



## **Ordinary Council Meeting**

# **Agenda**

**20 October 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, 20 October 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

# **WARRUMBUNGLE SHIRE COUNCIL**

## **Ordinary Meeting – 20 October 2022**

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# **AGENDA**

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

Turn Off Mobile Phones

Audio Recording of Council Meetings

**Apologies/Leave of Absence**

**Confirmation of Minutes**  
15 September 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

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### **Item 1 Mayoral Minute – Mayors Log of Activity, Kilometres Travelled and Expenses from 9 September 2022 to 11 October 2022**

#### **MAYORAL MINUTE – MAYORS ACTIVITY**

<b><u>Date</u></b>	<b><u>Type</u></b>	<b><u>In/Out</u></b>	<b><u>Activity</u></b>
9-Sep	Emails	In	Warwick Giblin - REZ
12-Sep	Emails	In	RMCC Technical Officer - Agreement Healthy Rivers Project
	Emails	In	Jayden Whaites - Minister for Planning follow up Reservoir Street
	Emails	In	2357 Partnership - community garden
	Emails	In	Graeme Fleming - GM Review
13-Sep	Emails	In	Director Enviro & Dev - REZ
	Emails	In	Director Enviro & Dev - REZ
	Emails	In	Director Technical Services - latest flood damage
	Emails	Out	Director Technical Services - Landcom Meeting
	Emails	Out	Director Technical Services - bottom weir
14-Sep	Emails	Out	Director Technical Services - Disaster Funding
	Emails	Out	Director Technical Services - Manager Fleet Services
	Emails	In	Director Enviro & Dev - Liverpool Range Windfarm
	Emails	In	Director Technical Services - Disaster Funding
15-Sep	Emails	In	Director Technical Services - Disaster Funding
	Emails	In	Ratepayer - Mowrock Road / Kerrs Bridge
	Emails	In	Director Technical Services - Hotchkiss Road
16-Sep	Emails	In	GM - TRRRC
	Emails	In	Principal St Michaels Dunedoo - Pool Attendants
18-Sep	Emails	In	Warwick Giblin - REZ
19-Sep	Emails	In	Director Enviro & Dev - TRRRC
	Emails	In	Ratepayer - Road Users Group
	Emails	In	Manager EDT - Coonabarabran event
	Emails	In	Director Technical Services - Purlewaugh Road
	Emails	Out	Director Technical Services - TRRRC
	Emails	Out	GM - letter re pool attendants
	Emails	Out	Jayden Whaites - Minister for Planning - Reservoir Street
20-Sep	Emails	Out	Director Technical Services - Reservoir Street
	Emails	Out	GM - road complaints
	Emails	In	John Clements - road complaints to Roy Butlers Office
21-Sep	Emails	In	Ratepayer - OOSH
	Emails	In	Director Technical Services - reply to St Michaels Dunedoo Principal
	Emails	In	GM - TRRRC
	Emails	Out	Graeme Fleming - GM Review
	Emails	Out	Scott Barrett MLC - Stronger Country Communities
	Emails	Out	Vincent Young - TRRRC
22-Sep	Emails	Out	2357 Partnership - Burra Bee Dee Grant Application
	Emails	Out	Rick Biggs - Burra Bee Dee grant application
	Emails	In	Dunedoo Landcare - Bicentenary Invitation / EV Charging
23-Sep	Emails	In	Dunedoo Landcare - Bicentenary Invitation / EV Charging
	Emails	Out	Vincent Young - TRRRC

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24-Sep	Emails	In	Cr Rindfleish - REZ
26-Sep	Emails	In	Manager EDT - Community Events Application approval
27-Sep	Emails	In	Director Technical Services - Warrumbungles Way closure
28-Sep	Emails	In	GM - REZ
29-Sep	Emails	In	Warwick Giblin - REZ
	Emails	In	Cara Inia - Energy Co meeting
	Emails	In	Vincent Young - TRRRC
	Emails	Out	Cara Inia - Energy Co meeting
3-Oct	Emails	In	Warwick Giblin - REZ
5-Oct	Emails	In	Gwynne Coughlin - Healthy Rivers Funding Guidelines
	Emails	In	GM - TRRRC
	Emails	In	Ratepayer - OOSH vouchers
	Emails	In	Warwick Giblin - Liverpool Range Windfarm
	Emails	In	Vincent Young - invitation to Luncheon - declined
	Emails	In	Publican Baradine Hotel - parking strips
	Emails	In	GM - top issues facing the shire
6-Oct	Emails	In	Warwick Giblin - Law Society Address
	Emails	In	GM - Natural Disaster Declarations
	Emails	In	A/District Manager Castlereagh Zone - Tannabah Fire Trail
	Emails	In	LGNSW President - Red Fleet update
	Emails	In	GM - Kiama Council works
	Emails	Out	GM EA - Declaration of interests
	Emails	Out	Director Enviro & Dev - VOW Submission
7-Oct	Emails	In	GM - TRRRC x 4
8-Oct	Emails	Out	Director Technical Services - Landcom site visit
9-Oct	Emails	In	Warwick Giblin - REZ
10-Oct	Emails	In	Director Technical Services - Landcom Visit
	Emails	In	Ken Keith Country Mayors Chairman - Red Fleet
	Emails	In	Cara Inia - Energy Co meeting
	Emails	In	GM - Liverpool Range
11-Oct	Emails	In	Rick Biggs - Burra Bee Dee grant application

Date of Journey		Purpose of Journey	Odometer		KM Travelled
Start Date	End Date		Start	Finish	
15-Sep	15-Sep	Meeting with Deputy Mayor and General Manager	18581	18610	29
15-Sep	15-Sep	Baradine School then September Council Meeting Coonabarabran	18610	18727	117
16-Sep	16-Sep	Moorambilla Voices	18727	19207	480
20-Sep	20-Sep	Castlereagh BFMC Meeting	19207	19257	50
30-Sep	30-Sep	Dubbo - TRRRC case	19257	19564	307
6-Oct	6-Oct	Coolah Windfarm Meeting	19564	19718	154
10-Oct	10-Oct	Coonabarabran Office - sign documents	19718	19740	22
<b>Total KM travelled for period 15 September 2022 - 10 October 2022</b>					<b>1,159</b>



# **WARRUMBUNGLE SHIRE COUNCIL**

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### **MAYORAL MINUTE - EXPENSES 8 September 2022 to 7 October 2022**

<b><u>Date</u></b>	<b><u>Transaction Details</u></b>	<b><u>Comments</u></b>	
8-Sep	Flight Centre	Flights - Boulus Mediation	\$415.07
29-Sep	Across Country Motel	Accommodation - Boulus Mediation	\$152.25
29-Sep	Westside Hotel Dubbo	Meal - Boulus Mediation	\$27.00
30-Sep	Transport for NSW	Travel - Boulus Mediation	\$20.60
30-Sep	Transport for NSW	Travel - Boulus Mediation	\$20.60
30-Sep	Due Mondri @ Society	Meal - Boulus Mediation	\$19.82
<b>Total expenditure for period 08/09/2022 - 07/10/2022</b>			<b><u>\$655.34</u></b>

### **RECOMMENDATION**

That Council:

1. Notes the report on the Mayor's Activity and Log of Kilometres Travelled for the period 10 September 2022 to 11 October 2022.
2. Notes the report on the Mayor's credit card expenses between 8 September 2022 and 7 October 2022 and approves the payment of expenses totalling \$655.34.

# WARRUMBUNGLE SHIRE COUNCIL

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### Item 2 Councillors' Monthly Travel Claims

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

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### 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	620	0.78	\$483.60
Cr Holcombe	-	0.68	-
Cr Iannuzzi	-	0.78	-
Cr Kopke	228	0.78	\$224.64
Cr Newton	-	0.78	-
Cr Rindfleish	1,044	0.78	\$814.32
Cr Todd	539	0.78	\$420.42
		<b>Total:</b>	<b>\$1,942.98</b>

### Issues

Nil.

### Options

Nil.

### Financial Considerations

Outlined above.

### Community Engagement

To inform the community.

# **WARRUMBUNGLA SHIRE COUNCIL**

## **Ordinary Meeting – 20 October 2022**

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### **Attachments**

1. Councillors Monthly Travel Claims

### **RECOMMENDATION**

That the Councillors' monthly travel claims report in the amount of \$1,942.98 is noted.

# **WARRUMBUNGLE SHIRE COUNCIL**

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### **Item 3 Delegate’s Report – Newell Highway Taskforce Committee Meeting – Tuesday 13 September 2022**

<b>Division:</b>	Executive Services
<b>Management Area:</b>	Governance
<b>Author:</b>	Councillor Denis Todd
<b>CSP Key Focus Area:</b>	Local Government and Finance
<b>Priority:</b>	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 Newell Highway Taskforce AGM and Committee Meeting held Tuesday 13 September 2022 in Parkes.

#### **Background**

On Tuesday 13 September I attended the Newell Highway Taskforce AGM and Committee Meeting held in Parkes.

During the AGM, the following positions were elected:

Chairperson – Cr Ken Keith OAM (Parkes Shire Council)  
Deputy Chairperson – Cr Tony Lord (Bland Shire Council)  
Secretary – Parkes Shire Council (Maree Wyatt)

The dates for the meetings held for 2023 were also determined and are as follows:

Tuesday 14 March 2023 in Narrandera  
Tuesday 13 June 2023 in Narrabri including a Strategic Planning session  
Tuesday 12 September 2023 in Dubbo

The Committee Meeting followed the AGM. Paul Polansky, Senior Manager, Transport Technical Solutions, Transport for NSW gave an update on current projects. These included West Wyalong to Forbes Flood Immunity, Grade separation - Roads of Strategic Importance (ROSI) funding, Parkes Bypass, Newell Highway Program Alliance, New Dubbo Bridge, Newell Highway upgrade at Coonabarabran, Newell Highway Upgrade Pilliga Widening Concept Design, Newell Highway Heavy Duty Pavement upgrades Narrabri to Moree (Stage 1) and Heavy Vehicle Rest Areas.

It was noted that no funding has been announced for the Coonabarabran bypass as yet.

During my visit in Parkes I inspected the new bypass, the intermodal, and the new development on Brolgan Road. One of the new projects is \$60,000,000 on an animal pet food factory.

# **WARRUMBUNGLE SHIRE COUNCIL**

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### **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.

### **RECOMMENDATION**

That Council notes the Delegate's Report on the Newell Highway Taskforce AGM and Committee Meeting held Tuesday 13 September 2022 in Parkes.

# **WARRUMBUNGLE SHIRE COUNCIL**

## **Ordinary Meeting – 20 October 2022**

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### **Item 4 Minutes of Audit, Risk and Improvement Committee Meeting – 11 August 2022**

<b>Division:</b>	Corporate and Community Services
<b>Management Area:</b>	Corporate Services
<b>Author:</b>	Manager Corporate Services – Jenni Maundrell
<b>CSP Key Focus Area:</b>	Civic Leadership
<b>Priority:</b>	CL2.2 Obtain structured independent assessment of Council's organisational compliance, practices and performance

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#### **Reason for Report**

To present Minutes of the Audit, Risk and Improvement Committee meeting held at Coonabarabran on Thursday 11 August 2022.

#### **Background**

The Audit, Risk and Improvement Committee was formed by Council Resolution 168/2122 (6 January 2022), comprising two independent members and one councillor delegate.

#### **Issues**

At the Audit, Risk and Improvement Committee meeting of 11 August 2022, the Committee discussed:

- External audit for 2021/22.
- Preparation of Council's Financial Statements for 2021/2022.
- Risk management and internal audit framework.
- Project risk management.
- Waste service reviews.
- Council's Delivery Program.

The Minutes of this meeting are provided as Attachment 1 to this report.

#### **Options**

Nil

#### **Financial Considerations**

Nil

#### **Community Engagement**

The level of engagement for this report is Inform.

#### **Attachments**

1. Minutes of the Audit, Risk and Improvement Committee meeting held at Coonabarabran on 11 August 2022.

# **WARRUMBUNGLA SHIRE COUNCIL**

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### **RECOMMENDATION**

That Council notes the minutes of the Audit, Risk and Improvement Committee meeting held at Coonabarabran on 11 August 2022.

# WARRUMBUNGLE SHIRE COUNCIL

## Ordinary Meeting – 20 October 2022

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### Item 5 Minutes of Coonabarabran Town Beautification Advisory Committee Meeting – 12 September 2022

<b>Division:</b>	Technical Services
<b>Management Area:</b>	Urban Services & Facilities
<b>Author:</b>	Manager Urban Services & Facilities
<b>CSP Key Focus Area:</b>	SC6 Our towns and villages are characterised by their attractiveness, appearance, safety and amenity.
<b>Priority:</b>	SC6.3 Work with local communities to develop and implement improvement plans for our streetscapes, main streets and town entrances.

---

#### **Reason for Report**

The purpose of this report is to present minutes from the meeting of the Coonabarabran Town Beautification Advisory Committee held at Coonabarabran on 12 September 2022.

#### **Background**

The purpose of the Committee is to make recommendations on specific projects and or development of strategies for the beautification of Coonabarabran.

Core responsibilities and duties of the Committee are to:

- Input into the development of a beautification Master Plan with a strategic focus on improving the appearance of street landscapes.
- Assistance with determining current issues with town landscapes, including identification of issues that need to be rectified.
- Investigation into, and assistance in obtaining, external sources of funding.
- Making of recommendations to Council on matters relating to specific town beautification projects or strategies.

#### **Issues**

Several matters were discussed including the development of the Coonabarabran Town Beautification Master Plan. The Committee noted the draft Master Plan that was tabled and feel that 2-3 more sessions would be required to get the plan finalised.

The placement of a garbage bin closer to Little Timor Street was discussed and some members felt it was too close to the entrance to the Plaza. Maintenance to the gardens in the Plaza and the storage of the chess pieces was also raised. Council still needs to follow up on the requirements for volunteers to be able to safely perform maintenance activities such as watering plants, trimming shrubs and removing weeds etc.



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The matter of grants to assist with implementation of the Master Plan was also discussed and it was noted that members of parliament often advertise open or upcoming grants on their social media pages.

### **Options**

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

### **Financial Considerations**

There are no financial implications arising from the minutes.

### **Community Engagement**

The level of engagement for this report is to inform.

### **Attachment**

1. Minutes of Coonabarabran Town Beautification Advisory Committee Meeting – 12 September 2022.

### **RECOMMENDATION**

That Council notes the minutes of the Coonabarabran Town Beautification Advisory Committee meeting held at Coonabarabran on 12 September 2022.

# **WARRUMBUNGLE SHIRE COUNCIL**

## **Ordinary Meeting – 20 October 2022**

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### **Item 6 Minutes of Coonabarabran Sporting Complex Advisory Committee Meeting – 14 September 2022**

<b>Division:</b>	Technical Services
<b>Management Area:</b>	Urban Services & Facilities
<b>Author:</b>	Manager Urban Services & Facilities – Nicole Benson
<b>CSP Key Focus Area:</b>	SC3 A healthy and active community is supported by sporting and recreational infrastructure.
<b>Priority:</b>	SC3.4 Identify opportunities for innovative adaptation and/or sharing of open space and infrastructure for recreational purposes as well as regular maintenance and upkeep of parks, reserves, swimming pools and other recreational assets to ensure availability of such assets to residents of the shire.

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#### **Reason for Report**

The purpose of this report is to present minutes from the meeting of the Coonabarabran Sporting Complex Advisory Committee held at Coonabarabran on 14 September 2022.

#### **Background**

The purpose of the Committee is to assess the condition and usefulness of the existing amenities buildings and sporting facilities at Coonabarabran Sporting Complex and develop a strategy for these facilities based on existing and future sport and recreation demands.

Core responsibilities and duties of the Committee are to:

- Determine current and potential sport and recreation users of the complex facilities including volume and frequency of use;
- Develop a long-term strategy for the Sporting Complex in the form of a Master Plan including cost estimates and priorities of improvements;
- Investigate and obtain external sources of funding; and
- Make recommendations to Council on any matter related to improvements of the Sporting Complex.

#### **Issues**

As per the last meeting minutes of 20 July 2022, an invitation has been extended to the Coonabarabran Tennis Club to join the Committee but no response had been received.

Membership / Attendance was also discussed as it was noted that at the last few meetings there had been two (2) representatives from Rugby Union. The Terms of Reference state that only one (1) should be in attendance.

# **WARRUMBUNGLE SHIRE COUNCIL**

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The Committee discussed the scope of works associated with the construction of the new amenities at No 3 Oval. An application to Resources for Regions Round 9 seeking \$305,555 for the new amenities to be added to the existing Local Roads and Community Infrastructure Program grant of \$585,000 to give a total of \$890,555 was being prepared. Applications are due by 30 September 2022. The Shire wide sporting facility upgrade grant application to Stronger Country Communities due on the 23 September was also discussed and some possible projects for the ovals included fencing and remediation of the greyhound track. Committee members agreed to provide letters of support for the projects.

The scope of the Pump Park grant was clarified. The scope as agreed with the grant body, included a BBQ, shade trees, seating and a children's playground. The playground had not been progressed due to a number of reasons including the cost (budget would not have allowed the purchase and installation of even small items); and the justification for the need for the playground in the context of demand as well as another asset for Council to manage.

Development of a Masterplan for the Sporting Complex was discussed in light of the funding applications being prepared. Masterplans developed in conjunction with the community and key facility users, that are endorsed by Council not only demonstrate a future direction for a facility, they add weight to funding applications. They demonstrate community involvement; they set a direction and traditionally provide an order of costs or preliminary budget bringing projects close to being "shovel ready" which is a requirement of many grant applications.

### **Options**

Council may wish to note the action items and adopt the recommendations from the Committee meeting.

### **Community Engagement**

The level of engagement for this report is to inform.

### **Financial Considerations**

The cost to complete a Master Plan for the site including extensive community and stakeholder engagement, needs analysis, opportunities and options review, concept designs, staging plan and order of costs is expected to be in the vicinity of \$75,000. An allocation in the 2023/24 Operational Plan would assist the Committee meet their core responsibilities and duties, one of which is to develop a long-term strategy for the Coonabarabran Sporting Complex in the form of a Master Plan including cost estimates and priorities of improvements.

### **Attachment**

1. Minutes of Coonabarabran Sporting Complex Advisory Committee Meeting – 14 September 2022

### **RECOMMENDATION**

That:

1. Council notes the minutes of the Coonabarabran Sporting Complex Advisory Committee meeting held at Coonabarabran on 14 September 2022.

# **WARRUMBUNGLA SHIRE COUNCIL**

## **Ordinary Meeting – 20 October 2022**

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2. Consider an allocation of \$75,000 in the 2023/24 Operational Plan for the development of a Master Plan for the Coonabarabran Sporting Complex.

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## **Ordinary Meeting – 20 October 2022**

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### **Item 7 Robertson Oval Building Project and Minutes of Advisory Committee Meeting – 20 September 2022**

<b>Division:</b>	Technical Services
<b>Management Area:</b>	Urban Services & Facilities
<b>Author:</b>	Manager Urban Services & Facilities
<b>CSP Key Focus Area:</b>	SC3 A healthy and active community is supported by sport and recreational infrastructure
<b>Priority:</b>	SC3.1 Identify and deliver sport and recreation facilities to service the community into the future.

---

#### **Reason for Report**

The purpose of this report is to present minutes from the meeting of the Robertson Oval Advisory Committee held at Dunedoo on 20 September 2022.

#### **Background**

Council established the Robertson Oval Advisory Committee to review and assist with the preparation of a strategy document and involve the community along with staff and possibly specialist consultants, to identify current and potential users, demand and frequency of use and importantly operation management of any new facility at the Robertson Oval Complex.

#### **Issues**

It was discussed that the Building Better Regions Fund advised they are still awaiting confirmation from the Minister's Office and that Council should proceed with organising the official opening for 11.30am on Friday 14 October 2022. Events include 'Welcome to Country', a walk through the amenities, display touch football game and a barbecue lunch amongst other things. Invitations are to be sent to Councillors, Members of Parliament, all facility user groups, both schools and the preschool. The entire community will be invited via Council's website, social media and other forms of media.

It was reported that the quotation submissions received for construction of a car park and drainage works far exceeded the budget and were subsequently declined. A local contractor has since been engaged to complete the works in mid to late October.

#### **Options**

Council may wish to note the action items and adopt the recommendations from the Committee meeting.

#### **Financial Considerations**

There are no financial implications arising from the minutes. The sub soil drainage and construction of the car park can be completed with the project budget balance.

# **WARRUMBUNGLA SHIRE COUNCIL**

## **Ordinary Meeting – 20 October 2022**

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### **Community Engagement**

The level of engagement for this report is to inform.

### **Attachment**

1. Minutes of Robertson Oval Advisory Committee Meeting – 20 September 2022

### **RECOMMENDATION**

That Council notes the minutes of the Robertson Oval Advisory Committee meeting held at Dunedoo on the 20 September 2022.

# **WARRUMBUNGLE SHIRE COUNCIL**

## **Ordinary Meeting – 20 October 2022**

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### **Item 8 Minutes of Economic Development and Tourism Meeting**

<b>Division:</b>	Environment and Development Services
<b>Management Area:</b>	Economic Development and Tourism
<b>Author:</b>	Manager Economic Development and Tourism – Jo Houghton
<b>CSP Key Focus Area:</b>	Strengthening the Local Economy
<b>Priority:</b>	LE2.2 Work with local business and industry to foster local economic development, innovation and expansion.

---

### **Reason for Report**

The purpose of this report is to present minutes from the meeting of the Economic Development and Tourism Committee held at Coonabarabran Tuesday 27 September, 2022.

### **Background**

The purpose of the Committee is to provide advice and guidance to Council on planning and priorities for tourism and economic development for Warrumbungle Shire.

Core responsibilities and duties of the Committee are to:

- Provide a forum for discussion and act in an advisory role and not commit Council resources outside the allocated budget for Tourism and Economic Development Promotions.
- Work within the framework of the Community Strategic Plan and Warrumbungle Shire Economic Development Strategy and not deal with day to day operational matters.

### **Issues**

The following matters were considered by the Committee:

- Community Events Program report
- Tourism report
- Economic Development report
- Visitor Information Centre report

### **Options**

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

### **Financial Considerations**

Nil

### **Community Engagement**

The level of engagement for this report is to Inform.

# **WARRUMBUNGLA SHIRE COUNCIL**

## **Ordinary Meeting – 20 October 2022**

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### **Attachments**

1. Minutes of the Economic Development and Tourism Committee meeting held at Coonabarabran Tuesday 27 September, 2022.

### **RECOMMENDATION**

That Council notes the minutes of the Economic Development and Tourism Committee meeting held on 27 September 2022.



# **WARRUMBUNGLE SHIRE COUNCIL**

## **Ordinary Meeting – 20 October 2022**

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### **Item 9 Minutes of Coonabarabran Swimming Pool Advisory Committee Meeting – 28 September 2022**

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

---

#### **Reason for Report**

The purpose of this report is to present the minutes from the Coonabarabran Swimming Pool Advisory Committee meeting held at Coonabarabran on 28 September 2022.

#### **Background**

The purpose of the Advisory Committee is to assess the condition and usefulness of the existing amenities, buildings, and facilities at the Coonabarabran Swimming Pool Complex and develop a long-term strategy for upgrade and improvement to these facilities, based on existing and future sport and recreation demands of the Shire.

#### **Issues**

Applications to the Stronger Country Communities Fund Round 5 and Resources for Regions Round 9 were discussed. Funds to complete upgrades across the Shire including automatic disinfecting dosing systems at Baradine, Binnaway and Coonabarabran; electrical compliance upgrades and pipes and pump upgrades have been applied for under the Stronger Country Communities Fund. Resources for Regions funding is being sought to develop a Master Plan for the pool as well as to complete the investigative works that will enable designs to be completed. This will ensure the project is shovel ready for future funding opportunities to aid the construction and upgraded works. Committee members agreed to provide letters of support and also discussed ways to raise funds to aid in the redevelopment of the site once the Master Plan was complete.

#### **Options**

Council may wish to note the minutes and adopt the recommendations from the Committee meeting.

#### **Financial Considerations**

There are no financial implications arising from the minutes. If either of the applications for funding are successful, detailed budgets and resourcing will be included in project specific Project Plans.

#### **Community Engagement**

The level of engagement for this report is to inform.

# **WARRUMBUNGLA SHIRE COUNCIL**

## **Ordinary Meeting – 20 October 2022**

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### **Attachments**

1. Minutes of Coonabarabran Swimming Pool Advisory Committee Meeting – 28 September 2022.

### **RECOMMENDATION**

That Council notes the minutes of the Coonabarabran Pool Advisory Committee meeting held at Coonabarabran on 28 September 2022.

# **WARRUMBUNGLE SHIRE COUNCIL**

## **Ordinary Meeting – 20 October 2022**

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### **Item 10 Council Offices Christmas Closure**

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

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### **Reason for Report**

To notify Council endorsement of the 2022 Christmas closure period of Council offices.

### **Background**

In 2009 Council entered into the Indoor Staff Working Hours Agreement (the Agreement) with various Unions. Under the Agreement, indoor staff accrue seventeen (17) rostered days off (RDO) in each calendar year; of those, three (3) RDOs are to be taken between Christmas Day and New Year's Day, with another one (1) RDO to be taken in either December or January. Consequently, the Council offices in Coonabarabran and Coolah close down over the Christmas/New Year period.

There is a separate Agreement between Council and various Unions for Outdoor Staff Working Hours, whereby outdoor staff work a 9-day fortnight. Essential outdoor operations only continue over the Christmas/New Year period.

With Christmas being on a Sunday this year it is proposed that the closure period commence from 3.00pm on Friday 23 December 2022.

Services that close between Christmas and New Year are:

- Coonabarabran and Coolah administration offices
- Service NSW

Services that remain open between Christmas and New Year are:

- Coonabarabran Visitor's Information Centre
- Transfer Stations
- Waste services
- Urban Services, with limited services
- Road Operations, with limited services
- Warrumbungle Community Care, with limited service

Children's Services close down for three weeks on 22 December 2022.

# **WARRUMBUNGLA SHIRE COUNCIL**

## **Ordinary Meeting – 20 October 2022**

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### **Financial Considerations**

Nil

### **Community Engagement**

Level of Engagement - Inform

### **RECOMMENDATION**

That Council note the closure of Coonabarabran and Coolah administration offices, including Service NSW, from 3.00pm on Friday 23 December 2022, reopening on Tuesday 3 January 2023.

# WARRUMBUNGLA SHIRE COUNCIL

## Ordinary Meeting – 20 October 2022

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### Item 11 Returns Under s4.21 of the Model Code of Conduct – Disclosing of Interests of Councillors and Designated Persons

<b>Division:</b>	Executive Services
<b>Management Area:</b>	Executive Services
<b>Author:</b>	General Manager – Roger Bailey
<b>CSP Key Focus Area:</b>	Civic Leadership
<b>Priority:</b>	CL2.1 Provide Council's leadership with a strong governance and management framework that promotes transparent and informed decision making

---

#### **Reason for Report**

To advise Council of returns lodged with the General Manager under section 4.21 of the Model Code of Conduct for Local Council's in NSW for Councillors & Designated Persons for the period 1 July 2021 to 30 June 2022.

#### **Background**

Section 4.21 of the Model Code of Conduct for Local Council's in NSW requires councillors or designated persons to lodge returns to the General Manager for the period 1 July 2021 to 30 June 2022. The due date for returns is 30 September 2022.

Section 4.21 States:

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

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

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

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

Councillors and designated persons have responded and completed their returns. The following provided their returns after the due date of 30 September 2022:

- Mayor Ambrose Doolan
- Cr Kodi Brady

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- Cr Dale Hogden
- Cr Carlton Kopke
- Cr Denis Todd

Section 4.8 classifies a designated person as

***Designated persons include:***

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

The General Manager and the following positions have been classified as designated persons:

- Director Environment and Development
- Director Technical Services
- Director Corporate and Community Services
- Manager Projects
- Manager Road Operations
- Manager Planning and Regulatory Services
- Building Certifier
- Town Planner

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

The Information and Privacy Commission (IPC) in 2019 issued *Guideline 1: For local councils on the disclosure of information contained in the returns disclosing the interests of councillors and designated persons developed under the Government Information (Public Access) Act 2009 (NSW)*. This Guideline states that all disclosure of interest forms for Councillors and designated persons must be made publicly available on councils website. If Council agrees the disclosure has an overriding public interest against it then personal information can be extracted from the

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document that is placed on the website, in accordance to Section 6(4) of the GIPA Act:

*6 (4) An agency must facilitate public access to open access information contained in a record by deleting matter from a copy of the record to be made publicly available if inclusion of the matter would otherwise result in there being an overriding public interest against disclosure of the record and it is practicable to delete the matter.*

### **Financial Implications**

Nil

### **Community Engagement**

To inform the community by placing disclosure for Councillors and Designated Persons on council's website.

### **Attachments**

1. Register of Disclosures by Councillors and Designated Persons Section 449 Local Government Act 1993 as at 30 June 2022 (to be tabled at the meeting).
2. OLG Circular 22-23 Audit of Written Returns of Interests.

### **RECOMMENDATION**

That Council:

1. Acknowledge the tabling of the disclosures received under Section 4.21 of the Model Code of Conduct for Local Councils in NSW for Councillors and Designated Persons for the period 1 July 2020 to 30 June 2021.
2. Acknowledge that the disclosure of interest forms for councillors and designated persons are to be placed onto Council's website.

# **WARRUMBUNGLE SHIRE COUNCIL**

## **Ordinary Meeting – 20 October 2022**

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### **Item 12 Council Resolutions Report**

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

---

### **Reason for Report**

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

### **Background**

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

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

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

### **Issues**

This feedback is provided to Council for information purposes.

### **Options**

Nil

### **Financial Consideration**

Nil

### **Community Engagement**

Level of Engagement - Inform

### **Attachments**

1. Council Resolution Report



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## **Ordinary Meeting – 20 October 2022**

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### **RECOMMENDATION**

That the Council Resolution Report be noted for information.

# **WARRUMBUNGLE SHIRE COUNCIL**

## **Ordinary Meeting – 20 October 2022**

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### **Item 13 Revotes and High Value Projects Report**

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

---

### **Reason for Report**

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

### **Background**

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

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

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

### **Issues**

Nil

### **Options**

Nil

### **Financial Considerations**

As set out in the report.

### **Community Engagement**

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

### **Attachments**

1. Revote Report
2. High Value High Risk Revotes

### **RECOMMENDATION**

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

# **WARRUMBUNGLE SHIRE COUNCIL**

## **Ordinary Meeting – 20 October 2022**

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### **Item 14 Customer Service Charter**

<b>Division:</b>	Corporate and Community Services
<b>Management Area:</b>	Corporate Services
<b>Author:</b>	Manager Corporate Services – Jenni Maundrell
<b>CSP Key Focus Area:</b>	Civic Leadership
<b>Priority:</b>	CL4 To have a well-informed community that has confidence in Council’s decision-making processes.

---

### **Reason for Report**

To seek Council adoption of the reviewed *Customer Service Charter*.

### **Background**

The current *Customer Service Charter* (‘the Charter’) was adopted by Council at its Ordinary meeting of 15 April 2021 (Resolution 296/2021). The Charter was reviewed and endorsed by Council for public consultation at the August 2022 Council meeting (Resolution 46/2223).

### **Issues**

The Charter makes a commitment to the Warrumbungle community that Council customers will receive efficient, responsive and friendly service.

The draft Charter includes:

- A timeframe for response to complaints;
- Inclusion of external contact details for the NSW Ombudsman, the Office of Local Government, and the Independent Commission Against Corruption (ICAC);
- Inclusion of provision for customers to be supplied with reference numbers for enquiries; and
- Inclusion of a cover page, in line with Council’s internal *Style Guide*.

The reviewed Charter was placed on public exhibition from 26 August 2022 – 23 September 2022. No submissions were received. No amendments are proposed to the reviewed Charter.

### **Options**

To adopt the draft Customer Service Charter as presented, or with amendments.

### **Community Engagement**

The level of community engagement is Inform.

The community is informed through the Council business paper, website, social media, print media and customer service centres.

# WARRUMBUNGLA SHIRE COUNCIL

## Ordinary Meeting – 20 October 2022

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### **Attachments**

1. *Draft Customer Service Charter.*

### **RECOMMENDATION**

That Council adopts the Draft Customer Service Charter.

# **WARRUMBUNGLE SHIRE COUNCIL**

## **Ordinary Meeting – 20 October 2022**

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### **Item 15 Adoption of Draft Community Liaison and Communication Policy**

<b>Division:</b>	Corporate and Community Services
<b>Management Area:</b>	Corporate Services
<b>Author:</b>	Manager Corporate Services – Jenni Maundrell
<b>CSP Key Focus Area:</b>	Civic Leadership
<b>Priority:</b>	CL4 To have a well-informed community that has confidence in Council’s decision-making processes.

---

#### **Reason for Report**

To seek Council adoption of the reviewed *Community Liaison and Communications Policy* on public exhibition.

#### **Background**

The existing policy was adopted in March 2020. The policy was developed to clarify open and transparent processes for informing, involving and engaging the community across all aspects of Council operations and functions. The policy was reviewed and endorsed by Council for public consultation at the August 2022 Council meeting (Resolution 47/2223).

#### **Issues**

The policy aims to ensure that Council conducts appropriate community engagement and communication that, at a minimum, meets legislative requirements and encourages community participation in Council’s decision-making.

The policy sets out:

- the benefits of effective community engagement and communication;
- alignment with the Public Participation Spectrum developed by the International Association for Public Participation;
- principles of engagement and communication;
- the circumstances that Council will engage;
- community engagement plans;
- compliance with Council policy and relevant legislation;
- levels of engagement;
- responsibilities within the organisation.

The reviewed policy was placed on public exhibition from 26 August 2022 – 23 September 2022. No submissions were received. There are no changes proposed to the reviewed policy.

#### **Options**

To endorse the policy as presented, or with amendments.

#### **Community Engagement**

The level of community engagement is Inform.

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The community is informed through the Council business paper, website, social media, print media and customer service centres.

### **Attachments**

1. Draft *Community Liaison and Communications Policy*.

### **RECOMMENDATION**

That Council adopt the Draft Community Liaison and Communications Policy.

# WARRUMBUNGLE SHIRE COUNCIL

## Ordinary Meeting – 20 October 2022

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### Item 16 Draft Enterprise Risk Management Framework

<b>Division:</b>	Corporate and Community Services
<b>Management Area:</b>	Corporate Services
<b>Author:</b>	Manager Corporate Services – Jenni Maundrell
<b>CSP Key Focus Area:</b>	Civic Leadership
<b>Priority:</b>	CL2 Council meets its legislative and compliance requirements and implements opportunities for organisational improvement

---

#### **Reason for Report**

To seek Council endorsement of the draft *Enterprise Risk Management Policy* to be placed on public exhibition before adoption, and to present Council with the associated *Enterprise Risk Management Plan*. The Policy and Plan, which also acts as a set of operational procedures, together form the Enterprise Risk Management Framework (the ERM Framework).

#### **Background**

The ERM Framework was developed to ensure a consistent approach for identifying, analysing, evaluating, treating, reporting and escalating risks.

#### **Issues**

An effective and efficient ERM framework promotes a positive risk culture and proactively manages enterprise-wide risks at all levels. The framework consists of policy, plan and procedures that ensure risk management practices are embedded into all activities.

The draft policy is a strategic policy of Council and supersedes the previous Risk Management Policy. The draft policy aims to:

- clearly communicate Council's commitment to maintaining an effective risk management framework;
- detail Council's overall intentions for managing risk, highlighting the core components of the ERM Framework; and
- assist Council to properly understand and manage risk within the boundaries of the organisation's risk appetite.

The draft plan acts as a set of procedures, or guidelines, in implementing the draft policy. The plan aims to:

- help risk owners maintain their risk register/s in a manner that is consistent throughout the organisation;
- provide a road map of the actions and mechanisms for implementing, resourcing, communicating and improving risk management;
- provide guidance for measuring and reporting risk management performance; and
- outline the responsibilities of various Council officials, officers and other personnel.

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The ERM Framework supports the organisation in managing risk, including step-by-step processes for producing and recording risk registers.

### **Options**

Council may endorse the policy for public exhibition as presented, or with amendments. Alternately, Council may opt not to endorse the policy for public exhibition.

### **Financial Considerations**

Nil

### **Community Engagement**

The level of community engagement is Inform + Consult.

The community is informed through the Council business paper, website, social media, print media and customer service centres.

The community is consulted through the Have Your Say function, whereby community members are invited to make written submissions on the draft policy.

### **Attachments**

1. Draft *Enterprise Risk Management Policy*.
2. Draft *Enterprise Risk Management Plan*.

### **RECOMMENDATION**

That:

1. Council endorses the draft Risk Management Policy for the purpose of public exhibition for a minimum of 28 days.
2. A further report be presented to Council on the draft Enterprise Risk Management Policy after the public exhibition period is completed.



# WARRUMBUNGLE SHIRE COUNCIL

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### Item 17 Draft General Purpose and Special Purpose Financial Statements for the 2021/2022 Financial Year

<b>Division:</b>	Corporate and Community Services
<b>Management Area:</b>	Financial Services
<b>Author:</b>	Acting Director Corporate and Community Services
<b>CSP Key Focus Area:</b>	Civic Leadership
<b>Priority:</b>	CL1 That Council is financially sustainable over the long term

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#### **Reason for Report**

The purpose of this report is for Council to comply with the statutory requirements relating to the General Purpose Financial Statements and Special Purpose Financial Statements for the year ending 30 June 2022.

The Draft Financial Statements are required to be referred to Council's Auditor after certification by the Mayor, a Councillor, the General Manager and the Responsible Accounting Officer.

#### **Background**

In accordance with Section 416(1) of the *Local Government Act 1993 (the Act)*, a Council's Financial Statements for a year must be prepared and audited within four (4) months of the end of the reporting period concerned.

The statutory process that must be followed is that:

1. A statement as required under section 413(2)(c) of the Act, must be made by resolution and signed by the Mayor, one (1) Councillor, the General Manager and the Responsible Accounting Officer.
2. The Financial Statements must then be referred to the Council's Auditor for audit and once audited the statements must be included in Council's Annual Report.
3. Copies of the Audited Financial Statements must be lodged with the Office of Local Government by 31 October.
4. As soon as practicable after Council receives a copy of the Auditor's report, the Statements must be placed on public exhibition and notice given of a meeting at which Council proposes to present its Audited Financial Statements, together with the Auditor's report.

Note: A request to the Office of Local Government has been made for an extension this has been granted to 30 November 2022.

This act of giving notice of the meeting is required to be delegated to the General Manager as technically the notice of meeting cannot be set until the final audited Statements and Audit Report are received.

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The Draft Financial Statements but have been circulated to the Internal Audit Committee, with the Committee to receive the final documentation at the next meeting on 15<sup>th</sup> November 2022.

### **Discussion**

The Draft General Purpose Financial Statements and Draft Special Purpose Financial Statements for Council for the year ended 30 June 2022 are distributed with this report under separate cover (Attachment 1).

The Auditor's Reports and analysis will be presented to Council at a meeting yet to be determined. This is to be in accordance with Section 419(1) of the Act.

### **Overall Result**

The Draft Income Statement details a Net operating result of \$3.046M surplus (before grants and contributions provided for capital purposes). This compares favourably to a Net operating result of \$1.981M surplus (before grants and contributions provided for capital purposes) for the 2020/2021 Financial Year. The 2020/2021 result was restated in current Financial Statements due to correction of prior year errors in Insurance costs being overstated of \$901K and depreciation of RFS assets being adjusted for derecognition, being \$624K. The restatement altered 2020/2021 result from a surplus of \$456K to a surplus of \$1.981M.

It should be noted that this is a preliminary result and the Draft Financial Statements are still required to be audited by Council's External Auditors.

As detailed above, the Audited Financial Statements will be presented to Council at a future meeting.

The Adopted Budget for the 2021/2022 Financial Year predicted a Net Operating Result of \$4.120M deficit (before grants and contributions provided for capital purposes).

The better than anticipated operating result is primarily due to:

- Decreased depreciation (predominantly relating to the derecognition of RFS assets which was not anticipated upon setting original budget);
- Increase in user charges received (consolidated all funds);
- Increases in grants and contributions for operating purposes (additional quarterly payment in advance of Financial Assistance Grants for 2022/2023, brought to account in 2021/2022 financial year \$6.078M;
- Lower than expected employee costs;
- Lower than expected other expenses, in particular regular road maintenance, due to the inclement weather.

The following ratios are anticipated for the 2021/2022 Financial Year:

### **Operating performance ratio**

Predicted to be 6.11% positive. The benchmark for this ratio is greater than 0%. The ratio achieved in the 2020/2021 financial year was positive 3.03%. Council

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will need to ensure that a focus is made on maintaining a positive ratio. This will assist in ensuring that Council remains financially sustainable.

### Own source operating revenue ratio

Predicted to be 46.83%. The benchmark for this ratio is greater than 60%. The ratio achieved in the 2020/2021 financial year was 44.46%. This ratio, whilst important, is impacted by the level of grant monies received by council.

### Unrestricted current ratio

Predicted to be to be 5.95x. The benchmark for this ratio is greater than 1.50x. The ratio achieved in the 2020/2021 Financial Year was 4.88x. there will be a downwards trend should the FAG prepayments cease in the future.

### Debt Service Ratio

Predicted to be 11.59x. The benchmark for this ratio is 2.00x. This reflects Council's commitment to only use debt as required. The ratio achieved in 2020/2021 was 10.75x.

### Rates and annual charges outstanding percentage

Predicted to be 9.99%. The benchmark for this is <10%. This percentage represents an improvement in collection efforts by Council and the ability for the community to meet obligations to pay.

### Cash expense cover ratio

This ratio is predicted to be 10.61 months and represents the number of months Council can continue paying for its immediate expenses without additional cashflow. The ratio for 2020/2021 was 9.71 months.

## Funds

The breakdown of results by Funds is:

	General		Water		Sewer		Consolidated	
	2022	2021	2022	2021	2022	2021	2022	2021
Total Income from Continuing Operations	43,231	42,803	6,409	3,701	2,898	1,990	52,332	48,494
Expenses from Continuing Operations	33,791	32,338	4,319	4,053	1,883	1,865	39,787	38,256
Operating Result from Continuing Operations	9,440	10,465	2,090	(352)	1,015	125	12,545	10,238
<b>Net Operating Result</b>	<b>3,095</b>	<b>1,478</b>	<b>(158)</b>	<b>193</b>	<b>109</b>	<b>310</b>	<b>3,046</b>	<b>1,981</b>

Surplus/(deficit)

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### Infrastructure assets:

Council's Property, Plant and equipment has increased by \$46M, following the cyclic revaluation of Water and Sewer assets, as well as the indexation of all other assets, requested by the NSW Audit Office of all Councils. Of note, roads infrastructure increased by \$15M, bulk earthworks by \$11M and bridges by \$4M. This will have subsequent effects on the amount of depreciation applied next year.

### **Assets purchased/constructed**

	'\$000	'\$000
Year	2021/2022	2020/2021
New Assets	\$ 8,442	\$ 2,728
Asset Renewals	\$ 7,626	\$14,531
<b>Total Assets Purchased/Constructed</b>	<b>\$16,068</b>	<b>\$17,259</b>

### Buildings and Infrastructure renewals ratio

Asset Renewals/Depreciation, amortisation and impairment =  $\$7,626/\$8,569 = 89.00\%$

The benchmark provided by the Office of Local Government for this ratio is 100%. The ratio assesses the rate at which these assets are being renewed relative to the rate at which they are depreciating. This means that asset renewals are falling behind, with more funding of renewals required. In 2020/2021 the ratio was 157.72%, with a dramatic decline in the current year.

### Asset maintenance ratio

Actual asset maintenance/Required asset maintenance =  $\$5,495/\$6,253 = 87.88\%$   
The benchmark provided by the Office of Local Government for this ratio is 100%. This ratio compares actual vs. required annual asset maintenance. A ratio of 100% indicates that council is investing enough funds to stop the infrastructure backlog growing.

The reduction in both of these performance ratios would indicate that the inclement weather during the 201/2022 has had an effect ability of council to meet targets, and this correlates with the amount of revoted capital work and carry over grant projects in the 2022/2023 financial year. In 2020/2021 the ratio was 81.26%, with an improvement in current year, however still being below the required benchmark.

### **Certification**

Section 413(2)(c) of the Act, requires that before audit certificates can be issued, Council is to adopt a resolution to be attached to the Financial Statements stating that:

Council's General Purpose Financial Statements and Special Purpose Financial Statements are being prepared in accordance with:

- The Act and the Regulations made thereunder;
- The Australian Accounting Standards and professional pronouncements;

# WARRUMBUNGLE SHIRE COUNCIL

## Ordinary Meeting – 20 October 2022

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- The Local Government Code of Accounting Practice and Financial Reporting;
- The Department of Water and Energy Practice Management of Water Supply and Sewerage Guidelines;
- NSW Government Policy Statement '*Application of National Competition Policy to Local Government*';
- Department of Local Government Guidelines '*Pricing and Costing for Council Businesses: A Guide to Competitive Neutrality*'.

These Statements must be signed by the Mayor, one (1) other Councillor, the General Manager and the Responsible Accounting Officer.

A copy of the required statement to be signed is included in the attached Draft Financial Statements.

It should be noted that the unaudited Financial Statements reflect an opinion only and are not legally binding.

### Implications

#### (a) Financial

The Financial Statements are Council's primary form of review on Council's sustainability and the financial performance of Council throughout the reporting period.

For this reason, they remain a crucial part of the performance measurement framework and the financial performance as disclosed should be a serious consideration in any future decision making.

#### (b) Governance/Policy

The following standards and guidelines apply:

- The Australian Accounting Standards and professional pronouncements;
- The Local Government Code of Accounting Practice and Financial Reporting;
- The Department of Water and Energy Practice Management of Water Supply and Sewerage Guidelines;
- NSW Government Policy Statement '*Application of National Competition Policy to Local Government*';
- Office of Local Government Guidelines '*Pricing and Costing for Council Businesses: A Guide to Competitive Neutrality*'.

#### (c) Legislative/Statutory

The relevant sections of the Local Government Act 1993 are as follows:

##### **413 Preparation of Financial Reports**

- (1) A council **must** prepare financial reports for each year and **must** refer them for audit as soon as practicable.
- (2) A Council's Financial Reports must include:
  - (a) A General-Purpose Financial Report, and
  - (b) Any other matters prescribed by the regulations, and
  - (c) A statement in the approved form by the Council as to its opinion on the General-Purpose Financial Report.

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- (3) The General-Purpose Financial Report **must** be prepared in accordance with this Act and the regulations and the requirements of:
  - (a) The publications issued by the Australian Accounting Standards Board, as in force for the time being, subject to the regulations, and
  - (b) Such other standards as may be prescribed by the regulations.

### **416 Time for preparation and auditing of Financial Reports**

- (1) A Council's Financial Reports for a year **must** be prepared and audited within the period of 4 months after the end of the year.
- (2) A Council may from time to time apply to the Departmental Chief Executive for an extension of that period.
- (3) A Council must make such an application if requested to do so by its auditor.
- (4) Before deciding whether or not to grant an extension, the Departmental Chief Executive may require the Council to give reasons, additional to those set out in the application, as to why the extension should be granted.
- (5) The Departmental Chief Executive may grant an extension of such period as, in the opinion of the Departmental Chief Executive, is necessary in the particular circumstances of the case.
- (6) A Council must notify its auditor of any application for an extension made under this section and of the outcome of the application.

### **418 Public notice to be given of presentation of Financial Reports**

- (1) As soon as practicable after a Council receives a copy of the Auditor's Reports:
  - (a) It must fix a date for the meeting at which it proposes to present its Audited Financial Reports, together with the Auditor's Reports, to the public, and
  - (b) it must give public notice of the date so fixed.
- (2) The date fixed for the meeting must be at least 7 days after the date on which the notice is given, but not more than 5 weeks after the Auditor's Report are given to the Council.

#### **Note**

**Unless an extension is granted under section 416, the meeting must be held on or before 5 December after the end of the year to which the reports relate.**

- (3) The public notice **must** include:
  - (a) A statement that the business of the meeting will include the presentation of the Audited Financial Reports and the Auditor's Reports, and
  - (b) A summary in the approved form, of the Financial Reports, and
  - (c) A statement to the effect that any person may, in accordance with section 420, make submissions (within the time provided by that section and specified in the statement) to the Council with respect of the Council's Audited Financial Reports or with respect to the Auditor's Reports.
- (4) Copies of the Council's Audited Financial Reports, together with the Auditor's Reports, must be kept available at the office of the Council for inspection by members of the public on and from the date on which public notice of the holding of the meeting is given and until the day after the meeting (or any postponement of the meeting).

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### **419 Presentation of Council's Financial Reports**

- (1) A Council must present its Audited Financial Reports, together with the Auditor's Reports, at a meeting of the Council held on the date fixed for the meeting.
- (2) The Council's auditor may attend the meeting at which the Financial Reports are presented.
- (3) A Council's auditor who carries out the functions of the auditor under an appointment by the Auditor-General **must** attend the meeting at which the Financial Reports are presented if the Council gives not less than 7 day's notice in writing that it requires the auditor to do so.

### **Link to the Delivery Program/Operational Plan**

The Audited Financial Statements form part of Council's Annual Report and therefore represents an integral part of the Integrated Planning and Reporting Framework.

The Audited Financial Statements provide an important avenue for the review of Council's progress by any interested stakeholders, including the Community.

By providing this avenue for review, Council also strengthens its accountability to all of its stakeholders, which is a key aspect of the Community Strategic Plan 2017-2027; in particular, the area of Council Sustainability, Transparency and Communication.

### **Conclusion**

It is a requirement under Section 413(2)(c) of the Act that a Statement, signed by the Mayor, a Councillor, the General Manager and the Responsible Accounting Officer is prepared for the General-Purpose Financial Statements and the Special Purpose Financial Statements so that they can be forwarded to Council's Auditor for audit.

It should be noted that the unaudited Statements reflects an opinion only and are not legally binding until such time as the Financial Statements have been audited by the External Auditors.

### **Attachments**

1. Draft Financial Statements.

### **RECOMMENDATION**

1. In accordance with Section 413(2)(c) of the Local Government Act 1993:
  - a) Council resolves that, in its opinion, the General Purpose Financial Statements and the Special Purpose Financial Statements for the year ended 30 June 2022 and the Special Schedules are properly drawn up in accordance with the provisions of the Local Government Act 1993 and the Regulations thereunder.
  - b) Council authorises for the Financial Statements for the year ending 30 June 2022 to be certified and signed by the Mayor, the Deputy Mayor, the General Manager and the Responsible Accounting Officer on behalf of Council.
2. The Financial Statements be referred to Council's Auditor for audit.

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## **Ordinary Meeting – 20 October 2022**

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3. The General Manager be delegated authority to, after Council receives a copy of the Audited Financial Statements and Auditor's report, place the Audited Financial Statements on public exhibition and give notice that Council will present its Audited Financial Statements at an Ordinary Council Meeting, at least 7 days after the receipt of the Auditors report.
4. That Council present the Audited Financial Statements at an Ordinary Council Meeting, in accordance with Section 419(1) of the Local Government Act 1993.



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## **Ordinary Meeting – 20 October 2022**

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### **Item 18 Investments and Term Deposits – month ending 30 September 2022**

<b>Division:</b>	Corporate and Community Services
<b>Management Area:</b>	Financial Services
<b>Author:</b>	Acting Accountant – Lisa Grammer
<b>CSP Key Focus Area:</b>	Civic Leadership
<b>Priority:</b>	CL1 That Council is financially sustainable over the long term

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#### **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 s625 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, \$2,500,000.00 worth of term deposits matured, earning Council a total of \$9,713.97 in Interest.

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

- \$1,500,000.00 with CBA at a rate of 3.40%
- \$1,000,000.00 with MAQ at a rate of 3.83%
- \$1,000,000.00 with CBA at a rate of 3.93%
- \$2,000,000.00 with NAB at a rate of 4.00%

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The balance of the term deposits at the end of the month was \$26,000,000.00.

### At Call

At call accounts are used to hold funds for shorter periods and generally are adjusted on a weekly basis to meet cash flow requirements. During the month, \$533.04 interest was earned on the balances in the accounts and no net transfers were made from these accounts resulting in a month end balance of \$1,035,728.74.

### Cash at bank balance

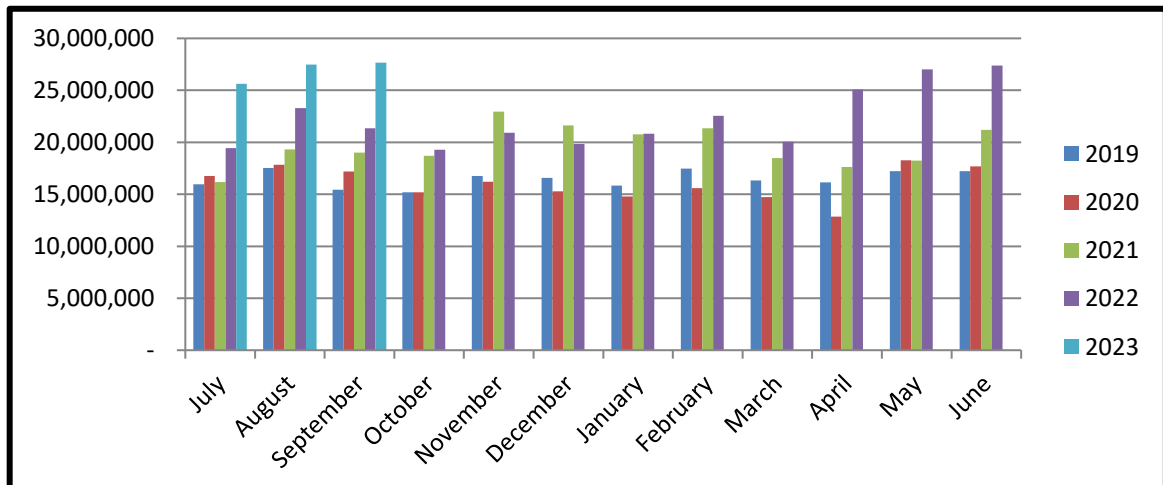
In addition to the at call accounts and term deposits, as at 30 September 2022, Council had a cash at bank balance of \$630,301.20.

### Income Return

The average yield on Investments council held for September 2022, of 1.5398%. Council uses the Bank Bill Swap Rate (BBSW) supplied by the Australian Securities Exchange (ASX) which was 3.0631 % for the month of September. The performance of investments for September, based on the comparison, was the portfolio underperformed by 1.5233%. 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 4.00%

Council's budget for year 2022/23 for interest on investments is \$90,000.00. At the end of September 2022, the amount of interest received and accrued should be around 25.00% of the total year budget, i.e. \$22,500.00 On a year to date basis, interest received and accrued totals \$56,414.12, which is 62.68% of the annual budget.

### **Graph by Month Investments**



# WARRUMBUNGLE SHIRE COUNCIL

## Ordinary Meeting – 20 October 2022

**Table 1: Investment Balances – 30 September 2022**

Financial Institution	Lodgement Date	Maturity Date	Total Days	Original Rating	Current Rating	Yield (%)	Investment Amount (Redemption Value)
<b>At Call Accounts</b>							
NAB	1-Nov-18	At Call	at call	ADI	ADI	0.05%	503,218.41
ANZ	2-Nov-18	At Call	at call	ADI	ADI	0.01%	6,664.29
CBA At Call	4-Nov-18	At Call	at call	ADI	ADI	0.01%	525,846.04
							<b>1,035,728.74</b>
<b>Term Deposits</b>							
AMP	05-Jul-22	04-Oct-22	91	LMG	LMG	2.40%	500,000.00
CBA	10-May-22	10-Oct-22	153	ADI	ADI	1.91%	1,000,000.00
WBC	29-Nov-21	19-Oct-22	324	ADI	ADI	0.45%	1,000,000.00
WBC	20-May-22	01-Nov-22	165	ADI	ADI	1.91%	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	30-May-22	05-Dec-22	189	ADI	ADI	2.13%	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
CBA - Sewer Fund	29-Apr-22	20-Dec-22	235	ADI	ADI	2.00%	2,000,000.00
WBC - Water Fund	31-May-22	03-Jan-23	217	ADI	ADI	1.92%	1,500,000.00
NAB	17-Aug-22	10-Jan-23	146	ADI	ADI	3.20%	1,000,000.00
NAB	19-Jan-22	19-Jan-23	365	ADI	ADI	0.68%	1,000,000.00
CBA	07-Sep-22	01-Feb-23	147	ADI	ADI	3.40%	1,500,000.00
MAQ	07-Feb-22	07-Feb-23	365	UMG	UMG	0.75%	500,000.00
MAQ	28-Sep-22	21-Feb-23	146	UMG	UMG	3.83%	1,000,000.00
CBA	30-Sep-22	08-Mar-23	159	ADI	ADI	3.93%	1,000,000.00
NAB	28-Feb-22	23-Mar-23	388	ADI	ADI	0.83%	1,000,000.00
NAB	30-Sep-22	03-Apr-23	185	ADI	ADI	4.00%	2,000,000.00

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MAQ - Sewer Fund	03-Mar-22	20-Apr-23	413	UMG	UMG	0.95%	500,000.00
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
						<b>Sub-Total</b>	<b>26,000,000.00</b>
						<b>Total</b>	<b>27,035,728.74</b>

### Credit Rating Legend

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

# WARRUMBUNGLE SHIRE COUNCIL

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**Table 2: At Call and Term Deposits – Monthly Movements**

Bank	Opening Balance	Interest Added to Investment or Redeemed	Net Placements/ Withdrawals	Closing Balance
NAB	502,685.43	532.98	-	503,218.41
ANZ	6,664.23	0.06	-	6,664.29
CBA At Call	525,846.04		-	525,846.04
<b>Total at call</b>	<b>1,035,195.70</b>	<b>533.04</b>	<b>-</b>	<b>1,035,728.74</b>
CBA	1,500,000.00	5,713.97	(1,505,713.97)	
MAQ	1,000,000.00	4,000.00	(1,004,000.00)	
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
CAB	-		1,500,000.00	1,500,000.00
MAQ			1,000,000.00	1,000,000.00
CBA			1,000,000.00	1,000,000.00
NAB			2,000,000.00	2,000,000.00
<b>Total Term deposits</b>	<b>23,000,000.00</b>	<b>9,713.97</b>	<b>2,990,286.03</b>	<b>26,000,000.00</b>
<b>Total</b>	<b>24,035,195.70</b>	<b>10,247.01</b>	<b>2,990,286.03</b>	<b>27,035,728.74</b>

# WARRUMBUNGLE SHIRE COUNCIL

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### Compliance with Council's Investment Policy

Council's Investment portfolio is 100% compliant.

The table below provides compliance status against the Investment Policy:

Institution	Credit Rating	Investment \$	Actual Exposure	Max. Limit per Policy	Compliance status
Tcorp	Prime	-	0.00%	33.30%	Compliant
	Total Prime	-	0.00%	100.00%	Compliant
ANZ	ADI	6,664.29	0.02%	33.30%	Compliant
CBA	ADI	7,525,846.04	27.84%	33.30%	Compliant
WBC	ADI	7,500,000.00	27.74%	33.30%	Compliant
NAB	ADI	7,503,218.41	27.75%	33.30%	Compliant
	Total ADI	22,535,728.74	83.36%	100.00%	Compliant
MAQ	UMG	3,000,000.00	11.10%	20.00%	Compliant
	Total UMG	3,000,000.00	11.10%	60.00%	Compliant
ME	LMG	-	0.00%	10.00%	Compliant
AMP	LMG	1,500,000.00	5.55%	10.00%	Compliant
	Total LMG	1,500,000.00	5.55%	10.00%	Compliant
	<b>Grand Total</b>	<b>27,035,728.74</b>	<b>100.00%</b>		

### 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 30 September 2022 including a total balance of \$27,666,029.94 being:

- \$1,035,728.74 in at call accounts.
- \$26,000,000.00 in term deposits.
- \$630,301.20 cash at bank.

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### **Item 19 Causeway on Neible Siding Road, Coolah**

<b>Division:</b>	Technical Services
<b>Management Area:</b>	Road Operations
<b>Author:</b>	Manager Road Operations – Kylie Kerr
<b>CSP Key Focus Area:</b>	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.
<b>Priority:</b>	SC4.4 All levels of government work together to ensure our roads are safe and functional.

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#### **Reason for report**

This report is to provide Council with the options available to address the causeway through Oakey Creek on Neible Siding Road, Coolah which is currently inundated with water.

#### **Background**

The Oakey Creek causeway on Neible Siding Road, Coolah has been an ongoing issue for many years. The causeway is submerged under water and has been for many years. Due to the continuing wet weather over the past few years, the depth of water across the causeway has increased making it no longer accessible by vehicles. This is preventing people from accessing their property.

Council staff have inspected the causeway numerous times over the past 12 months and unfortunately each time it has been inundated with water from Oakey Creek. They have not been able to assess the condition of the concrete causeway or its approaches.

The last 1.3km of Neible Siding Road appears to be on Crown Land and therefore Council is not the owner of the land, however it is recorded in our Road Register as a Council maintained road.

At the August Council meeting, it was resolved to submit a motion to the LGNSW Conference regarding creek crossing and clearing. The outcome of the motion will not be known until after the LGNSW Annual Conference at the end of October 2022.

#### **Issues**

Due to the water level in Oakey Creek, the causeway and part of its approaches are submerged under water. It is estimated that the water depth on the causeway is 1m at the moment.

There are three (3) property owners on the northern side of the causeway that currently do not have access to their properties from Neibling Siding Road. One (1)

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property owner currently is only able to access a public road through a neighbouring property.

Oakey Creek is an identified fish habitat and Council is limited in the work we can do in the waterway.

Council is limited in the access it has to get machinery onto the site due to the ongoing wet weather and needing to access the creek from private property. Council also has no access to the northern side of the creek other than via private property on a black soil track.

It may be possible to remove some of the sand and debris from the creek to increase the flow of water across the causeway, however it is unlikely that it would drop the water level enough to allow vehicle access. This will require approval from the NSW Department of Primary Industries (Fisheries) who have informally advised that it is possible to dredge and reclamation with the rehabilitation of the causeway for approximately 50m up to 250m. Machinery is not permitted to enter the waterway to complete the works. Any material removed from the Creek will need to be disposed of off-site. These conditions will increase the cost of the works significantly. Before work commences, Council is required to get a specific permit for the works as it falls outside our normal permit for Dredging and Reclamation associated with Maintenance Dredging of Causeways, Culverts, Bridges, Stormwater Outlets works.

As the concrete causeway has been under water for an extended period its condition is unknown.

Council is mindful that there are significant risks in carrying out such works. In addition to the typical risks associated with working in a creek with plant and machinery, should Council or its contractors not comply with the conditions of the permit or create any unauthorised discharge to a waterway, the financial penalties are significant (maximum penalty under the Fisheries Management Act is \$220,000 and up to \$1 million for corporations for a Tier 2 offence under the Protection of the Environment Act).

### **Options**

1. Do nothing and wait and see if the water level drops far enough to allow vehicle access and then reassess options. This may not occur until there is a prolonged dry spell which could be 12 months or more.
2. That Council no longer maintains the road past the rail line and reclassifies that section as an unformed road.
3. That Council no longer maintains the road past the rail line and attempts to find alternative access to the properties on the other side. The road corridor would be reclassified as an unformed road. Finding an alternate route may be problematic due to the rail line, the creek and access over private property. This is estimated to cost between \$540,000 and \$800,000 though could be substantially higher if land acquisition is required.
4. Clear the creek upstream and downstream of debris and built-up sand to see if the water level on the causeway drops sufficiently to allow vehicle access. This would likely need to be repeated every couple of years. This cannot



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occur until Neible Siding Road and the area on either side of the creek is dry enough to support the weight of the heavy plant. It will require approval from the NSW Department of Primary Industries (Fisheries) to remove the debris from the creek.

5. Install a bridge over the creek to allow vehicle access. This is estimated to cost between \$750,000 and \$1 million. It will require approval from the NSW Department of Primary Industries (Fisheries) to install the bridge.
6. Install box culverts over the creek to allow vehicle access. This is estimated to cost between \$350,000 and \$500,000. It will require approval from the NSW Department of Primary Industries (Fisheries) to install the box culverts.

### **Financial Considerations**

Council has no budget allocated to address this issue this financial year.

Some of the restoration costs may be covered under the Natural Disaster claim but this is only to restore the causeway to pre-disaster condition and not betterment works.

To clear the creek of debris is likely to cost in the tens if not hundreds of thousands because of the likely requirements for long reach excavators and the need to remove the spoil from site to an environmentally suitable location.

The installation of a bridge or major culvert would require capital investment funding either from Council's general fund or via a grant. Roads to Recovery (R2R) is the most likely option though this would mean decreasing the usual allocation to other areas such as the gravel re-sheeting program.

The construction of an alternate route would require capital investment funding either from Council's general fund or via a grant. Roads to Recovery (R2R) is the most likely option though this would mean decreasing the usual allocation to other areas such as the gravel re-sheeting program. Once constructed it would be maintained as per other category three roads.

### **Community Engagement Considerations**

Property owners on the northern side of Neibling Siding Road will need to be formally informed of any decision moving forward.

Residents have offered to assist Council with the dredging of the creek by donating their time and equipment. This would increase Council's risk exposure and would need to be managed as per any other contractor of Council.

Council has raised concerns about this causeway and Yarrow Road with the Local State Member.

### **Attachments**

1. Map of Neible Siding Road, Coolah
2. Photos of Causeway on Neible Siding Road, Coolah

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### **RECOMMENDATION**

That Council:

1. Takes no further action to improve access across the Oakey Creek causeway on Neible Siding Road, Coolah until the water level on the causeway has dropped enough to allow for a more thorough assessment of the options.
2. Informs the property owners on Neible Siding Road, Coolah that due to the water level of Oakey Creek, Council is unable at this time to provide safe and dry access across the causeway.
3. Makes some preliminary investigations into the feasibility of an alternate route.

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### Item 20 Merrygoen Causeway on Yarrow Road, Mendooran

<b>Division:</b>	Technical Services
<b>Management Area:</b>	Road Operations
<b>Author:</b>	Manager Road Operations – Kylie Kerr
<b>CSP Key Focus Area:</b>	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.
<b>Priority:</b>	SC4.4 All levels of government work together to ensure our roads are safe and functional.

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#### **Reason for report**

This report is to provide Council with the options available to address the Merrygoen Creek causeway on Yarrow Road, Mendooran which is currently inundated with water and sand.

#### **Background**

The Merrygoen Creek causeway on Yarrow Road, Mendooran has been an ongoing issue. The causeway is submerged under water and sand, and has been for approximately three (3) years, with the causeway being closed to all motorist for over 12 months.

Council staff have inspected the causeway numerous times over the past 12 months and unfortunately each time it has been inundated with water and sand from Merrygoen Creek. They have not been able to assess the condition of the concrete causeway though believe it is in reasonable condition.

Council cleared the sand build up on the Merrygoen Creek causeway on the 20 and 21 April this year. The causeway was still impassable as the water level was too high for vehicles to use. The sand quickly built up again over the past six (6) months to unacceptable levels. Refer to attached photos to see changes in the sand and water levels on the causeway.

Merrygoen Creek is an identified fish habitat.

Discussions with the Department of Planning and Environment over the past 12 months has resulted in an inspection of the site and a report of the options they believe are available. The Department have stated in their Inspection Brief (Doc 22/145596) that their departmental resources are limited and that removing sand from the waterway is outside their core business. Their Inspection Brief (see attached) provides the following options:

1. Extractive Industry Licence

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2. Council Remediation Work
3. Council Infrastructure Upgrade.

As per the summary on page 4 of the briefing the only long-term solution to keeping the causeway open is to install a bridge or other raised structure such as a major culvert.

Council applied for a permit from NSW Department of Primary Industries for the dredging (100m length x 8m wide x 1m depth) to desilt the concrete causeway in October 2012. This work occurred in November 2012. Minutes from the Mendooran Town Committee meeting held at 5.30pm on Tuesday, 6 November 2012 in Mendooran Hall indicates that the dredging would be required again if it rained. Council's records show that the causeway was cleared again in May 2020. It is possible that dredging occurred at other times over the years.

### **Issues**

Due to the water and sand level in Merrygoen Creek, the causeway is submerged under water and sand. Removal of the sand on the causeway does not eliminate the issue as it quickly builds up again.

There are property owners on either side of the causeway though all have access to an alternative sealed public road to their property. It doesn't increase travel time significantly to use the alternate route, however it could be considered an inconvenience to locals.

It may be possible to remove some of the sand and debris from the creek either side of the causeway to increase the flow of water across the causeway, however it is unlikely that it would drop the water level enough to allow vehicle access during wet times. This is also only a short-term solution as the sand will build up again over time.

Council is mindful that there are significant risks in carrying out such works. In addition to the typical risks associated with working in a creek with plant and machinery, should Council or its contractors not comply with the conditions of the permit or create any unauthorised discharge to a waterway, the financial penalties are significant (maximum penalty under the Fisheries Management Act is \$220,000 and up to \$1 million for corporations for a Tier 2 offence under the Protection of the Environment Act).

### **Options**

1. Do nothing and leave the causeway temporarily closed. There is no cost to this option except for routine inspection of the site to check signage.
2. Permanently close Yarrow Road at the causeway and hand management of the causeway back to the State Government. This would be the cost of the staff to complete the road closure and any lodgement fees that might be applicable.
3. Clear the creek of debris and built up sand on either side of the causeway as well as the causeway to see if the water level on the causeway drops sufficiently to allow vehicle access. This is only a short-term option as it would likely need to be repeated every year as the sand builds up again. Approval from the NSW Department of Primary Industries (Fisheries) is not required as

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the approval will be granted by Department of Planning and Environment on this occasion.

4. Install a bridge over the creek to allow vehicle access. This is estimated to cost between \$750,000 and \$1 million. It will require approval from the NSW Department of Primary Industries (Fisheries) to install the bridge.
5. Council expresses support to the Department of Planning and Environment for them seeking an expression of interest for the licencing of sand extraction from the site.

### **Financial Considerations**

Council has no budget allocated to address this issue this financial year other than to maintain the temporary road closure or to permanently close the causeway.

To clear the creek of debris and sand it is likely to cost in the tens if not hundreds of thousands because of the likely requirements for long reach excavators and the need to remove the spoil from site to an environmentally suitable location. Funding would need to be funded from general fund as there are currently no funding opportunities available for this type of work.

The installation of a bridge or major culvert would require capital investment funding either from Council's general fund or via a grant. Roads to Recovery (R2R) is the most likely option, however this would mean decreasing the usual allocation to other areas such as the gravel re-sheeting program. It may qualify for future grant funds such as Fixing Country Roads though the current round has just closed and the next round hasn't been announced yet.

Some of the restoration costs may be covered under the Natural Disaster claim but this is only to restore the causeway to pre-disaster condition and not betterment works.

### **Community Engagement Considerations**

This matter has been discussed on numerous occasions at community meetings.

Council has raised concerns about this causeway and Neible Siding Road with the Local State Member.

### **Attachments**

1. Yarrow Road, Mendooran Inspection Brief – Department of Planning and Environment
2. Map of Yarrow Road, Mendooran
3. Photos of Merrygoen Creek Causeway on Yarrow Road, Mendooran

### **RECOMMENDATION**

That Council:

1. Takes no further action to improve access across the Merrygoen Creek causeway on Yarrow Road, Mendooran.

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2. Takes the necessary steps to formally close Merrygoen Creek causeway on Yarrow Road, Mendooran and hand over ownership of the causeway to the State Government.
3. Informs the residents of Mendooran of its intention to permanently close the Merrygoen Creek causeway on Yarrow Road, Mendooran as Council is unable to provide a safe and dry access across the causeway that is affordable by the Shire.
4. Support the Department of Planning and Environment seeking an expression of interest for the licencing of sand extraction from the site.

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### Item 21 Warrumbungle Road Network Advisory Group Membership and Terms of Reference

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

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### Reason for Report

The purpose of this report is for Council to consider the nominations to the Warrumbungle Road Network Advisory Group and adopt Terms of Reference for the Group.

### Background

On 18 August 2022, Council resolved as follows:

**'30/2223 RESOLVED** that Council establishes a Road Network Advisory Group:

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

Nominations were called on 24 August 2022 by advertising on Council's website, social media and local print media.

At the close of the nomination period, eight (8) nominations were received. There was also two (2) late nominations with one (1) of those being from the Local Member of Parliament's Office. These nominations are included in Confidential Attachment 1.

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### **Issues**

Three (3) nominations were received from Coonabarabran, three (3) from Coolah, one (1) from Mendooran, one (1) from Bugaldie and one (1) from Binnaway. There were no nominations from the Baradine, Dunedoo or Goolhi areas.

It was hoped that nominations would be received from different geographic locations and also representing different sectors of the community such as transport operators, farmers, urban, rural residential, tourism operators and bus companies.

At the time of resolving to establish the Group, there were no adopted terms of reference.

A draft Terms of Reference based on the terms of reference of Council's other Advisory Committees is attached.

Key issues in the Terms of Reference are:

- Committee representation will be comprised of two (2) Councillors, one of whom will be the Chairperson, as elected by Council.
- Membership of up to five (5) community representatives that represent the whole Shire.
- That the Committee's role is to provide strategic comment on the matters relating to the strategic planning and management of the road network.
- That Committee members are responsible for seeking information and feedback from their community.

In accordance with the draft Terms of Reference, Council is required to nominate two (2) Councillors one (1) of whom will be the Chairperson for this Committee.

### **Options**

Council may accept all or some of the nominations. Council may also wish to readvertise for additional nominations following the adoption of the Terms of Reference for the Group.

### **Community Engagement Considerations**

Council has engaged with the community across a range of media in seeking nominations.

### **Attachments**

1. Nominations for Warrumbungle Road Network Advisory Group (*Confidential*)
2. Draft Terms of Reference for Warrumbungle Road Network Advisory Group

### **RECOMMENDATION**

That Council:

1. Adopt the Terms of Reference for the Warrumbungle Road Network Advisory Group.
2. Appoint two (2) Councillor representatives, one (1) of whom will be the Chairperson of the Warrumbungle Road Network Advisory Group.



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3. Consider nominations for the Warrumbungle Road Network Advisory Group in accordance with the adopted Terms of Reference.

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### Item 22 Natural Disaster Declaration

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

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### Reason for Report

The purpose of this report is to update Council on the Flood Damage Restoration works following the storms and floods in November and December 2021.

### Background

In November and December 2021, the Warrumbungle Local Government Area (LGA), along with many other areas, experienced significant rainfall. In Coonabarabran 254mm of rain fell in November 2021, which is above the 95<sup>th</sup> percentile and not far off the highest recorded rainfall of 316mm in 2000.

The intensity of the rainfall coupled with above average rainfall in the preceding months, resulted in extensive damage to Council's road network.

A natural disaster was declared and Council's crews worked hard to carry out just under \$1 million worth of emergency and immediate restoration works as part of our immediate response.

In terms of the NSW Natural Disaster Essential Public Asset Restoration Guidelines, funding for councils is provided on the basis of actual expenditure for emergency works and immediate restoration works subject to eligibility, assessment of reasonability and co-funding arrangements.

For Essential Public Assets Reconstruction works, councils are offered a Total Upper Limit Grant amount, based on the estimated reconstruction cost, less the council co-funding amount and any ineligible costs.

A specialist consultant was engaged to assess the condition of our network and submit applications for Essential Public Assets Reconstruction funding.

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In order to make application for funding, Council's entire regional and rural road network of 2,370km had to be inspected, photographs taken of the damage, assessments made of the restoration work required and estimate of costs.

This process took several months to complete.

Over 1,770 defects have been identified with the value of the restoration work estimated to be over \$12 million. Restoration works including grading 440km of unsealed roads, pavement and surface repair of 500km of sealed roads, bulk filling of gravel and rock at 43 locations, reshaping of 6.5km of table drains and repair of 12 major causeways, culverts and bridges.

Council's previous largest application for natural disaster funding was in 2016, in the amount of \$643,477.

Council has submitted nine (9) works packages to the value of \$12,767,871.13 for the restoration works. The emergency works claim for approximately \$900,000 is currently being prepared.

Of the nine (9) work packages submitted, three (3) packages in the amount of nearly \$1,322,510 has been approved and works have commenced. Werribee Road and Saltwater Creek Road have been repaired.

<b>Package</b>	<b>Estimated Cost</b>	
1	\$445,938.31	Upper Limit Approved by TfNSW. Approved 06/07/2022
2	\$368,852.30	Upper Limit Approved by TfNSW. Approved 13/10/2022
3	\$507,720.66	Upper Limit Approved by TfNSW. Approved 13/10/2022
4	\$1,546,213.35	Submitted to TfNSW
5	\$3,009,336.73	Submitted to TfNSW
6	\$2,306,932.70	Submitted to TfNSW
7	\$1,647,684.02	Submitted to TfNSW
8	\$1,321,763.21	Submitted to TfNSW
9	\$1,613,429.85	Submitted to TfNSW
Emergency Works	\$900,000.00	Submission currently being prepared
<b>Totals</b>	<b>\$13,667,871.13</b>	

\* *Note – The estimated cost may change as Transport for NSW assesses each defect in the submitted packages and sets upper limit for the restoration works.*

Details of the estimated restoration cost per road are included in Attachment 1.

Council submitted an assessment for a natural declaration of the 4 August 2022 event, which has been accepted. A further assessment for a natural declaration of the 21 and 22 September wet weather event is being submitted.

For any subsequent events, Natural Disaster Declarations will be sought as appropriate.

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### **Issues**

Since the storms in November / December 2021 that caused significant damage, there have been subsequent rain events that have caused further damage to the road network.

Under the funding guidelines, Council staff are unable to carry out immediate restoration works until funding has been approved by the State Government.

There is understandably growing frustration in the community that damaged roads have not yet been repaired other than for emergency works.

The countryside and roads of the Warrumbungle Shire are highly saturated, which is also limiting the works that can be done because heavy plant runs the risk of becoming bogged and creating more damage through wheel rutting.

The saturated nature of the ground means that even moderate rain events such as 20-40mm of rainfall results in flooding and road closures.

There is also the expectation that when we do have sunny days that Council staff will immediately carry out repairs but, for the reasons stated above (funding not yet approved and saturated ground) significant repairs will not be possible for some time.

Council will have to manage these community expectations through regular media releases, social media updates and by providing up to date information on Council's website on programmed works and timeframes.

The long-range weather forecast with lower than average temperatures and higher than average rainfall will not create ideal conditions for road repairs.

Assuming that our funding application will be successful, carrying out \$12 million worth of repairs in a timely manner will be challenging.

Council's roads budget is in the order of \$6 million with a further \$6 million worth of capital works. While some works may be postponed, it will still be a big task for Council staff to complete the flood restoration works.

Works approved under the November 2021 Declaration must be completed by 30 June 2024. To complete these works, Council will be using a number of resourcing methods including staff working additional hours and engaging contractors. It may be challenging to find available contractors. Our neighbouring councils will also have flood restoration works to carry out and will also be seeking contractors.

There are also other significant projects such as Inland Rail and those in the Renewable Energy Zone that will require local contractors as well.

It is important that the restoration works are carried out in an efficient and prioritised manner.

For the restoration of roads under the Natural Disaster Declarations, the following prioritisation is to be followed as per Council's adopted Roads Asset Management Plan (AMP) (*page 10*)

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No.	Description	Details
1	Regional Road	These are major arterial roads that provide highest traffic movements between regions, industrial, commercial and residential areas and are also declared as Regional Roads with a funding contribution by RMS
2	Local Arterial Road	These are major local arterial roads that provide linkage between areas of industrial, commercial, and residential importance and the regional road network. They also provide for traffic movements between areas and regions. In town these roads would generally include the CBD area of town.
3	Local Distributor Road	These roads provide connections between arterial parts of the network and the local collector network. They generally have key traffic generators on them for an area and/or are strategically important.
4	Local Collector Road	These roads provide access to the distributor/arterial network from local access roads. In an urban setting, these are the local town streets that feed traffic into residential roads, and individual major facilities. These roads generally do not have key traffic generators on them.
5	Local Access Road	These roads provide access to individual properties in a rural setting. In an urban setting, these are local town streets that provide access to individual properties.
6	Un-Formed Local	These are unformed roads (tracks) and are not maintained by Council.  It should be noted that these roads are not eligible for Natural Disaster funding and therefore not applicable in the prioritisation process.

It is proposed to start on the Category 1 Regional Roads first and these would be Black Stump Way, Vinegaroy Road, Warrumbungles Way, Baradine Road, Forest Road, Purllewaugh Road and Timor Road.

These roads carry the most traffic and any repairs will benefit more motorists. Also, our ability to work on the sealed network is less likely to be impacted by saturated ground conditions and weather than unsealed roads.

It makes sense to work in geographic locations, so it is proposed to work on any Category 2 Local Arterial Roads and Category 3 Local Distributor Roads in the vicinity of the Category 1 Roads at the same time, where possible. Moving plant, equipment and staff from site to site is expensive and time consuming, so if we can reduce this movement it will be more cost effective to work in this way.

As the restoration works are extensive and contractors will be required to assist with delivery it also makes sense to release tenders for packages of work. This will be done based on geographical areas, generally the unsealed road network.

In addition to the road hierarchy, the AMP considers critical assets:

### **‘6.2 Critical Assets**

*The International Infrastructure Management Manual defines critical assets as assets that have a high consequence of failure, but not necessarily a high probability of failure. Critical assets are also*

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*defined in this manual as those assets that are most important for the delivery of required service and/or have the highest consequence of failure. By identifying critical assets and critical failure modes, Council can target and refine investigative activities, maintenance plans and capital expenditure plans at the critical areas.*

*Council has developed the following criteria to assess whether a particular road within its network meets the definition of a critical asset. Any road that meets one or more of these criteria is deemed critical:*

- *Shire Fire Breaks (generally State, Regional and local arterial roads);*
- *Single Road Access (e.g. fire or flood);*
- *Evacuation Roads (e.g. fire or flood);*
- *Access to airstrips;*
- *Access to Council Infrastructure (e.g. sewer, water and dump facilities, etc.);*
- *Access to critical authority assets (towers, exchanges, railway & gas facilities, etc.);*
- *Access into neighboring Shires.'*

These are listed in Appendix 8 of the Roads AMP and can be sorted further into roads that meet more than one critical asset criteria such as access to neighbouring shires, access to critical assets and an evacuation road.

Beyond that, we will get a number of roads that are considered of 'equal value' that are low volume, single road access. It may be challenging to determine the number of properties served along that route as another factor. Ranking these will be challenging and perhaps other criteria may be based on the number of defects on that section of road.

This approach will have to be tempered by the practicalities of the weather and local ground conditions – it may be too wet to do some repairs on some roads and of course we may get further rain. We will also need to consider other planned works in the vicinity of the flood restoration works such as re-sheeting or rehabilitation works. Again, it would make sense to carry out these works at the same time to avoid additional establishment costs.

Until the funding is confirmed, Council is required to carry out repair works after each rain event. If a natural disaster is not declared for those events, those repair works will be at Council's cost.

Council will continue to apply for Natural Disaster Declarations for subsequent rain events.

### **Options**

Council can opt to carry out the restoration works without confirmation of funding based on the estimates submitted to Transport for NSW. This would however expose Council to those costs if the funding was not received.

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Council continues to only do works that are already funded or within the existing maintenance budget. Restoration works are only scheduled once the natural disaster funding has been confirmed.

### **Financial Considerations**

Council has spent in the order of \$1 million to date in emergency works. The estimated cost of the flood restoration works is in the order of \$12 million. Both these amounts can be funded from the State Government if Council's applications are successful.

It is understood that Council may be eligible for a further \$1 million under Category D of the Disaster Recovery funding following the 4 August 2022 event, however we have yet to be formally advised of this.

### **Community Engagement Considerations**

Council has engaged with the community across a range of media. Council will continue to keep the community informed.

### **Attachments**

1. November 2021 Natural Disaster – Estimated Restoration Cost.

### **RECOMMENDATION**

That Council:

1. Endorses the Natural Disaster Recovery approach for the restoration of the Shire's road network with road priorities as:
  - Priority 1 – Regional Roads
  - Priority 2 – Local Arterial Roads
  - Priority 3 – Local Distributor Roads
  - Priority 4 – Local Collector Roads
  - Priority 5 – Local Access Roads.
2. Endorses that lower priority roads may be considered to be brought forward in the program if it is more practical or cost effective to deliver the works along with a higher priority road.
3. Notes that all restoration works associated with the November 2021 natural disaster must be completed by 30 June 2024.

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### **Item 23 Agritourism and Small Scale Agriculture Development**

<b>Division:</b>	Environment and Development Services
<b>Management Area:</b>	Planning and Regulation
<b>Author:</b>	Kelly Dewar – Manager Planning and Regulation
<b>CSP Key Focus Area:</b>	Strengthening the Local Economy
<b>Priority:</b>	LE1.1 Local agencies, peak bodies and agricultural enterprises work together to ensure the long-term viability of our farming sector

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#### **Reason for report**

To inform Council of changes to agritourism development within the RU1 Primary Production Zones in Warrumbungle Shire Council LGA.

#### **Background**

The Department of Planning and Environment (DPE) have been working on making it easier for farmers to use their land in new and innovative ways to complement agricultural land use.

The reforms introduce clear planning definitions for agritourism and allow activities to be done without planning or building approval (exempt development) or through a fast-track approval process (complying development) where specified development standards must be met, or under a development application.

The changes will make it easier for farmers to know how they can use their land for new income streams.

The new and amended land use terms/definitions include:

- Farm gate premises – where visitors interact with produce from the farm, such as fruit picking, sales, tastings, workshops and cafes.
- Farm experience premises – where visitors can experience life on a farm including tours, horse riding, weddings, functions and retreats.
- Farm stay accommodation – including camping.

#### **Issues**

The agritourism and small-scale agriculture development Explanation of Intended Effect was on exhibition from 9 March 2021–19 April 2021 and proposed changes to new agritourism land uses, tailored approval pathways and provisions relating to small-scale agricultural development.

The DPE received 239 submissions, 234 survey responses and 151 comments during the exhibition period. Primary concerns raised included noise, traffic, land use conflicts, impacts on rural character, waste generation and standards to reflect property size and dwelling entitlements with farm stay accommodation.



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DPE are considering changes to the rules for how land on farms can be used to include:

- updating the definition of 'farm stay accommodation'. There will also be a new optional clause that councils can adopt into their local plans to suit the local area
- a new land use and definition for 'farm experience premises' (previously called 'farm events')
- new land use and definition for 'farm gate premises' (previously called 'farm gate activities'). This will include an optional clause that councils can adopt into their local plans
- fast-track approval pathways, known as exempt development and complying development will be introduced for a range of tourism activities on farms
- other low impact agricultural activities will be allowed as exempt or complying development, such as the rebuilding of farm buildings that have been destroyed by natural disasters, provided they comply with certain development standards
- minor changes to make existing planning rules more effective, such as increasing the distance between homes and intensive agriculture like feedlots and pig farms that is carried out as complying development.

Changes to the Standard Instrument LEP Amending Order have been made to reflect the change in the numerical development standard optional clause for the maximum guest numbers, gross floor area and number of moveable dwellings. Council can make amendments to optional standards through a planning proposal or in their adopted Development Control Plan.

DPE is working on a policy to align with these changes and a series of fact sheets to help answer questions that farmers may have in relation to the new agritourism and small-scale agriculture developments.

The Department has included a number of rural zones in the amendment for agritourism; Warrumbungle LGA only has one zone to be included in the LEP Amendment Order being RU1 Primary Production. As the majority of land within the Shire is zoned RU1 this gives farmers the opportunity to be included in the agritourism sector, with a variety of business options available to them.

DPE has released a fact sheet listing five (5) things that can be done on farm that may be exempt development, these include: camping on your farm, fast track new buildings, give visitors a rural experience, run a small farm gate business and build a roadside stall. This fact sheet will help farmers with the expansion into agritourism and is included as an attachment to this report.

### **Options**

The changes to the Standard LEP Amendment Order are mandatory across the State. However Council has the following options:

1. Request to include other zones in the Agritourism LEP Amendments,
2. Prepare a Planning Proposal to include numerical development standards for guest numbers, gross floor areas and number of movable dwellings, or

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3. Include numerical development standards for guest numbers, gross floor areas and number of moveable dwelling in Councils Development Control Plan.

As Council has a large area of RU1 Primary Production Zoned land, Council does not intend to include other zones in the Agritourism LEP Amendment Order, the inclusion of other rural zones may cause land use conflict throughout the Shire.

Council is undertaking a review of the Development Control Plan and will consider including numerical development standards in relation to guest numbers, gross floor areas and number of moveable dwelling as part of this review.

### **Financial Considerations**

Nil

### **Community Engagement**

The level of community engagement for this report is to inform.

### **Attachments**

1. Planning and Environment – Agritourism Factsheet

### **RECOMMENDATION**

That Council notes the information in the Agritourism and Small Scale Agriculture Development Report.

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### **Item 24 Small Heritage Grant Program**

<b>Division:</b>	Environmental and Development Services
<b>Management Area:</b>	Planning and Regulation
<b>Author:</b>	PA to Director Environment and Development Services – Meg Meier
<b>CSP Key Focus Area:</b>	Supporting Community Life
<b>Priority:</b>	SC2.3 Celebrate and conserve the diverse cultural heritage of the urban, village and rural communities.

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### **Reason for Report**

During August 2022, Warrumbungle Shire Council advertised for applications for Council's Small Heritage Grants Program Round 2. The grants provide financial assistance for conservation and restoration work on heritage buildings, heritage places and heritage items. It is recommended that the grants be allocated from the fund based on the recommendations provided by Council's Heritage Adviser.

### **Background**

Council received funding from Office of Environment and Heritage (OEH) to run the annual Small Heritage Grants Program to assist owners undertake conservation and maintenance works on heritage buildings, items and places within the Shire.

During Round 1 of the Small Heritage Grant Program 2021-2022, only three (3) of the seven (7) successful applicants achieved project completion. The remaining four (4) experienced significant delays due to Covid19 and supply chain disruptions. Several of these original Round 1 applicants have reapplied to be considered for Round 2.

For financial year 2022/2023, Council resolved at the Ordinary Council Meeting October 2021, to manage the fund in accordance with the requirements of OEH on a \$ for \$ basis. As a result, Council has established a matching budget for its Small Heritage Grants Program of \$5,500 this financial year. OEH, will reimburse up to \$5,500 (excl. GST) for Round 2.

After advertising seven (7) applications for financial assistance was received for works on the following properties.

- Mount Gramby Inn, Mendooran
- 39 John Street, Coonabarabran
- 185 Bandulla Street, Mendooran
- 94 Bandulla Street, Mendooran
- 48 Cassilis Street, Coonabarabran
- Cobbora Courthouse, Cobbora
- Coolah Creek Homestead, Coolah

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Council's Heritage Adviser, Mr Peter Duggan, evaluated the applications and has recommended that the grants be dispersed as shown in the Table 1 below.

Table 1: Recommendations for Small Heritage Grant

Property	SHI No.	Works	Heritage Justification	Cost of Works	Amount Request	Recommend \$ from Fund Pool
Mount Gramby Inn Mendooran	2022/23_1	Stabilisation of existing building	Consider of Heritage Significance	\$10,500	\$4,000	\$2,000
39 John Street, Coonabarabran *#	2022/23_2	Guttering, fascia, doors, windows repair and paint.	LEP Heritage Listed	\$6,875	\$3,000	\$1,500
185 Bandulla Street Mendooran – Ellis Store	2022/23_3	Repaint front shop signage	Consider of Heritage Significance	\$1,500	\$750	\$750
94 Bandulla Street Mendooran	2022/23_4	Structural maintenance	Consider of Heritage Significance	\$8,500	\$5,000	\$1,750
48 Cassilis Street, Coonabarabran *#	2022/23_5	Heritage fencing	Consider of Heritage Significance	\$5,241	\$2,620	\$2,000
Cobbora Courthouse, 14 Dunedoo Street, Cobbora *#	2022/23_6	Repair windows western side	Consider of Heritage Significance	\$3,423	\$1,500	\$1,500
Coolah Creek Homestead, Coolah Creek, Coolah *	2022/23_7	Replacement of gutters and downpipes	Consider of Heritage Significance	\$30,090	\$10,000	\$1,500
			<b>TOTAL</b>	<b>\$66,129</b>	<b>\$26,870</b>	<b>\$11,000</b>

\* Received Small Heritage Grant funding in 21/22FY – Project affected by Covid19

# Received Small Heritage Grant funding in 21/22FY – Successful completion

### Issues

The current funding agreement specifies that OEH pays the full grant amount (of \$5,500) and no matching contributions are required from Council. However, Council has budgeted to provide matching \$ for \$ funding of \$5,500 this financial year.

Applications for funding assistance are evaluated by the Heritage Adviser and new applicants with new projects will be provided a larger percentage of the funding to encourage more heritage restoration and preservation across the Shire. Some of our regular applicants received funding in prior years for continuing projects.

Applicants who receive an offer of funding less than requested can either accept the funding or not accept the funding. If the funding is not accepted the money will not be expended and therefore not claimed from OEH at the end of the financial year. The government funding is on a yearly basis and is not carried forward to the next year.

Applicants will be notified in late October - early November 2022 with an offer of funding and the grant conditions and timelines they will need to comply with. Once

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Council has received acceptance agreements from the applicants, they can then commence the work. Projects will need to be completed and receipts for acquittal lodged with Council by 30 March 2023. Payment as per the agreed offer will be made to applicants at the completion of their project, subject to works being inspected and approved by Council's Heritage Adviser.

### **Options**

Given that Council has a budgeted allocation, it would be reasonable to offer the full amount of \$11,000 to assist with heritage work across the LGA for this financial year.

### **Financial Considerations**

Council has an amount of \$11,000 available for its Small Heritage Grants in 2022/2023.

- \$5,500 from OEH
- \$5,500 in Council's budget for FY 2022/23

### **Community Engagement**

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

### **Attachments**

Nil

### **RECOMMENDATION**

That Council grant a total of \$11,000 under the Small Heritage Grants to undertake heritage repairs and restoration works for the following heritage items:

- Mount Gramby Inn Mendooran – \$2,000
- 39 John Street, Coonabarabran – \$1,500
- 185 Bandulla Street Mendooran – \$750
- 94 Bandulla Street Mendooran – \$1,750
- 48 Cassilis Street, Coonabarabran – \$2,000
- Cobbora Courthouse, Cobbora – \$1,500
- Coolah Creek Homestead, Coolah – \$1,500

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### Item 25 Development Applications

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

### Development Applications

#### (i) Approved – September 2022

Development Application / Complying Development	Date Lodged	Date Approved	Applicant's Name	Location	Town	Type of Development	Referral Days	Stop the Clock Days
DA25/2022	18/07/2022	16/09/2022	Jim Sarantzouklis	DalGLISH Street	Mendooran	Construction of Amenities Block and Installation of On-site Sewage Management System	14	0
DA26/2022	01/08/2022	16/09/2022	Taylor Made Buildings	16 Napier Street	Binnaway	New Dwelling	14	0
DA27/2022	05/08/2022	05/09/2022	Kenneth Newton	15 Nandi Street	Coonabarabran	New Shed	14	0
DA28/2022	15/08/2022	29/09/2022	Premise NSW Pty Ltd	528 Purlewaugh Road	Coonabarabran	Sub-division of land	27	0
DA30/2022	25/08/2022	30/09/2022	Anne Alison	28 Nott Street	Dunedoo	Alterations and Additions	15	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.

This month, there were no external referrals to Government Agencies.

### RECOMMENDATION

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

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### **Item 26 Notice of Motion – Installation of Sanitary Incontinence Bins and Grab Rails in Toilets**

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

That the Warrumbungle Shire Council consider implementing installation of sanitary incontinence bins and grab rails in all toilets managed by the Shire.

#### **RATIONALE:**

At the NSW CWA of Australia State Conference in May the following motion was passed: "That the policy of CWA of NSW shall be to advocate for the compulsory requirements to install bins for the disposal of continence aids in male public toilets". State President, Joy Beames of the Dunedoo CWA, has already made representation to the Warrumbungle Shire Council to advocate for the inclusion of bins in male toilets throughout the Shire.

With a considerable population of an aging population and people living with disabilities, many men, women and children are now using a variety of continence aids, namely disposable incontinence pants, stoma equipment, catheter equipment and suchlike. Statistics from the Continence Foundation of Australia promoted the "Bins4Blokes" initiative in June this year and stated that incontinence affects 1 in 10 men in Australia of all ages. Anecdotal evidence has shown that the disposal of these products is very difficult with few toilets providing a large bin for continence products and many found they must carry these with them until a suitable bin can be found. Travel is also considered limited for some due to the lack of disposable facilities and as the Shire has a high travelling visitor population the installation of these bins will make their trip much more comfortable. The Continence Foundation stated at their June Conference that "Everybody should have access to a comfortable and discreet way to dispose of incontinence pads and pants" and has completed a large amount of research into this matter. They found that the lack of options stops those suffering with incontinence from going out to exercise, shop or simply enjoy life.

Grab rails installed in the public toilets are also essential to the larger aging and disabled population. Many of the local shire population and visitors have a disability and grab rails installed into the toilets would make it easier for mobility and safety.

The Warrumbungle Shire Council could be the first in the State to take this project on and show some forward thinking and initiative with this project. Coonabarabran and the wider Shire would really benefit from the concept because of the aging population and people living with disabilities, as well as also benefit those residents who have to take particular medications with induce increased urinary output.

This motion could be considered for inclusion for the 2023/2024 budget.

**DENIS TODD  
COUNCILLOR**

# **WARRUMBUNGLA SHIRE COUNCIL**

## **Ordinary Meeting – 20 October 2022**

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### **Item 27 Reports to be Considered in Closed Council**

#### **Item 27.1 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 27.2 Three Rivers Regional Retirement Community Information Report**

**Division: Environment and Development Services**

**Author: Director Environment and Development Services – Leeanne Ryan**

#### **Summary**

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

In accordance with the *Local Government Act 1993* (NSW) (*'the Act'*) and the *Local Government (General) Regulation 2005* (NSW), in the opinion of the General Manager, the following business is of a kind as referred to in section 10A(2) of the Act, and should be dealt with in a part of the meeting closed to the media and public.

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

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



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### **RECOMMENDATION**

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

### **Item 27.3 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 27.4 Inland Rail Interface Improvement Program – Baradine Silos**

**Division: Environment and Development Services**

**Author: Manager Economic Development and Tourism – Jo Houghton**

#### **Summary**

The purpose of this report is to provide Council with an update on the Interface Improvement Program – Enhancement of Baradine's Grain Silos Connection Feasibility Study.

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.

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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 Inland Rail Interface Improvement Program – Baradine Silos 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 27.5 Coonabarabran and Dunedoo Sewerage Treatment Plant Selective Tendering Update Report**

**Division: Environment and Development Services**

**Author: Warrumbungle Water Project Engineer – Thomas Cleary**

#### **Summary**

The purpose of this report is to provide Council with an update on the Selective Tendering procurement methodology for the delivery of the Coonabarabran and Dunedoo Sewerage Treatment Plant (STP) upgrades.

In accordance with the *Local Government Act 1993* (NSW) (*the Act*) and the *Local Government (General) Regulation 2005* (NSW), in the opinion of the General Manager, the following business is of a kind as referred to in section 10A(2) of the Act, and should be dealt with in a part of the meeting closed to the media and public.

The item relates to 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 Coonabarabran and Dunedoo Sewerage Treatment Plant Selective Tendering Update 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 27.6 Mayoral Minute – General Manager Annual Performance Review**

**Division: Executive Services**

**Author: Mayor – Cr Ambrose Doolan**

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### Summary

The purpose of this report is to provide information to councillors on the General Manager's Annual Performance Review.

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 Mayoral Minute – General Managers Annual Performance Review 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).

### 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).