



Ordinary Council Meeting

Agenda

15 September 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, 15 September 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

WARRUMBUNGLA SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

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

18 August 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

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

INDEX

Item 1 Mayoral Minute – Mayors Log of Activity, Kilometres Travelled and Expenses from 10 August 2022 to 7 September 2022	6
RECOMMENDATION	8
Item 2 Councillors’ Monthly Travel Claims	9
RECOMMENDATION	10
Item 3 Delegate’s Report – Castlereagh Macquarie County Council Meeting – Monday 29 August 2022	11
RECOMMENDATION	12
Item 4 Delegate’s Report – Mining and Energy Related Councils Meeting – Tuesday 30 August 2022	13
RECOMMENDATION	14
Item 5 Minutes of Traffic Advisory Committee Meeting – 25 August 2022	15
RECOMMENDATION	16
Item 6 Australia Day 2023	17
RECOMMENDATION	19
Item 7 Stronger Country Communities Fund, Round 5 and Resources for Regions, Round 9	21
RECOMMENDATION	23
Item 8 Council Resolutions Report	24
RECOMMENDATION	25
Item 9 Budget Revotes as at 30 June 2022	26
RECOMMENDATION	26
Item 10 Investments and Term Deposits – month ending 31 August 2022	27
RECOMMENDATION	32
Item 11 Request to Maintain an Unformed Portion of Hotchkiss Road, Baradine	33
RECOMMENDATION	36
Item 12 Update Report on Regional Roads Transfer and Road Classification Review ..	39
RECOMMENDATION	42
Item 13 Aerodrome Certification Update Report	43
RECOMMENDATION	44
Item 14 2022/23 Pool Operations and Capital Works Program.....	45
RECOMMENDATION	50
Item 15 Review of Companion Animals Amendment (Rehoming Animals) Act 2022	51
RECOMMENDATION	52

WARRUMBUNGL SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

Item 16 Public Spaces (Unattended Property) Act 2021	53
RECOMMENDATION	55
Item 17 Central West Orana Renewable Energy Zone Community Reference Group ...	56
RECOMMENDATION	57
Item 18 Development Applications	58
RECOMMENDATION	58
Item 19 Notice of Motion – Little Timor Street Plaza	59
Item 20 Notice of Motion – Coonabarabran Community Garden.....	60
Item 21 Reports to be Considered in Closed Council	61
Item 21.1 Human Resources Monthly Report.....	61
RECOMMENDATION	61
Item 21.2 Three Rivers Regional Retirement Community Information Report.....	61
RECOMMENDATION	62
Item 21.3 Dunedoo Infrastructure Renewal Project	62
RECOMMENDATION	62
Item 21.4 Regional Tender for Supply and Delivery of Concrete Pipes.....	62
RECOMMENDATION	63

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

Item 1 Mayoral Minute – Mayors Log of Activity, Kilometres Travelled and Expenses from 10 August 2022 to 7 September 2022

MAYORAL MINUTE - MAYORS ACTIVITY

<u>Date</u>	<u>Type</u>	<u>In/Out</u>	<u>Activity</u>
10-Aug	Email	In	Cr Brady - zoom invitation
11-Aug	Email	Out	Dunedoo Hospital Axillary - invitation
	Email	In	GM EA - Country Mayors
	Email	In	Deputy Premier - Resources for Regions
	Email	In	Ratepayer - complaint re Box Ridge Road
12-Aug	Email	Out	Manager EDT - Coonabarabran event
	Email	Out	GM
	Email	In	Warwick Giblin - REZ
	Email	In	Dunedoo Landcare - EV Charging Stations
	Email	In	Cr Brady - Coonabarabran event
13-Aug	Email	In	Warwick Giblin - REZ
	Email	In	GM - Coonabarabran event
14-Aug	Email	In	GM - Stronger Country Community Funding
	Email	In	Cr Rindfleish - Coolah Water
15-Aug	Email	In	Narromine Mayor - invitation to meet Minister Plibersek
	Email	In	Director Technical Services - Stop and Play Park
	Email	In	Graeme Fleming - GM Review
16-Aug	Email	Out	Graeme Fleming - GM Review
	Email	Out	Acting GM - protest outside Council Chambers
	Email	Out	Director Technical Services - Landcom
	Email	In	Dunedoo Landcare - invitation
	Email	In	Dunedoo Landcare - EV Charging Station
	Email	In	Warwick Giblin - REZ
17-Aug	Email	Out	Mayor Narromine - meeting Minister Plibersek
	Email	In	Acting GM - protest outside Council Chambers
	Email	In	Cooinda - complaint discharge
18-Aug	Email	In	Mayor Narromine - meetings with Minister Roberts and Griffin
	Email	In	Principal Coolah Central School - Prefects Lunch
	Email	In	GM - grants workshop
19-Aug	Email	In	DPIE Water - funding
	Email	In	Ratepayer - compliment
21-Aug	Email	In	Ratepayer - compliment
23-Aug	Email	In	Warrumbungle Education Centre - river grant
24-Aug	Email	In	Warwick Giblin - REZ
	Email	In	Inland Rail
	Email	In	Ratepayer - stray cats
	Email	In	Deputy Mayor - leave of absence 9-19 Sept
25-Aug	Email	In	Warwick Giblin - letter to Premier
	Email	In	EA GM - GM Review
	Email	In	Baradine Central School - invitations

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

26-Aug	Email	In	Sam Farraway - Business Case Fund
	Email	In	Mendooran PA&H Association invitation
28-Aug	Email	In	Deputy Mayor - Cooina complaint discharge
29-Aug	Email	In	GM - LGNSW Motions
	Email	Out	GM - LGNSW Motions
	Email	In	Murray Darling Basin Investment Grants Section - grants
	Email	In	GM - TRRRC Court Case
30-Aug	Email	Out	GM - Dunedoo Infrastructure
31-Aug	Email	In	Director Technical Services - River Grant
	Email	In	Warwick Giblin - REZ
	Email	Out	2357 Coordinator - Grant
	Email	Out	Director Technical Services - River Grant
	Email	Out	GM - TRRRC Court Case
1-Sep	Email	In	GM - Dunedoo Infrastructure Fund
	Email	In	GM - TRRRC Court Case
	Email	In	Broken Hill Mayor - LGNSW
2-Sep	Email	In	EA GM - Mendooran Community Care Expo
	Email	In	Ratepayer - Community Event Fee aiver
3-Sep	Email	Out	GM - fee waiver Community Event
5-Sep	Email	Out	GM - meeting with OLG
	Email	In	GM - road closure
	Email	In	Cr Brady - Notice of Motion
	Email	In	Cr Darriea Turley - Red Fleet
6-Sep	Email	In	GM - meeting with OLG
	Email	In	Director Technical Services - compliment
7-Sep	Email	Out	Mayor Narromine - Alliance Western Councils Meeting
	Email	In	Mgr EDT - Coonabarabran event
	Email	In	Moorambilla Voices - invitation
	Email	In	Mayor Narromine - Bourke Meeting of Alliance

Date of Journey		Purpose of Journey	Odometer		KM
Start Date	End Date		Start	Finish	Travelled
13-Aug	13-Aug	Coonabarabran CWA	18199	18243	44
15-Aug	15-Aug	Prefects Luncheon - Coonabarabran	18243	18293	50
18-Aug	18-Aug	Meeting GM and Deputy Mayor	18293	18336	43
18-Aug	18-Aug	Coonabarabran Council Meeting	18336	18364	28
22-Aug	22-Aug	Citizenship Ceremony	18364	18395	31
22-Aug	22-Aug	Grants workshop	18395	18423	28
31-Aug	31-Aug	Baradine Aerodrome	18423	18553	130
31-Aug	31-Aug	Council Chambers	18553	18581	28
Total KM travelled for period 13 August 2022 - 31 August 2022					382

WARRUMBUNGL E SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

MAYORAL MINUTE - EXPENSES 6 August 2022 to 7 September 2022

<u>Date</u>	<u>Transaction Details</u>	<u>Comments</u>	
6-Aug	Transport for NSW	Travel - Country Mayors	\$18.39
6-Aug	Wok on Air	Meal - Country Mayors	\$24.00
Total expenditure for period 06/08/2022 - 07/09/2022			<u>\$42.39</u>

RECOMMENDATION

That Council:

1. Notes the report on the Mayor's Activity and Log of Kilometres Travelled for the period 10 August 2022 to 7 September 2022.
2. Notes the report on the Mayor's credit card expenses between 6 August 2022 and 7 September 2022 and approves the payment of expenses totalling \$42.39.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

Item 2 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	\$ per KM	Total Amount (\$)
Cr Brady	-	0.78	-
Cr Doolan	-	0.78	-
Cr Hogden	220	0.78	\$171.60
Cr Holcombe	-	0.68	-
Cr Iannuzzi	-	0.78	-
Cr Kopke	228	0.78	\$224.64
Cr Newton	-	0.78	-
Cr Rindfleish	-	0.78	-
Cr Todd	115	0.78	\$89.70
		Total:	\$485.94

Issues

Nil.

Options

Nil.

Financial Considerations

Outlined above.

Community Engagement

To inform the community.

WARRUMBUNGL E SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

Attachments

1. Councillors Monthly Travel Claims

RECOMMENDATION

That the Councillors' monthly travel claims report in the amount of \$485.94 is noted.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

Item 3 Delegate's Report – Castlereagh Macquarie County Council Meeting – Monday 29 August 2022

Division:	Executive Services
Management Area:	Governance
Author:	Councillor Denis Todd
CSP Key Focus Area:	Local Government and Finance
Priority:	GF4 Council governance and organisation structure, reflects the vision, directions and priorities outlined in the Community Strategic Plan

Reason for Report

To report to Council on the Castlereagh Macquarie County Council Meeting held Tuesday 29 August 2022 in Coonamble.

Background

On Monday 29 August 2022 Cr Holcombe and I attended the Castlereagh Macquarie County Council Meeting held in Coonamble

Box thorn was discussed at length during the meeting and it was announced that a virus is to spread in this plant due to the last three years of wet weather.

Hudson pear was another item discussed with the focus on the outbreak at the five ways which is approximately 20km from our Shire boundary on the Baradine – Gulargambone Road.

The next meeting will be held in Coonabarabran on Monday 31 October 2022. A bus tour and dinner has been planned for the Sunday 30 October to inspect the weed problems in the Warrumbungle Shire with staff from Castlereagh Macquarie County Council.

Issues

Nil

Options

Nil

Financial Considerations

Nil

Community Engagement

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

WARRUMBUNGLA SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

RECOMMENDATION

That Council notes the Delegate's Report on the Castlereagh Macquarie County Council Meeting held Monday 29 August 2022 in Coonamble.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

Item 4 Delegate’s Report – Mining and Energy Related Councils Meeting – Tuesday 30 August 2022

Division:	Executive Services
Management Area:	Governance
Author:	Councillor Denis Todd
CSP Key Focus Area:	Local Government and Finance
Priority:	GF4 Council governance and organisation structure, reflects the vision, directions and priorities outlined in the Community Strategic Plan

Reason for Report

To report to Council on the Mining and Energy Related Councils Meeting held Tuesday 30 August 2022 via Zoom.

Background

On Tuesday 30 August 2022 I attended a Mining and Energy Related Councils Meeting held via Zoom.

It was noted that Narrabri Shire delegate would be attending the meeting in Sydney on the 2 September 2022 as well as Roy Butler MP Member for Barwon. Narrabri was not part of that Committee.

The meeting of Council delegates met at the York Club, Sydney on Friday 2 September 2022. Former Committee Members Peter Shinton (Warrumbungle Shire Council) and Owen Hasler (Gunnedah Shire Council) were made life members.

Wind Farms and Solar Farms were discussed during the meeting. A lot of the work will be in the Warrumbungle Shire or near the Shire, which may impact our roads and infrastructure.

The next meeting will be held in Dubbo on a date to be decided. Peter Shinton and Owen Hasler will be invited to the meeting to be officially recognised as life members.

Issues

Nil

Options

Nil

Financial Considerations

Nil

Community Engagement

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

WARRUMBUNGLA SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

RECOMMENDATION

That Council notes the Delegate's Report on the Mining and Energy Related Councils Meeting held Tuesday 30 August 2022 via Zoom.

WARRUMBUNGLA SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

Item 5 Minutes of Traffic Advisory Committee Meeting – 25 August 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 25 August 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 the 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 (4) 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:

- a) Additional Parking in John Street, Coonabarabran between Essex Street and Dalgarno Street
- b) NPWS – Installation of Coolah Tops National Park Signs on Coolah Creek Road and State Forest Road, Coolah
- c) Speed Advisory Curve Sign on Piambra Road, Binnaway
- d) Coonabarabran Pony Club – Request for Closure of Reservoir Street for Pony Camp – 25-30 September 2022

Options

All of the Traffic Advisory Committee recommendations may be dealt with under Delegation.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

Financial Considerations

The cost of recommendations from the meeting on the 25 August 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 – 25 August 2022

RECOMMENDATION

That the minutes of the Traffic Advisory Committee Meeting held on the 25 August 2022 are noted for information.

WARRUMBUNGLA SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

Item 6 Australia Day 2023

Division:	Corporate and Community Services
Management Area:	Community Services
Author:	Executive Assistant to General Manager – Erin Player
CSP Key Focus Area:	Supporting Community Life
Priority:	SC2.2 Work with local communities to develop and expand local arts and cultural activities, programs and events.

Reason for Report

To provide Council with an overview of plans for Australia Day 2023 and seek support for programs and activities to be implemented as part of annual Australia Day celebrations.

Background

In previous years Council has supported and participated in local Australia Day events in the following ways:

- participation in the *Australia Day Ambassador Program*
- facilitation of the *NSW Local Citizen of the Year Awards*
- provision of funding to support local events
- providing free entry to public swimming pools across the Shire.

Issues

Australia Day Ambassador Program

The Australia Day Ambassador program is not yet available for registration.

NSW Local Citizen of the Year Awards

The NSW Local Citizen of the Year Awards for Australia Day 2023 are awarded in the following categories:

- Citizen of the Year
- Young Citizen of the Year
- Sportsperson of the Year
- Environmental Citizen of the Year
- Australia Day Award.

The Environment Citizen of the Year Award is presented in partnership with Return and Earn NSW. The Award recognises individuals and organisations for work in the community that achieves litter reduction and recycling outcomes, preserving the environment and using the Return and Earn scheme for a meaningful cause. This will be the fourth year it will be run through the Australia Day Council of NSW and our local winner can go in the running for the overall state winner.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

The *Warrumbungle Shire Council Australia Day Awards* are administered by Warrumbungle Shire Council. In 2023 it is proposed that the awards are awarded in the following categories:

- Citizen of the Year
- Young Citizen of the Year
- Sportsperson of the Year
- Environmental Citizen of the Year (open age)
- Young Environmental Citizen of the Year (school aged)
- Australia Day Award – Senior Citizen of the Year
- Australia Day Award – Young Sportsperson of the Year
- Australia Day Award – Cultural Achievement Award
- Australia Day Award – Community Event of the Year

Guidelines & Criteria and *Nomination Forms* for these categories are attached and will also be available as an online form on Council's Website on the 'Have Your Say Page'. Nominations open on Monday 26 September 2022 and close on Friday 26 November 2022 at 4.30pm.

Further local awards are awarded by local Organising Committees.

Selecting Recipients of Awards

On 6 January 2022 Council reformed the s355 Committee to select the recipients of Australia Day Awards under delegated authority for Australia Day in 2023. The Committee is comprised of all Councilors and the General Manager or his delegate (non voting) and the Manager Community Services (non voting) shall also attend as the Executive Officer. The Committee Terms of Reference is attached (Attachment 3).

A meeting will be scheduled on 8 December 2022 to select the recipients of the 2023 awards.

Funding Support – Local Events

For a number of years Council has supported the conduct of Australia Day events in each town through the provision of a small contribution of funding. This funding is provided to assist with costs such as printing, promotion, local awards and catering. It is proposed that this funding be allocated again in 2023 as follows:

- \$650 each for Baradine, Binnaway, Coolah, Dunedoo and Mendooran (\$600 in 2022); and
- \$800 for Coonabarabran (\$750 in 2022).

Funding is provided directly to the Local Organising Committees.

Free Entry to Public Swimming Pools

The provision of free entry to swimming pools in each town has been well-received for a number of years. It is proposed to again offer free entry to pools for Australia Day 2023.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

Options

Council is requested to consider ongoing support and participation in local Australia Day events across the Shire including:

- facilitation of the *NSW Local Citizen of the Year Awards*
- provision of funding to local event organisers
- providing free access to public swimming pools in each town

Council has the option to participate or not participate in any or all of the programs and activities from previous years.

Financial Considerations

Council has funding allocated in the Executive Services budget to support Australia Day programs and activities. The total budget allocation for Australia Day 2023 is \$10,476. This covers the cost of advertising, awards, certificates and frames, contributions to each community and hosting two (2) Australia Day Ambassadors. It also allows for donations of \$650 for each of the five towns in the LGA and \$800 for Coonabarabran (up from \$600 and \$750 in 2022).

Foregone revenue associated with the free access to public swimming pools is estimated to be around \$1,600 for the whole Shire.

The remaining monies are used for accommodation, meals and ancillaries for the ambassadors plus gifts and give aways for the community.

Community Engagement Considerations

The level of community engagement is inform + consult + involve and will involve media releases, notices, social media posts and the taking of nominations.

Attachments

1. Australia Day Award Guidelines and Criteria
2. Australia Day Award Nomination Form
3. S355 Committee Terms of Reference

RECOMMENDATION

That:

1. The Australia Day Award Committee be delegated the authority to select the Australia Day Award recipients.
2. The Australian Day Committee meets on Thursday 8 December 2022 to select the Award recipients.
3. Endorses the updated Terms of Reference for the Australia Day Award Committee.
4. Council participates in the 2023 ***NSW Local Citizen of the Year Awards*** by administering and presenting the *Warrumbungle Shire Council Australia Day Awards* in the following categories:

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

- Citizen of the Year
 - Young Citizen of the Year
 - Sportsperson of the Year
 - Environmental Citizen of the Year
 - Young Environmental Citizen of the Year
 - Australia Day Award – Senior Citizen of the Year
 - Australia Day Award – Young Sportsperson of the Year
 - Australia Day Award – Cultural Achievement Award
 - Australia Day Award – Community Event of the Year
5. Funding to each of the Local Organising Committees is allocated as follows:
- \$650 each for Baradine, Binnaway, Coolah, Dunedoo and Mendooran;
and
 - \$800 for Coonabarabran.
6. Council opens public swimming pools in Baradine, Binnaway, Coolah, Coonabarabran, Dunedoo and Mendooran free of charge on Australia Day 2023.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

Item 7 Stronger Country Communities Fund, Round 5 and Resources for Regions, Round 9

Division:	Executive Services
Management Area:	Executive Services
Author:	General Manager – Roger Bailey
CSP Key Focus Area:	Supporting Community Life
Priority:	SC3.1 Identify and deliver sport and recreation facilities to service the community into the future

Reason for Report

To formally record the outcomes of the Council workshop on applications for funding for projects to be submitted in Round Five of the Stronger Country Communities Fund (SCCF) and Round Nine of the Resources for Regions Program.

Background

The Stronger Country Communities Fund has been supporting regional communities across NSW since 2017 in helping them to deliver projects to improve the lives of residents and enhance the attractiveness of their local communities.

The Stronger Country Communities Fund (SCCF) Round 5 sees a further \$160 million in funding for community projects that increase the wellbeing of regional NSW communities, including up to \$50 million for projects delivered by community organisations. The funding available for projects in the Warrumbungle Shire Local Government Area (LGA) is \$1,370,717. Of this \$942,368 is available to Council as the applicant with the balance of the allocation open only to eligible community organisations.

The Stronger Country Communities Fund Round 5 aims to boost the wellbeing of communities in regional areas by providing new or upgraded social and sporting infrastructure, or community programs that have strong local support.

Projects must be for infrastructure or community programs that boost the wellbeing of regional areas through improved amenity and positive social outcomes. Funding is available for local community and sporting infrastructure, street beautification, projects enhancing accessibility and inclusion for people with disability, projects improving outcomes for Aboriginal people, and community programs and local events.

The NSW State Government also announced that Warrumbungle Shire is to be the recipient of funds under Round 9 of the Resources for Regions Program. It is understood that this funding relates to Petroleum Exploration Licenses (PELs) in the Goolhi, Mullaley and Premer areas.

The amount of funding is \$1,555,555. Applications opened on 12 August 2022 and close 30 September 2022.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

These programs are administered by Department of Regional NSW.

At the August Council Meeting it was resolved:

40/2223 RESOLVED that Council:

1. *Note the report on funding under Stronger Country Communities Fund Round 5 and Resources for Regions Round 9.*
2. *Holds a workshop of councillors to determine priorities for applications for the funding under Stronger Country Communities Fund Round 5 and Resources for Regions – Round 9.*
3. *Authorises the Mayor, subject to the outcomes of the above workshop, to make a final determination of priorities for applications under the Stronger Country Communities Fund Round 5 and Resources for Regions Round 9.*

The Workshop was held on Monday 22 August 2022 to determine the priorities for applications for funding for both programs.

The outcome of the workshop was that funding under the two funding streams be applied for on the basis that:

Stronger Country Communities Fund (in priority order):

- | | |
|--|-----------|
| 1. Warrumbungle Shire Swimming Pool Upgrades | \$500,000 |
| 2. Warrumbungle Shire Sporting Facility Upgrades | \$450,000 |
| 3. Warrumbungle Shire Children's Playground Upgrades | \$450,000 |

Resources for Regions:

- | | |
|---|-----------|
| 1. Bowen Oval Coolah Amenity Upgrade and storage shed | \$450,000 |
| 2. Coonabarabran No. 3 Oval New Amenities | \$305,555 |
| 3. Mendooran Oval Amenity Replacement | \$600,000 |
| 4. Coonabarabran Public Swimming Pool Upgrade Business Case | \$200,000 |

Successful applicants are expected to be notified confidentially from November 2022 or as soon as possible after a grant is approved, at the NSW Government's discretion.

Financial Considerations

Funding available for projects in the Warrumbungle Shire Local Government Area (LGA) under the Stronger Country Communities Fund (SCCF) Round 5 is \$1,370,717. Of this \$942,368 is available to Council as the applicant with the balance of the allocation open only to eligible community organisations. 80% of the funding is to be paid upfront.

The NSW State Government also announced that Warrumbungle Shire is to be the recipient of funds under Round 9 of the Resources for Regions Program, in the amount of \$1,555,555.

Community Engagement

Level of Engagement is to Inform.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

RECOMMENDATION

That Council note that the following funding applications are to be made:

1. Stronger Country Communities – Round Five (in priority order), for funding up to:
 - i). Warrumbungle Shire Swimming Pool Upgrades \$500,000
 - ii). Warrumbungle Shire Sporting Facility Upgrades \$450,000
 - iii). Warrumbungle Shire Children’s Playground Upgrades \$450,000

2. Submit funding applications under the Resources for Regions – Round Nine for the following projects, in order of priority, for funding up to:
 - i). Bowen Oval Coolah Amenity Upgrade and storage shed \$450,000
 - ii). Coonabarabran No. 3 Oval New Amenities \$305,555
 - iii). Mendooran Oval Amenity Replacement \$600,000
 - iv). Coonabarabran Public Swimming Pool Upgrade Business Case \$200,000

WARRUMBUNGLA SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

Item 8 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

WARRUMBUNGL SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

RECOMMENDATION

That the Council Resolution Report be noted for information.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

Item 9 Budget Revotes as at 30 June 2022

Division:	Corporate and Community Services
Management Area:	Financial Services
Author:	Acting Accountant – Lisa Grammer
CSP Key Focus Area:	Local Governance and Finance
Priority:	GF4 Council's governance practice and organisational structure reflects the vision, directions and priorities outlined in the Community Strategic Plan

Reason for Report

Council's external auditors Prosperity Audit Services will be undertaking the audit of Council's financials as at 30 June 2020 commencing 10 October 2022.

As part of this process to complete the Financial Statements as at 30 June 2022 Council is requested to determine the amounts of capital and operating projects revotes or carryovers from the 2021/22 Financial Year to 2022/23.

Issues

The capital and operating revotes listings include recognition of approved Grant Programs to be completed, carryover works requested including the Widening of Purlewaugh Road and the Projects for the Water and Sewerage Funds totalling as follows:

1. Capital Projects Carryover Works \$7,661,137
2. Operating Projects Carryover Works \$178,379
3. Capital Project Revotes \$1,688,409

Attachments

1. Revote Schedule 2022 (Capital Projects Carryover listing, Operating Projects Carryover listing and Capital Projects Revotes listing)

RECOMMENDATION

That Council note the report on the Budget Carryover and Revotes for Financial Year 2021/22 and endorse the requested Carryover and Revote project amounts totalling \$9,527,925.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

Item 10 Investments and Term Deposits – month ending 31 August 2022

Division:	Corporate and Community Services
Management Area:	Financial Services
Author:	Finance Officer – Rachael Carlyle
CSP Key Focus Area:	Civic
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, \$1,000,000.00 worth of term deposits matured, earning Council a total of \$3,087.68 in Interest.

In August, the following placements were made into term deposits:

- \$1,000,000.00 with NAB at a rate of 3.20%

The balance of the term deposits at the end of the month was \$23,000,000.00.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

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, \$607.57 interest was earned on the balances in the accounts and net transfers of (\$1,000,085.00) were made from these accounts resulting in a month end balance of \$1,035,195.70.

Cash at bank balance

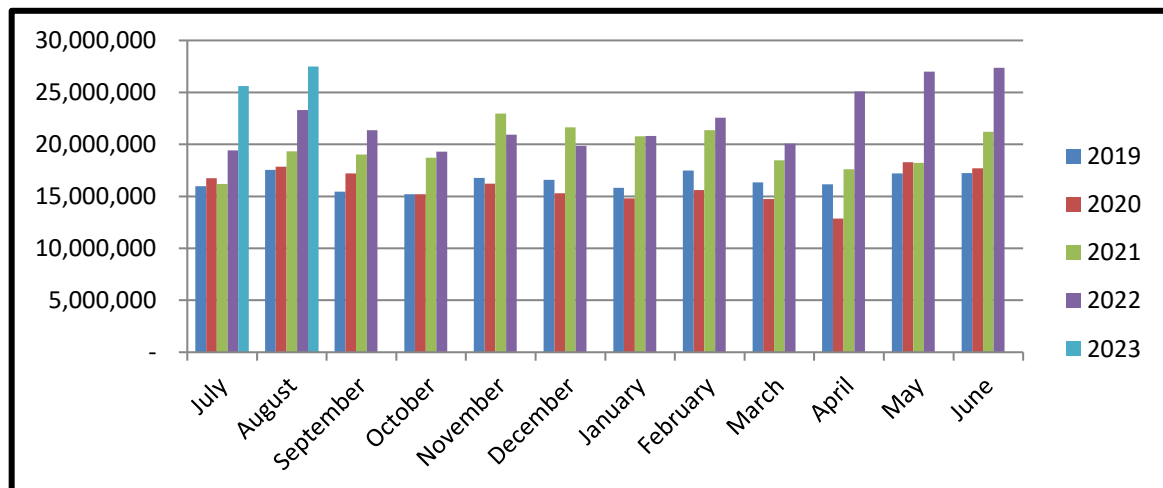
In addition to the at call accounts and term deposits, as at 31 August 2022, Council had a cash at bank balance of \$3,446,850.48.

Income Return

The average yield on Investments council held for August 2022, of 1.4040%. Council uses the Bank Bill Swap Rate (BBSW) supplied by the Australian Securities Exchange (ASX) which was 2.456 % for the month of August. The performance of investments for August, based on the comparison, was the portfolio underperformed by 1.0526%. 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 will see an example of this above with the new investment placed at a rate of 3.20%

Council's budget for year 2022/23 for interest on investments is \$90,000.00. At the end of August 2022, the amount of interest received and accrued should be around 16.67% of the total year budget, i.e. \$15,000.00 On a year to date basis, interest received and accrued totals \$41,004.85, which is 45.56% of the annual budget.

Graph by Month Investments



WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

Table 1: Investment Balances – 31 August 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%	502,685.43
ANZ	2-Nov-18	At Call	at call	ADI	ADI	0.01%	6,664.23
CBA At Call	4-Nov-18	At Call	at call	ADI	ADI	0.01%	525,846.04
							1,035,195.70
Term Deposits							
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 - Sewer Fund	03-Mar-22	20-Apr-23	413	UMG	UMG	0.95%	500,000.00
CBA - Sewer Fund	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
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-22	165	ADI	ADI	1.91%	1,000,000.00
NAB	30-May-22	05-Dec-22	189	ADI	ADI	2.13%	1,000,000.00

WARRUMBUNGLA SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

WBC - Water Fund	31-May-22	03-Jan-23	217	ADI	ADI	1.92%	1,500,000.00
AMP	05-Jul-22	04-Oct-22	91	LMG	LMG	2.40%	500,000.00
NAB	17-Aug-22	10-Jan-23	146	ADI	ADI	3.20%	1,000,000.00
						Sub-Total	23,000,000.00
						Total	24,035,195.70

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

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	1,502,147.96	607.47	(1,000,070.00)	502,685.43
ANZ	6,679.13	0.10	(15.00)	6,664.23
CBA At Call	525,846.04	-	-	525,846.04
Total at call	2,034,673.13	607.57	(1,000,085.00)	1,035,195.70
NAB	1,000,000.00	3,087.68	(1,003,087.68)	-
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 - Sewer Fund	500,000.00	-	-	500,000.00
CBA - Sewer Fund	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 - Water Fund	1,500,000.00	-	-	1,500,000.00
AMP	500,000.00	-	-	500,000.00
NAB	-	-	1,000,000.00	1,000,000.00
Total Term deposits	23,000,000.00	3,087.68	(3,087.68)	23,000,000.00
Total	25,034,673.13	3,695.25	(1,003,172.68)	24,035,195.70

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

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	6,664.23	0.03%	33.30%	Compliant
CBA	ADI	6,525,846.04	27.15%	33.30%	Compliant
WBC	ADI	7,500,000.00	31.20%	33.30%	Compliant
NAB	ADI	5,502,685.43	22.89%	33.30%	Compliant
	Total ADI	19,535,195.70	81.28%	100.00%	Compliant
MAQ	UMG	3,000,000.00	12.48%	20.00%	Compliant
	Total UMG	3,000,000.00	12.48%	60.00%	Compliant
ME	LMG	-	0.00%	10.00%	Compliant
AMP	LMG	1,500,000.00	6.24%	10.00%	Compliant
	Total LMG	1,500,000.00	6.24%	10.00%	Compliant
	Grand Total	24,035,195.70	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 – Lisa Grammer

RECOMMENDATION

That Council accept the Investments Report for the month ending 31 August 2022 including a total balance of \$27,482,046.18 being:

- \$1,035,195.70 in at call accounts.
- \$23,000,000.00 in term deposits.
- \$3,446,850.48 cash at bank.

WARRUMBUNGLA SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

Item 11 Request to Maintain an Unformed Portion of Hotchkiss Road, Baradine

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

Reason for Report

This report is to consider a request by a landowner to maintain an unformed portion of Hotchkiss Road, Baradine.

Background

At the 21 July 2022 Council meeting, Council considered a report on the maintenance of several unformed roads including Hotchkiss Road. No resolution was made, meaning that the status quo remained.

Following this meeting, council received a request from a landowner to maintain an unformed portion of Hotchkiss Road.

This request is listed as Attachment 1.

In accordance with Council's "Upgrading of Roads Not Constructed or Maintained by Council Policy", this request must be assessed and considered by Council at an Ordinary monthly meeting of Council.

If an approval is given, the property owner must undertake the works in accordance with the following standard conditions:

In the case of access to a single lot or where vehicle movements are likely to be less than 10 per day on average:

- Width – 4 metres
- Depth of compacted gravel – 100mm
- Longitudinal grades greater than 1 in 6 are bitumen sealed
- Drainage pipes installed to convey 1 in 10 year storm event
- Adequate scour protection and table drains are constructed.

In the case of access to multiple lots or where vehicle movements are likely to be between 10 and 50 vehicles per day on average:

- Width – 6 metres
- Depth of compacted gravel – 200mm
- Road grades, horizontal and vertical curves designed for a design speed of 60kph

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

- Longitudinal grades greater than 1 in 6 are bitumen sealed
- Drainage pipes installed to convey 1 in 10 year storm event
- Adequate scour protection and table drains are constructed
- Preparation of road construction plans.

Issues

Council staff have assessed the request and consider it to be reasonable given the circumstances. However, it is not considered reasonable to require the landowner to carry out the standard conditions as set out in the policy. This would require the landowner to incur significant cost for little benefit. Council has accepted the standard and condition of the road for some time and resolved not to maintain it. Now that a landowner requests to maintain it, it seems unreasonable to impose a higher standard on them.

Staff have recommended that the following conditions and restrictions apply:

1. The applicant is approved to upgrade and maintain the property access road to a suitable standard that meets the following criteria:
 - a) Minimum road width of 4m
 - b) Road formation promotes water drainage away from the property access road into suitable constructed drains eg. table drains
 - c) Vegetation removal is supported on the road and table drains though vegetation outside these areas must be limited to trees and other vegetation that pose a road safety risk.
2. There is a section of the proposed route that is privately owned and Council has no authority to approve or not approve the request to construct and maintain a property access road across this section. It is the landowner's responsibility to negotiate with the owner of Lot 1 DP 44858, 279 Hotchkiss Road, Baradine in regards to constructing a property access road on this section of land.
3. That all persons that are working on the property access road in the Council owned road corridor must:
 - a) Have a current WHS Construction Induction (Whitecard) and a copy of the card must be supplied to Council before commencing work. It is a legal requirement for all construction and maintenance works as per the NSW Work Health and Safety Regulation 2017 for a worker to have a Whitecard. Refer to <https://www.safework.nsw.gov.au/licences-and-registrations/white-cards> for further details.
 - b) Be suitably trained and experienced in road construction and maintenance.
4. That the applicant and/or the company engaged to complete the work has suitable insurance to complete the works including:
 - a) Public Liability to the value of at least \$20 million
 - b) Workers Compensation insurance
 - c) Product Liability insurance for any materials that are imported to the site
 - d) Vehicle insurance and registration suitable for working on a road corridor

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

- e) Please note that farm insurance does not usually cover this type of work. The applicant is strongly encouraged to discuss the options with their insurance companies or broker.
 - f) Copies of all documents must be supplied to Council before work commences.
5. A Traffic Guidance Scheme (TGS) must be supplied and approved by Council before the work commences. The TGS must be set up and monitored by person/s with suitable qualifications in traffic control. Further information can be found at <https://www.safework.nsw.gov.au/licences-and-registrations/licences/traffic-controller-training>.
 6. Any proposed drainage works must not impact negatively on neighbouring properties and must be contained within the Council owned road reserve or the landowner's private property. Any works on private property other than the applicant's own must have written consent from the current owner of the property in question.
 7. That all future maintenance of the property access road is the responsibility of and funded by the applicant and/or the property owner.
 8. The applicant is approved to maintain the property access road as required but must notify Council in writing (eg. email) before commencing the work and must abide by all the conditions listed.
 9. That the applicant and/or property owner provide construction and maintenance records and provide them to Council at any time they are requested. These records may be used to prove when and who completed work on the property access road. They may also be used to help obtain external funding for the applicant and/or property owner for the repair of the property access road following a natural disaster.
 10. That at the completion of the works, Council is notified and inspects the road before opening the property access road to traffic.
 11. That Council is notified before any construction or maintenance work is completed on the road.

The landowner has been consulted on these requirements.

They have asked if Council is able to provide authority or a memorandum of understanding which permits them as the primary road user to perform minor maintenance moving forward, eg cleaning table drains and filling eroded areas.

They have also asked if Council would consider installing signage with wording such as *"Caution Road Surface is Not Regularly Maintained, Use at Your Own Risk"*.

Staff have no objection to a memorandum of understanding and have sought advice from our insurers on signage. It was suggested that the most appropriate sign could be *"Local Traffic Only"* or *"No Through Road"*. The installation of the sign, if determined necessary, would also require the support of the Traffic Advisory Committee.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

Options

Council has the following options:

1. Council can decline the request.
2. Council can approve the request in strict accordance with Council's policy.
3. Council can approve the request in variance with Council's policy.

Council could decline the request. The basis for declining the request could be that Council would be concerned that by allowing the landowner to carry out work on Council's roads that it could expose Council to unacceptable risk.

Council could approve the request in accordance with Council's policy. As noted above this could be considered to be unreasonable in the circumstances.

Council could approve the request varying the conditions stated in the policy, taking into account the context of the situation namely that this section of Hotchkiss Road has very low traffic volumes and effectively services one property.

It should be noted that the 'Upgrading of Roads Not Constructed or Maintained by Council Policy' is overdue for review.

With the recent resolution by Council to establish a Road Network Advisory Group, it may be an idea to request the Group to review the policy.

Financial Considerations

There are no direct financial considerations. The proposed requirement that the landowner keep records of maintenance expenditure may assist Council in any future disaster recovery funding applications.

Community Engagement Considerations

The level of engagement is to inform. The landowner has been kept informed as to possible conditions and Council processes.

Attachments

1. Request to maintain an unformed portion of Hotchkiss Road, Baradine.
2. Upgrading of Roads Not Constructed or Maintained by Council Policy.

RECOMMENDATION

That Council:

1. Grant permission for the applicant to undertake maintenance work on the unformed section of Hotchkiss Road as requested subject to the following conditions:
 - a. The property access road is constructed and maintained to a suitable standard that meets the following criteria:
 - i. Minimum road width of 4m
 - ii. Road formation promotes water drainage away from the property access road into suitable constructed drains eg. table drains.

WARRUMBUNGLA SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

- iii. Vegetation removal is supported on the road and table drains though vegetation outside these areas must be limited to trees and other vegetation that pose a road safety risk.
- b. There is a section of the proposed route that is privately owned and Council has no authority to approve or not approve the request to construct and maintain a property access road across this section. It is the landowner's responsibility to negotiate with the owner of Lot 1 DP 44858, 279 Hotchkiss Road, Baradine in regards to constructing a property access road on this section of land.
- c. That all persons that are working on the property access road in the Council owned road corridor must:
 - i. Have a current WHS Construction Induction (Whitecard) and a copy of the card must be supplied to Council before commencing work. It is a legal requirement for all construction and maintenance works as per the NSW Work Health and Safety Regulation 2017 for a worker to have a Whitecard. Refer to <https://www.safework.nsw.gov.au/licences-and-registrations/white-cards> for further details.
 - ii. Be suitably trained and experienced in road construction and maintenance.
- d. That the applicant and/or the company engaged to complete the work has suitable insurance to complete the works including:
 - i. Public Liability to the value of at least \$20 million
 - ii. Workers Compensation insurance
 - iii. Product Liability insurance for any materials that are imported to the site
 - iv. Vehicle insurance and registration suitable for working on a road corridor
 - v. Please note that farm insurance does not usually cover this type of work. The applicant is strongly encouraged to discuss the options with their insurance companies or broker.
 - vi. Copies of all documents must be supplied to Council before work commences.
- e. A Traffic Guidance Scheme (TGS) must be supplied and approved by Council before the work commences. The TGS must be set up and monitored by person/s with suitable qualifications in traffic control. Further information can be found at <https://www.safework.nsw.gov.au/licences-and-registrations/licences/traffic-controller-training>.
- f. Any proposed drainage works must not impact negatively on neighbouring properties and must be contained within the Council owned road reserve or the landowner's private property. Any works on private property other than the applicant's own must have written consent from the current owner of the property in question.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

- g. That all future maintenance of the property access road is the responsibility of and funded by the applicant and/or the property owner.
 - h. The applicant is approved to maintain the property access road as required but must notify Council in writing (eg. email) before commencing the work and must abide by all the conditions listed.
 - i. That the applicant and/or property owner provide construction and maintenance records and provide them to Council at any time they are requested. These records may be used to prove when and who completed work on the property access road. They may also be used to help obtain external funding for the applicant and/or property owner for the repair of the property access road following a natural disaster.
 - j. That at the completion of the works, Council is notified and inspects the road before opening the property access road to traffic.
 - k. That Council is notified before any construction or maintenance work is completed on the road.
2. Request that the Road Network Advisory Group review the 'Upgrading of Roads Not Constructed or Maintained by Council Policy' and report back to Council.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

Item 12 Update Report on Regional Roads Transfer and Road Classification Review

Division:	Technical Services
Management Area:	Technical Services
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 update Council on the Regional Roads Transfer and Road Classification Review.

Background

Council at its meeting on 21 October 2021 resolved the following:

‘105/2122 RESOLVED that Council:

1. *Responds to the State Governments invitation to nominate roads for either transfer or reclassification by nominating Black Stump Way subject to the following conditions:*
 - a. *There is no reduction in income received by Council for roadworks associated with Black Stump Way.*
 - b. *Binnia Street between Booyamurra Street and Cunningham Street is declassified as a regional road and replaced by the alternate truck route which incorporates Cunningham Street and Booyamurra Street.*
 - c. *That roadworks on Black Stump Way continue to be undertaken by Council through a maintenance contract similar to that which exists on the state roads.*
2. *Support any application by Gilgandra Shire Council to reclassify Tooraweenah Road.’*

Council submitted an application in accordance with the above resolution on 21 December 2021, before the due date of 24 December 2022.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

Transport for NSW (TfNSW) has advised that the Independent Panel is expected to complete their final report of recommendations by late 2022.

They are anticipating that the Panel's report will be finalised by the end of September, however following this they will present the report to the NSW Government for review and then the Minister's Office will prepare a response to the Panel's recommendations and announce which recommendations for reclassification and/or transfer as part of the full round have been accepted.

Issues

There has been no feedback on applications made by Council in 2020 so it is difficult to determine if any of the three roads would warrant further consideration by the State Government. Given that one of the objectives of the Review is to ease the financial burden on Councils, it is appropriate that Council focus on roads that are or may become a relatively high financial burden.

Expenditure on maintenance and renewal works on Black Stump Way is disproportionately higher than on any of the other six (6) regional roads within the Shire, see Table 1. It is the regional road with the highest traffic volume. On average over the last five (5) years there is one (1) vehicle crash per year on Black Stump Way.

During the drought, truck operators delivering fodder in road trains or AB triple trucks, have been permitted to travel Black Stump Way. There is pressure now though for Black Stump Way to be permanently open to these higher productivity vehicles.

Black Stump Way incorporates Binnia Street, Coolah and even though Council promotes the use of the alternate truck route, which is via Booyamurra Street and Cunningham Street, truck operators continue to seek permission to travel Binnia Street. Should Council consider transferring Black Stump Way to State Management, it may do so on condition that Binnia Street between Booyamurra Street and Cunningham Street is removed from the route.

The intersections of Booyamurra Street and Binnia Street, and of Cunningham Street and Binnia Street do not meet turning circle standards for road train trucks and AB Triple trucks, which means that as demand for access by higher productivity trucks increases, so to will the demand for better intersection layout.

Tooraweenah Road connects Mendooran to Tooraweenah and then onto Coonamble. It is a local road and it was nominated as an alternate freight route by the Orana Joint Organisation Transport Sub-Committee. The length of the road between Mendooran and Tooraweenah is 48km and within Warrumbungle Local Government Area (LGA) the road length is 19km.

Council has been successful in obtaining funding under the NSW Government's Fixing Local Roads Program to seal the remaining 3.4km of unsealed road within the Warrumbungle LGA. Once sealed, the annual maintenance burden on Council associated with maintaining the unsealed road section will be reduced.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

Options

It is not known what the outcome of the application process may be. The status quo may be retained or the State Government may agree to transfer or reclassify Black Stump Way.

Financial Considerations

Historically, Council's budget allocation for regional roads is around 33% of the total budget for Road Operations and around 10% of Council's expenditure budget in General Fund. Average expenditure on each of the regional roads within the Shire is outlined in Table 1.

Black Stump Way consistently receives the maximum available funding of \$400,000 each year under the NSW Government's REPAIR Program, because the merit-based program takes into consideration the relatively high traffic volumes on the road. If Black Stump Way is transferred to State Management, there is no guarantee that Council will continue to receive this level of funding for improvement works on either Black Stump Way or on any other regional roads.

Table 1 – Freight Access and Financial Data for Regional Roads within Warrumbungle LGA

Road No	Road Name	Road Length (km)	Av. Annual Mtc Exp per km* (\$)	Av. Annual Total Exp per km**	Freight Access
MR55	Black Stump Way	89	3,749	13,167	HML B Double access full length.
MR129	Purlewaugh Road / Baradine Road	132	1,623	4,666	HML B Double Access full length. Road Train Access between Baradine and Coonamble. Road Train access by conditional permit.
MR329	Gwabegar Road	36	1,734	1,734	Road Train access between Baradine and Gwabegar.
MR396	Warrumbungles Way	396	1,842	5,390	B Double access (conditional).
MR618	Vinegaroy Road	22	2,059	7,619	B Double access.
MR4053	Timor Road	24	3,136	12,646	General access – semi trailer.
MR7519	Forest Road	14	1,643	15,068	B Double access in Warrumbungle Shire only.

Notes

* Average over 6 (six) years to 30 June 2020. Excludes expenditure on bridges.

WARRUMBUNGLA SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

*** Average over 6 (six) years to 30 June 2020. Excludes expenditure on bridges and bitumen surface reseals.*

Community Engagement

The level of engagement for this report is to inform.

Attachments

Nil.

RECOMMENDATION

That Council notes the update report on the Regional Roads Transfer and Road Classification Review.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

Item 13 Aerodrome Certification Update Report

Division:	Technical Services
Management Area:	Technical Services
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 reason for this report is to provide an update on a previous report on aerodrome certification.

Background

On 16 September 2021 Council resolved the following:

'77/2122 RESOLVED that:

- 1. Council prepare necessary management plans and manual of standards to enable transition to new rules imposed by the Civil Aviation Safety Authority for certification of the Coonabarabran Aerodrome.*
- 2. That the Coolah Aerodrome ceases to be a regulated aerodrome and no process of certification is undertaken.*
- 3. Council review the need for the Coolah Aerodrome.'*

Staff engaged consultants to assist with the preparation of the relevant management plans and manual of standards.

The application was submitted on 12 May 2022, one day before the due date of 13 May 2022.

We understand that the Civil Aviation Safety Authority (CASA) is assessing a number of applications and we have yet to hear any outcome to date.

CASA did conduct an on-site audit at the Coonabarabran Aerodrome from 22-26 August 2022. The outcome of the audit is still to be advised.

Council advised CASA on 13 December 2021 of Council's resolution in relation to the certification of the Coolah Aerodrome.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

On 21 December 2021, CASA advised confirmation that Coolah Aerodrome's transitional certification would be cancelled effective 4 January 2022.

The effect of the cancellation means that Coolah is deemed an Aircraft Landing Area (ALA) like Baradine. It is an unregulated facility and reduces the administrative burden for Council. Use is in accordance with the Aircraft Operators Certificate and it is the pilot's responsibility to determine the suitability of the facility.

Owing to staff changes and other priorities, there has been little work done on reviewing the need for the Coolah Aerodrome other than internal staff consultation.

It is hoped that this review can be conducted towards the end of the year.

Issues

It is anticipated that CASA may request further information or evidence as part of the certification process. It is also expected that the recent audit will identify some areas for improvement.

Staff will manage these requests accordingly and may require additional assistance from our consultants.

Options

Council is not obligated to provide aerodromes or aircraft landing areas however it is considered that the Coonabarabran Aerodrome is a valued community asset and will continue to be operated by Council for the foreseeable future.

Financial Considerations

The cost of transitioning to certification status has been accommodated within existing budgets.

Community Engagement

The scale of community interest in this issue is low, the impact is rated as moderate, which means that the minimum level of engagement on this issue is to inform and consult.

Attachments

1. Listing of aerodrome categories and associated management and reporting requirements
2. Council Business Paper Report – 16 September 2021

RECOMMENDATION

That Council note the aerodrome certification update report.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

Item 14 2022/23 Pool Operations and Capital Works Program

Division:	Technical Services
Management Area:	Urban Services & Facilities
Author:	Manager Urban Services & Facilities – Nicole Benson
CSP Key Focus Area:	Civic Leadership Supporting Community Life
Priority:	CL2 Council meets its legislative and compliance requirements and implements opportunities for organisational improvement. SC3.1 Identify and deliver sport and recreation facilities to service the community into the future.

Reason for report

This report has been prepared in response to a Council resolution made on 16 June 2022:

'334/2122 RESOLVED that:

- 1. Council notes the information contained within the Review of the 2021/22 Pool Operations Report.*
- 2. A Councillor workshop be held to discuss the strategic direction for pool operations across the Shire including the implications of the consultants reports as outlined within the body of the report.*
- 3. The outcomes of the workshop be reported back to Council.'*

The Councillor workshop was held on 28 July 2022.

Background

The pools managed by Warrumbungle Shire Council are spread across a large geographic area. They have inconsistent plant and equipment across the portfolio which makes the ageing assets challenging to manage and operate. A series of assessments and investigation into the state of the pools has been undertaken which has revealed that minimal maintenance, renewal or upgrade works have occurred over the years.

The information detailed within the report aims to provide a direction for improvements to Council's public swimming pools, which are recognised as important community assets, to ensure that they can be safely operated now and into the future.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

Issues

Staffing

Last season Council had nine (9) casual pool attendants and recruitment for this season has been ongoing since June 2022. Additional promotion of the roles has included a media release by the Mayor, email to all schools that attended the Prefect's Luncheon as well as notifications in the staff newsletter and promotion to community groups during meetings and other interactions.

At the time of writing this report there were ten (10) applications for the pool attendant position and recruitment is ongoing.

It is important to note that part of the Royal Life Saving Lifeguard Licencing is that new pool attendants are required to complete a mandatory induction at each pool they work at. This mandatory induction must include practical exercises (eg deep water object retrieval), WHS training, and three (3) controlled lifeguard supervision sessions for at least 2-3 hours amongst other things. This must be supervised by an approved workplace supervisor, for example a qualified Pool Lifeguard or a Risk Manager/WHS Manager of the organisation. Recruitment of pool attendants is a lengthy process and significant on the job training is required before they can apply for their lifeguard licence meaning that there could be delays in Council having fully qualified staff.

Planned maintenance, renewal and capital works

Tasks such as amenities painting, removal of trees, fencing repairs, replacement/repair of loose tiles in pools have been undertaken on a recurrent basis for a number of years across all pools. Since 2016/17 some of the larger scale renewal works have included replacement of three (3) acid tanks, redirection of backwash water into the sewers at Baradine and Dunedoo, and sealing of expansion joints and leak repairs at Baradine, Coonabarabran and Coolah.

The Warrumbungle Shire Council Asset Management Plan 2011/12 to 2021/22 (AMP) notes that most of the pools are reaching the end of their useful life and that Council should plan for significant renewals. Consideration should also be given to redevelopment costs. As the asset portfolio is extremely old, mostly in poor or very poor condition and very diverse (eg a mix of pool sizes (lanes/lengths) and other infrastructure including amenities, seating and shade) it is complicated to determine accurate redevelopment costs for any of the pools without detailed investigations.

Attachment 1 entitled 'Pool Renewal Priorities 2022/23 – 2025/26' is a draft four (4) year prioritised upgrade and renewal program. It has been developed based on information and estimates that have been sourced from consultant reports on items including plant rooms, pump systems, water sanitisation units, electrical systems and capacities, pool structures (shell), signage and safety. The major unknown cost when councillors were briefed on 28 July was the electrical compliance upgrades. A report and costings have been received and the cost across all pools to rectify electrical issues noted during the inspections is \$96,561.

The Pool Renewal Priorities program will require updating and reprioritising as works are completed and as time goes on and more about the pools is known. For example, part of the pump and plant upgrades involves testing flowrates and dosing equipment which could lead to additional works if rates of flow are not adequate. The extent of the chlorine gas monitoring systems works is not yet known but will be

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

investigated this season and the leak detection investigations will inform the works required on pool shells. This means that the annual program costs will also change. The budget required for Pool Renewal Priorities 2022/23 is \$234,871.

Significant capital works are planned for Dunedoo Pool with the construction of a new amenities building scheduled for this financial year. The budget allocation is \$900,000 and is entirely sourced from the Local Roads and Community Infrastructure Program.

Major capital works are also planned for the redevelopment of Coonabarabran Swimming Pool. The Coonabarabran Swimming Pool Advisory Committee have developed a Master Plan to progressively upgrade the facility. The Plan is separated into six (6) stages as follows:-

- Stage 1 – Development of design and construction specifications
- Stage 2 – Construction of a 25m x 8 lane pool and program pool separated by a bulk head
- Stage 3 – Construction of a wet play area
- Stage 4 – Construction of a covered learn to swim pool
- Stage 5 – Cover and enclose the main pool and program pool
- Stage 6 – Construction of a recreation building and replacement of the kiosk and amenities.

The works are currently unfunded and the cost to implement Stages 1 and 2 of the Plan were estimated to be \$4,042,882 in 2018. As reported recently in Item 10 Minutes of Coonabarabran Swimming Pool Advisory Committee Meeting – 3 August 2022, the estimated cost to bring the project to shovel ready was in the vicinity of \$250,000.

Continuous disinfecting dosing systems and public health

Pools at Baradine, Binnaway and Coonabarabran have semi-automated dosing systems that require some manual adjustments. These types of systems do not comply with the *Public Health Act 2010* and *Public Health Regulations 2013* because they don't have the mandatory continuous disinfecting dosing systems.

Council officers have consulted with the Dubbo Public Health Unit on how Council can keep the swimming pools open while continuing to protect the health of the patrons. Along with the installation of continuous dosing systems at each pool; short-term measures such as the introduction of a heightened water testing regime could be implemented for this season to enable Council to open the pools to the community.

Public Health have requested the following information from Council to assist with their decision on the matter:

1. A work plan stating the dates when each pool will have the dosing system upgraded; and
2. A document setting out the heightened test regime.

The Pool Renewal Priorities program lists Coonabarabran as the priority for a continuous dosing system in 2022/23 and Baradine and Binnaway in 2023/24.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

Regarding a heightened testing regime, testing is reliant on the availability of maintenance staff and pool attendants. The proposed daily testing regime is outlined below and is based on all shifts on the roster being filled.

Table 1 – Proposed testing regime 2022/23

Pool	Proposed Daily Testing with Full Staff Availability						
Baradine	5.30am	9.00am	12.00pm	3.30pm	6.30pm		
Binnaway	5.30am	9.00am	12.00pm	3.30pm	6.30pm		
Coonabarabran	5.30am	8.30am	11.00am	1.30pm	3.30pm	5.30pm	7.00pm

The testing at Baradine and Binnaway is proposed to be increased by one (1) test per day compared to current practices and the testing at Coonabarabran is proposed to be increased by two (2) tests per day. There is no additional cost to Council as this scenario is based on availability of staff. That is, they are not working any additional hours to complete the testing.

The information in this report and the assessments that have been undertaken to date indicate that Council must invest a significant amount of resources into the pools for all six (6) to continue to operate safely into the future. While Council will be applying for funds to assist with upgrades and redevelopment of the pools it is important to note that the funding is not guaranteed; it is a short-term solution; and that if not fully funded or unsuccessful Council may have to spend its own funds in order to complete the works. Furthermore, that any upgrades and redevelopments come with ongoing maintenance requirements.

Options

The status quo of pool operations is no longer sustainable. The installation of the continuous dosing units at Baradine, Binnaway and Coonabarabran is required to keep our pools open while continuing to protect the health of the patrons. Other concurrent works such as electrical, pump and plant upgrades are also required. An assessment of pool usage, pool plant condition and budgets and continuous dosing found Coonabarabran is the current priority for a continuous dosing unit and it should be installed as soon as possible.

Regarding opening of the pools for the 2022/23 season, preliminary dates have been set based on staffing levels and availability, and maintenance and renewal works required. At the time of writing it is expected that Coolah, Coonabarabran and Dunedoo Pools could open on Saturday 8 October 2022 and Baradine, Binnaway and Mendooran Pools on Saturday 29 October 2022. Any changes to these dates will be communicated with Councillors and the community and it can be expected that some disruptions to operations will occur once works have been procured. For example, installation of continuous dosing would likely require a one (1) day shut down for installation and commissioning.

Financial Considerations

Budget

The total budget required to deliver the Pool Renewal Priorities program in the 2022/23 financial year is \$234,871.

The approved 2022/23 Operational Plan Budget for pools capital projects is \$1,057,000 and much of this is allocated, however, with some modification \$118,500

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

can be reallocated by deferring works and/or reducing scopes of works. As shown in Table 2, it is planned to complete the leak investigations at Baradine and Mendooran this financial year and factor the repair costs into the 2023/24 Renewal Program. The estimates for the works at Coonabarabran and Dunedoo are less than budgeted and can be reallocated and Mendooran Pool painting can be deferred to a future year. The budget allocation for Dunedoo Pool pump rehabilitation will be allocated to the works identified in the Pool Renewal Priorities (Attachment 1) which was a total of \$29,000. In addition to these opportunities, a further \$102,200 is proposed to be revoted bringing the total available budget to \$220,700.

Table 2 – Proposed Budget Changes

Project Description	Approved Budget \$	Proposed Changes	Balance \$
All pools leak and joint repairs (Baradine)	50,000	Use 10,000 to investigate reallocate 40,000	40,000
Coonabarabran Pool renew office roof	50,000	Estimate 15,000, reallocate 35,000	35,000
Dunedoo Pool pump rehabilitation	20,000	Use for pump and plan upgrades identified in Pool Renewal Priorities	20,000
Dunedoo Pool swimming pool upgrades	20,000	Estimate for amenity conversion is 10,000. Reallocate 10,000	10,000
Mendooran Pool changeroom painting	12,000	Expenditure to date is 3,500 Reallocate 8,500	8,500
Mendooran Pool investigate and repair leakage – toddler pool	5,000	Tie in with all pools leak investigations and reallocate 5,000	5,000
SUB TOTAL			118,500
Proposed pools revote from 2021/2022	47,200	Revotes	47,200
Proposed deferrals from 2022/23 to 2023/24.			
Binnaway Len Guy Park toilets	20,000		20,000
Baradine Oval amenities upgrade	35,000		35,000
REVOTE TOTAL			102,200
TOTAL			220,700

The budget available is \$220,700 leaving a shortfall of \$14,171. The shortfall may be greater or less depending on the final quotations received to complete the work packages. Either way the program of works will be adjusted to meet the available budget.

External funding opportunities

Two (2) external funding opportunities are presently available to Council for assistance with upgrades and redevelopment of pool assets. They are Resources for Regions Round 9 and Stronger Country Communities Fund Round 5 and applications are being prepared for funding under both programs.

A Warrumbungle Shire Wide Swimming Pool Upgrade Program is also being developed and an application seeking \$500,000 will be lodged with the NSW

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

Government. The application will focus on upgrading the infrastructure at the pools with the view to improve accessibility and the wellbeing of our communities.

An application seeking up to \$200,000 to complete a business case for the Coonabarabran Swimming Pool Upgrade will be submitted. The business case will seek the information required to guide the future development of the pool.

Stronger Country Communities closes on 23 September 2022 and Resources for Regions closes on 30 September 2022.

Community Engagement Considerations

Information about opening dates and times as well as application forms have been updated and will be made available on Council's website. Staff will also continue to contact customers who have made enquiries so far this season.

Engagement with the community is underway regarding the application to the Stronger Country Communities Fund and Resources for Regions Fund.

Attachments

1. Pools Renewal Priorities 2022/23 – 2025/26

RECOMMENDATION

That:

1. Council notes the Pools Renewal Priorities 2022/23 – 2025/26.
2. Appropriate funding opportunities are actively sought as a means to expedite the implementation of the Pools Renewal Priorities 2022/23 – 2025/26.
3. Council install continuous dosing systems at Baradine, Binnaway and Coonabarabran Pools as budgets allow with Coonabarabran being the 2022/23 priority.
4. Council note the increased water testing regime for Baradine, Binnaway and Coonabarabran Pools for the 2022/23 pool season.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

Item 15 Review of Companion Animals Amendment (Rehoming Animals) Act 2022

Division:	Environment and Development Services
Management Area:	Planning and Regulation
Author:	Director Environment and Development Services – Leeanne Ryan
CSP Key Focus Area:	Civic Leadership
Priority:	CL2 – Council meets its legislative and compliance requirements and implements opportunities for organisational improvement.

Reason for report

To advise of changes to legislation to improve rehoming outcomes for pet cats and dogs in the care of NSW council pounds and shelters.

Background

On 23 February 2022, the *Companion Animals Amendment (Rehoming Animals) Bill* passed parliament. This means the *Companion Animals Act 1998 (CA Act)* has been amended to prescribe the actions that local councils must take when seeking to rehome a companion animal that has been seized or surrendered.

Issues

The CA Act now includes the following key changes that need to be undertaken by Council when dealing with unwanted and unclaimed cats and dogs that have been placed in Council's pound:

- Council needs to give written notice to at least two (2) rehoming organisations that the animal is available for rehoming and will remain available for at least seven (7) days from the date the notice is given.
- Council needs to take reasonable steps to advertise on a webpage or through a social media platform that the animal is available for rehoming.
- Increase record-keeping requirements are now necessary in relation to:
 - The identification of animals either rehomed or destroyed, and
 - In the case of animals that are destroyed, the actions a council took to rehome that animal.

For Warrumbungle Shire Council to abide by the new requirements, the following changes have been incorporated into our processes:

- New rehoming register set up to capture all animal details
- Any animals will be rehomed if possible, with two (2) rehoming organisations contacted to take the animal if possible. The rehoming organisation list is as per the approved list provided by OLG. Written notification is sent to these organisations and kept.
- Advertising the animal for rehoming;

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

- Photos of the animals needing to be rehomed are placed on Council's webpage and on Council's Facebook page.
- A minimum of seven (7) days' notice is provided for the animal to be rehomed after posting on social media; as well as seven (7) days response time after sending letter out to rehoming facilities. We then allow seven (7) days for the animal to be collected after written notice has been received by a rehoming organisation or person whom wishing to adopt the animal.
- A new rehoming file has been created where any animals that are rehomed or euthanised will have a record containing:
 - All the animal and owner details
 - Copies of the letters sent to the re-homing organisations
 - Details of why animal was impounded
 - Photo of the animal
 - All correspondence and any other information relating to the animal

Options

The amendments to the CA Act 1998 are legislated and Council will be required to carry out the delegated functions of the legislation.

Financial Considerations

Council staff will be required to spend additional time implementing the new recording requirements of the legislation, as well as incurring additional pound expenses for sustenance and keeping of animals for longer periods of time.

Community Engagement

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

Attachments

1. OLG Circular 22-05/15 March 2022 *Companion Animals Amendment (Rehoming Animals) Act 2022*

RECOMMENDATION

That Council notes the information contained in the Review of Companion Animals Amendment (Rehoming Animals) Act 2022.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

Item 16 Public Spaces (Unattended Property) Act 2021

Division:	Environment and Development Services
Management Area:	Regulatory Services
Author:	PA Director Environment and Development Services – Cheryl Tillman
CSP Key Focus Area:	Civic Leadership
Priority:	CL2 – Council meets its legislative and compliance requirements and implements opportunities for organisational improvement.

Reason for report

To advise of the impending repeal and replacement of the *Impounding Act 1993* (and Regulations) by the *Public Spaces (Unattended Property) Act 2021* and to outline the new legislation requirements.

Background

On 29 November 2021, the *Public Spaces (Unattended Property) Act 2021* (PSUP Act) passed parliament, and will upon the appointed date of proclamation, repeal the *Impounding Act 1993*. At this stage, the new Act has not yet commenced.

Prior to commencement of the PSUP Act, supporting regulations and guidance will be made, following public consultation periods. There will be a need for staff to receive training in the new Act to ensure interpretation is as per intended.

Issues

The new Act is outcomes focused, and puts onus onto those responsible to manage their items and animals within risk-based timeframes or face strong regulatory action as follows:

- Require a broader range of people to take responsibility for leaving items or animals unattended.
- Provide clearer expectations and grounds for compliance action, including by enabling specific, risk-based timeframes for action.
- Provide for the efficient and effective management of different classes of items, including shared devices (such as shopping trolleys), unattended motor vehicles (including trailers) and animals
- Provide for special arrangements for emergencies involving animals on roads where that involves unacceptable risk
- Provide more flexible, modern arrangements for the storage of items and places of care of animals
- Provide for stronger regulatory action to be taken, including through higher penalties for certain offences and bodies corporate
- Provide more flexible, modern compliance and enforcement arrangements, including to enable better collaboration between councils and other authorities

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

- Enable further duties, standards, and offences to be prescribed by regulation and in Codes of Practice, and
- Amend road transport laws so that registered operators may be fined for parking unregistered class A cars and trailers on public roads from 15 days after the registration has lapsed, and to enable councils to issue penalty infringement notices for these offences for class A cars (in addition to trailers).

Upon coming into effect, the PSUP Act will broadly provide the additional functions:

- Become the source of regulatory powers for local councils to take possession of unattended or abandoned items and animals found in public spaces.
- Provide a suite of new definitions, with the definition of animal not including companion animals within the meaning of the *Companion Animals Act 1998*; and including a definition of property to mean an animal or item.
- Create three classes of 'item':
 - Class 1 item: personal items of a small or medium size that can ordinarily be collected by 1 or 2 people without the need for machinery to lift, tow or otherwise move the thing (eg bikes)
 - Class 2 item: sharing service items made available for use of the public whether or not for a fee or other benefit (eg shopping trolley)
 - Class 3 item: motor vehicles, including hire-cars, or trailers and caravans (whether or not attached to a motor vehicle).
 - Another thing prescribed by the regulations to be an item for this Act.
- Provide for authorised officers to take into possession unattended animals, and make special arrangements for stock animals in an emergency, and to destroy animals taken into possession in certain circumstances.
- Provide powers to an occupier of private land to take possession of unattended animals that are found on their land without permission.
- Provide for unattended items taken into possession to be dealt with by an authorised officer in one of the specified ways, including to store them at any appropriate place of storage or otherwise to deal with them as prescribed by the PSUP Regulations.
- Provide for dealing with property that is taken into possession.
- Lists offences as follows (broadly outlined):
 - Leaving item unattended in public place
 - Recklessly or negligently leaving an item unattended in certain circumstances
 - Causing or permitting animal to trespass
 - Unlawfully recovering property
 - Failing to recover property as required
 - Obstructing an authorised officer

A comparison between the two pieces of legislation (meaning the old and new) has not yet been provided. In essence the new PSUP Act will provide Council staff with more enforcement authority to address unattended and unwanted animals and property within public spaces.

For Warrumbungle Shire Council, abandoned cars and straying livestock are the most common matters that will be dealt with under the PSUP Act. Day to day operations for Council's Compliance Officers are not expected to be impacted (no

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

more than usual) by the new legislation; though a positive outcome will be stronger enforcement powers particularly when dealing with continual and repeat offenders.

Options

When proclaimed, the PSUP Act will repeal and replace the *Impounding Act 1993*, and Council will be required to carry out the delegated functions of the legislation.

Financial Considerations

Nil

Community Engagement

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

Attachments

1. OLG Circular 22-19 - 13 July 2022 – Consultation on regulatory proposals for a new Public Spaces (Unattended Property) Act 2021
2. Public Spaces (Unattended Property) Act 2021

RECOMMENDATION

That Council notes the information contained in the NSW Government's Public Spaces (Unattended Property) Act 2021 Report.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

Item 17 Central West Orana Renewable Energy Zone Community Reference Group

Division:	Environment and Development Services
Management Area:	Planning and Development
Author:	PA Director Environment and Development Services – Cheryl Tillman
CSP Key Focus Area:	Caring for the Environment
Priority:	CE6 Sustainable growth and respectful planning acknowledges the rural character of the area, values the natural environment and encourages ecologically sustainable development.

Reason for Report

This report provides Council with information on the establishment of the Central West Orana Renewable Energy Zone (CWO REZ) Community Reference Group (CRG) and seeks Council's nomination of a representative to participate in the CRG meetings.

Background

The role of the CRG is to provide an open forum for discussion between community representatives, key stakeholders and EnergyCo about the CWO REZ relating to planning and delivery of the REZ transmission network including broader REZ issues.

The make-up of the CRG will include, an independent Chairperson, up to two (2) local community members, up to six (6) representatives from local community or stakeholder groups, representatives from Local Councils and Local Aboriginal Land Council, totalling up to fifteen (15) CRG members.

Local Councils and Aboriginal Land Councils representatives have been invited from the Regional Councils of Dubbo and Mid-Western, and Local Aboriginal Councils of Dubbo, Mudgee, Gilgandra, Wellington and Walhallow, with involvement being voluntary and at the organisation's discretion for participation.

Developers of renewable generators within the REZ will be invited to attend CRG meetings on a regular basis as guest participants.

Issues

An invitation has been extended to Council to appointment a delegate to the CRG, this person must hold the delegation to represent their group and acknowledge that they are a member of the CRG in that capacity, not in a personal capacity and are authorised to speak on behalf of their representative group.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

The nominated delegate must be able to commit to a membership period of two (2) years, able to attend at least 75% of meetings and after the two (2) year period will be required to be re-nominated.

CRG members email address will be published on the project website so that members of the community can contact them about CRG matters.

Meetings will be held face-to-face in the Central West Orana Region where practical, video conferencing facilities will be provided where possible to allow members to attend remotely and meetings will be held at least once per quarter. When attending face-to-face meetings, these will be held during daylight hours to avoid members travelling via road at dusk and in the evening. Participation in sub-committees or working groups to address an issue may be required.

All members of the CRG must declare any pecuniary and non-pecuniary interest to protect the integrity of the group and its members. This declaration must be kept up to date for the duration of the membership.

The first meeting of the CRG was booked for Thursday 1 September 2022, and Council was represented by Councillor Rindfleish.

Options

It is recommended that Council nominates a representative to participate on the Community Reference Group.

It is understood that Dubbo Regional Council will be looking to appoint a councillor to this role, while Mid Western Regional Council will not be making an appointment.

Financial Considerations

The EnergyCo terms of reference states that attendance is voluntary.

Reimbursement of councils representatives travel cost may be accommodated within existing budgets.

Community Engagement

The level of engagement for this report is to Inform and Consult.

Attachments

1. EnergyCo Terms Reference CWO REZ CRG June 2022.

RECOMMENDATION

That Council nominates a representative to participate in the CWO REZ Community Reference Group.

WARRUMBUNGLA SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

Item 18 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 – August 2022

Development Application / Complying Development	Date Lodged	Date Approved	Applicant's Name	Location	Town	Type of Development	Referral Days	Stop the Clock Days
23/2022	29/06/2022	09/08/2022	Ashley Anderson	740 Timor Road	Coonabarabran	Dwelling	56 *	0
17/2022	02/06/2022	09/08/2022	BuildCert Planning	1244 Timor Road	Coonabarabran	Dual Occupancy	30 *	0
12/2022	20/05/2022	25/08/2022	Cameron Hill	600 Beni Crossing Road	Mendooran	Water Storage	85 #	0

Note: The applicant lodges the DA via the NSW Planning Portal, Council makes all referrals to Government Agencies within two (2) days via the Concurrence and Referral dashboard through the NSW Planning Portal.

* Siding Springs Observatory

Water NSW

RECOMMENDATION

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

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

Item 19 Notice of Motion – Little Timor Street Plaza

Notice of Motion – Little Timor Street Plaza

I hereby advise that I propose to move the following Notice of Motion at the Council meeting:

That Council prepare a report/provide information on Little Timor Street plaza. Including information on closing road (so it's not an actual road way), what approvals needed to use this community space, what are remaining funds to finalise project, lights, locked boxes for outdoor chess pieces.

**KODI BRADY
COUNCILLOR**

General Manager's comment:

The funding for the project has been acquitted with the funding body and hence no funds remain from the grant. Council allocated a further \$11,300 for lighting and this is unspent at this point.

The original proposal for lighting was posts attached to the platform, however it was felt that this was structurally unsound and proposed festoon type lighting attached to the walls. Approval had to be sought from the landowners to do this and I understand that there have been some properties changing hands which delayed things.

The current string lighting is temporary and not adequate.

The purpose of the space (as per council's application for funding) is passive for reading, eating lunch, the odd busker. It was not designed or contemplated for formal events. The proximity to the highway and potential for attendee spill over onto the highway are concerns.

Should a formal event be considered then a S68 approval is required. The applicant would have to provide public liability insurance (currently \$20M) and the approval process would consider any matters of risk. For any food matters, need to comply with Food Safety Standards, and be registered food business, with a nominated Food Safety Supervisor.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

Item 20 Notice of Motion – Coonabarabran Community Garden

Notice of Motion – Coonabarabran Community Garden

I hereby advise that I propose to move the following Notice of Motion at the Council meeting:

That Council supports 2357 Partnerships and the sub committee of 2357 Partnerships in the development of a Community Garden in Coonabarabran.

RATIONALE:

In 2010 active community members tried to get a community garden going and council supported this by allowing use of an empty Council block of land. This didn't proceed due to lack of volunteers and various other things. Now there is a dedicated group of community members and various community groups that support this idea.

Consideration of use of land in Robertson Street where there is easy accessibility for all residents. This parcel of land joins the walking track along the river which leads to Neilson Park and is also close to CBD.

Two maps are attached showing the parcel of land (Lot 8, Section 4, DP 758281). The area of the land is 2149.9M and is classified as general residential. A sewer pump station is located on the block of land.

**KODI BRADY
COUNCILLOR**

WARRUMBUNGLA SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

Item 21 Reports to be Considered in Closed Council

Item 21.1 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 21.2 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

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

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 21.3 Dunedoo Infrastructure Renewal Project

Division: Executive Services

Author: General Manager – Roger Bailey

Summary

The purpose of this report is to provide Council information resulting from additional funding that has been provided by the NSW State Government.

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

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct)

RECOMMENDATION

That the Dunedoo Infrastructure Renewal Project Report be referred to Closed Council pursuant to section 10A(2)(c) of the *Local Government Act 1993* (NSW) on the grounds that the matter deals with information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct)

Item 21.4 Regional Tender for Supply and Delivery of Concrete Pipes

Division: Technical Services

Author: Manager Road Operations – Kylie Kerr

Summary

The purpose of this report is to make a resolution in respect of recommendations by the tender evaluation panel for the Supply and Delivery of Concrete Pipes.

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.

WARRUMBUNGL E SHIRE COUNCIL

Ordinary Meeting – 15 September 2022

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

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct)

RECOMMENDATION

That the Regional Tender for Supply and Delivery of Concrete Pipes Report be referred to Closed Council pursuant to section 10A(2)(c) of the *Local Government Act 1993* (NSW) on the grounds that the matter deals with information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct)

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.
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).