



Ordinary Council Meeting

Agenda

21 July 2022

**Notice is hereby given in accordance with the provisions of the
Local Government Act 1993 that an
Ordinary Meeting of Warrumbungle Shire Council
will be held in the Council Chambers, John Street,
Coonabarabran
on Thursday, 21 July 2022 commencing at 5:00 pm.**

Mayor: Cr Ambrose Doolan

Councillors: Kodi Brady
Dale Hogden
Zoe Holcombe
Aniello Iannuzzi (Deputy Mayor)
Carlton Kopke
Jason Newton
Kathryn Rindfleish
Denis Todd

Please note:

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Council's Vision Excellence in Local Government

Mission Statement

We will provide:

- Quality, cost effective services that will enhance our community's lifestyle, environment, opportunity and prosperity.
- Infrastructure and services which meet the social and economic needs and aspirations of the community now and in the future.
- Effective leadership and good governance, by encouraging teamwork, through a dedicated responsible well trained workforce.

Values

- ✓ **Honesty**
Frank and open discussion, taking responsibility for our actions
- ✓ **Integrity**
Behaving in accordance with our values
- ✓ **Fairness**
Consideration of the facts and a commitment to two way communication
- ✓ **Compassion**
Working for the benefit and care of our community and the natural environment
- ✓ **Respect**
To ourselves, colleagues, the organisation and the community, listening actively and responding truthfully
- ✓ **Transparency**
Open and honest interactions with each other and our community
- ✓ **Passion**
Achievement of activities with energy, enthusiasm and pride
- ✓ **Trust**
Striving to be dependable, reliable and delivering outcomes in a spirit of goodwill
- ✓ **Opportunity**
To be an enviable workplace creating pathways for staff development

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AGENDA

ACKNOWLEDGEMENT OF COUNTRY – Council acknowledges the Traditional Custodians of the Land at which the meeting is held and pays its respects to Elders both past and present and extends that respect to other Aboriginal people who are present.

Turn Off Mobile Phones

Audio Recording of Council Meetings

Apologies/Leave of Absence

Confirmation of Minutes

16 June 2022

Disclosure of Interest

Pecuniary Interest

Non Pecuniary Conflict of Interest

Mayoral Minute/s

Delegate Report/s

Reports of Committees

Reports to Council

Notices of Motion/Questions with Notice/Rescission Motions

Reports to be considered in Closed Council

Conclusion

.....
ROGER BAILEY
GENERAL MANAGER

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Item 1 Mayoral Minute – Mayors Log of Activity, Kilometres Travelled and Expenses from 8 June 2022 to 8 July 2022

MAYORAL MINUTE – MAYORS ACTIVITY

<u>Date</u>	<u>Type</u>	<u>In/Out</u>	<u>Activity</u>
17-Jun	Email	In	Ratepayer - OOSH Vouchers
	Email	In	Dugald Saunders - weed bio-security
	Email	Out	Ratepayer - OOSH Vouchers
20-Jun	Email	In	Ratepayer - TRRRC
	Email	In	Susan Hawkins - Inland Rail
	Email	In	Coordinator CDDG - REZ
	Email	Out	Susan Hawkins - Inland Rail
21-Jun	Email	In	Ratepayer - Coonabarabran OOSH Service
	Email	In	GM - TRRRC case
	Email	In	GM - garbage trucks
	Email	In	GM - CWO REZ
	Email	In	Ratepayer - CWO REZ
	Email	In	GM - Disability Action Plan
	Email	In	Warwick Giblin - Valley of the Winds
	Email	Out	GM - OOSH Vouchers
	Email	Out	GM - TRRRC case
	Email	Out	GM - Reservoir Street
22-Jun	Email	In	GM - Reservoir Street Subdivision
	Email	Out	Cr Rindfleish - Valley of the Winds
24-Jun	Email	Out	GM - Reservoir Street
	Email	Out	GM - Valley of the Winds
	Email	Out	Mgr EDT - Siding Spring
	Email	In	Mgr EDT - Siding Spring
25-Jun	Email	In	Cr Rindfleish - Hwy funding
27-Jun	Email	In	Mgr EDT - events funding
	Email	In	Director Enviro & Dev Services - REZ concerns
28-Jun	Email	In	Director Technical Services - Murray Darling Healthy Rivers
29-Jun	Email	In	GM - OOSH Service
30-Jun	Email	Out	GM - TRRRC case
	Email	Out	GM - TRRRC case
	Email	In	Cr Rindfleish - OOSH Vouchers
	Email	In	Warwick Giblin - Valley of the Winds
	Email	In	Mayor of Armidale - REZ
	Email	In	Mayor of Dubbo - REZ
1-Jul	Email	In	Director Enviro & Dev Services - REZ
2-Jul	Email	Out	Warwick Giblin - Valley of the Winds
	Email	In	Warwick Giblin - REZ
4-Jul	Email	In	GM - TRRRC
	Email	In	Director Technical Services - Baradine Aerodrome
	Email	In	Roy Butler - meeting invitation
	Email	Out	GM - TRRRC case

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	Email	Out	Director Technical Services - Castlereagh River Project
	Email	Out	Ratepayer - OOSH
5-Jul	Email	In	Mgr EDT - events update
6-Jul	Email	In	Royal Rehab - thanks and update
	Email	In	GM - TRRRC case
7-Jul	Email	Out	Royal Rehab - update
	Email	In	Scott Phillips - RFS accounting
8-Jul	Email	In	GM - TRRRC case
9-Jul	Email	Out	GM - Mayoral Minute RFS accounting
12-Jul	Email	In	GM - Dunedoo Infrastructure

Date of Journey		Purpose of Journey	Odometer		KM Travelled
Start Date	End Date		Start	Finish	
16-Jun	16-Jun	Coonabarabran - meeting with GM and Deputy Mayor	15771	15803	32
16-Jun	16-Jun	Council Meeting - Coonabarabran	15803	15835	32
19-Jun	19-Jun	ALGA Conference - Canberra	15835	17236	1401
30-Jun	30-Jun	Coonabarabran Office - sign documents	17236	17265	29
1-Jul	1-Jul	Dubbo Airport - Royal Rehab Open in Sydney	17265	17575	310
7-Jul	7-Jul	Meeting with Roy Butler	17575	17630	55
8-Jul	8-Jul	Meeting with councillors	17630	17659	29
Total KM travelled for period 16 June 2022 - 8 July 2022					1,888

MAYORAL MINUTE - EXPENSES 8 June 2022 to 7 July 2022

<u>Date</u>	<u>Transaction Details</u>	<u>Comments</u>	
19-Jun	Shell Dunedoo	Fuel	\$91.00
19-Jun	Canowindra Trading	Meal - ALGA Conference	\$22.00
20-Jun	Dumpling House Canberra	Meal Mayor & Cr Rindfleish - ALGA Conference	\$105.20
21-Jun	Gus' Place Canberra	Meal - ALGA Conference	\$37.17
22-Jun	Cabonne Service Centre	Fuel	\$92.04
22-Jun	Novotel Canberra	Accommodation - ALGA Conference	\$900.80
22-Jun	Novotel Canberra	Accommodation Cr Rindfleish - ALGA Conference	\$846.21
27-Jun	Flight Centre	Travel - Royal Rehab Opening Sydney	\$194.97
28-Jun	Flight Centre	Travel - Royal Rehab Opening Sydney	\$192.96
30-Jun	Across Budget Motel		
30-Jun	Dubbo	Accommodation - Royal Rehab Opening	\$142.10
30-Jun	Westside Hotel Dubbo	Meal - Royal Rehab Opening	\$10.00
1-Jul	Dubbo Airport	Meal - Royal Rehab Opening	\$23.25
1-Jul	Opal Card	Transport - Royal Rehab Opening	\$21.70
Total expenditure for period 08/06/2022 - 07/07/2022			\$2,679.40

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RECOMMENDATION

That Council:

1. Notes the report on the Mayor's Activity and Log of Kilometres Travelled for the period 16 June 2022 to 8 July 2022.
2. Notes the report on the Mayor's credit card expenses between 8 June 2022 and 7 July 2022 and approves the payment of expenses totalling \$2,6798.40.

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Item 2 Mayoral Minute – Accounting Treatment of Rural Fire Service ('Red Fleet') Assets

Report

I am calling on Councillors to support the local government campaign on the financial accounting treatment of Rural Fire Service (RFS) mobile assets known as the 'Red Fleet'.

A long-standing dispute over the accounting treatment of the Red Fleet has come to a head with the Auditor-General's 2021 Report on Local Government on 22 June 2022. The Audit Report reemphasises the State Government determination that RFS assets are the "property" of councils and must be recorded in Council's financial statements with Council required to therefore absorb all depreciation costs.

The *Audit Office Local Government Report* has reinforced the notion that RFS mobile and other fire-fighting assets can somehow be deemed to be council assets and applies more pressure on councils and the Office of Local Government (OLG) to conform with this determination, even though councils do not have effective management or control of these assets.

Councils across the State and Local Government NSW (LGNSW) refute this determination. Councils do not have any say in the acquisition, deployment, or disposal of these assets. Comparable assets held by Fire & Rescue NSW (FRNSW) and the State Emergency Service (SES) are not vested anywhere other than with the organisations that purchase, use, maintain and dispose of them.

Councils and LGNSW have also raised concerns that the requirement breaches Australian Accounting Standards. The State Government's own *Local Government Accounting Code of Accounting Practice and Financial Reporting* provides for councils to determine whether to record RFS assets on their books as council assets. This position has been confirmed by the Secretary of the Department of Planning and Environment in his letter to the Auditor-General dated 7 June 2022, presented in Appendix 1 on page 47 of the 2021 Local Government Audit Report.

Council notes advice from LGNSW that many councils are refusing to comply with the Auditor General's instructions. Councils remained firm in 2021, resisting pressure to record RFS assets with the majority (68), choosing not to record the RFS mobile assets in accordance with the *Local Government Accounting Code*. This was the same number of councils as in 2020. LGNSW is encouraging councils to continue resisting pressure from the Audit Office and make their own determinations notwithstanding overtures that ongoing non-compliance with the Auditor General's instructions may result in future qualified financial reports.

The latest Audit Report has made further impositions on (Council) by:

- recommending Council undertakes a stocktake of RFS assets and records the value in Council's financial statements;
- warning that if Council does not recognise the assets, it will be found non-compliant and will have a high risk finding reported; and

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- calling on the NSW Department of Planning and Environment (OLG) to intervene where councils do not recognise rural firefighting equipment.

The Government's blanket determination is not only nonsensical, but also inconsistent with the treatment of the comparable assets of other emergency service agencies such as Fire & Rescue NSW (FRNSW) and the State Emergency Service (SES). There is no rational reason for maintaining this anomaly.

LGNSW has been advocating this position on councils' behalf and has written to the NSW Treasurer the Hon. Matt Kean MP, Minister for Emergency Services, the Hon. Steph Cooke MP, Minister for Local Government the Hon. Wendy Tuckerman MP and the Auditor-General, Ms Margaet Crawford to express the local government sector's strong objection to the NSW Government's determination, applied by the Auditor-General, that RFS assets are the property of councils for accounting purposes and amend the *Rural Fires Act 1997*.

LGNSW has advised it will continue its advocacy efforts on councils' behalf and is asking all affected councils in NSW to consider adopting a resolution advising the Audit Office that Council will not carry out the RFS stocktakes on behalf of the NSW Government and will not record RFS assets on Council's financial statements.

RECOMMENDATION

That:

1. Council writes to the local State Member(s) Roy Butler MP, the Treasurer the Hon Matt Kean MP, Minister for Emergency Services and Resilience the Hon Stephanie Cook MP and the Minister for Local Government Wendy Tuckerman MP:
 - a. Expressing Council's objection to the NSW Government's determination on ownership of Rural Fire Service assets;
 - b. Advising of the impact of the Government's position on Council finances of this accounting treatment;
 - c. Informing that Council will not carry out RFS assets stocktakes on behalf of the NSW Government and will not record RFS assets in Warrumbungle Shire Council's financial statements;
 - d. Calling on the NSW Government to take immediate action to permanently clear up inequities and inconsistencies around the accounting treatment of Rural Fire Service (RFS) assets by acknowledging that rural firefighting equipment is vested in, under the control of and the property of the RFS; and
 - e. Amending s119 of the *Rural Fires Act 1997* so that the effect is to make it clear that RFS assets are not the property of councils.
2. Council writes to the Shadow Treasurer Daniel Mookhey MLC, the Shadow Minister for Emergency Services Jihad Dib MP, the Shadow Minister for Local Government Greg Warren MP, the Greens Spokesperson for Local Government Jamie Parker MP and the leaders of the Shooters, Fishers and Farmers, Animal Justice and One Nation parties Robert Borsak MLC, Emma Hurst MLC and Mark Latham MLC:

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- a. Advising Members of Warrumbungle Shire Council's position, including providing copies of correspondence to NSW Government Ministers; and
 - b. Seeking Members' commitments to support NSW Councils' call to amend the *Rural Fires Act 1997* as set out in correspondence.
3. Warrumbungle Shire Council writes to the Auditor General advising that notwithstanding any overtures of future qualified audits, it will not carry out RFS stocktakes on behalf of the NSW Government and will not record RFS assets in Warrumbungle Shire Council's financial statements, noting that the State Government's own Local Government Accounting Code of Practice and Financial Reporting provides for councils to determine whether or not they record the RFS assets as council assets.
 4. Council promotes these messages via its digital and social media channels and via its networks.
 5. Re-affirms its complete support of and commitment to local RFS brigades noting that Warrumbungle Shire Council's) action is entirely directed towards the NSW Government's nonsensical position that rather than being owned and controlled by local brigades, RFS assets are somehow controlled by councils, which councils consider to be a cynical financial sleight of hand abdicating the NSW Government's responsibilities at the cost of local communities.
 6. That Warrumbungle Shire Council affirms its support to Local Government NSW (LGNSW) and requests LGNSW continue advocating on Council's behalf to get clarification finally from the State Government about the accounting treatment of RFS assets.
 7. Council review its own position in relation to recording RFS assets in its Financial Statements given that Council does not have a say in the acquisition of RFS assets, no involvement in the deployment of those assets and no say in the disposal of the assets.
 8. Council gives notice to the RFS of its intent to withdraw from the Castlereagh Zoning Agreement and invites the RFS advice on why Council should not withdraw from the Agreement.

**AMBROSE DOOLAN
MAYOR**

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Item 3 Councillors' Monthly Travel Claims

Division:	Executive Services
Management Area:	Governance
Author:	Executive Assistant to the General Manager – Erin Player
CSP Key Focus Area:	Civic Leadership
Priority:	CL2.1 Provide Council's leadership with a strong governance and management framework that promotes transparent and informed decision-making.

Reason for Report

To provide Council with details of monthly travel claims of councillors.

Background

At the Ordinary Council meeting in July 2017 it was resolved that, "*all Councillors make public their monthly travel claims effective immediately.*" (**Resolution No 10/1718**)

Councillor Monthly Travel Claims

Councillor	Kilometres June	\$ per KM	Total Amount (\$)
Cr Brady	-	0.78	-
Cr Doolan	-	0.78	-
Cr Hogden	400	0.78	312
Cr Holcombe	-	0.68	-
Cr Iannuzzi	-	0.78	-
Cr Kopke	288	0.78	224.64
Cr Newton	-	0.78	-
Cr Rindfleish	174	0.78	135.72
Cr Todd	-	0.78	-
		Total:	\$672.36

Issues

Nil.

Options

Nil.

Financial Considerations

Outlined above.

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Community Engagement

To inform the community.

Attachments

1. Councillors Monthly Travel Claims

RECOMMENDATION

That the Councillors' monthly travel claims report in the amount of \$672.36 is noted.

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Item 4 Minutes of Traffic Advisory Committee Meeting – 23 June 2022

Division:	Technical Services
Management Area:	Projects
Author:	Director Technical Services – Gary Murphy
CSP Key Focus Area:	Supporting Community Life
Priority:	SC4 The long-term wellbeing of our community is supported by ongoing provision of high quality services, health and aged care, education, policing and public safety, child, youth and family support, environmental protection and land management

Reason for Report

The purpose of this report is to present minutes from the meeting of the Traffic Advisory Committee held at Coonabarabran on the 23 June 2022.

Background

Authority has been delegated to Council from Transport for NSW (TfNSW) in relation to prescribed traffic control devices and traffic control facilities. Council may only exercise its delegated function in accordance with the Delegation. The Delegation requires Council to seek advice of the NSW Police and TfNSW and this is usually done via the Local Traffic Advisory Committee. The Local Traffic Advisory Committee has no decision-making powers and is primarily a technical review committee. The Committee has four formal members; NSW Police, TfNSW, Council Representative and the Local State Member of Parliament or their nominee.

Issues

The following matters were considered by the Committee:

- StaySafe – Parliamentary Inquiry into Speed Limits and Road Safety in Regional NSW
- Coonabarabran Rotary Club – Tour de Warrumbungles Bike Ride Event – 2 October 2022
- NSW NPWS – Tour de Gorge Bike Ride Event – 3 September 2022
- Proposed Council Fees and Charges for Traffic Management Services

Options

Council may wish to adopt the recommendations from the Committee meeting.

The 'StaySafe Parliamentary Inquiry' is the subject of a separate report as is the 'Proposed Council Fees and Charges for Traffic Management Services'. The Traffic Advisory Committee Recommendations for these items have been included in a separate report to Council for consideration.

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The 'NSW NPWS Tour de Gorge Bike Ride Event' can be dealt with under delegated authority.

Financial Considerations

The cost of recommendations from the meeting on the 23 June 2022 can be accommodated within existing budget allocations.

Community Engagement

The level of engagement for this report is to inform.

Attachments

1. Minutes of the Traffic Advisory Committee Meeting – 23 June 2022

RECOMMENDATION

That:

1. The minutes of the Traffic Advisory Committee Meeting held on the 23 June 2022 are noted for information.
2. The application by the Rotary Club of Coonabarabran to conduct the Tour de Warrumbungles Bike Ride event along Coonabarabran streets, local roads and regional roads on Sunday, 2 October 2022 between 8.00am and 2.00pm be approved subject to compliance with and receipt of the following:
 - Traffic Management Plan
 - Traffic Guidance Scheme
 - TfNSW Western Region concurrence
 - Council's Road Closure Guidelines
 - Receipt of current Public Liability Insurance
 - That a risk assessment be submitted by the organiser and distributed to Traffic Advisory Committee members for consideration
 - That the organiser encourages riders in the event to wear HiVis clothing.

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Item 5 Disclosure of Interests under clause 4.21 of the *Model Code of Conduct for Local Councils in NSW*

Division:	Executive Services
Management Area:	Governance
Author:	General Manager – Roger Bailey
CSP Key Focus Area:	Civic Leadership
Priority:	CL2 Council meets its legislative and compliance requirements opportunities for organisational improvement

Reason for the Report

To advise Council of the returns required to be lodged with the General Manager under clause 4.21 of the *Model Code of Conduct for Local Councils in NSW* (“the Model Code of Conduct”) for Councillors & Designated Person for the period 1 July 2021 to 30 June 2022.

Background

Clause 4.21 of the Model Code of Conduct requires Councillors and designated persons to lodge returns under section 449 for the period 1 July 2021 to 30 June 2022.

Clause 4.21:

A councillor or designated person must make and lodge with the general manager a return in the form set out in schedule 2 to this code, disclosing the councillor’s or designated person’s interests as specified in schedule 1 to this code within 3 months after:

- a) Becoming a councillor or designated person, and*
- b) **30 June of each year, and***
- c) The councillor or designated person becoming aware of an interest they are required to disclose under schedule 1 that has not been previously disclosed in a return lodged under paragraphs (a) or (b).*

Under clause 4.25 returns are required to be lodged with the General Manager and then tabled at the first meeting of Council after the last day the return is required to be lodged.

At the Extra-Ordinary Council Meeting held Thursday 6 January 2022 newly elected councillors were provided with the relevant forms and were submitted to the General Manager as at 22 December 2021.

Continuing Councillors will now need to submit their forms for the period 1 July 2021 to 30 June 2022. Newly elected councillors now need to submit their form for the period 23 December 2021 to 30 June 2022.

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Clause 4.8 classifies a designated person as:

Designated persons include:

1. *The general manager*
2. *Other senior staff of the council for the purposes of section 332 of the LGA*
3. *A person (other than a member of the senior staff of the council) who is a member of staff of the council or a delegate of the council and who holds a position identified by the council as the position of a designated person because it involves the exercise of functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the person's duty as a member of staff or delegate and the person's private interest*
4. *A person (other than a member of the senior staff of the council) who is a member of a committee of the council identified by the council as a committee whose members are designated persons because the functions of the committee involve the exercise of the council's functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the member's duty as a member of the committee and the member's private interest.*

In addition to the General Manager it would be appropriate that Council identify the following as designated persons:

- Director Environment and Development Services
- Director Technical Services
- Director Corporate and Community Services
- Manager Projects
- Manager Roads
- Manager Planning and Regulation
- Building Certifier
- Town Planner

The Returns have now been issued to all persons (councillors and designated persons) and are due to be returned by no later than 30 September 2022.

Financial Implications

Nil

Attachments

Nil

RECOMMENDATION

That Council:

1. Note the report on Disclosure of Interests under clause 4.21 of the *Model Code of Conduct for Local Councils in NSW* for the period to 30 June 2022.
2. Identify the following positions as designated staff:
 - Director Environment and Development Services

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- Director Technical Services
 - Director Corporate and Community Services
 - Manager Projects
 - Manager Roads
 - Manager Planning and Regulation
 - Building Certifier
 - Town Planner
3. Note the relevant forms have been issued to all councillors and designated staff.
 4. Note that the Returns are to be provided to the General Manager by no later than 30 September 2022

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Item 6 Council Resolutions Report

Division:	Executive Services
Management Area:	Governance
Author:	Executive Services Administration Officer – Joanne Hadfield
CSP Key Focus Area:	Civic Leadership
Priority:	CL2.1 Provide Council's leadership with a strong governance and management framework that promotes transparent and informed decision making

Reason for Report

To provide Council with updated information on the progress of Council resolutions.

Background

The General Manager is responsible for overseeing the progression of information from relevant staff to Council via the Business Paper and monthly Council meetings.

Furthermore, the General Manager is responsible for ensuring appropriate information regarding Council resolutions and deliberations are provided to Directors and relevant staff. Each Council resolution is allocated to a directorate for action. Directors and Managers provide feedback to the General Manager on the progress of resolutions each month by way of the attached Council Resolution Report. Once an item is noted by Council as being complete it is removed from the Report.

Resolutions that remain 'In Progress' for a 12 month period will be reported to Council as a separate agenda item with a new Recommendation. This will provide Council staff the opportunity to detail the history and issues of outstanding items before Council reconsiders the matter.

Issues

This feedback is provided to Council for information purposes.

Options

Nil

Financial Consideration

Nil

Community Engagement

Level of Engagement - Inform

Attachments

1. Council Resolution Report

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RECOMMENDATION

That the Council Resolution Report be noted for information.

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Item 7 Revotes and High Value Projects Report

Division:	Executive Services
Management Area:	Governance
Author:	Executive Assistant to the General Manager – Erin Player
CSP Key Focus Area:	Civic Leadership
Priority:	CL1 That Council is financially sustainable over the long term

Reason for Report

To provide Council with updated information on the progress of projects that Council has funded by revote and projects that are considered to be high value and potentially high risk.

Background

From time to time, Council endorses changes to its adopted annual budget by way of a revote. A report on those projects that have been subject to a revote is compiled, with updates provided on progress.

The General Manager is responsible for overseeing the progression of information from relevant staff to Council via the Business Paper and monthly Council meetings.

Council is provided with information on revote items and their progress in the attached report.

Issues

Nil

Options

Nil

Financial Considerations

As set out in the report.

Community Engagement

To inform the community by placing the information on Council's website through the Business Paper.

Attachments

1. Revote Report
2. High Value High Risk Revotes

RECOMMENDATION

That the Revote and High Value Projects Report be noted for information.

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Item 8 NDIS Accreditation Warrumbungle Community Care

Division:	Corporate Services
Management Area:	Children's and Community Services
Author:	A/Manager Children's and Community Services Kimberley Harper
CSP Key Focus Area:	Supporting Community Life
Priority:	SC5 Resource allocation and service provision reflects the needs of our ageing population

Reason for Report

Warrumbungle Community Care (WCC) proposing not to undergo the audit and registration process as an NDIS Approved Provider and withdraw as an accredited provider.

Background

There are a number of requirements providers must meet to become registered and maintain registration with the NDIS Commission, including an audit and accreditation process every three years.

In 2019 WCC went through a costly and lengthy audit and registration process for accreditation to be able to service NDIS participants within the LGA. The Audit and registration expense were approximately \$12,000.

Issues

Currently WCC services 6 NDIS participants across the Shire (Meals, Personal Assistance, Domestic Assistance, Home Maintenance and Community Transport) with total revenue of less than \$5,000.

WCC staff do not hold specialised qualifications in case management, support coordination or financial management for NDIS specific participants, as currently the needs of these clients are more complex/high risk than WCC staff are currently qualified for.

The audit and accreditation process are costly for the amount of revenue that WCC receive.

There are currently several other providers within the Shire specialising in NDIS, including Breakthru Solutions, Elephant in the Room, Hire Up, LiveBetter, and several privatised people with ABNs and specialised qualifications.

Options

To allow NDIS participants to exercise their independence in choosing their own service provider.

NDIS participants must only use registered NDIS Approved Providers for:

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- Specialist Disability Accommodation
- Supports or Services during which there is or is likely to be a need to use regulated restrictive practice
- Specialist Behaviour Supports that involve undertaking behaviour support assessment of the participant or developing a behaviour support plan for the participant

WCC do not specialise and participate in the above required conditions stipulated in the NDIS guide.

Financial Considerations

In 2019 Accreditation cost approximately \$12,000 for registration and audit. At present WCC have in NDIS user chargers approximately \$4,834.00, this will not cover the cost of re-registering.

WCC still receives revenue for the services provided through invoices in alignment with WSC Fees and Charges policy and the current NDIS Price Guide (full-cost not funded).

Staff training would need to be costed to obtain, maintain and train all staff involved in NDIS care, if current NDIS Approved Provider status was maintained. Budget would need to be sourced for staff development.

Community Engagement

The level of community engagement is 'Inform' as per Council's *Community Engagement Strategy 2020-2024*.

RECOMMENDATION

That Council not seek NDIS re-registration.

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Item 9 Investments and Term Deposits – month ending 30 June 2022

Division:	Corporate and Community Services
Management Area:	Financial Services
Author:	Finance Officer – Rachael Carlyle
CSP Key Focus Area:	Civic Leadership
Priority:	CL1 That Council is financially sustainable over the long term

Reason for Report

As required by clause 212 of the *Local Government (General) Regulation 2005*, the details of all monies invested by Council under section 625 of the *Local Government Act 1993* must be reported to Council at each Ordinary Meeting.

Background

Council is authorised by s 625 of the *Local Government Act 1993* (the Act) to invest its surplus funds in the forms of investment notified in an Order of the Minister dated 12 January 2011.

Clause 212 of the *Local Government (General) Regulation 2005* (the Regulation) requires a Council to provide a written report to the Ordinary Meeting of Council giving details of all monies invested and a certificate as to whether or not the investments have been made in accordance with the Act, Regulations and Council's Investment Policy.

Issues

Comments on Performance

Marketable Securities, Term Deposits and At Call Investment Accounts

In accordance with regulatory requirements and Council's Investment Policy, the majority of Council's current investment portfolio continues to be invested in term deposits and at call accounts.

Marketable Securities

Council currently holds no Marketable Securities.

Term Deposits

During the month, \$500,000.00 worth of term deposits matured, earning Council a total of \$1,983.56 in Interest.

In June, no placements were made into term deposits:

The balance of the term deposits at the end of the month was \$24,000,000.00.

At Call

At call accounts are used to hold funds for shorter periods and generally are adjusted on a weekly basis to meet cash flow requirements. During the month, \$546.00

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interest was earned on the balances in the accounts and net transfers of 701,329.67 were made from these accounts resulting in a month end balance of \$2,529,806.41.

Cash at bank balance

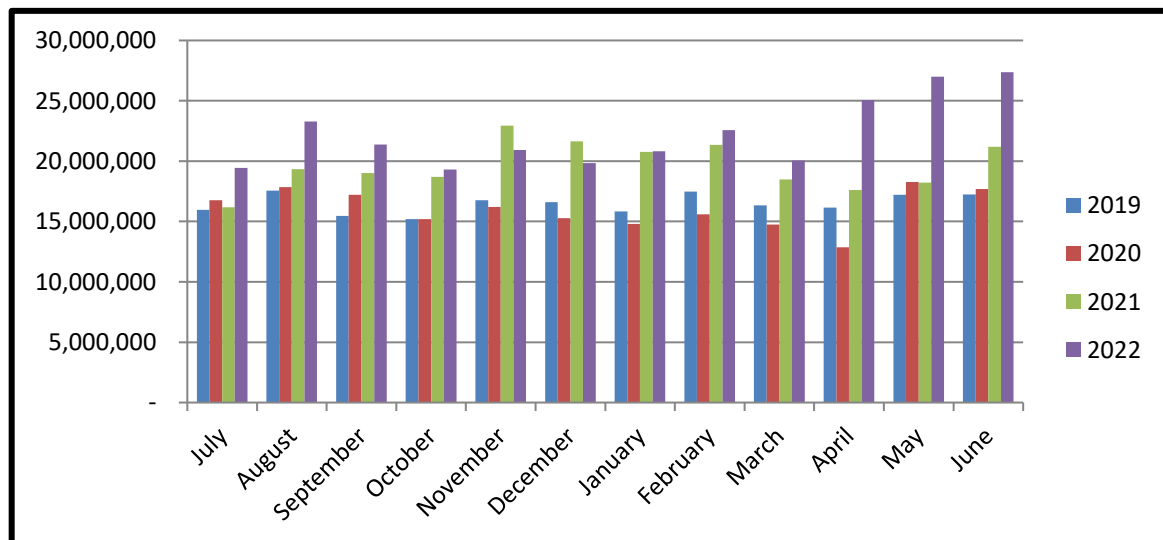
In addition to the at call accounts and term deposits, as at 30 June 2022, Council had a cash at bank balance of \$850,409.34.

Income Return

The average yield on Investments council held for June 2022 was 1.1644%. Council uses the Bank Bill Swap Rate (BBSW) supplied by the Australian Securities Exchange (ASX) which was 1.8132 % for the month of June. The performance of investments for June, based on the comparison, was the portfolio underperformed by 0.6488%. This is due to some of the investments being placed in a low interest setting in 2021. Yields are expected to improve in the future, with the impact of higher interest rates.

Council's budget for year 2021/22 for interest on investments is \$140,000.00. At the end of June 2022, the amount of interest received and accrued should be around 100% of the total year budget, i.e. \$140,000.00. On a year to date basis, interest received and accrued totals \$98,213.37, which is 70.152% of the annual budget.

Graph by Month Investments



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Table 1: Investment Balances – 30 June 2022

Financial Institution	Lodgement Date	Maturity Date	Total Days	Original Rating	Current Rating	Yield (%)	Investment Amount (Redemption Value)
At Call Accounts							
NAB	1-Nov-18	At Call	at call	ADI	ADI	0.05%	2,001,408.42
ANZ	2-Nov-18	At Call	at call	ADI	ADI	0.01%	6,694.08
T Corp IM Cash Fund	3-Nov-18	At Call	at call	P	P	0.09%	0.00
CBA At Call	4-Nov-18	At Call	at call	ADI	ADI	0.01%	521,703.91
							2,529,806.41
Term Deposits							
AMP	10-Aug-21	05-Jul-22	329	LMG	LMG	0.75%	500,000.00
NAB	18-Aug-21	26-Jul-22	342	ADI	ADI	0.29%	1,000,000.00
NAB	29-Sep-21	17-Aug-22	322	ADI	ADI	0.35%	1,000,000.00
CBA	26-Oct-21	07-Sep-22	316	ADI	ADI	0.44%	1,500,000.00
MAQ	28-Sep-21	28-Sep-22	365	UMG	UMG	0.40%	1,000,000.00
WBC	29-Nov-21	19-Oct-22	324	ADI	ADI	0.45%	1,000,000.00
WBC	29-Nov-21	09-Nov-22	345	ADI	ADI	0.50%	1,000,000.00
AMP	24-Nov-21	24-Nov-22	365	LMG	LMG	1.00%	1,000,000.00
NAB	28-Jan-22	14-Dec-22	320	ADI	ADI	0.67%	1,000,000.00
CBA	06-Dec-21	15-Dec-22	374	ADI	ADI	0.55%	1,500,000.00
NAB	19-Jan-22	19-Jan-23	365	ADI	ADI	0.68%	1,000,000.00
MAQ	07-Feb-22	07-Feb-23	365	UMG	UMG	0.75%	500,000.00
NAB	28-Feb-22	23-Mar-23	388	ADI	ADI	0.83%	1,000,000.00
MAQ	03-Mar-22	20-Apr-23	413	UMG	UMG	0.95%	500,000.00
CBA	29-Apr-22	20-Dec-22	235	ADI	ADI	2.00%	2,000,000.00
WBC	29-Apr-22	10-May-23	376	ADI	ADI	2.50%	1,000,000.00
WBC	29-Apr-22	31-May-23	397	ADI	ADI	2.50%	1,000,000.00
MAQ	29-Apr-22	21-Jun-23	418	UMG	UMG	2.05%	1,000,000.00

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WBC	29-Apr-22	12-Jul-23	439	ADI	ADI	2.55%	1,000,000.00
CBA	10-May-22	10-Oct-22	153	ADI	ADI	1.91%	1,000,000.00
WBC	20-May-22	01-Nov-23	530	ADI	ADI	1.91%	1,000,000.00
NAB	30-May-22	05-Dec-22	189	ADI	ADI	2.13%	1,000,000.00
WBC	31-May-22	03-Jan-23	217	ADI	ADI	2.23%	1,500,000.00
						Sub-Total	24,000,000.00
						Total	26,529,806.41

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Credit Rating Legend

P	Prime
ADI	Big Four – ANZ, CBA, NAB, WBC
HG	High Grade
UMG	Upper Medium Grade
LMG	Below Upper medium grade

Table 2: At Call and Term Deposits – Monthly Movements

Bank	Opening Balance	Interest Added to Investment or Redeemed	Net Placements/ Withdrawals	Closing Balance
NAB	1,000,731.22	677.20	1,000,000.00	2,001,408.42
ANZ	6,709.01	0.07	(15.00)	6,694.08
T Corp IM Cash Fund	298,786.60	(131.27)	(298,655.33)	(0.00)
CBA At Call	521,703.91			521,703.91
Total at call	1,827,930.74	546.00	701,329.67	2,529,806.41
MAQ	500,000.00	1,983.56	(501,983.56)	-
AMP	500,000.00			500,000.00
NAB	1,000,000.00			1,000,000.00
NAB	1,000,000.00			1,000,000.00
CBA	1,500,000.00			1,500,000.00
MAQ	1,000,000.00			1,000,000.00
WBC	1,000,000.00			1,000,000.00
WBC	1,000,000.00			1,000,000.00
AMP	1,000,000.00			1,000,000.00
NAB	1,000,000.00			1,000,000.00
CBA	1,500,000.00			1,500,000.00
NAB	1,000,000.00			1,000,000.00
MAQ	500,000.00			500,000.00
NAB	1,000,000.00			1,000,000.00
MAQ	500,000.00			500,000.00
CBA	2,000,000.00			2,000,000.00
WBC	1,000,000.00			1,000,000.00
WBC	1,000,000.00			1,000,000.00
MAQ	1,000,000.00			1,000,000.00
WBC	1,000,000.00			1,000,000.00
CBA	1,000,000.00			1,000,000.00
WBC	1,000,000.00			1,000,000.00
NAB	1,000,000.00			1,000,000.00
WBC	1,500,000.00			1,500,000.00
Total Term deposits	24,500,000.00	1,983.56	(501,983.56)	24,000,000.00
Total	26,327,930.74	2,529.56	199,346.11	26,529,806.41

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Compliance with Council's Investment Policy

Council's Investment portfolio is 100% compliant.

The table below provides compliance status against the Investment Policy:

Institution	Credit Rating	Investment \$	Actual Exposure	Max. Limit per Policy	Compliance status
Tcorp	Prime	-	0.00%	33.30%	Compliant
	Total Prime	-	0.00%	100.00%	Compliant
ANZ	ADI	6,694.08	0.03%	33.30%	Compliant
CBA	ADI	6,521,703.91	24.58%	33.30%	Compliant
WBC	ADI	7,500,000.00	28.27%	33.30%	Compliant
NAB	ADI	8,001,408.42	30.16%	33.30%	Compliant
	Total ADI	22,029,806.41	83.04%	100.00%	Compliant
MAQ	UMG	3,000,000.00	11.31%	20.00%	Compliant
	Total UMG	3,000,000.00	11.31%	60.00%	Compliant
ME	LMG	-	0.00%	10.00%	Compliant
AMP	LMG	1,500,000.00	5.65%	10.00%	Compliant
	Total LMG	1,500,000.00	5.65%	10.00%	Compliant
	Grand Total	26,529,806.41	100.00%		

Certification of Responsible Accounting Officer

I hereby certify that the investments listed in the report above 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 Investments Policy.

Responsible Accounting Officer

RECOMMENDATION

That Council accept the Investments Report for the month ending 30 June 2022 including a total balance of \$27,380,215.75 being:

- \$2,529,806.41 in at call accounts.
- \$24,000,000.00 in term deposits.
- \$850,409.34 cash at bank.

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Item 10 Maintenance of Unformed Roads

Division:	Technical Services
Management Area:	Road Operations
Author:	Manager Road Operations – Kylie Kerr
CSP Key Focus Area:	Civil Leadership
Priority:	CL1 That Council is financially sustainable over the long term.

Reason for Report

This report is to address the request to extend the maintenance of Hotchkiss Road to 5.6km and the maintenance of unformed roads generally.

Background

In November 2021, the Shire experienced a major natural disaster which resulted in extensive damage to the road network including tracks classified as unformed roads.

Over the past six (6) months, Council has received numerous requests for service for repairs to unformed roads in addition to Hotchkiss Road.

In February 2022, Council resolved:

***'206/2122 RESOLVED** that Council request a report on the possibility of extending the maintenance of Hotchkiss Road another 2.8km from the current end point. This would mean that Council would maintain the first 5.6km of Hotchkiss Road from the intersection of Gulargambone Road.'*

The *Warrumbungle Shire Council – Asset Management Plan – Roads* was endorsed by Council in 2019 and it sets out the:

- Hierarchy of roads
- Critical assets
- Customer and technical level of service and the intervention levels
- Roads that Council does maintain and the roads that are not maintained.

Council staff refer to this document when determining the level of service and to confirm what roads are maintained by Council. This ensures that when responding to requests for service, that Council is providing the agreed level of service.

The *Warrumbungle Shire Council – Asset Management Plan – Roads* as well as previous Asset Management Plans are available on Council's website. The website also has a map showing the road network and the three different level of services (Category one (1), two (2) or three (3)). These road categories influence the frequency of maintenance works. Unformed roads are generally not shown on the map as Council does not maintain them.

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There is an expectation that Council should be providing a higher level of service on the road network particularly on the unsealed rural roads. For example, there is an expectation that Council will provide ongoing maintenance of tracks that have been established in road reserves.

Since the start of December 2021, the community has requested service on the unformed roads shown in Attachment 1. Staff have been consistently informing customers they are requesting maintenance of an unformed road or road reserve and Council will not be repairing the road or track. They are also directed to Council's *Policy Access Across Road Reserves to Properties and Upgrading of Roads Not Constructed or Maintained by Council* for additional information. This has caused a lot of upset and stress to many residents as they were under the assumption that Council is responsible for maintaining the unformed road to their property.

As defined in the *Warrumbungle Shire Council – Asset Management Plan – Roads* that was endorsed by Council on 12 December 2019, an unformed road category covers a range of different roads including:

- Previously constructed road pavements that Council no longer maintains,
- Basic earthen tracks (whether constructed or not) within road reserves not maintained by Council,
- Road Reserves used for other purposes (eg. pedestrian access, tracks, etc.) are maintained by Councils.

Unformed roads include road reserves that a vehicle may or may not physically be able to travel down. Roads in this category are not maintained by Council and haven't been addressed as part of the *Warrumbungle Shire Council – Asset Management Plan – Roads*.

Issues

There are three main issues regarding the maintenance of unformed roads:

- Who is responsible for the maintenance of an unformed road?
- How has Council consulted with the community about unformed roads?
- If Council chooses to accept the responsibility of maintaining all or some of the unformed roads what will be the agreed level of service and how will it be funded?

There is an expectation that Council is responsible for the maintenance of all unformed roads in the Shire.

A public road is defined as a road opened or dedicated for the free right of passage of the public on foot, in a vehicle, or otherwise, (together with the right to drive stock or other animals along its length) and declared to be a public road for the purposes of the Roads Act 1993. Most unformed roads do not meet the criteria to be classified as a public road.

The *Roads Act 1993* states that **"A roads authority **may** carry out road work on any public road for which it is the roads authority and on any other land under its control"* (**emphasis added*). There is no requirement in the Act that states that Council **must**

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maintain a public road. For any unformed road that does meet the criteria of a public road it is still Council's decision if they maintain the road and to what standard.

Council also needs to consider the Civil Liability Act when determining the public roads and the level of service to be provided. Section 42 of the Act covers the principles applied in determining whether Council as a public authority has a duty of care and will act as a defence to the findings of negligence. The defence may include, if the functions required to be exercised by the Council are limited by the financial and other resources that are reasonably available to the authority for the purpose of exercising those functions.

There is the belief that Council has not effectively consulted with the community on the level of service for the road network. It is evident through conversations with residents that they are often unaware of the agreed level of service.

All verbal discussions relating to unformed roads have included statements like "Council has always maintained the road" or "No one told me that Council doesn't maintain the road" or "It's a public road, Council is responsible".

On numerous occasions, Council has also been asked to provide evidence of where it states that Council does not maintain a particular road. In these cases, customers are referred to the *Warrumbungle Shire Council – Asset Management Plan – Roads, Access Across Road Reserves to Properties Policy and Upgrading of Roads Not Constructed or Maintained by Council Policy*.

There is an open Council Resolution of 19 August 2021:

'46/2122 RESOLVED that the following actions are taken in relation to the Roads Asset Management Plan:

1. *Review and update condition rating scales and include in a revised version of AMP Roads.*
2. *Update the Roads AMP based on updated unit rate information provided in Table 5.3 in the attachment.*
3. *Consult with the community on acceptable levels of road condition and on expected levels of road maintenance.*
4. *Publicise a map identifying the location of projects in the four (4) year works program for roadworks associated with pavement renewal and pavement upgrades.'*

Options

Council has the following options:

1. Maintain status quo and continue to maintain only those road lengths listed in the current asset register for roads.
2. Maintain status quo and continue to maintain only those road lengths listed in the current asset register for roads and that Council consults with the community on the level of service roads across the Shire.

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3. Increase the road network length by up to 31km to allow for the unformed roads listed in Attachment 1 to be maintained and that the maintenance be covered within the approved road maintenance budget. Council could accept all or some of the requests for road maintenance. (*Note: It is highly likely that there will be many other roads and kilometres that could be considered.*)
4. Increase the road network length by up to 31km to allow for the unformed roads listed in Attachment 1 to be maintained and that the maintenance be covered by reducing the budget for another service Council delivers. (*Note: As per 3 above.*)

Financial Considerations

Increasing the road network by approximately 31km to accommodate the maintenance of the unformed roads listed in Attachment One would mean an increase in the annual maintenance budget of approximately \$42,000.

There would also be the initial cost of approximately \$450,000 to form the road sections and bringing them up to Council standard.

There is currently a funding shortfall between the required maintenance for unsealed rural roads and the available budget. In the adopted Asset Management Plan – Roads this shortfall was \$674,770 in 2019.

Council's Financial Planning and Sustainability Policy requires that "*Council must achieve a fully funded operating position reflecting that Council collects enough revenue to fund operational expenditure, the repayment of debt and depreciation.*"

It should also be noted that Council needs to address the overall current deficit budget for all Council operations.

Community Engagement Considerations

An information flyer has already been completed and distributed to residents in the Stannix Park Road area informing them of what roads Council maintains and what are private roads.

It has been a number of years since Council last did extensive consultation of the road network and its level of service. An effective method of consulting with the community is establishing a Road Network Consultative Group.

The Group's function would be to:

- Be an advisory group to Council on matters relating to the urban and rural road network.
- Represent the views, needs and expectations of the residents of Warrumbungle Shire.

The Group and its members would be responsible for:

- Providing information and feedback to Council about the strategic direction for the road network including road hierarchy, level of service requirements and policy.
- Seeking information and feedback from the community on matters relating to the road network.

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The Group would:

- Meet quarterly at a time and place suitable for the members.
- Consist of eight (8) to 10 appointed community members representing different sectors of the community like, but not limited to transport operators, farmers, urban, rural residential, tourism operators, bus companies.
- Have Councillor members of the number chosen by Council.
- Have representatives from Council staff including the Director Technical Services and Manager Road Operations.

The Group would **not** be:

- A decision-making group as that is the responsibility of Council.
- An avenue for members to make a request for service relating to a specific location as Council already has well- established processes in place.
- To discuss and make comment on operational matters of Council.

Items that could possibly be on the Group's agenda:

- Level of service for unformed roads.
- Providing ideas on a self-help policy for the Shire.
- Providing comment and advice on policies like Access Across Road Reserves to Properties Policy and Upgrading of Roads Not Constructed or Maintained by Council Policy.
- Providing comments and advice around the needs and wants of the Community in regards to the road network at the strategic level.

Attachments

1. Unmaintained Road Corridors – Request for Service
2. Access Across Road Reserves to Properties Policy
3. Upgrading of Roads Not Constructed or Maintained by Council Policy

RECOMMENDATION

That Council:

1. Continues to only maintain road lengths of formed roads that are listed in the current roads asset register that is held in Council's mapping system (Intramaps).
2. Unformed roads that have been damaged as a result of the natural disaster and recent wet weather are only repaired if there is approved disaster recovery funding from Transport for NSW (TfNSW). This will not change the level of service of that section of road and it will remain an unformed road.
3. Notifies the residents of Hotchkiss, Mount Bangalore, Bong Bong, Maroo, Yaminbah, Tonniges, Cainbil and Spirs Roads of the maintained length of their road and that the remainder is classified as an unformed road and is not maintained by Council.
4. Reviews the roads asset register to reflect any changes as a result of Council's resolutions since it was last adopted in the Asset Management Plan 2019.

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5. Establishes a Road Network Consultative Group:
 - a. That is an advisory group to Council.
 - b. That represent the views, needs and expectations of the residents of Warrumbungle Shire on strategic matters relating to the road network.
 - c. That provides information and feedback to Council about the road hierarchy, level of service and road related policies for the road network.
 - d. Where the Group members are responsible for seeking information and feedback from the community on strategic matters relating to the road network.
 - e. That Council invites nominations from the community for membership of the Road Network Consultative Group.
 - f. That meetings are held quarterly at a time that is agreeable to the Group members.

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Item 11 Traffic Management Services

Division:	Technical Services
Management Area:	Projects
Author:	Director Technical Services – Gary Murphy
CSP Key Focus Area:	Supporting Community Life
Priority:	SC4.3 All levels of government work together to ensure our roads are safe and functional.

Reason for Report

The purpose of this report is to recommend proposed changes to charges for traffic management services provided by Council.

Background

Council requires event organisers to comply with TfNSW Special Events Guidelines for their events.

Past and current practice is that Council staff will prepare the traffic guidance schemes, draw up the diagrams and in some instances implement the plan or scheme.

This is at no cost to the applicant and there is no distinction between a commercial event such as music festivals or a community event such as ANZAC Day.

Issues

The ratepayers of Warrumbungle Shire are in effect subsidising in some cases commercial events by providing free traffic control services for those events.

The cost of this service is not currently tracked or accounted for nor is the opportunity cost of staff being diverted from other priority projects.

What is being proposed in the new financial year is that this process be changed and traffic control services be carried out on a cost recovery basis.

If an organiser is proposing an event in the Shire that will trigger traffic control requirements, they are required to give Council three (3) months' notice (consistent with the Guidelines). Council would then provide them with a quote for the work in accordance with approved fees and charges and they would have the option to accept the quote or go with any number of private authorised traffic control companies.

Applicants that are non-for-profit entities, charities and the like are proposed to be offered the ability to seek a waiver of Council's fees. ANZAC Day, Remembrance Day, Sorry Day and one or two others could be considered to be a community service and not be a cost to the applicants.

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Options

Council could continue with the status quo. This option is unlikely to cause applicants any concern as it will imply no change.

Should the cost recovery option (with the ability for fees to be waived) be adopted, there is likely to be some opposition from some event organisers because it will increase the cost of their event that they may or may not be able to pass onto participants.

Staff sought the views of the Traffic Advisory Committee at their meeting on 23 June 2022. The Committee resolved the following:

'54/2122 RECOMMENDED that:

- *The Traffic Advisory Committee see no negative traffic impacts of Council's change in policy.*
- *The Traffic Advisory Committee will continue to assess each application on its merits regardless of any fees and charges that may be imposed by Council.'*

Financial Considerations

Council currently does not budget for the cost of carrying out this service; it is absorbed into existing operational budgets, mainly staff time.

Should Council opt for full cost recovery of this service, it is unlikely that this will result in an appreciable income based on the number of events, the opportunity for organisers to opt for private companies to do the service in lieu of Council and the opportunity for fee waivers.

It will however allow for the true cost of the service to be realised and accounted for.

In Council's fees and charges for 2022/23, there is provision for Council to carry out private works by quotation.

Community Engagement

The level of engagement for this report is to inform.

Attachments

Nil.

RECOMMENDATION

That:

1. The report on Traffic Management Services be noted.
2. Traffic control services provided by Council to third parties be done so on a cost-recovery basis.

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3. Non-for-profit entities and charities be offered the opportunity to seek a waiver of Council's traffic control service costs for consideration by the General Manager in accordance with Delegations.
4. ANZAC Day, Remembrance Day and Sorry Day events be exempt of Council's traffic control service costs.

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Item 12 Inquiry into Speed Limits and Road Safety in Regional NSW

Division:	Technical Services
Management Area:	Projects
Author:	Director Technical Services – Gary Murphy
CSP Key Focus Area:	Supporting Community Life
Priority:	SC6 Our towns and villages are characterised by their attractiveness, appearance, safety and amenity

Reason for Report

The purpose of this report is for Council to consider making a submission to an inquiry into speed limits and road safety in regional NSW.

Background

The Joint Standing Committee on Road Safety (Staysafe) is conducting an Inquiry into 'Speed Limits and Road Safety in Regional NSW'. The Inquiry terms of reference are:

- a) The impact of speed limits and travel times on driver behaviour and safety
- b) The impact of improved vehicle technology and road infrastructure
- c) The use of variable speed limits
- d) Any other related matters.

Submissions closed on 5 July 2022 however, Council sought and was granted an extension of time until 22 July 2022.

Issues

Council from time to time receives requests from various parties to review speed limits in the Warrumbungle Local Government Area. These are typically referred to the Traffic Advisory Committee and then to Transport for NSW who are the determining authority.

Most recently, Council was asked to consider the reduction of speed limits in the Coonabarabran and Dunedoo CBDs.

Options

Council's Traffic Advisory Committee considered this matter at its meeting on 23 June 2022 and resolved as follows:

'51/2122 RECOMMENDED that:

- *The Traffic Advisory Committee supports the Council putting forward a submission to the Joint Standing Committee on Road Safety (Staysafe) on the inquiry into speed limits and road safety in regional NSW.*

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- *The submission include reference to:*
 - *Speed limit delegation is currently the responsibly of Transport for NSW. Council refers all speed limit review requests through to Transport for NSW for consideration.*
 - *Greater funding for road maintenance and upgrades including roadside infrastructure and clear zones. That grant funding application processes are more suitable to small Councils and their available resources.*
 - *Greater signage identifying unsuitable roads for some types of vehicles such as caravans.*
 - *The importance of safe clear zones on roadsides and their ongoing management.*
 - *There has been an increase in traffic volumes particularly heavy vehicles and tourist traffic over the past 2 years which is reducing the life of roads.'*

It is considered that Council may wish to make a submission to the Inquiry and include some of the issues raised by the Traffic Advisory Committee as well as any other relevant issues.

A draft submission is attached.

Financial Considerations

The cost of making a submission is not budgeted. It has involved staff time but no other direct costs will be required.

Community Engagement

The level of engagement for this report is to inform.

Attachments

1. Draft Submission to the Joint Standing Committee on Road Safety (Staysafe)

RECOMMENDATION

That:

1. Council make a submission to the Joint Standing Committee on Road Safety (StaySafe) Inquiry into Speed Limits and Road Safety in Regional NSW.
2. Council's submission includes the issues identified in the attached draft submission.

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Item 13 Crown Land Manager for Reserve 17798 for Police Purposes

Division:	Technical Services
Management Area:	Urban Services & Facilities
Author:	Manager Urban Services & Facilities – Nicole Benson
CSP Key Focus Area:	Supporting Community Life
Priority:	SC3 A healthy and active community is supported by sport and recreational infrastructure. SC3.1 Identify and deliver sport and recreation facilities to service the community into the future.

Reason for Report

The purpose of this report is to seek endorsement for Council to write to the Department of Planning and Environment to request that Council be appointed Crown Land Manager for Crown Reserve 17798 for Police Purposes (R17798); and that an additional purpose for public recreation be added to the reserve.

R17798 is Lot 7035, DP1002144 and is located on land on the western side of John Street, Coonabarabran as shown in Attachment 1. The land is linked to Neilson Park on the eastern side of John Street via a shared pathway.

Background

Crown Reserve 17798 was reserved for Police Purposes on 27 May 1893 as shown in Attachment 2 – Government Gazette.

A search of Council records found that R17798 has been maintained by Council since October 2007 when rehabilitation of the riparian zone of the Castlereagh River north of the Mary Cain Bridge was completed. Additional maintenance of the riparian zone was completed in 2010 by Council with support of grant funding.

In 2013, Coonabarabran Rotary funded the supply of outdoor gym equipment and this was supported by Council at its meeting held on 20 June 2013 where it resolved as follows: -

'388/1213 RESOLVED:

- 1. That Warrumbungle Shire Council adopts, in principle, Rotary Coonabarabran's offer to fund the 'Outdoor Gym' project by way of purchase of suitable equipment.*
- 2. A group, including Rotary representatives, Council staff and nominated Council representatives be formed to further progress this project and report back to Council.*

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- 3. Council determine any funding opportunities for planning, installation of equipment including concrete pads, softfall and beautification of the area.'*

In addition to the gym equipment, a shared pathway provides a link between nearby Neilson Park (eastern side) and Robertson Street. Other infrastructure includes a pedestrian bridge, bench seat and a noxious weed sign. All infrastructure in the site is maintained by Council within operational budgets.

Council was approached by Coonabarabran Rotary in 2021 seeking permission to install picnic shelters in R17798. As Council is not the Crown Land Manager it is not able to grant such permission, only Crown Land can.

Coonabarabran Rotary then sought consent from Crown Lands to install picnic shelters in the vicinity of the gym equipment. Crown Lands advised that none of the other infrastructure on R17798 had approval from Crown Lands to be constructed and they would be unlikely to approve any further development of the reserve that is inconsistent with the Police Reserve status. They further advised that where there is no Crown Land Manager appointed to manage the reserve, occupation, use and maintenance of equipment located on a reserve would need to be authorised by a Crown Land tenure, in the form of a licence with payment of annual rent to Crown Lands. The minimum annual rent at the time being \$526 per annum.

The alternate to this is appointing a Crown Land Manager.

Considering the historic maintenance and development of R17798 over the past 15 years by Council and the community, as well as the proposed improvements by groups such as Rotary, it is recommended that Council request to be appointed Crown Land Manager. This will essentially formalise the current management of the land and give Council full management and control of R17798. For example, the ability to determine how the land is maintained and developed into the future through a Plan of Management.

At the same time Council could also seek that an additional reserve purpose of "public recreation" be added to the reserve. This will not only align the current use of the land to the purpose, it will also assist with the development of a Plan of Management for the land which will be prepared if approval is granted by the Minister.

Options

Should Council not proceed with the request to be appointed Crown Land Manager, the implication is that Council, or another group, would need to enter into a Crown Land tenure, in the form of a licence with Crown Lands, seek approval for the current structures that have been established on the site and pay rent. This is not the recommended option due to the Crown Lands advice that they would be unlikely to approve any further development of the reserve that is inconsistent with the reserve purpose.

Financial Considerations

The average annual expenditure for mowing and vegetation control in Neilson Park for the past five (5) years has been \$11,817 per annum which includes R17798 as

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well as the parkland on the eastern side of John Street containing the picnic infrastructure, toilets and children's playgrounds.

Management of the assets (maintenance, renewal and/or upgrades) in the Reserve such as the pathways, water tanks, gym equipment and proposed shelters will need to be factored into future budgets.

Community Engagement Considerations

Key stakeholders Coonabarabran Rotary and Crown Lands have been consulted verbally in writing this report and the level of community engagement is to inform.

Attachments

1. Plan showing R11798 for Police Purposes
2. Government Gazette

RECOMMENDATION

That:

1. Council write to the Department of Planning and Environment – Land and Asset Management requesting that Council be appointed Crown Land Manager for Crown Reserve 17798 for Police Purposes.
2. That when requesting that Council be appointed Crown Land Manager for R17798, an additional purpose for 'public recreation' also be requested to be added to the reserve.

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Item 14 Drinking Water Management System Improvement Plan Implementation – July 2022 Update Report

Division:	Environment and Development Services
Management Area:	Warrumbungle Water
Author:	Project Engineer – Thomas Cleary
CSP Key Focus Area:	Supporting Community Life
Priority:	SC4.4 The future requirements for water and power are identified and adequately planned for by service providers

Reason for report

To re-inform Council of the status regarding the implementation of action items on Council's Drinking Water Management System (DWMS) Improvement Plan.

Background

Under the *NSW Public Health Act 2010* Council is required to maintain a Drinking Water Management System consistent with the Framework for Management of Drinking Water Quality as documented in the Australian Drinking Water Guidelines (ADWG).

Council developed its DWMS in late 2014; part of this DWMS forms a risk based – and therefore priority based – Improvement Plan containing action items. Both documents, the DWMS and the Improvement Plan, were presented to Council in Item 11 of the December 2019 Business Paper report.

Resolution 228/1920 item 3 requires the preparation of regular reports – at four monthly intervals – on the progress of implementing the Improvement Plan action items. The following update reports were presented to Council:

- Item 11 of the April 2020 Business Paper
- Item 21 of the August 2020 Business Paper
- Item 18 of the December 2020 Business Paper
- Item 17 of the April 2021 Business Paper
- Item 14 of the August 2021 Business Paper
- Item 18 of the March 2022 Business Paper

Issues

In December 2019, 160 of the then 340 DWMS Improvement Plan action items were completed, closed or implemented with 180 items outstanding.

At the time of the March 2022 update report, 314 items have been closed, completed or implemented. Since then, there has been a minor review of the DWMS Improvement Plan on 10 March 2022 with the consultant that was initially engaged to complete the plan. A major review of the DWMS Improvement Plan is scheduled to

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be completed in late July 2022 and strategies implemented to further address and close out remaining outstanding items.

Meanwhile, 317 items have been closed or completed with 39 outstanding/in progress and 2 not started as yet, out of the new total of 358 items; a summary table is presented below. The current Improvement Plan is included as Attachment 1.

Priority	Status						To do per priority
	Closed*	Complete	Imple-mented **	In progress	Not started	Total	In percent out of total
Very High	12	22		3		37	10.34%
High	58	65	20	17		160	44.69%
Medium	65	34	23	15		137	38.27%
Low	12	5	1	4	2	24	6.70%
Sum	147	126	44	39	2	358	100%

There are currently 39 outstanding 'In-Progress' items and 2 'not started' items out of the total of 358 items which are being addressed as resources allow.

*Closed items were closed as they were covered by a new action or another action item or items; all action items including closed and new items remain within the overall DWMS Improvement Plan, hence the number of items consistently rises.

** Completed versus implemented items: 'completed' marks the finalisation of a certain milestone, for example the development of a Drinking Water Quality Policy; 'implemented' marks the successful realisation of a certain process, for example the ongoing entering of operational data into electronic spreadsheets.

Options

This report is presented for Council's information only.

Financial Considerations

The review conducted in March 2022 completed the engagement with the contractor.

The remaining 41 items requiring to be closed will be completed by staff in-house. At this stage, further assistance from a consultant is likely not to be required.

Operational and capital expenditure in relation to many DWMS Improvement Plan action items is distributed across a number of areas and normally not tracked against the DWMS; these include for example water treatment plant improvements and upgrades, operator training and water quality testing.

Community Engagement

The level of engagement is to 'Inform'.

Attachments

1. DWMS Improvement Plan July 2022

RECOMMENDATION

That Council notes the Drinking Water Management System Improvement Plan Implementation – July 2022 Update Report.

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Item 15 Mendooran Water Quality Incident Review Report Implementation – Progress Update

Division:	Environment and Development Services
Management Area:	Warrumbungle Water
Author:	Project Engineer – Thomas Cleary
CSP Key Focus Area:	Supporting Community Life
Priority:	SC4.4 The future requirements for water and power are identified and adequately planned for by service providers

Reason for report

To inform Council of the ongoing progress in implementing recommendations from the 2017 Water Quality Incident Review Report on the Mendooran boil water alert, as per Council Resolutions 196/1718 and 227/1920.

Background

Following the Mendooran boil water alert in June 2017, a Water Quality Incident Review Report was prepared, which was presented to Council November 2017 (Item 25). The final report contained 31 recommendations.

Previous reports on the implementation progress were given to Council in February 2018 (Item 39), as well as in May 2018 (Item 20), in August 2018 (Item 21), in December 2018 (Item 15), in March 2019 (Item 13), in June 2019 (Item 9), in September 2019 (Item 15), in December 2019 (Item 10), in April 2020 (Item 12), in August 2020 (Item 22), February 2021 (Item 21), August 2021 (Item 16) and March 2022 (Item 19).

Out of the 31 recommendations, 12 remain to be implemented.

Issues

Outstanding recommendations from the Mendooran Incident Review Report are listed below.

Outstanding Recommendations

Mendooran Incident Debrief Recommendations, Implementation Status and Comments
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Recommendation 1: <i>That online turbidity and chlorine residual monitoring is installed at Mendooran WTP.</i>

Status: Implementation

Safe and Secure Water Program (SSWP) funding was granted for a 'Mendooran Water Supply Modification Upgrade Concept Design'. The proposed upgrade includes the installation of further online instrumentation with appropriate feedback control to the
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Mendooran Incident Debrief Recommendations, Implementation Status and Comments

Programmable Logical Controller (PLC) /Supervisory Control and Data Acquisition (SCADA).

Progress since last report:

- **SCADA upgrade underway and due for completion by the end of September 2022 due ongoing equipment procurement delays.**

A Business Case has been completed for the Mendooran Water Supply Scheme Upgrade, based on previous reports including Concept Design Cost Estimates. DPE has committed to funding the reduction of the high water quality Risk at Mendooran. The next steps will include submission of the Final Business Case with DPE with the aim of drafting funding deed for the Design and Construction of the required updates.

The Automation and Process Instrumentation Audit report has been finalised (findings were included in the Mendooran WTP Concept Design).

Design and Construction of the Shire wide SCADA and Telemetry Network Upgrade is progressing with expected completion in September 2022.

Recommendation 4: *That WSC investigates the installation of an inline booster pumping station on the outlet of the Standpipe reservoir to provide sufficient water pressure for a regular water main flushing program to be implemented, to improve the water supply system's firefighting capacity and reduce overall water age by only storing water volumes sufficient to meet peak day demands.*

Status: Implementation.

The proposed upgrade referred to an inline booster pump downstream of the standpipe reservoir, this will be contained as part of the next steps in design.

Change/progress since last report:

- **The inline pump booster pumping system will form part of the WTP upgrade scope.**

As per Recommendation 1, the final business case will see the inclusion of this inline booster work during design and construction.

Recommendation 5: *That WSC investigates options to reduce water age in the Coolabah rural residential estate water supply zone. This could include isolation of individual reservoirs i.e. Reservoirs No. 1, No. 2 and/or No. 3, on a seasonal basis to only store water volumes sufficient to meet peak day demands.*

Status: Implementation.

Change/progress since last report:

- **Items relating to the above recommendation form part of the proposed WTP upgrades scope and will be addressed during the implementation of the upgrade works.**

As per the business case, once DPE has committed to funding the reduction of the high water quality risk at Mendooran, these issues will be resolved during construction.

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Mendooran Incident Debrief Recommendations, Implementation Status and Comments

Recommendation 6: *That WSC review and regularly revise these water supply reticulation plans (Figures 4 & 5) as required to maintain up to date records.*

Status: Implementation

In collaboration with Council's GIS Officer.

Unfortunately, council has not had a dedicated GIS Officer for an extended amount of time.

Change/progress since last report:

- **To overcome this shortfall, consideration of using a contractor to update, capture and ground-proof all relevant information regarding water and sewer assets could be considered, however the budget to undertake this work is currently not available. Alternatively, if resources were in-house to undertake work, it could be completed internally.**

Issues exist with current GIS information being inaccurate and incomplete. To address this issue, the subject of Asset Management would need to be addressed.

Recommendation 16: *That WSC review the LMWUA Water Treatment Plant Audit Report for the Mendooran WTP (September 2014), develop an Action Plan and urgently implement any outstanding recommendations. This Action Plan information should also be regularly reported back to DPE-Water.*

Status: Implementation

Change/progress since last report:

- **No additional progress has been completed since the last report.**

SOP's will be reviewed in-house for their relevance and appropriateness to each task to close out this item.

Recommendation 17: *That WSC review all reservoir inspection reports (2014 and 2017) to develop an Action Plan and urgently implement any outstanding recommendations. This Action Plan information should also be regularly reported back to DPE-Water.*

Status: Implementation.

Integrity issues of 12 reservoirs shire-wide, were rectified in May 2019.

Integrity issues of further 5 reservoirs shire-wide, were rectified in June 2020 after delays due to COVID travel restrictions with the contractor being located in QLD.

An action plan has been created with allocated priorities.

A contractor has been engaged to the value of \$110,000 to rectify some of the outstanding issues across Council's reservoirs. A further budget allocation of \$60,000 to replace internal corroded structures is contained within the FY21/22 budget.

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Change/progress since last report:

- This work has been undertaken via a contractor. The contractor completed an internal clean of the Mendooran Revisors as well as completion of condition assessment report for future proposed works.
- All remaining outstanding items within the Action Plan will be completed as part of the proposed Mendooran WTP upgrades, which are currently in a concept phase.

Recommendation 18: *That WSC review and update the DWMS and the “DWMS Improvement Plan” is then kept up-to-date, recommended improvements are implemented in the order of identified urgency and progress of the “DWMS Improvement Plan” is reported regularly to the Senior Executive Team and Council.*

This information will also be passed onto NSW Health and DPE-Water for advice, review and comment.

Status: Implementation.

Change/progress since last report:

- Consultants and Council staff conducted a review of the DWMS and the improvement plan in March 2022.
- A follow up review will be completed in July 2022.

Recommendation 19: *That WSC review and finalise the DWMS Implementation Report (2016), so that the recommended “Emergency Response Plan” (ERP) can be utilised for any future incidents and emergencies.*

Status: Implementation.

Change/progress since last report:

- This issue is still outstanding due COVID pandemic. This recommendation is planned to be rescheduled in the coming months.

Recommendation 20: *That WSC develop and implement a “Drinking Water Quality (DWQ) Monitoring Plan” which formalise staff/role responsibilities, authorities reporting and communication protocols and review existing procedures for sampling and testing. The monitoring plan should be built based on the NSW Health Drinking Monitoring Plan (available on the NSW Health website).*

Status: Implementation.

Change/progress since last report:

- This recommendation has been completed with the submission of the updated DWMS (Drinking Water Management Strategy) and CCP (Critical Control Point) Reference Guides and Summaries by an external consultant.
- The DWMS and CCP reports are evolving working documents which will continue to be updated inline with current standards and technology.

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Mendooran Incident Debrief Recommendations, Implementation Status and Comments

Recommendation 29: *That the Human Resources records for relevant staff are reviewed, and that training is undertaken for all water supply operational staff, WTP operators and relief staff to upskill and to be appropriately trained in WTP processes (i.e. DPE-Water Part 1 and 2 as a minimum). It is also recommended that all staff involved with water quality sampling, testing and monitoring, undergo training and are involved in developing procedures for their work tasks.*

Status: Implementation

- **A Training Warrumbungle Water Program has been developed and completed**
- **Council continues to provide training to water supply operational staff.**
- **Fluoride training for staff is being organised through an external trainer.**

Recommendation 30: *That WSC investigate and implements a process of its WTP operators to be certified under the National Certification Framework (NCF).*

Status: Development

Council's HR Division has been seeking information to quantify what training is required to meet the certification requirements; this will enable a training organisation to be engaged that can deliver the training. No delivery timeframe is available at this stage.

Change since last report:

- **There has been no change in regard to this recommendation.**

Recommendation 31: *That WSC investigate and implement a formalised preventative maintenance program for all the WTP, reticulation and reservoir assets.*

Status: Implementation.

Change/progress since last report:

- **SCADA will allow for development of preventative measures due to the closer monitoring that will be obtained and data therefrom. SCADA is currently being installed shire-wide.**
- **The service agreement for instrumentation will also allow for a preventative maintenance program to be fully developed for all of councils' assets with predictive repairs for critical components.**

An informal preventive maintenance program currently exists for the WTP, reticulation and reservoir assets. The formalisation of this program for council water infrastructure assets is scheduled to be completed in-house in the near future.

Options

This report is presented for Council's information.

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Financial Considerations

In relation to the DWMS implementation, NSW Health continues to provide financial support to help Council meet drinking water quality expectations and standards.

DWMS related expenditure and budget items – relating to Recommendations – include:

In FY22/23:

- 4 yearly reservoir inspections and cleans \$45k
- SCADA/Telemetry Project completion of an \$1M project. Funding has been sourced through an INSW funding deed valued at \$750k and council co-contribution of \$250k.

In FY23/24:

- Mendooran WTP upgrade expected to commence following the endorsement of the proposed business case with DPE – Water. There is a budgeted figure of \$2M to complete the upgrade works. Funding from DPE will be 75%, with Council required to meet the remaining 25%.

Further committed and expected expenditures relating to Recommendations R18 and R20 include:

- DWMS Update incl CCP reference guide – consultant engaged for \$27k. These works have been completed.
- Develop an Operational and Verification DWQ Monitoring Plan updated proposal \$14k.

Community Engagement

The level of community engagement is 'Inform' as per Council's *Community Engagement Strategy 2020-2024*.

Information to the community would be available by way of the Community e-Newsletter; social, digital, and print media (incorporating the Council website, and business paper).

Attachments

Nil

RECOMMENDATION

That Council notes the implementation progress of the recommendations within the Mendooran Water Quality Incident Review Report.

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Item 16 Delivery of the Coonabarabran and Dunedoo Sewerage Treatment Plant Upgrade Project using Selective Tendering

Division:	Environment and Development Services
Management Area:	Warrumbungle Water
Author:	Project Manager – Chris Devitt
CSP Key Focus Area:	Supporting Community Life
Priority:	SC4.4 The future requirements for water and power are identified and adequately planned for by service providers

Reason for report

To gain Council approval to utilise Selective Tendering for the delivery of the Coonabarabran and Dunedoo sewerage treatment plant (STP) upgrades under a design and construct contract.

Background Dunedoo STP

The Dunedoo STP has been identified as one of Council's highest priority STPs in terms of needing extensive upgrading.

The existing plant provides secondary sewerage treatment through a Pasveer channel with tertiary disinfection through maturation ponding. Following treatment, effluent is discharged from the maturation pond to the Talbragar River via a vegetated channel.

The Dunedoo STP has had historic issues in meeting its Environmental Protection Licence (EPL) conditions. The pollutant concentration limits for pH, biological oxygen demand (BOD), total suspended solids (TSS), and total phosphorus (TP) have been breached over a number of years.

Council secured funding of \$800,000 through the Regional Water and Waste Water Backlog Fund (RWWWB) and \$1,768,000 through the Safe and Secure Water Program (SSWP) funding programs, to assist Council to undertake necessary upgrade works at the Dunedoo STP. Council initially allocated \$800,000 to this project to give a funding total of \$3,368,000.

The agreed project drivers and objectives for the Dunedoo STP upgrade are:

- To meet the effluent quality requirements dictated by the existing EPL, or otherwise determined if a license variation is required
- To cater for existing and future sewerage flows from Dunedoo
- To establish sustainable effluent discharge systems
- To improve service reliability of the treatment plant
- To minimise Operation & Maintenance costs
- To improve site safety and comply with Worksafe NSW requirements.

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Coonabarabran STP

The existing Coonabarabran STP is a trickling filter plant with tertiary disinfection through maturation ponding and tertiary wetland. A portion of the effluent in the maturation pond is recycled onsite and transferred to the Coonabarabran Lawn Cemetery for beneficial reuse. The remaining effluent is discharged from the wetland to the Castlereagh River. The treatment technology utilized at Coonabarabran is very old, with few trickling filter STPs still in operation in NSW, especially for towns the size of Coonabarabran. The plant is extremely well run and a high level of treatment is achieved within the limitations of the treatment technology. However, with more stringent environmental standards the Coonabarabran STP has experienced numerous Environment Protection Licence (EPL) non-compliances over the previous decade, posing environmental and health risks to consumers downstream of the licensed discharge point.

Following discussion with Department of Planning and Environment (DPE) and the Environmental Protection Agency (EPA), it was decided improvements to the Coonabarabran STP would be undertaken in two stages. The first stage, the subject of this report, will augment components of the existing STP as an interim measure to maximise the operation of the STP, recognising that a full plant replacement will need to be considered in the next 10 years to address discharge non-compliances and to provide reliable treatment performance for future loadings.

Council secured funding for the stage 1 works of \$1,375,000 through the Regional Water and WasteWater Backlog (RWWWB through RestartNSW) with Council providing the same amount under a 50:50 funding arrangement, for a project total of \$2,750,000.

The agreed project drivers and objectives for this interim Coonabarabran STP upgrade are:

- Facilitate existing and future requirements of the catchment
- Facilitate the full plant replacement upgrade within the next 10 years
- Improve service reliability of the treatment plant
- Minimise O&M costs
- Improve site safety and comply with Worksafe NSW requirements
- Continue existing re-use of effluent in accordance with Council's STP operating Plan

Concept Designs

Council engaged consultants HH2O to undertake Concept Designs for the Dunedoo and Coonabarabran STP upgrades, which was completed in late 2021. While these reports outlined an extensive program of works to be undertaken on both sites, the scope of works meant that the estimated cost of these works was well in excess of the funds Council had identified for each project. The current funding arrangements do not allow for Council to secure any further external funding for this project, with any additional costs over the original estimate to be met solely by Council.

Following detailed discussions with staff from DPE Water over the cost estimates in the Concept Design Report and the scope of works proposed, it has been agreed to reduce the extent of works for both plants to a smaller number of key items, with

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some items identified as provisional, to be either undertaken if funds allow or deferred to a later time.

Early Contractor Intervention

It is proposed to engage the preferred design and construct contractor through an Early Contractor Intervention (ECI) process.

An ECI (sometimes referred to as 'ECE' – early contractor engagement) is a procurement model that allows the contractor of a project to be involved in the early phases of detailed design with Council and DPE Water. It is usually a two-stage process.

In the first stage Council will advertise for Expressions of Interest from suitable design and construct contractors who are required to respond to the EOI with a focus on the 'buildability' aspects of the project and including the know-how associated with the actual construction and construction cost alongside the design process. This provides the opportunity to identify possible efficiency gains and cost savings.

The second stage involves a design and construct tender, which is offered on a selective tender basis to those contractors who were successful in the initial EOI process. This ensures that Council only engages with contractors who have demonstrated a full understanding of each project, the outcomes Council needs to deliver and the financial constraints which Council is working under. This more collaborative form of contracting should also reduce the likelihood of disputes and associated costs and requires both Council and the contractor to work together co-operatively throughout these projects.

It is proposed to undertake delivery of these two STP projects as a single design and construct project due to the similarity of work involved and the potential to achieve efficiency gains through economies of scale and joint purchasing.

Selective Tendering Approach

The ECI approach involving an initial Expression of Interest phase is a form of selective tendering which is permitted under Section 55(4) of the Local Government Act 1993 and clauses 168 and 169 of the Local Government (General) Regulation 2005.

The Office of Local Government Tendering Guidelines NSW Local Government – October 2009 recommend that Councils document the reasons for the adoption of a selective tendering method.

As outlined above, the selective tendering approach provides Council with a number of potential advantages compared to the open tender approach:

- It reduces the time and cost for all tenderers not having to invest significant funds to prepare a full tender, which can add to the overall cost of capital works projects
- It will assist council by allowing for innovative concepts and new technologies and potential cost savings to be identified prior to issuing an invitation to tender.
- It ensures each tenderer who is selected under the EOI process is fully aware of what works are to be undertaken under the contract and so reduces the

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potential for future claims for variations due to lack of clarity or uncertainty in the tender documents

- Under the very competitive contracting market at the current time, it provides a more collaborative and innovative approach to major project delivery which may be appealing to contractors who would otherwise not respond to an open tender.
- This approach has the greatest likelihood of achieving the best value for money for Council through ongoing collaboration during project design and construction.
- It allows the project to be delivered in a timely manner, especially given the pressure Council is under to complete these works and reduce the risks associated with ongoing non-conformance with EPL conditions
- It is an approach that suits this project where it is difficult to specify exactly the extent of works to be undertaken under the contract due to Council's fixed funds for the project and the escalation in construction costs currently being experienced in NSW at the present time.

Council and DPE Water staff believe that by adopting a Selective Tendering approach this project can be delivered for a realistic cost, whilst still achieving the key operational and environmental outcomes.

Financial Considerations

The Dunedoo STP revised project cost estimate is in the order of \$6,000,000. However, with the cost of this type of work increasing significantly due to the extent of similar work currently underway in NSW and the associated labour shortages and supply chain issues, Council has allocated a total amount of \$7,000,000 for this project in the 2022/23 and 2023/24 Delivery Program.

The Coonabarabran STP project will involve rationalizing the scope of works to align the \$2,750,000 funding available for this project. This will also include developing an overall site masterplan so that works undertaken as part of this interim stage will form part of the ultimate plant replacement.

Community Engagement

The appropriate level of engagement has been assessed to be 'Inform' only, based on a Low-Low Scale and Impact rating.

RECOMMENDATION

That Council:

1. Notes the information contained in the Delivery of the Coonabarabran and Dunedoo Sewerage Treatment Plant Upgrade Project using Selective Tendering report.
2. Adopts the Selective Tendering method to deliver the Coonabarabran and Dunedoo Sewerage Treatment Plant Upgrade Project.

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Item 17 Baradine Sewage Treatment Plant Scoping Study Report

Division:	Environment and Development Services
Management Area:	Warrumbungle Water
Author:	Director Environment and Development Services – Leeanne Ryan
CSP Key Focus Area:	Supporting Community Life
Priority:	SC4.4 The future requirements for water and power are identified and adequately planned for by service providers

Reason for report

To inform Council of the completion and finalisation of the 'Scoping and Options Report' combined with options and recommendations for the Baradine Sewage Treatment Plant, accounting for the potential increase of sewage from the proposed connection of Camp Cypress and the Inland Rail construction workers camp

Background

The Baradine Sewage Treatment Plant (STP) was built in 1997; and is a pond treatment – based system which, consists of one pump station and receives flow from the township of Baradine via a vacuum collection system.

The treatment system is pond-based and consists of a pump station and lagoons. Sewage enters the first oxidation/facultative ponds before it flows into a maturation pond and subsequent storage lagoon. Effluent from the STP is reused and irrigated onto land adjacent belonging to council.

In December 2020 City Water Technology (CWT) prepared a 'Scoping and Options Report' which was designed to feed into the design of the STP and the inlet works to improve the current treatment performance. This report was further expanded in 2021 to include capabilities and demands associated with connection of Camp Cypress and the Inland Rail construction workers camp.

Issues

Council has become aware that the proposed Inland Rail workers construction camp is likely to be located at Camp Cypress, requiring waste water to be discharged to Council's sewage system. The workers camp will house up to 500 persons during peak construction expected to last a couple of years.

Further to this, it is proposed that Camp Cypress (as in camping, cabins and caravan park) be connected to Council's sewerage system. Presently, waste water generated by Camp Cypress is treated onsite via septic tank and trench.

To assist Council determine capabilities of the STP, a Scoping and Options Report was prepared by CWT and is attached, and includes scenarios, assumptions, options

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and treatment recommendations designed to cope with demands of the proposed workers construction camp and connection of Camp Cypress.

Besides providing assumptions on capabilities of the STP and recommending suitable treatments, the report also identified a number of issues that need to be addressed within the current design and operations of the STP.

Current Operational Issues

The following issues were noted with the existing STP:

- STP is configured with no inlet works, and as a result rag build up is a major concern.
- There is no current monitoring of sewage influent determining flows or effluent quality.
- Reduction in hydraulic capacity due to overloading of the sludge in treatment ponds which, may result in compromised final effluent quality.
- Potential overflows to the environment could occur due to lack of capacity from the sludge build-up.

Connection from Camp Cypress

There is currently no connection from Camp Cypress to Council's sewerage system. Whilst two options for connection have been identified in the report prior investigations determined the most effective connection option to be direct to Council sewerage system as opposed to a new, direct pipeline from Camp Cypress to the STP. A funding application under Building Better Regions has been lodged and awaiting determination to fund the connection to Council's sewerage system. In the event the funding application is unsuccessful, other avenues to fund the connection may need to be investigated.

STP Capacity

In relation to STP capacity, the assessment by CWT included the following:

- Detailed current demand and forecast future demand
- Assessment of asset capacity to treat loads ensuring compliance to regulated product specifications and licences
- Identification of shortfalls in treatment capacity to service growth while maintaining compliance including the timing of these shortfalls
- Identification of the required treatment plant augmentations and provide cost estimates where applicable.

In response to the above, a number of different scenarios were considered and pitched against the estimated STP capacity (being 1,268 EP (equivalent population)).

Scenario 1 – is a business as usual (BAU) scenario whereby current sewage treatment will continue, and the only growth in the Baradine catchment will be from additional residential connections. The estimated additional number of sewer

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connections were used as provided in Council's IWCM Strategy for 2018, 2028, 2038 and 2048. These were used in conjunction with a household occupancy ratio of 2.4 to determine the EP. Camp Cypress and Inland Rail are not considered in this scenario. The EP (as in peak wet weather flow (PWWF)) demonstrates a gradual growth rate and in 2048 is estimated to be 869 under this scenario.

This scenario when combined with the growth projection, suggests that the STP has enough capacity to treat the current wastewater until 2048 without any augmentation.

Scenario 2 – is the BAU scenario plus growth from Camp Cypress. It includes current sewage treatment, growth from future additional residential connections as per IWCM Strategy, and additional wastewater from Camp Cypress.

The EP (as in PWWF) demonstrates an increase in EP to 956 in 2024, and remains steady, slowly increasing to an EP of 998 in 2048. This scenario when combined with the growth projection, suggests that the STP has enough capacity to treat the combined wastewater from Baradine and Camp Cypress.

Scenario 3 – is the BAU scenario plus growth from Inland Rail Workers Camp. It includes current sewage treatment, growth from future additional residential connections as per IWCM Strategy, and additional wastewater from Inland Rail Workers Camp.

The EP demonstrates an increase in EP (as in PWWF) to a peak up to 1128 in 2024, then drops off after the Inland Rail project is completed, settling to an estimated 869 EP by 2048. This scenario when combined with the growth projection, suggests that the STP has enough capacity to treat the combined wastewater from Baradine and the Inland Rail Workers Camp.

Scenario 4 - is the BAU scenario plus growth from both Camp Cypress and Inland Rail Workers Camp. It includes current sewage treatment, growth from future additional residential connections as per IWCM Strategy, and additional wastewater from Camp Cypress and Inland Rail Workers Camp.

The EP demonstrates an increase in EP (as in PWWF) to a peak up to 1256 in 2024, then drops off after the Inland Rail project is completed, settling to an estimated 998 EP by 2048. This scenario when combined with the growth projection, suggests that the STP has enough capacity to treat the combined wastewater from Baradine, Camp Cypress and the Inland Rail Workers Camp.

Options

Scenarios 1, 2, 3 and 4 above indicate that the STP has enough capacity to treat the combined wastewater as per each scenario.

However, under Scenario 4 (BAU + Camp Cypress + Inland Rail Camp) being the preferred scenario - the report does indicate that there is a chance of the STP overloading during the Inland Rail project period, and to address the potential overloading of the STP, additional treatments can be introduced as an immediate solution. This would involve increasing organic treatment capacity by placing aerators close to the inlet zone of the primary facultative pond, where the oxygen demand is higher to maintain minimal levels of dissolved oxygen throughout the pond at the heaviest loading period. The installation of a sensor is also recommended.

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Other actions to be undertaken to address the operational issues raised in this report include:

- Sludge to be removed from ponds – Council has purchased a desludger (CAPEX item 21/22 FY) and is awaiting delivery; due end of July 2022.
- Installation of inlet flowmeter, and screen (to address rag build-up) – to be undertaken during 22/23FY.
- Implementation of a weekly monitoring program.

Financial Considerations

Operation of the STP to cope with Scenario 4 would see costs of approximately \$150,000 to design, supply and install stand-alone automatic aeration system including two (2) x aerators and a sensor. Power is already connected to the site. Ongoing operational costs to run the aerators are expected to be approximately \$567 per week, with staff and electricity costs to run the aerators; totally \$29,484.

The desludger would be operated by Council staff, and is estimated to incur operating costs to desludge Baradine STP ponds as follows: geo bags = \$6,000, staff labour and plant costs = \$5,000, coagulant chemical = \$500, freight, generator, crane hire = \$15,000. Total cost = \$26,500. Once desludged, the ponds will not need desludging for approximately 5 years. It is noted the ponds have not been desludged since the STP was commissioned in 1997.

Installation of the inlet flowmeter and screen is estimated to cost \$8,000 for the flowmeter and \$10,000 for the screen. These would-be one-off costs to improve the STP inlet. Total \$18,000.

The stand-alone automatic aeration system cost of \$150,000 has not been budgeted for and it is recommended ARTC be approached to fund these works (given it is necessary to install the aerators to cope with STP loading as a result of the Inland Rail workers camp). Without the workers camp, these treatments would not be needed. The annual operating costs of \$29,484 should also be included in costs sought from ARTC for the duration of the workers camp.

Desludging of the ponds and installation of inlet works are maintenance issues for Council, and will be met through Council's operating budget.

In the event the funding application for connection of Camp Cypress is unsuccessful, there may be a need for additional funding opportunities to be investigated, and may include an approach to Inland Rail to fund as a legacy project from the Inland Rail project.

Community Engagement

The level of engagement is to – 'Inform'.

Attachments

1. Baradine Sewerage Scheme Upgrades – Scoping and Options Final Report.

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RECOMMENDATION

That Council:

1. Notes the information in the Baradine Sewage Treatment Plant Scoping Study Report.
2. Actively engages with ARTC and their contractors to seek funding for the necessary treatments to the Baradine Sewerage Treatment Plant to address the additional loading to the plant from the proposed construction workers camp.

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Item 18 Coolah Sewerage Treatment Plant Replacement – Project Update

Division:	Environment and Development Services
Management Area:	Warrumbungle Water
Author:	Project Manager – Chris Devitt
CSP Key Focus Area:	Supporting Community Life
Priority:	SC4.4 The future requirements for water and power are identified and adequately planned for by service providers

Reason for report

To update Council on the replacement of the Coolah Sewerage Treatment Plant (STP) and seek approval for the next phases of the project.

Background

The Coolah STP consists of a pond-based treatment process with effluent designed to be sent to a number of nearby rural properties for re-use on irrigated pastures.

These effluent irrigation practices have become unsustainable resulting in discharges to the Coolaburragundy Creek in contravention of the Environmental Protection Licence (EPL) for the plant. Effluent quality has been non-compliant with pollutant concentration limits for pH, biological oxygen demand (BOD), total suspended solids (TSS), total nitrogen (TN) and total phosphorus (TP) repeatedly breaching license levels. Licensed daily discharge volume limits have also been breached on several occasions.

Initially an upgrade of the plant was proposed along with the development of a new effluent re-use scheme utilising farmland and recreational land within Coolah. A funding deed valued at \$1,650,000, on a 50:50 basis, was signed in early 2017 by Council and Restart NSW to enable this work to be undertaken.

Subsequent attempts by Council to secure suitable land for a permanent effluent re-use scheme were unsuccessful. Council undertook an Expression of Interest process to try and identify any local landholders who would be willing to sell a portion of their property for the establishment of the new STP and associated effluent re-use scheme. The Coolah Golf Club responded to the EOI proposing to establish a re-use scheme to irrigate the golf course. However, this option did not address the construction of the new STP.

In 2019 Council secured additional funds of \$2,382,000 under the Safe and Secure Water Funding (SSWF) program to enable Council to improve the treatment processes at the Coolah STP using a new Intermittently Decanted Extended Aerated Tank (IDEAT) treatment process to achieve an effluent quality which was adequate for discharge back into the river, thus abandoning the effluent re-use option. This took the total project funding to \$4,032,000, with this funding offer indicating that any further project costs would be the sole responsibility of Council.

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Subsequent investigations, along with advice from EPA, revealed that not only was the Coolah STP in need of full replacement but that the current site is not appropriate for the establishment of a new plant due to significant issues with flooding and proximity to nearby residences, creating risks of odour from the STP impacting on these residents.

Council reviewed its overall approach to the project, focusing again on purchasing a suitable parcel of land within 5km of Coolah to construct a pond-based treatment system with an associated re-use scheme rather than pursue the more costly IDEAT option.

Initial Options Assessments

Council undertook investigations to again try and identify a suitable parcel of land in close proximity to Coolah which would be suitable for the development of the new STP. The site required needs to be around 20 - 25ha in area to accommodate the STP plus sufficient land to establish and operate an effluent re-use scheme on a permanent basis, including during periods of prolonged wet weather. The key criteria used to assess the potential viability of any new STP site included being:

- located ideally around 1km from the nearest residence, subject to the prevailing winds, to minimise potential odour impacts
- not impacted by flooding
- consisting of suitable soil and pasture types to enable year-round irrigation to be undertaken
- in good proximity to the existing STP which would function as a transfer pumping station to pump raw sewage to the new plant, with distance and elevation being the key criteria to minimise pumping costs

A number of landholders, whose properties were assessed as potentially viable for the establishment of the new STP and re-use area, were contacted directly and detailed site inspections were undertaken. However, these landholders were ultimately unwilling to sell any of their land so these discussions were not pursued any further.

Council did contact a landholder who expressed some interest in selling their property but were unwilling to provide an indication of the expected sale price. At the same time the price of rural land was increasing rapidly around Coolah leading to a scarcity of suitable affordable land for the new STP.

In order to try and progress the project Council undertook a high-level options assessment of other potentially viable options for the new STP which included:

- Establishing a new pond-based treatment plant on Council owned land at the Coolah airport
- Constructing a new modular treatment plant, with the capacity to treat sewage to a standard which meets EPL conditions for discharge to Coolaburragundy Ck or for beneficial re-use
- Comparing these two options to the original STP proposal of a pond-based STP located on suitable flood free land within 6kms of Coolah.

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This analysis was undertaken to provide Council and DPE Water, who were still advocating for development of a pond type STP due to its low capital and ongoing operational cost and robust operation, with possible other viable alternatives worth considering.

The Coolah Airport option was only really assessed as a 'last resort' option as it would not require any land purchase, is of a suitable size for the development of a re-use scheme and is remote from any other residences. However, the length and elevation of the pipeline and associated pumping infrastructure required to connect the new plant at the airport to the existing Coolah sewerage network meant that the capital and operating costs of this option were prohibitive when compared to the other options.

The assessment indicated that a modular treatment plant was a viable STP alternative to the pond based STP. This option was also supported by DPE Water due to the high quality of treatment proposed and the avoidance of an expensive land purchase process. This option involves a fully contained sewage treatment process within tanks that can be set up as a series of modules depending on the volume of sewage to be treated. They require a much smaller footprint than the pond based STP but still have the potential for odour generation at the inlet to the plant as well as when removing the sludge created by the treatment process, which would then need to be transported to another STP for final treatment and disposal (the cost and frequency are not known at this stage and more detailed investigations need to be undertaken). As well this type of plant has a limited treatment capacity which would be exceeded during prolonged or extreme wet weather, requiring the provision of overflow ponds to store excess sewer flows for later processing through the plant during subsequent low flow periods. These types of plants are often used on remote sites, such as mining camps, as well as in numerous industrial applications. There are a small number currently used for municipal sewage treatment, with a number of Councils also considering these types of plants as an option to the more traditional STPs.

Proposed future direction

It is proposed to undertake further investigations into the modular STP option to fully explore the issues outlined above and establish the suitability of such a plant and its preferred location. The Coolah Waste Facility has been proposed as a potential alternative site for this plant, given it would not require any land purchase and is relatively remote from the main residential area of Coolah.

At the same it is proposed to further investigate one of the pond-based STP options close to Coolah following recent contact with one of the landholders Council previously met with during its previous land purchase investigations. This landholder has provided an indicative expected purchase price for their which, whilst still a premium, potentially makes this option at least comparable in cost to the modular plant option.

Due to the potential sensitivities around selling any land to Council for a new STP, particularly from neighbouring property owners, as well as the need to ensure any land purchase process complies with Council's procurement policies, it is proposed to re-issue an Expression of Interest to the Coolah community to provide any interested landholder with opportunity to submit a proposal to sell their land to Council for a new STP and associated re-use scheme. Proposals will be assessed

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on the viability of establishing the plant on the land proposed as well as the sale price. This will provide an open and transparent land purchase process, which, if it ultimately leads to the sale of the property to Council, should limit the opportunity for other landholders to object to this outcome, especially if they choose not to participate in the EOI themselves. This process is also intended to secure a firm proposal from this interested property owner, allowing Council to fully understand the cost of this option compared to the modular STP option, and enable the project to then progress as soon as possible.

The establishment of a new STP is an urgent and critical issue for Council which is likely to result in some opposition, especially from anyone in close proximity to the new plant. However, 'do nothing' is not an option so Council needs to progress this project while also ensuring it meets all of its obligations in regard to procurement, environmental compliance and value for money in the delivery of this key infrastructure.

Financial Considerations

Council's recently adopted Delivery Plan has allocated \$6,000,000 for the Coolah STP upgrade project over the next 3 financial years. The current high-level cost estimates indicate that this should be sufficient for the modular STP option which is estimated at \$5,500,000. The pond based STP option is estimated at \$6,600,000 however this option would have lower ongoing operational costs than the modular STP and could potentially provide an ongoing income stream to Council through the agistment of stock on the irrigated pasture.

Community Engagement

The appropriate level of engagement has been assessed to be 'Consult', based on the need to advertise for Expressions of Interest from interested landholders to assist Council seek land to located new STP.

RECOMMENDATION

That Council:

1. Notes the information contained in the Coolah Sewerage Treatment Plant Replacement - Project Update Report.
2. Seek Expressions of Interest from landholders around Coolah for the sale of land to Council for the establishment of a new STP and associated effluent re-use scheme, on suitable land within 7km of the existing Coolah STP.
3. Undertakes a detailed options assessment, including identifying the most suitable site, for the construction of a modular STP in Coolah and, subject to the outcome of (2) above, also includes the option of a pond based STP on the most appropriate parcel of land.

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Item 19 Bore Condition Assessment

Division:	Environment and Development Services
Management Area:	Warrumbungle Water
Author:	Acting Manager Warrumbungle Water – John Boyle
CSP Key Focus Area:	Scoping Community Life
Priority:	SC4.4 The future requirements for water and power are identified and adequately planned for by service providers

Reason for report

The reason for this report is to provide Council with an update on the Bore Condition Assessment Project and to seek a fresh resolution relating to the project.

Background

The Bore Condition Assessment project is a joint project of four (4) member Councils of the Orana Water Utility Alliance (OWUA), funded through the Safe and Secure Water Program (SSWP). Warrumbungle Shire Council participated in the project, with our component of the project being valued at \$272,904, with 75% funding from SSWP, and 25% funded by WSC (our contribution being \$68,226). The project was administered by Mid-Western Regional Council (MWRC) on behalf of the four (4) participating councils; the other three councils being Central Darling, Walgett and Warren.

The purpose of the project was to ensure that Warrumbungle Shire Council (WSC) can plan for town water security based on the outcome of the bore condition assessments.

Access Environmental Planning (AEP) were the successful tenderer for the project, and provided a report titled *Condition Assessment of Existing Ground Water Bores* that contained recommendations for further action for WSC, such as camera inspections or pump testing of bore performance, as well as a risk rating. Council was provided a copy on the assessment report in June 2021 (a copy of the same report is attached to this report).

The project included assessment of twelve (12) bores located within towns and villages in the Warrumbungle Shire Council LGA. These were Coolah, Coonabarabran, Dunedoo, Baradine, Binnaway, Mendooran, Bugaldie and Kenebri.

The first two milestone stages of the project consisted of a desktop study of all available records from the NSW Government and councils on the relevant bores and a site visit and on-site discussion with councils; these two stages have been completed.

The bores considered for Warrumbungle Shire Council were all of Council's older bores, including:

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Coonabarabran

- Bore 1, Robertson Street
- Bore 2, Namoi Street South
- Bore 3, Namoi Street North
- Bore 4, Namoi Street North
- Bore 6, older of the bores at the Water Treatment Plant (WTP)

Baradine

- Main bore at WTP
- Back-up bore at Sports Oval

Coolah

- Main bore at the Town Wells (referred to in the report as 'Town Wells')
- Secondary well at the Town Wells (referred to in the report as 'Back-up Well')

AEP additionally considered:

- The capped old bore at the Town Wells (referred to in the report as 'Old bore')
- The old/abandoned well at the Town Wells (referred to in the report as 'Extra Well'); Council has been unaware of its existence prior to this assessment

Dunedoo

- Older out of two bores at the Town Well site

Bugaldie Bore

- Sole water supply for Bugaldie

Kenebri Bore

- Sole water supply for Kenebri

Council discussed the findings of the assessments with the OWUA Project Officer, and was supportive of MWRC submitting a project change request to SSWP, aiming to use the remaining funds of this project for the construction of new infrastructure versus the additional assessment of old infrastructure.

The councils participating in the project applied to SSWP for further work considerations with regard to their respective bores including for Warrumbungle, development of a new back-up bore at Coolah and, treatment options for removal of excess fluoride and isotope contamination at the Binnaway Bore. A report was prepared for Council in June 2021 regarding the funding change request, and the following resolved:

Item 19 Bore Condition Assessment

378/2021 RESOLVED that Council:

Uses the remaining funds from the Bore Condition Assessment project for the construction of a secondary bore at the Coolah Town Well site.

Unfortunately, these scope changes were dismissed by SSWP as deviating too far outside of the original scope of works of the project both financially and technically and was communicated in a letter from OWUA dated 30 March 2022, as attached.

Initially advice to the OWUA members was termination of the project at Task 2. However, OWUA once again approached SSWP and respective councils to determine if they were interested in doing further bore condition inspections via camera as per the original scope. This now the current direction of the project. As a result of the AEP report, WSC identified the following bores to be condition assessed and inspected via camera:

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- Kenebri – due to bore being noted as high risk in the AEP report, as well as being the sole source of water for Kenebri.
- Bugaldie – whilst not provided with a risk rating in the AEP report, it is noted as the sole source of water for Bugaldie.

Both village supplies cater for a small amount of services and a small population. Operational and capital expenditure is subsidised by other supplies therefore, they were selected to be condition assessed and inspected via the funding from SSWP.

Issues

There were originally long-time delays with this project, due to lack in feedback from other councils regarding their preference for the project change request and due to the resignation of the OWUA Project Officer with the position taking some time to fill and only being a part-time position leading to a lack of continuity with the project.

Tender evaluation for the continuation of the bore assessment and condition work to move the project along has not yet not been developed or issued by OWUA, though is underway with their Project Officer having carriage of the project.

Options

This report is primarily for Council's information and to refresh the previous resolution relating to this project.

In relation to moving the project forward, following options are available to Council:

- Use the remaining funds from the bore condition assessment project to camera inspect and condition assess the two (2) bores being Bugaldie Bore and Kenebri Bore.
- Once determined by OWUA through tender process, participate in engagement of the successful contractor to undertake the inspections and condition assessments at Baradine and Kenebri.
- Failing the above, Council would need to decline the invitation to become involved in the process, or utilise any remaining funds for this work and close off the project completely.

Financial Considerations

The budget for the bore condition assessment project in total was \$272,904, with 75% funded by SSWP, and 25% funded by Council. Council's contribution is \$68,226.

To date, records indicate that \$7,317.57 has been expended on the project, leaving a balance of \$265,586.43.

The proposal to camera inspect and condition assess the two (2) bores will cost approximately \$50,000 and will be easily covered by the remaining balance of the project funds, leaving approximately \$215,586.43 unexpended.

At this stage, staff have not identified any other investigative works that are required to be undertaken in association with Council's existing bores; there is a need for new bores to be installed, however these works will not be approved by DPE under the

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SSWP scope for this project. Any unexpended funds will need to remain with the funding body.

Community Engagement

The level of engagement is 'Inform'.

Attachments

1. Access Environmental Planning Report *Condition Assessment of Existing Ground Water Bores*.
2. OWUA Letter.

RECOMMENDATION

That Council:

1. Notes the information contained in the Bore Condition Assessment Project Report.
2. Uses the remaining funds from the Bore Condition Assessment Project for camera inspection and condition assessment of the Kenebri Bore and Bugaldie Bore using contractors engaged for the project through the tender process to be undertaken by OWUA.

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Item 20 Development Applications

Division: Development Services
Management Area: Regulatory Services
Author: Administration Assistant Environment and Development Services – Jenni Tighe
CSP Key Focus Area: Strengthening the Local Economy
Priority / Strategy: LE5 Opportunities exist for the establishment of light industries and range of housing options

Development Applications (i) Approved – June 2022

Development Application / Complying Development	Date Lodged	Date Approved	Applicant's Name	Location	Town	Type of Development	Referral Days	Stop the Clock Days
DA10/2022	26/04/2022	24/06/2022	Suzanne McInnes	259 Bilamurra Road	Mendooran	New Dwelling	15	0
DA11/2022	19/05/2022	10/06/2022	Colin Cross	95 Binnia Street	Coolah	New Shed	0	0
DA13/2022	19/05/2022	28/06/2022	David MacGillivray	95 Booyamurra Street	Coolah	New Screen Enclosure and Deck	11	0
DA14/2022	19/05/2022	30/06/2022	David Casson	75 Talbragar Street	Dunedoo	Relocation of Dwelling	32	0

RECOMMENDATION

That Council notes the Applications and Certificates approved during June 2022, under Delegated Authority.

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Item 21 Notice of Motion – Renewable Energy Policy

Notice of Motion – Renewable Energy Policy

The NSW Government is in the development phase for the State's first Renewable Energy Zone (REZ) in the Central-West Orana region. The Central-West Orana REZ is approximately 20,000 square kilometres in the Dubbo, Gilgandra, Mid Western and Warrumbungle local government areas.

With this proposal we have already seen the growth in solar and wind energy farms across this area it is proposed that Council create a policy for planning agreements within the Warrumbungle LGA. Such a policy should recognise that the impacts of such developments needs to be carefully considered and planned for, including any cumulative and ongoing impacts on the broader community.

A number of councils have already developed such a Policy. The intent of a Policy for the Warrumbungle Shire would be to ensure the establishment of an efficient, fair, transparent and accountable framework governing the use of planning agreements by Council, its staff and developers. Given the rapidly changing environment such a policy would need to be flexible.

It is recommended to Council that:

The Warrumbungle Shire develop a Planning Agreement Policy for Renewable Energy Generators, including Solar and Wind Energy Farms.

KATHRYN RINDFLEISH COUNCILLOR

General Manager's comment:

Warrumbungle Council currently does not have a policy for a planning agreement for solar and wind energy. While this is the case Council has followed the same general principles as those that do have a policy. One of the big issues, not just for this Council but for the industry more widely, has been the changing landscape of this type of development. Once, not so long ago, the development contribution was sought on the basis of per turbine (obviously for wind) but with improved technology the turbines are becoming bigger and fewer turbines are required hence councils are now moving to a per megawatt contribution.

It is for reasons like this that Council has maintained membership of MERC (Mining and Energy Related Councils).

Further to that Council has also taken advice and assistance from Warwick Giblin and his consultancy OzEnvironmental where he acts for farmers and rural councils, advising on the environmental, social and economic costs and benefits of proposed mining, energy and other major projects. Mr Giblin is also an Adjunct Professor at the University of New England (AU).

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Item 22 Reports to be Considered in Closed Council

Item 22.1 Human Resources Monthly Report

Division: Executive Services

Author: Manager Human Resources – Chris Kennedy

Summary

The purpose of this report is to update Council in relation to activities undertaken by Human Resources including Staffing and Recruitment, Training and Workplace Health and Safety (WHS).

In accordance with the *Local Government Act 1993* (NSW) (*'the Act'*) and the *Local Government (General) Regulation 2005* (NSW), 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 part of the meeting closed to the media and public.

The item relates to personnel matters concerning particular individuals (other than councillors) and is classified **CONFIDENTIAL** under section 10A(2)(a) of the Act, which permits the meeting to be closed to the public for business relating to the following:

- (a) personnel matters concerning particular individuals (other than councillors)

RECOMMENDATION

That the Human Resources Monthly Report be referred to Closed Council pursuant to section 10A(2)(a) of the *Local Government Act 1993* (NSW) on the grounds that the matter deals with personnel matters concerning particular individuals (other than councillors).

Item 22.2 Three Rivers Regional Retirement Community Information Report

Division: Environment and Development Services

Author: Director Environment and Development Services – Leeanne Ryan

Summary

The purpose of this report is to provide Council with an update on the Three Rivers Regional Retirement Community (TRRRC) project.

In accordance with the *Local Government Act 1993* (NSW) (*'the Act'*) and the *Local Government (General) Regulation 2005* (NSW), 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 part of the meeting closed to the media and public.

The item relates to advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and is classified **CONFIDENTIAL** under section 10A(2)(g) of the Act, which permits the meeting to be closed to the public for business relating to the following:

- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege

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RECOMMENDATION

That the Three Rivers Regional Retirement Community Information Report be referred to Closed Council pursuant to section 10A(2)(g) of the *Local Government Act 1993* (NSW) on the grounds that the matter deals with advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

Item 22.3 Provision of Project Management Services for Coonabarabran and Dunedoo Sewerage Treatment Plant Upgrades

Division: Environment and Development Services

Author: Project Manager – Chris Devitt

Summary

The purpose of this report is gain Council endorsement for the engagement of a contractor to provide Project Management Services for the delivery of the Coonabarabran and Dunedoo Sewerage Treatment Plant upgrades.

In accordance with the *Local Government Act 1993* (NSW) (*the Act*) and the *Local Government (General) Regulation 2005* (NSW), 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 part of the meeting closed to the media and public.

The item relates to commercial information and is classified **CONFIDENTIAL** under section 10A(2)(d) of the Act, which permits the meeting to be closed to the public for business relating to the following:

- (d) commercial information of a confidential nature that would, if disclosed:
 - i. prejudice the commercial position of the person who supplied it, or
 - ii. confer a commercial advantage on a competitor of the council, or
 - iii. reveal a trade secret.

RECOMMENDATION

That the Provision of Project Management Services for Coonabarabran and Dunedoo Sewerage Treatment Report be referred to Closed Council pursuant to section 10A(2)(d) of the *Local Government Act 1993* (NSW) on the grounds that the matter deals with commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it, or confer a commercial advantage on a competitor of the council, or reveal a trade secret.

FURTHER that Council resolve that:

1. Council go into Closed Council to consider business relating to confidential information.
2. Pursuant to section 10A(1)-(3) of the *Local Government Act 1993* (NSW), the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of Section 10A(2) as outlined above.

WARRUMBUNGLA SHIRE COUNCIL

Ordinary Meeting – 21 July 2022

3. The correspondence and reports relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the *Local Government Act 1993* (NSW).