



Ordinary Council Meeting

Agenda

19 August 2021

**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 August 2021 commencing at 5:00 pm.**

Mayor: Cr Ambrose Doolan

Councillors: Kodi Brady
Anne-Louise Capel
Fred Clancy
Wendy Hill
Aniello Iannuzzi (Deputy Mayor)
Ray Lewis
Peter Shinton
Denis Todd

Please note:

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Council's Vision Excellence in Local Government

Mission Statement

We will provide:

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

Values

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

WARRUMBUNGLA SHIRE COUNCIL

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AGENDA

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

Turn Off Mobile Phones

Audio Recording of Council Meetings

Apologies/Leave of Absence

Confirmation of Minutes

15 July 2021

Disclosure of Interest

Pecuniary Interest

Non Pecuniary Conflict of Interest

Mayoral Minute/s

Delegate Report/s

Reports of Committees

Reports to Council

Notices of Motion/Questions with Notice/Rescission Motions

Reports to be considered in Closed Council

Conclusion

.....
ROGER BAILEY
GENERAL MANAGER

WARRUMBUNGLE SHIRE COUNCIL

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Item 1 Mayoral Minute – Mayors Log of Activity, Kilometres Travelled and Expenses from 9 July 2021 to 11 August 2021

MAYORAL MINUTE - MAYORS ACTIVITY

<u>Date</u>	<u>Type</u>	<u>In/Out</u>	<u>Activity</u>
15-Jul	Meeting	Chaired	July Council Meeting
16-Jul	Email	In	EA GM - postponement Prefects Lunch
	Email	In	St Lawrence's - oval trees
19-Jul	Email	In	Alliance of Western Councils
20-Jul	Email	In	GM - Coona wifi situation
21-Jul	Email	In	Graeme Fleming - GM Review
22-Jul	Email	In	Roaches Hardware - cardboard recycling
	Email	In	Gunnedah Times - Mullaley sportsground
23-Jul	Email	In	Ratepayer - water quality Dalgarno Street
	Email	In	Director Technical Services - Ashby Road
	Phone Call	In	Ratepayer - Ashby Road Baradine
	Phone Call	Out	Director Technical Services - Ashby Road
26-Jul	Email	In	Coolah Jump the Stump - Skate Park
	Email	In	Ratepayer - Kerrs Bridge
27-Jul	Email	In	Paul Nankiville - Digital Documents suggestion
28-Jul	Meeting	Attended	Internal Audit Committee Meeting
	Email	In	Coona Times - election advertising
30-Jul	Event	Attended	Citizenship Ceremony
31-Jul	Email	In	Narromine Mayor - future of JO's
3-Aug	Email	In	Dark Sky Awakens postponement
	Email	In	Alliance of Western Councils meeting
	Email	In	Roy Butler Chief of staff - Covid
4-Aug	Email	In	GM - Merrygoen Creek
5-Aug	Email	In	Director Technical Services - Leadville water
	Email	In	GM - Parramatta Eels - painting ovals
9-Aug	Email	In	GM - Rescission Motion - Reservoir Street
	Email	In	Deputy Mayor - covid situation
	Email	In	Ratepayer - Dunedoo health situation
	Email	In	Chief Executive Unit, Western Health - covid
	Email	In	GM - Rescission Motion - Reservoir Street
	Phone Call	Out	GM - Rescission Motion - Reservoir Street
	Phone Call	Out	Coona Times - private works
	Meeting	Attended	Council, Coona Fishing Club, Coona Landcare, Warrumbungle National Park Enviro. Education Centre - Castlereagh River Rehabilitation
10-Aug	Email	In	Deputy Mayor - covid advice update
	Email	In	GM - private works update
	Email	In	Graeme Fleming - GM Review
	Phone Call	In	Cr Lewis - GM Review
11-Aug	Meeting	Attended	GM Performance Review
	Letter	In	Hon Barnaby Joyce MP

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Date of Journey		Purpose of Journey	Odometer		KM Travelled
Start Date	End Date		Start	Finish	
15-Jul	15-Jul	Coonabarabran Office - Meeting with GM and Deputy Mayor	9616	9646	30
15-Jul	15-Jul	July Council Meeting	9646	9678	32
16-Jul	16-Jul	Coonabarabran Office - paperwork	9678	9710	32
17-Jul	17-Jul	Inspect Leaders Road Binnaway	9710	9815	105
27-Jul	27-Jul	Coonabarabran Council Chambers	9815	9845	30
28-Jul	28-Jul	Internal Audit Committee Meeting	9845	9875	30
30-Jul	30-Jul	Citizenship Ceremony	9875	9905	30
3-Aug	3-Aug	Coonabarabran Office - Meeting with GM and Deputy Mayor	9905	9940	35
Total KM travelled for period 15/07/2021 - 03/08/2021					324

MAYORAL MINUTE - EXPENSES 9 July 2021 to 5 August 2021

<u>Date</u>	<u>Transaction Details</u>	<u>Comments</u>
Nil expenses		

RECOMMENDATION

That Council notes the report on the Mayor's Activity and Log of Kilometres Travelled for the period 9 July 2021 to 11 August 2021.

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Item 2 Councillors' Monthly Travel Claims

Division:	Executive Services
Management Area:	Governance
Author:	Executive Assistant to the General Manager – Erin Player
CSP Key Focus Area:	Local Government Finance
Priority:	GF7 Council provides strong civic and regional leadership, and undertakes its governance and service delivery tasks with integrity.

Reason for Report

To provide Council with details of travel claims of councillors for the month of July 2021.

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 Shinton	64	0.78	\$49.92
Cr Todd	230	0.78	\$179.40
Cr Brady		0.78	
Cr Capel		0.78	
Cr Clancy		0.68	
Cr Doolan		0.78	
Cr Hill	220	0.68	\$149.60
Cr Iannuzzi		0.78	
Cr Lewis	126	0.78	\$98.28
		Total:	\$477.20

Issues

Nil.

Options

Nil.

Financial Considerations

Outlined above.

Community Engagement

To inform the community.

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Attachments

1. Councillors Monthly Travel Claims

RECOMMENDATION

That the Councillors' monthly travel claims report for July 2021 in the amount of \$477.20 is noted.

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Item 3 Delegate’s Report – Mining and Energy Related Councils Meeting – Friday 27 July 2021

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

Reason for Report

To report to Council on the Mining and Energy Related Councils Meeting held Friday 27 July 2021 in Gunnedah.

Commentary

At this meeting we had three guest speakers; the first was Felicity Greenway, Executive Director, State Policy and Strategic Advice, DPIE who presented the new Rapid Assessment Framework (RAF) proposed for State Significant Developments.

The MERC view is that the reforms appear to be introduced based on a desire to fast track new developments for the jobs they generate, especially to save the State economy post Covid; potentially these could be the detriment of rural communities. Also, the existing development approval process already facilitates approval and the timeframes in the reforms may render the process less rigorous, less open and far less transparent potentially advantaging the proponent. We also feel that there appears to be an attempt to endorse development approvals as soon as possible in a “box ticking exercise” without the serious engagement and assessment process required to minimize the impacts on affected communities. There also appears to be a short-term focus on economic expediency potentially detrimental to the environment and social needs when what is needed is a holistic appraisal of the environmental, social and economic costs and benefits of the development. MERC has seen a myriad of ineffective Social Impact Assessments (SIA) Guidelines before and what is needed now is not a RAF but the government and DPIE being more demanding, requiring better SIA performance by developers.

We also questioned the cost to Councils of the Registered Environmental Assessment Practitioners (REAP) who will be available to advise council staff with their response to the environmental and social assessment reports.

Our second speaker was Ian Greenham, Director Technical Services, Orange City Council on how they are addressing the water demands of mining, industry, residential and rural sectors in a growth corridor.

This was a most interesting presentation and detailed the problem with a city, Orange, being located at the top of a catchment. Orange because of its location has

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no rivers so its sources of water are some minor ephemeral streams, bores, four small dams (two are recreational the other two are for water supply), an 800meg license through a pipeline from the Macquarie River and storm water harvesting.

The pumping of water from the Macquarie River is treated as an emergency supply because of the cost, the bores are on aquifers that are shared by the rural industry and mining and are closely monitored. The dams have to release water for environmental flows and stock and domestic demand of downstream users and the storm water harvesting is still not licensed and is apparently a nightmare to operate. Storm water harvesting is the amount of water that can be extracted between the undeveloped flow (natural environment, infiltration) and the developed flow (urban environment, runoff). The difference between the undeveloped flow and the developed flow is the opportunity for harvesting water in storm events.

The biggest consumer of water is the NSW Government who during the drought relocated the linen washing service from Sydney to Orange; then Council, car yards and mining.

The Council are also looking at further treatment of the tertiary waters and adding that to the raw water supply for final treatment.

Our final speaker was Karin Stark, Community Engagement Manager, Re-Alliance, on their new structure and ways to secure funds from VPA's and rates from developments in the REZ for investment into the community and the work they are doing in the renewable energy sphere since they expanded from wind to solar, battery, green hydrogen etc. as Re-Alliance.

The Re-Alliance model for how funds from VPA's would be spent was to create a Regional Fund where 50% would be spent locally (to people affected by the development) and 50% to the rest of the Shire and that it be controlled by a CCC. We enlightened them that CCC's don't have an ABN, don't have any authority and hence no audit trail, whereas a 355 committee under council was a better model and projects would be related to the Community Strategic Plan. We also suggested to Re-Alliance to examine the VPA agreement struck between MERC and the Minerals Council.

RECOMMENDATION

That Council notes the Delegate's Report on the Mining and Energy Related Councils Meeting held Friday 27 July 2021 in Gunnedah.

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Item 4 Minutes of Traffic Advisory Committee Meeting – 22 July 2021

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

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 22 July 2021.

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:

- Requests for Give Way signs on Baradine Goorianawa Road at the intersection of Hotchkiss Road and at the access into Baradine Waste Depot.
- Audit of No Parking Signs in the Coonabarabran CBD.
- Horse event in Reservoir Street on 12 September 2021.
- Centre line marking on Newell Highway between Gardener Street and Dandry Road.
- Installation of disabled car parking space in Bolaro Street Dunedoo.
- Little Timor Street Plaza – closure to vehicular traffic.
- 40kph speed zone proposal for Coonabarabran CBD and Dunedoo CBD.

Options

Council may wish to adopt the recommendations from the Committee meeting. The following matters are being managed under delegated authority:

- Maintenance and replacement of 'No Parking' signs in the Coonabarabran CBD.
- Refusal of request to install 'Give Way' signs.

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Financial Considerations

The cost of recommendations from the meeting on the 22 July 2021 can be accommodated within existing budget allocations.

Community Engagement

The level of engagement for this report is to inform.

Attachments

1. Minutes of the Traffic Advisory Committee Meeting – 22 July 2021.

RECOMMENDATION

That:

1. Minutes from the Traffic Advisory Committee Meeting held on the 22 July 2021 are noted as information.
2. Application by Warrumbungle Eventing to close part Reservoir Street, Coonabarabran on Sunday, 12 September 2021 between 9.00am and 3.00pm for the cross-country phase of the One Day Event be approved subject to compliance with Council's Road Closure Guidelines.

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Item 5 Minutes of Coonabarabran Town Beautification Advisory Committee Meeting – 27 July 2021

Division:	Technical Services
Management Area:	Urban Services & Facilities
Author:	Director Technical Services
CSP Key Focus Area:	Rural & Urban Development
Priority:	RU4 Our towns and villages are characterised by their attractiveness, appearance, safety and amenity

Reason for Report

The purpose of this report is to present minutes from the meeting of the Coonabarabran Town Beautification Advisory Committee held at Coonabarabran on the 27 July 2021.

Background

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

Core responsibilities and duties of the Committee are to:

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

Issues

The focus of discussions was the plan developed by Committee members for the CBD area of Coonabarabran including John Street, Charles Street, Robertson Street, Dalgarno Street and Cassilis Street.

Options

Council may wish to adopt the recommendations from the Committee meeting. The following matters are being managed under delegated authority:

- cost of implementing a garden bed plan for John Street is determined and considered at the next meeting.

Financial Considerations

There is a budget allocation of \$15,000 for renewal of garden beds in Coonabarabran.

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Community Engagement

The level of engagement for this report is to inform.

Attachments

1. Minutes of Coonabarabran Town Beautification Advisory Committee Meeting – 27 July 2021.

RECOMMENDATION

That Council notes the minutes of the Coonabarabran Town Beautification Advisory Committee meeting held at Coonabarabran on the 27 July 2021.

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Item 6 Minutes of Internal Audit Committee Meeting – 28 July 2021

Division:	Corporate and Community Services
Management Area:	Corporate Services
Author:	Manager Corporate Services – Jenni Maundrell
CSP Key Focus Area:	Local Government and Finance
Priority:	GF7 Council provides strong civic and regional leadership, and undertakes its governance and service delivery tasks with integrity

Reason for Report

To present Minutes of the Internal Audit Committee meeting held at Coonabarabran on Wednesday 28 July 2021.

Background

The Internal Audit Committee was formed by Council Resolution 339/1819 (21 March 2019), comprising two independent members and one councillor delegate.

Issues

At the Internal Audit Committee meeting of 28 July 2021, the Committee discussed:

- 2020/21 Interim Audit Management Letter
- Audit arrangements for next two (2) financial years
- Development of internal audit function
- Implementation of the records improvement strategy
- RFS asset accounting
- High value, high risk projects
- Review of the committee and terms of reference

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

At Item 6.6 (RFS Asset Accounting) the Committee considered copies of correspondence from Leeton Shire Council's Audit, Risk and Improvement Committee (ARIC) regarding RFS asset accounting. The Committee recommended that Council endorse and support the position taken by the Leeton Shire Council ARIC in this matter. Copies of the correspondence are provided as attachments to this report.

Options

Nil

Financial Considerations

Nil

Community Engagement

The level of engagement for this report is Inform.

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Attachments

1. Minutes of the Internal Audit Committee meeting held at Coonabarabran on 28 July 2021.
2. Letter – Independent Chair Leeton SC ARIC to LGNSW Chief Executive (7 June 2021).
3. Letter – Independent Chair Leeton SC ARIC to Auditor General (22 June 2021).

RECOMMENDATION

That Council:

1. Notes the minutes of the Internal Audit Committee meeting held at Coonabarabran on 28 July 2021.
2. Endorses and supports the position taken by Leeton Shire Council's Audit, Risk and Improvement Committee in relation to Rural Fire Service asset accounting.

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Item 7 Meeting Schedule

Division:	Executive Services
Management Area:	Governance
Author:	Executive Assistant to General Manager – Erin Player
CSP Key Focus Area:	Local Governance and Finance
Priority:	GF7 Council provides strong civic and regional leadership, and undertakes its governance and service delivery tasks with integrity.

Reason for Report

To reschedule Council's meetings due to the postponement of the Local Government Elections from Saturday 4 September 2021 to Saturday, 4 December 2021.

Background

On 15 October 2020 Council resolved the following meeting schedule:

Item 4 Meeting Schedule

115/2021 RESOLVED that Council:

1. *Adopts the following Meeting Schedule:*

2021

<i>February</i>	<i>Thursday 18</i>
<i>March</i>	<i>Thursday 18</i>
<i>April</i>	<i>Thursday 15</i>
<i>May</i>	<i>Thursday 20</i>
<i>June</i>	<i>Thursday 17</i>
<i>July</i>	<i>Thursday 15</i>
<i>August</i>	<i>Thursday 19</i>
<i>September*</i>	<i>TBA</i>
<i>October</i>	<i>Thursday 21</i>
<i>November</i>	<i>Thursday 18</i>
<i>December</i>	<i>Thursday 9#</i>

2. *That Council meetings be held and chaired from the Coonabarabran Chambers during the COVID-19 pandemic crises.*
3. *That the purpose of the meeting to be held in September 2021 be an Extra Ordinary meeting only to elect a Mayor and Deputy Mayor along with the appointment of Councillors as delegates and to Committees, along with other matters deemed appropriate by the General Manager.*

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4. *Authorise the General Manager to call the September 2021 Council meeting but the meeting is to be held no later than seven days after the declaration of the election.*

The *Local Government Act 1993* (NSW) s 365 stipulates that Council is required to meet at least ten (10) times each year, each time in a different month.

Traditionally, Council has agreed on a 12 month program of proposed meeting dates and venues for Ordinary Council meetings. In Council's Code of Meeting Practice, section 3.1 it states:

Ordinary meetings of the Council will be held on the third Thursday of each month, commencing at 5.00pm and shall be alternated between:

- *Council Chambers Binnia Street Coolah; and*
- *Council Chambers John Street Coonabarabran*

Council may change the time and/or date of any particular meeting by resolution.

Issues

The schedule does not include Community Consultation meetings, typically held in November and March each year, nor the various committee meetings, extra ordinary Council meetings, training, civic functions and other commitments of councillors.

Options

Local Government Elections have been rescheduled to be held on Saturday, 4 December 2021 and this will affect the meeting schedule which was resolved in October 2020. It is to be recommended that Council not hold an Ordinary Council meeting during the month of December 2021. It will be further recommended that Council authorise the General Manager to call an Extra Ordinary Council meeting to be held within three (3) weeks of the declaration of the election and the purpose of this meeting is to hold the election of the Mayor and the Deputy Mayor, appoint Councillors to Committees and as delegates along with any other matters deemed necessary at this time.

The meetings will commence at 5.00pm. Council may, by resolution, amend the date and time of its Ordinary meetings.

2021-22

September 2021	Thursday 16
October 2021	Thursday 21
November 2021	Thursday 18
December 2021	No meeting
*January 2022	TBA
February 2022	Thursday 17
March 2022	Thursday 17
April 2022	Thursday 21
May 2022	Thursday 19
June 2022	Thursday 16

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*Extra Ordinary Meeting

Council meetings are to be held at Coonabarabran during the COVID-19 pandemic crises.

Financial Considerations

Council meetings are a normal part of the operation of the organisation, and budgeted for in the 2021/22 Operational Plan. This includes travel reimbursement costs of councillors and catering for meals.

Community Engagement

To inform the community by advertising the Council meeting schedule via Council's community eNewsletter, council's website, social and digital media and media releases.

Attachments

Nil

RECOMMENDATION

That Council:

1. Adopts the following Meeting Schedule:

2021-22	
September 2021	Thursday 16
October 2021	Thursday 21
November 2021	Thursday 18
December 2021	No meeting
*January 2022	TBA
February 2022	Thursday 17
March 2022	Thursday 17
April 2022	Thursday 21
May 2022	Thursday 19
June 2022	Thursday 16

*Extra Ordinary Meeting

2. That Council meetings be held and chaired from the Coonabarabran Chambers during the COVID-19 pandemic crises.
3. That the purpose of the meeting to be held in January 2022 be an Extra Ordinary meeting only to elect a Mayor and Deputy Mayor along with the appointment of Councillors as delegates and to Committees, along with other matters deemed appropriate by the General Manager.
4. Authorise the General Manager to call the January 2022 Council meeting with the meeting to be held no later than three (3) weeks after the declaration of the election.

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Item 8 Office of Local Government S430 Report

Division:	Executive Services
Management Area:	Governance
Author:	General Manager – Roger Bailey
CSP Key Focus Area:	Local Government and Finance
Priority:	GF8.1 Council undertakes periodic performance reviews to ensure the effective and efficient management of its assets, finances and workforce and modifies its actions to deliver better outcomes for the community

Reason for Report

To advise that the Minister for Local Government has determined not to issue a Performance Improvement Order on Council.

Background

On 5 February 2018 the Chief Executive of the Office of Local Government determined that an investigation under section 430 of the *Local Government Act 1993* be undertaken into Council. The investigation was to centre around:

- The Council's consideration of its 2017 waste services tender for the supply and installation of skip bins
- Strategic, operational and management aspects of its water resources function
- Whether the conduct of councillors, senior Council officers and Council staff, has hindered the provision of efficient, effective and appropriate standards of governance

The Final Report was provided to the Minister for Local Government, the Hon. Shelley Hancock MP who tabled the report in Parliament and a copy of the report was provided to Council. An emailed copy of the report was received by Council on Friday 25 October 2019.

The Final Report detailed the issues above and provided a number of findings as well as making 10 recommendations. The more significant of these recommendations included:

- The Minister considers issuing a Performance Improvement Order (PIO) to improve performance in planning for and managing its water, waste water and other assets, and also for procurement and tendering processes
- Appointing a Temporary Adviser to Council

The Final Report of the Section 430 investigation into the Warrumbungle Shire Council was presented to Council at its 21 November 2019 meeting. Subsequently

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Council made a submission to the Office of Local Government on the report. Council emailed its submission to the Office of Local Government on 18 December 2019.

The Minister wrote to Council on 26 May 2020 acknowledging that:

- Council is working with DPIE-Water and NSW Health to address water issues
- Council is working to address cultural issues within staff

The Minister also pointed out that there were short comings in Council's submission including:

- Not recognising the importance of the issues raised within the Report, both in regard to Council's water function and in relation to the performance of councillors
- Councillors not understanding their role when dealing with a tender or tenderer

The Minister's determination was to:

- Defer consideration of a Performance Improvement Order and appointment of a Temporary Adviser in relation to provide assistance to Council in regard to water and waste water functions
- Require Council to implement the Improvement Plan (water and waste water) and report its progress to the Deputy Secretary, Local Government, Planning and Policy on a three monthly basis. The first report would be due six weeks following the date of the letter, hence due by 7 July 2020
- Require Council to report its progress in addressing the findings in the Report, in particular, staff cultural and conduct issues and that this report be submitted to the Deputy Secretary. The first report should be provided within six weeks from the date of the Minister's letter

On 2 February 2021 a Notice of Intention to Issue a Performance Improvement Order under S.438A was issued by the Minister. This was reissued on 9 February 2021 giving 28 days for Council to make a submission. Council submitted the Notice of Intention to Issue Performance Improvement Order on 9 March 2021.

On 11 August 2021 the Minister for Local Government wrote to Council advising that she has determined not to issue a Performance Improvement Order on Council. In doing so she has acknowledged that *"Council is taking steps to address the concern referred to in the Notice. It is pleasing to note that Council appears to be addressing the underlying issues of delay and poor project management."*

The Minister further advised that *"... there remains a significant and ongoing body of work, including the reintroduction of fluoridated water to the towns and villages supplied by Council, and this work should continue to be a priority. Importantly, Council needs to pursue further opportunities for funding to ensure both current and future works are undertaken in a professional, efficiently and timely manner."*

Financial Considerations

Nil at this stage.

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Community Engagement

To inform the community through the Business Paper.

Attachments

1. Letter from Minister for Local Government, the Hon. Shelley Hancock MP.

RECOMMENDATION

That Council note that the Minister for Local Government has determined not to issue a Performance Improvement Order on Council.

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Item 9 Council Resolutions Report

Division:	Executive Services
Management Area:	Governance
Author:	Executive Services Administration Officer – Joanne Hadfield
CSP Key Focus Area:	Local Government and Finance
Priority:	GF4 Council governance and organisational structure reflects the vision, directions and priorities outlined in the Community Strategic Plan

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 10 Investments and Term Deposits – month ending 31 July 2021

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

Reason for Report

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, no term deposits matured.

In July, there were no placements made into term deposits;

The balance of the term deposits at the end of the month was \$17,500,000.00.

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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, \$34.70 interest was earned on the balances in the accounts and net transfers of (\$1,112,434.52) were made from these accounts resulting in a month end balance of \$1,306,849.76.

Cash at bank balance

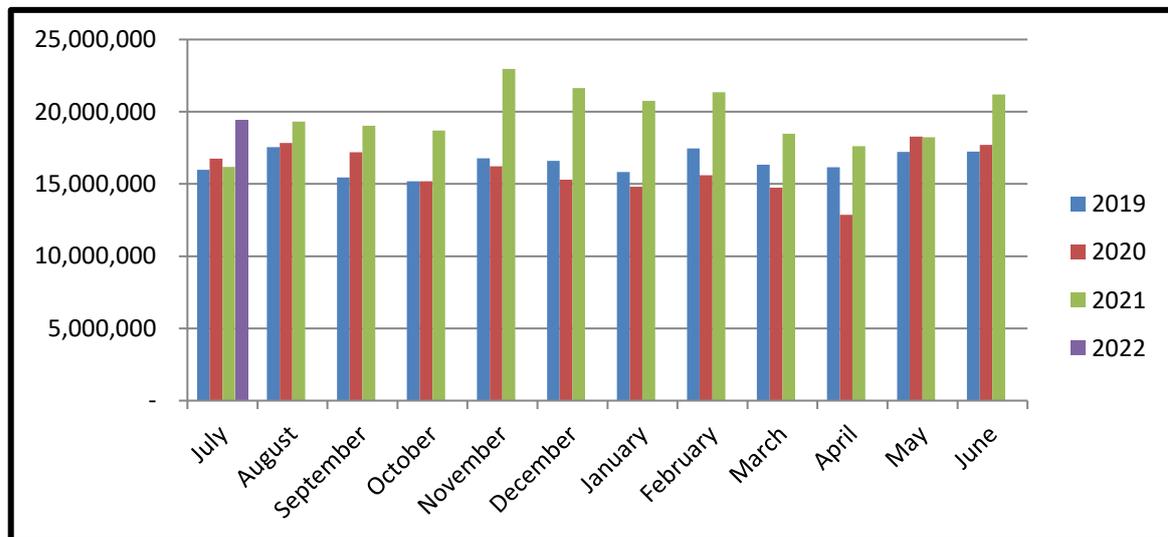
In addition to the at call accounts and term deposits, as at 31 July 2021, Council had a cash at bank balance of \$625,943.43

Income Return

The average rate of return on Investments for July 2021, of 0.4136% exceeded Council's benchmark Bank Bill Swap Rate (BBSW) of 0.0205% by 1917 points or 0.3931%.

Council's budget for year 2021/22 for interest on investments is \$140,000.00. At the end of July 2021, the amount of interest received and accrued should be around 4.55% of the total year budget, i.e. \$6,378.29. On a year to date basis, interest received and accrued totals \$9,475.29, which is 11.376% of the revised annual budget.

Graph by Month Investments



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Table 1: Investment Balances – 31 July 2021

Financial Institution	Lodgement Date	Maturity Date	Total Days	Original Rating	Current Rating	Yield (%)	Investment Amount (Redemption Value)
At Call Accounts							
NAB	1-Nov-18	At Call	at call	ADI	ADI	0.05%	194.58
ANZ	2-Nov-18	At Call	at call	ADI	ADI	0.05%	6,857.67
T Corp IM Cash Fund	3-Nov-18	At Call	at call	P	P	0.12%	999,797.51
CBA At Call	4-Nov-18	At Call	at call	ADI	ADI	0.01%	300,000.00
							1,306,849.76
Term Deposits							
NAB	15-Oct-20	06-Aug-21	295	ADI	ADI	0.64%	1,000,000.00
ME	10-Jun-21	06-Aug-21	57	LMG	LMG	0.40%	1,000,000.00
NAB	14-May-21	12-Aug-21	90	ADI	ADI	0.25%	1,000,000.00
WBC	27-Nov-20	27-Sep-21	304	ADI	ADI	0.44%	1,000,000.00
MAQ	27-Nov-20	28-Sep-21	305	UMG	UMG	0.50%	1,000,000.00
CBA	29-Oct-20	25-Oct-21	361	ADI	ADI	0.50%	1,000,000.00
CBA	30-Nov-20	29-Oct-21	333	ADI	ADI	0.55%	1,500,000.00
WBC	30-Nov-20	26-Oct-21	330	ADI	ADI	0.45%	1,000,000.00
CBA	25-Nov-20	22-Nov-21	362	ADI	ADI	0.57%	1,000,000.00
AMP	27-Nov-20	24-Nov-21	362	LMG	LMG	0.70%	1,000,000.00
CBA	08-Jan-21	06-Dec-21	332	ADI	ADI	0.41%	1,500,000.00
NAB	09-Jun-21	19-Jan-22	224	ADI	ADI	0.25%	1,000,000.00
MAQ	09-Jun-21	15-Feb-22	251	UMG	UMG	0.35%	1,000,000.00
WBC	10-Jun-21	23-Mar-22	286	ADI	ADI	0.30%	1,000,000.00
WBC	23-Apr-21	23-Apr-22	365	ADI	ADI	0.36%	1,000,000.00
NAB	09-Jun-21	23-May-22	348	ADI	ADI	0.30%	1,000,000.00
MAQ	18-Jun-21	15-Jun-22	362	UMG	UMG	0.40%	500,000.00
Sub-Total							17,500,000.00
							Total
							18,806,849.76

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Credit Rating Legend

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

Table 2: At Call and Term Deposits – Monthly Movements

Bank	Opening Balance	Interest Added to Investment	Net Placements/ Withdrawals	Closing Balance
NAB	702,665.32	194.58	(702,665.32)	194.58
ANZ	6,623.17	0.28	234.22	6,857.67
T Corp IM Cash Fund	999,957.67	(160.16)		999,797.51
CBA At Call	710,003.42		(410,003.42)	300,000.00
Total at call	2,419,249.58	34.70	(1,112,434.52)	1,306,849.76
NAB	1,000,000.00			1,000,000.00
ME	1,000,000.00			1,000,000.00
NAB	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
CBA	1,000,000.00			1,000,000.00
CBA	1,500,000.00			1,500,000.00
WBC	1,000,000.00			1,000,000.00
CBA	1,000,000.00			1,000,000.00
AMP	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	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
NAB	1,000,000.00			1,000,000.00
MAQ	500,000.00			500,000.00
Total Term deposits	17,500,000.00	-	-	17,500,000.00
Total	19,919,249.58	34.70	(1,112,434.52)	18,806,849.76

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Compliance with Council's Investment Policy

Council's Investment portfolio is not compliant. Total funds held in LMG exceed policy by 0.63%.

The table below provides compliance status against the Investment Policy:

Institution	Credit Rating	Investment \$	Actual Exposure	Max. Limit per Policy	Compliance status
Tcorp	Prime	999,797.51	5.32%	33.30%	Compliant
	Total Prime	999,797.51	5.32%	100.00%	Compliant
ANZ	ADI	6,857.67	0.04%	33.30%	Compliant
CBA	ADI	5,300,000.00	28.18%	33.30%	Compliant
WBC	ADI	4,000,000.00	21.27%	33.30%	Compliant
NAB	ADI	4,000,194.58	21.27%	33.30%	Compliant
	Total ADI	13,307,052.25	70.76%	100.00%	Compliant
MAQ	UMG	2,500,000.00	13.29%	20.00%	Compliant
	Total UMG	2,500,000.00	13.29%	60.00%	Compliant
ME	LMG	1,000,000.00	5.32%	10.00%	Compliant
AMP	LMG	1,000,000.00	5.32%	10.00%	Compliant
	Total LMG	2,000,000.00	10.63%	10.00%	Non-Compliant
	Grand Total	18,806,849.76	100.00%		

Certification of Responsible Accounting Officer

I hereby certify that the investments listed in the report above have been made in accordance with section 625 of the *Local Government Act 1993*, clause 212 of the *Local Government (General) Regulation 2005* and Council's Investments Policy.



Responsible Accounting Officer

RECOMMENDATION

That Council accept the Investments Report for the month ending 31 July 2021 including a total balance of \$19,432,793.19 being:

- \$1,306,849.76 in at call accounts.
- \$17,500,000.00 in term deposits.
- \$625,943.43 cash at bank.

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Item 11 Access to Coonabarabran Showground from Newell Highway

Division:	Technical Services
Management Area:	Urban Services and Facilities
Author:	Director Technical Services – Kevin Tighe
CSP Key Focus Area:	Local Governance and Finance
Priority:	GF4.1 Ensure that Council's governance practices, policies and procedures are continuously assessed and revised in reference to the long term goals of the CSP

Reason for Report

The purpose of this report is to consider a Council resolution that is over 12 months old and not yet finalised.

Background

The Coonabarabran Visitor Information Centre (VIC) is located on two lots. Whilst both lots are now owned by Council, when Council was granted consent to purchase the southern lot from the Crown one of the conditions was that access to the Showground is preserved. In a report to Council on the 18 October 2018 this condition was interpreted as requiring the creation of an easement to enable right of carriageway over Council land in favour of the Showground. The following resolution was made:

'164/1819 RESOLVED that Council surrender part of the Lot 589 DP721790 as per section 377(1)(h) of the Local Government Act 1993 (NSW) to ensure access is maintained to the Coonabarabran Showground as per conditions of consent from the Department of Primary Industries – Lands and an easement is placed on title to reflect the access.'

Council gained possession of the southern lot on the 12 April 2019 when acquisition was published in the NSW Government Gazette (Lot 589, DP721790). A Valuation Report was then completed and Council was required to pay compensation of \$255,000, plus \$5,298.69 interest, plus \$21,425 administration charges for the lot. Despite appeals to the Minister, the compensation and administration charges have now been paid.

Issues

The process of creating an easement in accordance with Council's resolution has not commenced due to the appeals that were taking place around the cost of the acquisition.

Options

Council has an obligation to continue with the process of creating an easement over the southern lot, simply on the basis that this was a condition imposed by the Department of Industry Lands for purchase of the land by Council.

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Financial Considerations

The process of creating an easement over Lot 589, DP721790 in favour of the Showground involves preparation of a survey plan and lodgement with the Land Titles Office. The cost of this process is estimated to be around \$10,000.

Community Engagement

The scale of this project is assessed as being low and impact as being low, which indicates the minimum level of community engagement is to inform.

RECOMMENDATION

That this report is noted as information and that Council continue with implementation of Resolution 164/1819.

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Item 12 Dunedoo Preschool – Request for Long Term Lease

Division:	Technical Services
Management Area:	Urban Services & Facilities
Author:	Director Technical Services – Kevin Tighe
CSP Key Focus Area:	Public Infrastructure & Services
Priority:	P15 Council manages its assets and infrastructure to meet the agreed service levels

Reason for Report

The purpose of this report is to make a resolution on a request by the Dunedoo Preschool Kindergarten Inc. for a long-term lease.

Background

The Dunedoo Preschool Kindergarten currently have a lease agreement to occupy land owned by Council in Merrygoen Street, Dunedoo. The Preschool has been successful in obtaining a grant from NSW Department of Education to construct another classroom, however the grant is conditional upon the Preschool having a 15-year period of tenure over the property.

The current lease period commenced in 2010 and expires on the 31 July 2025. Under the terms of the current lease agreement, there is a peppercorn rent of \$1 per year. The land is classified as Operational.

Issues

Under the current lease agreement, the Preschool is required to pay the following outgoings; water, sewerage and drainage, land tax and insurances. The Preschool is not required to pay local Council rates. The Preschool is paying electricity charges even though current lease conditions are silent on this particular outgoing.

Even though the Preschool has been successful in developing the site, the buildings and improvements are a Council asset. That is, Council is required to meet the costs of any maintenance and renewal works associated with the buildings and grounds.

Options

Council has the option of refusing the request from Dunedoo Preschool for a long-term lease and instead Council may want to sell the land or advertise the site on the open market. However, given the fact that the Preschool has been established on the site for over 15 years and development of the site is ongoing, Council may want to grant a 15-year lease as requested. Council may want to consider establishing a rental fee that recovers some or all of the expenses associated with maintaining and renewing the buildings.

Financial Considerations

The average annual operating cost of property occupied by the Dunedoo Preschool is summarised as follows:

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• Rates	\$2,350
• Property Insurance	\$200
• Building Maintenance	\$850
• Depreciation	\$6,600
Total	\$10,000

Community Engagement

The scale of this project is assessed as being moderate and impact as being low, which indicates the minimum level of community engagement is to inform and consult.

RECOMMENDATION

That:

1. Council enter into a lease agreement for a period of 15 years with Dunedoo Preschool Kindergarten Incorporated.
2. The Dunedoo Preschool Kindergarten Incorporated be responsible for all outgoings of the leased property and preparation of the lease.
3. The General Manager be authorised to negotiate any other terms and conditions of the lease agreement.

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Item 13 Updates to Roads Asset Management Plan

Division:	Technical Services
Management Area:	Design Projects
Author:	Director Technical Services – Kevin Tighe
CSP Key Focus Area:	Public Infrastructure & Services
Priority:	P13 Roads throughout the Shire are safe, well maintained and appropriately funded.

Reason for Report

The purpose of this report is to consider a Council resolution that is over 12 months old and not yet finalised.

Background

The following resolution was made on the 15 August 2019 in respect of Council's Roads Asset Management Plan (AMP):

'56/1920 RESOLVED that the Asset Management Plan Roads shown is adopted by Council and the following actions be undertaken:

1. *Report to Council on the road classification system. Include in the same report service level targets for planned maintenance activities and intervention levels for unplanned maintenance activities.*
2. *Review and update condition rating scales and include in a revised version of AMP Roads.*
3. *Report on unit rate data for the following roadwork activities; bitumen reseals, pavement rehabilitation and gravel resheeting. Include updated information in revised version of AMP Roads.*
4. *Consult with the community on acceptable levels of road condition and on expected levels of road maintenance.*
5. *When completed, publicise a map identifying the location of projects in the four (4) year works program for roadworks associated with pavement renewal and pavement upgrades.'*

Item 1 of the resolution has been completed when a report on road classification was presented to Council on the 12 December 2019.

Issues

The unit rate information referred to in Item 3 refers to Table 5.3 in the Roads AMP. The information in this table is used to calculate the cost of meeting service levels and the cost of renewing road pavements. The unit rates in Table 5.3 have now been

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updated and they are based on project costs in 2020/21. The revised Table 5.3 is provided in the attachments.

No significant work has been undertaken in relation to Item 2 and Item 5 due to resource constraints. In relation to Item 4, community expectations on acceptable levels of service and road condition will be canvassed when the next version of the Delivery Program is prepared.

Options

Council may wish to continue the process of updating and improving the information in the Roads AMP by pursuing the completion of Items 2, 4 and 5 of Resolution 56/1920.

Community Engagement

The scale of this project is assessed as being moderate and impact as being low, which indicates the minimum level of community engagement is to inform and consult.

Financial Considerations

The cost of implementing Items 2, 4 and 5 can be accommodated within existing budget constraints.

Attachments

1. Table 5.3 from the Roads AMP – updated unit rate costs.

RECOMMENDATION

That the following actions are taken in relation to the Roads Asset Management Plan:

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

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Item 14 Drinking Water Management System Improvement Plan Implementation – July 2021 Update

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

Reason for report

To present an update on the implementation of action items on Council's Drinking Water Management System (DWMS) Improvement Plan.

Background

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

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

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

- Item 11 of the April 2020 Business Paper
- Item 21 of the August 2020 Business Paper
- Item 18 of the December 2020 Business Paper
- Item 17 of the April 2021 Business Paper.

Issues

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

At the time of the March 2020 update report, 224 out of the then 345 action items were completed, closed or implemented with 121 items outstanding.

At the time of the July 2020 update report, 287 out of the 354 action items were completed, closed or implemented with 67 items outstanding.

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At the time of the November 2020 update report, 300 out of the 354 action items were completed, closed or implemented with 54 items outstanding.

At the time of the April 2021 update report, 306 out of the then 356 action items were completed, closed or implemented with 50 items outstanding.

Since then, one DWMS Improvement Plan review was held in late July/early August 2021.

Meanwhile, 314 items have been closed or completed with 44 outstanding out of the new total of 358 items; a summary table is presented below. Both, the current Improvement Plan and a Progress Summary are included as Attachments 1 and 2.

Priority	Status						To do per priority
	Closed*	Complete	Imple-mented**	In progress	Not started	Total	In percent out of total
Very High	12	22		3		37	8%
High	58	64	20	18		160	11%
Medium	65	33	22	17		137	12%
Low	12	4	1	4	2	24	25%
Sum	147	124	43	42	2	358	12%

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

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

Options

This report is presented for Council's information only.

Financial Considerations

The July/August 2021 review was held in-house without the engagement of a consultant.

A consultant is currently engaged to update Council's DWMS, which is required to occur every 5 years; the engagement cost amounts to \$24,820 incl. GST. A variation to this has been to review and update Council's DWMS Critical Control Points Reference Guide, which costs \$5,130.

Further consultancy engagements will be required to get on top of various outstanding requirements.

NSW Health engages a consultant within the frame of a support project for Council that covers the items outlined in Attachment 3.

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

Community Engagement

The level of engagement is 'Inform'.

Attachments

1. DWMS Improvement Plan, July 2021
2. Improvement Plan Summary and Progress, July 2021
3. NSW Health Support Project Scope, Tasks 5 and 6

RECOMMENDATION

That Council notes the report on the Drinking Water Management System Improvement Plan Implementation – July 2021 Update.

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Item 15 Binnaway and Mendooran Sewerage Scheme Risk Prioritisation and Funding

Division:	Environment and Development Services
Management Area:	Warrumbungle Water
Author:	Manager Warrumbungle Water – Cornelia Wiebels
CSP Key Focus Area:	Natural Environment, Public Infrastructure and Services
Priority:	NE4 Local natural water resources including waterway aquifers to remain unpolluted, P17 appropriate planning is needed to ensure the ongoing security of energy and clean water supplies to communities within the shire

Reason for report

To provide Council with and update on the risk score review for Binnaway and Mendooran Sewerage Schemes.

The Department of Planning, Industry and Environment has given both towns a risk score of '2' (low risk).

Background

Both Binnaway and Mendooran have received funding under the Safe and Secure Water Program (SSWP) for a Sewerage Scheme Concept Design (Binnaway) and a Sewerage Scheme Options Study (Mendooran).

The Options Study for Mendooran has been completed – a report to Council is to follow – the Concept Design for Binnaway has not progressed yet to the stage of community consultation.

An update report was presented to Council in Item 20 of the February 2021 Business Paper and recommended that Council:

1. Notes the information contained in the Binnaway Sewerage Scheme Project Progress Report.
2. Finalises the options study and continues to progress phase 2 of this project as outlined in the Funding Deed with DPIE.
3. Receive a further update report on this project once the outcome of Council's request to review the Risk score from 2 to 5 is known.

Issues

To allocate funding under SSWP-v2, the Department of Planning Industry and Environment (DPIE) has created a risk prioritisation framework. This framework assessed the risk for Mendooran and Binnaway under the Environment Factor,

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allocating an 'inherent risk' of 4 (high) and 5 (highest), respectively, which is being reduced to a risk impact score of 2 (low) based on the small population size. Only projects with risk impact scores of 5 are eligible for funding.

Council believes that

1. The inherent risk for Mendooran has been incorrectly assessed and should be 5.
2. The inherent risk should be the same as the risk impact score and not be reduced based on the population size as the primary public health impact is on the drinking water supply and not on the environment; drinking water quality risk ratings do not get reduced by the population size.

Details are outlined in Council's submission to DPIE on the matter in February 2021 (attached).

Council now has received a response from DPIE (also attached), stating that the environmental risk impact score would remain unchanged, arguing that:

- no additional information on town population has been provided,
- both towns would have Water Treatment Plants with multiple barriers,
- Council has regulatory powers and tools to improve the management and performance of on-site management systems,
- Council should consider an on-going education program on best practice management of on-site management systems.

DPIE has however rated both Binnaway and Mendooran as a high risk under the Water Quality Factor with the risk reason being '*Drinking water management fails to effectively control chlorine resistant pathogens (e.g. Cryptosporidium). High risk from Cryptosporidium as assessed by NSW Health.*'

The risk reason for Binnaway under the Environmental Factor, which Council believes should be the same for Mendooran based on E.coli detections in its bore water source, has been '**Primary health and high environmental impacts: wastewater from on-site wastewater management facilities has direct impact on drinking water supply source and/or with widespread direct primary contact impact to resident population and/or high impact on waterway uses and values**'.

Options

Council has the option to accept DPIE's rejection of the risk score review for Mendooran and Binnaway Sewerage Schemes or to challenge it.

Council has the option to proceed with the Binnaway Sewerage Scheme Upgrade Concept Design, with the next step involving community consultation, or defer this until the risk review has been challenged and a new outcome has been determined.

Financial Considerations

The project cost for the Binnaway Sewerage Scheme Concept Design is \$530,000, including 75% funding through SSWP.

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The construction phase for Binnaway is estimated to cost in the order of \$8M to \$10M. Item 20 of the February 2021 Business Paper presented options on how this could be funded by the rate payers.

Community Engagement

This project has been assessed as having a moderate scale and high impact, hence the level of engagement should be Inform + Consult + Involve.

Attachments

1. Submission to review the risk prioritisation for Binnaway and Mendooran Sewerage Schemes, January 2021
2. Response from DPIE on the Binnaway and Mendooran Risk Prioritisation review, June 2021

RECOMMENDATION

That Council:

1. Notes the information contained in the Binnaway and Mendooran Sewerage Scheme Risk Prioritisation and Funding Report.
2. Challenges the determination of the Department of Planning, Industry and Environment on Council's risk score review submission for the Mendooran and Binnaway Sewerage Schemes.
3. Receives a further update report on the matter once a new outcome of the risk score review for Mendooran and Binnaway Sewerage Schemes has been determined.
4. Defers the progression of the Binnaway Sewerage Scheme Concept Design until a new outcome of the risk score review for Mendooran and Binnaway Sewerage Schemes has been determined.

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Item 16 Mendooran Water Quality Incident Review Report Implementation – July 2021 Progress Update

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

Reason for report

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

Background

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

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

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

Issues

Outstanding recommendations from the Mendooran Incident Review Report are listed below in Table 2, where completed recommendations since the last report have been shaded. Table 2 also includes a brief description of Council's progress and an indication of progress status through a label. Table 1 provides a description of that status label. Table 4 provides an overall summary of progress towards completion at the end of each reporting period.

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Table 1: Description of Progress Status Label

Status	Description
Not yet started (NS)	Recommendation has been reviewed and prioritised. Some initial investigation may have occurred however no substantial progress.
Development (D)	Investigation and design work underway. May involve consultation with Government Agencies and other division within Council. May also involve preparation of contract documents for engagement of contractors.
Awaiting funding (F)	Submission for funding has been made. Recommendation able to be implemented until funding is available
Implementation (I)	Currently being implemented. May involve updating and finalisation of management plans. May involve updating of meeting agendas for operators and senior management
Complete (C)	The recommendation has been completed. Management plans have been updated. Operators and senior management reviewing treatment processes on a regular basis.
Shaded	Marked as completed since the previous report

Since recommendations marked as completed at the time of the last report have been removed from Table 2 to make the table more manageable, a complete list of recommendations has been made available as *Attachment 1*.

Table 2: Outstanding Recommendations (shaded = completed since last report)

Mendooran Incident Debrief Recommendations, Implementation Status and Comments
<p><u>Recommendation 1:</u> <i>That online turbidity and chlorine residual monitoring is installed at Mendooran WTP.</i></p> <p>Status (R1): Implementation</p> <p>Safe and Secure Water Program (SSWP) funding was granted for a 'Mendooran Water Supply Modification Upgrade Concept Design'. The proposed upgrade includes the installation of further online instrumentation with appropriate feedback control to the Programmable Logical Controller (PLC) /Supervisory Control And Data Acquisition (SCADA).</p> <p>In relation to this, two further SSWP funding applications were granted for an 'Automation and Process Instrumentation Audit, Scoping Study' as well as for a 'SCADA and Telemetry Network Upgrade, Design and Construct'.</p> <p>Change/progress since last report: No change in Status Label.</p> <p>A Business Case is being completed for the Mendooran Water Supply Scheme Upgrade, based on previous reports including Concept Design Cost Estimates. DPIE has committed to funding the reduction of the high Water Quality Risk at Mendooran. The next steps would include submission of the Final Business Case and discussion of the Project Snapshot with DPIE with the aim of drafting funding deed for the Design and Construction of the required updates.</p> <p>The Automation and Process Instrumentation Audit report has been finalised (findings were included in the Mendooran WTP Concept DWesign).</p> <p>Design and Construction of the Shire wide SCADA and Telemetry Network Upgrade is progressing with expected completion in February 2022.</p>

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

Status (R4): Implementation.

The proposed upgrade referred to in *Status (R1)* includes the installation of an inline booster pump downstream of the standpipe reservoir.

Change/progress since last report: No change in Status Label.

A Business Case is being completed for the Mendooran Water Supply Scheme Upgrade, based on previous reports including Concept Design Cost Estimates. DPIE has committed to funding the reduction of the high Water Quality Risk at Mendooran. The next steps would include submission of the Final Business Case and discussion of the Project Snapshot with DPIE with the aim of drafting funding deed for the Design and Construction of the required updates.

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

Status (R5): Implementation.

The proposed upgrade referred to in *Status (R1)* includes a re-design of the chlorine dosing system at the Coolabah reservoir site to implement a recirculation system with a set chlorine concentration.

Change/progress since last report: No change in Status Label.

A Business Case is being completed for the Mendooran Water Supply Scheme Upgrade, based on previous reports including Concept Design Cost Estimates. DPIE has committed to funding the reduction of the high Water Quality Risk at Mendooran. The next steps would include submission of the Final Business Case and discussion of the Project Snapshot with DPIE with the aim of drafting funding deed for the Design and Construction of the required updates.

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

Status (R6): Implementation.

In collaboration with Council's GIS Officer.

Council has not had a dedicated GIS Officer for an extended amount of time.

Change/progress since last report: No change in Status Label.

The GIS Officer position is being re-advertised. Meanwhile Council's Asset Inspector can undertake GIS system updates.

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Warrumbungle Water has developed a 'Water and Sewer Mains Extension or Replacement/Relining Report' Form in early 2019, which is has been completed by relevant Reticulation Staff and is to be forwarded to the GIS Officer/being forwarded to the Asset Inspector for updating of Council's GIS information (material, diameter, depth, length, location of main).

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

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

Status (R16): Implementation.

Eleven (11) out of the 15 recommendations have been completed; four (4) remain outstanding. Two (2) of these outstanding ones cannot be implemented until the Mendooran Water Supply Scheme Upgrade project progresses; refer to *Recommendation (R1)*. Two (2) are in relation to Standard Operating Procedures and Maintenance Schedules.

Table 3 (Attachment 2) summarises the recommendations from the 2014 LMWUA WTP Audit report, which have been added to the DWMS Improvement Plan.

Change/progress since last report: No change in Status Label.

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

Status (R17): Implementation.

Integrity issues of 12 reservoirs were rectified in May 2019.

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

An action plan has been created with allocated priorities.

Change/progress since last report: No change in Status Label.

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

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

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

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(Noting that actions from many of the other Recommendations in this report would need to be included in this DWMS Improvement Plan).

Status (R18): Implementation.

- The DWMS Improvement Plan is up-to-date and four-monthly reports on implementation of the action items are presented to Council, NSW Health, DPIE and OLG.
- Annual DWMS review reports are being prepared and then presented to Council.
- The updating of the risk assessments for each water supply system as part of the overall DWMS update is included in the NSW Health support project (Table 5).
- The updating of the 2014 DWMS, which is required every five (5) years, is outstanding.

Change/progress since last report: No change in Status Label.

The update of the 2014 DWMS is in progress via a consultant; a draft update has been provided.

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

It is recommended that an exercise of the incident response plan be organised with the PHU (mid-2018).

Status (R19): Implementation.

Change/progress since last report: No change in Status Label.

A 2-day workshop has been scheduled for the end of August 2021 during which mock events will be run to test the developed Incident Response Plans (IRPs). The mock events will include debrief sessions and observation by DPIE and NSW Health.

The IRP drafts were developed by a consultant following an initial workshop with Council staff. The engagement of the consultant is being paid for by NSW Health.

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

Status (R20): Development.

Change/progress since last report: No change in Status Label.

The development of the DWQ Monitoring Plan can be undertaken by a consultant (quote received) once a DW Monitoring Procedure has been developed by Council internally. The development of a DWQ Monitoring Plan requires the development of a WQ Verification Plan, incorporating a Drinking Water Monitoring Procedure including verification sampling site codes (in line with NSW Health Drinking Water Database), site descriptions, site photos and site GPS locations – this is currently being developed within Council’s regulatory services area – due for completion December 2021.

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

Status (R29): Implementation

A Training Warrumbungle Water Program has been developed; Council continues to provide training to water supply operational staff.

Change/progress since last report: No change in Status Label.

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

Status (R30): Development

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

Change since last report: No change in Status Label.

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

Status (R31): Implementation.

Change/progress since last report: No change in Status Label.

The WTP O&M schedules have been developed and provided; implementation to be finalised by December 2021. A formalised Preventative Maintenance Program is yet to be developed, including reticulation and reservoirs; quotations have been requested from consultants to develop the Preventative Maintenance Program, due to waiting on quotes - no completion timeframe is available at this stage.

Table 4: Summary of Implementation Status of Recommendations

Status Label	Feb-18	May-18	Aug-18	Dec-18	Mar-19	Jun-19	Sept-19	Dec-19	Mar-20	Jul-20	Jan-21	July-21
Not yet started	15	12	1	0	0	0	0	0	0	0	0	0
Development	11	12	14	7	3	2	2	2	2	2	2	2
Awaiting funding	0	0	0	0	0	0	0	0	0	0	0	0
Implementation	5	4	8	12	15	15	12	12	11	11	10	10
Complete	0	3	8	12	13	14	17	17	18	18	19	19
Total No of Recomm's	31											

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Options

This report is presented for Council's information.

Financial Considerations

In relation to the DWMS implementation, NSW Health continues to provide financial support to help Council meet drinking water quality expectations and standards. One example is the NSW Health support project (Table 5 in Attachment 3), which stands in relation to Recommendations R16, R18, R19 and R31. An update on the DWMS Improvement Plan implementation is contained within this Business Paper.

An update report on the Mendooran Water Supply Modification Upgrade Concept Design – relating to Recommendations R1, R4, R5 and R16 – was presented to Council in Item 20 of the May 2021 Business Paper (total expected project value of \$2.4M including 75% State Government funding).

An update report on the 8 Water Supply Systems Automation Upgrade Scoping Study – relating to Recommendations R1 and R16 – was presented to Council in Item 20 of the May 2021 Business Paper (scoping study cost has been \$55k including 75% State Government fundi).

A confidential report on the Shire wide Water and Sewer SCADA/Telemetry Network Upgrade – relating to Recommendation R1 – was presented to Council in Item 21.3 of the April 2021 Business Paper (total project value of \$1M including 75% State Government funding).

DWMS related expenditure and budget items – relating to Recommendation R17 – include:

In FY20/21:

- Reservoir cleans \$32k
- Reservoir upgrades – contractor engaged for \$110k
- Dunedoo reservoir rehab \$6k

In FY21/22:

- Dunedoo reservoir rehab \$161k
- Reservoir upgrades – internal structures \$60k

In FY22/23:

- Reservoir upgrades – internal structures \$70k
- 4 yearly reservoir inspections and cleans \$45k

In FY23/24:

- Coolah reservoir replacement Martin Street \$800k.

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

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

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Community Engagement

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

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

Attachments

1. Full 31 Recommendations from 2017 Mendooran Incident Review Report
2. Table 3, Progress of implementation of the 2014 audit recommendations
3. Table 5, Scope of works for NSW Health Support Project

RECOMMENDATION

That Council notes the six-monthly report on the implementation progress of the recommendations within the Mendooran Water Quality Incident Review Report.

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Item 17 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

Development Applications (i) Approved – July 2021

Development Application / Complying Development	Date Lodged	Date Approved	Applicant's Name	Location	Town	Type Of Development	Stop the Clock Referral Days
DA 25/2021	16/04/2021	02/07/2021	Austam Homes	4722 Baradine Road	Coonabarabran	Manufactured Home	15
DA 32/2021	13/05/2021	21/07/2021	Taylor Made Homes	200 Deihm Road	Goolma	Manufactured Home	40
DA 33/2021	19/05/2021	26/07/2021	David and Lynette Parker	10-12 McLean Street	Coolah	New Shed	0
DA 36/2021	04/06/2021	07/07/2021	Daniel Loader	45 John Street	Coonabarabran	Change of Use	0
DA 37/2021	04/06/2021	16/07/2021	Dean Bull	100 Bullinda Street	Dunedoo	New Garage/Shed	0
DA 39/2021	18/06/2021	23/07/2021	Michael and Debbie Marshall	106 Binnia Street	Coolah	New Garage/Shed	15
DA 40/2021	23/06/2021	27/07/2021	Michelle Jagers	80-84 John Street	Coonabarabran	Change of Use	0

RECOMMENDATION

That Council notes the Applications and Certificates approved during July 2021, under Delegated Authority.

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Item 18 Rescission of Motion 388/2021

Rescission of Motion 388/2021

We the undersigned propose to rescind the following motion that was determined at the 17 June 2021 Council meeting:

388/2021 RESOLVED that Council take no action in relation to the allotments owned by Council in Reservoir Street, Coonabarabran.

Should the rescission motion be successful then we propose to move the following motion:

That Council prepare a strategy for the development of Lot 1 & 2 DP847880 and Lot 337 DP753378 Reservoir Street Coonabarabran including a review of allotment sizes, subdivision design and costings. This should be prepared following consultation with local real estate agents.

Note:

Council owns Lot 1 & 2 DP847880 and Lot 337 DP753378 in Coonabarabran. The total area of all three lots is approximately 8.1 hectares. Under the LEP, all lots are zoned R1 General Residential.

An appraisal was been provided by a local agent of \$77,000 to \$85,000 per block (hence total land value would be in the vicinity of \$231,000 to \$255,000).

A Development Application was lodged in November 2007 to subdivide Lots 1 & 2 DP 847880 into 30 lots. The total land area of Lots 1 & 2 is 4.1 hectares and the average size of each lot in the proposed subdivision is around 1000m². Development Consent was awarded on the 29th July 2008. No physical works were undertaken on either Lot 1 or Lot 2, which means that Consent has now lapsed.

**MAYOR AMBROSE DOOLAN
COUNCILLOR**

**DEPUTY MAYOR ANIELLO IANNUZZI
COUNCILLOR**

**DENIS TODD
COUNCILLOR**

WARRUMBUNGLE SHIRE COUNCIL

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Item 19 Reports to be Considered in Closed Council

Item 19.1 Organisational Development Monthly Report – July 2021

Division: Executive Services

Author: Manager Organisation Development – Chris Kennedy

Summary

The purpose of this report is to update Council in relation to activities undertaken by Organisational Development 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 Organisational Development 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 19.2 Three Rivers Regional Retirement Community Information Report

Division: Environment and Development Services

Author: Director Environment and Development Services – Leanne 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 19.3 Inland Rail Interface Improvement Program – Baradine Silos – August 2021

Division: Environment and Development Services

Author: Manager Economic Development and Tourism – Jo Houghton

Summary

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

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

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

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

RECOMMENDATION

That the Inland Rail Interface Improvement Program Baradine Silos August 2021 Report be referred to Closed Council pursuant to section 10A(2)(d) of the *Local Government Act 1993* (NSW) on the grounds that the matter deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it, or confer a commercial advantage on a competitor of the council, or reveal a trade secret.

FURTHER that Council resolve that:

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

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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).