitable for access points
- Variable (low or high) water levels at any one given time may restrict access to the waterbody.
- “No-go” zones – buffer zones around critical water supply infrastructure will be required (i.e. near the dam wall)
- Opening hours need to be considered

e Access and variable water levels

f Health impact on users

- blue green algae outbreaks – using the waterbody would be restricted when blue green algae concentration is above health guidelines

OPPORTUNITIES AND CONSIDERATIONS

Opportunity	Considerations	Advantages	Disadvantages
Boating – non powered and electric	<ul style="list-style-type: none"> • Access points • Amendment to plan of management, LEP and Development Application 	<ul style="list-style-type: none"> • Accessible from existing access road • Used by community currently • Regulate current 	<ul style="list-style-type: none"> • Conflict with current users and landholders

SERVICES POLICY COMMITTEE

4 SEPTEMBER 2018

3.1 Recreational use of Gosling Creek, Spring Creek and Suma Park Dams

Opportunity	Considerations	Advantages	Disadvantages
		unapproved activity	
Camping Located on western side of Spring creek dam	<ul style="list-style-type: none"> Supervision of site Access Provision of amenities 	<ul style="list-style-type: none"> Council Owned Defined area 	<ul style="list-style-type: none"> Land locked no access No facilities Requires active supervision of users Operational Cost
Boating – powered	<ul style="list-style-type: none"> Access points Water quality risk Amendment to plan of management, LEP and Development Application 	<ul style="list-style-type: none"> Nil 	<ul style="list-style-type: none"> Conflict with current users and landholders
Fishing	<ul style="list-style-type: none"> Access points Amendment to plan of management, LEP and Development Application 	<ul style="list-style-type: none"> Provides an additional location for recreational fishing in Orange LGA. 	<ul style="list-style-type: none"> Limited access from land based sites.

Cost Implications

Council staff were asked to provide information on boating, camping, fishing, amenities and car parking. For these to proceed Council would be required to conduct the following works:

- Land acquisition for camping
- Access road(s) and car parking
- Pathways/non-vehicle access routes
- Rubbish Bins
- Signage
- Toilets
- Cleared areas
- Potable water
- Water Entrance similar to that constructed at Gosling Creek
- Operational costs

Cost estimate based on the above requirements is \$1.5m to \$3.0m

SERVICES POLICY COMMITTEE**4 SEPTEMBER 2018****3.1 Recreational use of Gosling Creek, Spring Creek and Suma Park Dams**

If Council were to consider only access for non-powered boating and fishing the requirements would eliminate the need for land acquisition and reduced infrastructure requirement for the other elements.

Pending approvals it is estimated that the cost for the provision of access for non-powered boating and fishing would require

- Access road and car parking
- Rubbish Bins
- Signage
- Toilets
- Potable water
- Water Entrance similar to that constructed at Gosling Creek
- Fish cleaning areas
- Operational Costs

Estimated cost for these elements would be \$500,000 to \$1M.

Timeframe for approvals, development and implementation

At this early stage, it is difficult to estimate a timeframe for the delivery of such a project given its complexity and key issues that will need to be considered.

As a guide the timeframe for the implementation of Rowing Training for Kinross Wolaroi School on Spring Creek Reservoir was:

- August 1999 – Commence Plan of Management development
- June 2001 – Plan of Management adopted by Council
- June 2002 – Development Application lodged for facility (Boatshed and Pontoon Jetty) and approved with consent to operate
- July 2002 – the Central West Environment Group sought intervention from NSW Land and Environment Court.
- May 2003 – NSW Land and Environment Court decision in favour of Kinross Wolaroi School and Orange City Council
- May 2004 – Orange City Council and Kinross Wolaroi School entered into a Licence to use Spring Creek Dam as a Rowing Facility
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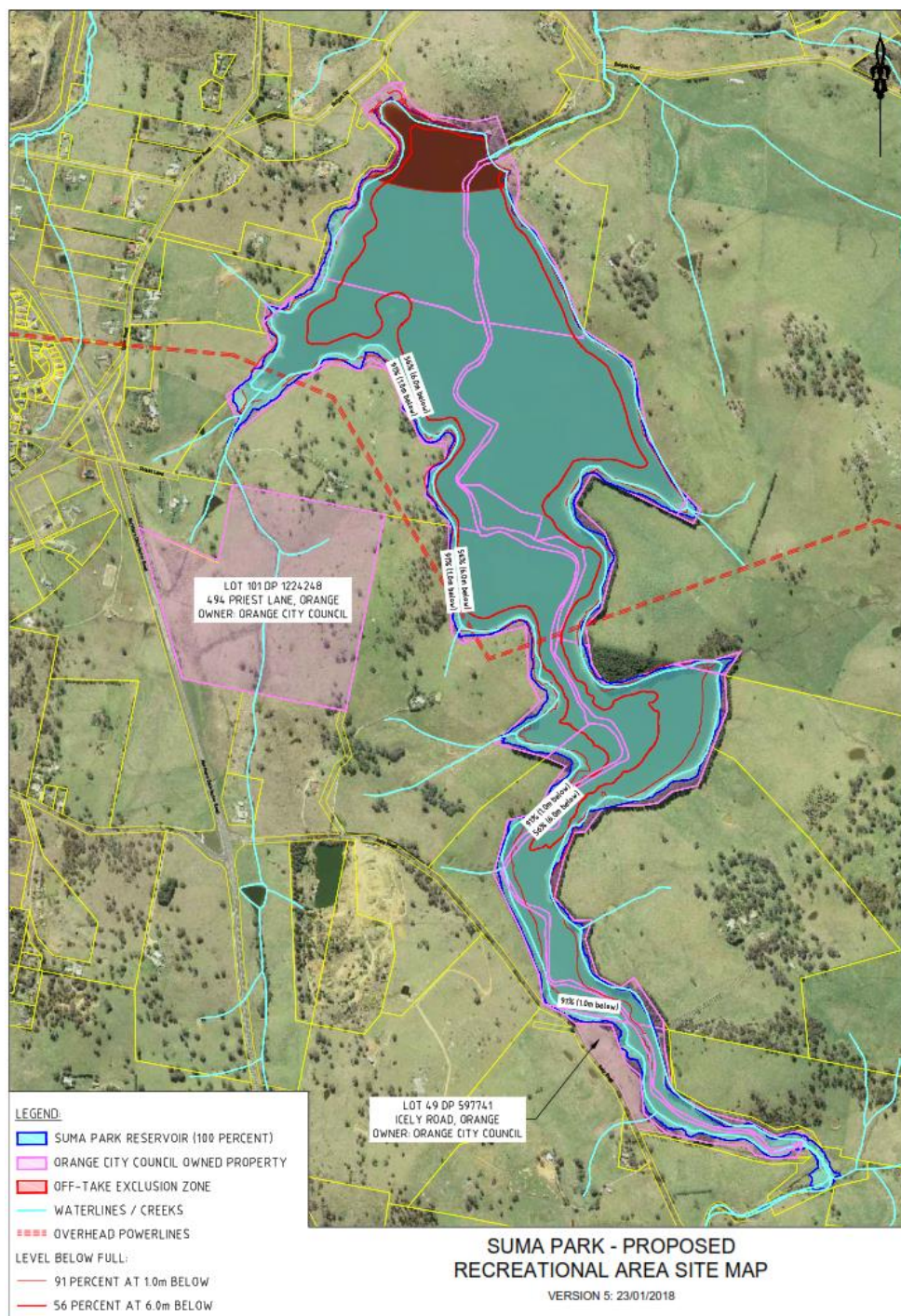
SERVICES POLICY COMMITTEE

4 SEPTEMBER 2018

3.1 Recreational use of Gosling Creek, Spring Creek and Suma Park Dams

3 SUMA PARK

Suma Park Reservoir is owned by Orange City Council and is classified as Community Land. The land is categorised as Natural Area (with subcategories of Bushland, Watercourse and Wetland) and will require a Plan of Management to be developed and adopted by Council under the Local Government Act, 1993.



SERVICES POLICY COMMITTEE

4 SEPTEMBER 2018

3.1 Recreational use of Gosling Creek, Spring Creek and Suma Park Dams

Key considerations

The following areas are key issues to consider if Council were to introduce recreational activities onto Suma Park Dam:

a Impact on drinking water quality

The Australian Drinking Water Guidelines (ADWG 2011) is the authoritative document for drinking water management in Australia. It contains information about management of drinking water systems from catchment to consumer. The second guiding principle of the ADWG highlights the importance of protecting water sources:

‘Protection of water sources and treatment are of paramount importance and must never be compromised’

The NHMRC are now considering the introduction of additional requirements in a pending guideline review that will be used to determine the appropriate treatment process to address the source water risk. Recreational use of the water body is one of the risk considerations. Unprotected catchments may require a higher level of treatment in order to provide a safe drinking water supply. The Orange drinking water supply catchment would be considered an unprotected catchment and, as such, additional treatment upgrades may be necessary unless catchment management practices can be improved. Water treatment cost implications (potential treatment plant upgrades) may need to be considered if water-based recreational activities are introduced to Council’s drinking water storages.

b Land zoning

Land zoning dictates how the land is to be used. The only activity that the current zoning allows is a water supply. The LEP will require amendment in order to rezone the site to Public Recreation RE1. The surrounding private land is zoned E3 Environmental Management and RU1 Primary Production.

c Potential health impact on recreational users

As mentioned earlier, recreational use on dams should follow the Guidelines for Managing Risks in Recreational Water (NHMRC 2008). Although not mandatory, following these guidelines ensures recreational water environments are managed as safely as possible. The potential impacts of water quality, water temperature and blue green algae should be considered

d Legal and Public Liability

Duty of care to persons using the water storage (potential hazards associated with access to dam wall, hazards above and below the water)

e Access To Suma Park Dam For Non-Powered Boating And Fishing

Council recently acquired 494 Priest Lane for the purpose of a future sporting precinct. As demonstrated in the map above this lot does not have access to Suma Park Dam and is not viable for an access point to Suma Park without the acquisition of adjoining land.

Council also owns Lot 49, DP597741 which adjoins Suma Park Dam at the southern extremity of the Dam with entry off Icely Road. Should Council wish to progress access to Suma Park Dam an access point could be established at this location.

Camping is also possible at this site.

SERVICES POLICY COMMITTEE**4 SEPTEMBER 2018****3.1 Recreational use of Gosling Creek, Spring Creek and Suma Park Dams****f Operational management**

The potential costs associated with the operational management of recreational activities could include:

- Additional drinking water treatment processes
- Management of access to water storages
- Maintenance and rehabilitation of infrastructure to support the recreational activities
- Monitoring of water quality and recreational users
- Policing of recreational users

Other issues to consider include:

- a Health risks of users
- b Public use impacts of foreshore erosion introducing sediment into the water storage
- c Wildlife and wildlife habitat management
- d Changes in system ecology
- e Increased risk of fire
- f Legal/public liability/public safety - Proximity to spillway, outlet structures and dam wall
- g Security of drinking water supply assets
- h Potential land acquisition requirements
- i Water storage levels
- j Impacts on adjoining neighbours

OPPORTUNITIES AND CONSIDERATIONS

Opportunity	Considerations	Advantages	Disadvantages
Boating – non powered and electric	<ul style="list-style-type: none"> • Access points • Requires development of plan of management • Amendment to LEP and Development Application • Risk to drinking water 	<ul style="list-style-type: none"> • Readily accessible from Icely Road 	<ul style="list-style-type: none"> • Increased cost for management of drinking water as primary source for Orange. • Conflict with current users and landholders • Water recedes at water levels under 90%
Camping Located on the southern side (council owned) area with access from Forest Road.	<ul style="list-style-type: none"> • Supervision of site 	<ul style="list-style-type: none"> • Defined area • Accessible from Icely Road 	<ul style="list-style-type: none"> • No facilities • Requires active supervision of users • Site adjacent to busy road • Operational Cost
Boating – powered	<ul style="list-style-type: none"> • Access points • Water quality risk • Requires 	<ul style="list-style-type: none"> • Nil 	<ul style="list-style-type: none"> • Conflict with current users and landholders

SERVICES POLICY COMMITTEE

4 SEPTEMBER 2018

3.1 Recreational use of Gosling Creek, Spring Creek and Suma Park Dams

Opportunity	Considerations	Advantages	Disadvantages
	development of plan of management <ul style="list-style-type: none"> Amendment to LEP and Development Application 		
Fishing	<ul style="list-style-type: none"> Requires access points Requires development of plan of management Amendment to LEP and Development Application 	<ul style="list-style-type: none"> Provides alternative location for recreational fishing in Orange LGA. 	<ul style="list-style-type: none"> Limited access from land based sites Conflict with current landholders

Cost Implications

Depending on the type of use, there are cost and resourcing implications in managing all of the risks and infrastructure requirements. Infrastructure requirements need to be funded and other risks mitigated by operational practices and procedures.

Council staff were asked to provide information on boating, camping, fishing, amenities and car parking. For these to proceed Council would be required to conduct the following works:

- Pathways/non-vehicle access routes
- Rubbish Bins
- Signage
- Toilets
- Cleared areas
- Potable water
- Water Entrance similar to that constructed at Gosling Creek
- Operational costs
- System for security of water supply assets
- Fish cleaning areas
- Establishment of restricted zones
- Boating equipment for supervision and inspection of water activities.

Capital cost estimate based on the above requirements is \$1.5m to \$2.5m

Operational Costs

SERVICES POLICY COMMITTEE**4 SEPTEMBER 2018****3.1 Recreational use of Gosling Creek, Spring Creek and Suma Park Dams**

Operational Costs are estimated to be significant given the sensitivity of the Dam and the need for active management and supervision of the precinct. It is estimated that the site would require two staff to monitor on weekends and one staff member to monitor during weekdays.

The site would also require rubbish removal and maintenance.

On this basis the estimated operational cost is \$200,000 - \$300,000 per annum.

Timeframe for approvals, development and implementation

As with Spring Creek Dam it is difficult to estimate a timeframe for the delivery of such a project given its complexity and key issues that will need to be considered.

Using the example of access to Spring Creek by Kinross Wolaroi School it is estimated that this process would take several years.

ATTACHMENTS

- 1 Suma Park Dam Recreation Map, D18/20764
- 2 Spring Creek Dam Recreation Map, D18/20763
- 3 IPC 6 June 2017 Recreational use of Gosling Creek, Spring Creek and Suma Park Dams, D18/24491
- 4 IPC 5 September 2017 Recreational use of Gosling Creek Dam, Spring Creek Dam and Suma Park Dam, D18/24493
- 5 Facility Signs Assessment form Councils, D18/21857

SPORT AND RECREATION POLICY COMMITTEE

4 DECEMBER 2018

**3.1 RECREATIONAL USE OF GOSLING CREEK, SPRING CREEK AND SUMA PARK DAMS -
REPORT FOLLOWING PUBLIC EXHIBITION**

RECORD NUMBER: 2018/2649

AUTHOR: Scott Maunder, Director Community, Recreation and Cultural
Services**EXECUTIVE SUMMARY**

At its meeting of 4 September 2018 Council resolved to publicly exhibit proposals relating to the recreational use of Gosling Creek, Spring Creek Dam and Suma Park Dam.

Following the conclusion of the exhibition period Council received **133 submissions**. These included:

- **120** submissions **opposing** the proposals for **Gosling Creek**;
- **9** submissions **opposing** the proposals for **Gosling Creek and Spring Creek Dam**; and
- **4** submissions **supporting** the proposals for **Gosling Creek**.

This report details the outcomes and provides copies of the submissions.

LINK TO DELIVERY/OPERATIONAL PLAN

The recommendation in this report relates to the Delivery/Operational Plan strategy “2.1 Live - Identify and deliver sport and recreation facilities to service the community into the future”.

FINANCIAL IMPLICATIONS

Nil

POLICY AND GOVERNANCE IMPLICATIONS

Nil

RECOMMENDATIONS

That Council resolves to:

- 1 Not permit camping at Gosling Creek;**
- 2 Not permit RV parking within established car parks at Gosling Creek;**
- 3 Not permit land or water based activity at Suma Park; and**
- 4 To commence the process to seek approval to permit access to Spring Creek Dam for non-powered and electric boating and fishing but not permit camping.**

SPORT AND RECREATION POLICY COMMITTEE**4 DECEMBER 2018****3.1 Recreational use of Gosling Creek, Spring Creek and Suma Park Dams - Report Following Public Exhibition****FURTHER CONSIDERATIONS**

The recommendation of this report has been assessed against Council's other key risk categories and the following comments are provided:

Service Delivery	Drinking water quality, security of drinking water supply assets	
Image and Reputation	Tourism/economic impacts	
Environmental	Wildlife and wildlife habitat management, preservation of historic sites in the area, introduction of weeds or exotic plants, introduction of vermin and exotic animals, foreshore erosion, litter and heightened risk of bushfires	
Health and Safety	Legal and public liability, water quality health risks to users	
Stakeholders	Orange residents, external/regional users (including sporting clubs), Federal and State Government Approvals Authorities/Regulators	

SUPPORTING INFORMATION

At its meeting of 15 May 2018 Council considered a report on the Gosling Creek, Spring Creek and Suma Park Dams containing the following recommendation:

RECOMMENDATION

That Council publicly exhibits, for a period of 28 days, proposals to:

- 1** Permit primitive camping on the southern side of Gosling Creek;
- 2** Permit access to Spring Creek Dam for non-powered and electric boating, fishing but not camping;
- 3** Not permit land or water based activity at Suma Park;

Council resolved that:

RESOLVED - 18/224**Cr K Duffy/Cr M Previtera**

That Council defer this item for consideration at a Councillor Workshop.

SPORT AND RECREATION POLICY COMMITTEE**4 DECEMBER 2018****3.1 Recreational use of Gosling Creek, Spring Creek and Suma Park Dams - Report Following Public Exhibition**

A workshop was conducted to further consider the proposals. Following the conduct of the workshop, Council again considered the report on 4 September 2018 which included the following recommendations:

RECOMMENDATION

That Council publicly exhibits, for a period of 28 days, proposals to:

- 1 Permit camping on the Southern side of Gosling Creek with access to amenities on the Northern Side of Gosling Creek;
- 2 Permit Camping on the Northern side of Gosling Creek within a designated area at times determined by Council so as not to conflict with events or activities;
- 3 Permit RV parking within established car parks at Gosling Creek;
- 4 Permit access to Spring Creek Dam for non-powered and electric boating, fishing but not camping;
- 5 Not permit land or water based activity at Suma Park; and
- 6 Report to Council following the public exhibition on the submissions received.

Council did not amend the recommendations contained within the report and resolved that:

RESOLVED - 18/416**Cr M Previtera/Cr S Munro**

That Council publicly exhibits, for a period of 28 days, proposals to:

- 1 Permit camping on the Southern side of Gosling Creek with access to amenities on the Northern Side of Gosling Creek;
- 2 Permit Camping on the Northern side of Gosling Creek within a designated area at times determined by Council so as not to conflict with events or activities;
- 3 Permit RV parking within established car parks at Gosling Creek;
- 4 Permit access to Spring Creek Dam for non-powered and electric boating, fishing but not camping;
- 5 Not permit land or water based activity at Suma Park; and
- 6 Report to Council following the public exhibition on the submissions received.

The proposals were exhibited and written comments were sought on the proposals.

SPORT AND RECREATION POLICY COMMITTEE

4 DECEMBER 2018

3.1 Recreational use of Gosling Creek, Spring Creek and Suma Park Dams - Report Following Public Exhibition

During that period **129 objections** were received including a petition of 20 persons detailing their objection with **4 submissions received supporting** the proposals. A summary of the submissions follows:

Submission No	IC Number	Submitter/s' Name	Environmental	Safety	Out of Character	Suitable Elsewhere	Pollution	Anti-Social Behaviour	Insufficient Area	Financial Concerns
		Against								
1	IC18/21261		x	x				x		
2	IC18/21172		x							
3	IC18/20719		x				x		x	
4	IC18/20702		x		x					
5	IC18/20659		x					x		
6	IC18/20597					x		x		
7	IC18/20517		x		x					
8	IC18/20482		x			x		x		
9	IC18/20459		x	x		x	x	x		
10	IC18/20460		x				x	x		
11	IC18/20458		x			x				
12	IC18/20417		x							
13	IC18/20416		x							
14	IC18/20415		x	x			x	x		
15	IC18/20413		x			x		x		x
16	IC18/20412						x	x		x
17	IC18/20410		x	x	x		x			
18	IC18/20409		x							
19	IC18/20407		x				x			
20	IC18/20406		x			x				
21	IC18/20405									

SPORT AND RECREATION POLICY COMMITTEE

4 DECEMBER 2018

3.1 Recreational use of Gosling Creek, Spring Creek and Suma Park Dams - Report Following Public Exhibition

Submission No	IC Number	Submitter/s' Name	Environmental	Safety	Out of Character	Suitable Elsewhere	Pollution	Anti-Social Behaviour	Insufficient Area	Financial Concerns
22	IC18/20398		x							
23	IC18/20396		x	x			x	x		
24	IC18/20392		x							
25	IC18/20390		x							
26	IC18/20389		x							
27	IC18/20378		x	x			x	x		
28	IC18/20376		x					x		
29	IC18/20371		x		x					
30	IC18/20370		x				x			
31	IC18/20369		x	x			x	x		
32	IC18/20367		x	x	x		x	x		
33	IC18/20341					x	x	x		
34	IC18/20340		x	x			x	x		
35	IC18/20339		x			x	x			
36	IC18/20338		x	x			x			
37	IC18/20337		x	x			x	x		
38	IC18/20336		x							
39	IC18/20335		x	x	x		x			
40	IC18/20334		x			x	x			
41	IC18/20328		x		x					
42	IC18/20327		x	x		x	x	x		
43	IC18/20325		x	x		x	x	x		
44	IC18/20322		x	x		x	x	x		
45	IC18/20321		x				x			
46	IC18/20310		x		x					
47	IC18/20308		x	x	x		x	x		
48	IC18/20307		x	x			x	x		

SPORT AND RECREATION POLICY COMMITTEE

4 DECEMBER 2018

3.1 Recreational use of Gosling Creek, Spring Creek and Suma Park Dams - Report Following Public Exhibition

Submission No	IC Number	Submitter/s' Name	Environmental	Safety	Out of Character	Suitable Elsewhere	Pollution	Anti-Social Behaviour	Insufficient Area	Financial Concerns
49	IC18/20305		x	x		x	x	x		
50	IC18/20304		x	x		x	x	x		
51	IC18/20302		x	x		x	x	x		
52	IC18/20299		x	x		x	x	x		
53	IC18/20297		x	x		x	x	x		
54	IC18/20289		x	x		x		x		
55	IC18/20288		x	x		x	x	x		
56	IC18/20285		x				x	x		
57	IC18/20284		x							
58	IC18/20283		x	x		x	x	x		
59	IC18/20281		x			x	x			
60	IC18/20279		x			x	x	x		
61	IC18/20277			x		x				
62	IC18/20276		x	x		x	x	x		
63	IC18/20274		x	x		x	x	x		
64	IC18/20273		x	x		x	x	x		
65	IC18/20272			x		x	x	x		
66	IC18/20270		x	x			x			
67	IC18/20269		x	x		x	x	x		
68	IC18/20248		x			x	x			
69	IC18/20243		x	x		x	x	x		
70	IC18/20215		x	x						
71	IC18/20212			x						
72	IC18/20197		x			x	x			
73	IC18/20188		x	x			x			

SPORT AND RECREATION POLICY COMMITTEE

4 DECEMBER 2018

3.1 Recreational use of Gosling Creek, Spring Creek and Suma Park Dams - Report Following Public Exhibition

Submission No	IC Number	Submitter/s' Name	Environmental	Safety	Out of Character	Suitable Elsewhere	Pollution	Anti-Social Behaviour	Insufficient Area	Financial Concerns
74	IC18/20187		x	x			x			
75	IC18/20186		x	x		x	x	x		
76	IC18/20180				x	x				
77	IC18/20144				x					
78	IC18/20112					x				
79	IC18/20111			x		x	x			
80	IC18/20110		x	x			x			
81	IC18/20108			x		x		x		
82	IC18/20099		x		x					
83	IC18/20098		x		x	x				
84	IC18/20090		x					x		x
85	IC18/20089		x		x					
86	IC18/20080		x	x	x					
87	IC18/20075		x							
88	IC18/20073		x		x	x				
89	IC18/20067		x							
90	IC18/20037		x		x		x			
91	IC18/20015		x							
92	IC18/20013		x			x				
93	IC18/20012		x							
94	IC18/20011		x			x	x	x		
95	IC18/20010		x					x		x
96	IC18/20009		x	x			x			
97	IC18/20008		x	x						
98	IC18/20007		x			x				
99	IC18/20005		x	x		x	x			

SPORT AND RECREATION POLICY COMMITTEE

4 DECEMBER 2018

3.1 Recreational use of Gosling Creek, Spring Creek and Suma Park Dams - Report Following Public Exhibition

Submission No	IC Number	Submitter/s' Name	Environmental	Safety	Out of Character	Suitable Elsewhere	Pollution	Anti-Social Behaviour	Insufficient Area	Financial Concerns
100	IC18/20003		x							
101	IC18/20002		x	x			x		x	
102	IC18/19930		x	x	x					
103	IC18/19925		x		x	x				x
104	IC18/19831		x	x				x		x
105	IC18/19830		x							x
106	IC18/19814		x			x	x	x		
107	IC18/19804		x			x				
108	IC18/19670									
109	IC18/20388	Petition - 20 objections	x	x	x	x	x			x
	Submissions for proposal									
	IC18/20093									
	IC18/20478									
	IC18/20068									
	IC18/20014									

Included in the submissions were 9 objections to the proposal for Spring Creek Dam including those from , and the . These submissions highlighted the potential impact on flora and the steps required to obtain approval.

However, given the current use by residents adjoining Spring Creek Dam and the activity of Kinross Wolaroi School, together with the current unregulated use by the general public, it is recommended that Council commence the process to permit activity as described in this report.

SPORT AND RECREATION POLICY COMMITTEE**4 DECEMBER 2018****3.1 Recreational use of Gosling Creek, Spring Creek and Suma Park Dams - Report Following Public Exhibition**

However, based on the identified risks and estimated costs contained within the report to Council on 4 September 2018, an assessment of the proposals, together with an assessment of the submissions received, it is my view that Council should:

- 1 Not permit camping at Gosling Creek;
- 2 Not permit RV parking within established car parks at Gosling Creek; and
- 3 Not permit land or water based activity at Suma Park.

ATTACHMENTS

- 1 Submissions received 1-50 - Recreational use of Gosling Creek, Spring Creek Dam and Suma Park Dam, D18/63539
- 2 Submissions received 51-113 - Recreational use of Gosling Creek, Spring Creek Dam and Suma Park Dam, D18/63540
- 3 SPC 4 September 2018 Recreational use of Gosling Creek, Spring Creek and Suma Park Dams, 2018/2175

COUNCIL MEETING

4 JUNE 2019

5.2 RECREATIONAL USE OF SPRING CREEK AND SUMA PARK DAMS

RECORD NUMBER: 2019/821

AUTHOR: Scott Maunder, Director Community, Recreation and Cultural Services

EXECUTIVE SUMMARY

At its meeting of 4 December 2018 Council considered a report on the recreational use of Gosling Creek, Spring Creek Dam and Suma Park Dam. Council resolved:

RESOLVED - 18/542**Cr K Duffy/Cr M Previtera**

- 1 *That Council permit event camping on the northern side of Gosling Creek within a designated area at times determined by Orange City Council as not to conflict with events or activities.*
- 2 *That Council permit event RV parking within established carparks at Gosling Creek at times determined by Orange City Council as not to conflict with events or activities.*

However Council did not consider the other recommendations in the report. These recommendations were:

- i. Not permit land or water based activity at Suma Park; and
- ii. To commence the process to seek approval to permit access to Spring Creek Dam for non-powered and electric boating and fishing but not permit camping.

The report to Council on 4 December 2018 followed the conclusion of the exhibition period on the matter during which time Council received **133 submissions**.

Of these **9** submissions were received **opposing** the proposals for **Spring Creek Dam**.

LINK TO DELIVERY/OPERATIONAL PLAN

The recommendation in this report relates to the Delivery/Operational Plan strategy "2.1 Live - Identify and deliver sport and recreation facilities to service the community into the future".

FINANCIAL IMPLICATIONS

Nil

POLICY AND GOVERNANCE IMPLICATIONS

Nil

COUNCIL MEETING**4 JUNE 2019****5.2 Recreational use of Spring Creek and Suma Park Dams**

RECOMMENDATIONS

That Council resolves to:

- 1 Not permit land or water based activity at Suma Park; and**
- 2 To commence the process to seek approval to permit access to Spring Creek Dam for non-powered and electric boating and fishing but not permit camping.**

FURTHER CONSIDERATIONS

The recommendation of this report has been assessed against Council's other key risk categories and the following comments are provided:

Service Delivery	Drinking water quality, security of drinking water supply assets	
Image and Reputation	Tourism/economic impacts	
Environmental	Wildlife and wildlife habitat management, preservation of historic sites in the area, introduction of weeds or exotic plants, introduction of vermin and exotic animals, foreshore erosion, litter and heightened risk of bushfires	
Health and Safety	Legal and public liability, water quality health risks to users	
Stakeholders	Orange residents, external/regional users (including sporting clubs), Federal and State Government Approvals Authorities/Regulators	

SUPPORTING INFORMATION

At its meeting of 15 May 2018 Council considered a report on the Gosling Creek, Spring Creek and Suma Park Dams.

A workshop was conducted to further consider the proposals. Following the conduct of the workshop, Council again considered the report on 4 September 2018 which included the following information.

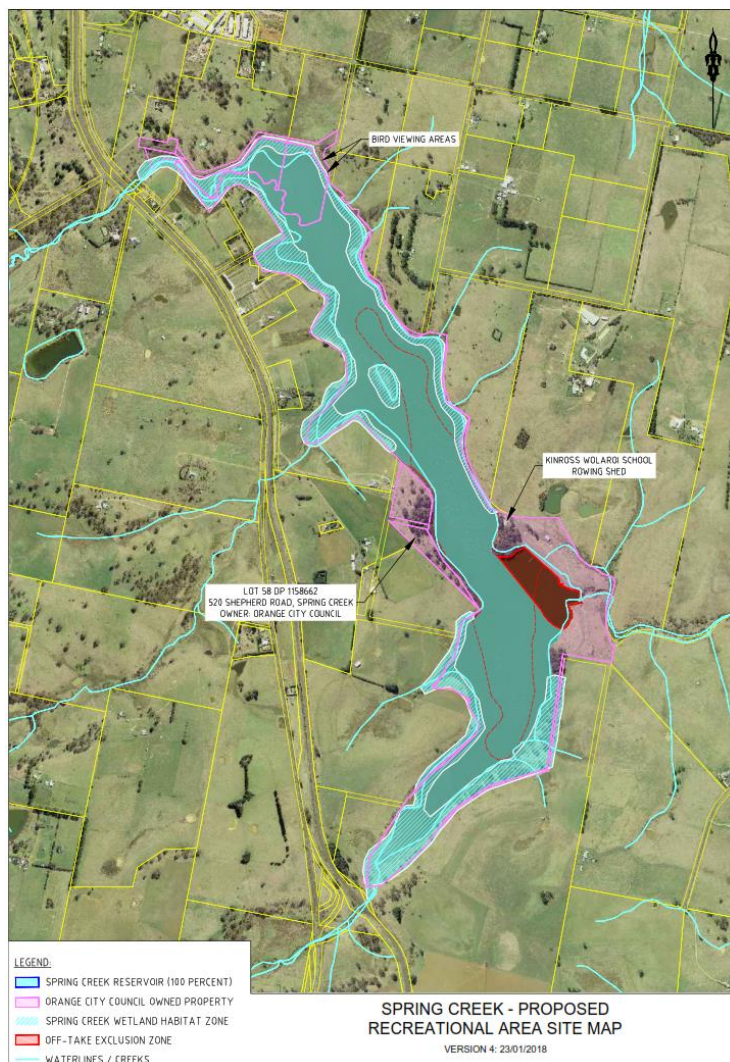
SPRING CREEK DAM

Spring Creek Reservoir is owned by Orange City Council and is classified as Community Land. The Plan of Management was adopted by Council on 3 December 2007. This plan specifically provides for the use of the land for "public water supply purposes along with specific provisions to permit the controlled and supervised rowing training and other low impact recreational activities subject to development consents and licensing arrangements".

COUNCIL MEETING

4 JUNE 2019

5.2 Recreational use of Spring Creek and Suma Park Dams

**Key considerations***a Drinking Water Quality Risks*

Spring Creek Dam is the secondary source of drinking water for Orange residents. The Australian Drinking Water Guidelines outline six guiding principles that are fundamental in the considerations of safe drinking water. One of these principles says that the *“protection of water sources and treatment are of paramount importance and must never be compromised”*

Introducing recreational activities onto Spring Creek Dam will have public health implications for the Orange Drinking Water Supply

b Plan of Management

Spring Creek Dam is classified as Community land. The current Plan of Management was adopted by Council on 3 December 2007. This plan specifically provides for the use of the land for *“public water supply purposes along with specific provisions to permit the controlled*

COUNCIL MEETING

4 JUNE 2019

5.2 Recreational use of Spring Creek and Suma Park Dams

and supervised rowing training and other low impact recreational activities subject to development consents and licencing arrangements"

Any change to this Plan of Management needs to be exhibited and adopted by Council as required under the Local Government Act. The current Plan of Management for Spring Creek Dam specifically states that *"Uncontrolled recreation activities were considered inappropriate due to the needs to protect habitat values and limit access to protect the integrity of the water supply, considering the likely impacts of a range of activities"*

c Land zoning

The zoning for Spring Creek Dam is for water supply purposes and recreational use is not permissible under this zoning. The LEP will need to be amended in order to rezone the whole site to Public Recreation RE1. The surrounding private land is zoned E3 Environmental Management and RU1 Primary Production. Recreation would then be permissible in the zone, subject to consent.

d Access To Spring Creek Dam For Water Non Powered Boating Activities

As illustrated below access to Spring Creek Dam is controlled by a locked gate and pedestrian access point at the southern end of Lone Pine Avenue at the North East point of the dam. This is the access point to the Kinross Wolaroi School Rowing facility. All other land surrounding Spring Creek Dam is privately owned. The impact of introducing uncontrolled recreation onto Spring Creek Dam on adjoining landowners also needs to be considered.

Council should also note that adjoining landowners access the dam for non-powered boating activities and fishing. There is also strong evidence that members of the public also access the dam for these activities gaining access through fence lines or via the pedestrian access at this access point.

The regulation of this activity would improve the safety of its conduct and provide access to the community.



Access point – Spring Creek Dam

COUNCIL MEETING

4 JUNE 2019

5.2 Recreational use of Spring Creek and Suma Park Dams

- Council could explore the redevelopment of this entrance point to provide a parking area and access point for non-powered boating activities. Access to the dam wall is available along the eastern side.
- Topography – the slope of land adjacent to the waterbody is suitable for access points
- Variable (low or high) water levels at any one given time may restrict access to the waterbody.
- “No-go” zones – buffer zones around critical water supply infrastructure will be required (i.e. near the dam wall)
- Opening hours need to be considered

e Access and variable water levels

f Health impact on users

- blue green algae outbreaks – using the waterbody would be restricted when blue green algae concentration is above health guidelines

OPPORTUNITIES AND CONSIDERATIONS

Opportunity	Considerations	Advantages	Disadvantages
Boating – non powered and electric	<ul style="list-style-type: none"> • Access points • Amendment to plan of management, LEP and Development Application 	<ul style="list-style-type: none"> • Accessible from existing access road • Used by community currently • Regulate current unapproved activity 	<ul style="list-style-type: none"> • Conflict with current users and landholders
Camping Located on western side of Spring creek dam	<ul style="list-style-type: none"> • Supervision of site • Access • Provision of amenities 	<ul style="list-style-type: none"> • Council Owned • Defined area 	<ul style="list-style-type: none"> • Land locked no access • No facilities • Requires active supervision of users • Operational Cost
Boating – powered	<ul style="list-style-type: none"> • Access points • Water quality risk • Amendment to plan of management, LEP and Development Application 	<ul style="list-style-type: none"> • Nil 	<ul style="list-style-type: none"> • Conflict with current users and landholders
Fishing	<ul style="list-style-type: none"> • Access points • Amendment to plan 	<ul style="list-style-type: none"> • Provides an additional location 	<ul style="list-style-type: none"> • Limited access from land based

COUNCIL MEETING**4 JUNE 2019****5.2 Recreational use of Spring Creek and Suma Park Dams**

Opportunity	Considerations	Advantages	Disadvantages
	of management, LEP and Development Application	for recreational fishing in Orange LGA.	sites.

Cost Implications

Council staff were asked to provide information on boating, camping, fishing, amenities and car parking. For these to proceed Council would be required to conduct the following works:

- Land acquisition for camping
- Access road(s) and car parking
- Pathways/non-vehicle access routes
- Rubbish Bins
- Signage
- Toilets
- Cleared areas
- Potable water
- Water Entrance similar to that constructed at Gosling Creek
- Operational costs

Cost estimate based on the above requirements is \$1.5m to \$3.0m

If Council were to consider only access for non-powered boating and fishing the requirements would eliminate the need for land acquisition and reduced infrastructure requirement for the other elements.

Pending approvals it is estimated that the cost for the provision of access for non-powered boating and fishing would require

- Access road and car parking
- Rubbish Bins
- Signage
- Toilets
- Potable water
- Water Entrance similar to that constructed at Gosling Creek
- Fish cleaning areas
- Operational Costs

Estimated cost for these elements would be \$500,000 to \$1M.

COUNCIL MEETING

4 JUNE 2019

5.2 Recreational use of Spring Creek and Suma Park Dams

Timeframe for approvals, development and implementation

At this early stage, it is difficult to estimate a timeframe for the delivery of such a project given its complexity and key issues that will need to be considered.

As a guide the timeframe for the implementation of Rowing Training for Kinross Wolaroi School on Spring Creek Reservoir was:

- August 1999 – Commence Plan of Management development
- June 2001 – Plan of Management adopted by Council
- June 2002 – Development Application lodged for facility (Boatshed and Pontoon Jetty) and approved with consent to operate
- July 2002 – the Central West Environment Group sought intervention from NSW Land and Environment Court.
- May 2003 – NSW Land and Environment Court decision in favour of Kinross Wolaroi School and Orange City Council
- May 2004 – Orange City Council and Kinross Wolaroi School entered into a Licence to use Spring Creek Dam as a Rowing Facility
- December 2004 – Rowing Training commenced

The recommendations as they relate to Spring Creek and Suma Park dams in that report were:

- i. Permit access to Spring Creek Dam for non-powered and electric boating, fishing but not camping;
- ii. Not permit land or water based activity at Suma Park; and

Council exhibited the recommendations for a period of 28 Days and sought written submissions on the proposals.

During that period 14 objections were received to the proposal for Spring Creek Dam and Suma Park Dam. These submissions highlighted the potential impact on flora and the steps required to obtain approval.

A summary of the submissions follows:

Objectors to Spring Creek and Suma	<ul style="list-style-type: none"> • • • • • • • •
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COUNCIL MEETING

4 JUNE 2019

5.2 Recreational use of Spring Creek and Suma Park Dams

	<ul style="list-style-type: none"> • • • • •
Objectors to Spring Creek only	<ul style="list-style-type: none"> • • • •
Support Suma Park Dam	<p style="text-align: center;">– Fishing appropriate on shore area. Water activities, although desirable, as done in Bathurst would give rise to many safety concerns.</p> <p style="text-align: center;">– Fishing but no camping as above</p>
Other	<ul style="list-style-type: none"> - fishing at Spring Creek Dam - no camping at Spring Creek Reservoir Site - Suma Park Dam - yes to camping only
Support	<p style="text-align: center;">– general additional free camping, not necessarily any of these spots</p>

However, given the current use by residents adjoining Spring Creek Dam and the activity of Kinross Wolaroi School, together with the current unregulated use by the general public, it is recommended that Council commence the process to permit activity as described in this report.

ATTACHMENTS

- 1 SPC 4 September 2018 Recreational use of Gosling Creek, Spring Creek and Suma Park Dams, 2018/2175
- 2 Spring Creek and Suma Park Dams Submissions, D19/25167

5.4 BULKY WASTE COLLECTION 2023

RECORD NUMBER: 2023/505

AUTHOR: Wayne Davis, Manager Waste Services and Technical Support

EXECUTIVE SUMMARY

Council endorsed the provision of a scheduled domestic Bulky Waste Collection service in 2023 and this report provides key waste stream collection data for the information of Council.

LINK TO DELIVERY/OPERATIONAL PLAN

The recommendation in this report relates to the Delivery/Operational Plan strategy “8.2. Develop and promote initiatives to reduce water, energy and waste in consultation with the community”.

FINANCIAL IMPLICATIONS

The service cost has been met through application of the tendered rate against eligible domestic waste service assessments through Council’s rates system.

POLICY AND GOVERNANCE IMPLICATIONS

A tendered service cost option that Council may elect to enact through the Domestic Waste and Recycling contract with J R Richards and Sons.

RECOMMENDATION

That Council acknowledge the outcomes of the 2023 Scheduled Domestic Bulky Waste Service.

FURTHER CONSIDERATIONS

Consideration has been given to the recommendation’s impact on Council’s service delivery; image and reputation; political; environmental; health and safety; employees; stakeholders and project management; and no further implications or risks have been identified.

SUPPORTING INFORMATION

Council’s contracted Domestic Waste and Recycling Service provider, J R Richards and Sons, provided the scheduled Bulky Waste Service to eligible residents over the period 30 January to 24 February 2023.

Of the 17,021 eligible domestic assessments, 7,400 collections were rendered which roughly equates to a 40% usage uptake (some residences could have potentially received three separate services-mixed waste; scrap metal and mattress collections). An amount of 506.94 tonnes of general mixed wastes of no recyclable worth was sent to landfill. A total of 80.46 tonnes of scrap steel; 8 tonnes of refrigerators and 574 mattresses (14.35 tonnes) were collected and effectively recycled. The percentage of recycled product diverted from landfill is 17% of overall product collected.

5.5 STRATEGIC POLICY REVIEW

RECORD NUMBER: 2023/519

AUTHOR: Janessa Constantine, Manager Corporate Governance

EXECUTIVE SUMMARY

This report presents Strategic Policy ST26 – Council-Related Development Applications – Managing Conflict of Interests which has been drafted and now recommended for placement on public exhibition for a period of 28 days.

As of 3 April 2023, Council is required to have a policy to manage Council related Development Applications. The policy has now been drafted and attached for Council's consideration for placement on exhibition.

LINK TO DELIVERY/OPERATIONAL PLAN

The recommendation in this report relates to the Delivery/Operational Plan strategy "17.1. Provide representative, responsible and accountable community governance".

FINANCIAL IMPLICATIONS

Nil

POLICY AND GOVERNANCE IMPLICATIONS

As a new strategic policy this will require public exhibition for 28 days prior to adoption. No Council-Related Development Applications will be able to be considered from 3 April 2023 until the policy has been adopted by the Council.

RECOMMENDATION

That Council resolves to place Strategic Policy ST26 – Council-Related Development Applications – Managing Conflict of Interests on public exhibition for a minimum period of 28 days.

FURTHER CONSIDERATIONS

Consideration has been given to the recommendation's impact on Council's service delivery; image and reputation; political; environmental; health and safety; employees; stakeholders and project management; and no further implications or risks have been identified.

SUPPORTING INFORMATION

The Draft policy is attached with the DPE Guidelines to assist with the requirements of implementing this policy. The Regulation can be viewed at the following link [Environmental Planning and Assessment Amendment \(Conflict of Interest\) Regulation 2023 \(nsw.gov.au\)](https://www.nsw.gov.au/environmental-planning-and-assessment/amendment-conflict-interest-regulation-2023)

ST26 – Council-Related Development Applications – Managing Conflict of Interests

The Council-Related Development Applications – Managing Conflict of Interests policy is based on the Model policy issued by the Department of Planning and Environment. The policy is mandatory and Councils can adapt the policy for their own circumstances.

Reference	Update
General	• New Policy

ATTACHMENTS

- 1 FOR EXHIBITION - Strategic Policy - ST26 - Council-Related Development Applications - Managing Conflict of Interests, D23/21873 [↓](#)
- 2 Department of Planning and Environment - Council-Related Development Application Conflict Of Interest Guidelines - September 2022, D23/21872 [↓](#)



Strategic Policy ST26

Council-Related Development
Applications – Managing Conflict of
Interests

FOR EXHIBITION

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All policies can be reviewed or revoked by a resolution of Council, at any time.

1 OVERVIEW

Purpose

- 1.1 This policy aims to manage potential conflict of interests and increase transparency at all stages of the development process for Council-related development.

Applicability

- 1.2 This policy applies to all Council-related Development.

2 PROCESS FOR IDENTIFYING AND MANAGING POTENTIAL CONFLICT OF INTERESTS

Management Controls and Strategies

- 2.1 Management controls for the assessment of an application for council-related development:

- a) Development Applications will be assessed by Council's Development Assessment Team or as otherwise directed by Council's CEO following an assessment of whether or not there is a potential conflict of interest. The assessment could for example include consideration of the type of development (non-controversial, small scale development, development of a certain value with or without commercial interest, controversial development) or the Capital investment value (Refer to Section 3 of this policy relating to risk assessment). In circumstances where it is determined by the CEO that a potential conflict of interest exists the CEO may consider alternate options to the assessment of the development application, such as referral to either:
 - (1) another council;
 - (2) independent planning consultant.
- b) The applicant/proponent shall only engage with the assessing officer/s of the development application, the same as any other member of the general public.

- c) Council related development applications must be exhibited for a minimum of 28 days to ensure transparency during the assessment process (Environmental Planning and Assessment Act 1979, schedule 1, clause 9B)

- 2.2 The following management controls that shall apply to the determination of a development application for council-related development.

- a) Determination of an application could be undertaken by staff under delegation – this is appropriate only if the CEO is of the view that the proposal is considered to be a low risk level or non- controversial.
- b) Determination of significant Council related development where the CEO is of the view that Council will be financial beneficiary will be undertaken by PDC/Council.
- c) Determination of Council related development with a CIV greater than \$2,500,000 but less than \$5,000,000 will be undertaken by PDC/Council.
- d) Determination of Council related development with a CIV of more than \$5,000,000 will be undertaken by the Western Region Planning Panel, a statutory body independent of Council.

- 2.3 Management controls relating to the regulation and enforcement of approved Council related development:

- a) The regulation and enforcement of approved Council related development shall be in accordance with the relevant legislation.
- b) The regulation and enforcement of Council related development may include:
 - Engagement of a private certifier
 - publication of certificates issued under Part 6 of the Act on the NSW Planning Portal
 - Peer review by a neighbouring council and/or entering into a shared services arrangement with a neighbouring council.
 - Reporting of key milestones to Council/PDC.



All policies can be reviewed or revoked by a resolution of Council, at any time.

- 2.4 The management strategy for the following kinds of development is that no management controls need to be applied:
- a) Exempt developments
 - b) commercial fit outs and minor changes to the buildings
 - c) internal alterations or additions to buildings that are not a heritage item
 - d) advertising signage
 - e) minor building structures projecting from a building facade over public land (such as awnings, verandas, bay windows, flagpoles, pipes, and services)
 - f) development where the council might receive a small fee for the use of their land.
 - g) Subdivisions comprising boundary adjustments, provision of public facilities and/or assets, road widenings etc and community land used for a public purpose
 - h) temporary structures and/or the use of land for community events.
- d) determine what (if any) management controls should be implemented to address the identified conflict of interest (in each phase of the development process if necessary) having regard to any controls and strategies outlined in the policy. *Note: The Chief Executive Officer could determine that no management controls are necessary in the circumstances.*
- e) document the proposed management approach for the proposal in a statement that is published on the NSW Planning Portal.

4 MANAGEMENT STATEMENT

In accordance with Clause 66A of the Environmental Planning and Assessment Regulation the applicant for a Council related development application is required to either provide a “statement” specifying how the Council will manage conflicts of interest that may arise in connection with the application because the Council is the consent authority or alternatively provide a “statement” that the Council does not have a management strategy for the application. The latter option would typically apply to minor types of development.

The matters that need to be addressed in the “Statement” are not limited to the following list, and will vary given the nature of the development:

- 3 IDENTIFYING WHETHER A POTENTIAL CONFLICT OF INTEREST EXISTS, ASSESSMENT OF THE RISK LEVEL AND DETERMINATION OF APPROPRIATE MANAGEMENT CONTROLS
- 3.1 Development applications lodged with the council that are council-related development are to be referred to the Chief Executive Officer for a conflict-of-interest risk assessment.
- 3.2 The Chief Executive Officer is to:
- a) assess whether the application is one in which a potential conflict of interest exists.
 - b) identify the phase(s) of the development process at which the identified conflict of interest arises.
 - c) assess the level of risk involved at each phase of the development process.
- Preliminary discussions with Council’s assessing officer/s
 - The interaction between the applicant/proponent and Council’s assessing officer/s whilst the development is under assessment.
 - The interaction between the applicant/proponent and Council’s assessing officer/s following the determination of the application.



All policies can be reviewed or revoked by a resolution of Council, at any time.

Example - Council Conflict of Interests Management Statement	
Name/Address	
DA XXX/20XX	
Orange City Council is the applicant. (insert the reason for the conflict)	
The Council is managing potential conflict of interests in this matter as follows: • (insert management strategy(s))	
Anyone with concerns about Council fulfilling its obligations should report their concerns to the Council.	

5 DEFINITIONS

Application	an application for consent under Part 4 of the Act to carry out development and includes an application for a complying development certificate and an application to modify a development consent
Council	Orange City Council
Council-related development	development for which the council is the applicant developer (whether lodged by or on behalf of council), landowner, or has a commercial interest in the land the subject of the application, where it will also be the regulator or consent authority
Development process	application, assessment, determination, and enforcement
The Act	the Environmental Planning and Assessment Act 1979

ST26 – Strategic Policy – Council-Related Development Applications – Managing Conflict of Interests		
Review Due: November 2024	Version 1_23	Last Revision: New Policy
Approved By:	Minute Number:	Approval Date:

Department of Planning and Environment



Council-related Development Application Conflict of Interest Guidelines

Introduction

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

Identifying these conflicts of interest early and finding ways to address them is crucial to good governance and allows councils to strengthen their relationship with communities and build and enhance trust.

The following requirements have been introduced into the *Environmental Planning and Assessment Regulation 2021* to address conflicts of interest in council related development:

- Councils must adopt and have a policy that specifies how conflicts of interest in connection with council-related development applications will be handled. The policy must comply with the requirements in these Guidelines (section 66A).
- Council-related development applications must now be accompanied by either a management strategy statement, which explains how the council will manage potential conflicts of interest, or a statement that the council has no management strategy for the application (section 36A).
- Councils must record conflicts of interest in connection with each council-related development application, and the measures taken to manage the conflicts, in their existing DA register (section 242A).
- Council-related development applications must be exhibited for a minimum of 28 days to ensure transparency during the assessment process (*Environmental Planning and Assessment Act 1979*, schedule 1, clause 9B).

While the regulation changes do not mandate the use of the framework once a development consent is issued, it is best practice when developing their policies for councils to also address conflicts that may occur after development consent has been granted. This could be as simple as stating in the policy that the council will seek to enter a shared services arrangement with a neighbouring council about this phase of the development process, for any development that is the subject of the policy.

Purpose of these Guidelines

These Guidelines are intended to:

- set out the requirements for the council conflict of interest policy required under section 66A,



- assist councils in meeting these requirements by providing a sample policy and management strategy statement that can be used as a template when developing their policies
- provide general information and guidance about the policy.

Flexibility

In some circumstances, council may determine the risks associated with a council-related development are sufficiently low and no specific controls are warranted. Where this is the case, council should still publicly communicate that fact to ensure transparency.

Where a council determines for a particular class of development that the risks of a conflict of interest are very low, it may decide to not have any management controls for a specified type of development unless there is some direct involvement of a councillor or a council staff member in their private capacity.

This can happen, for instance, where the council is the owner of a large commercial building that has a range of shops within it, for which it receives many development applications for commercial fit outs and minor changes to the building facade. In those circumstances, the council's policy could outline that its management strategy for this class of development does not apply additional controls for conflicts of interest.

Other examples where this approach might be appropriate include development for internal alterations or additions to buildings that are not a heritage item, advertising signage, minor building structures projecting from a building façade over public land (such as awnings, verandas, bay windows, flagpoles, pipes and services), and development where the council might receive a small fee for the use of their land.

Sample policy

The sample policy below is to help councils develop their conflict of interest policies for council-related development. It provides practical solutions for developing and implementing ways to manage potential conflicts at all stages of the development process.

For councils that have local planning panels, the council's policy only needs to deal with a subset of this development, as a range of development to which the policy would otherwise apply will already be referred to local planning panels.

Using the sample policy is optional. Each council and local government area is different and has unique local settings, therefore, councils should decide what is appropriate in their circumstances and develop a policy for managing conflicts of interest about council-related development that is suitable for their local area.

An example management strategy statement is also included below.

Requirements for conflict-of-interest policies

Any policy prepared and adopted by a council must:



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

Sample policy

Part 1 Preliminary

(1) Name of policy

This policy is the [insert name of policy].

Note: For example, Conflicts of interest policy – dealing with council-related development throughout the development process.

(2) Aim of policy

This policy aims to manage potential conflicts of interest and increase transparency at all stages of the development process for council-related development.

(3) Scope

This policy applies to council-related development.

(4) Definitions

(1) In this policy:

application means an application for consent under Part 4 of the Act to carry out development and includes an application to modify a development consent it does not include an application for a complying development certificate.

council means [insert name of the council]

council-related development means development for which the council is the applicant developer (whether lodged by or on behalf of council), landowner, or has a commercial interest in the land the subject of the application, where it will also be the regulator or consent authority

development process means application, assessment, determination, and enforcement

the Act means the *Environmental Planning and Assessment Act 1979*.

(2) A word or expression used in this policy has the same meaning as it has in the Act, and any instruments made under the Act, unless it is otherwise defined in this policy.

(3) Notes included in this policy do not form part of the policy.



Note: Other definitions can be inserted.

Part 2 Process for identifying and managing potential conflicts of interest

(5) Management controls and strategies

(1) The following management controls may be applied to:

- a. the **assessment** of an application for council-related development
 - *insert control(s)*
- b. the **determination** of an application for council-related development
 - *insert control(s)*
- c. the **regulation and enforcement** of approved council-related development
 - *insert control(s).*

Note: For example, council will enter into a shared services arrangement with a neighbouring council.

(2) The management strategy for the following kinds of development is that no management controls need to be applied:

- a. commercial fit outs and minor changes to the building façade
- b. internal alterations or additions to buildings that are not a heritage item
- c. advertising signage
- d. minor building structures projecting from a building facade over public land (such as awnings, verandas, bay windows, flagpoles, pipes, and services)
- e. development where the council might receive a small fee for the use of their land.

Notes:

1. *While councils must have a policy that sets out how they propose to deal with potential conflicts of interest for council-related development, it could implement different controls for dealing with them based on the level of risk. For example, councils could set their controls based on:*
 - a. *risk category – low, moderate, high, very high*
 - b. *types of development – non-controversial small-scale development, development of a certain value with/without a commercial interest, controversial development, or even*
 - c. *capital investment value of the proposed development.*
2. *There is a range of management controls that could be applied in particular circumstances. The following are some examples that councils could use. Note that councils are not limited to one approach and could specify more than one approach if appropriate in their local settings:*
 - a. *Assessment and determination*
 - i. *The assessment and/or determination of an application are to be undertaken by council staff under delegation – this might be appropriate if the proposal is considered to be a low-level risk or non-controversial. For more controversial projects, this might only be effective if strict role separation controls are imposed.*
 - ii. *The application could also be referred for external assessment and/or determination to either:*



1. another council
2. a local planning panel if one is in place
3. a regional planning panel (may require negotiation – RPPs are not required to accept referrals)
4. a consultant.

The involvement of an external third party might be appropriate for development where council has a commercial interest in the land, or the development is seen to be a political priority for the council.

b. Regulation and enforcement

- i. Engagement of a private certifier
- ii. Publication of certificates issued under Part 6 of the Act on the NSW Planning Portal
- iii. Peer review by a neighbouring council and/or entering into a shared services arrangement with a neighbouring council
- iv. Reporting of key milestones to the full council.

3. Councils may also wish to take advantage of their audit and risk committee to provide guidance for the types of controls that could be applied in specific circumstances.

(6) Identifying whether a potential conflict of interest exists, assessment of level risk and determination of appropriate management controls

- (1) Development applications lodged with the council that are council-related development are to be referred to the general manager (or a delegate) for a conflict-of-interest risk assessment.

Note: Council-related development is defined in section 4.

- (2) The general manager is to:

- a. assess whether the application is one in which a potential conflict of interest ~~exists~~,
- b. identify the phase(s) of the development process at which the identified conflict of interest arises,
- c. assess the level of risk involved at each phase of the development process,
- d. determine what (if any) management controls should be implemented to address the identified conflict of interest (in each phase of the development process if necessary) having regard to any controls and strategies outlined in clause 5 of the policy and the outcome of the general manager's assessment of the level of risk involved as set out clause 6(2)(c) of the policy,

Note: The general manager could determine that no management controls are necessary in the circumstances.

- e. document the proposed management approach for the proposal in a statement that is published on the NSW Planning Portal.

Note: The following is an example of a statement that could be published by councils to document its proposed management approach in a particular circumstance.

**Scenario**

BlueStar Council is upgrading one of their assets, 'Blue River Civic Place'. Council is the landowner and the applicant and is proposing to redevelop the site into a mixed-use development with a total capital investment value (CIV) of \$4.9 million. The development application seeks approval for the construction and use of an additional 2 storeys on an existing 3 storey building comprising a childcare centre, commercial office spaces and partial use of the building for council's public administration.

Example management statement

Council conflict of interest management statement	
Project name	Blue River Civic Place
DA number	DA21/0001
Potential conflict	BlueStar Council is the applicant. Blue River Civic Place has an estimated capital investment value of \$4.9 million and the council expects to receive revenue through renting commercial office spaces.
Management strategy	<p>The council is managing potential conflicts of interest in this matter as follows:</p> <ul style="list-style-type: none"> • The application will be referred to the local planning panel to determine the development application. • Council development assessment staff not involved with preparing the application will assess the DA. The staff will remain separated from the project team. • A private certifier will be engaged to undertake the certification for the development. • Green Hill Council has agreed to peer review any regulatory decisions should compliance decisions be made. • Key project milestones following the development consent will be reported at a public council meeting.
Contact	Anyone with concerns about council fulfilling its obligations should report their concerns to the council.

6 CLOSED MEETING - SEE CLOSED AGENDA

The Chief Executive Officer will advise the Council if any written submissions have been received relating to any item advertised for consideration by a closed meeting of Orange City Council.

The Mayor will extend an invitation to any member of the public present at the meeting to make a representation to Council as to whether the meeting should be closed for a particular item. In accordance with the Local Government Act 1993, and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the following business is of a kind as referred to in Section 10A(2) of the Act, and should be dealt with in a Confidential Session of the Council meeting closed to the press and public.

RECOMMENDATION

That Council adjourn into a Closed Meeting and members of the press and public be excluded from the Closed Meeting, and access to the correspondence and reports relating to the items considered during the course of the Closed Meeting be withheld unless declassified by separate resolution. This action is taken in accordance with Section 10A(2) of the Local Government Act, 1993 as the items listed come within the following provisions:

6.1 Girralang Biodiversity Credits - Delegated Authority

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

6.1 GIRRALANG BIODIVERSITY CREDITS - DELEGATED AUTHORITY

RECORD NUMBER: 2023/473

AUTHOR: Eli Todman, Sustainability Officer

REASON FOR CONFIDENTIALITY

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

7 RESOLUTIONS FROM CLOSED MEETING