



## **Ordinary Council Meeting**

# **Agenda**

**19 May 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, 19 May 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:**

*Meetings of Warrumbungle Shire Council (Council) are audio recorded, and the recording is posted to Council's website. Council accepts no liability for any defamatory, discriminatory, or offensive remarks made during the meeting. Opinions expressed or statements made by participants are the opinions or statements of those individuals and do not imply any form of endorsement by the Council. In accordance with Council's Code of Meeting Practice, participants who engage in disorderly behaviour may be expelled from the meeting. Closed Council meetings are not broadcast.*

*The audio recording is protected by copyright and owned by Council. Council may be required to disclose recordings if compelled to do so by court order, warrant, or subpoena, or under any legislation. Only the official minutes constitute an official record of the meeting.*

## **Council's Vision** Excellence in Local Government

### **Mission Statement**

We will provide:

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

### **Values**

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

# **WARRUMBUNGLA SHIRE COUNCIL**

## **Ordinary Meeting – 19 May 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**

21 April 2022

**Disclosure of Interest**

Pecuniary Interest

Non Pecuniary Conflict of Interest

**Mayoral Minute/s**

**Delegate Report/s**

**Reports of Committees**

**Reports to Council**

**Notices of Motion/Questions with Notice/Rescission Motions**

**Reports to be considered in Closed Council**

**Conclusion**

.....  
**ROGER BAILEY**  
**GENERAL MANAGER**

# WARRUMBUNGLE SHIRE COUNCIL

## Ordinary Meeting – 19 May 2022

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# WARRUMBUNGLA SHIRE COUNCIL

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### Item 1 Mayoral Minute – Mayors Log of Activity, Kilometres Travelled and Expenses from 8 April 2022 to 10 May 2022

#### MAYORAL MINUTE – MAYORS ACTIVITY

<u>Date</u>	<u>Type</u>	<u>In/Out</u>	<u>Activity</u>
20-Apr	Email	In	GM - Castlereagh River Rehabilitation Project
	Email	In	United Services Union - Rate Capping
21-Apr	Email	In	Coonabarabran Library - invitation
	Email	In	GM - LANCOM information re Reservoir Street
	Email	In	EA GM - invitation to meet with Thirst Team
22-Apr	Email	In	Matt Mackay - CEO Royal Rehab Breakthru - meeting
	Email	In	GM and Cr Brady - Stop and Play Project
25-Apr	Email	In	Cr Rindfleish and Cr Brady - Skate Day Coolah
26-Apr	Email	In	Ratepayer - Disability accommodation
27-Apr	Email	In	GM - Dunedoo TRRRC funding
28-Apr	Email	In	GM - rates assessment
30-Apr	Email	In	GM - Cr Kopke Award
2-May	Email	In	GM - water rates at Cooinda
	Email	In	GM - flags at half mast for Cr Clancy
	Email	In	Director Technical Services and Cr Rindfleish - Stop and Play
	Email	In	Board Member Cooinda - water rates
3-May	Email	In	Sal Edwards - Binnaway Community Action Plan
	Email	In	Sal Edwards - Dunedoo Community Action Plan
	Email	In	Sal Edwards - Mendooran Community Action Plan
4-May	Email	In	Unaib Jeffrey - Audit Office - Annual Engagement Plan
	Email	In	Sue Freebain - Action Plan for Coonabarabran
	Email	In	GM - Local Roads and Community Infrastructure
	Email	In	GM - Chris Buckman - Disability Action Plan - visually impaired
6-May	Email	In	Coonabarabran RSL - ANZAC Day
	Letter	In	The Hon Ben Franklin MLC
10-May	Email	In	GM - court action Dunedoo TRRRC

<b>Date of Journey</b>		<b>Purpose of Journey</b>	<b>Odometer</b>		<b>KM Travelled</b>
<b>Start Date</b>	<b>End Date</b>		<b>Start</b>	<b>Finish</b>	
21-Apr	21-Apr	Meeting with GM and Deputy Mayor	14124	14151	27
21-Apr	21-Apr	May Council /Meeting	14151	14181	30
25-Apr	25-Apr	ANZAC Day Coonabarabran	14181	14207	26
25-Apr	25-Apr	ANZAC Day Binnaway	14207	14260	53
27-Apr	27-Apr	Coonabarabran office	14260	14291	31
30-Apr	30-Apr	Coonabarabran - Jack Ayob and Senator O'Neil	14291	14322	31
1-May	1-May	Dunedoo - St Michaels	14322	14550	228
3-May	3-May	Council Chambers - Volunteer Thank You	14550	14583	33
5-May	5-May	Meeting with Police	14583	14610	27
<b>Total KM travelled for period 10 March 2022 - 5 April 2022</b>					<b>486</b>

# WARRUMBUNGLE SHIRE COUNCIL

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### MAYORAL MINUTE – EXPENSES 8 April 2022 to 6 May 2022

<u>Date</u>	<u>Transaction Details</u>	<u>Comments</u>	
27-Apr	Flight Centre	Flights - Country Mayors	<u>\$449.24</u>
<b>Total expenditure for period 08/04/2022 - 06/05/2022</b>			<b><u>\$449.24</u></b>

### RECOMMENDATION

That Council:

1. Notes the report on the Mayor's Activity and Log of Kilometres Travelled for the period 8 April 2022 to 10 May 2022.
2. Notes the report on the Mayor's credit card expenses between 8 April 2022 and 6 May 2022 and approves the payment of expenses totalling \$449.24.

# WARRUMBUNGLE SHIRE COUNCIL

## Ordinary Meeting – 19 May 2022

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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>	Local Government Finance
<b>Priority:</b>	GF7 Council provides strong civic and regional leadership, and undertakes its governance and service delivery tasks with integrity.

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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	180	0.78	140.40
Cr Doolan	-	0.78	-
Cr Hogden	-	0.78	-
Cr Holcombe	-	0.68	-
Cr Iannuzzi	70	0.78	54.60
Cr Kopke	776	0.78	605.28
Cr Newton	-	0.78	-
Cr Rindfleish	174	0.78	135.72
Cr Todd	805	0.78	627.90
		<b>Total:</b>	<b>1,563.90</b>

### Issues

Nil.

### Options

Nil.

### Financial Considerations

Outlined above.

### Community Engagement

To inform the community.



# **WARRUMBUNGL**

## **Ordinary Meeting – 19 May 2022**

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### **Attachments**

1. Councillors Monthly Travel Claims

### **RECOMMENDATION**

That the Councillors' monthly travel claims report in the amount of \$1,563.90 is noted.

# WARRUMBUNGLE SHIRE COUNCIL

## Ordinary Meeting – 19 May 2022

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### Item 3 Delegates Report – Castlereagh Macquarie County Council Committee Meeting – 3 May 2022

<b>Division:</b>	Executive Services
<b>Management Area:</b>	Executive Services
<b>Author:</b>	Councillor – Denis Todd
<b>CSP Key Focus Area:</b>	Local Government and Finance
<b>Priority:</b>	GF7 Council provides strong civic and regional leadership, and undertakes its governance and service delivery tasks with integrity

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#### **Reason for Report**

To report to Council on the Castlereagh Macquarie County Council Committee Meeting held at the Lightning Ridge Bowling Club on Tuesday 3 May 2022.

#### **Background**

All five councils were represented at the Castlereagh Macquarie County Council Committee Meeting on Tuesday 5 May 2022.

The main topic of the meeting was Johns Wart in the Warrumbungle Shire and Hudson Pear mostly in the Walgett Shire around Lightning Ridge land owners and land holders who weren't doing their job.

Five councillors and the Chief Weeds Inspector stayed in Lightning Ridge Tuesday night. The following day, Wednesday 4 May, councillors went to the Council Depot to inspect the breeding of insects to try and eradicate the Hudson Pear, and were shown how the process was done. Then we all travelled to "Lorne" Station to inspect large strands of Hudson Pear and see the insects had been working. The Hudson Pear on "Lorne" were so heavily effected that you could not run stock.

Johns Wort is very problematic in the Coolah end of the shire and spreading fast, with some on the Coonabarabran – Baradine Road.

The two days at Lightning Ridge were very educational.

#### **Issues**

Nil

#### **Options**

Nil

#### **Financial Considerations**

Nil

# **WARRUMBUNGLE SHIRE COUNCIL**

## **Ordinary Meeting – 19 May 2022**

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### **Community Engagement**

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

### **Attachments**

Nil

### **RECOMMENDATION**

That Council note the Delegate's Report in relation to the Castlereagh Macquarie County Council Committee Meeting held in Lightning Ridge on Tuesday 3 May 2022.

# **WARRUMBUNGLE SHIRE COUNCIL**

## **Ordinary Meeting – 19 May 2022**

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### **Item 4 Delegates Report – Newell Highway Taskforce Committee Meeting – 10 May 2022**

<b>Division:</b>	Executive Services
<b>Management Area:</b>	Executive Services
<b>Author:</b>	Councillor – Denis Todd
<b>CSP Key Focus Area:</b>	Local Government and Finance
<b>Priority:</b>	GF7 Council provides strong civic and regional leadership, and undertakes its governance and service delivery tasks with integrity

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#### **Reason for Report**

To report to Council on the Newell Highway Taskforce Committee Meeting held in Coonabarabran Council Chambers on Tuesday 10 May 2022.

#### **Background**

On Monday 9 May an inspection took place of the Coonabarabran bypass route by councillors led by Coonabarabran local, Stewart Rodgers, who gave a brilliant overview of the bypass. Councillors from Forbes, Dubbo, Parkes, Bland and myself was in attendance.

We started at the intersection of the Newell and Oxley Highway then drove to River Road followed by Purlewaugh Road and finally in the south on the Newell Highway.

On Tuesday 10 May the Newell Highway Taskforce Committee Meeting took place in Coonabarabran. Paul Polansky, Transport NSW, spoke of divided roads for inland rail rest areas along the Newell for trucks with showers and septic toilets. A motion was moved for Coonabarabran bypass to seek federal and state funding for the bypass and also was discussed a bypass for Parkes which being constructed at the moment.

The next meeting is scheduled for West Wyalong in August.

#### **Issues**

Nil

#### **Options**

Nil

#### **Financial Considerations**

Nil

#### **Community Engagement**

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

# **WARRUMBUNGLA SHIRE COUNCIL**

## **Ordinary Meeting – 19 May 2022**

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### **Attachments**

Nil

### **RECOMMENDATION**

That Council note the Delegate's Report in relation to the Newell Highway Taskforce Committee Meeting held in Coonabarabran on Tuesday 10 May 2022.

# **WARRUMBUNGLE SHIRE COUNCIL**

## **Ordinary Meeting – 19 May 2022**

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### **Item 5 Minutes of Traffic Advisory Committee Meeting – 5 May 2022**

<b>Division:</b>	Technical Services
<b>Management Area:</b>	Projects
<b>Author:</b>	Director Technical Services – Gary Murphy
<b>CSP Key Focus Area:</b>	Rural & Urban Development
<b>Priority:</b>	RU4 Our towns and villages are characterised by their attractiveness, appearance, safety and amenity

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### **Reason for Report**

The purpose of this report is to present minutes from the meeting of the Traffic Advisory Committee held at Coonabarabran on the 5 May 2022.

### **Background**

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

### **Issues**

The following matters were considered by the Committee:

- Coonabarabran Pony Club – Change of Date for Cross Country Event – 20 November 2022
- Women in Super – Coonabarabran Mother’s Day Classic Fun Run – 8 May 2022
- Mendooran Central School – Cross Country Event – 13 May 2022
- Active Farmers – Dunedoo Run for Resilience Event – 5 June 2022
- Mendooran Cyclist Group – Request for Cycling Signs in Mendooran
- Baradine Junior Sports Club – Change of Date for Part Closure of Darling Street and Masman Street – 21 May 2022
- Warrumbungle Eventing – Request for Part Closure of Reservoir Street, Coonabarabran for Cross Country Event – 10 July 2022

### **Options**

Council may wish to adopt the recommendations from the Committee meeting. All of the recommendations are being managed under delegated authority.

### **Financial Considerations**

The cost of recommendations from the meeting on the 5 May 2022 can be accommodated within existing budget allocations.

# **WARRUMBUNGLE SHIRE COUNCIL**

## **Ordinary Meeting – 19 May 2022**

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### **Community Engagement**

The level of engagement for this report is to inform.

### **Attachments**

1. Minutes of the Traffic Advisory Committee Meeting – 5 May 2022

### **RECOMMENDATION**

That the minutes of the Traffic Advisory Committee Meeting held on the 5 May 2022 are noted for information.

# WARRUMBUNGLE SHIRE COUNCIL

## Ordinary Meeting – 19 May 2022

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### Item 6 Community Consultation Meetings

<b>Division:</b>	Corporate and Community Services
<b>Management Area:</b>	Children's and Community Services
<b>Author:</b>	Executive Assistant to General Manager – Erin Player
<b>CSP Key Focus Area:</b>	Governance and Finance
<b>Priority:</b>	GF2 The demographic makeup of the community is well-represented in local activities, service delivery and decision-making.

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### Reason for Report

To present draft Minutes from the Community Consultation Meetings held in March/ April 2022 to Council.

### Background

In March and April 2022, Council conducted a series of Community Consultation Meetings across the Shire. Meetings were held at the following venues:

- |                                  |                       |
|----------------------------------|-----------------------|
| • Goolhi Hall                    | Monday 21 March 2022  |
| • Coonabarabran Council Chambers | Tuesday 22 March 2022 |
| • Jubilee Hall, Dunedoo          | Monday 28 March 2022  |
| • Baradine Bowling Club          | Tuesday 29 March 2022 |
| • Mendooran Memorial Club        | Monday 4 April 2022   |
| • Binnaway Bowling Club          | Tuesday 5 April 2022  |
| • Coolah Council Chambers        | Monday 11 April 2022  |

### Issues

As per the Terms of Reference for Community Consultation Meetings, as endorsed by Council at the September 2021 Council Meeting, Minutes of Community Consultation Meetings will be recorded and submitted to the Council Meeting for endorsement before being circulated.

Once Meeting Minutes have been endorsed by Council they will be circulated to meeting attendees no more than one (1) week following the Council Meeting. Minutes will also be uploaded to the Warrumbungle Shire Council website, and will therefore be available to all members of local communities.

### Community Engagement

The level of engagement for this report is Inform.

### Attachments

1. Goolhi Community Consultation Meeting Minutes
2. Coonabarabran Community Consultation Meeting Minutes
3. Dunedoo Community Consultation Meeting Minutes
4. Baradine Community Consultation Meeting Minutes



# **WARRUMBUNGLA SHIRE COUNCIL**

## **Ordinary Meeting – 19 May 2022**

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5. Mendooran Community Consultation Meeting Minutes
6. Binnaway Community Consultation Meeting Minutes
7. Coolah Community Consultation Meeting Minutes

### **RECOMMENDATION**

That Council:

1. Endorse the draft Minutes from the 7 Community Consultation Meetings held in March and April 2022 for Round 2 2021/2022.
2. Release the Minutes from the Community Consultation Meetings held in March and April 2022 for Round 2 2021/2022 to meeting attendees and on Council's website.
3. Hold Round 1 of the Community Consultation Meetings 2022/2023 in October and November 2022.

# **WARRUMBUNGLE SHIRE COUNCIL**

## **Ordinary Meeting – 19 May 2022**

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### **Item 7 2022 ALGA National General Assembly of Local Government**

<b>Division:</b>	Executive Services
<b>Management Area:</b>	Governance
<b>Author:</b>	Executive Services Administration Assistant – Joanne Hadfield
<b>CSP Key Focus Area:</b>	Local Government and Finance
<b>Priority:</b>	GF7 Council provides strong civic and regional leadership, and undertakes its governance and service delivery tasks with integrity.

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#### **Reason for Report**

To nominate representatives to attend the Australian Local Government Association (ALGA) 2022 National General Assembly of Local Government (NGA) in Canberra from 19 June 2022 to 22 June 2022.

#### **Background**

Council has received notification from ALGA that the 2022 National General Assembly of Local Government is to be held in June 2022. This event brings together Local Government representatives from across Australia. The NGA theme this year is 'Partners in Progress.' This assembly will consider what councils can do today to get ready for the challenges, opportunities and changes that lie ahead.

The Prime Minister, Opposition Leader, and the Regional Communities & Local Government will join leading public figures presenting keynote addresses which will help to focus discussions at the NGA.

The following seminars, conferences and meetings are endorsed for attendance by council representatives:

- Annual conference of Local Government NSW (three (3) Councillors and General Manager)
- Roads Congress (two (2) Councillors and General Manager)
- Orana Joint Organisation Meetings
- Country Mayor's Association meetings (Mayor and General Manager)
- Mining and Energy Related Councils (one Councillor and General Manager)
- ALGA National General Assembly Local Government (Canberra) (Mayor and General Manager).

After returning from conferences, councillor/s or a member of council staff accompanying the councillor/s should provide a written report to Council on the aspects of the conference relevant to council business and/ or the local community.

#### **Issues**

The 2022 National General Assembly Call for motions closed on the 25 March 2022.

# **WARRUMBUNGLE SHIRE COUNCIL**

## **Ordinary Meeting – 19 May 2022**

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### **Options**

The General Manager is not proposing to attend the 2022 NGA. A councillor may be nominated to attend in his place.

### **Financial Considerations**

Registration fees for the conference are:

1. Early bird until 20 May 2022 - \$989.00 per delegate
2. Virtual Delegate - \$689
3. Standard registration from 21 May 2022 - \$1,099

Costs for accommodation, meals, transport and transfers are provided as per the Policy for the Payment of Expenses and the Provision of Facilities to Mayors and Councillors. A budget allocation exists for payment of expenses associated with attendance at Council endorsed events.

### **Attachments**

1. 2022 ALGA National General Assembly of Local Government Registration Brochure

### **RECOMMENDATION**

That Council:

1. Notes that the Mayor is to attend the 2022 Australian Local Government Association National General Assembly in Canberra from 19 – 22 June 2022.
2. Nominates one Councillor to replace the General Manager to attend the National General Assembly with the Mayor.

# WARRUMBUNGLE SHIRE COUNCIL

## Ordinary Meeting – 19 May 2022

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### Item 8 2022 Local Government NSW Annual Conference

<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>	Local Government and Finance
<b>Priority:</b>	GF7 Council provides strong civic and regional leadership, and undertakes its governance and service delivery tasks with integrity.

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### Reason for Report

The Local Government NSW 2022 Annual Conference will be held from Sunday 23 October 2022 to Tuesday 25 October 2022 at the Crowne Plaza in the Hunter Valley.

### Background

The Annual Conference is the main policy making event for the local government sector. The event brings together representatives from Local Government Councils across NSW to provide a forum to debate against important issues relevant to local communities.

Conference key dates are as follows:

<b>4 July 2022</b>	<b>Event registration opens</b> (note: voting delegates must be registered to attend the Conference <b>and</b> be registered as a nominated voting delegate)
<b>29 August 2022</b> 12 midnight (AEST)	<b>Deadline for submitting motions</b> (note: the latest date motions can be accepted for inclusion in the Business Paper is 25 September 2022)
<b>10 October 2022</b> 5pm (AEST)	<b>Deadline for nominating voting delegates</b>
<b>23 – 25 October 2022</b>	<b>LGNSW Annual Conference</b>

Council is entitled to one voting delegate attending the Conference.

Council's Policy for the Payment of Expenses and the Provision of Facilities to Mayors and Councillors provides for the General Manager plus up to three councillors (3) to attend the LGNSW Conference.

Accommodation has been booked for four attendees.

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### **Financial Considerations**

Costs are yet to be determined for registration, travel, food and accommodation and will be provided as per the Policy for Payment of Expenses and the Provision of Facilities to Mayors and Councillors.

### **Attachments**

1. Official Notice LGNSW Annual Conference 2022.

### **RECOMMENDATION**

That Council:

1. Note the report on the LGNSW Annual Conference to be held in the Hunter Valley from 23 October 2022 to Tuesday 25 October 2022.
2. Call for draft motions from councillors for the conference.
3. Consider motions and Councillor attendees at the August 2022 Council meeting.

# **WARRUMBUNGLE SHIRE COUNCIL**

## **Ordinary Meeting – 19 May 2022**

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### **Item 9 Cooinda Coonabarabran Water and Trade Waste Charges**

<b>Division:</b>	Executive Services
<b>Management Area:</b>	Executive Services
<b>Authors:</b>	General Manager – Roger Bailey
<b>CSP Key Focus Area:</b>	Local Governance and Finance
<b>Priority:</b>	GF4 Council's governance practice and organisational structure reflects the vision, directions and priorities outlined in the Community Strategic Plan

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#### **Reason for Report**

Cooinda Coonabarabran is seeking a waiving of water and trade waste charges.

#### **Background**

The Chair of Cooinda Coonabarabran has written to Council seeking the waiving or reduction of Council water and trade waste charges (letter attached). The amount being sought for water is a waiving of \$40,907.28 and liquid trade waste charges of \$47,404.00.

#### **Water Charges**

In relation to the water charges an account was issued by Council on 4 October 2019 for \$50,263.02, Cooinda had an automatic payment arrangement with Council in place and the sum was paid. A short time after the account was paid Cooinda requested that due to the amount of the account and lack of available funds that it be refunded \$40,000.00 while arrangements were made, this was done.

The meter in question at the time was originally installed on 29 February 2016. Cooinda challenged the accuracy of the reading of the water meter and a test of the meter was carried out. The test revealed a meter recording error over read of 4.53% and as a result of the meter over reading a 'correction' of \$9,581.53 was applied to the account and the remaining balance of \$40,907.28 was to be paid by Cooinda (letter attached 10 November 2020). The large reduction not only took into account the over read of the meter but also the change in water charges from when the meter was originally installed. Another new water meter was installed and this also reinforced the high usage of water by Cooinda. The 10 November 2020 letter proposed a payment plan and waiving of interest but was not taken up by Cooinda. Interest charges were waived recently re-applied to the account.

A number of discussions have been held with Cooinda in relation to the account, included amongst those Cooinda advised in a letter of 8 December 2020 (attached) that it was seeking legal advice. Further discussions took place with Council and Cooinda representatives following that.

It is further claimed by Cooinda that:

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*'Our Hostel building is now over 45 years old and has some major plumbing problems due to pinhole leaks occurring in the copper piping beneath the concrete slab foundation. Coinda is also in receipt of a water report indicating that the town water quality has contributed towards these pin holes forming.'*

The Report by Barnsons (attached) of 19 October 2018 states:

*'The pin hole leaks have been caused by localised corrosion. Potential causes of the corrosion could be due to the chemical composition of the water causing accelerated local corrosion or electrolysis caused by stray electrical charges in the soil.'*

The Report further states:

*'From available literature copper pipes have a life expectancy of 40 to 70 years..... as such they are approaching the end of their design life, considering the water issues noted above.'*

Council's water supply very consistently meets requirements, here chemistry samples are taken every six months from the water supply system in each town and village across the Warrumbungle LGA. These samples are chemically analysed for their physical properties such as hardness and pH, and also for the presence of trace elements, salts, and metals. The most recent sample taken showed a result of 7.4, with an acceptable pH range of 6.5 to 8.7. These results are displayed and regularly updated on the Council website.

### **Trade Waste Charges**

As part of the State Government's requirements for Best-Practice Management of Water Supply and Sewerage Guidelines, Council adopted the Warrumbungle Shire Liquid Trade Waste Policy in February 2011. Furthermore, at its Ordinary Meeting on 15 August 2013 Council resolved *"that Council note that the implementation of the Warrumbungle Shire Trade Waste Policy over the coming months and that Council begin communicating with the local business community that may be affected"*.

Following the above resolution letters were sent to businesses across the Warrumbungle Shire in relation to the implementation of the Policy and setting of fees.

A number of letters and reports were sent to Coinda to inform of the need to become compliant with the Council Policy.

It is unclear how Coinda determined the figure of \$47,404. However an adjustment of \$5,555.39 has been made to the account on the same basis as the water charges.

The difference between compliant and non-compliant charges are:

Non-Compliant Charge	Compliant Charge	Difference
\$48,177.56	\$8,604.40	\$39,573.17

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It should be noted that Council has been, and continues to be, a significant recipient of grants for the improvement of water and sewer infrastructure often subject to a requirement that Council implements a Liquid Trade Waste Policy.

### **Fees**

In both instances the Council charges have been raised in accordance with Council policies.

The attached (confidential attachment) transaction history shows charges and payments on the relevant account. The assessment deals with water charges, sewer charges and trade waste charges.

Should Council wish to waive all or any part of the fees then it is to comply with the provisions of the NSW Local Government Act 1993 here Council may look to Section 610E:

### **610E COUNCIL MAY WAIVE OR REDUCE FEES**

- (1) A council may waive payment of, or reduce, a fee (whether expressed as an actual or a maximum amount) in a particular case if the council is satisfied that the case falls within a category of hardship or any other category in respect of which the council has determined payment should be so waived or reduced.*
- (2) However, a council must not determine a category of cases under this section until it has given public notice of the proposed category in the same way as it is required to give public notice of the amount of a proposed fee under section 610F(2) or*
- (3) Refund of the non-compliant discharger fees.*

Section 610E applies to:

### **610A APPLICATION OF DIVISION**

- (1) This Division applies to a fee charged by a council for any service relating to the following activities—*
  - (a) ...*
  - (b) ...*
  - (c) the carrying out of a water supply or sewerage service (other than a service provided, or proposed to be provided, on an annual basis for which the council is authorised or required to make an annual charge under section 501),*

In this instance Council has not determined a category of cases hence this Section is not available to it.

Alternatively Council may look to Section 356 of the Act which provides that Council may after resolution contribute money or otherwise grant financial assistance. This is on the basis that if the recipient acts for private gain must not receive any benefit under the section until at least 28 days public notice has been given. In this instance Cooinda Coonabarabran is registered as a Public Benevolent Institution and is endorsed as a Deductible Gift Recipient from 1 July 2000.

While Cooinda is a PBI for transparency purposes it would be appropriate, if Council resolved to contribute to Cooinda, for the proposal to be advertised. Cooinda is not the first business to seek a waiver of the Liquid Trade Waste fee, the most recent



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was the Coonabarabran Golf Club, however in this instance the Club had completed the required works at the time of the donation by Council.

### **Attachments**

1. Cooinda Aged Care Water Rates 10.05.22
2. Letter to Cooinda 10.11.2020
3. Letter re Cooinda Water account 8.12.20
4. Barnson Structural Investigation\_19.10.18
5. Inspection Report Cooinda Residential Aged Care 20-5-14
6. Post Inspection Letter Cooinda Residential Aged Care 8-9-14
7. Cooinda Residential Aged Care Reminder Letter Outstanding LTW Application 8-5-15
8. Letter to Cooinda Notice of Determination LTW 17-07-15
9. Inspection Report Cooinda Residential Aged Care 28-7-16
10. Post-Inspection Letter Cooinda Residential Aged Care 31-8-16
11. Inspection Report Cooinda Residential Aged Care 20-9-19
12. ABN Details
13. CONFIDENTIAL - Water Transaction History Cooinda 02.05.2022

### **RECOMMENDATION**

That Council not accede to Cooinda Coonabarabran's request to waive water and/or trade waste charges.

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### **Item 10 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>	Local Government and Finance
<b>Priority:</b>	GF4 Council governance and organisational structure reflects the vision, directions and priorities outlined in the Community Strategic Plan

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### **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

### **RECOMMENDATION**

That the Council Resolution Report be noted for information.

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### Item 11 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>	Local Government and Finance
<b>Priority:</b>	GF4 Council governance and organisational structure reflects the vision, directions and priorities outlined in the Community Strategic Plan

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### Reason for Report

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

### Background

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

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

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

### Issues

Nil

### Options

Nil

### Financial Considerations

As set out in the report.

### Community Engagement

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

### Attachments

1. Revote Report
2. High Value High Risk Revotes

### RECOMMENDATION

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

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### **Item 12 Draft Operational Plan 2022/23 and Delivery Program 2022/23-2025/26**

<b>Division:</b>	Corporate and Community Services
<b>Management Area:</b>	Financial Services
<b>Author:</b>	Manager Corporate Services – Jenni Maundrell
<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

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#### **Reason for Report**

Following consultation and public exhibition, and in line with Council's Integrated Planning and Reporting Framework, the draft 2022/23 Operational Plan and Budget, and draft Delivery Program 2022/23-2025/26 are presented to Council for consideration and endorsement.

The draft Operational Plan on public exhibition shows that operating revenue for 2022/23 is projected to be around \$53.1m, including Capital Grants and Contributions of \$13.97m and Operational Grants and Contributions of \$15.8m. Operating expenditure is projected as \$42.37m.

Therefore, the expected projected consolidated result is a deficit of \$3.26m before Capital Grant and Contributions and a projected net operating result surplus of \$10.71m after Capital Grant and Contributions.

A copy of the draft Operational Plan 2022/23 is provided as an attachment to this report. The draft also includes projected capital expenditure of \$21.13m.

Submissions on the Operational Plan closed on Tuesday 19 April 2022, with eight (8) submissions received for Council's consideration. Submissions are included in the attachments.

Additionally, Office of Local Government (OLG) Circular 22-06 / 1 April 2022 / A814194 'Information about Ratings 2022/23' is summarised within this report for Council's information.

#### **Background**

The draft 2021/22 Operational Plan and Budget sets out Council's proposed budget for next financial year. The budget is presented in the form of consolidated statements and schedules, together with a more detailed breakdown at a functional and/or by fund level.

The draft plans have been prepared following a series of budget meetings and workshops with managers, executive, and councillors over the past 4 months.

Workshops were held with councillors on:

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- Tuesday 8 March 2022
- Monday 14 March 2022

There are also a number of significant impacts that have affected Council's financial result in this financial year and will impact future financial year results. These include:

- Advance payment of Financial Assistance Grants;
- Impact of ongoing Asset Revaluation and the subsequent variation in depreciation;
- Emergency services contributions;
- Ongoing cost shifting from other levels of government although improved capital related grants are generally noted;
- Ongoing impact of rate pegging and the ability of an ageing population with limited means to pay;
- The ultimate success of implementation of the 372/1819 (18 April 2019) Resolution of Council relating to the adopted Financial Planning and Sustainability Policy;
- The continuation of lower rates of investment interest; and
- The impact of the drought and the effects of the Covid-19 pandemic going forward.

The *Local Government Act 1993* ('the LGA'), section 8B, provides an overview of principles of sound financial management for councils noting that the following principles of sound financial management apply to councils:

- (a) *Council spending should be responsible and sustainable, aligning general revenue and expenses.*
- (b) *Councils should invest in responsible and sustainable infrastructure for the benefit of the local community.*
- (c) *Councils should have effective financial and asset management, including sound policies and processes for the following:*
  - i. *performance management and reporting,*
  - ii. *asset maintenance and enhancement,*
  - iii. *funding decisions,*
  - iv. *risk management practices.*
- (d) *Councils should have regard to achieving intergenerational equity, including ensuring the following:*
  - i. *policy decisions are made after considering their financial effects on future generations,*
  - ii. *the current generation funds the cost of its services.*

The LGA, section 405, also outlines requirements in relation to Operational Plans, stating that:

- (1) *A council must have a plan (its "operational plan") that is adopted before the beginning of each year and details the activities to be engaged in by the council during the year as part of the delivery program covering that year.*

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- (2) *An operational plan must include a statement of the council's revenue policy for the year covered by the operational plan. The statement of revenue policy must include the statements and particulars required by the regulations.*
- (3) *A council must prepare a draft operational plan and give public notice of the draft indicating that submissions may be made to the council at any time during the period (not less than 28 days) that the draft is to be on public exhibition. The council must publicly exhibit the draft operational plan in accordance with the notice.*
- (4) *During the period of public exhibition, the council must have for inspection at its office (and at such other places as it may determine) a map that shows those parts of its area to which each category and sub-category of the ordinary rate and each special rate included in the draft operational plan applies.*
- (5) *In deciding on the final operational plan to be adopted, a council must consider any submissions that have been made concerning the draft plan.*
- (6) *The council must post a copy of its operational plan on the council's website within 28 days after the plan is adopted.*

Following the March Council meeting, Council placed the draft Operational Plan 2022/23 and Delivery Program 2022/23-2025/26 on public exhibition closing on Tuesday 19 April 2022.

The notice indicating the plans are on public exhibition indicated that submissions may be made to the Council at any time during the period of public exhibition.

### **Issues**

#### Operational Plan 2022/23

The main features of the draft Operational Plan for 2022/23 as placed on public exhibition are:

- The draft consolidated income statement shows that total revenue for 2022/23 is projected to be around \$53.1m. This total includes Capital Grants and Contributions of \$13.97m and Operational Grants and Contributions of \$15.8m. A projected consolidated result deficit of \$3.26m before Capital Grant and Contributions and a projected net Operating Result surplus of \$10.71m after Capital Grant and Contributions.
- A projected General Fund Operating Result deficit of \$3.9m before Capital Grant and Contributions and a projected net Operating Result surplus of \$5.5m after Capital Grant and Contributions (includes Waste).
- A projected Water Fund Operating Result surplus of \$539,000 before Capital Grant and Contributions and a projected net Operating Result surplus of \$2.7m after Capital Grant and Contributions.
- A projected Sewer Fund Operating Result deficit of \$104,000 before Capital Grant and Contributions and a projected net Operating Result surplus of \$2.35m after Capital Grant and Contributions.

#### Rates, Annual Charges and Fees and Charges

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The rates model proposed as part of the Operational Plan includes a 2.5% rate increase for general rates subject to approval by the NSW Independent Pricing and Regulatory Tribunal (IPART). Should IPART reject Council's application then a 0.7% increase will be applied. Additionally, the Operational Plan proposes a 3.5% increase in waste charges, a 5% increase in sewer charges, and a 5% increase in water access and usage charges. Maps that show those parts of Council's area to which each category and sub-category of the ordinary rate and each special rate included in the draft Operational Plan applies is included in the documentation.

Sections 501 and 502 of the LGA provide information on what services Council can impose an annual charge and charges for actual use.

Section 501 states:

- (1) *A council may make an annual charge for any of the following services: provided, or proposed to be provided, on an annual basis by the council:*
  - *water supply services*
  - *sewerage services*
  - *drainage services*
  - *waste management services (other than domestic waste management services)*
  - *any services prescribed by the regulations.*
- (2) *A council may make a single charge for two or more such services.*
- (3) *An annual charge may be levied on each parcel of rateable land for which the Service is provided or proposed to be provided.*

Section 502, in relation to charges for actual use, states that, a council may make a charge for a service referred to in section 496 or 501 according to the actual use of the service.

In line with this, Council has developed its Revenue Policy, including fees and charges for the 2022/23 financial year. Council has proposed a number of increases in fees and charges for the 2022/23 financial year.

### Water Fund

In order for the Water Fund to once again become self-sufficient, as is required by the NSW Government, an increase in fees and charges has been proposed at 5%. The 2022/23 result has been modelled on achieving a net operating result before capital grants and contributions of a surplus of \$539,000.

### Sewer Fund

In order for the Sewer Fund to once again become self-sufficient, as is required by the NSW Government, a change in fees and charges has been proposed at 5%. The 2022/23 result has been modelled on achieving a net operating result before capital grants and contributions of a deficit of \$104,000.

### Waste

Section 496 of the LGA, in relation to making and levying of annual charges for domestic waste management services, states that:

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- (1) *A council must make and levy an annual charge for the provision of domestic waste management services for each parcel of rateable land for which the service is available.*
- (2) *A council may make an annual charge for the provision of a domestic waste management service for a parcel of land that is exempt from rating if:*
  - (a) *the service is available for that land, and*
  - (b) *the owner of that land requests or agrees to the provision of the service to that land, and*
  - (c) *the amount of the annual charge is limited to recovering the cost of providing the service to that land.*

Further to this, section 504 states that, in relation to domestic waste management services:

- (1) *A council must not apply income from an ordinary rate towards the cost of providing domestic waste management services.*
  - (1A) *Subsection (1) does not prevent income from an ordinary rate from being lent (by way of internal loan) for use by the council in meeting the cost of providing domestic waste management services.*
- (2) *Income to be applied by a council towards the cost of providing domestic waste management services must be obtained from the making and levying of annual charges or the imposition of charges for the actual use of the service, or both.*
- (3) *Income obtained from charges for domestic waste management must be calculated so as to not exceed the reasonable cost to the council of providing those services.*

In line with these requirements, a change in fees and charges has been proposed. The 2022/23 result has been modelled on achieving a net operating result before capital grants and contributions of a surplus of \$218,000. Waste is normally included as part of General Fund activities.

### Public Exhibition Net Operating Results before Capital Grants and Contributions

The draft 2022/23 Operational Plan budget, as it currently stands, results in a consolidated Operating Result deficit of \$3.26m.

### OLG Circular 22-06 / 1 April 2022 / A814194 'Information about Ratings 2021-22'

The Circular prescribes the following four changes in the Ratings 2022/23, out of which only the second one would impact the Council:

- The maximum boarding house tariffs for 2022/23 have been determined. This is not applicable to the Council.
- The maximum interest rate payable on overdue rates and charges for 2022/23 has been determined. This is further elaborated below.
- The section 603 certificate fee for 2022-23 has been determined.
- The statutory limit on the maximum amount of minimum interest rates for 2022/23 has been determined for commencement on 1 July 2022.



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In regards to interest rates payable, the Circular states that pursuant to section 566(3) of the LGA it has been determined that the maximum rate of interest payable on overdue rates and charges for the period 1 July 2022 to 30 June 2023 (inclusive) will be 6.0% per annum.

### Depreciation Expense

Revaluation of water and sewer infrastructure assets are not yet finalised. The impact of revaluation on depreciation will be incorporated in QBRs1 of 2022-23.

### Submissions

In all, eight (8) comments, submissions and recommendations were received from members of the public as summarised in the table below.

<b>Description</b>	<b>Staff comment</b>	<b>Recommendation</b>
Reduced rate for pool season tickets in line with the reduction of the operation for the season.	Council will be asked to consider the operating hours of all pools when the review of the pool season report is tabled in June. It should be noted that season ticket holders are eligible to gain entry to any of the six pools in the Shire.	No change.
Remove kerb and guttering charge for residents.	The cost sharing of the installation of new kerb and guttering between council and adjoining ratepayers is considered to be fair and reasonable.	No change.
Restore table drains around the village of Leadville.	Staff will investigate and carry out any necessary maintenance.	Staff to investigate and carry out any necessary work under routine maintenance.
Opposed to proposed rate increases. Alleges that rate increase is due to waste of rate payer's money in recent times.		That Council endorse the proposed rate increase.
Bowen Oval Equipment Storage listed as 100% funded but no amount noted in budgets; this was to be funded under LRCI phase 3 if the Bowen Oval netball courts were successfully funded from another grant, which happened.	This project is number 13 on the priority listing as resolved by council. The first 8 projects are to be funded in LRCI Phase 3. It is hoped the remainder of the projects will be funded in Phase 4.	No change.
Binnia St footpaths is included in Capital Projects; reminder if in CBD area to refer to CBD streetscape	Noted.	No change.

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<p>plan and consider paving if in 2<sup>nd</sup> block in CBD area.</p>		
<ul style="list-style-type: none"> <li>• Submission that Operational Plan clearly stipulate that budget for 'Community Development' is for Community Development Coordinators.</li> <li>• Accommodate Coolah District Development Group storage requirements when doing the disabled toilet development at Coolah.</li> <li>• Inadequate budget for town signage project.</li> <li>• Concerns around allocation of funds for the Sewage Treatment Plant upgrade and replacement of Martin St Reservoir – are these grant funded, or rate payer revenue?</li> <li>• Query why Streets as Shared Spaces is included in Delivery Program – are all other external grants displayed?</li> <li>• Annual Donations:             <ul style="list-style-type: none"> <li>○ Consider automatic donations to churches, schools, halls instead of having to apply annually.</li> <li>○ The draft proposes that Coonabarabran Swimming Club will receive \$500: <i>'apparently we should have put in for Coolah Swimming club'</i>.</li> <li>○ 11 schools across LGA are listed to split \$770 – why not churches, halls under same banner?</li> </ul> </li> </ul>	<p>Coolah STP is part funded by DPIE and part funded by Council.</p> <p>Martin Street Reservoir is funded by Council. Has been projected for replacement for a number of years</p> <p>Regarding Annual Donations:</p> <ul style="list-style-type: none"> <li>• Prior to 2019, Annual Donations were made to several groups without application. Groups making an application for donations is regarded as a more equitable and transparent process.</li> <li>• Coolah Swimming Club did not make an application. Annual Donation applications were advertised through print and social media, as well as direct emails to Community Development Coordinators asking them to share the information with local community and sporting groups. Applications were received from 8 sporting groups, up from 4 in 2021/22.</li> <li>• \$70 per school was included in the list of annual donations, being for a Council- sponsored award at the end of each calendar year. This is a relatively small amount per school compared to automatic donations to churches and halls for rates reductions.</li> <li>• Coolah Landcare application for annual</li> </ul>	

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<ul style="list-style-type: none"><li>○ Coolah Landcare \$1,000 – submitted to cover Council mowing etc.</li><li>○ Annual Donations/ Financial Assistance Donations are confusing for the community, process should be clear, concise and simple.</li></ul>	<p>donations was not for Council mowing.</p> <ul style="list-style-type: none"><li>● Guidelines for donations were reviewed in 2021 and the process was streamlined. Donation opportunities are heavily advertised in print and online media and directly to Community Development Coordinators.</li></ul>	
<p>Maintenance on Goolhi Hall:</p> <ul style="list-style-type: none"><li>● Re-stumping of the hall;</li><li>● Floors sanded and sealed;</li><li>● Painting hall and toilet block;</li><li>● Replace water tank;</li><li>● Tennis courts sprayed, scrapped with a leveller and fence repaired.</li></ul>	<p>This work can be prioritised along with all other halls. It should be noted that funding was previously provided to replace the water tank and the committee chose to reallocate the funds to other priorities.</p>	<p>Request to be noted and considered with other hall needs.</p>

### Donations

A number of annual donations are proposed in the draft Delivery Program (Donations Policy). Applications for annual donations were open from 21 January 2022 – 18 February 2022, and were considered by Council with the draft Operational Plan and Delivery Program at the March 2022 Council meeting. No changes are proposed following the period of public exhibition.

The Donations Policy also contains guidelines for donations, which were reviewed by Council in July 2021 (Resolution 13/2122). The review was held in response to concerns by community groups that the Community Financial Assistance Donations, offered twice per year and capped at \$500 per group each round, were overly complicated for groups to access for a relatively small amount of financial assistance. In line with making the applications more accessible, it is now proposed that the requirement for community groups to complete a financial acquittal for donations up to \$500 is removed. Further, it is now proposed that a timeframe for claiming funding up to \$500 made under the Community Financial Assistance donations is clarified so that funding must be claimed within six (6) months of the Council meeting at which the funding was approved.

### **Options**

Council may adopt the draft Operational Plan 2022/23 and Delivery Program 2022/23-2025/26 as presented, or with amendments. Any material amendment will be required to be placed on public exhibition before adoption.

### **Financial Considerations**

As outlined in the draft documents.

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### **Community Engagement**

The level of engagement for this item is Inform.

The community is informed through publication of the business paper; the Ordinary Council meeting; Council's website; print and social media.

### **Attachments**

1. Draft Operational Plan 2022/23
2. Draft Delivery Program 2022/23 – 2025/26
3. Draft Revenue Policy, Fees and Charges incorporating the Annual Donations Policy and Rate Maps.
4. Submissions received during the public exhibition period.

### **RECOMMENDATION**

That Council endorses the draft Operational Plan 2022/23 including the Delivery Program 2022/23-2025/26 and the Revenue Policy as placed on Public Exhibition.

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### **Item 13 Delivery Program Progress Report – 3<sup>rd</sup> Quarter 2021/22**

<b>Division:</b>	Corporate and Community Services
<b>Management Area:</b>	Governance
<b>Author:</b>	Manager Corporate Services – Jenni Maundrell
<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

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#### **Reason for Report**

To present the quarterly Delivery Program Progress Report for the period 1 July 2021 to 31 March 2022 to Council for their information and endorsement.

#### **Background**

It is a requirement of section 404(5) of the *Local Government Act 1993* (NSW) and the Integrated Planning and Reporting Framework that regular progress reports are provided to Council with respect to the principal activities detailed in its Delivery Program. Progress reports must be provided at least every six months.

#### **Issues**

The attached report details Council's progress for the period 1 July 2021 to 31 March 2022 in carrying out and/or completing activities identified in the Delivery Program 2017/18 to 2020/21 adopted by Council at its Ordinary meeting of 15 June 2017 (Resolution 310/1617). The report highlights areas where progress is behind schedule and/or more action is required.

Due to the postponement of local government elections in 2020 in response to the COVID-19 pandemic, the four-year Delivery Program adopted in 2017 has continued for an extra 12 months. A new Delivery Program will be adopted with the commencement of a new Integrated Planning and Reporting cycle, which begins after the election held on 4 December 2021.

#### **Options**

Nil

#### **Financial Considerations**

Nil

#### **Attachments**

1. Delivery Program Progress Report – 31 March 2022

#### **RECOMMENDATION**

That Council endorses the Delivery Program Progress Report for the period 1 July 2021 to 31 March 2022.

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### Item 14 Draft Community Strategic Plan 2022-2037

<b>Division:</b>	Corporate and Community Services
<b>Management Area:</b>	Governance
<b>Author:</b>	Manager Corporate Services – Jenni Maundrell
<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

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### **Reason for Report**

The reason for this report is to seek Council endorsement of the draft Community Strategic Plan 2022-2037.

### **Background**

All councils in NSW are required to adopt a CSP pursuant to section 402 of the Local Government Act 1993 (NSW) and in line with the Office of Local Government's Integrated Planning and Reporting (IP&R) Framework.

The CSP is the highest-level plan that a council prepares. The purpose of the CSP is to identify the community's main priorities and aspirations for the future and to plan strategies for achieving these goals. It guides all other strategies and plans and must be developed by councils with and on behalf of the community.

The CSP must cover a period of at least 10 years; however, each new term of Council is required to review and adopt a new CSP. The CSP must be adopted before 30 June in the year following an ordinary election of Council, meaning the next CSP must be adopted before 30 June 2022.

### **Issues**

The CSP is developed by each council, but is a community document – the council has a caretaker role of the CSP. The Council undertakes extensive community consultation, led by its Community Engagement Strategy, to understand the needs and aspirations of the community and develop the CSP based on those community demands. The resulting plan contains community objectives, together with strategies to achieve each objective. The council will not necessarily be the agent responsible for actioning each strategy, but should have some role in facilitating each strategy and monitoring its delivery.

Essential elements of a CSP are that it:

- is developed and delivered as a partnership between the council, state agencies, business and industry groups, community groups and individuals. It addresses a broad range of issues that are relevant to the whole community;
- addresses, and is adequately informed by relevant information relating to, civic leadership, social, environmental and economic issues in an integrated manner;

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- is based on social justice principles of equity, access, participation and rights;
- has due regard to the NSW Government's State Priorities and other relevant state and regional plans.

Information that must be considered when preparing the CSP is that which:

- identifies key issues and challenges for the local government area (LGA), or surrounding region;
- relates to any relevant state and/or regional plans, strategies and priorities;
- indicates the levels of service the community expects.

The basic structure of a CSP includes:

- a community vision statement;
- strategic objectives for the community that address social, environmental, economic and civic leadership issues identified by the community (commonly referred to as the 'quadruple bottom line');
- strategies for achieving each objective;
- an explanation of who is responsible for delivering each strategy. Where Council has an oversight role for a strategy but is not the key agency that delivers it, the CSP should explain the role Council will play in facilitating the delivery of the strategy and how it will monitor delivery;
- methods of assessment for determining whether the objectives are being achieved.

Following an ordinary election of councillors, the new council must review the CSP. The council may endorse the existing plan, endorse amendments to the existing plan, or develop and endorse a new CSP. The review of the CSP must include:

- a report on the progress of implementation and the effectiveness of the CSP. This report is known as the End of Term Report and tabled at the final meeting of an outgoing council;
- a review of the information that informed the previously endorsed CSP. This comprised a series of community consultation meetings and the development of "The Little Book of Big Ideas". The community consultation identified that the existing CSP was still relevant to community needs (Ordinary Council Meeting of 18 May 2017, 'Item 21 – Community Strategic Plan 2017-32');
- a review of the Council's Community Engagement Strategy.

A range of community consultation methods were utilised for the development of the draft CSP. The consultation included the 'Building our Warrumbungle Communities' workshops, held across the LGA in May 2021; the professionally-conducted Customer Satisfaction Survey, undertaken in July 2021; and a request for submissions on the existing CSP was put out in November 2021. Further, Council holds two rounds of Community Consultation Meetings in towns and villages throughout the LGA each year, which is an opportunity for community members to directly engage with Council about their local issues.

Council considered a draft Community Strategic Plan at its Ordinary meeting of 17 March 2022. The draft CSP was placed on public exhibition after that meeting, with submissions open until Tuesday 19 April 2022. A total of two (2) submissions were received. It is noted that the submissions are critical of the draft CSP on the basis that it lacks the substance of containing a 4-year plan of community projects. The

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Council plan that contains a 4-year plan of projects is the Delivery Program. On the basis of the submissions received, no changes are proposed to the draft CSP.

### **Options**

Council may endorse the draft CSP as presented, or endorse an amended draft to go on public exhibition.

### **Financial Considerations**

Nil

### **Community Engagement**

The level of engagement for this item is Inform

The community is informed through the Council business paper, website, print and online media.

### **Attachments**

1. Draft Community Strategic Plan 2022-2037
2. Submissions received on the draft CSP

### **RECOMMENDATION**

That Council endorses the draft Community Strategic Plan 2022-2037.



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### Item 15 Community Engagement Strategy

<b>Division:</b>	Corporate and Community Services
<b>Management Area:</b>	Governance
<b>Author:</b>	Manager Corporate Services – Jenni Maundrell
<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

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### Reason for Report

The reason for this report is to seek adoption of the reviewed Community Engagement Strategy following a period of public exhibition.

### Background

The Community Engagement Strategy must be reviewed within 3 months of the local government elections, as part of the broader review of the Community Strategic Plan. The draft *Community Engagement Strategy 2022-2026* was placed on public exhibition with submissions invited from 25 February 2022 – 25 March 2022.

### Issues

All councils in NSW are required to adopt a Community Engagement Strategy pursuant to section 402A of the *Local Government Act 1993* (NSW) (the Act) and in line with the Office of Local Government's Integrated Planning and Reporting (IP&R) Framework.

The Community Engagement Strategy recognises that community engagement is at the heart of local government. It helps communities to be active participants in shaping their own future and play a part in positive change. Councils have a vital role to play in opening opportunities for community members to be involved in the strategic planning process.

A Community Engagement Strategy must be prepared, adopted and implemented, based on social justice principles, for engagement with the local community to support Council in developing its plans and determining key activities. This includes development of the Community Strategic Plan, and all relevant Council plans, policies and programs. As a minimum, the Community Engagement Strategy must identify relevant stakeholder groups within the community and outline methods that will be used to engage each group.

Council adopted its *Community Engagement Strategy 2020-2024* in March 2020. At that time, all councils were required to have a Community Engagement Strategy for the purpose of reviewing the Community Strategic Plan; an amendment to the Act had passed NSW Parliament, although not yet commenced, that would require councils to have a strategy for engagement with the local community when developing all plans, policies and programs, and for the purpose of determining its

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activities (other than routine administrative matters). Although not required in 2020, the *Community Engagement Strategy 2020-2024* was drafted to be compliant with the impending amendment to the Act.

In line with the requirements of the IP&R Framework, the *Community Engagement Strategy 2020-2024* has been reviewed. Amendments proposed to the Strategy are largely immaterial, and include:

- Changes to the elected body following the December 2021 election.
- Recent changes to the Executive Leadership Team.
- Updates to formatting.
- An amendment to information about legislative requirements, reflecting the amendments to the Act that have now commenced.

During the period of public exhibition, a total of three (3) submissions were received, of which two (2) directly relate to the draft Strategy. Submissions are provided as an attachment. Following consideration of the submissions, an extra section has been drafted in the Strategy to address how Council uses community feedback, and how success is measured.

A copy of the reviewed Community Engagement Strategy, with changes highlighted, is attached to this report.

### **Options**

Council must review the Community Engagement Strategy in its first three months. Council may endorse the draft review as presented, or endorse an amended draft.

### **Financial Considerations**

Nil

### **Community Engagement**

The level of engagement for this item is Inform.

The community is informed through publication of the business paper; the Ordinary Council meeting; Council's website; print and social media.

### **Attachments**

1. Draft reviewed Community Engagement Strategy 2022-2026

### **RECOMMENDATION**

That Council adopts the *Community Engagement Strategy 2022-2026*.

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### **Item 16 Community Development Coordinator Program – Memorandum of Understanding (MOU)**

<b>Division:</b>	Corporate and Community Services
<b>Management Area:</b>	Community Services
<b>Author:</b>	General Manager – Roger Bailey
<b>CSP Key Focus Area:</b>	Community and Culture
<b>Priority:</b>	CC5 Smaller communities across the Shire remain sustainable

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#### **Reason for Report**

To seek Council endorsement of the Memorandum of Understanding for the Community Development Coordinator Program.

#### **Background**

The Community Development Coordinator Program is a program that promotes and supports community partnerships and collaboration throughout Warrumbungle Shire. The purpose of the program is to build active and sustainable communities in order to enhance community social, economic and environmental objectives. In other words, community development is about community members taking the lead and deciding how they want their community to be, and how to make it a better place.

The program has provided support to each of the six (6) communities in the Shire to attract funding for community development activities including local infrastructure, programs and projects which relate specifically to the needs of each community.

This program was originally developed in 2005 with the intent that a community development strategy would be useful in empowering the towns throughout the LGA following recommendations for the amalgamation of Coolah and Coonabarabran Shire Councils.

The Community Development Coordinator Program was a finalist and winner in the NSW Local Government Excellence Awards for 2017. The awards recognised the excellent contributions and outstanding achievements and innovations being implemented to advance and improve the local government sector in New South Wales. Additionally, in 2017, the National Federation Awards was founded by LG Professionals Australia. As the winner of the NSW Local Government Community Partnerships and Collaboration Award winner this saw the WSC CDC program being automatically shortlisted as a finalist; although, not the winner.

The Warrumbungle Community Development Achievement (2017-2021) strategy was also nominated for the NSW LG Excellence Awards 2021 in the Community Partnerships and Collaboration category. The Community Development Officers worked closely with their local Progress Associations or Economic Development Committees to achieve a broad range of outcomes in their local communities; have woven their sound leadership and liaison skills into the fabric of their communities

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and realised excellence in community development in the process whether social, economic arts and cultural enhancement. The high level of success with grant funding lies at the foundation of excellent communication, analytical skills and localised Community Development Officer mentoring. The achievements over the past four years of the Community Development Coordinator program have been very pleasing.

The program has been an example of genuine and effective partnerships that have resulted in better outcomes for Council, as well as each of the communities.

Council has, in the past, entered in to a Memorandum of Understanding for a period of four (4) years. The Memorandum of Understanding relates to the provision of funding, by Council, to be used by each group to employ a part-time Community Development Coordinator to meet the terms and conditions of this Memorandum of Understanding.

Community Development is about community members taking the lead and not being nurtured in a dependent model on external facilitators. The evidence of our CDC program, with local progress associations/economic development groups directly managing the strategy is testimony to the success of this approach and, resonates a direct link to Council's Community Strategic Plan (2017-2032)

GF2 The demographic makeup of the community is well represented in local activities, service delivery and decision-making

GF7.1 Ensure that communities of the Shire have opportunities to be informed about and involved in Council's activities and decision-making

CC2 Issues arising from social isolation in communities across the Shire are identified and the causes effectively addressed

CC3 Our Shire is home to vibrant arts and cultural life and supported as an essential aspect of community well-being

CC4 There is a high degree of public involvement outlined in the Community Strategic Plan in community activities including volunteerism

CC5 Smaller communities across the Shire remain sustainable

CC6 The causes and effects of economic and social disadvantage in communities across the shire are identified and addressed

CC7 Communities and organisations across the Shire collaborate to raise awareness of and respect for locals indigenous heritage and culture

### **Issues**

The Memorandum of Understanding outlines the agreement between Council and the Development Group / Progress Association in relation to the Community Development Coordinator Program.

The Memorandum of Understanding provides an agreement that outlines:

- what funding is to be used for
- requirements in relation to the employment of a Community Development Coordinator
- expected outcomes
- expectations in relation to reporting and attendance at meetings
- Council's financial contribution

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Council ratified the introduction of the Community Development Coordinator (CDC) Program in a Memorandum of Understanding (MOU) with local progress associations/ economic development groups that articulated the provision of the four-year funding regime to employ a part time Community Development Coordinator to meet the terms and conditions of this MOU. The amount grew in 2005 from \$10,000 per annum per Association to \$16,000 (2013 to 2017); \$25,000 (2017 to 2021). Council adopted a total budget of \$150,000 for the 2021-22 period for the Community Development Coordinator Program however chose to provide each with \$27,000 per town, with the exception of Coonabarabran where the group had been inactive for a period of time.

A report was considered by Council at the February 2022 Council Meeting in relation to the Memorandum of Understanding for the Community Development Coordinator Program. **Resolution 188/2122:**

*That Council:*

- 1. Endorse the Memorandum of Understanding for the Community Development Coordinator Program and enter into the arrangements with each of the local Development Groups and Progress Associations for a one year period (2021-22);*
- 2. Make available \$27,000 for each of the Development Groups or pro-rated if the groups have been inactive or without a Community Development Coordinator; and.*
- 3. Further review the MOU prior to the end of the financial year.*

The MOU was circularised amongst councillors for comment.

A copy of the Memorandum of Understanding is provided as an enclosure.

### **Options**

Council can choose to:

- Endorse the Memorandum of Understanding as presented;
- Endorse an amended Memorandum of Understanding; or
- Not endorse a Memorandum of Understanding for this program.

### **Financial Considerations**

Funding of \$162,000 per annum (\$27,000 each group) has been allocated in the 2022-23 Council budget for the Community Development Coordinator Program.

### **Community Engagement**

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

### **Attachments**

1. Draft Memorandum of Understanding - Community Development Coordinator Program

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### **RECOMMENDATION**

That Council endorse the Memorandum of Understanding for the Community Development Coordinator Program and enter into the arrangements with each of the local Development Groups and Progress Associations for the period 2022/23 to 2023/24.

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### Item 17 Investments and Term Deposits – month ending 30 April 2022

<b>Division:</b>	Corporate and Community Services
<b>Management Area:</b>	Financial Services
<b>Author:</b>	Finance Officer – Rachael Carlyle
<b>CSP Key Focus Area:</b>	Local Governance and Finance
<b>Priority:</b>	GF4 Council's governance practice and organisational structure reflects the vision, directions and priorities outlined in the Community Strategic Plan

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

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

#### **Issues**

##### **Comments on Performance**

##### Marketable Securities, Term Deposits and At Call Investment Accounts

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

##### Marketable Securities

Council currently holds no Marketable Securities.

##### Term Deposits

During the month, \$2,000,000.00 worth of term deposits matured, earning Council a total of \$4,766.30 in Interest.

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

- \$2,000,000.00 with CBA at a rate of 2.00%
- \$1,000,000.00 with WBC at a rate of 2.50%
- \$1,000,000.00 with WBC at a rate of 2.50%

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- \$1,000,000.00 with WBC at a rate of 2.55%
- \$1,000,000.00 with MAQ at a rate of 2.05%

The balance of the term deposits at the end of the month was \$22,000,000.00.

### 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, \$97.88 interest was earned on the balances in the accounts and net transfers of \$999,985.00 were made from these accounts resulting in a month end balance of \$2,327,478.77.

### Cash at bank balance

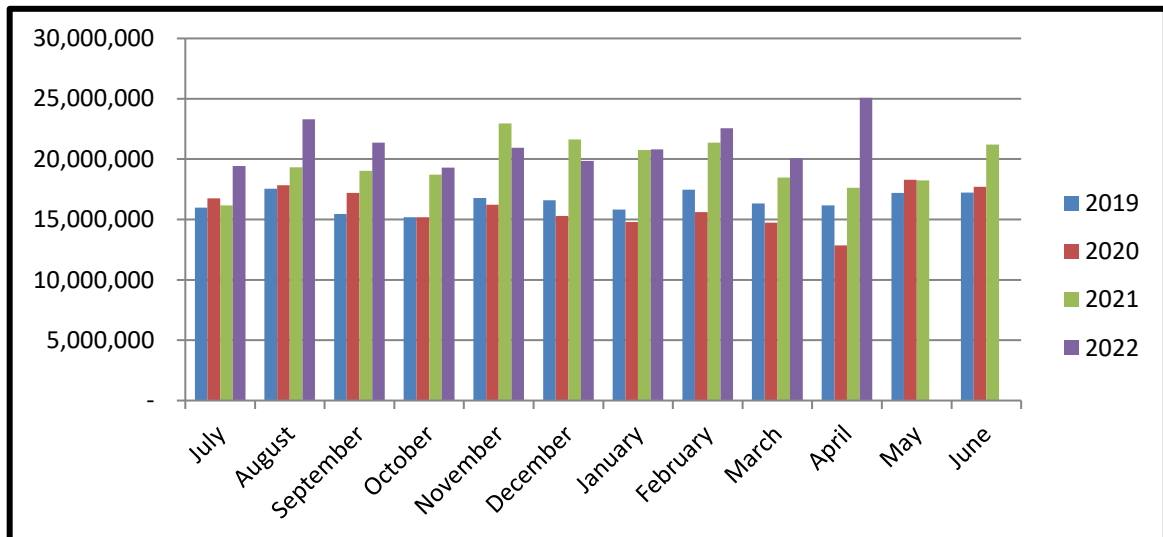
In addition to the at call accounts and term deposits, as at 30 April 2022, Council had a cash at bank balance of \$728,697.78.

### Income Return

The average rate of return on Investments for April 2022, of 0.9217% exceeded Council's benchmark Bank Bill Swap Rate (BBSW) of 0.07120% by 29 points or 0.2097%.

Council's budget for year 2021/22 for interest on investments is \$140,000.00. At the end of April 2022, the amount of interest received and accrued should be around 83.33% of the total year budget, i.e. \$116,666.67. On a year to date basis, interest received and accrued totals \$73,031.73, which is 52.166% of the annual budget.

### **Graph by Month Investments**





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**Table 1: Investment Balances – 30 April 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%	1,500,195.54
ANZ	2-Nov-18	At Call	at call	ADI	ADI	0.01%	6,723.92
T Corp IM Cash Fund	3-Nov-18	At Call	at call	P	P	0.08%	298,855.40
CBA At Call	4-Nov-18	At Call	at call	ADI	ADI	0.01%	521,703.91
							<b>2,327,478.77</b>
<b>Term Deposits</b>							
CBA	29-Nov-21	10-May-22	162	ADI	ADI	0.35%	1,000,000.00
NAB	09-Jun-21	23-May-22	348	LMG	LMG	0.30%	1,000,000.00
MAQ	18-Jun-21	15-Jun-22	362	ADI	ADI	0.40%	500,000.00
AMP	10-Aug-21	05-Jul-22	329	UMG	UMG	0.75%	500,000.00
NAB	18-Aug-21	26-Jul-22	342	ADI	ADI	0.29%	1,000,000.00
NAB	29-Sep-21	17-Aug-22	322	ADI	ADI	0.35%	1,000,000.00
CBA	26-Oct-21	07-Sep-22	316	UMG	UMG	0.44%	1,500,000.00
MAQ	28-Sep-21	28-Sep-22	365	LMG	LMG	0.40%	1,000,000.00
WBC	29-Nov-21	19-Oct-22	324	ADI	ADI	0.45%	1,000,000.00
WBC	29-Nov-21	09-Nov-22	345	ADI	ADI	0.50%	1,000,000.00
AMP	24-Nov-21	24-Nov-22	365	ADI	ADI	1.00%	1,000,000.00
NAB	28-Jan-22	14-Dec-22	320	ADI	ADI	0.67%	1,000,000.00
CBA	06-Dec-21	15-Dec-22	374	ADI	ADI	0.55%	1,500,000.00
NAB	19-Jan-22	19-Jan-23	365	ADI	ADI	0.68%	1,000,000.00
MAQ	07-Feb-22	07-Feb-23	365	ADI	ADI	0.75%	500,000.00
NAB	28-Feb-22	23-Mar-23	388	ADI	ADI	0.83%	1,000,000.00
MAQ	03-Mar-22	20-Apr-23	413	ADI	ADI	0.95%	500,000.00
CBA	29-Apr-22	20-Dec-22	235	ADI	ADI	2.00%	2,000,000.00

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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	ADI	ADI	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>22,000,000.00</b>
						<b>Total</b>	<b>24,327,478.77</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

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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	195.44	0.10	1,500,000.00	1,500,195.54
ANZ	6,738.86	0.06	(15.00)	6,723.92
T Corp IM	798,757.68	97.72	(500,000.00)	298,855.40
CBA At Call	521,703.91			521,703.91
<b>Total at call</b>	<b>1,327,395.89</b>	<b>97.88</b>	<b>999,985.00</b>	<b>2,327,478.77</b>
CBA	1,000,000.00	1,166.30	(1,001,166.30)	-
WBC	1,000,000.00	3,600.00	(1,003,600.00)	-
CBA	1,000,000.00	-	-	1,000,000.00
NAB	1,000,000.00	-	-	1,000,000.00
MAQ	500,000.00	-	-	500,000.00
AMP	500,000.00	-	-	500,000.00
NAB	1,000,000.00	-	-	1,000,000.00
NAB	1,000,000.00	-	-	1,000,000.00
CBA	1,500,000.00	-	-	1,500,000.00
MAQ	1,000,000.00	-	-	1,000,000.00
WBC	1,000,000.00	-	-	1,000,000.00
WBC	1,000,000.00	-	-	1,000,000.00
AMP	1,000,000.00	-	-	1,000,000.00
NAB	1,000,000.00	-	-	1,000,000.00
CBA	1,500,000.00	-	-	1,500,000.00
NAB	1,000,000.00	-	-	1,000,000.00
MAQ	500,000.00	-	-	500,000.00
NAB	1,000,000.00	-	-	1,000,000.00
MAQ	500,000.00	-	-	500,000.00
CBA	-	-	2,000,000.00	2,000,000.00
WBC	-	-	1,000,000.00	1,000,000.00
WBC	-	-	1,000,000.00	1,000,000.00
MAQ	-	-	1,000,000.00	1,000,000.00
WBC	-	-	1,000,000.00	1,000,000.00
<b>Total Term deposits</b>	<b>18,000,000.00</b>	<b>4,766.30</b>	<b>3,995,233.70</b>	<b>22,000,000.00</b>
<b>Total</b>	<b>19,327,395.89</b>	<b>4,864.18</b>	<b>4,995,218.70</b>	<b>24,327,478.77</b>

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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	298,855.40	1.23%	33.30%	Compliant
	Total Prime	298,855.40	1.23%	100.00%	Compliant
ANZ	ADI	6,723.92	0.03%	33.30%	Compliant
CBA	ADI	6,521,703.91	26.81%	33.30%	Compliant
WBC	ADI	5,000,000.00	20.55%	33.30%	Compliant
NAB	ADI	7,500,195.54	30.83%	33.30%	Compliant
	Total ADI	19,028,623.37	78.22%	100.00%	Compliant
MAQ	UMG	3,500,000.00	14.39%	20.00%	Compliant
	Total UMG	3,500,000.00	14.39%	60.00%	Compliant
ME	LMG	-	0.00%	10.00%	Compliant
AMP	LMG	1,500,000.00	6.17%	10.00%	Compliant
	Total LMG	1,500,000.00	6.17%	10.00%	Compliant
	<b>Grand Total</b>	<b>24,327,478.77</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.

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**Responsible Accounting Officer**

### RECOMMENDATION

That Council accept the Investments Report for the month ending 30 April 2022 including a total balance of \$25,056,176.55 being:

- \$2,327,478.77 in at call accounts.
- \$22,000,000.00 in term deposits.
- \$728,697.78 cash at bank.

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### Item 18 Robertson Oval Advisory Committee

<b>Division:</b>	Technical Services
<b>Management Area:</b>	Urban Services
<b>Author:</b>	Director Technical Services – Gary Murphy
<b>CSP Key Focus Area:</b>	Recreation and Open Space
<b>Priority:</b>	R01 The planning and provision of local sports and recreation facilities and parklands reflect community needs and anticipated demographic changes.

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### **Purpose**

The purpose of this report is to advise Council of an additional late nomination for community membership of the Robertson Oval Advisory Committee and to seek endorsement of this.

### **Background**

Council at its meeting on 17 March 2022 resolved the following:

*'233/2122 RESOLVED that the following nominations are accepted for membership of the Robertson Oval Advisory Committee:*

- *Mr Matthew Guan*
- *Mrs Monica Foran'*

The first meeting of the Committee has been set for Wednesday 25 May 2022.

One of the items on the agenda is an update on the status of the Robertson Oval Amenities Building Project by Council's Project Manager. The Project Manager requested that Mr Chris Sullivan be invited to attend the meeting because of his previous involvement in the project and previous Committee membership.

Mr Sullivan was duly invited, he accepted the invitation and also sent through a late nomination for membership of the Robertson Oval Advisory Committee.

Mr Sullivan was contacted and advised that nominations had closed.

He acknowledged that and explained that he did not submit an expression of interest at the time because he was hoping other members of the community would apply.

When he subsequently learnt that Council had only received two nominations, he decided to submit a late nomination.

### **Issues**

The Terms of Reference state that the Committee representation will be comprised of four (4) community representatives, or as determined by Council.

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There are currently only two (2) community representatives on the Committee.

Including another community member is within the scope of the Terms of Reference.

### **Options**

Council can choose to accept or not accept the late nomination.

Mr Sullivan has extensive involvement in and experience with Robertson Oval and would be considered to be a valued community member.

### **Community Engagement**

The community has been engaged in the nomination process through online and print media.

### **Financial Considerations**

The establishment and operation of an Advisory Committee to Council will have minimal impact on Council's budget, however staff resources will be required to administer the Committee.

### **Attachments**

1. Late Nomination for Membership of Robertson Oval Advisory Committee  
*(Confidential)*
2. Terms of Reference for the Robertson Oval Advisory Committee

### **RECOMMENDATION**

That the late nomination for membership of the Robertson Oval Advisory Committee from Mr Chris Sullivan be accepted.

# WARRUMBUNGLE SHIRE COUNCIL

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### Item 19 Coonabarabran Groundwater Pipeline – Project Contract Completion Report

<b>Division:</b>	Environment and Development Services
<b>Management Area:</b>	Warrumbungle Water
<b>Author:</b>	Acting Manager Warrumbungle Water – John Boyle
<b>CSP Key Focus Area:</b>	Public Infrastructure and Services
<b>Priority:</b>	PI7 appropriate planning is needed to ensure the ongoing security of energy and clean water supplies to communities within the shire

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#### Reason for Report

To inform Council of the successful completion of the Coonabarabran Groundwater Pipeline Project.

#### Background

The Coonabarabran Groundwater Pipeline Project evolved out of the last drought in NSW when Council was facing significant challenges maintaining an adequate water

#### **Coonabarabran is in severe drought.**

##### **First town water source: Timor Dam – failed**

Timor Dam is below dead storage level. No water has been extracted from it for the township in the last 10 months. The dam supply has failed. The last water taken for the town was extracted 3<sup>rd</sup> May 2018.

##### **Second town water source: Pound Yard weir – failed**

The local creek supply (i.e. the Castlereagh River) has failed. The town relied on run of river, extracting water from its small weir pool. The creek stopped flowing in the drought. The last water taken for the town was extracted in early January 2019.

##### **Third town water source – still functioning**

Coonabarabran had 4 original smaller bores.

Emergency Response: Due to the drought, these were expanded during 2018 to a total of 12 bores. The NSW Government provided \$1.7 million and Council provided \$0.325 million. This has kept the Coonabarabran town water supply functioning. This emergency work was Stage One of the project.

**This application is for Stage Two of the project – groundwater pipeline to the WTP. Cost estimate is \$2.205 million. These works are necessary to stabilise the emergency response and properly integrate it into the Coonabarabran town water supply. The \$2.205 million constructs an 8.05 km pipeline, permanently connecting the new western bores to the Water Treatment Plant.**

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supply for Coonabarabran, as outlined in the Executive Summary of the Funding Submission prepared in early 2019 to seek funding for this project:

The outcome of this funding submission resulted in the provision of funds for the full \$2.2 million cost of the Coonabarabran Groundwater Pipeline Project by the NSW Government under the Safe and Secure Water Program administered by the Department of Planning, Industry and Environment (DPIE) Water.

The funding deed was signed on 19 November 2020, with an initial practical completion date of 5 November 2021.

The project achieved Practical Completion on 28 February 2022, within the allocated \$2.2 million budget.

### **Issues**

As with any major infrastructure construction project the Coonabarabran Groundwater Pipeline Project (the Project) was not without its challenges. However due to the commitment of Council staff involved in this project, along with experienced external project managers plus a very competent contractor and associated designers and sub-contractors, the project has been successfully delivered on time and under budget in accordance with the construction contract.

Hunter H2O were engaged as Project Managers, working closely with Council staff, particularly Council's Supervisor Water Treatment Plants, Andrew Milford, who undertook the day to day supervision of the works on site. This project provided valuable experience for Andrew who was able to develop his project management skills while working with these experienced project managers. Hunter H2O were managed by Council's consultant Devitt Consulting who also undertook the role of liaison with the funding body, DPE Water, as well as providing overall project direction.

The project was delivered under a Design and Construction Contract, as this method of delivery offered the best pathway to deliver the project within the allocated budget and timeline by providing the contractor with flexibility and opportunity for cost saving and innovation during both the design phase and construction of the project.

A competitive tender process was run in December 2020 which resulted in 5 tenders being received, with Chiverton Estate P/L t/a Thompson Irrifab (TI) being selected, on 23<sup>rd</sup> March 2021, as the preferred tenderer to undertake the project with a tender price of \$1,614,211 (ex GST). TI were the only tenderer who provided a tender for the larger 250mm pipe option which was within the budget available for this project.

TI commenced the detailed design phase of the project utilizing their design consultant Burnett Engineering in April 2021, with the 100% design plans approved for construction at the end of June 2021. This required an additional consultant engagement to review the design plans, with Hunter H2O engaged to undertake this work as a variation to their project management work due to their detailed knowledge of the project. In addition, some minor additional environmental assessments were required due to the original assessment not targeting all the required sections of the pipeline route. The total cost of these variations was \$10,226.



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During the design phase it became apparent that additional investigation and design work was required to establish the appropriate protocols and pressure settings for operating the pumps at each of the 3 bores in conjunction with the pipeline which was also designed to act as a gravity pipeline from Timor Dam. This work was approved as a project variation, to a value of \$68,350, and has subsequently resulted in a very detailed report which will assist with future operation of the pipeline.

On-site construction commenced on 19<sup>th</sup> July 2021, with the contractor having to constantly refocus the proposed works program due to continued wet weather and inability to undertake excavation works caused by unsuitable ground conditions. A variation under the project was approved, to a value of \$16,550, for the contractor to undertake additional works to address poor roadside drainage which was impeding the progress of the project.

The contractor originally proposed to utilize directional under-boring to install the pipeline under the three creek crossings along the route at Flaggy, Nandi and Gundi Creeks. This was seen as a preferred method compared to excavating open trenches through these creeks with all of the associated environmental and construction risk issues. Following installation of the pipeline at Flaggy and Nandi Creeks, it became apparent that the extent of rock under Gundi Creek would result in significant additional costs to under-bore this creek. Following extensive discussions with Council staff it was agreed to construct the pipeline over Gundi Creek by installing the pipe in the shoulder of Timor Road as a continuous length of welded pipeline, which would minimize the risk of future joint failures and subsequent damage to the road. The additional work associated with this methodology resulted in a variation, to a value of \$34,382.04, being approved, which was significantly less than the expected additional cost of under-boring the creek.

### **Project Timeline**

The original completion date for construction works on the project, the Practical Completion date, was 5 November 2021. Throughout the course of the project, as provided for under the terms of the contract, time extensions were granted for a number of reasons, including due to delays in the provision of detailed design information, wet weather and the impacts of Covid-19. The ongoing wet conditions resulted in the contractor having to constantly stand down staff until conditions improved, which was made more difficult as staff were regularly travelling from their homes in Cowra.

The contractor sought numerous time extensions due to the delays incurred in excavating rock in the pipeline trench. The contract specifically required the contractor to factor in any risks associated with rock in their original tender, therefore any time extension requests due to rock excavation delays were rejected.

Throughout the course of construction, it was apparent that the contractor was making every effort to ensure the works were progressing as close to the original schedule as possible despite significant periods of wet weather and challenging ground conditions. The contract contained liquidated damages of \$1,000/day penalty for every day the works extended beyond the agreed date of Practical Completion. Given the effort being made by the contractor, plus the quality work being produced, the Superintendent took a more collaborative approach with the contractor to help identify opportunities to address the challenges being faced rather than using liquidated damages as a threat to try and expedite the works.

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The contract allowed for extensions of time to be granted at the discretion of the superintendent, particularly if it was judged that such extensions would facilitate the overall successful delivery of the project. This was used on a number of occasions to establish a new date of Practical Completion, and thus limit the contractor to liquidated damages.

The final agreed date of Practical Completion of 28 February 2022 was established by the Superintendent in early 2022, with the contractor successfully achieving this deadline without any liquidated damages being imposed.

The initial project management costs for this project were based around the original completion date in November 2021. The extension of the date of Practical Completion until February 2022, along with the additional time spent addressing issues such as the relocation of the pipeline at Gundi Creek and the claim for payment of the additional costs associated with the rock encountered in the pipeline trench, resulted in additional time and costs of \$27,560 to manage and finalise these issues.

The final costs for the project, based on the assessment of the project management team, are summarized below.

Item	Costs (ex GST)	Details
Initial Project Development costs	\$211,225.00	As per tender report to Council
Original Tender Price	\$1,614,311.00	As per tender report to Council
Approved contract variations	\$119,282.04	As outlined above
Approved project management variations	\$37,786.64	Design review, additional REF & PM costs
Approved payment to TI	\$106,818.00	One-off payment for additional costs
WSC Staff costs	\$6,393.63	WSC Staff supervisory costs
<b>Total Project Costs</b>	<b>\$2,095,816.31</b>	
<b>Original Funding Provided</b>	<b>\$2,200,000.00</b>	As per Funding Deed
Remaining unspent funds	\$104,183.69	

The unspent funds are proposed to be utilized to undertake further works associated with this project, including installation of variable speed drives on the three bore pumps to improve their operational efficiency.

The project now moves into a 12-month defects liability period, with 2.5% of the contract sum (around \$40,000) held as retention money for this period.

Throughout the project regular monthly reports have been provided to the Funding Provider DPE Water. As specific project milestones outlined in the Funding Deed were reached progress payment claims were submitted by Council to DPE Water to ensure a suitable cashflow for Council and allow for contractor payment claims to be made in accordance with contractual requirements.

The staff at DPE Water involved in this project have been very supportive of Councils efforts to deliver this project within the funds provided. A final Project Completion

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Report is being prepared for DPE Water in accordance with the Funding Deed which will then finalise Councils involvement with DPE Water in regard to this project.

### **RECOMMENDATION**

That Council note the completion of the Coonabarabran Groundwater Pipeline Project Contract with Chiverton Estate P/L trading as Thompson Irrifab.

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### Item 20 Baradine Water Treatment Plant

<b>Division:</b>	Environment and Development Services
<b>Management Area:</b>	Warrumbungle Water
<b>Author:</b>	Director Environment and Development Services – Leeanne Ryan
<b>CSP Key Focus Area:</b>	Public Infrastructure and Services
<b>Priority:</b>	P17 appropriate planning is needed to ensure the ongoing security of energy and clean water supplies to communities within the Shire

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### Reason for Report

To seek resolution to apply to the Crown for Council to be appointed as land manager for Reserve 80252 for Water Supply incorporating part of the Baradine Water Treatment Plant.

### Background

Council is proposing to undertake construction of a new Water Treatment Plant (WTP) in Baradine on the site of the existing WTP.

During the detailed investigation phase of this project a survey of the site identified that the existing and proposed plants are located on 5 separate parcels of land. Of these Council owns two of the parcels, but the other three parcels are Crown land, managed by the Crown. In order for Council to proceed with this major infrastructure project staff at the Department of Planning and Environment - Land and Asset Management (DPE) have advised that, in order to protect Council's infrastructure on this land, Council should request that it is appointed land manager of these parcels of Crown land.

### Issues

The survey plan attached indicates that the existing Baradine WTP is located on six separate parcels of land as detailed below:

Lot 200 DP 39516	R80252 for Water Supply – gazetted 20 Dec 1957	Managed by Crown Land
Lot 190 DP750246 (A)	R80252 for Water Supply – gazetted 20 Dec 1957	Managed by Crown Land
Lot 198 DP750246 (B)	R80252 for Water Supply – gazetted 20 Dec 1957	Managed by Crown Land
Lot 2 DP1035382		Council owned land
Lot 199 DP39516		Council owned land
Lot 205 DP704113		Council owned land

In order for Council to proceed with the development of the new Baradine WTP project without any unnecessary delays due to potential land management issues, Council has been advised by the DPE Management staff that it needs to make formal

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written application to be appointed Crown Land Manager for R80252 for Water Supply. Once the letter has been received DPE will be able to begin the process of appointing Council as Land Manager. This will give Council full management control of all land parcels which make up the entire existing and proposed Baradine WTP site.

### **Options**

Given the extent of Council managed capital works and infrastructure planned for the site, management of the land should rest with Council.

### **Financial Considerations**

The Baradine WTP replacement is valued at \$7.5M, 75% funded by DPE, and 25% funded by Council. Works are expected to commence in early 2023.

### **Community Engagement**

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

### **Attachments**

1. Baradine WTP Site Survey Plan

### **RECOMMENDATION**

That Council write to Dept of Planning and Environment - Land and Asset Management requesting that Council be appointed Crown Land Manager for R80252 for Water Supply at Baradine.

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### **Item 21 Inland Rail Update Report – May 2022**

<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>	Local Economy
<b>Priority:</b>	LE5.1 Identify and develop opportunities to realise the shire's potential as a location for the production of renewable energies.

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### **Reason for Report**

To provide Council with regular updates on Inland Rail discussions and matters that relate to Council.

### **Background**

Inland Rail is a freight rail line that will connect Melbourne to Brisbane through regional Victoria, New South Wales and Queensland. With freight volumes set to almost double in the next 20 years, the Australian Government is building the rail line to address freight needs.

The following broad points relate to the Inland Rail project:

- Inland Rail 1,700km long, from Tottenham in Victoria to Acacia Ridge in Queensland.
- Trains travelling on the Inland Rail track will be able to travel at speeds of up to 115km/h.
- The track will enable the use of double-stacked, 1,800m long trains with a 21 tonne axle load. Each train could carry the equivalent freight volume as 110 B-double trucks.

Within Warrumbungle Shire Council, the Inland Rail will traverse part of our Shire to the west of Baradine. This section of the line sits in the Narromine to Narrabri section of the project, known as N2N. Approximately 42 kms of rail line relating to Inland Rail will be located within our local government area.

In November 2017, the Australian Government confirmed the preferred study area for the N2N section of Inland Rail.

### **Issues**

Over the past months, Council has been involved in a number of matters pertaining to the Inland Rail Project as follows:

- Interface Improvement Program (IIP) Baradine Silo Project - the proposed business case for the final Gateway 4 has been submitted to Department of Infrastructure. The outcome is expected to be released in 2-3 months.

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- ARTC opened an Inland Rail office in Narrabri during January 2022, allowing the community to receive the latest information in person. The office will also offer a space for contractors to work from. The office is currently open Monday to Friday.
- N2N project is classified as the Southern Civil Works Program, with ACACBP appointed as the preferred contractor. Martinus Rail was appointed preferred contractor to deliver rail corridor.
- ARTC are holding ‘meet the contractor’ information and networking along the N2N alignment. Attendance includes representatives from ARTC, ACACBP and Martinus Rail. Baradine’s session was scheduled for 11 May 4pm – 7pm at Baradine Bowling Club.

In addition to this, Industry Capability Network (ICN) will host workshops on how to create effective company profile and register for upcoming supply opportunities with Inland Rail. These workshops will be held the same week as meet the contractors, with a workshop held in Coonabarabran on Thursday 12 May, 9am to 11am.

- Council meet regularly with N2N project directors every two months. Next meeting is scheduled for May 2022. Discussions to include legacy projects to the region, employing local suppliers and contractors and maximising community and economic benefits to the region from N2N Project.
- For information on project tenders and business opportunities go to: <https://inlandrail.artc.com.au/opportunities/suppliers/>

### **Options**

The Inland Rail project will continue to show its presence within Warrumbungle Shire.

### **Financial Considerations**

Nil

### **Community Engagement**

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

### **Attachments**

Nil

### **RECOMMENDATION**

That Council notes the information in the Inland Rail Update Report.

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### Item 22 Community Events Program – May 2022

<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>	Local Economy
<b>Priority:</b>	LE4.1 – Work with local business and industry to foster local economic development, innovation and expansion.

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### Reason for Report

To provide Council with information on the Community Events Program – Reconnecting Regional NSW Recovery Package, and make recommendations for events to be held across the LGA.

### Background

On 11 April 2022 Council received correspondence from the Deputy Premier regarding Council's funding allocation for the Reconnecting Regional NSW – Community Events Program, including program eligibility criteria and guidelines.

NSW government announced a \$200 million Regional Recovery Package to create new jobs and support events, festivals to boost tourism across the state. Apart of this package is the Community Events Program with a \$25 million commitment to promote economic and social recovery to regional NSW Local Government Areas.

\$239,651 is allocated to Warrumbungle Shire Council to apply for funding towards the Community Events Program. The Program aims to address social and economic recovery of regional communities. Council application for the funding needs to address the following criteria:

- Proposed event activities to support local business
- Demonstrate proposed activities will rebuild local community cohesion and deliver positive social and economic outcomes.

Funding applications for event proposals are due 5pm Friday 24 June, 2022.

### Issues

The Community Events Program is a great opportunity and Council needs to work in a timely manner due to eligibility criteria and deadlines.

Events are required to be held by 31 March, 2023. The eligibility criteria states funding can go towards existing events to become larger and more accessible, except for country or agricultural shows. This therefore eliminates the following weekends over February and March in 2023 for Warrumbungle Region so there is no competition for our country and agriculture shows:

- 10 – 11 February 2023 for Dunedoo Show



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- 25 February 2023 for Binnaway Show
- 10 – 11 March 2023 for Coonabarabran Show
- 17 – 18 March 2023 for Baradine Show
- 24 – 25 March 2023 for Mendooran Show

Listed in Table 1 below are existing events in Warrumbungle LGA that meet eligibility criteria for Community Events Program funding guidelines, that have enough lead in time for the event, and with proposed funding allocation.

Table 1

<b>Event</b>	<b>Location</b>	<b>Date</b>	<b>Allocation</b>
Coonabarabran Spring Race Meet	Coonabarabran	23 October 2022	\$25,000
Tunes On The Turf	Dunedoo	11 – 13 November 2022	\$25,000
Warrumbungle Wings & Things	Coonabarabran	March 2023	\$25,000

The existing event organisers/community organisations for the events listed in Table 1 would need to take responsibility for expenditure within The Program's eligibility criteria, with support from Council.

Table 2 below proposes new events to be considered for the Community Events Program, with basic description and proposed funding allocation. The name of each event yet to be confirmed.

Table 2

<b>Event Description</b>	<b>Location</b>	<b>Date</b>	<b>Details</b>	<b>Allocation</b>
Live music + food and wine fest	Coonabarabran	To be confirmed	Large well-known line up for music artists, local food pop up stalls, different areas fenced off with bars/wine tasting, unique activities roving performers, and indigenous element of art and street sculptures displays	\$104,651
Warrumbungle ProAm Golf Tournament with prize money	Golf Clubs/Sports Clubs at: Dunedoo Coolah Coonabarabran	To be confirmed	In association with Golf NSW, ProAm tour held in each town on a weekend with live music, local pop up food stalls, games and amusements for children, fireworks, bus transportation, free golf clinic, interactive golf	\$30,000

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			stroke technology, open to all members of public.	
Barefoot Bowls	Bowling Clubs at: Coonabarabran, Baradine, Binnaway, Mendooran,	To be confirmed	Live bands, local food stalls, barefoot bowls free to public, bus transport, children's entertainment	\$30,000

Expenditure of proposed golf tournaments and barefoot bowls events to be the responsibility of the relevant local organisations, within The Program's eligibility criteria and with support from Council.

For the large headline music + food + wine festival, Council to take ownership of the event in consultation with relevant community organisations.

### Options

Council options for expenditure of the Community Event Fund are:

1. Council agrees with proposed events, allocation and event ownership as stated above in Table 1 and Table 2.
2. Council proposes alternative options for Community Events Program prior to submission proposal deadline after consultation with community groups.
3. Council does not submit application for Community Events Fund.

### Financial Considerations

Council has the flexibility of allocating the overall funding to a number of events or festivals within its funding allocation. Only a single application is required to receive total grant application and can cover multiple festivals and events.

Events must be open to all members of the public regardless of membership, and free to attend the event, or a very small fee to cover extra costs.

### Community Engagement

At this stage, the community groups and organisations have not been consulted, it may be that Council wishes to consult with community groups prior to settling on the events and allocations that will be included in the application; bearing in mind the due date for the application is 24 June 2022.

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

### Attachments

1. Letter to Council for Reconnecting Regional NSW – Community Events Program

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### **RECOMMENDATION**

That Council:

1. Notes the Community Events Program within the Warrumbungle Shire Local Government Area.
2. Agrees to the proposed events and funding allocations, both existing and new events, for the Community Events Program Fund:
  - Coonabarabran Spring Race Meet \$25,000
  - Tunes on the Turf \$25,000
  - Warrumbungle Wings & Things \$25,000
  - Live music, food and wine festival - Coonabarabran \$104,651
  - Warrumbungle ProAm Golf Tournament \$30,000
  - Barefoot Bowls \$30,000
3. Holds a live music + food + wine festival in Coonabarabran.
4. Works with and supports the relevant community organisations for Coonabarabran Spring Race Meet, Dunedoo Tunes on the Turf, Warrumbungle Wings & Things, Golf Tournaments and Barefoot Bowls events in Warrumbungle Region.

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### **Item 23 Combustible External Cladding**

<b>Division:</b>	Development Services
<b>Management Area:</b>	Regulatory Services
<b>Author:</b>	Building Certifier – Darren Devenish
<b>CSP Key Focus Area:</b>	Rural and Urban Development
<b>Priority:</b>	RU4 Our towns and villages are characterised by their attractiveness, appearance, safety and amenity.

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### **Reason for Report**

To provide information to Council about combustible external cladding and findings of recent audit undertaken by NSW Audit Office.

### **Background**

In 2014, the twenty-one (21) storey Lacrosse Apartment Tower in La Trobe Street, Melbourne suffered a serious cladding fire started by a single cigarette on a balcony. The government recognised that there was a need to be able to identify buildings in NSW that could have combustible external cladding. The cladding used on the apartment tower was an aluminium composite wall panel (ACP) and soffit cladding performance system that failed to comply with the Building Code of Australia (BCA).

After the Grenfell Tower fire in 2017, there was more urgency to identify buildings that may have combustible cladding by using multi-pronged approach that included:

- Data analytics of historical building records sourced from the private sector
- Local inspection and reporting by councils and Fire & Rescue NSW
- Use of other NSW government records, including from DPE and the Office of State Revenue
- From late 2018, a mandatory register of buildings with combustible cladding onto which building owners were required to add their own buildings

ACP are typically 4 mm to 6 mm thick and consist of a core material sandwiched between the two thin layers of aluminium. The core material is generally 3mm to 5 mm thick with the aluminium sheet at 0.5mm thick. The composition of the core material used in ACP may vary and consist of 50% to 100% polyethylene (PE) core and considered combustible.

Buildings that are defined as high risk are NCC-BCA Class 2-3 and Class 9 buildings.

A Class 2 building is an apartment building or a building that contains two or more sole-occupancy units, with each sole-occupancy unit being separate dwelling. These are typically multi-unit, multi-storey residential buildings where people live above and below each other.

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Class 3 buildings are residential buildings other than a Class 1 or 2 building. They are common place of long term or transient living for a number of unrelated people. This can include boarding house, guest hose, hostel or back-packer accommodation.

Class 9 buildings are buildings of public nature being health care buildings, assembly buildings, aged care buildings.

Class 2, 3 and 9 buildings are group together because the type of fire-resisting construction required in accordance with NCC-BCA 2019 Volume 1 having the same requirements.

In December 2017, the NSW Government enacted the Building Products (Safety) Act 2017 to ban the use of building product that pose a safety risk to occupants of the buildings, such as ACP.

### **Issues**

The audit (report as attached) sought to assess whether Department of Customer Service (DCS) and Department of Planning (DPE) effectively led reforms to manage the fire safety risk of combustible external cladding on existing residential and public buildings.

While the focus of the audit was on the oversight and coordination provided by DCS and DPE, nine (9) councils were also attendees for the performance audit.

The key findings of the audit were as follows:

- Immediately after the Grenfell Tower fire in June 2017, there was no existing reliable source to identify buildings that might have combustible external cladding.
- The rate at which more buildings are being added to the cladding register is falling, suggesting the number remaining to be added has gradually reduced.
- DCS and DPE endeavoured to oversee and coordinate local councils' remediation activity.
- Councils required earlier guidance and advice to encourage consistent processes.
- NSW Government were inconsistent in their management of buildings that they owned.
- DPE's process for assessing and remediating buildings for which it was the consent authority offered strong assurance that the risk of combustible cladding was being adequately addressed.
- Information management has been inadequate to provide a high-level of assurance that all known affected buildings have been given proper attention.
- There is no process by the Cladding Taskforce for clearing buildings other than those in high-risk category.
- The application of the product use ban for ACP with 30% polyethylene content to existing buildings has caused confusion.
- There are no compliance or enforcement strategies or policies for the product use ban.
- Inspections of existing buildings and development of any subsequent action plans to address combustible external cladding are not activities covered by accreditation or registration schemes for building certifiers.

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As a result of the audit, a series of recommendations were formed by the NSW Audit Office as follows:

*By October 2022, the Department of Customer Service and the Department of Planning and Environment should:*

- 1. address the confusion surrounding the application of the Commissioner for Fair Trading's product use ban for aluminium composite panels with polyethylene content greater than 30 per cent, by ensuring that councils and NSW Government departments have risk assessments conducted for existing buildings with combustible external cladding that:
  - a) are holistic in nature and relevant to the particular circumstances of each specific building*
  - b) include consideration of the type, location, arrangement, installation method and amount of combustible external cladding installed on the subject building.**
  
- 2. ensure that the NSW Government Cladding Taskforce develops an action plan, taking into account an assessment of cost versus benefit and risk, to address buildings with combustible external cladding assessed by Fire and Rescue NSW as low-risk.*

*By December 2022, the Department of Customer Service and Department of Planning and Environment should:*

- 3. improve information systems to ensure there is an accurate, timely and complete history of how buildings with combustible external cladding have been identified, assessed and (where necessary) remediated.*

Council, as consent authority, plays an essential part for building development approvals, as well as having responsibilities and powers to ensure fire safety standards.

In the Warrumbungle LGA there does not appear to be any high-risk BCA Class 2, 3 and 9 buildings that have used aluminium composite panel as an external cladding.

As a part of the Development Application and Construction Certificate process, cladding is assessed as a part of the assessment against the NCC-BCA 2019 deemed to satisfy provisions.

### **Options**

Nil

### **Financial Considerations**

Nil

### **Community Engagement**

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

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### **Attachments**

1. Combustible External Cladding – Report from NSW Audit Office

### **RECOMMENDATION**

That Council notes the information provided on Combustible External Cladding.

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### **Item 24 Planning Proposals – LEP Review and Reclassification of Land**

<b>Division:</b>	Environment and Development Services
<b>Management Area:</b>	Planning and Regulatory
<b>Author:</b>	Leeanne Ryan – Director Environment and Development Services
<b>CSP Key Focus Area:</b>	Local Economy
<b>Priority:</b>	RU1.1 Council conducts periodic reviews of its planning instruments to ensure that land use planning supports the long term sustainability of our local communities and our economy

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### **Reason for Report**

The reason for this report is threefold:

1. Provide Council with an update on the progress of the Planning Proposal to review the current LEP;
2. To resolve to add Heritage Items and to prepare a separate Planning Proposal to Reclassify a number of parcels of Council owned land.
3. Seek approval to place the Planning Proposal on public exhibition as per the gateway determination requirements.

### **Background**

Council is in the process of preparing a Review to the LEP and it is to have three components:

1. Review of Zones and minimum lot sizes
2. Addition of Heritage Items
3. Reclassification of a number of Council owned land from Community to Operational

This will be prepared as two separate Planning Proposals. One will include the review of zones and minimum lot sizes and heritage items and the second one will include the reclassification of land. This is necessary because of the different process for the reclassification of land.

Council has resolved to prepare the planning proposal for the LEP Review on 21 September 2017.

The process for preparing a Planning Proposal is as follows:

1. Council resolves to prepare a Planning Proposal under s3.33 of the Environmental Planning & Assessment Act 1979.
2. The Planning Proposal is prepared and submitted to the Department of Planning and Environment (DPE) for a Gateway Determination to proceed.



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3. Agency referrals are completed as required under the Gateway Determination. The Planning Proposal cannot proceed until any matters of concern raised by an agency are resolved.
4. Community consultation is undertaken in accordance with the Gateway Determination - for a minimum period of 28 days.
5. A report is prepared for Council addressing submissions received during the public exhibition and issues raised at the public hearing.
6. Subject to Council Resolution, the Planning Proposal is forwarded to the Department for finalisation and amendment of Warrumbungle LEP 2013.

The reclassification of public land is done by an amendment to Schedule 4 (Classification and reclassification of public land) of Warrumbungle LEP 2013 and is subject to both the local plan-making process in the *Environmental Planning & Assessment Act 1979* and the public land management requirements of the *Local Government Act 1993*. This is done by the preparation of a Planning Proposal and has the same process outlined above but with an addition step after number 4 which includes Public Hearing is arranged as required under Environmental Planning & Assessment Act 1979 and the Local Government Act 1993 and held at least 21 days after completion of the public exhibition of the Planning Proposal. The Public Hearing is chaired by an independent facilitator who then submits a report to Council identifying issues raised.

### **Issues**

The Planning Proposal to review the LEP is in progress, though has been delayed due to staff resourcing issues.

Council has resolved to adopt the Community Based Heritage Study on 16 May, 2019. The Study included a list of nominated Heritage Items and it made a recommendation to add these to the Schedule in the LEP to complement the existing items. There are 153 items in the list and these are outlined in Table 6 of the Heritage Study. The Heritage Study and associated documents are on Council's website, but also attached.

It is recommended that each of the property owners be written to as part of the exhibition and provided with a link to the Heritage Study and Listing Sheets which are on Council's website and invited to make a submission. If the property owner objects to the proposed listing a submission must be made to the exhibition and Council can consider deleting the item from the list. This should be done in consultation with the Heritage Advisor.

There are a number of parcels of Council owned land that are used for operational purposes but are classified as Community land. It is necessary to reclassify them as Operational land to enable Council to use them to their fullest extent. The process for doing this is via a Planning Proposal. The land to be reclassified is as follows:

- Baradine Aerodrome;
- Baradine Sewerage Treatment Plant;
- Dapper Bushfire Shed;
- Gowang Bushfire Shed;

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- Leadville Bushfire Shed;
- Ulamambri Bushfire Shed;
- Yaminbah Bushfire Shed;
- Coonabarabran Aerodrome;
- Sewerage Pump Station (Coonabarabran)
- Coonabarabran Works Depot and Sewerage Ponds;
- Former RFS Control Centre;
- Sanitary Depot (Coonabarabran);
- Sewerage Reuse Area - Dunedoo;
- Town Wells Road (Radio Repeater)
- Waste Depot - Coonabarabran
- Water Access from Castlereagh River
- Works Depot – Dunedoo
- WSC Connect Five

Community land is land used for a public purpose. Operational land is land which facilitates the functions or ‘operations’ of Council. As this land is used for operational purposes, there is a need to reclassify it to operational. The details of each of the lots to be reclassified is listed in Table 1 below:

Table 1: Community land – lot details

Facility Name	Street No	Street/Road	Locality	Lot	Sec	DP
Baradine Aerodrome		Aerodrome Road	Baradine	2		113998
				2		133154
				A		418899
				7		750246
				13		750246
				34		750246
				35		750319
Baradine Sewerage Treatment Plant	211	Barwon Street	Baradine	1		873702
				2		873702
Dapper Bushfire Shed	1006	Spring Ridge Road	Dunedoo	1		1038014
Gowang Bushfire Shed	48	Nashs Road	Coonabarabran	2		1052767
Leadville Bushfire Shed		Corner Cox and Plumb Street	Leadville	1	6	2649
Ulamambri Bushfire Shed		South Street	Ulamambri	7	5	759016
Yaminbah Bushfire Shed	17048	Oxley Highway	Dandry	821		1188971
Coonabarabran Aerodrome	380	David Knight Drive	Coonabarabran	1		219211
				103		753405
				105		753405
				106		753405
				9		793646
Sewerage Pump Station	24-26	Robertson Street	Coonabarabran	8	4	758281

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Coonabarabran Works Depot and Sewerage Ponds	2-6	Gardener Street	Coonabarabran	1		1006511
				2		1006511
Former RFS Control Centre	51	King Street	Coonabarabran	2		414144
Sanitary Depot	Off 35	Dandry Road	Coonabarabran	245		753378
Sewerage Reuse Area – Dunedoo		Wargundy Street	Dunedoo	2		234563
				321A		938173
				321C		938174
Town Wells Road		Town Wells Road	Coolah	1		653078
Waste Depot – Coonabarabran	4202	Baradine Road	Coonabarabran	2		1030763
				402		1077124
Water Access from Castlereagh River	944	Merryula Road	Coonabarabran	7		785902
Works Depot – Dunedoo	40	Sullivan Street	Dunedoo	B		403064
WSC Connect Five	14A	Robertson Street	Coonabarabran	1		248906

The Planning Proposal for Reclassification of Land has been prepared and discussed in detail with the Department of Planning and Environment; a copy of the draft document is attached.

### Exhibition of the Planning Proposals

The planning proposals are required to be placed on public exhibition for a minimum period of 28 days.

In an effort to speed up the exhibition, it is recommended that Council give delegation to the General Manager, in consultation with the Mayor, to place the Planning Proposals on exhibition once the Gateway Determinations have been received from the Department. Otherwise, it will have to be reported to a Council meeting and this will hold up the exhibition process. It is also recommended Council give delegation for the General Manager to hold the public hearing for the reclassification of land planning proposal.

Further to the above it is also recommended that Council does not accept plan making delegations for these particular planning proposals and seeks assistance from DPE. This means DPE will be responsible for formulating the changes to our LEP maps and drafting updates for relevant clauses in the LEP (to encompass the changes triggered by the Planning Proposals). This will assist Council, with resourcing to undertake the tasks covered by DPE.

### **Options**

To progress each planning proposal resolutions of Council are required to take the next steps.

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### **Financial Considerations**

Council has an allocation in current budget to assist prepare the planning proposals. Whilst the funds have been carried over for the last 2 years due to resourcing issues, there is an amount of \$87,110 available to see the proposals completed.

### **Community Engagement**

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

### **Attachments**

1. Community Based Heritage Study
2. Draft Planning Proposal - Reclassification of Land 2022

### **RECOMMENDATION**

That:

1. The list of nominated Heritage Items listed in Table 6 of the *Warrumbungle Community Based Heritage Study* be added into the LEP Review Planning Proposal.
2. Council prepare a Planning Proposal to reclassify the Council owned land outlined in Table 1 from Community to Operational for the purposes outlined in Table 1.
3. The General Manager, in consultation with the Mayor is delegated, to place the Planning Proposals on public exhibition and to hold a public hearing for the reclassification of land Planning Proposal.
4. Council not accept plan making delegations for the LEP Review Planning Proposal and the Reclassification of Land Planning Proposal and seek this to be completed by Department of Planning and Environment.
5. A report be prepared on the submissions received to the exhibition of the Planning Proposals.

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### **Item 25 Development Applications**

**Division:** Development Services  
**Management Area:** Regulatory Services  
**Author:** Administration Assistant Environment and Development Services – Jenni Tighe  
**CSP Key Focus Area:** Rural and Urban Development  
**Priority / Strategy:** RU 4 The attractiveness appearance and amenity of our towns and villages need to be improved

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### **Development Applications (i) Approved – April 2022**

<b>Development Application / Complying Development</b>	<b>Date Lodged</b>	<b>Date Approved</b>	<b>Applicant's Name</b>	<b>Location</b>	<b>Town</b>	<b>Type of Development</b>	<b>Referral Days</b>	<b>Stop the Clock Days</b>
59/2020	02/10/2020	22/04/2022	Flo Cloud	141 Cen Cruaich Road	Coonabarabran	Dwelling	484	499
2/2022	07/02/2022	01/04/2022	Martine Burgess	1981 Coolah Creek Road	Coolah	Swimming Pool	21	0
8/2022	30/03/2022	22/04/2022	Joanna Murphy	153 Mount Hope Road	Coolah	Dwelling	9	0

### **RECOMMENDATION**

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

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### **Item 26 Notice of Motion – Review Council Services and Infrastructure**

#### **Notice of Motion – Review Council Services and Infrastructure**

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

That Council review services and infrastructure due to higher usage of public facilities e.g. cleaning of toilets, servicing of public areas within the council budget.

#### **RATIONALE:**

Increase of tourism across the Shire more people using the facilities cleaning needs to be increased to cater for the amount of people using the facilities and health reasons.

New infrastructure built in parks attracting and growing users of the toilets.

Install appropriate toilet paper holders. So paper rolls are not being taken.

Introduce cleaning schedule on the wall chart so people can see it has been cleaned and what times so people do not say Council is not cleaning them.

Install a sign with information regarding public to notify Council if services are not up to standard- Phone number

Cost and staff allocation/consider cost of contractor.

Inform Councillors of the schedule for cleaning (weekdays, weekends and public holidays) and if it has changed with the increase of usage.

Needs to be considered for ongoing budgets/staff and cost. Provide for quality services do not fail to provide appropriate service for the level of use.

**KATHRYN RINDFLEISH  
COUNCILLOR**

# **WARRUMBUNGLA SHIRE COUNCIL**

## **Ordinary Meeting – 19 May 2022**

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### **Item 27 Notice of Motion – Technology**

#### **Notice of Motion – Technology**

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

That Council identify IT upgrades to support an effective up to date website development for Warrumbungle's Shire. Do not get left behind on technology.

#### **RATIONALE:**

Obtain quote/costing to updates website development to be included in future budget and grants

Improve the perception/usability of the Council with an easy to navigate well-structured website.

Improve visual design and easy to read documents

Increase engagement and response from community form fill online.

Devices are the becoming the way to go of browsing and responding. Streamline many of the processes that can be done on a website e.g. online bookings attach photos with inquires and complaints.

A good website can reduce staff work with easy accessible information.

Report back to Councillors on the above.

**KATHRYN RINDFLEISH  
COUNCILLOR**

# **WARRUMBUNGLA SHIRE COUNCIL**

## **Ordinary Meeting – 19 May 2022**

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### **Item 28 Reports to be Considered in Closed Council**

#### **Item 28.1 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 28.2 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 28.3 Request for Write-Off of Rates and Charges**

**Division: Executive Services**

**Author: General Manager – Roger Bailey**

### **Summary**

The purpose of this report is to provide councillors information on a request to write off rates, charges and interest due to financial hardship.

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

- (b) the personal hardship of any resident or ratepayer

### **RECOMMENDATION**

That the Request for Write-Off of Rates and Charges Report be referred to Closed Council pursuant to section 10A(2)(b) of the *Local Government Act 1993* (NSW) on the grounds that the matter deals with the personal hardship of any resident or ratepayer.

### **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).