



BUSINESS PAPER
ORDINARY MEETING OF COUNCIL

To be held on

Wednesday, 27 March 2019

Commencing at

2:00pm

at

Walcha Council Chambers

Members:

Mayor – Councillor Eric Noakes
Deputy Mayor – Councillor Clint Lyon
Councillor Peter Blomfield
Councillor Kevin Ferrier
Councillor William Heazlett
Councillor Jennifer Kealey
Councillor Scott Kermode
Councillor Rachael Wellings

Quorum – 5 Members to be Present

AGENDA

Submitted to Council: 27 March 2019

..... General Manager Mayor



Dear Mayor & Councillors

You are requested to attend the Ordinary Meeting of the Walcha Council to be held at Walcha Council Chambers, 2W Hamilton Street, Walcha on **Wednesday, 27 March 2019 commencing at 2:00pm.**

Yours sincerely

Jack O'Hara
GENERAL MANAGER

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- 1. Apologies
- 2. Confirmation of Previous Minutes
 - 2.1 Minutes of the Ordinary Meeting held on Wednesday, 13 February 2019 at Walcha Council Chambers, Hamilton Street, Walcha. WO/2019/00280
- 3. Business Arising
- 4. Declarations of Interest
- 5. Mayoral Minute
- 6. Senior Officers Reports
 - 6.1 Draft Walcha Bush Fire Prone Land Map WINT/2019/00990
 - 6.2 Parliamentary Counsel Option for Planning Proposal 1
WINT/2019/01201
 - 6.3 Request for Loan – Walcha & District Historical Society Inc – Drainage Problems at Museum Complex WO/2019/00478
 - 6.4 Draft Vegetation Policy WO/2019/00441
 - 6.5 Preschool Advisory Committee Membership Nominations
WO/2019/00518
 - 6.6 Easy to do Business Program – Service NSW WO/2019/00517
- 7. Notices of Motion
 - 7.1 Nil
- 8. Matters of Urgency
(Resolution to admit matters of urgency before being further considered by Council).
- 9. Management Review Report WO/2019/00492

Submitted to Council: 27 March 2019

..... General Manager Mayor



10. Committee Reports

10.1 Nil.

11. Delegates Reports

- 11.1 Minutes of the New England Tablelands (Noxious Plants) County Council Meeting held at the Armidale Office, Rusden Street, Armidale on Tuesday, 16 October 2018. WI/2018/12482
- 11.2 Minutes of the Namoi Unlimited Board Meeting held at Liverpool Plains Shire Council Chambers on Tuesday, 5 February 2019. WI/2019/2916
- 11.3 Minutes of the Walcha Community Centre Management Committee (MPC) Annual General Meeting held at the Walcha Central School on Monday, 18 February 2019. WI/2019/02259
- 11.4 Minutes of the Walcha Community Centre Management Committee (MPC) General Meeting held at the Walcha Central School on Monday, 18 February 2019. WI/2019/02259
- 11.5 Minutes of the Namoi Unlimited Board Meeting held at the Living Classroom at Bingara in the Gwydir Shire Council WI/2019/03260
- 11.6 Minutes of the Country Mayors Association of NSW Meeting held at Parliament House, Sydney on Friday, 8 March 2019. WI/2019/02874

12. Committee of the Whole

- 12 Committee of the Whole Referral – Various Reports WO/2019/00525
- 12.1 Request for Assistance – Walcha Men’s Shed WINT/2019/01275
- 12.2 Applications for Walcha Council Audit, Risk & Improvement Committee Independent Representative WINT/2019/01270
- 12.3 Request for Rate Relief WO/2019/00444

Resolution to adjourn the Ordinary Meeting and to move into Committee of the Whole and to exclude the Press and the Public from the entire proceedings of the Committee Meeting.

Resolution to move into Open Council.

Resolution to adopt Committee of the Whole Report and Recommendations.



Present:

Apologies:

Confirmation of the Ordinary Meeting Minutes held on Wednesday, 13 February 2019:

Matters arising from the Minutes of the Ordinary Meeting held on Wednesday, 13 February 2019:

Submitted to Council: 27 March 2019

..... General Manager Mayor



ORDINARY MEETING OF COUNCIL

held on

Wednesday, 13 February 2019

at

2:15pm

at

Walcha Council Chambers

PRESENT: Clr EH Noakes (Chairman) Mayor together with Councillors PR Blomfield, KW Ferrier, WJ Heazlett, JM Kealey, SJ Kermode and RL Wellings.

IN ATTENDANCE: Mr JG O'Hara, General Manager and Mr DJM Reeves, Director – Engineering Services.

1. APOLOGIES:

106 **RESOLVED** on the Motion of Councillors Kealey and Kermode that the Apology received from Clr Lyon, due to being at a fracture clinic, be **ACCEPTED**.

MINUTES



2. CONFIRMATION OF THE ORDINARY MEETING MINUTES HELD ON WEDNESDAY, 19 DECEMBER 2018:

107 **RESOLVED** on the Motion of Councillors Kermode and Wellings that the Minutes of the Ordinary Meeting held on Wednesday, 19 December 2018, copies of which have been distributed to all members, be taken as read and confirmed a **TRUE** record.

3. BUSINESS ARISING

Nil.

4. DECLARATIONS OF INTEREST

Nil.

5. MAYORAL MINUTE

Nil.

6. SENIOR OFFICERS REPORT

108 **RESOLVED** on the Motion of Councillors Heazlett and Ferrier that the Senior Officers' Reports be **RECEIVED** for further consideration.

6.1 Adoption of the New Model Code of Meeting Practice for Local Councils in NSW
WO/2019/00201

109 **RESOLVED** on the Motion of Councillors Kealey and Ferrier that Council publicly exhibit the Draft Code of Meeting Practice as attached for at least 28 days and provide members of the community 42 days to comment on the Draft Code.

6.2 Adopt the New Model Code of Conduct for Local Councils in NSW 2018 and Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW 2018

110 **RESOLVED** on the Motion of Councillors Kealey and Kermode that Council **ADOPT** the *NEW Model Code of Conduct for Local Councils in NSW* and the *NEW Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW 2018* as presented.

Afternoon Tea:

Afternoon tea was held at 3:15pm and the Meeting recommenced at 3:46pm.

6.3 Quarterly Review of 2018 – 2019 Budget as at 31 December 2018

WO/2019/00164

111 **RESOLVED** on the Motion of Councillors Kermode and Wellings that Council **ADOPT** the December 2018 Quarterly Budget Review Statements **FURTHER THAT** Council approve the variations in Income and Expenditure votes as detailed.



6.4 Review of Roadside Vegetation Policy

WO/2019/00203

It was **MOVED** Clr Kermode **Seconded** Wellings that the General Manager prepare a draft Policy for consideration to the next meeting of Council with the policy to include clearing limits in the Local Land Services Central Zone of 15 metres and properties under 10 Ha be 6 metres **FURTHER THAT** the policy is to include a provision for any applications above these limits but below the maximum clearing distances allowed under the Local Land Services Allowable Activities be referred to Council for determination.

An **Amendment** was **MOVED** Clr Blomfield **Seconded** Clr Heazlett that the General Manager prepare a draft Policy for consideration to the next meeting of Council with the policy to include clearing limits in the Local Land Services Central Zone of 10 metres and properties under 10 Ha be 6 metres **FURTHER THAT** the policy is to include a provision for any applications above these limits but below the maximum clearing distances under the Local Land Services Allowable Activities be referred to Council for determination.

The Amendment on being put to the **VOTE** was **LOST**.

112 The Original Motion became the **Substantive Motion** and was put to the **VOTE** and **CARRIED**.

6.5 Affix Common Seal to Legal Documentation for Purchase of Land at 44N Derby Street

WO/2019/00211

113 **RESOLVED** on the Motion of Councillors Heazlett and Wellings that Council approve the affixing of the Common Seal to the Legal Documentation associated with the purchase of 44N Derby Street, Walcha **FURTHER THAT** the affixing of the Common Seal be attested to by the Mayor and the General Manager.

6.6 Namoi Unlimited Member Value Report from 1 July – 31 December 2018

WO/2019/00223

114 **RESOLVED** on the Motion of Councillors Kealey and Kermode that Council note the Report.

LATE REPORT

1 Delivery Program Six Monthly Review 2017/2018 – 2020/2021 as at December 2018

WO/2019/00233

115 **RESOLVED** on the Motion of Councillors Kealey and Kermode that in accordance with the provisions of the Local Government Act 1993 and the Integrated Planning and Reporting Legislation, Council **ADOPT** the Delivery Program 2017/2018 – 2020/2021 December 2018 six monthly review.

7. NOTICE OF MOTION

Nil.



8. MATTERS OF URGENCY

Nil.

9. MANAGEMENT REVIEW REPORTS

WO/2019/00177

116 **RESOLVED** on the Motion of Councillors Kealey and Wellings that items included in the Management Review Report, number 9.1 to 9.16 inclusive, be **NOTED** by Council.

10. COMMITTEE REPORTS

10.1 Minutes of the Walcha Council Community Care Advisory Committee Meeting held at Walcha Royal Café on Monday, 10 December 2018.

WO/2019/00182

10.2 Minutes of the Walcha Youth Advisory Committee Meeting held at St Patricks School Library on Friday, 14 December 2018.

WO/2018/02743

10.3 Minutes of the Walcha Council Staff Consultative Committee Meeting held in the Council Chambers, Hamilton Street, Walcha on Wednesday, 30 January 2019.

WO/2019/00143

4.1 Draft Employee Development and Training Policy

117 **RESOLVED** on the Motion of Councillors Kealey and Heazlett that Council **ADOPT** the Draft Employee Development and Training Policy as presented.

4.2 Equal Employment Opportunity (EEO) Policy

118 **RESOLVED** on the Motion of Councillors Kealey and Heazlett that Council **ADOPT** the Draft Equal Employment Opportunity (EEO) Policy as presented.

4.3 Draft Sexual Harassment Policy

119 **RESOLVED** on the Motion of Councillors Kealey and Heazlett that Council **ADOPT** the Draft Sexual Harassment Policy as presented.

4.4 Draft Alcohol and Other Drugs Policy

120 **RESOLVED** on the Motion of Councillors Kealey and Heazlett that Council **ADOPT** the Draft Alcohol and Other Drugs Policy as presented.

4.5 Draft Alcohol and Other Drugs Procedure

121 **RESOLVED** on the Motion of Councillors Kealey and Heazlett that Council **ADOPT** the Draft Alcohol and Other Drugs Procedure as presented.

4.6 Draft Performance and Misconduct Policy

122 **RESOLVED** on the Motion of Councillors Kealey and Heazlett that Council **ADOPT** the Draft Performance and Misconduct Policy as presented.



4.7 Draft Harassment, Anti-Discrimination and Workplace Bullying Policy

123 **RESOLVED** on the Motion of Councillors Kealey and Heazlett that Council **ADOPT** the Draft Harassment, Anti-Discrimination and Workplace Bullying Policy as presented.

11. DELEGATE REPORTS

11.1 Minutes of the Namoi Unlimited Board Meeting held at Gunnedah Shire Council Chambers on Tuesday, 4 December 2018. WI/2018/15089

12. COMMITTEE OF THE WHOLE

12. Committee of the Whole Referral – Design & Construct Wollun Road Bridge Tender WO/2019/00210

124 **RESOLVED** on the Motion of Councillors Kealey and Kermode that, in accordance with the provisions of Section 10A(2)(c) of the Local Government Act, 1993, the matter of Design and Construct Wollun Road Bridge Tender be referred to be discussed in Committee of the Whole for the reason that it relates to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

125 **RESOLVED** on the Motion of Councillors Kealey and Kermode that Council resolve into Committee of the Whole and that the press and public be excluded from the entire proceedings of the Meeting of the Committee of the Whole for the reason that it relates to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

126 The Meeting resumed in **OPEN** Council on the Motion of Councillors Kealey and Wellings.

The Mayor reported whilst in Committee of the Whole the following matters were discussed.

PRESENT: Present and IN Attendance were the same as listed in the Minutes of the Ordinary Meeting with the exception of the press and the public.

12.1 Tender for the Design and Construction of Wollun Road Bridge WINT/2019/00662

The Committee **RECOMMENDED** on the **Motion** of Councillors Kealey and Kermode that Council **ACCEPT** the tender submitted by Waeger Constructions Pty Ltd **FURTHER THAT** authorise the General Manager to commence negotiations with Waeger Constructions in order to determine a mutually beneficial construction program **STILL FURTHER THAT** if negotiations are unsuccessful, the General Manager be authorised to consult with the runner up organisation, Saunders



Civilbuild **AND STILL FURTHER THAT** the additional Council contribution be built into the 2019 – 2020 Budget.

ADOPTION OF COMMITTEE OF THE WHOLE

127 **RESOLVED** on the Motion of Councillors Kermode and Ferrier that the Report and Recommendations of the Meeting of the Walcha Council Committee of the Whole held on Wednesday, 13 February 2019 be **ADOPTED** by Council.

The Chairman publicly declared the recommendations passed by the Committee whilst in Committee of the Whole.

THERE BEING NO FURTHER BUSINESS THE CHAIRMAN DECLARED THE MEETING CLOSED AT 5:19PM.



Appendix A



Walcha Council

DRAFT

Code of Meeting Practice

2018



1. INTRODUCTION

This Draft Code of Meeting Practice (the Model Meeting Code) is made under section 360 of the *Local Government Act 1993* (the Act) and the *Local Government (General) Regulation 2005* (the Regulation).

This code applies to all meetings of councils and committees of councils of which all the members are councillors (committees of council). Council committees whose members include persons other than councillors may adopt their own rules for meetings unless the council determines otherwise.

Councils must adopt a code of meeting practice that incorporates the mandatory provisions of the Model Meeting Code.

A council’s adopted code of meeting practice may also incorporate the non-mandatory provisions of the Model Meeting Code and other supplementary provisions. However, a code of meeting practice adopted by a council must not contain provisions that are inconsistent with the mandatory provisions of this Model Meeting Code.

The provisions of the Model Meeting Code that are not mandatory are indicated in **red font**.

A council and a committee of the council of which all the members are councillors must conduct its meetings in accordance with the code of meeting practice adopted by the council.

2. MEETING PRINCIPLES

2.1 Council and committee meetings should be:

- Transparent:* Decisions are made in a way that is open and accountable.
- Informed:* Decisions are made based on relevant, quality information.
- Inclusive:* Decisions respect the diverse needs and interests of the local community.
- Principled:* Decisions are informed by the principles prescribed under Chapter 3 of the Act.
- Trusted:* The community has confidence that councillors and staff act ethically and make decisions in the interests of the whole community.
- Respectful:* Councillors, staff and meeting attendees treat each other with respect.
- Effective:* Meetings are well organised, effectively run and skilfully chaired.
- Orderly:* Councillors, staff and meeting attendees behave in a way that contributes to the orderly conduct of the meeting.

3. BEFORE THE MEETING

Timing of ordinary council meetings

3.1 The council shall, by resolution, set the frequency, time, date and place of its ordinary meetings.

Note: Under section 365 of the Act, councils are required to meet at least ten (10)



times each year, each time in a different month unless the Minister for Local Government has approved a reduction in the number of times that a council is required to meet each year under section 365A.

Extraordinary meetings

3.2 If the mayor receives a request in writing, signed by at least two (2) councillors, the mayor must call an extraordinary meeting of the council to be held as soon as practicable, but in any event, no more than fourteen (14) days after receipt of the request. The mayor can be one of the two councillors requesting the meeting.

Note: Clause 3.2 reflects section 366 of the Act.

Notice to the public of council meetings

3.3 The council must give notice to the public of the time, date and place of each of its meetings, including extraordinary meetings and of each meeting of committees of the council.

Note: Clause 3.3 reflects section 9(1) of the Act.

3.4 For the purposes of clause 3.4, notice of a meeting of the council and of a committee of council is to be published before the meeting takes place. The notice must be published on the council's website, and in such other manner that the council is satisfied is likely to bring notice of the meeting to the attention of as many people as possible.

3.5 For the purposes of clause 3.4, notice of more than one (1) meeting may be given in the same notice.

Notice to councillors of ordinary council meetings

3.6 The general manager must send to each councillor, at least three (3) days before each meeting of the council, a notice specifying the time, date and place at which the meeting is to be held, and the business proposed to be considered at the meeting.

Note: Clause 3.6 reflects section 367(1) of the Act.

3.7 The notice and the agenda for, and the business papers relating to, the meeting may be given to councillors in electronic form, but only if all councillors have facilities to access the notice, agenda and business papers in that form.

Note: Clause 3.7 reflects section 367(3) of the Act.

Notice to councillors of extraordinary meetings

3.8 Notice of less than three (3) days may be given to councillors of an extraordinary meeting of the council in cases of emergency.

Note: Clause 3.8 reflects section 367(2) of the Act.

Giving notice of business to be considered at council meetings

3.9 A councillor may give notice of any business they wish to be considered by the council at its next ordinary meeting by way of a notice of motion. To be included on the



agenda of the meeting, the notice of motion must be in writing and must be submitted five (5) business days before the meeting is to be held.

- 3.10 A councillor may, in writing to the general manager, request the withdrawal of a notice of motion submitted by them prior to its inclusion in the agenda and business paper for the meeting at which it is to be considered.
- 3.11 If the general manager considers that a notice of motion submitted by a councillor for consideration at an ordinary meeting of the council has legal, strategic, financial or policy implications which should be taken into consideration by the meeting, the general manager may prepare a report in relation to the notice of motion for inclusion with the business papers for the meeting at which the notice of motion is to be considered by the council.
- 3.12 A notice of motion for the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the notice of motion. If the notice of motion does not identify a funding source, the general manager must either:
 - (a) prepare a report on the availability of funds for implementing the motion if adopted for inclusion in the business papers for the meeting at which the notice of motion is to be considered by the council, or
 - (b) by written notice sent to all councillors with the business papers for the meeting for which the notice of motion has been submitted, defer consideration of the matter by the council to such a date specified in the notice, pending the preparation of such a report.

Questions with notice

- 3.13 A councillor may, by way of a notice submitted under clause 3.10, ask a question for response by the general manager about the performance or operations of the council.
- 3.14 A councillor is not permitted to ask a question with notice under clause 3.14 that comprises a complaint against the general manager or a member of staff of the council, or a question that implies wrongdoing by the general manager or a member of staff of the council.
- 3.15 The general manager or their nominee may respond to a question with notice submitted under clause 3.14 by way of a report included in the business papers for the relevant meeting of the council or orally at the meeting.

Agenda and business papers for ordinary meetings

- 3.16 The general manager must cause the agenda for a meeting of the council or a committee of the council to be prepared as soon as practicable before the meeting.



- 3.17 The general manager must ensure that the agenda for an ordinary meeting of the council states:
 - (a) all matters to be dealt with arising out of the proceedings of previous meetings of the council, and
 - (b) if the mayor is the chairperson – any matter or topic that the chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and
 - (c) all matters, including matters that are the subject of staff reports and reports of committees, to be considered at the meeting, and
 - (d) any business of which due notice has been given under clause 3.10.

3.18 Nothing in clause 3.18 limits the powers of the mayor to put a mayoral minute to a meeting under clause 9.6.

3.19 The general manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the general manager, the business is, or the implementation of the business would be, unlawful. The general manager must report, without giving details of the item of business, any such exclusion to the next meeting of the council.

- 3.20 Where the agenda includes the receipt of information or discussion of other matters that, in the opinion of the general manager, is likely to take place when the meeting is closed to the public, the general manager must ensure that the agenda of the meeting:
 - (a) identifies the relevant item of business and indicates that it is of such a nature (without disclosing details of the information to be considered when the meeting is closed to the public), and
 - (b) states the grounds under section 10A(2) of the Act relevant to the item of business.

Note: Clause 3.20 reflects section 9(2A)(a) of the Act.

3.21 The general manager must ensure that the details of any item of business which, in the opinion of the general manager, is likely to be considered when the meeting is closed to the public, are included in a business paper provided to councillors for the meeting concerned. Such details must not be included in the business papers made available to the public, and must not be disclosed by a councillor or by any other person to another person who is not authorised to have that information.

Availability of the agenda and business papers to the public

3.22 Copies of the agenda and the associated business papers, such as correspondence and reports for meetings of the council and committees of council, are to be published on the council’s website, and must be made available to the public for inspection, or for taking away by any person free of charge at the offices of the council, at the relevant meeting and at such other venues determined by the council.

Note: Clause 3.22 reflects section 9(2) and (4) of the Act.



3.23 Clause 3.22 does not apply to the business papers for items of business that the general manager has identified under clause 3.20 as being likely to be considered when the meeting is closed to the public.

Note: Clause 3.23 reflects section 9(2A)(b) of the Act.

3.24 For the purposes of clause 3.22, copies of agendas and business papers must be published on the council’s website and made available to the public at a time that is as close as possible to the time they are available to councillors.

Note: Clause 3.24 reflects section 9(3) of the Act.

3.25 A copy of an agenda, or of an associated business paper made available under clause 3.22, may in addition be given or made available in electronic form.

Note: Clause 3.25 reflects section 9(5) of the Act.

Agenda and business papers for extraordinary meetings

3.26 The general manager must ensure that the agenda for an extraordinary meeting of the council deals only with the matters stated in the notice of the meeting.

3.27 Despite clause 3.26, business may be considered at an extraordinary meeting of the council, even though due notice of the business has not been given, if:

- (a) a motion is passed to have the business considered at the meeting, and
- (b) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.

3.28 A motion moved under clause 3.27(a) can be moved without notice but only after the business notified in the agenda for the extraordinary meeting has been dealt with.

3.29 Despite clauses 10.20–10.30, only the mover of a motion moved under clause 3.27(a) can speak to the motion before it is put.

3.30 A motion of dissent cannot be moved against a ruling of the chairperson under clause 3.27(b) on whether a matter is of great urgency.

Pre-meeting briefing sessions

3.31 Prior to each ordinary meeting of the council, the general manager may arrange a pre-meeting briefing session to brief councillors on business to be considered at the meeting. Pre-meeting briefing sessions may also be held for extraordinary meetings of the council and meetings of committees of the council.

3.32 Pre-meeting briefing sessions are to be held in the absence of the public.

3.33 The general manager or a member of staff nominated by the general manager is to preside at pre-meeting briefing sessions.



- 3.34 Councillors must not use pre-meeting briefing sessions to debate or make preliminary decisions on items of business they are being briefed on, and any debate and decision-making must be left to the formal council or committee meeting at which the item of business is to be considered.
- 3.35 Councillors (including the mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of a briefing at a pre-meeting briefing session, in the same way that they are required to do so at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at pre-meeting briefing sessions and how the conflict of interest was managed by the councillor who made the declaration.

4. PUBLIC FORUMS

- 4.1 The council may hold a public forum prior to each ordinary meeting of the council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting. Public forums may also be held prior to extraordinary council meetings and meetings of committees of the council.
- 4.2 Public forums are to be chaired by the mayor or their nominee.
- 4.3 To speak at a public forum, a person must first make an application to the council in the approved form. Applications to speak at the public forum must be received by five business days before the date on which the public forum is to be held, and must identify the item of business on the agenda of the council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item.
- 4.4 A person may apply to speak on no more than two items of business on the agenda of the council meeting.
- 4.5 Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at the public forum.
- 4.6 The general manager or their delegate may refuse an application to speak at a public forum. The general manager or their delegate must give reasons in writing for a decision to refuse an application.
- 4.7 Approved speakers at the public forum are to register with the council any written, visual or audio material to be presented in support of their address to the council at the public forum, and to identify any equipment needs no more than three (3) days before the public forum. The general manager or their delegate may refuse to allow such material to be presented.
- 4.8 The general manager or their delegate is to determine the order of speakers at the public forum.



- 4.9 Each speaker will be allowed three (3) minutes to address the council. This time is to be strictly enforced by the chairperson.
- 4.10 Speakers at public forums must not digress from the item on the agenda of the council meeting they have applied to address the council on. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.
- 4.11 A councillor (including the chairperson) may, through the chairperson, ask questions of a speaker following their address at a public forum. Questions put to a speaker must be direct, succinct and without argument.
- 4.12 Speakers are under no obligation to answer a question put under clause 4.14. Answers by the speaker, to each question are to be limited to two (2) minutes.
- 4.13 Speakers at public forums cannot ask questions of the council, councillors or council staff.
- 4.14 The general manager or their nominee may, with the concurrence of the chairperson, address the council for up to two (2) minutes in response to an address to the council at a public forum after the address and any subsequent questions and answers have been finalised.
- 4.15 Where an address made at a public forum raises matters that require further consideration by council staff, the general manager may recommend that the council defer consideration of the matter pending the preparation of a further report on the matters.
- 4.16 When addressing the council, speakers at public forums must comply with this code and all other relevant council codes, policies and procedures. Speakers must refrain from engaging in disorderly conduct, publicly alleging breaches of the council's code of conduct or making other potentially defamatory statements.
- 4.17 If the chairperson considers that a speaker at a public forum has engaged in conduct of the type referred to in clause 4.19, the chairperson may request the person to refrain from the inappropriate behaviour and to withdraw and unreservedly apologise for any inappropriate comments. Where the speaker fails to comply with the chairperson's request, the chairperson may immediately require the person to stop speaking.
- 4.18 Clause 4.17 does not limit the ability of the chairperson to deal with disorderly conduct by speakers at public forums in accordance with the provisions of Part 15 of this code.
- 4.19 Where a speaker engages in conduct of the type referred to in clause 4.16, the general manager or their delegate may refuse further applications from that person to speak at



public forums for such a period as the general manager or their delegate considers appropriate.

4.20 Councillors (including the mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of an address at a public forum, in the same way that they are required to do so at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at public forums and how the conflict of interest was managed by the councillor who made the declaration.

5. COMING TOGETHER

Attendance by councillors at meetings

5.1 All councillors must make reasonable efforts to attend meetings of the council and of committees of the council of which they are members.

Note: A councillor may not attend a meeting as a councillor (other than the first meeting of the council after the councillor is elected or a meeting at which the councillor takes an oath or makes an affirmation of office) until they have taken an oath or made an affirmation of office in the form prescribed under section 233A of the Act.

5.2 A councillor cannot participate in a meeting of the council or of a committee of the council unless personally present at the meeting.

5.3 Where a councillor is unable to attend one or more ordinary meetings of the council, the councillor should request that the council grant them a leave of absence from those meetings. This clause does not prevent a councillor from making an apology if they are unable to attend a meeting. However the acceptance of such an apology does not constitute the granting of a leave of absence for the purposes of this code and the Act.

5.4 A councillor’s request for leave of absence from council meetings should, if practicable, identify (by date) the meetings from which the councillor intends to be absent and the grounds upon which the leave of absence is being sought.

5.5 The council must act reasonably when considering whether to grant a councillor’s request for a leave of absence.

5.6 A councillor’s civic office will become vacant if the councillor is absent from three (3) consecutive ordinary meetings of the council without prior leave of the council, or leave granted by the council at any of the meetings concerned, unless the holder is absent because they have been suspended from office under the Act, or because the council has been suspended under the Act, or as a consequence of a compliance order under section 438HA.

Note: Clause 5.6 reflects section 234(1)(d) of the Act.



5.7 A councillor who intends to attend a meeting of the council despite having been granted a leave of absence should, if practicable, give the general manager at least two (2) days' notice of their intention to attend.

The quorum for a meeting

5.8 The quorum for a meeting of the council is a majority of the councillors of the council who hold office at that time and are not suspended from office.

Note: Clause 5.8 reflects section 368(1) of the Act.

5.9 Clause 5.8 does not apply if the quorum is required to be determined in accordance with directions of the Minister in a performance improvement order issued in respect of the council.

Note: Clause 5.9 reflects section 368(2) of the Act.

5.10 A meeting of the council must be adjourned if a quorum is not present:

- (a) at the commencement of the meeting where the number of apologies received for the meeting indicates that there will not be a quorum for the meeting, or
- (b) within half an hour after the time designated for the holding of the meeting, or
- (c) at any time during the meeting.

5.11 In either case, the meeting must be adjourned to a time, date and place fixed:

- (a) by the chairperson, or
- (b) in the chairperson's absence, by the majority of the councillors present, or
- (c) failing that, by the general manager.

5.12 The general manager must record in the council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of the council, together with the names of the councillors present.

5.13 Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the safety and welfare of councillors, council staff and members of the public may be put at risk by attending the meeting because of a natural disaster (such as, but not limited to flood or bushfire), the mayor may, in consultation with the general manager and, as far as is practicable, with each councillor, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on the council's website and in such other manner that the council is satisfied is likely to bring notice of the cancellation to the attention of as many people as possible.

5.14 Where a meeting is cancelled under clause 5.14, the business to be considered at the meeting may instead be considered, where practicable, at the next ordinary meeting of the council or at an extraordinary meeting called under clause 3.2.



Entitlement of the public to attend council meetings

5.15 Everyone is entitled to attend a meeting of the council and committees of the council. The council must ensure that all meetings of the council and committees of the council are open to the public.

Note: Clause 5.15 reflects section 10(1) of the Act.

5.16 Clause 5.15 does not apply to parts of meetings that have been closed to the public under section 10A of the Act.

5.17 A person (whether a councillor or another person) is not entitled to be present at a meeting of the council or a committee of the council if expelled from the meeting:

- (a) by a resolution of the meeting, or
- (b) by the person presiding at the meeting if the council has, by resolution, authorised the person presiding to exercise the power of expulsion.

Note: Clause 5.17 reflects section 10(2) of the Act.

Webcasting of meetings

5.18 All meetings of the council and committees of the council are to be webcast on the council's website. The webcast will be audio recordings of meetings. These recordings will be uploaded to council's website at a later time.

Note: Councils will be required to webcast meetings from 14 December 2019. Councils that do not currently webcast meetings should take steps to ensure that meetings are webcast by 14 December 2019.

5.19 Clause 5.18 does not apply to parts of a meeting that have been closed to the public under section 10A of the Act.

5.20 At the start of each meeting the chairperson is to make a statement informing those in attendance that the meeting is being webcast and that those in attendance should refrain from making any defamatory statements.

5.21 A recording of each meeting of the council and committee of the council is to be retained on the council's website for three (3) months. Recordings of meetings may be disposed of in accordance with the *State Records Act 1998*.

Attendance of the general manager and other staff at meetings

5.22 The general manager is entitled to attend, but not to vote at, a meeting of the council or a meeting of a committee of the council of which all of the members are councillors.

Note: Clause 5.22 reflects section 376(1) of the Act.

5.23 The general manager is entitled to attend a meeting of any other committee of the council and may, if a member of the committee, exercise a vote.

Note: Clause 5.23 reflects section 376(2) of the Act.



5.24 The general manager may be excluded from a meeting of the council or a committee while the council or committee deals with a matter relating to the standard of performance of the general manager or the terms of employment of the general manager.

Note: Clause 5.24 reflects section 376(3) of the Act.

5.25 The attendance of other council staff at a meeting, (other than as members of the public) shall be with the approval of the general manager.

6. THE CHAIRPERSON

The chairperson at meetings

6.1 The mayor, or at the request of or in the absence of the mayor, the deputy mayor (if any) presides at meetings of the council.

Note: Clause 6.1 reflects section 369(1) of the Act.

6.2 If the mayor and the deputy mayor (if any) are absent, a councillor elected to chair the meeting by the councillors present presides at a meeting of the council.

Note: Clause 6.2 reflects section 369(2) of the Act.

Election of the chairperson in the absence of the mayor and deputy mayor

6.3 If no chairperson is present at a meeting of the council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a chairperson to preside at the meeting.

6.4 The election of a chairperson must be conducted:
(a) by the general manager or, in their absence, an employee of the council designated by the general manager to conduct the election, or
(b) by the person who called the meeting or a person acting on their behalf if neither the general manager nor a designated employee is present at the meeting, or if there is no general manager or designated employee.

6.5 If, at an election of a chairperson, two (2) or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the chairperson is to be the candidate whose name is chosen by lot.

6.6 For the purposes of clause 6.5, the person conducting the election must:
(a) arrange for the names of the candidates who have equal numbers of votes to be written on similar slips, and
(b) then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.

6.7 The candidate whose name is on the drawn slip is the candidate who is to be the chairperson.



6.8 Any election conducted under clause 6.3, and the outcome of the vote, are to be recorded in the minutes of the meeting.

Chairperson to have precedence

6.9 When the chairperson rises or speaks during a meeting of the council:
(a) any councillor then speaking or seeking to speak must cease speaking and, if standing, immediately resume their seat, and
(b) every councillor present must be silent to enable the chairperson to be heard without interruption.

7. MODES OF ADDRESS

7.1 If the chairperson is the mayor, they are to be addressed as 'Mr Mayor' or 'Madam Mayor'.

7.2 Where the chairperson is not the mayor, they are to be addressed as either 'Mr Chairperson' or 'Madam Chairperson'.

7.3 A councillor is to be addressed as 'Councillor [surname]'.

7.4 A council officer is to be addressed by their official designation or as Mr/Ms [surname].

8. ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS

8.1 At a meeting of the council, the general order of business is as fixed by resolution of the council.

8.2 The order of business as fixed under clause 8.1 may be altered for a particular meeting of the council if a motion to that effect is passed at that meeting. Such a motion can be moved without notice.

8.3 Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 8.2 may speak to the motion before it is put.

9. CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS

Business that can be dealt with at a council meeting

9.1 The council must not consider business at a meeting of the council:
(a) unless a councillor has given notice of the business, as required by clause 3.19, and
(b) unless notice of the business has been sent to the councillors in accordance with clause 3.6 in the case of an ordinary meeting or clause 3.8 in the case of an extraordinary meeting called in an emergency.

9.2 Clause 9.1 does not apply to the consideration of business at a meeting, if the business:
(a) is already before, or directly relates to, a matter that is already before the council, or
(b) is the election of a chairperson to preside at the meeting, or



- (c) subject to clause 9.9, is a matter or topic put to the meeting by way of a mayoral minute, or
- (d) is a motion for the adoption of recommendations of a committee, including, but not limited to, a committee of the council.

9.3 Despite clause 9.1, business may be considered at a meeting of the council even though due notice of the business has not been given to the councillors if:

- (a) a motion is passed to have the business considered at the meeting, and
- (b) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.

9.4 A motion moved under clause 9.3(a) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 9.3(a) can speak to the motion before it is put.

9.5 A motion of dissent cannot be moved against a ruling by the chairperson under clause 9.3(b).

Mayoral minutes

9.6 Subject to clause 9.9, if the mayor is the chairperson at a meeting of the council, the mayor may, by minute signed by the mayor, put to the meeting without notice any matter or topic that is within the jurisdiction of the council, or of which the council has official knowledge.

9.7 A mayoral minute, when put to a meeting, takes precedence over all business on the council's agenda for the meeting. The chairperson (but only if the chairperson is the mayor) may move the adoption of a mayoral minute without the motion being seconded.

9.8 A recommendation made in a mayoral minute put by the mayor is, so far as it is adopted by the council, a resolution of the council.

9.9 A mayoral minute must not be used to put without notice matters that are routine and not urgent, or matters for which proper notice should be given because of their complexity. For the purpose of this clause, a matter will be urgent where it requires a decision by the council before the next scheduled ordinary meeting of the council.

9.10 Where a mayoral minute makes a recommendation which, if adopted, would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan, it must identify the source of funding for the expenditure that is the subject of the recommendation. If the mayoral minute does not identify a funding source, the council must defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the recommendation if adopted.



Staff reports

9.11 A recommendation made in a staff report is, so far as it is adopted by the council, a resolution of the council.

Reports of committees of council

9.12 The recommendations of a committee of the council are, so far as they are adopted by the council, resolutions of the council.

9.13 If in a report of a committee of the council distinct recommendations are made, the council may make separate decisions on each recommendation.

Questions

9.14 A question must not be asked at a meeting of the council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with clauses 3.9 and 3.13.

9.15 A councillor may, through the chairperson, put a question to another councillor about a matter on the agenda.

9.16 A councillor may, through the general manager, put a question to a council employee about a matter on the agenda. Council employees are only obliged to answer a question put to them through the general manager at the direction of the general manager.

9.17 A councillor or council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to documents. Where a councillor or council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice and report the response to the next meeting of the council.

9.18 Councillors must put questions directly, succinctly, respectfully and without argument.

9.19 The chairperson must not permit discussion on any reply to, or refusal to reply to, a question put to a councillor or council employee.

10. RULES OF DEBATE

Motions to be seconded

10.1 Unless otherwise specified in this code, a motion or an amendment cannot be debated unless or until it has been seconded.

Notices of motion

10.2 A councillor who has submitted a notice of motion under clause 3.10 is to move the motion the subject of the notice of motion at the meeting at which it is to be considered.



- 10.3 If a councillor who has submitted a notice of motion under clause 3.10 wishes to withdraw it after the agenda and business paper for the meeting at which it is to be considered have been sent to councillors, the councillor may request the withdrawal of the motion when it is before the council.
- 10.4 In the absence of a councillor who has placed a notice of motion on the agenda for a meeting of the council:
 - (a) any other councillor may, with the leave of the chairperson, move the motion at the meeting, or
 - (b) the chairperson may defer consideration of the motion until the next meeting of the council.

Chairperson’s duties with respect to motions

- 10.5 It is the duty of the chairperson at a meeting of the council to receive and put to the meeting any lawful motion that is brought before the meeting.
- 10.6 The chairperson must rule out of order any motion or amendment to a motion that is unlawful or the implementation of which would be unlawful.
- 10.7 Before ruling out of order a motion or an amendment to a motion under clause 10.6, the chairperson is to give the mover an opportunity to clarify or amend the motion or amendment.
- 10.8 Any motion, amendment or other matter that the chairperson has ruled out of order is taken to have been lost.

Motions requiring the expenditure of funds

- 10.9 A motion or an amendment to a motion which if passed would require the expenditure of funds on works and/or services other than those already provided for in the council’s current adopted operational plan must identify the source of funding for the expenditure that is the subject of the motion. If the motion does not identify a funding source, the council must defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the motion if adopted.

Amendments to motions

- 10.10 An amendment to a motion must be moved and seconded before it can be debated.
- 10.11 An amendment to a motion must relate to the matter being dealt with in the original motion before the council and must not be a direct negative of the original motion. An amendment to a motion which does not relate to the matter being dealt with in the original motion, or which is a direct negative of the original motion, must be ruled out of order by the chairperson.
- 10.12 The mover of an amendment is to be given the opportunity to explain any uncertainties in the proposed amendment before a seconder is called for.



- 10.13 If an amendment has been lost, a further amendment can be moved to the motion to which the lost amendment was moved, and so on, but no more than one (1) motion and one (1) proposed amendment can be before council at any one time.
- 10.14 While an amendment is being considered, debate must only occur in relation to the amendment and not the original motion. Debate on the original motion is to be suspended while the amendment to the original motion is being debated.
- 10.15 If the amendment is carried, it becomes the motion and is to be debated. If the amendment is lost, debate is to resume on the original motion.
- 10.16 An amendment may become the motion without debate or a vote where it is accepted by the councillor who moved the original motion.

Foreshadowed motions

- 10.17 A councillor may propose a foreshadowed motion in relation to the matter the subject of the original motion before the council, without a seconder during debate on the original motion. The foreshadowed motion is only to be considered if the original motion is lost or withdrawn and the foreshadowed motion is then moved and seconded. If the original motion is carried, the foreshadowed motion lapses.
- 10.18 Where an amendment has been moved and seconded, a councillor may, without a seconder, foreshadow a further amendment that they propose to move after the first amendment has been dealt with. There is no limit to the number of foreshadowed amendments that may be put before the council at any time. However, no discussion can take place on foreshadowed amendments until the previous amendment has been dealt with and the foreshadowed amendment has been moved and seconded.
- 10.19 Foreshadowed motions and foreshadowed amendments are to be considered in the order in which they are proposed. However, foreshadowed motions cannot be considered until all foreshadowed amendments have been dealt with.

Limitations on the number and duration of speeches

- 10.20 A councillor who, during a debate at a meeting of the council, moves an original motion, has the right to speak on each amendment to the motion and a right of general reply to all observations that are made during the debate in relation to the motion, and any amendment to it at the conclusion of the debate before the motion (whether amended or not) is finally put.
- 10.21 A councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.
- 10.22 A councillor must not, without the consent of the council, speak more than once on a motion or an amendment, or for longer than five (5) minutes at any one time.



- 10.23 Despite clause 10.22, the chairperson may permit a councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or an amendment, and for longer than five (5) minutes on that motion or amendment to enable the councillor to make a statement limited to explaining the misrepresentation or misunderstanding.
- 10.24 Despite clause 10.22, the council may resolve to shorten the duration of speeches to expedite the consideration of business at a meeting.
- 10.25 Despite clauses 10.20 and 10.21, a councillor may move that a motion or an amendment be now put:
 - (a) if the mover of the motion or amendment has spoken in favour of it and no councillor expresses an intention to speak against it, or
 - (b) if at least two (2) councillors have spoken in favour of the motion or amendment and at least two (2) councillors have spoken against it.
- 10.26 The chairperson must immediately put to the vote, without debate, a motion moved under clause 10.25. A seconder is not required for such a motion.
- 10.27 If a motion that the original motion or an amendment be now put is passed, the chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised their right of reply under clause 10.20.
- 10.28 If a motion that the original motion or an amendment be now put is lost, the chairperson must allow the debate on the original motion or the amendment to be resumed.
- 10.29 All councillors must be heard without interruption and all other councillors must, unless otherwise permitted under this code, remain silent while another councillor is speaking.
- 10.30 Once the debate on a matter has concluded and a matter has been dealt with, the chairperson must not allow further debate on the matter.

11. VOTING

Voting entitlements of councillors

- 11.1 Each councillor is entitled to one (1) vote.
Note: Clause 11.1 reflects section 370(1) of the Act.
- 11.2 The person presiding at a meeting of the council has, in the event of an equality of votes, a second or casting vote.
Note: Clause 11.2 reflects section 370(2) of the Act.
- 11.3 Where the chairperson declines to exercise, or fails to exercise, their second or casting vote, in the event of an equality of votes, the motion being voted upon is lost.



Voting at council meetings

- 11.4 A councillor who is present at a meeting of the council but who fails to vote on a motion put to the meeting is taken to have voted against the motion.
- 11.5 If a councillor who has voted against a motion put at a council meeting so requests, the general manager must ensure that the councillor's dissenting vote is recorded in the council's minutes.
- 11.6 The decision of the chairperson as to the result of a vote is final, unless the decision is immediately challenged and not fewer than two (2) councillors rise and call for a division.
- 11.7 When a division on a motion is called, the chairperson must ensure that the division takes place immediately. The general manager must ensure that the names of those who vote for the motion and those who vote against it are recorded in the council's minutes for the meeting.
- 11.8 When a division on a motion is called, any councillor who fails to vote will be recorded as having voted against the motion in accordance with clause 11.4 of this code.
- 11.9 Voting at a meeting, including voting in an election at a meeting, is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system). However, the council may resolve that the voting in any election by councillors for mayor or deputy mayor is to be by secret ballot.

Voting on planning decisions

- 11.10 The general manager must keep a register containing, for each planning decision made at a meeting of the council or a council committee (including, but not limited to a committee of the council), the names of the councillors who supported the decision and the names of any councillors who opposed (or are taken to have opposed) the decision.
- 11.11 For the purpose of maintaining the register, a division is taken to have been called whenever a motion for a planning decision is put at a meeting of the council or a council committee.
- 11.12 Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document.
- 11.13 Clauses 11.10–11.12 apply also to meetings that are closed to the public.
Note: Clauses 11.10–11.13 reflect section 375A of the Act.
Note: The requirements of clause 11.10 may be satisfied by maintaining a register of the minutes of each planning decision.



12. COMMITTEE OF THE WHOLE

12.1 The council may resolve itself into a committee to consider any matter before the council.

Note: Clause 12.1 reflects section 373 of the Act.

12.2 All the provisions of this code relating to meetings of the council, so far as they are applicable, extend to and govern the proceedings of the council when in committee of the whole, except the provisions limiting the number and duration of speeches.

Note: Clauses 10.20–10.30 limit the number and duration of speeches.

12.3 The general manager or, in the absence of the general manager, an employee of the council designated by the general manager, is responsible for reporting to the council the proceedings of the committee of the whole. It is not necessary to report the proceedings in full but any recommendations of the committee must be reported.

12.4 The council must ensure that a report of the proceedings (including any recommendations of the committee) is recorded in the council's minutes. However, the council is not taken to have adopted the report until a motion for adoption has been made and passed.

13. DEALING WITH ITEMS BY EXCEPTION

13.1 The council or a committee of council may, at any time, resolve to adopt multiple items of business on the agenda together by way of a single resolution.

13.2 Before the council or committee resolves to adopt multiple items of business on the agenda together under clause 13.1, the chairperson must list the items of business to be adopted and ask councillors to identify any individual items of business listed by the chairperson that they intend to vote against the recommendation made in the business paper or that they wish to speak on.

13.3 The council or committee must not resolve to adopt any item of business under clause 13.1 that a councillor has identified as being one they intend to vote against the recommendation made in the business paper or to speak on.

13.4 Where the consideration of multiple items of business together under clause 13.1 involves a variation to the order of business for the meeting, the council or committee must resolve to alter the order of business in accordance with clause 8.3.

13.5 A motion to adopt multiple items of business together under clause 13.1 must identify each of the items of business to be adopted and state that they are to be adopted as recommended in the business paper.

13.6 Items of business adopted under clause 13.1 are to be taken to have been adopted unanimously.



13.7 Councillors must ensure that they declare and manage any conflicts of interest they may have in relation to items of business considered together under clause 13.1 in accordance with the requirements of the council's code of conduct.

14. CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC

Grounds on which meetings can be closed to the public

14.1 The council or a committee of the council may close to the public so much of its meeting as comprises the discussion or the receipt of any of the following types of matters:

- (a) personnel matters concerning particular individuals (other than councillors),
- (b) the personal hardship of any resident or ratepayer,
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
- (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,
- (e) information that would, if disclosed, prejudice the maintenance of law,
- (f) matters affecting the security of the council, councillors, council staff or council property,
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
- (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land,
- (i) alleged contraventions of the council's code of conduct.

Note: Clause 14.1 reflects section 10A(1) and (2) of the Act.

14.2 The council or a committee of the council may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

Note: Clause 14.2 reflects section 10A(3) of the Act.

Matters to be considered when closing meetings to the public

14.3 A meeting is not to remain closed during the discussion of anything referred to in clause 14.1:

- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
- (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

Note: Clause 14.3 reflects section 10B(1) of the Act.

14.4 A meeting is not to be closed during the receipt and consideration of information or advice referred to in clause 14.1(g) unless the advice concerns legal matters that:



- (a) are substantial issues relating to a matter in which the council or committee is involved, and
- (b) are clearly identified in the advice, and
- (c) are fully discussed in that advice.

Note: Clause 14.4 reflects section 10B(2) of the Act.

14.5 If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in clause 14.2), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting other than consideration of whether the matter concerned is a matter referred to in clause 14.1.

Note: Clause 14.5 reflects section 10B(3) of the Act.

14.6 For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:

- (a) a person may misinterpret or misunderstand the discussion, or
- (b) the discussion of the matter may:
 - (i) cause embarrassment to the council or committee concerned, or to councillors or to employees of the council, or
 - (ii) cause a loss of confidence in the council or committee.

Note: Clause 14.6 reflects section 10B(4) of the Act.

14.7 In deciding whether part of a meeting is to be closed to the public, the council or committee concerned must consider any relevant guidelines issued by the Chief Executive of the Office of Local Government.

Note: Clause 14.7 reflects section 10B(5) of the Act.

Notice of likelihood of closure not required in urgent cases

14.8 Part of a meeting of the council, or of a committee of the council, may be closed to the public while the council or committee considers a matter that has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed, but only if:

- (a) it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in clause 14.1, and
- (b) the council or committee, after considering any representations made under clause 14.9, resolves that further discussion of the matter:
 - (i) should not be deferred (because of the urgency of the matter), and
 - (ii) should take place in a part of the meeting that is closed to the public.

Note: Clause 14.8 reflects section 10C of the Act.

Representations by members of the public

14.9 The council, or a committee of the council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

Note: Clause 14.9 reflects section 10A(4) of the Act.



- 14.10 A representation under clause 14.9 is to be made after the motion to close the part of the meeting is moved and seconded.
- 14.11 Where the matter has been identified in the agenda of the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under clause 14.9, members of the public must first make an application to the council in the approved form. Applications must be received by five (5) days before the meeting at which the matter is to be considered.
- 14.12 The general manager (or their delegate) may refuse an application made under clause 14.11. The general manager or their delegate must give reasons in writing for a decision to refuse an application.
- 14.13 No more than four (4) speakers are to be permitted to make representations under clause 14.9.
- 14.14 If more than the permitted number of speakers apply to make representations under clause 14.9, the general manager or their delegate may request the speakers to nominate from among themselves the persons who are to make representations to the council. If the speakers are not able to agree on whom to nominate to make representations under clause 14.9, the general manager or their delegate is to determine who will make representations to the council.
- 14.15 The general manager (or their delegate) is to determine the order of speakers.
- 14.16 Where the council or a committee of the council proposes to close a meeting or part of a meeting to the public in circumstances where the matter has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, the chairperson is to invite representations from the public under clause 14.9 after the motion to close the part of the meeting is moved and seconded. The chairperson is to permit no more than four (4) speakers to make representations in such order as determined by the chairperson.
- 14.17 Each speaker will be allowed three (3) minutes to make representations, and this time limit is to be strictly enforced by the chairperson. Speakers must confine their representations to whether the meeting should be closed to the public. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.

Expulsion of non-councillors from meetings closed to the public

- 14.18 If a meeting or part of a meeting of the council or a committee of the council is closed to the public in accordance with section 10A of the Act and this code, any person who is not a councillor and who fails to leave the meeting when requested, may be expelled from the meeting as provided by section 10(2)(a) or (b) of the Act.



14.19 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary restrain that person from re-entering that place for the remainder of the meeting.

Information to be disclosed in resolutions closing meetings to the public

14.20 The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. The grounds must specify the following:

- (a) the relevant provision of section 10A(2) of the Act,
- (b) the matter that is to be discussed during the closed part of the meeting,
- (c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Note: Clause 14.20 reflects section 10D of the Act.

Resolutions passed at closed meetings to be made public

14.21 If the council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the chairperson must make the resolution public as soon as practicable after the meeting, or the relevant part of the meeting, has ended, and the resolution must be recorded in the publicly available minutes of the meeting.

14.22 Resolutions passed during a meeting, or a part of a meeting, that is closed to the public must be made public by the chairperson under clause 14.21 during a part of the meeting that is webcast.

15. KEEPING ORDER AT MEETINGS

Points of order

15.1 A councillor may draw the attention of the chairperson to an alleged breach of this code by raising a point of order. A point of order does not require a seconder.

15.2 A point of order cannot be made with respect to adherence to the principles contained in clause 2.1.

15.3 A point of order must be taken immediately it is raised. The chairperson must suspend the business before the meeting and permit the councillor raising the point of order to state the provision of this code they believe has been breached. The chairperson must then rule on the point of order – either by upholding it or by overruling it.



Questions of order

- 15.4 The chairperson, without the intervention of any other councillor, may call any councillor to order whenever, in the opinion of the chairperson, it is necessary to do so.
- 15.5 A councillor who claims that another councillor has committed an act of disorder, or is out of order, may call the attention of the chairperson to the matter.
- 15.6 The chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of the council.
- 15.7 The chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

Motions of dissent

- 15.8 A councillor can, without notice, move to dissent from a ruling of the chairperson on a point of order or a question of order. If that happens, the chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.
- 15.9 If a motion of dissent is passed, the chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been rejected as out of order, the chairperson must restore the motion or business to the agenda and proceed with it in due course.
- 15.10 Despite any other provision of this code, only the mover of a motion of dissent and the chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.

Acts of disorder

- 15.11 A councillor commits an act of disorder if the councillor, at a meeting of the council or a committee of the council:
 - (a) contravenes the Act or any regulation in force under the Act or this code, or
 - (b) assaults or threatens to assault another councillor or person present at the meeting, or
 - (c) moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the council or the committee, or addresses or attempts to address the council or the committee on such a motion, amendment or matter, or
 - (d) insults or makes personal reflections on or imputes improper motives to any other council official, or alleges a breach of the council's code of conduct, or
 - (e) says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the council or the committee into disrepute.
- 15.12 The chairperson may require a councillor:
 - (a) to apologise without reservation for an act of disorder referred to in clauses 15.11(a) or (b), or



- (b) to withdraw a motion or an amendment referred to in clause 15.11(c) and, where appropriate, to apologise without reservation, or
- (c) to retract and apologise without reservation for an act of disorder referred to in clauses 15.11(d) and (e).

How disorder at a meeting may be dealt with

15.13 If disorder occurs at a meeting of the council, the chairperson may adjourn the meeting for a period of not more than fifteen (15) minutes and leave the chair. The council, on reassembling, must, on a question put from the chairperson, decide without debate whether the business is to be proceeded with or not. This clause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of councillors.

Expulsion from meetings

15.14 All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person other than a councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act. Councillors may only be expelled by resolution of the council or the committee of the council.

15.15 Clause 15.14 does not limit the ability of the council or a committee of the council to resolve to expel a person, including a councillor, from a council or committee meeting, under section 10(2)(a) of the Act.

15.16 A councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for having failed to comply with a requirement under clause 15.12. The expulsion of a councillor from the meeting for that reason does not prevent any other action from being taken against the councillor for the act of disorder concerned.

15.17 A member of the public may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for engaging in or having engaged in disorderly conduct at the meeting.

15.18 Where a councillor or a member of the public is expelled from a meeting, the expulsion and the name of the person expelled, if known, are to be recorded in the minutes of the meeting.

15.19 If a councillor or a member of the public fails to leave the place where a meeting of the council is being held immediately after they have been expelled, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the councillor or member of the public from that place and, if necessary, restrain the councillor or member of the public from re-entering that place for the remainder of the meeting.



Use of mobile phones and the unauthorised recording of meetings

- 15.20 Councillors, council staff and members of the public must ensure that mobile phones are turned to silent during meetings of the council and committees of the council.
- 15.21 A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the council or a committee of the council without the prior authorisation of the council or the committee.
- 15.22 Any person who contravenes or attempts to contravene clause 15.21, may be expelled from the meeting as provided for under section 10(2) of the Act.
- 15.23 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

16. CONFLICTS OF INTEREST

- 16.1 All councillors and, where applicable, all other persons, must declare and manage any conflicts of interest they may have in matters being considered at meetings of the council and committees of the council in accordance with the council’s code of conduct. All declarations of conflicts of interest and how the conflict of interest was managed by the person who made the declaration must be recorded in the minutes of the meeting at which the declaration was made.

17. DECISIONS OF THE COUNCIL

Council decisions

- 17.1 A decision supported by a majority of the votes at a meeting of the council at which a quorum is present is a decision of the council.
Note: Clause 17.1 reflects section 371 of the Act in the case of councils and section 400T(8) in the case of joint organisations.
- 17.2 Decisions made by the council must be accurately recorded in the minutes of the meeting at which the decision is made.

Rescinding or altering council decisions

- 17.3 A resolution passed by the council may not be altered or rescinded except by a motion to that effect of which notice has been given under clause 3.10.
Note: Clause 17.3 reflects section 372(1) of the Act.
- 17.4 If a notice of motion to rescind a resolution is given at the meeting at which the resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with.



Note: Clause 17.4 reflects section 372(2) of the Act.

17.5 If a motion has been lost, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with clause 3.10.

Note: Clause 17.5 reflects section 372(3) of the Act.

17.6 A notice of motion to alter or rescind a resolution, and a notice of motion which has the same effect as a motion which has been lost, must be signed by three (3) councillors if less than three (3) months has elapsed since the resolution was passed, or the motion was lost.

Note: Clause 17.6 reflects section 372(4) of the Act.

17.7 If a motion to alter or rescind a resolution has been lost, or if a motion which has the same effect as a previously lost motion is lost, no similar motion may be brought forward within three (3) months of the meeting at which it was lost. This clause may not be evaded by substituting a motion differently worded, but in principle the same.

Note: Clause 17.7 reflects section 372(5) of the Act.

17.8 The provisions of clauses 17.5–17.7 concerning lost motions do not apply to motions of adjournment.

Note: Clause 17.8 reflects section 372(7) of the Act.

17.9 A notice of motion submitted in accordance with clause 17.6 may only be withdrawn under clause 3.11 with the consent of all signatories to the notice of motion.

17.10 A notice of motion to alter or rescind a resolution relating to a development application must be submitted to the general manager no later than two (2) working days after the meeting at which the resolution was adopted.

17.11 A motion to alter or rescind a resolution of the council may be moved on the report of a committee of the council and any such report must be recorded in the minutes of the meeting of the council.

Note: Clause 17.11 reflects section 372(6) of the Act.

17.12 Subject to clause 17.7, in cases of urgency, a motion to alter or rescind a resolution of the council may be moved at the same meeting at which the resolution was adopted, where:

- (a) a notice of motion signed by three councillors is submitted to the chairperson, and
- (b) a motion to have the motion considered at the meeting is passed, and
- (c) the chairperson rules the business that is the subject of the motion is of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.

17.13 A motion moved under clause 17.12(b) can be moved without notice. Despite clauses



10.20–10.30, only the mover of a motion referred to in clause 17.12(b) can speak to the motion before it is put.

17.14 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.12(c).

Recommitting resolutions to correct an error

17.15 Despite the provisions of this Part, a councillor may, with the leave of the chairperson, move to recommit a resolution adopted at the same meeting:

- (a) to correct any error, ambiguity or imprecision in the council’s resolution, or
- (b) to confirm the voting on the resolution.

17.16 In seeking the leave of the chairperson to move to recommit a resolution for the purposes of clause 17.15(a), the councillor is to propose alternative wording for the resolution.

17.17 The chairperson must not grant leave to recommit a resolution for the purposes of clause 17.15(a), unless they are satisfied that the proposed alternative wording of the resolution would not alter the substance of the resolution previously adopted at the meeting.

17.18 A motion moved under clause 17.15 can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.15 can speak to the motion before it is put.

17.19 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.15.

17.20 A motion moved under clause 17.15 with the leave of the chairperson cannot be voted on unless or until it has been seconded.

18. AFTER THE MEETING

Minutes of meetings

18.1 The council is to keep full and accurate minutes of the proceedings of meetings of the council.

Note: Clause 18.1 reflects section 375(1) of the Act.

18.2 At a minimum, the general manager must ensure that the following matters are recorded in the council’s minutes:

- (a) details of each motion moved at a council meeting and of any amendments moved to it,
- (b) the names of the mover and seconder of the motion or amendment,
- (c) whether the motion or amendment was passed or lost, and
- (d) such other matters specifically required under this code.



- 18.3 The minutes of a council meeting must be confirmed at a subsequent meeting of the council.
Note: Clause 18.3 reflects section 375(2) of the Act.
- 18.4 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.
- 18.5 When the minutes have been confirmed, they are to be signed by the person presiding at the subsequent meeting.
Note: Clause 18.5 reflects section 375(2) of the Act.
- 18.6 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.
- 18.7 The confirmed minutes of a council meeting must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of its meetings on its website prior to their confirmation.

Access to correspondence and reports laid on the table at, or submitted to, a meeting

- 18.8 The council and committees of the council must, during or at the close of a meeting, or during the business day following the meeting, give reasonable access to any person to inspect correspondence and reports laid on the table at, or submitted to, the meeting.
Note: Clause 18.8 reflects section 11(1) of the Act.
- 18.9 Clause 19.8 does not apply if the correspondence or reports relate to a matter that was received or discussed or laid on the table at, or submitted to, the meeting when the meeting was closed to the public.
Note: Clause 18.9 reflects section 11(2) of the Act.
- 18.10 Clause 19.8 does not apply if the council or the committee resolves at the meeting, when open to the public, that the correspondence or reports are to be treated as confidential because they relate to a matter specified in section 10A(2) of the Act.
Note: Clause 18.10 reflects section 11(3) of the Act.
- 18.11 Correspondence or reports to which clauses 19.9 and 19.10 apply are to be marked with the relevant provision of section 10A(2) of the Act that applies to the correspondence or report.

Implementation of decisions of the council

- 18.12 The general manager is to implement, without undue delay, lawful decisions of the council.
Note: Clause 18.12 reflects section 335(b) of the Act.



19. COUNCIL COMMITTEES

Application of this Part

19.1 This Part only applies to committees of the council whose members are all councillors.

Council committees whose members are all councillors

19.2 The council may, by resolution, establish such committees as it considers necessary.

19.3 A committee of the council is to consist of the mayor and such other councillors as are elected by the councillors or appointed by the council.

19.4 The quorum for a meeting of a committee of the council is to be:

- (a) such number of members as the council decides, or
- (b) if the council has not decided a number – a majority of the members of the committee.

Functions of committees

19.5 The council must specify the functions of each of its committees when the committee is established, but may from time to time amend those functions.

Notice of committee meetings

19.6 The general manager must send to each councillor, regardless of whether they are a committee member, at least three (3) days before each meeting of the committee, a notice specifying:

- (a) the time, date and place of the meeting, and
- (b) the business proposed to be considered at the meeting.

19.7 Notice of less than three (3) days may be given of a committee meeting called in an emergency.

Attendance at committee meetings

19.8 A committee member (other than the mayor) ceases to be a member of a committee if the committee member:

- (a) has been absent from three (3) consecutive meetings of the committee without having given reasons acceptable to the committee for the member's absences, or
- (b) has been absent from at least half of the meetings of the committee held during the immediately preceding year without having given to the committee acceptable reasons for the member's absences.

19.9 Clause 19.8 does not apply if all of the members of the council are members of the committee.

Non-members entitled to attend committee meetings

19.10 A councillor who is not a member of a committee of the council is entitled to attend, and to speak at a meeting of the committee. However, the councillor is not entitled:

- (a) to give notice of business for inclusion in the agenda for the meeting, or
- (b) to move or second a motion at the meeting, or



- (c) to vote at the meeting.

Chairperson and deputy chairperson of council committees

- 19.11 The chairperson of each committee of the council must be:
 - (a) the mayor, or
 - (b) if the mayor does not wish to be the chairperson of a committee, a member of the committee elected by the council, or
 - (c) if the council does not elect such a member, a member of the committee elected by the committee.

- 19.12 The council may elect a member of a committee of the council as deputy chairperson of the committee. If the council does not elect a deputy chairperson of such a committee, the committee may elect a deputy chairperson.

- 19.13 If neither the chairperson nor the deputy chairperson of a committee of the council is able or willing to preside at a meeting of the committee, the committee must elect a member of the committee to be acting chairperson of the committee.

- 19.14 The chairperson is to preside at a meeting of a committee of the council. If the chairperson is unable or unwilling to preside, the deputy chairperson (if any) is to preside at the meeting, but if neither the chairperson nor the deputy chairperson is able or willing to preside, the acting chairperson is to preside at the meeting.

Procedure in committee meetings

- 19.15 Subject to any specific requirements of this code, each committee of the council may regulate its own procedure. The provisions of this code are to be taken to apply to all committees of the council unless the council or the committee determines otherwise in accordance with this clause.

- 19.16 Whenever the voting on a motion put to a meeting of the committee is equal, the chairperson of the committee is to have a casting vote as well as an original vote unless the council or the committee determines otherwise in accordance with clause 19.15.

- 19.17 Voting at a council committee meeting is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system).

Closure of committee meetings to the public

- 19.18 The provisions of the Act and Part 14 of this code apply to the closure of meetings of committees of the council to the public in the same way they apply to the closure of meetings of the council to the public.

- 19.19 If a committee of the council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting that is closed to the public, the chairperson must make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended, and report the resolution or recommendation to the



next meeting of the council. The resolution or recommendation must also be recorded in the publicly available minutes of the meeting.

- 19.20 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the chairperson under clause 19.19 during a part of the meeting that is webcast.

Disorder in committee meetings

- 19.21 The provisions of the Act and this code relating to the maintenance of order in council meetings apply to meetings of committees of the council in the same way as they apply to meetings of the council.

Minutes of council committee meetings

- 19.22 Each committee of the council is to keep full and accurate minutes of the proceedings of its meetings. At a minimum, a committee must ensure that the following matters are recorded in the committee’s minutes:
 - (a) details of each motion moved at a meeting and of any amendments moved to it,
 - (b) the names of the mover and seconder of the motion or amendment,
 - (c) whether the motion or amendment was passed or lost, and
 - (d) such other matters specifically required under this code.
- 19.23 The minutes of meetings of each committee of the council must be confirmed at a subsequent meeting of the committee.
- 19.24 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.
- 19.25 When the minutes have been confirmed, they are to be signed by the person presiding at that subsequent meeting.
- 19.26 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.
- 19.27 The confirmed minutes of a meeting of a committee of the council must be published on the council’s website. This clause does not prevent the council from also publishing unconfirmed minutes of meetings of committees of the council on its website prior to their confirmation.



20. IRREGULARITIES

20.1 Proceedings at a meeting of a council or a council committee are not invalidated because of:

- (a) a vacancy in a civic office, or
- (b) a failure to give notice of the meeting to any councillor or committee member, or
- (c) any defect in the election or appointment of a councillor or committee member, or
- (d) a failure of a councillor or a committee member to declare a conflict of interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a council or committee meeting in accordance with the council's code of conduct, or
- (e) a failure to comply with this code.

Note: Clause 20.1 reflects section 374 of the Act.



21. DEFINITIONS

| | |
|--------------------------|--|
| the Act | means the <i>Local Government Act 1993</i> |
| act of disorder | means an act of disorder as defined in clause 15.11 of this code |
| amendment | in relation to an original motion, means a motion moving an amendment to that motion |
| audio recorder | any device capable of recording speech |
| business day | means any day except Saturday or Sunday or any other day the whole or part of which is observed as a public holiday throughout New South Wales |
| chairperson | in relation to a meeting of the council – means the person presiding at the meeting as provided by section 369 of the Act and clauses 6.1 and 6.2 of this code, and in relation to a meeting of a committee – means the person presiding at the meeting as provided by clause 20.11 of this code |
| this code | means the council's adopted code of meeting practice |
| committee of the council | means a committee established by the council in accordance with clause 20.2 of this code (being a committee consisting only of councillors) or the council when it has resolved itself into committee of the whole under clause 12.1 |
| council official | has the same meaning it has in the Model Code of Conduct for Local Councils in NSW |
| day | means calendar day |
| division | means a request by two councillors under clause 11.7 of this code requiring the recording of the names of the councillors who voted both for and against a motion |
| foreshadowed amendment | means a proposed amendment foreshadowed by a councillor under clause 10.18 of this code during debate on the first amendment |
| foreshadowed motion | means a motion foreshadowed by a councillor under clause 10.17 of this code during debate on an original motion |
| open voting | means voting on the voices or by a show of hands or by a visible electronic voting system or similar means |
| planning decision | means a decision made in the exercise of a function of a council under the <i>Environmental Planning and Assessment Act 1979</i> including any decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but not including the making of an order under Division 9.3 of Part 9 of that Act |



Item 6:

Senior Officers'
Reports

Submitted to Council: 27 March 2019

..... General Manager Mayor



Item: 6.1 **Ref:** WINT/2019/00990
Title: Draft Walcha Bush Fire Prone Land Map
Author: Contract Town Planner via General Manager
Previous Items: Not Applicable
Attachment: Yes – Bush Fire Prone Land Map & Draft – Tabled at Meeting

Community Strategic Plan Reference:

Goal 6.1 – Walcha’s distinct and diverse natural and built environment will be protected and enhanced.

Introduction:

The NSW Rural Fire Service (NSW RFS) have completed the Draft Walcha Bush Fire Prone Land map (Attachment One) for all land within the Walcha Local Government Area (LGA). Bush Fire Prone Land (BFPL) mapping is intended to designate areas of the State that are considered to be higher bush fire risk for development control purposes. Not being designated bush fire prone is not a guarantee that losses from bush fires will not occur.

The Draft Walcha the Bush Fire Prone Land Map (Walcha BFPL) is a map prepared in accordance with the NSW RFS *Guide for Bush Fire Prone Land Mapping Version 5b 2015* and is certified by the Commissioner of the NSW RFS under section 146(2) of the *Environmental Planning and Assessment Act 1979*. The BFPL map is the major trigger for the consideration of bush fire protection measures for new development under the NSW RFS *Guideline Planning for Bush Fire Protection 2006* and Australian Standard 3959-2009 – *Construction of buildings in bush fire prone areas*. As part of the certification process, Council is required to provide endorsement.

Report:

On 1 August 2002, the *Rural Fires and Environmental Assessment Legislation Amendment Act 2002* amended the *Rural Fires Act 1997* and the *Environmental Planning and Assessment Act 1979 (EP&A Act)* to provide significant improvements in bush fire safety. This included a requirement for the preparation of a bush fire prone land map identifying vegetation within LGAs that has the potential to support a bush fire and a review to be undertaken every 5 years. The last Walcha BFPL Map came into force on 12 December 2008, and has not been reviewed since.

On 1 March 2013, the *EP&A Act* was amended allowing the NSW RFS to update bush fire prone land maps for in a streamlined fashion and the methodology is one that is to be applied State wide for comparative purposes. These map and data requirements are necessary to ensure a coordinated and standardised approach to generating and maintaining BFPL maps.

The methodology for categorising bush fire prone land is to identify and determine vegetation types for all land within the LGA (both private and public tenure), using the RFS *Guide Planning for Bush Fire Protection 2016*. Thus, classifying vegetation into the following categories based on vegetation types and potential risk:

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Vegetation Category 1 - is considered to be the highest risk for bush fire. It is represented as red on the bush fire prone land map and is given a 100m buffer. This vegetation category has the highest combustibility and likelihood of forming fully developed fires including heavy ember production. Vegetation Category 1 consists of areas of forest, woodlands, heaths (tall and short), forested wetlands and timber plantations.

Vegetation Category 2 - is considered to be a lower bush fire risk than Category 1 and Category 3 but higher than the excluded areas. It is represented as light orange on a BFPL map and is given a 30 metre buffer. This vegetation category has lower combustibility and/or limited potential fire size due to the vegetation area shape and size, land geography and management practices. Vegetation Category 2 consists of:

- Rainforests.
- Lower risk vegetation parcels. These vegetation parcels represent a lower bush fire risk to surrounding development and consist of:
 - Remnant vegetation;
 - Land with ongoing land management practices that actively reduces bush fire risk. These areas must be subject to a plan of management or similar that demonstrates that the risk of bush fire is offset by strategies that reduce bush fire risk; AND include:
 - ✓ Discrete urban reserve/s;
 - ✓ Parcels that are isolated from larger uninterrupted tracts of vegetation and known fire paths;
 - ✓ Shapes and topographies which do not permit significant upslope fire runs towards development;
 - ✓ Suitable access and adequate infrastructure to support suppression by firefighters;
 - ✓ Vegetation that represents a lower likelihood of ignitions because the vegetation is surrounded by development in such a way that an ignition in any part of the vegetation has a higher likelihood of detection.

Vegetation Category 3 - is considered to be medium bush fire risk vegetation. It is higher in bush fire risk than category 2 (and the excluded areas) but lower than Category 1. It is represented as dark orange on a BFPL map and is given a 30 metre buffer. This category consists of grasslands, freshwater wetlands, semi-arid woodlands, alpine complex and arid shrublands.

Exclusions - Vegetation excluded from being mapped as bush fire prone includes:

- Single areas of vegetation less than 1 hectare in area and greater than 100 metres separation from other areas of Category 1, 2 or 3 vegetation;
- Multiple areas of vegetation less than 0.25 hectares in area and not within 30 metres of each other;
- Strips of vegetation less than 20 metres in width, regardless of length and not within 20 metres of other areas of Category 1, 2 or 3 vegetation;
- Areas of “managed grassland” including grassland on, but not limited to, recreational areas, commercial/industrial land, residential land, airports/airstrips, maintained public reserves and parklands, commercial nurseries and the like;
- Areas of managed gardens and lawns within curtilage of buildings;

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- Non-vegetated areas, including waterways, roads, footpaths, buildings and rocky outcrops.
- Managed botanical gardens;
- Agricultural lands used for annual and/or perennial cropping, orchard, market gardens, nurseries and the likes are excluded;
- Saline wetlands including mangroves.
- Other areas that, due to their size, shape and overall risk are not considered Vegetation Category 1, 2 or 3.

Impact on Walcha LGA

The existing Walcha BFPL Map 2008 is in Attachment Two to this report.

There has been a dramatic change in the area of land that is now classified as being bush fire prone. Land previously categorised as being bush fire prone within the urban area of Walcha has been removed, but the Vegetation Category 3 has been introduced. Currently 66% of the land within the Walcha LGA is classified as being bush fire prone and 99.8% of the land will be classified as being bush fire prone under the new map. This is an increase of a major increase.

Vegetation Category 3 is new, but has mostly being included within Vegetation Category 2 in the current BFPL map. What is new is the extent of its application to the Walcha LGA and that is a one size fits all set of measures which have been developed for development within grasslands. This is part of a major review that was undertaken by the NSW RFS in 2015 which recognised that grasslands have more fire potential than rainforest.

The major impact will be on development, where bushfire will have to be taken into account, and a higher construction standard will be required to meet Australian Standard 3959-2009 – *Construction of buildings in bush fire prone areas*. This will also include some bushfire prevention measures for example, gutter and window screening guard, reduction of ember hazards, and a larger quantity of water being available for fire fighting, identification of potential water sources for fire fighting.

Conclusion

Council has been requested by the NSW RFS to review the mapping work and to endorse the proposed draft Walcha BFPL Map. To review the draft map, Council does not have the resources to undertake a full ground review, but rather would have to review using digital imagery. This has already been undertaken by the NSW RFS as this is how they created the draft mapping. An overview has been undertaken, with no glaring error. As a detailed review would take weeks to complete, it is felt that the work undertaken by the NSW RFS analysts would be 99% accurate. If an error in the mapping was discovered at a later date, the process to change the mapping would be to:

1. Report to Council,
2. Send a request to NSW RFS with report undertaken by a bush fire accredited assessor to change the map,
3. If accepted, the NSW RFS would prepare the change and request Council to endorse,
4. Council would endorse change, and

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5. NSW RFS would publish amended map.

To finalise the current review of the Walcha BFPL Map, Council is required to endorse the draft by resolution of Ordinary Council and to send a letter requesting the Commissioner to certify the Draft Walcha BFPL map.

Legal Issues:

Section 146 of the *EP&A Act* requires councils, where a Bush Fire Risk Management Plan applies, to record a bush fire prone land map after consulting with the Commissioner of the NSW RFS. The Commissioner will designate lands to be bush fire prone within an area and, when satisfied that the lands have been recorded on a map, certify the map as the Bush Fire Prone Land map. Councils are required to make these maps available for public inspection.

Section 149 of the *EP&A Act* requires that a council will, in the planning certificate, include advice on relevant matters affecting a parcel of land of which it may be aware. This includes Bush Fire Prone Land, as specified in Schedule 4 of *Environmental Planning and Assessment Regulation 2000*. The section 149 certificate is an important mechanism for councils to inform people living in or looking to purchase into a bush fire prone area, that bush fire is a consideration.

Section 79BA of the *EP&A Act* requires that where development of bush fire prone land occurs, the consent authority must be satisfied that the development complies with *Planning for Bush Fire Protection 2006* or has consulted with the Commissioner of the NSW RFS.

Complying development is permitted on bush fire prone land for the lower risk bush fire attack levels (Australian Standard 3959 BAL levels 12.5, 19, and 29). Such development is required to meet development standards complying with *Planning for Bush Fire Protection 2006*.

Section 100B of the *Rural Fires Act 1997* requires that a Bush Fire Safety Authority is issued by the Commissioner of the NSW RFS for all residential subdivision or special fire protection purpose developments on Bush Fire Prone Land. A Bush Fire Safety Authority is issued where the Commissioner believes that the development complies with standards that provide the development with appropriate protection measures against bush fire.

Financial Implications:

Nil

Environmental Implications:

Nil

RECOMMENDATION: That Council:

- a) **Endorse the Draft Walcha Bush Fire Prone Land Map, and**
- b) **Request the NSW Rural Fire Services Commissioner to certify the Draft Walcha Bush Fire Prone Land Map.**

Submitted to Council: 29 March 2018

..... General Manager Mayor



Item: 6.2 **Ref:** WINT/2019/01201
Title: Parliamentary Counsel Opinion for Planning Proposal 1
Author: Contract Town Planner
Previous Items: WO/2017/00824 & WO/2018/00744
Attachment: 1 – Gateway Determination – WI/2018/10282
 2 – NSW RFS Submission – WI/2018/12603
 3 – Amended Planning Proposal – WO/2018/01463
 4 – Dept Planning Concurrence Direction 4.4 – WI/2019/03185

Community Strategic Plan Reference:

Goal 6.1 – *Walcha’s distinct and diverse natural and built environment will be protected and enhanced.*

Goal 6.6 – *The character of Walcha and its surrounding villages will be maintained while protecting the productivity of our rural land.*

Introduction:

The purpose of this report is to update Council on the progress of Planning Proposal 1, to amend the Walcha *Local Environmental Plan 2012* and to recommend that it proceed to Parliamentary Counsel for a legal opinion.

The proposed amendment consisted of various housekeeping items including changes to the landuse tables, maps and local planning provisions.

Report:

In relation to the proposed amendment to the Walcha *Local Environmental Plan 2012*, at Council’s Ordinary Meeting in May 2018, Council resolved the following actions were to be undertaken:

1. *Accept the Planning Proposal* - No further action Required
2. *Request a Gateway Determination* – This was received 10 August 2018 (Attachment 1) and was subject to conditions. This resulted in the following actions:
 - Amend the proposal by:
 - a) Remove the discussion on the New England Strategic Regional Land Use Plan 2012;
 - b) Include maps that clearly show the proposed zoning and minimum lot size for Items 2.4 (Include a minimum lot size in the E2 and E4 Zone) and 2.5 (Rezone land from E1 to RU1 Zone; and
 - c) Apply the proposed boundary adjustment clause (Item 2.1) to the additional zones of E2 Environmental Conservation, E4 Environmental Living and R5 Large Lot Residential.

These minor amendments have been completed. There is minimal if any impact relating to the requested amendments.

- Undertake a public exhibition for a period of 14 days.
- Consultation with the NSW Rural Fire Service – This was undertaken with the advice being received that NSW Rural Fire Service. (Attachment 2)
- Advice that a public hearing is not required.

Submitted to Council: 27 March 2018

..... General Manager Mayor



- Delegation for Council to make the plan and to exercise functions under section 3.36(2) of the *Environmental Planning & Assessment Act 1979*.
 - The time frame for completion is 9 months.
3. *Request Plan Making Delegations* – Issued under section 3.36(2) of the *Environmental Planning & Assessment Act 1979* as part of the Gateway Determination subject to:
- a) All conditions of the Gateway Determination being satisfied;
 - b) Consistency with the section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified;
The NSW Planning & Environment in its cover letter for the Gateway Determination have agreed that the planning proposals inconsistencies with Directions 1.5 Rural Lands, 2.1 Environmental Protection Zones and 4.3 Flood Prone Land are justified and no further written approval is required.

The requirements of Direction 4.4 Planning for Bushfire Protection was not agreed to, hence consultation with the NSW Rural Fire Service requirement. As NSW Rural Fire Service has no objection to the Planning Proposal, concurrence that the inconsistency is justified was received from the NSW Planning & Environment Secretary on 14 March 2019. (Attachment 4).
 - c) There are no outstanding written objections from public authorities.
4. *Advertise the Planning Proposal* – Public exhibition was undertaken from 30 August to 13 September 2018, at Council’s offices and on Council’s website. There were no written submissions received.
5. *Minor Alterations* - Delegated authority was given to the General Manager to make any requested minor alterations. The alterations made to the Planning Proposal before the Public Exhibition consisted only of those as requested within the Gateway Determination. (Attachment 3)

To complete the Planning Proposal, the following steps are required:

- 1. Request Parliamentary Counsel to legally draft the legal amendment to the *Walcha Local Environmental Plan 2012*, and to give an Opinion that the Plan may be made.
- 2. Council resolves to adopt and make the amendment.

Legal Issues:

It is Council’s responsibility to ensure that the amendment to the *Walcha Local Environmental Plan 2012*, is carried out as per the provisions of the *Environmental Planning & Assessment Act 1979*.

Financial Implications:

Nil

Submitted to Council: 27 March 2018

..... General Manager Mayor



Environmental Implications:

Nil

Policy Implications:

A Development Control Plan needs to be drafted to reflect the written intent of the Planning Proposal and to give direction to potential developers.

RECOMMENDATION:

That Council request the Secretary of NSW Planning & Environment to draft an instrument as per section 3.37(d) of the *Environmental Planning & Assessment Act 1979*, and that the draft instrument be sent to Parliamentary Counsel for an Opinion.

Submitted to Council: 27 March 2018

..... General Manager Mayor



PP_2018_WALCH_001_00 (IRF18/4274)

Mr Jack O'Hara
General Manager
Walcha Shire Council
PO Box 2
WALCHA NSW 2354

Attention: Lacey Latham

Dear Mr O'Hara

Planning Proposal PP_2018_WALCH_001_00 to undertake various housekeeping amendments to Walcha Local Environmental Plan 2012

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to undertake various housekeeping amendments to Walcha Local Environmental Plan 2012 including changes to the landuse tables, maps and local planning provisions.

As delegate of the Minister for Planning, I have now determined the Planning Proposal should proceed subject to the conditions in the attached Gateway determination.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistencies with section 9.1 Directions 1.5 Rural Lands, 2.1 Environmental Protection Zones and 4.3 Flood Prone Land are justified in accordance with the terms of the Directions. No further approval is required in relation to these Directions.

Council may still need to obtain the agreement of the Department of Planning and Environment's Secretary to comply with the requirements of section 9.1 Direction 4.4 Planning for Bushfire Protection. Council should ensure this occurs prior to the plan being made.

Plan making powers were delegated to Councils by the Minister in October 2012. It is noted that Council has requested to be issued with delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

The amending Local Environmental Plan (LEP) is to be finalised within 9 months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office 6 weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment.

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any further enquiries about this matter, I have arranged for Ms Gina Davis to assist you. Ms Davis can be contacted on (02) 6701 9687.

Yours sincerely



10/8/2018

Jeremy Gray
Director Regions, Northern
Planning Services

Encl: Gateway Determination
Delegated Plan Making Reporting Template



Gateway Determination

Planning proposal (Department Ref: PP_2018_WALCH_001_00): to undertake various housekeeping amendments to Walcha Local Environmental Plan 2012 including changes to the landuse tables, maps and local planning provisions.

I, the Director Regions, Northern at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Walcha Environmental Plan (LEP) 2012 to undertake various housekeeping amendments including changes to the landuse tables, maps and local planning provisions should proceed subject to the following conditions:

1. Prior to agency or community consultation, the proposal shall be amended to:
 - (a) remove the discussion on the New England Strategic Regional Land Use Plan 2012;
 - (b) include maps that clearly show the proposed zoning and minimum lot size for Items 2.4 (Include a minimum lot size in the E2 and E4 Zone) and 2.5 (Rezone land from E1 to RU1 Zone); and
 - (c) apply the proposed boundary adjustment clause (Item 2.1) to the additional zones of E2 Environmental Conservation, E4 Environmental Living and R5 Large Lot Residential.
2. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal is classified as low impact as described in *A guide to preparing local environmental plans* (Department of Planning and Environment 2016) and must be made publicly available for a minimum of **14 days**; and
 - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment 2016).
3. Consultation is required with the NSW Rural Fire Service under section 3.34(2)(d) of the Act. The NSW Rural Fire Service is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.



Planning & Environment

4. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
5. The planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:
 - (a) the planning proposal authority has satisfied all the conditions of the Gateway determination;
 - (b) the planning proposal is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.
6. The time frame for completing the LEP is to be **9 months** following the date of the Gateway determination.

Dated 10 day of August 2018.

A handwritten signature in black ink, appearing to read 'J. Gray'.

Jeremy Gray
Director Regions, Northern
Planning Services
Department of Planning and
Environment

Delegate of the Minister for Planning



Attachment 5 – Authorised plan-making reporting template

Reporting template for authorised LEP amendments

Notes:

- The planning proposal number will be provided by the Department of Planning and Environment following receipt of the planning proposal.
- The Department will fill in the details of Tables 1 and 3.
- The local plan-making authority is to fill in the details of Table 2.
- If the planning proposal is exhibited more than once, the local plan-making authority should add rows to **Table 2** to include this information.
- The local plan-making authority must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the publicly accessible LEP Tracking System is kept up to date.
- The plan should be signed using the following format:
 [Name]
 [Title]
 [Council name]
 Delegate of [Council name], the local plan-making authority [date]
- A copy of this completed report must be provided to the Department with the local plan-making authority’s request to have the LEP notified.

Table 1: To be completed by the Department of Planning and Environment

| Stage | Date/Details |
|--|----------------------|
| Planning proposal number | PP_2018_WALCH_001_00 |
| Date sent to DPE under section 3.34(1) | 26 July 2018 |
| Gateway determination date | 10/08/2018 |

Table 2: To be completed by the local plan-making authority

| Stage | Date/Details | Notified regional office |
|--|--------------|--------------------------|
| Dates draft LEP exhibited | | |
| Date of public hearing (if held) | | |
| Date draft LEP requested from PCO | | |
| Date draft LEP received from PCO | | |
| Date PCO Opinion requested | | |
| Date PCO Opinion received | | |
| Date GIS data or maps provided/requested | | |
| Date ePlanning confirmed mapping is suitable and sent to PCO | | |
| Date LEP finalised | | |
| Date sent to DPE requesting notification | | |



**Planning &
Environment**

Table 3: To be completed by the Department of Planning and Environment

| Stage | Date/Details |
|-------------------------------|--------------|
| Notification date and details | |

Additional relevant information:

All communications to be addressed to:

Headquarters
15 Carter Street
Lidcombe NSW 2141

Headquarters
Locked Bag 17
Granville NSW 2142

Telephone: 1300 NSW RFS
e-mail: records@rfs.nsw.gov.au

Facsimile: 8741 5433



March 2019 - Report 6.2 - NSW RFS Submission

The General Manager
Walcha Council
PO Box 2
WALCHA NSW 2354

Your Ref: NA
Our Ref: R18/3301
DA18090314915 AB

ATTENTION: Lacey Latham

18 October 2018

Dear Ms Latham

Planning Proposal - Walcha LEP 2012 - Amendment No 1

I refer to your correspondence dated 28 August 2018 seeking advice for the above Planning Proposal in accordance with the 'Environmental Planning and Assessment Act 1979'.

The New South Wales Rural Fire Service (NSW RFS) has considered the information submitted and has no specific recommendations in relation to bush fire protection.

Should you wish to discuss this matter please contact Alan Bawden on 1300 NSW RFS.

Yours sincerely

A handwritten signature in black ink, appearing to read "John Ball". The signature is written in a cursive style with a large, looping initial "J".

John Ball
Manager

For general information on bush fire protection please visit www.rfs.nsw.gov.au



7 Vernon Street
INVERELL NSW 2360
Phone: 0427 563 975

info@nenwplanningservices.com.au
www.nenwplanningservices.com.au

ABN 34 603 623 258

PLANNING PROPOSAL

Under Section 3.33 of the EP&A Act

Walcha Local Environmental Plan 2012 (Amendment No 1)



Boundary Adjustments, Detached Dual Occupancy Dwellings in RU1 & RU4 Zones, Signage as Permissible Development in RE1 Zone, Correction of Minimum Lot Size for E2 & E4 Zones & Correction of Zone drafting error from E1 to RU1

May 2018

Planning Proposal Status

| STAGE | VERSION / DATE |
|--|-------------------------------------|
| Draft | Blank until achieved 23 May 2018 |
| Reported to Council | 30 May 2018 |
| Adopted by Planning Proposal Authority and referred to NSW Planning & Environment (sec 3.34) | |
| Gateway Panel determination (sec 3.34) | |
| Revisions required : Completed | |
| Public exhibition (where applicable) (sec 3.34) | |
| For Planning Proposal Authority review (sec 3.35) | |
| Adopted by Planning Proposal Authority for final submission to NSW Planning & Environment (sec 3.36) | |

This Planning Proposal was prepared by Libby Cumming Planner in May 2018 as requested by Walcha Council.

Walcha Council will carry out the statutory processing of the Planning Proposal.

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PART 1

Objectives or Intended Outcomes

1.1 Overview

This Planning Proposal was prepared under Section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) in relation to a proposed amendment to Walcha Local Environmental Plan (WLEP 2012).

The purpose of this report is to recommend that Council seek a Gateway Determination from NSW Planning and Environment (P&E) requesting to place the Planning Proposal on public exhibition and to request plan making delegations in respect of this Planning Proposal under the provisions of Section 3.36 of the EP&A Act .

This Planning Proposal applies to all relevant RU1 Primary Production, RU4 Primary Production Small Lots, E1 National Parks and Nature Reserves, E2 Environmental Conservation and RE1 Public Recreation zoned land located in the Walcha Local Government Area.

There are five draft LEP amendments that are proposed in this Planning Proposal:

1. **Boundary Adjustments**

To include the 'standard' LEP rural and environmental boundary adjustment clause in the WLEP 2012. The boundary adjustment clause provides flexibility for boundary adjustment subdivisions. The proposed clause replaces the variation provisions previously found in the repealed *State Environmental Planning Policy (SEPP) 1 Variations to Development Standards*.

2. **Detached Dual Occupancy Dwellings**

To expand permissible uses within the rural zones to include detached dual occupancies with certain restrictions. The intended outcome is to permit detached dual occupancies within the RU1 and RU4 Zones while ensuring that they remain in close proximity to the primary dwelling, share the same access and remain on the same title.

3. **Permit Signage in the RE1 Public Recreation Zone**

To permit signage in the RE1 Zone.

4. **Introduce a Minimum Lot Size in the E2 and E4 Zones**

To rectify the omission of the Minimum Lot Size of 2 hectares during the conversion of the Walcha Local Environmental Plan 2000 to the Standard Instrument LEP in 2012.

5. Rezone Land from E1 to RU1

To rectify a zoning drafting error on 5.6 hectares of land from E1 to RU1 which occurred during the conversion of the Walcha Local Environmental Plan 2000 to the Standard Instrument LEP in 2012.

1.2 Background

Rural detached dual occupancy dwellings and rural boundary adjustment subdivisions were previously permissible with consent subject to justification and, in the case of boundary adjustments of land below the minimum rural lot size, a SEPP 1 variation. The State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP) provides for certain rural boundary adjustment subdivisions to be exempt development, however, there are exclusions to this exemption, including:

- lots that are wholly mapped as heritage items; and
- rural boundary adjustments that are not considered to be minor.

Therefore the Codes SEPP does not provide for all potential boundary adjustment subdivisions and LEP provisions that are required.

The subject Planning Proposal seeks to amend the WLEP 2012 to include appropriate provisions to enable rural detached dual occupancies and boundary adjustment subdivisions of rural lots within RU1 and RU4 zoned land that may result in the lots being slightly smaller than the minimum lot size.

A review of surrounding Councils shows that there is a genuine and justifiable need for detached rural dual occupancy dwellings and flexibility when dealing with rural boundary adjustment subdivisions.

Detached rural dual occupancy dwellings in rural and environmental zones are necessary for the following key reasons:

- To provide a degree of separation between dwellings to allow for privacy for 'intergenerational' families,
- the need for additional farm dwellings in simply to accommodate family members within an 'intergenerational' property.

Traditional reasons against the use of detached dual occupancies in rural areas have been:

- Raising expectations of future subdivision to separate rural dwellings;
- Impacts from additional road access driveways;
- Loss of agricultural land; and

Additional controls to manage detached dual occupancy dwellings will be included in any future Walcha Development Control Plan and will require consolidation of separate land parcels so that the primary dwelling and the detached dual occupancy reside on the same parcel, and specifications for the separation distance between the proposed detached dual and the primary dwelling.

Currently *signage* is prohibited in the RE1 Public Recreation Zone. It is considered that signage is a compatible use within this zone to be able to erect signage in certain recreational locations such as parks to display service club signage and tourist information, or the Showground that holds a number of events throughout the year. It is proposed to make it permissible in this zone with consent and additional controls to manage the size and type of sign will be included in any future Walcha Development Control Plan.

During a house keeping review of the maps relating to the WLEP, it was found that the previous subdivision minimum of 2 hectares was omitted, resulting in no current requirements on subdivision for this land. Also 5.6ha of land had been incorrectly zoned as National Park instead of Primary Production.

Part 2

Explanation of Provisions

The objectives of the Planning Proposal will be achieved by an amendment to the Walcha LEP 2012.

2.1 Boundary Adjustment Provision

It is proposed to include an additional provision to facilitate boundary adjustments between lots if the adjustment will result in the lot size of one or more of the lots being less than the minimum lot size shown on the Lot Size Map in relation to that land, within the RU1 and RU4 zones, provided that the objectives of the relevant zones can be achieved.

This is in addition to the current provisions that do not allow this type of boundary adjustment to occur if there is a dwelling already situated on a lot the subject of a boundary adjustment.

The intent of the proposed provision is to allow a boundary adjustment as described above, provided that the consent authority is satisfied that:

- a) the subdivision will not create additional lots or the opportunity for additional dwellings, and
- b) the number of dwellings or opportunities for dwellings on each lot after the subdivision will be the same as before the subdivision, and
- c) the potential for land use conflict will not be increased as a result of the subdivision

2.2 Detached Dual Occupancy Provision

Definitions:

Dual occupancy (detached) means two (2) detached dwellings on one lot of land, but does not include a secondary dwelling.

Dual occupancy means a dual occupancy (attached) or a dual occupancy (detached).

Presently, dual occupancies (attached) are permitted with consent in the RU1 Primary Production and RU4 Primary Production Small Lots zone. Dual occupancies (attached and detached) are permitted with consent in the R5 Large Lot Residential and E4 Environmental Living zone.

The WLEP 2012 already contains minimum lot size provisions relating to subdivision of land, therefore, prohibiting the severance of detached dual occupancy dwellings by subdivision of land into lots of below the minimum size for that land. Any other planning controls relating to dual occupancy development are to be provided in the future Walcha DCP, as mentioned earlier.

Presently, rural dual occupancies are required to be attached through the use of covered walkways, adjoining garages and other mechanisms for compliance. The proposed amendment will enable separation between dual occupancy dwellings provided both dwellings share a single access and are located within the one lot.

The objectives of the Planning Proposal in relation to detached dual occupancy development within rural zoned land can be achieved by:

- Removing "Dual occupancies (attached)" from the Land Use Table for RU1 and RU4 zoned land as a use that is permitted with consent ; and
- Including "Dual occupancies" in the Land Use Table for RU1 and RU4 zoned land as a use that is permitted with consent.

2.3 Permit Signage in the RE1 Public Recreation Zone

Definitions:

***Signage** means any sign, notice, device, representation or advertisement that advertises or promotes any goods, services or events and any structure or vessel that is principally designed for, or that is used for, the display of signage, and includes any of the following:*

- (a) an advertising structure,*
- (b) a building identification sign,*
- (c) a business identification sign,*

but does not include a traffic sign or traffic control facilities.

The RE1 Public Recreation zone is generally intended for a wide range of public recreational areas and activities including local and regional parks and open space. The uses may include *recreation facilities, community facilities* such parks, *environmental facilities, environmental protection works* and other uses compatible with the primary use of the land. The inclusion of *signage* as a permissible land use is considered to be acceptable as it is compatible with these uses to permit with consent the erection of appropriate signage for event identification and tourism promotion.

These issues relating to appropriate nature of signage, i.e. size, construction and location will be managed by controls in the proposed Walcha DCP.

The mechanism for amending the LEP and enabling *signage* is to include *signage* in the Land Use Table for RE1 zoned land as a use that is permitted with consent.

2.4 Include a Minimum Lot Size in the E2 and E4 Zone

A review of the WLEP found a drafting error in the conversion to the Standard Instrument LEP in 2012. It was found that the E2 and E4 zoned land listed below was not allocated a Minimum Lot Size. This implies that there are no subdivision controls on this land. The lots affected are all contained on Map LSZ_003B and are:

- Lot 7023 DP 1059151, being 60S Middle Street WALCHA NSW 2354

- Lot 4 Section 20 DP 759035, being 59S Middle Street WALCHA NSW 2354
- Lots 560, 561, 562, 563 DP 722828, being 190E-226E Croudace Street WALCHA NSW 2354
- Lots 202, 216 DP 756502, Lot 7 DP 1217346 and Part Lot 4 DP 1155108, being 92 Oxley Drive WALCHA NSW 2354
- Part Lot 7006 DP 1051722, being TSR Oxley Highway WALCHA NSW 2354
- Part Lot 135 DP 756502, being 221 Oxley Highway WALCHA NSW 2354
- Part Lot 9 DP 244041 and Part Lot 2 DP 244043, being 74 Aberbaldie Road WALCHA NSW 2354
- Lot 12 DP 845268, Lot 14 DP 1090138 and Lot 1 DP: 546004, being Legge Street WALCHA NSW 2354
- Lot 15 DP 1090138, Lot 1 DP 244043, Lot 10 DP 703239 and Lot 2 DP 222609, being 101W Legge Street WALCHA NSW 2354
- Lot 32 DP 542807, being 51W Legge Street WALCHA NSW 2354

Under the Walcha LEP 2000 the land had a subdivision minimum of 2 hectares. It would be appropriate to use this as a Minimum Lot Size for this land as it is also adjoining similar land to the east and south.

2.5 Rezone Land from E1 and RU1 Zone

A review of the WLEP found a drafting error in the conversion to the Standard Instrument LEP in 2012. It was found that Lot 50 DP 756473, being 321 Bukeiro Road WALCHA NSW 2354, was incorrectly zoned to E1 National Park & Nature Reserve. This land was zoned 1a General Rural under the Walcha Environmental Plan 2000. It is appropriate to revert this land back to the general rural zone, being RU1 Primary Production as the land is not owned by or operated as a NSW National Park or Nature Reserve, but rather adjoins it. It is also appropriate to amend the Minimum Lot Size for this land to 100ha so that it is similar to adjoining RU1 zoned land.

Part 3

Justification

3.1 Need for a Planning Proposal

Is the planning proposal a result of any strategic study or report?

No.

Boundary adjustment subdivisions resulting in lots below the minimum rural lot size were previously dependent on a SEPP 1 variation to Clause 12A of the Walcha LEP 1988. SEPP 1 variations were removed with the implementation of the Standard Instrument LEP. Council's intention in preparing the WLEP 2012 was to complete a best fit transfer of the old LEP into the new format. This new provision complies with Council's intent and is based on similar approved LEP provisions for boundary adjustment subdivisions that have been adopted by other regional local government areas.

The need for detached dual occupancy dwellings in rural areas has been identified through the operation of the current WLEP since it came into force in 2012.

Additional detached dwellings within rural land is a traditional land use that can be readily managed by existing LEP provisions and the adoption of specific DCP controls relating to access and lot consolidation.

The need for signage in the RE1 zone has been identified through the operation of the current WLEP since it came into force in 2012.

To include the Minimum Lot Size on land zoned E2 and E4 is to correct a drafting error in the conversion to the Standard Instrument LEP in 2012.

To rezone land from E1 and RU1 is to correct a drafting error in the conversion to the Standard Instrument LEP in 2012.

Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The Planning Proposal is the best way to achieve the intended outcomes.

Net Community Benefit

There is a net community benefit by ensuring boundary adjustments are permissible. This is important where boundary adjustments are necessary for farm management purposes or to enable development to occur in a logical manner.

Removing the requirement for dual occupancy dwellings to be attached in rural areas will benefit the community by enabling appropriate separation between rural households. Farm dwellings

have traditionally be located nearby the main house to maintain a practical pedestrian connection between dwellings and to share resources such as gardens, fowl yards, orchards and outbuildings, however it is impractical to require attachment of those dwellings. Spatial separation is a practical means of providing privacy between households and maintaining the rural character of the landscape.

There is community benefit by allowing certain signage, which will be controlled by the future Walcha DCP in the RE1 Zone. It will assist particularly for advertising for community events such as markets, festivals and community trade days.

By allowing the E3 and E4 zones to regain an entitlement attached to the land which was forfeited by a drafting error in the Standard Instrument LEP conversion in 2012, is considered to have community benefit.

By allowing the rezoning from E1 and RU1 zones recognizes the true use and allows the permitted uses which were forfeited by a drafting error in the Standard Instrument LEP conversion in 2012, is considered to have community benefit.

Implications of Not Proceeding at this Time

Should the LEP amendment not proceed at this time, Council is unable to assess and determine logical boundary alteration subdivisions that do not meet the criteria of the Codes SEPP or to consider applications for detached dual occupancies within rural zoned land. Further signage would still be prohibited within the RE1 zone, the owners of land within the E3 and E4 zones would not be able to subdivide, and the E1 land permitted uses is restricted, and is recognized as being part of the adjoining National Park.

Relationship to strategic planning framework.

Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The New England North West Strategic Regional Land Use Plan was prepared in September 2012 and applies to the land. The policy focuses on mineral resources and agriculture and is not particularly relevant to the subject planning proposal.

The New England North West Regional Plan 2036 is a 20-year blueprint for the future, and was prepared in 2017. It provides an overarching framework to guide subsequent and more detailed land use plans, development proposals and infrastructure funding decisions. It is not particularly relevant tot eh subject planning proposal.

The proposal is consistent with applicable Section 9.1 directions as shown later in this report.

Is the planning proposal consistent with the council's local strategy or local strategic plan?

The New England Development Strategy (NEDS) was prepared to identify land use planning objectives and strategies to guide growth and change in the Walcha Local Government Area. The Strategy was endorsed by the NSW Department of Planning on 16 March 2010 and was prepared as context for the preparation of the standard template LEP conversion which is now the WLEP 2012

The Planning Proposal is consistent with the objectives of the NEDS for subdivision in rural areas *to provide for flexibility in overall land use management* and *to consider a farm adjustment clause* in the WLEP. Rural boundary adjustments are often necessary for efficient farm management purposes or to facilitate estate planning.

'Strategic Actions- Planning provisions for development in rural areas' of the NEDS includes developing policies for dwellings erected in conjunction with intensive agricultural production. The Planning Proposal will enable additional detached dwellings within agricultural land.

The NEDs also identified the trend towards smaller household sizes, indicating that more dwellings are required to house fewer people per dwelling. This trend occurs across urban and rural dwellings alike.

Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPP)?

SEPP Rural Lands (2008)

The Planning Proposal is consistent with the SEPP Rural Lands (2008) as follows:

The aim of the SEPP is to facilitate the orderly and economic use and development of rural lands for rural and related purposes. This SEPP does not directly relate to LEP amendments or Planning Proposals; however it does provide a number of 'Rural Planning Principles' to be considered when assessing development applications.

The rural planning principles are listed and addressed below:

- (a) *the promotion and protection of opportunities for current and potential productive and sustainable activities in rural areas.*
- (b) *recognition of the importance of rural lands and agriculture and the changing nature of agriculture*
- (c) *recognition of the significance of rural land uses to the state and rural communities, including the*
- (d) *in planning for rural lands to balance the social economic and environmental interests of the community*
- (e) *the identification and protection of natural resources, having regard to maintaining biodiversity, the protection of native vegetation, the importance of water resources and avoiding constrained land;*
- (f) *the provision of opportunities for rural lifestyle, settlement and housing that contribute to the social and economic welfare of rural communities;*
- (g) *the consideration of impacts on services and infrastructure and appropriate location when providing for rural housing;*
- (h) *ensuring consistency with any applicable regional strategy of the department of planning or any applicable local strategy endorsed by the director general.*

The Planning Proposal meets the Rural Planning Principles in the following ways:

- The proposed boundary adjustment clause requires the consent authority to consider whether or not the subdivision is likely to have an adverse impact on the environmental values or agricultural viability of the land.
- The proposed amendment will not result in any addition rural housing or subdivision entitlements as the amendments do not alter minimum lot size for subdivision or dwellings.
- The proposed boundary adjustment clause requires consideration of whether subdivision is appropriate having regard to the natural and physical constraints affecting the land.
- The proposal balances the social, economic and environmental interests of the community by enabling boundary adjustment subdivisions for improved land management opportunities for rural land holders where no adverse environmental impact will occur. Further it will provide for detached, rather than attached rural dual occupancy dwellings will increase the range of rural housing options permitted within rural zones.

The SEPP also provides the following Rural Subdivision Principles:

- (a) the minimisation of rural land fragmentation*
- (b) the minimisation of rural land use conflicts, particularly between residential land uses and other rural land uses*
- (c) the consideration of the nature of existing agricultural holdings and the existing and planned future supply of rural residential land when considering lot sizes for rural lands*
- (d) the consideration of the natural and physical constraints and opportunities of land*
- (e) ensuring that planning for dwelling opportunities takes account of those constraints*

As stated previously the amendment includes provisions to minimise potential land use conflicts. The Planning Proposal will allow for subdivision of rural and environmental zoned land only where it will not result in additional dwelling entitlements or land use conflicts. The amendment includes provisions to ensure that boundary adjustment subdivision occurs in a manner that is compatible with surrounded land uses. Existing legislative requirements (Sec 4.15 EP&A Act) requires consideration of natural and physical constraints when assessing development applications.

The proposed amendment will not affect the planned release of rural or environmental zoned land; rather it enables land to be subdivided in a manner that supports logical rural land management practices.

It is therefore considered that the Planning Proposal is generally consistent with the principles of the SEPP (Rural Lands) 2008.

SEPP No. 44 - Koala Habitat Protection

This SEPP encourages the conservation and management of natural vegetation areas that provide habitat for koalas to ensure permanent free-living populations will be maintained over their present range.

The Planning Proposal is consistent with the SEPP 44 as any future development arising from the LEP amendment(s) that may impact potential or core Koala Habitat must comply with SEPP 44.

Development proposals within land that is identified as potential or core Koala habitat that has an area of 1 ha or greater must be accompanied by a Koala Plan of Management prepared in accordance with SEPP requirements. This would be requested at the time of any future development application.

None of the actions within this Planning Proposal are directly affected by this SEPP and therefore the Planning Proposal is considered to be consistent with the SEPP.

SEPP No. 55 - Remediation of Land

This SEPP *introduces state-wide planning controls for the remediation of contaminated land. The policy states that land must not be developed if it is unsuitable for a proposed use because it is contaminated.*

The Planning Proposal is consistent with the SEPP 55 as any development proposals must be accompanied by Preliminary or Detailed Contamination assessments depending previous land uses, the nature of the development. The determining authority must be certain that land is suitable for a proposed land use.

None of the actions within this Planning Proposal are directly affected by this SEPP and therefore the Planning Proposal is considered to be consistent with the SEPP.

SEPP (Infrastructure) 2007

SEPP (Infrastructure) is a wide-ranging document that covers a myriad of issues and processes. None of the actions within this Planning Proposal are directly affected by this SEPP and therefore the Planning Proposal is considered to be consistent with the SEPP.

SEPP No. 64 – Advertising and Signage

SEPP No 64 applies to advertising and signage within NSW and the relevant aims of the policy as it applies to this PP are:

This Policy aims:

- (a) to ensure that signage (including advertising):
 - (i) is compatible with the desired amenity and visual character of an area, and
 - (ii) provides effective communication in suitable locations, and
 - (iii) is of high quality design and finish, and
- (d) to regulate the display of advertisements in transport corridors, and
- (e) to ensure that public benefits may be derived from advertising in and adjacent to transport facilities

The permissibility of signage with consent in the RE1 zone along with development standards specified within a future development control plan ensures consistency with the aims of this Policy and is considered to be consistent with the SEPP

Is the Planning Proposal consistent with applicable Ministerial Directions (Section 9.1 Directions)?

The Planning Proposal is consistent with the applicable 9.1 Directions as shown in the following

table:

TABLE OF CONSISTENCY WITH 9.1 DIRECTIONS

| | |
|---|--|
| 1. Employment and Resources | |
| 1.1 Business and Industrial Zones | |
| RELEVANT TO PLANNING PROPOSAL | No |
| 1.2 Rural Zones | |
| RELEVANT TO PLANNING PROPOSAL | Yes |
| APPLICATION | This direction applies when a relevant planning authority prepares a Planning Proposal that will affect land within existing or proposed rural zone (including the alteration of any existing rural zone boundary). |
| CONSISTENCY | Yes The Planning Proposal does not contain provisions that will increase the permissible density of land within a rural zone. |
| 1.3 Mining, Petroleum Production and Extractive Industries | |
| RELEVANT TO PLANNING PROPOSAL | No |
| 1.4 Oyster Aquaculture | |
| RELEVANT TO PLANNING PROPOSAL | No |
| 1.5 Rural Lands | |
| RELEVANT TO PLANNING PROPOSAL | Yes |
| APPLICATION | This direction applies when a relevant planning authority prepares a Planning Proposal that will affect land within an existing or proposed rural or environment protection zone (including the alteration of any existing rural or environment protection zone boundary). |
| CONSISTENCY | Yes A planning proposal must be consistent with the Rural Planning Principles listed in State Environmental Planning Policy (Rural Lands) 2008. The Planning Proposal is consistent with the Rural SEPP as demonstrated in this report. |

| | |
|--|--|
| 2. Environment and Heritage | |
| 2.1 Environment Protection Zones | |
| RELEVANT TO PLANNING PROPOSAL | Yes |
| APPLICATION | <p>This direction applies when a relevant planning authority prepares a Planning Proposal.</p> <p>A Planning Proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas.</p> <p>A Planning Proposal that applies to land within an environment protection zone or land otherwise identified for environment protection purposes in a LEP must not reduce the environmental protection standards that apply to the land (including by modifying development standards that apply to the land).</p> |
| CONSISTENCY | <p>Consistent - It is not considered that the Planning Proposal reduces the current environmental protection standards but rather corrects drafting errors. The MLS of 2 ha is considered as being appropriate having regard to the natural and physical constraints affecting the land.</p> |
| 2.2 Coastal Protection | |
| RELEVANT TO PLANNING PROPOSAL | No |
| 2.3 Heritage Conservation | |
| RELEVANT TO PLANNING PROPOSAL | No |
| 2.4 Recreation Vehicle Areas | |
| RELEVANT TO PLANNING PROPOSAL | No |
| 2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs | |
| RELEVANT TO PLANNING PROPOSAL | No |
| 3. Housing, Infrastructure and Urban Development | |
| 3.1 Residential Zones | |
| RELEVANT TO PLANNING PROPOSAL | No |
| 3.2 Caravan Parks and Manufactured Home Estates | |
| RELEVANT TO PLANNING PROPOSAL | No |
| 3.3 Home Occupations | |
| RELEVANT TO PLANNING PROPOSAL | No |
| 3.4 Integrating Land Use and Transport | |
| RELEVANT TO PLANNING PROPOSAL | No |
| 3.5 Development Near Licensed Aerodrome | |
| RELEVANT TO PLANNING PROPOSAL | No |

| | |
|---|---|
| 3.6 Shooting Ranges | |
| RELEVANT TO PLANNING PROPOSAL | No |
| 4. Hazards and Risk | |
| 4.1 Acid Sulfate Soils | |
| RELEVANT TO PLANNING PROPOSAL | No |
| 4.2 Mine Subsidence and Unstable Land | |
| RELEVANT TO PLANNING PROPOSAL | No |
| 4.3 Flood Prone Land | |
| RELEVANT TO PLANNING PROPOSAL | No |
| 4.4 Planning for Bushfire Protection | |
| RELEVANT TO PLANNING PROPOSAL | Yes |
| APPLICATION | This direction applies when a relevant planning authority prepares a Planning Proposal that will affect, or is in proximity to land mapped as bushfire prone land. |
| CONSISTENCY | <p>Consistent - Development for detached dual occupancy dwellings and boundary adjustment subdivisions within bushfire prone land will be subject to assessment against <i>Planning for Bushfire Protection 2006</i>.</p> <p>The land to be rezoned is classified as being bushfire land and is classified as being affected by Buffer area only. This is because the land is cleared and contains a dwelling. Any future development will be subject to assessment against <i>Planning for Bushfire Protection 2006</i>.</p> |
| 5. Regional Planning | |
| 5.1 Implementation of Regional Strategies | |
| RELEVANT TO PLANNING PROPOSAL | No |
| 5.2 Sydney Drinking Water Catchments | |
| RELEVANT TO PLANNING PROPOSAL | No |
| 5.3 Farmland of State and Regional Significance on the NSW Far North Coast | |
| RELEVANT TO PLANNING PROPOSAL | No |
| 5.4 Commercial and Retail Development along the Pacific Highway, North Coast | |
| RELEVANT TO PLANNING PROPOSAL | No |
| 5.8 Second Sydney Airport: Badgerys Creek | |
| RELEVANT TO PLANNING PROPOSAL | No |
| 5.9 North West Rail Link Corridor Strategy | |
| RELEVANT TO PLANNING PROPOSAL | No |

| | |
|--|---|
| 5.10 Implementation of Regional Plans | |
| RELEVANT TO PLANNING PROPOSAL | No |
| 6. Local Plan Making | |
| 6.1 Approval and Referral Requirements | |
| CONSISTENCY | Substantially consistent with this direction. |
| 6.2 Reserving Land for Public Purposes | |
| RELEVANT TO PLANNING PROPOSAL | Yes |
| APPLICATION | This direction applies when a relevant planning authority prepares a Planning Proposal. |
| CONSISTENCY | Consistent - Allowing signage as a permissible use within the RE1 zoned will have minimal impact upon land reserved for public purposes. It is considered to be a compatible use. |
| 7. Metropolitan Planning | |
| 7.1 Implementation of A Plan for Growing Sydney | |
| RELEVANT TO PLANNING PROPOSAL | No |
| 7.2 Implementation of Greater Macarthur Land Release Investigation | |
| RELEVANT TO PLANNING PROPOSAL | No |
| 7.3 Parramatta Road Corridor Urban Transformation Strategy | |
| RELEVANT TO PLANNING PROPOSAL | No |
| 7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan | |
| RELEVANT TO PLANNING PROPOSAL | No |
| 7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan | |
| RELEVANT TO PLANNING PROPOSAL | No |
| 7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan | |
| RELEVANT TO PLANNING PROPOSAL | No |

3.2 Environmental, Social and Economic Impact

Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

No. The Planning Proposal will have no adverse effects on critical habitat or threatened species, populations or ecological communities, or their habitats. Development Applications for boundary alterations, subdivisions or detached dual occupancies will be subject to normal merit assessment.

Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

It is unlikely that the Planning Proposal will result in any adverse environmental impacts. Development applications received under the proposed new provisions will require appropriate consideration of the potential for impacts to environmental values of the land and the natural and physical constraints of the land.

Has the planning proposal adequately addressed any social and economic effects?

Yes, the Planning Proposal will enable logical boundary adjustment subdivisions to occur that, in some cases, will facilitate appropriate social and economic outcomes, for example, farm adjustments for estate planning purposes.

Beneficial social and economic impact will arise from increasing the range of permissible housing choices in rural areas.

3.3 State and Commonwealth Interests

Is there adequate public infrastructure for the planning proposal?

There are no additional infrastructure requirements arising from the Planning Proposal.

What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

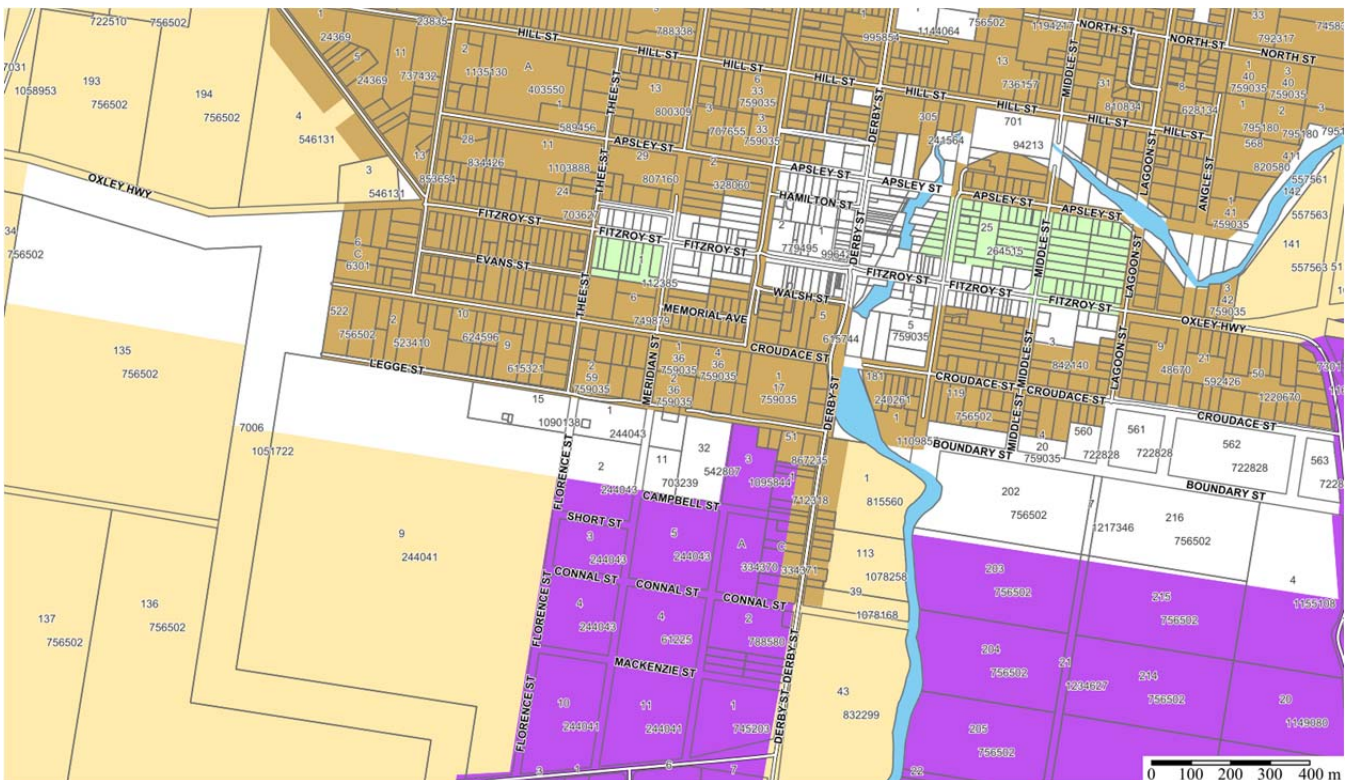
NSW Planning and Environment will indicate their views during the Gateway determination of the proposal. Consultation will occur with other state agencies following Gateway assessment and/or determination.

Part 4

Mapping

1. Map LSZ_003B.

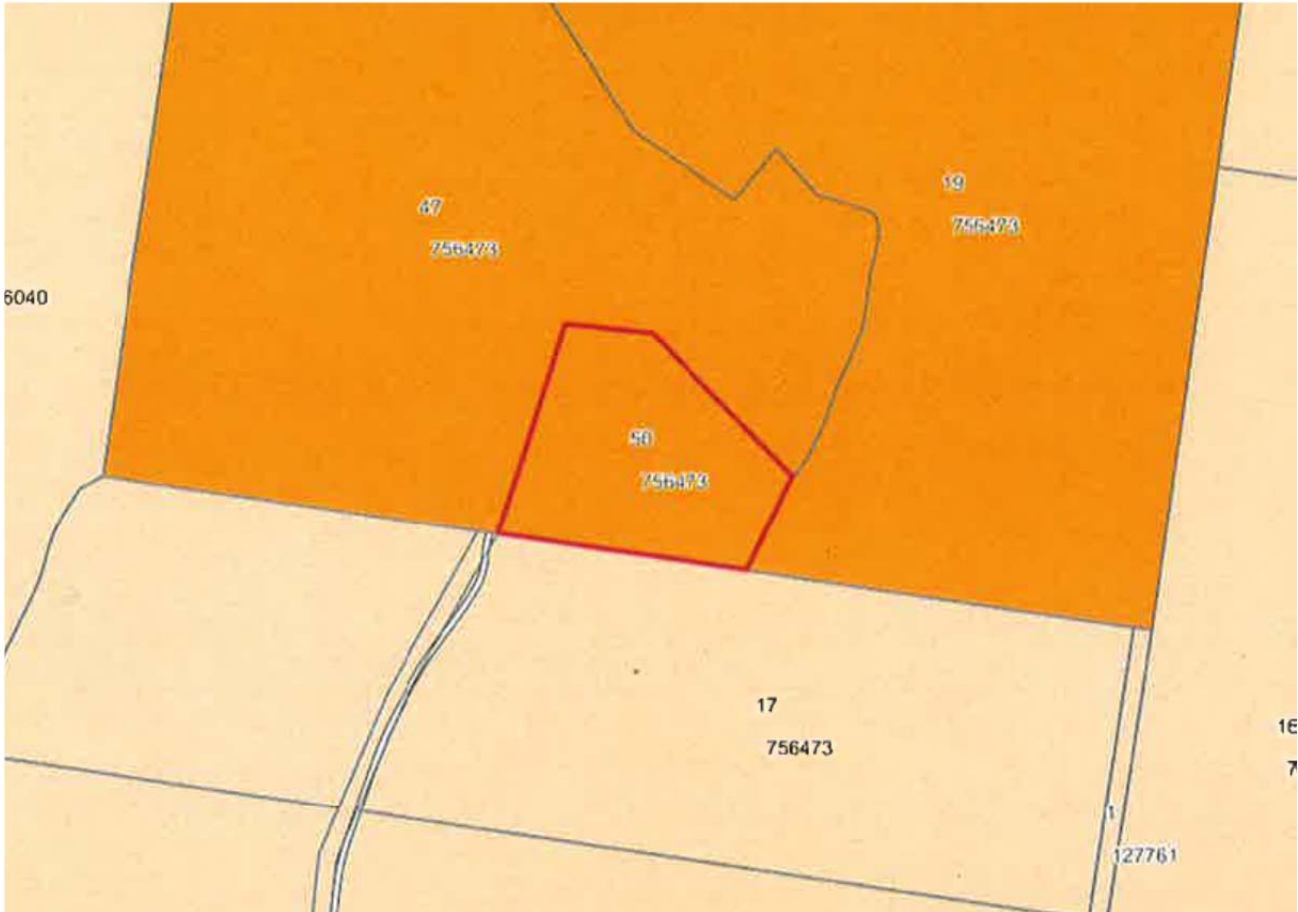
The lots affected are Lot 7023 DP 1059151, being 60S Middle Street WALCHA NSW 2354; Lot 4 Section 20 DP 759035, being 59S Middle Street WALCHA NSW 2354; Lots 560, 561, 562, 563 DP 722828, being 190E-226E Croudace Street WALCHA NSW 2354; Lots 202, 216 DP 756502, Lot 7 DP 1217346 and Part Lot 4 DP 1155108, being 92 Oxley Drive WALCHA NSW 2354; Part Lot 7006 DP 1051722, being TSR Oxley Highway WALCHA NSW 2354; Part Lot 135 DP 756502, being 221 Oxley Highway WALCHA NSW 2354; Part Lot 9 DP 244041 and Part Lot 2 DP 244043, being 74 Aberbaldie Road WALCHA NSW 2354; Lot 12 DP 845268, Lot 14 DP 1090138 and Lot 1 DP: 546004, being Legge Street WALCHA NSW 2354; Lot 15 DP 1090138, Lot 1 DP 244043, Lot 10 DP 703239 and Lot 2 DP 222609, being 101W Legge Street WALCHA NSW 2354; Lot 32 DP 542807, being 51W Legge Street WALCHA NSW 2354 and are all contained on this map. The change will show that they all have a Minimum Lot Size of 2 hectares.



Source: Walcha Geographical Information System

2. Map LZN_006.

The lot affected is Lot 50 DP 756473, being 321 Bukeiro Road WALCHA NSW 2354 and is all contained on this map. The change will show the lot being rezoned from E1 to RU1.



Source: Walcha Geographical Information System

3. Map LSZ_006.

The lot affected is Lot 50 DP 756473, being 321 Bukeiro Road WALCHA NSW 2354 and is all contained on this map. The change will show a minimum lot size of 100ha.



Source: Walcha Geographical Information System

Part 5

Community Consultation

In accordance with Section 3.34 of the EP&A Act 1979, this Planning Proposal must be approved under a Gateway.

A guide to preparing local environmental plans, the subject proposal meets the following definition of being a low impact Planning Proposal:

A 'low' impact planning proposal is a planning proposal that, in the opinion of the person making the Gateway determination is:

- *consistent with the pattern of surrounding land use zones and/or land uses*
- *consistent with the strategic planning framework*
- *presents no issues with regard to infrastructure servicing*
- *not a principal LEP*
- *does not reclassify public land.*

It is proposed this Planning Proposal should be exhibited for a period of fourteen (14) days in local newspaper publications, including the Apsley Advocate and the Walcha News, also on Council's Website.

Part 6

Project Timeline and Conclusion

6.1 Project Timeline

| Planning Proposal Process Outline | | | | | | | | | |
|---|---------|---|---|---|---|---|---|---|---|
| Estimated timeframe | 2018-19 | | | | | | | | |
| | M | J | J | A | S | O | N | D | J |
| Report to Council / Resolution to refer to NSW Planning and Environment for Gateway determination | X | | | | | | | | |
| Refer to NSW Planning and Environment | X | | | | | | | | |
| Completion of additional information | | | X | | | | | | |
| Government agency consultation | | | | X | | | | | |
| Commencement and completion of public exhibition | | | | X | | | | | |
| Public hearing (if required) | | | | X | | | | | |
| Consideration of submissions | | | | | X | | | | |
| Post submission amendments (if required) | | | | | | X | | | |
| Planning Proposal Authority to finalise LEP | | | | | | | X | | |
| Date of (making) amendment to LEP | | | | | | | | X | |

6.2 Conclusion

The ability for rural land owners to be able to undertake routine boundary adjustments is considered to be a valid and sustainable approach to land management. It allows property owners to look at best practice when it comes to management of their farms whether that is protection of environmental values, agricultural viability of the land or for estate management.

The subject Planning Proposal provides a logical additional clause to the WLEP 2012 that has been "tested" in other regional local government areas and addresses a "gap" in the standard instrument LEP template.

Including detached dual occupancy dwellings within rural and environmental zones is a minor but important addition to the range of permissible housing options available for rural households.

A review of surrounding Councils shows that there is a genuine and justifiable need for:

- a. Flexibility when dealing with rural boundary adjustment subdivisions,

- b. Detached rural dual occupancy dwellings,
- c. Inclusion of signage as a permissible land use in the RE1 zone, and
- d. Correct a previous drafting error in the Walcha LEP 2012 and include a minimum Lot Size for E2 and E4 zoned lands and the rezoning of land from E1 to RU1.

The proposed amendments are recommended to keep the Walcha LEP 2012 up-to-date and accurate and to provide the best balance in effective planning to achieve and facilitate good development outcomes. Given the complexity of the LEP document this is an important continuous improvement process.

As demonstrated in this report, the Planning Proposal is consistent with the objectives of the relevant Section 9.1 Ministerial Directions, Council's Strategic Planning reports and relevant State Environmental Planning Policies.

It is recommended that Council seek a Gateway Determination from NSW Planning and Environment (P&E) requesting permission to place the Planning Proposal on public exhibition.



PP_2018_WALCH_001_00/IRF19/1636

Mr Jack O'Hara
General Manager
Walcha Shire Council
PO Box 2
WALCHA NSW 2354

Attention: Libby Cumming

Dear Mr O'Hara

Planning proposal PP_2018_WALCH_001_00

I refer to your correspondence requesting the Secretary's agreement that inconsistency of the above proposal with section 9.1 Direction 4.4 Planning for Bushfire Protection is justified.

I have considered this matter, and as a delegate of the Secretary, I have agreed that the inconsistency is justified in accordance with the terms of the Direction.

Should you have any further enquiries about this matter, I have arranged for Ms Gina Davis to assist you. Ms Davis can be contacted on 5778 1487.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J. Gray'.

14-3-2019

Jeremy Gray
Director Regions, Northern
Planning Services



Item: 6.3 **Ref:** WO/2019/00478
Title: Walcha & District Historical Society Inc – Request for Loan for Drainage Problem at 111N Derby Street
Author: General Manager
Previous Items: Not Applicable
Attachment: No

Community Strategic Plan Reference:
Goal 5.3 – Walcha’s cultural identity will be enhanced.
Strategy 5.3.4 – Preserve, support and promote the history of Walcha

Introduction:

Council have received a letter from the Walcha & District Historical Society Inc (the Historical Society) requesting a loan from Council to complete works to fix the drainage problem at the Pioneer Cottage and Museum Complex situated at 111N Derby Street, Walcha.

Report:

Council quoted on the Private Works and a copy of that quote is attached to this report.

The Historical Society have advised that they are happy to comply with any repayment plan stipulated by Council, up to the value of \$275 per month, which would be at the least over a five year period. They would be happy to consider a ten year payment option as well and are also happy to pay monthly, quarterly or yearly to fulfil this obligation.

Legal Issues:

The loan would need to be a legal agreement.

Financial Implications:

Need a copy of the quote – have emailed Dylan and requested it.

Social Implications:

The Historical Society have advised the completion of these drainage works is crucial to the ongoing projects that need to be done on the Complex, to comply with the recommendation of the Site Audit by Museums & Galleries so they can access further grants to maintain the Complex.

Community Strategic Plan Implications:

The Community Strategic Plan reference above, CSP Ref: 5.3 & 5.3.4, are broken down further with the Delivery Program in that we try to preserve historical assets and promote local heritage.

RECOMMENDATION: that Council provide the Walcha & District Historical Society Inc with an interest free loan of \$16,000 over a five year period and further the General Manager be authorised to negotiate the payment frequency with the Walcha Historical Society Inc.

Submitted to Council: 27 March 2019

..... General Manager Mayor



WALCHA COUNCIL

ABN 24 780 320 847

2W Hamilton Street
PO Box 2
WALCHA NSW 2354



Telephone: 02 6774 2500
Rates and Admin: 02 6774 2500
Engineering: 02 6774 2515
Fax: 02 6777 1181
Email: council@walcha.nsw.gov.au
Website: www.walcha.nsw.gov.au

3 August 2017

Mr K Dickson
Walcha Historical Society

Dear Mr Dickson

Quotation Number - 1525

Thank you for the opportunity to quote on the work detailed below. After considering the quote, should you wish to accept, please complete, sign and return the attached letter.

Council's quote is valid for three months from the date of this letter. This quote does not include GST which will be added to the cost at invoicing.

Location: Walcha Historical Society

Description: Drainage Upgrades for the Walcha Historical Society

Total: \$16,528.74 Incl GST

Details: Refer next page

Yours faithfully

Dylan Reeves
DIRECTOR ENGINEERING SERVICES

WHEN MAKING ENQUIRIES PLEASE ASK FOR DYLAN REEVES

Submitted to Council: 27 March 2019

..... General Manager Mayor



WALCHA COUNCIL

ABN 24 780 320 847

Quotation Number - 1525

Location: Walcha Historical Society

Description: Drainage Upgrades for the Walcha Historical Society

Details:

| | | | | | | |
|-------------------------------------|------|-----------|----|----------|---|------------|
| Backhoe with Operator | 25.5 | hours | at | \$106.75 | = | \$2,722.13 |
| Bobcat with Operator | 34 | hours | at | \$92.50 | = | \$3,145.00 |
| Concrete 25 Mpa (m3) | 4 | cu metres | at | \$250.00 | = | \$1,000.00 |
| Gabion Rock | 12 | tonnes | at | \$60.00 | = | \$720.00 |
| Labourer | 68 | hours | at | \$53.00 | = | \$3,604.00 |
| Misc. Materials | 2250 | dollars | at | \$1.00 | = | \$2,250.00 |
| Pit - Precast Base Unit 450x450x450 | 4 | each | at | \$195.00 | = | \$780.00 |
| Pit - Precast Lid 450x450x450 | 4 | each | at | \$95.00 | = | \$380.00 |
| Utility - Hourly | 34 | hours | at | \$12.50 | = | \$425.00 |

TOTAL (Excl GST): \$15,026.13

Submitted to Council: 27 March 2019

..... General Manager Mayor



Item: 6.4 **Ref:** WO/2019/00441
Title: Review Roadside Vegetation Policy
Author: General Manager
Previous Items: February 2019 Council Report – WO/2019/00203
Attachment: Roadside Vegetation Policy – WO/2017/00287
Appendix 2: Allowable activities for public authorities
Appendix 3: Clearing for rural infrastructure

Report:

The Transport & Communications – Roadside Vegetation Policy is being reviewed due to Councillors’ request. In view of the storm damage from 20 December 2018, it has been recommended to review the Policy to ensure that Council have clarity on the correct environmental procedures as well giving the correct information to landholders if requested.

Private Land Owners Clearing Adjacent to Council Land:

Allowable activities consolidate, simplify and expand on the Routine Agricultural Management Activities (RAMAs) that were part of the *Native Vegetation Act 2003*. Under the new land management framework greater flexibility and discretion is provided to landholders enabling them to efficiently undertake low risk routine land management activities.

There are three Allowable Activity Zones in NSW, the Western, Central and Coastal Zones. Walcha is in the Central Zone. These zones permit a landholder to conduct a specified amount of clearing around rural infrastructure. Clearing for Rural Infrastructure includes (but is not limited to):

- + fences
- + roads and tracks
- + irrigation channels and pipelines
- + stock or domestic water supply pipelines
- + soil conservation earthworks
- + cut lines for stock movement
- + bore drains or drains to water storages
- + telephone lines or cables
- + power lines or cables or areas for movement of large machinery
- + shearing, machinery, grain, hay or similar sheds
- + stock handling facilities
- + dams, ground tanks, bores, pumps, tanks and water points
- + windmills.

The *Local Land Services Act 2013* also enables public authorities, local councils and utilities to clear native vegetation on Category 2 – regulated land for the following purposes:

- + public works – allows clearing by a public or local authority for the construction, operation or maintenance of infrastructure (including cemeteries) by a public or local authority. The native vegetation to be cleared must not be a threatened species, a protected plant under the *Biodiversity Conservation Act 2016* or be part of

Submitted to Council: 27 March 2019

..... General Manager Mayor



Threatened Ecological Community (TEC), or be the habitat of a threatened species.

- + telecommunication infrastructure
- + gravel pits – allows clearing on behalf of a local council for the construction, operation or maintenance of gravel pits. The native vegetation to be cleared is limited to a single area of land no more than 2 hectares in the Central Zone. Additionally, the cleared native vegetation must not be a threatened species, or be part of TEC or be the habitat of a threatened species, or be a protected plant under the *Biodiversity Conservation Act 2016*. The Council must revegetate the cleared area.
- + electricity transmission infrastructure

The Local Land Services Act 2013 supports landholders undertaking day-to-day land management activities associated with agriculture and other common practices in rural areas. Allowable activities enable clearing for the following on Category 2 – regulated land. Clearing may also be carried out by a person who is acting on behalf of a landholder, such as a contractor or employee.

- + imminent risk
- + traditional Aboriginal cultural activities
- + collection of firewood
- + construction timber
- + planted native vegetation
- + private power lines
- + environmental protection works
- + sustainable grazing
- + mulga species for stock fodder on a landholding
- + airstrips
- + firebreaks

The **maximum** clearing distances for rural infrastructure and allowable activities for landholders, public authorities, local councils and utilities is:

| <i>Local Land Services:</i> | |
|---|-----------|
| Central Zone | 30 metres |
| Small holdings in any Zone (Under 10 Ha) | 12 metres |

Clearing **must** be undertaken to the **minimum** extent necessary to build and maintain rural infrastructure.

At the February 2019 Ordinary Meeting, Council resolved to incorporate the following Clearing Limits for landholders within our Council into its policy:

| <i>Local Land Services:</i> | |
|---|-----------|
| Central Zone | 15 metres |
| Small holdings in any Zone (Under 10 Ha) | 6 metres |

Submitted to Council: 27 March 2019

..... General Manager Mayor



Also as per the February 2019 Meeting the Roadside Vegetation Policy is to include the following:

Applications received above 15 metres (6 metres in lots under 10Ha) but below the maximum clearing distance of 30 metres (12 metres in lots under 10Ha) be referred to Council for determination.

RECOMMENDATION: **The Draft Roadside Vegetation Policy be adopted by Council.**

Submitted to Council: 27 March 2019

..... General Manager Mayor



Appendix 1:
TRANSPORT & COMMUNICATIONS POLICIES



ROADSIDE VEGETATION POLICY

Objective

To ensure the provision of an efficient, safe and environmentally aware road reserve that aims to protect the road users, the environment and the staff that work within it.

Policy

This policy aims to ensure clarity when Council is undertaking activities within road and other infrastructure reserves, public land and private lands. In addition to Councils activities, this policy aims to clarify the requirements of the public when their work borders Council or public land.

Road Reserves:

Council, under the Roads Act 1993 is the “Roads Authority”. The Roads Authority has a duty of care to ensure that risks are managed appropriately within the road reserve, this includes vegetation. Section 88 of the Roads Act, a powerful excerpt states that:

“A Roads Authority may, despite any other Act or Law to the contrary, remove or lop any tree or other vegetation that is on or overhanging a public road if, in its opinion, it is necessary to do so for the purpose of carrying out road work or removing a traffic hazard”.

While this is a powerful piece of legislation, it is important that the decision point regarding the opinion of the Road Authority is recorded. All Council staff should ensure that the appropriate approval is gained prior to removing any mature vegetation (greater than ten years of age). An approval called “Walcha Council Environmental Sign Off” should always be produced and filed appropriately when removing mature vegetation.

Private Land Owners Clearing Adjacent to Council Land:

The *Local Land Services Act 2013 No.51 Division 4 Allowable Activities clearing of native vegetation Part 3 Clearing for Rural Infrastructure Section 29-32*. A landholder to conduct a specified amount of clearing for Rural Infrastructure, as follows for Boundary Fences:

| <i>Local Land Services Central Zone – Properties over 10 Hectares</i> | |
|---|---|
| Permanent Boundary Fence | 15 metres either side (With approval from neighbours) |
| <i>Local Land Services Central Zone – Properties Under 10 Hectares</i> | |
| Permanent Boundary Fence | 6 metres either side (With approval from neighbours) |

It is important to note that approval must be sought from the neighbouring landowner. When a property boundaries the road reserve, permission from Council must be sought by the landowner prior to commencing work. With a growing emphasis on preserving native vegetation within the road reserve, 15 metres is considered an excessive amount of clearing. For the purpose of general enquiries, the following clearing limits are enforced.

| <i>Walcha Council Permitted Clearing, Properties over 10 Hectares</i> | |
|--|---|
| Permanent Boundary Fence | Maximum of 7.5 metres into Council land |

Submitted to Council: 27 March 2019

..... General Manager Mayor



| <i>Walcha Council Permitted Clearing – Properties Under 10 Hectares</i> | |
|---|---------------------------------------|
| Permanent Boundary Fence | Maximum of 3 metres into Council Land |

It is important to note that, on occasions additional clearing than the above stated distances will be required. In order to gain permission to clear further than 7.5 metres into a Council road reserve (three metres in lots under 10Ha), the landowner must make an application in writing to Council and it will be referred to the next Council Meeting for determination.

Other Council Existing Infrastructure:

The State Environmental Planning Policy (Infrastructure) 2007, has provisions for other Council infrastructure such as underground utilities. Other existing Council Infrastructure including but not limited to water, sewer and stormwater mains, footpaths and sporting complexes are managed in the same manner as stated in Road Reserves, an internal approval is required prior to removing mature vegetation.

New Construction Works:

New construction works, particularly when constructing on greenfield sites will always require a Review of Environmental Factors (REF). Works cannot proceed until an REF has been completed and reviewed by the Director – Engineering Services. This work is not covered within this Policy.

Associated Documents:

- Factsheet: Local Land Services NSW – Allowable activities for landholders
- Factsheet: Local Land Services NSW – Clearing for rural infrastructure
- Factsheet: Local Land Services NSW – Allowable activities for public authorities
- Local Land Services Act 2013 No. 51*

Policy Review

The Policy may be amended at any time and must reviewed at least twelve months since its adoption (or latest amendment).

Adopted: Feb17

Review: Feb19





Appendix 2:



Allowable activities for public authorities

Allowable activities cover a range of routine land management activities associated with agriculture and other common practices in rural areas. Clearing for allowable activities does not require approval under *Local Land Services Act 2013*.

Overview

Allowable activities consolidate, simplify and expand on the Routine Agricultural Management Activities (RAMAs) that were part of the *Native Vegetation Act 2003*.

Under the new land management framework greater flexibility and discretion is provided to landholders enabling them to efficiently undertake low risk routine land management activities.

Clearing undertaken for allowable activities on a landholding must only be carried out by, or on behalf of, the landholder unless specifically stated otherwise. All other required statutory approvals must be obtained before clearing for a work, building or structure.

There are three (3) Allowable Activity Zones in NSW, the Western, Central and Coastal Zones. The maximum clearing distances for allowable activities are different for each zone.

Where land is classed as Category 2 – vulnerable regulated land or Category 2 – regulated sensitive land, allowable activities are limited and reduced maximum clearing distance applies.

Allowable activities for public authorities, local councils and utilities

The *Local Land Services Act 2013* also enables public authorities, local councils and utilities to clear native vegetation on Category 2 - regulated land for the following purposes:

Public works

Allows clearing by a public or local authority for the construction, operation or maintenance of infrastructure (including cemeteries) by a public or local authority.

The native vegetation to be cleared must not be a threatened species, a protected plant under the *Biodiversity Conservation Act 2016* or be part of a Threatened Ecological Community (TEC), or be the habitat of a threatened species.

Telecommunications infrastructure

Allows owners of telecommunications infrastructure, or those acting on their behalf, to clear native vegetation for the construction, operation or maintenance of telecommunications infrastructure.

Gravel pits

Allows clearing on behalf of a local council for the construction, operation or maintenance of gravel pits.

The native vegetation to be cleared is limited to a single area of land no more than 5 hectares in the Western Zone and 2 hectares in all other zones. Additionally, the cleared native vegetation must not be a threatened species, or be part of a TEC, or be the habitat of a threatened species, or be a protected plant under the *Biodiversity Conservation Act 2016*.

Finally, the local council must revegetate the cleared area.

Did you know?

- Local Land Services has trained staff in your area ready to discuss how the land management and biodiversity reforms can help you?
- Local Land Services staff can also visit your property to better understand your goals and provide expert tailored advice.

Why not give us a call on 1300 778 080?

Want to know more? Visit www.lls.nsw.gov.au

V2



Electricity transmission infrastructure

Allows clearing for the maintenance of publicly owned power lines including:

- maintaining safety clearances under power lines and around communications sites,
- minimising fuel loads under power lines,
- maintaining existing roads and tracks.

Clearing under this allowable activity cannot occur for:

- the construction of new roads or tracks,
- removal of groundcover,
- safety clearances that exceed those listed in the *Local Land Services Act 2013*.

Additional considerations

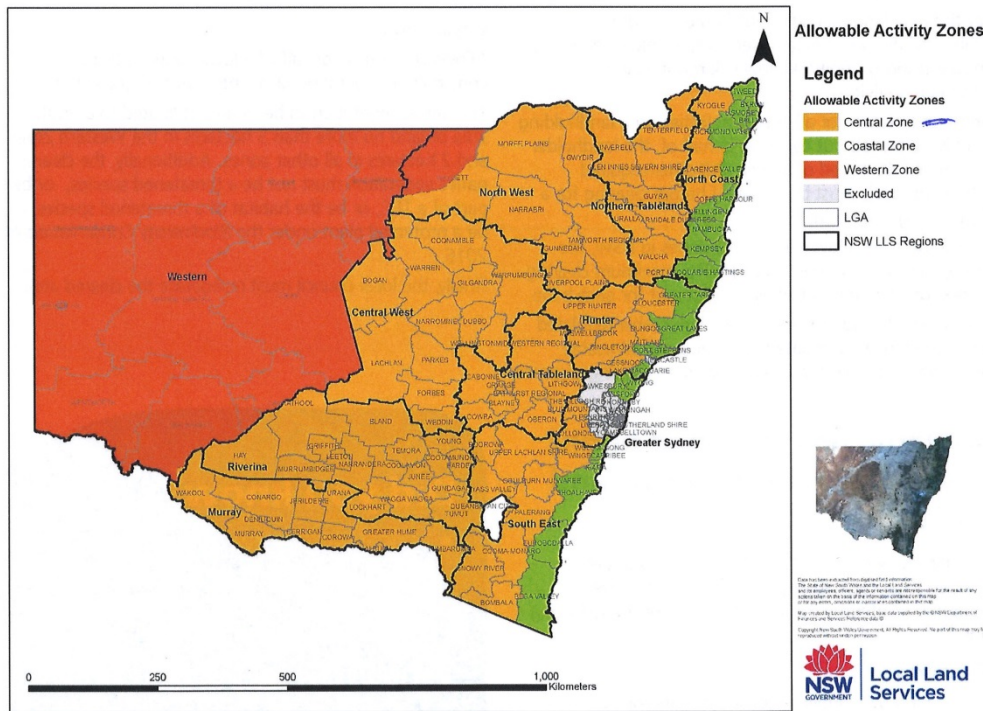
Clearing for an allowable activity should be undertaken to the minimum extent necessary and certain allowable activities, such as Gravel Pits, are limited or prohibited outside of the Western Zone.

Maximum clearing distances for rural infrastructure

Clearing for rural infrastructure **must** be undertaken to the **minimum** extent necessary to build and maintain rural infrastructure.

The **maximum** distance of clearing for rural infrastructure in each zone and on small landholding is as follows:

| Zone | Clearing distance |
|---|-------------------|
| Western zone | 40 metres |
| Central zone | 30 metres |
| Coastal zone | 15 metres |
| Small holdings (in any zone) | 12 metres |
| Vulnerable and sensitive regulated land | 6 metres |



Further information

To find out more about allowable activities for public authorities or the Native Vegetation reforms and how they affect you, contact Local Land Services on 1300 778 080, email slm.info@lls.nsw.gov.au, visit www.lls.nsw.gov.au or call in to your nearest Local Land Services office.

Allowable activities for public authorities



Appendix 3:



The Land Management Framework enables clearing for the construction, operation and maintenance of rural infrastructure.

Overview

The *Local Land Services Act 2013* outlines the eligible rural infrastructure and clearing distances in the Western, Central and Coastal Zones for Category 2 - regulated rural land and for Category 2 - vulnerable regulated land and Category 2 - sensitive regulated land.

Rural infrastructure is defined as a building, structure or work that is used for the purposes of , or in connection with, an activity that is being carried out in a regulated rural area of the State but only if the activity does not require development consent under the *Environmental Planning and Assessment Act 1979*.

Clearing undertaken for allowable activities on a landholding must only be carried out by, or on behalf of, the landholder unless specifically stated otherwise. All other required statutory approvals must be obtained before clearing for a work, building or structure.

There are three (3) Allowable Activity Zones in NSW, the Western, Central and Coastal Zones. The maximum clearing distances for allowable activities are different for each zone.

Where land is classed as Category 2 – vulnerable regulated land or Category 2 – regulated sensitive land, allowable activities are limited and reduced maximum clearing distance applies.

Rural infrastructure in the Western and Central Zones

In Western and Central Zones clearing for rural infrastructure includes (but is not limited to):

- fences
- roads and tracks
- irrigation channels and pipelines
- stock or domestic water supply pipelines
- soil conservation earthworks

- cut lines for stock movement
- bore drains or drains to water storages
- telephone lines or cables
- power lines or cables or areas for movement of large machinery
- shearing, machinery, grain, hay or similar sheds
- stock handling facilities
- dams, ground tanks, bores, pumps, tanks and water points
- windmills.

Did you know?

- Local Land Services has trained staff in your area ready to discuss how the land management and biodiversity reforms can help you?
- Local Land Services staff can also visit your property to better understand your goals and provide expert tailored advice.

Why not give us a call on 1300 778 080?

Want to know more? Visit www.lls.nsw.gov.au

V2



Rural infrastructure in the Coastal Zone

In the Coastal Zone clearing for rural infrastructure is permitted for:

- permanent boundary fences
- permanent internal fences
- roads and tracks
- shearing or machinery sheds
- tanks, dams, pipelines, bores, pumps, water points
- stockyards and windmills

Rural infrastructure on small holdings

On small holdings clearing for the following types of rural infrastructure is permitted:

- permanent boundary fences
- permanent internal fences
- roads and tracks
- pipelines, bores, dams, pumps, tanks and water points
- windmills
- stockyards
- buildings other than habitable buildings

Additional infrastructure in the Coastal Zone and small holdings

For landholders in the Coastal Zone and on small holdings Local Land Services may issue a certificate that allows clearing for additional rural infrastructure, provided if this is for a genuine agricultural activity.

Rural infrastructure on vulnerable and sensitive land

On Category 2 - vulnerable regulated land and Category 2 - sensitive regulated land, clearing for the following types of rural infrastructure is permitted:

- permanent boundary fences
- permanent internal or temporary fences
- farm track, if the track is necessary for access and the route of the track minimises clearing

Maximum clearing distances for rural infrastructure

Clearing for rural infrastructure **must** be undertaken to the **minimum** extent necessary to build and maintain rural infrastructure.

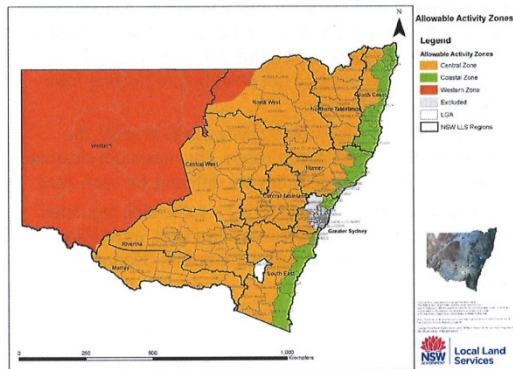
The **maximum** distance of clearing for rural infrastructure in each zone and on small landholding is as follows:

| Zone | Clearing distance |
|---|-------------------|
| Western zone | 40 metres |
| Central zone | 30 metres |
| Coastal zone | 15 metres |
| Small holdings (in any zone) | 12 metres |
| Vulnerable and sensitive regulated land | 6 metres |

The maximum distances above apply even if part of the clearing has been carried out by an adjoining landholder.

The maximum distance of clearing of native vegetation includes:

1. in the case of linear infrastructure - the total width of clearing authorised for the infrastructure, or
2. in the case of fixed point infrastructure - the maximum distance of clearing that is authorised measured from the perimeter of the infrastructure.



Further information

To find out more about clearing for rural infrastructure or the Native Vegetation reforms and how they affect you, contact Local Land Services on 1300 778 080, email slm.info@lls.nsw.gov.au, visit www.lls.nsw.gov.au or call in to your nearest Local Land Services office.

Clearing for rural infrastructure



Item: 6.5 **Ref:** WO/2019/00518
Title: Walcha Preschool Advisory Committee Membership Nominations
Author: General Manager
Previous Items:
Attachment: No

Community Strategic Plan Reference:

Goal – 4.1 – Education and training opportunities will be provided that deliver skills and knowledge needed to advance the community.

Strategy – 4.1.1 – Provide quality and accessible preschool and early intervention facilities for children in a safe and supportive environment.

Introduction:

This report is to appoint two parent/citizen representatives to serve on the Walcha Preschool Advisory Committee.

Report:

The Committee consists of four parent/citizen representatives generally elected for a two year period with half the number changing each year. We have two current members who have indicated that they wish to stay on the committee. Applications for the vacant positions were called for and three were received, however one applicant, Jess Upton, has stated that she is willing to be on the committee only if we were short on nominations. This being the case I would appoint the two other applicants, Jordy Young and Sarah Fletcher.

The two community members leaving the Committee are Kimberley Lisle and Melika McKinnon.

RECOMMENDATION:

That Council APPOINT Jordy Young and Sarah Fletcher to the Walcha Preschool Advisory Committee FURTHER THAT Council write to Kimberley Lisle Street and Melika McKinnon expressing Council’s appreciation for their dedication and commitment whilst serving on the Committee.

Submitted to Council: 27 March 2019

..... General Manager Mayor



| | | |
|------------------------|--|---------------------------|
| Item: | 6.6 | Ref: WO/2019/00517 |
| Title: | Easy to do Business (EtdB) – Service NSW | |
| Author: | General Manager | |
| Previous Items: | Not Applicable | |
| Attachment: | Nil. | |

Community Strategic Plan Reference

Goal 2.1 – Commercial and tourist development will be promoted and encouraged to grow in harmony with the natural environment, to take maximum advantage of commercial opportunities and to increase local employment.

Strategy 2.1.4 – Assist, support and encourage the establishment and / or expansion of local business.

Introduction:

The purpose of this report is to provide background information and seek support to enter into a contract with Service NSW to deliver Easy to do Business (EtdB) program.

Report:

The NSW Government launched the EtdB program with the goal of making NSW the easiest State to start and grow a small business. You may also see the program referred to as “Making Business Easier” which is our tagline for consumer messaging.

The offering includes a Business Concierge service which provides business owners with free personalised support tailored to their individual situation; online how-to guides to help current and prospective business owners understand government licences, approvals and regulations; and an online digital platform that guides customers through the process of establishing and managing their business.

These services help businesses navigate Local, State and Federal Government to access the information, transactions and services that they need – tackling the time, complexity and administration burden faced by small business owners.

The program is a free service that gives customers vital personalised help they need when starting or expanding a small business across a range of industries, and so they can focus on their business and save time and money.

Customers will receive step-by-step guidance and support across Local, State and Federal Government requirements, whether they wish to open, grow or finalise their business.

The Business Concierge will provide tailored help that focuses on what the customer needs to do, how to do it and when to get it done and refer customers to services available.

An integral part of the Small Business Friendly Council (SBFC) initiative is the EtdB program developed by the Small Business Commissioner and Services NSW. The

Submitted to Council: 27 March 2019

..... General Manager Mayor



EtdB program provides councils with a digital platform and state wide policy solutions that make it easier for small businesses to start up. Service NSW has indicated it can take up to eighteen months to establish a café in NSW with people needing to complete up to 48 forms across three levels of Government and comply with up to 75 different regulations across different jurisdictions. The EtdB initiative aims to reduce the time it takes to set up a café to three months by reducing the red tape and eliminating forms, enabling small businesses to obtain streamlined and faster approvals. EtdB also provides Councils with decision-ready applications and significant efficiency gains.

Those looking to start up a café, restaurant or small bar can benefit from Council being involved in EtdB by receiving:

- ◆ A unique digital profile that can help fast track the approval process across local, state and federal government.
- ◆ Step by step guidance through the application process by Service NSW.
- ◆ Support from a dedicated Business Concierge within Service NSW who can answer questions, liaise with Council, and review applications to ensure they are ‘decision ready’.
- ◆ Know upfront the time, fees and effort involved.

Service NSW conducted a six month pilot of the EtdB with Parramatta and Dubbo Councils which is now complete. Service NSW has commenced rolling out the EtdB program to Councils across NSW with feedback on the program from neighbouring Councils involved in EtdB being positive.

Social & Community Impact:

The EtdB initiative will prove a business customer who wishes to set up cafes, restaurants or small bar, or tradesman within the Housing and Construction Industry with a single point of contact within Service NSW who will help them navigate all the required approvals to operate the business, for example registering the business, obtaining an ABN, and required Council approvals.

Community Strategic Plan

As per the reference at the top of the report this will assist Council fulfil its Goal (CSP Ref: 2.1) and Strategy (CSP Ref: 2.1.4).

Financial Implications:

Nil. This is a free initiative for both Walcha Council and customers using the service.

RECOMMENDATION: That Council:

1. Delegate authority to the General Manager to enter into a contract with Service NSW for the Easy to do Business initiative; and
2. Approve the affixing of the Common Seal to all necessary documentation associated with the Easy to do Business program FURTHER THAT the affixing of the Common Seal be attested to by the Mayor and the General Manager.

Submitted to Council: 27 March 2019

..... General Manager Mayor



Ref: WO/2019/00492

Title: Management Review Report
Author: General Manager
Previous Items: Not Applicable
Attachment: No

Community Strategic Plan Reference

Goal 8.1 – Walcha Council will exemplify good leadership, mutual respect and trust by being inclusive, ensuring open information and communication and encouraging active participation at all levels.

Item 9:

Management
Review Reports

Submitted to Council: 27 March 2019

..... General Manager Mayor



FINANCE AND ADMINISTRATION

9.1 Listing of Bank Balances for the Month of February 2019

The Cash Book for each Fund has been reconciled with the appropriate Bank Pass sheets for the month of February 2019 and the Reconciliations have been entered in the Cash Book.

| February | <u>2019</u> | <u>2018</u> |
|-----------------|--------------------|--------------------|
| General | \$ 1,372,732.41 | \$ 1,052,912.58 |

The current Interest Rate on the General Fund held with the National Australia Bank is 1.25%.

| February | <u>2019</u> | <u>2018</u> |
|-----------------------|--------------------|--------------------|
| Interest Earned (YTD) | \$ 10,045.57 | \$ 12,255.29 |

9.2 Investments Local Government (Financial Management) Regulation 1993, Clause 19 (3) (A) for February 2019

Please see the following Report for the investments placed in February 2019.

Overdraft Limit

An Overdraft Limit of \$200,000 has been arranged with the National Australia Bank. When utilised an Overdraft Interest Rate of 8.77% applies.

Jack O'Hara
GENERAL MANAGER

Submitted to Council: 27 March 2019

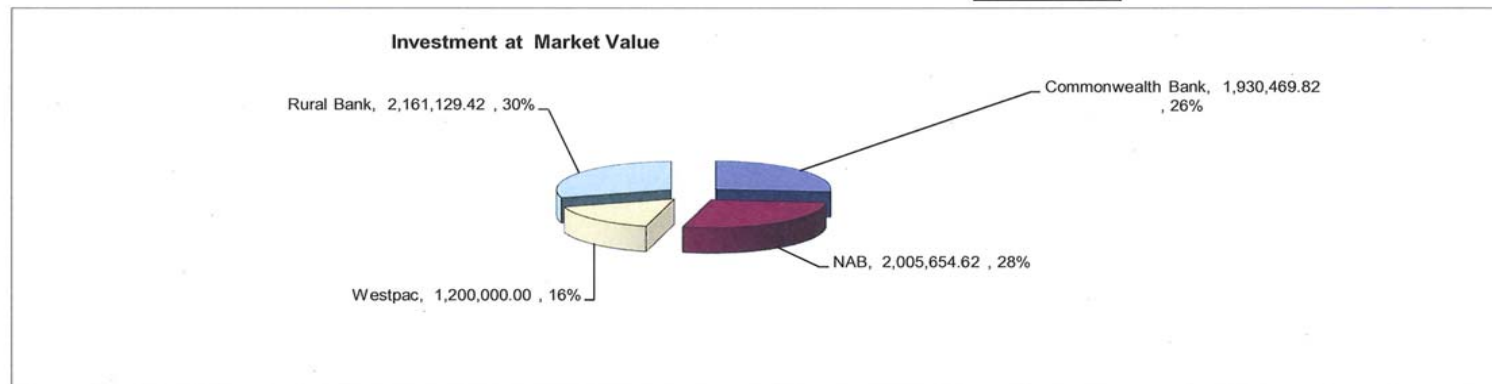
..... General Manager Mayor



REGISTER OF INVESTMENTS TO 28/02/2019

| Institution | Type | Placement Date | Term (Days) | Maturity Date | Rate | Est. Interest | YTD Interest | Amount Invested | YTD Redemption | Est. Market Value At 28/02/19 | MV % of Portfolio |
|-------------------------|--------------|----------------|-------------|---------------|-------|-------------------|-------------------|---------------------|---------------------|-------------------------------|-------------------|
| National Australia Bank | Term Deposit | 19/07/2018 | 181 | 19-Jan-19 | 0.00% | 0.00 | 16683.29 | - | 666,683.29 | - | 0.00% |
| National Australia Bank | Term Deposit | 28/01/2019 | 365 | 28-Jan-20 | 2.75% | 16660.33 | 5830.03 | 605,830.03 | - | 605,830.03 | 8.30% |
| Commonwealth Bank | Term Deposit | 17/08/2018 | 180 | 12-Feb-19 | 2.60% | 0.00 | 12478.31 | - | 359,878.58 | - | 0.00% |
| National Australia Bank | Term Deposit | 15/02/2019 | 367 | 17-Feb-20 | 2.65% | 13589.57 | 0.00 | 510,019.18 | - | 510,019.18 | 6.99% |
| Commonwealth Bank | Term Deposit | 10/09/2018 | 181 | 11-Mar-19 | 2.64% | 6545.75 | 0.00 | 500,000.00 | - | 500,000.00 | 6.85% |
| Elders Rural Bank | Term Deposit | 28/09/2018 | 180 | 28-Mar-19 | 2.65% | 12415.07 | 11972.60 | 950,000.00 | - | 950,000.00 | 13.02% |
| Westpac Bank | Term Deposit | 18/04/2018 | 365 | 18-Apr-19 | 2.76% | 16560.00 | 12476.72 | 600,000.00 | - | 600,000.00 | 8.22% |
| Elders Rural Bank | Term Deposit | 31/10/2018 | 180 | 28-Apr-19 | 2.67% | 7900.27 | 8802.74 | 600,000.00 | - | 600,000.00 | 8.22% |
| Westpac Bank | Term Deposit | 17/05/2018 | 365 | 16-May-19 | 2.72% | 16320.00 | 12385.31 | 600,000.00 | - | 600,000.00 | 8.22% |
| Commonwealth Bank | Term Deposit | 24/05/2018 | 365 | 24-May-19 | 2.71% | 14262.33 | 0.00 | 526,285.22 | - | 526,285.22 | 7.21% |
| National Australia Bank | Term Deposit | 12/02/2019 | 120 | 12-Jun-19 | 2.65% | 3135.38 | 0.00 | 359,878.58 | - | 359,878.58 | 4.93% |
| National Australia Bank | Term Deposit | 28/10/2018 | 273 | 28-Jul-19 | 2.60% | 10305.26 | 6948.45 | 529,926.83 | - | 529,926.83 | 7.26% |
| Elders Rural Bank | Term Deposit | 15/11/2018 | 270 | 15-Aug-19 | 2.70% | 12205.85 | 0.00 | 611,129.42 | - | 611,129.42 | 8.37% |
| Commonwealth Bank | Term Deposit | 22/10/2018 | 365 | 22-Oct-19 | 2.71% | 24503.40 | 22243.05 | 904,184.60 | - | 904,184.60 | 12.39% |
| Elders Rural Bank | Term Deposit | 17/06/2018 | 180 | 17-Dec-18 | 2.65% | 0.00 | 7389.47 | - | 550,000.00 | - | 0.00% |
| | | | | | | 154,403.21 | 117,209.97 | 7,297,253.86 | 1,576,561.87 | 7,297,253.86 | 100.00% |

| | |
|------------------------------------|--------------|
| Capital Value of Portfolio | 7,297,253.86 |
| Redeemed Value of Portfolio | 1,576,561.87 |
| Market Value of Portfolio 28/02/19 | 7,297,253.86 |
| Estimated Profit/(Loss) 28/02/19 | 7,297,253.86 |



Responsible accounting Officers Certification Local Government (General) Regulation 2005- Paragraph 212
The investments have been made in accordance with the Act, Regulations and Walcha Council's Investment Policy.

Signed Rosemary Strobel (Responsible Accounting Officer)

Submitted to Council: 27 March 2019

..... General Manager Mayor



9.3 Tourism Report
Number of visitors to VIC

February 2019

| FEBRUARY | 2019 | 2018 | 2017 | 2016 |
|-----------------|-------------|-------------|-------------|-------------|
| Walk in's | 278 | 315 | 275 | 444 |
| Phone enquiries | 24 | 317 | 56 | 41 |
| Email enquiries | 1 | 0 | 1 | 1 |

| WEBSITE | February | January | December | November |
|----------------|-----------------|----------------|-----------------|-----------------|
| Unique Visits | 3,391 | 3,671 | 2,996 | 2,880 |
| Visits | 4,662 | 5,252 | 4,185 | 3,894 |
| No of Hits | 190,200 | 170,540 | 155,094 | 146,845 |

Comments from the Visitors Book – FEBRUARY

Lovely Place (WA) / Great brochures, thanks (Syd) / Excellent info shop (Syd) / Love this place (Syd) / Very helpful (Mackay, Q) / Lovely place (Q) / Trip down memory lane (Rockhampton, Q) / Thank you, very helpful (Newcastle) / Thanks for your help (NSW) / Great shop (Bairnsdale, Vic) / Great toilets – they are so clean you could eat your lunch in there !! (Tour group) / Hope it rains soon (NSW).

Bobby Jacks Festival

Bobby Jacks Festival organisers have been successful applicants for a \$20,000 Grant from an event incubator fund through Destination NSW. This will enable the organisers to attract more bands and expand the event. Congratulations to the Bobby Jacks organisers and great news for Walcha having the means to boost this great event.

The Freak Show Festival of Motorcycles

The Freak Show Festival of Motorcycles (FSFoM) organisers have been successful in obtaining a grant from Destination NSW as well as sponsorship dollars from Harley Davidson for this event's inaugural year. FSFoM is anticipated to attract a large crowd for each of the three days, stimulating the economy for the duration of the event as well as raising the profile of Walcha in an ongoing manner through the promotion associated with the event and the awareness raised of Walcha's motorcycling assets. The event date is 15-17 November 2019 and will be advantageous for both Walcha and the broader region.

NSW Rural Womens Gathering

Rural Womens Gathering is to be held in Walcha this year. They had their launch on Monday, 25 February at the Walcha Bowling Club where they also launched their website. This event will be held from 1 – 3 November 2019.

Susie Crawford
 Tourism Manager

Submitted to Council: 27 March 2019

..... General Manager Mayor



9.4 Grant Information

Grants Currently Applied for:

| Name of Grant: | Purpose of Grant: | Amount Requested: | Council Contribution: | Date Outcome Announced: | Outcome |
|--|--|--------------------------|------------------------------|--------------------------------|----------------|
| 2018-21 Council Regional Capacity Building Program | Through Namoi Unlimited employ a Regional Contaminated Lands Project Officer | \$420,000 | | December | Successful |
| Quality Learning Environment | Mud kitchen & playground rehabilitation at Preschool | \$15,000 | \$4,000 | November | Successful |
| Fixing Country Roads | Thunderbolts Way Rehabilitation | \$10,319,600 | \$1,000,000 | March | Successful |

Grants Currently Being Investigated:

| Name of Grant: | Purpose of Grant: | Closing Date: |
|--|--------------------------|----------------------|
| Arts Projects – Organisations Community Building Partnership Youth Opportunities Funding Regional Arts NSW website: | | Various times |

Website Links:

- <https://www.liquorandgaming.justice.nsw.gov.au/Pages/about-us/our-initiatives/infrastructure-grants/arts-and-cultural-funding-round.aspx>
- <http://www.lgnsw.org.au/files/imce-uploads/127/cremf-introduction-1.pdf>
- <http://www.communitybuildingpartnership.nsw.gov.au/>
- <http://investment.infrastructure.gov.au/funding/blackspots/>
- <https://www.transport.nsw.gov.au/projects/programs/fixing-country-roads>
- https://infrastructure.gov.au/infrastructure/pab/active_transport/
- <https://education.nsw.gov.au/early-childhood-education/operating-an-early-childhood-education-service/grants-and-funded-programs/quality-learning-environments>
- http://investment.infrastructure.gov.au/infrastructure_investment/heavy_vehicle_safety_and_productivity.aspx
- <http://www.environment.nsw.gov.au/coasts/floodplain-management-grants-2017-18.htm>
- <http://youth.nsw.gov.au/youth-opportunities/>
- <https://www.create.nsw.gov.au/funding-and-support/regional-cultural-fund/regional-cultural-fund-2/>

Submitted to Council: 27 March 2019

..... General Manager Mayor



ENGINEERING SERVICES

9.5 Wages & Overtime Summary

| Pay Period | Week Ending | Overtime Hours | Amount (\$) |
|--------------|-------------|----------------|--------------------|
| 32 | 03/02/2019 | 87.75 | 4,268.08 |
| 33 | 10/02/2019 | 60.50 | 3,011.16 |
| 34 | 17/02/2019 | 142.50 | 6,934.21 |
| 35 | 24/02/2019 | 157.50 | 8,067.64 |
| 36 | 03/03/2019 | 100.25 | 4,767.94 |
| 37 | 10/03/2019 | 93.00 | 4,681.96 |
| 38 | 17/03/2019 | 129.50 | 6,771.11 |
| TOTAL | | 771.00 | \$38,502.10 |

9.6 Shire Roads Maintenance

Local Roads Maintenance:

Gravel Re-Sheeting Winterbourne Zone:

Gravel Resheeting, including corner widening and scour protection on Bark Hut Road. The work has dramatically improved the ride quality on this road, with the protection work designed to reduce wear over the long term. Further projects similar to this will be rolled out across the Local Government Area.



Niangala Bridge By-Pass Installation and Bridge Removal:

The Niangala Bridge Replacement has commenced with the installation of a heavy vehicle bypass track and the removal of the timber bridge. Council was successful in receiving funds under Fixing Country Roads to replace the bridge, and will do so using pre-cast deck units installed on the existing abutments and centre pier.

Submitted to Council: 27 March 2019

..... General Manager Mayor



Walcha Storm Clean-up:



The clean up efforts are all but complete, and Grinders have been established on the Thunderbolts Way to produce a mulch material for the community.

State and Regional Roads Maintenance:

Thunderbolts Way Corridor Strategy:

Works have commenced on the two sections in Walcha which are Aberbaldie Road to Legge Street and Hamilton Street to Jamieson Street. Design work is nearing completion, with Council intending to release tender documents shortly after to ensure construction can commence shortly.

Thunderbolts Way & Oxley Highway Patching:

Patching has occurred on the Thunderbolts Way and Oxley Highway, the work is aimed at addressing failed sections of pavement and improving safety for the travelling public.



Submitted to Council: 27 March 2019

..... General Manager Mayor



Urban Works:

Walcha Memorial Cenotaph:



Work has commenced on the Walcha Memorial Cenotaph. The sandstone that will make the centrepiece of the new memorial has been cut into the correct shape, ready for installation on the new circular concrete slab.

Council crews have commenced work on the concrete slab, with installation of the sandstone expected to commence in early April.

Walcha Oval Lighting Upgrade:

The Walcha Oval Lighting Upgrade has commenced and is progressing pleasingly, the large footing have been installed and have successfully cured. The new light poles have arrived on site. Once all preparations are complete on the new light poles, the old timber poles will be removed and the new poles installed. Installation is expected to occur prior to the end of March, with the light being fully function for the first football game of the season.



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..... General Manager Mayor



Completed Maintenance Snapshot:

| Local Roads | |
|-----------------------------------|-------------------------------|
| Maintenance Grading: | Roads: |
| | Walcrow Mummel |
| | Tia Diggings |
| | Clonmel |
| | Nine Mile Church |
| | Bishops Road |
| | Winterbourne |
| | Bark Hut |
| Pothole Repair | Roads: |
| | Aberbaldie |
| State & Regional Roads | |
| Oxley Highway Maintenance: | Tasks: |
| | Sign Maintenance & Repair |
| | Drainage Works |
| | Servicing Rest Areas |
| | “Ezy Street” Pothole Patching |
| | Slashing |
| Regional Roads: | Tasks: |
| | “Ezy Street” Pothole Patching |
| | Service Rest Areas |
| | Guidepost Maintenance |
| | Slashing |
| Urban Roads | |
| Urban Maintenance: | Tasks: |
| | Sporting Ground Maintenance |
| | Footpath Maintenance |
| | Town Street Cleaning |
| | Street Tree Maintenance |
| | Parks and Garden Maintenance |
| | Pool Maintenance |

Proposed Works for the Coming Period:

Shire Roads:

- ✚ Completion of gravel re-sheeting in the Winterbourne Zone.
- ✚ Grading to occur on Bishops, Forest Way, Blue Mountain, Hazeldene, Uruga, Table Top and Florida Roads, Nuggety Gully
- ✚ Grading to Occur on Brackendale Road, Table Top, Florida, Hellhole,
- ✚ Various Private Works Projects.
- ✚ Gravel Re-sheeting on Old Brookmount Road & Select Resheeting on Brackendale Road.
- ✚ Repair Bypass Track on Old Brookmount Road.

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..... General Manager Mayor



State & Regional Roads:

- ✚ Maintenance:
 - Pothole Patching.
 - Vegetation Maintenance.
 - Sealing preparation
 - Drainage Works
- ✚ Continue to prepare Thunderbolts Way Upgrades
- ✚ Heavy Patching Completion
- ✚ Chimney Swamp Creek Rehabilitation Finalisation

Works In Town:

- ✚ Streetscape Maintenance.
- ✚ Sporting grounds maintenance.
- ✚ Town Mowing - parks, gardens and cemeteries.
- ✚ Town Garden Maintenance.
- ✚ Footpath Works on Fitzroy Street
- ✚ Complete Walcha Cenotaph

Dylan Reeves
Director – Engineering Services



9.7. Water

Town Water Supply

Water Restrictions have been at Level 4 since 14 February. February usage was impacted by a number of water mains breaks which resulted in a considerable loss of potable water during week three. Usage in the final week of the month was 280L/person/day, 80L above the Level 4 target of 200L/person/day.



Macdonald River Feasibility Study

Site inspections of the potential dam sites identified by GHD were undertaken Tuesday and Wednesday, 12 & 13 February. The site visits were a visual evaluation of the suitability of the sites in terms of storage capacity, construction materials, foundation conditions, access constraints, catchment area (if applicable), power supply, etc. Ten sites were inspected.

Below is a list of the immediate next steps of the study:

- 1) Council to commission a survey of two areas. Area 1 near the Macdonald River pump station and Area 2 along the ridge on the left side of the road between the pump station and Walcha (direction of travel towards Walcha). *Comment: A*

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drone survey was undertaken 13 March and the results are expected to be made available to GHD by 21 March.

- 2) Once the survey has been received, GHD will prepare a concept layout for a dam on the two sites (Macdonald River and Dividing Ridge) for review by Council.
- 3) GHD will prepare a proposal for geotechnical site investigations for approval by Council.
- 4) Once the geotechnical site investigations have been completed, GHD will further develop the concept designs based on the availability of construction materials at the respective sites and the following stages of the study will be progressed.

9.8 Sewer

Sewer Treatment Plant (STP) Upgrade

As previously reported Stage 1 of the upgrade project is complete. Council has sought a variation approval from Infrastructure NSW to spend the remaining funds (approximately \$400k) on upgrade works to the treatment plant infrastructure; this variation request is awaiting approval.

While awaiting approval Council has proceeded with a process review and sought advise relating to the optimisation of the current treatment processes.

9.9 Waste

Landfill Master Plan

30 year cost estimates were received from the consultant recently, which are being scrutinized by Council staff. Costing options for implementing a compliant filling plan and annual operational costs of managing the landfill (ie. daily cover and disposal of Construction & Demolition materials) are being developed for inclusion in the 2019/20 budget.

Tess Dawson
Senior Manager - Water, Sewer & Waste

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ENVIRONMENTAL SERVICES

The purpose of this report is to provide statistical information in relation to activities of the Environmental Services Department. This Department is responsible for the following key functions:

- ◆ Development
- ◆ Town Planning & Strategic Planning
- ◆ Construction compliance
- ◆ Environmental management
- ◆ Regulatory services
- ◆ Animal control
- ◆ Building and amenity maintenance

The statistical information contained within this report demonstrates the work carried out to achieve the strategic objectives and delivery actions as outlined in Council’s Community Strategic Plan 2027, Delivery Program 2017-2021 and Operational Plan 2018-2019. This report is presented for the months of November and December 2018 for information and comparative purposes only.

9.10 Development & Construction

DA and CDC Determinations Issued

Consents are available for public inspection, free of charge, during ordinary office hours at Council’s Hamilton Street office. The *Environmental Planning and Assessment Act 1979* (the Act), as amended, precludes a challenge to the validity of consent more than three (3) months after the date of public notification of the consent within a local newspaper. In accordance with the Section 4.59 of the Act and Clause 124 and 137 of the *Environmental Planning and Assessment Regulation 2000*, the following determinations for the months of November and December will be publicly notified:

| November & December 2018 | | |
|--------------------------|---|---|
| DA Number | Description | Address |
| 10.2018.36 | Entertainment & Recreation Building | Walcha Showground 43E-60E Jamieson Street, Walcha |
| 10.2018.34 | Agricultural Building | Bona Vista 92 Oxley Drive, Walcha |
| 10.2018.32 | Single Dwelling Alterations & Additions | 183W Croudace Street, Walcha |
| 10.2018.29 | Erect new service station price signage | Walcha Tyre Service 108W Fitzroy Street, Walcha |
| CDC Number | Description | Address |
| nil | | |

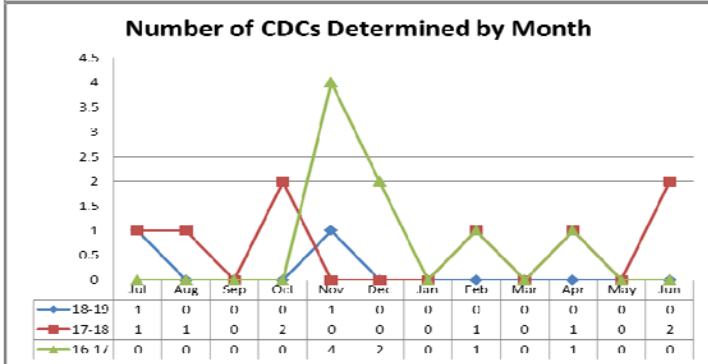
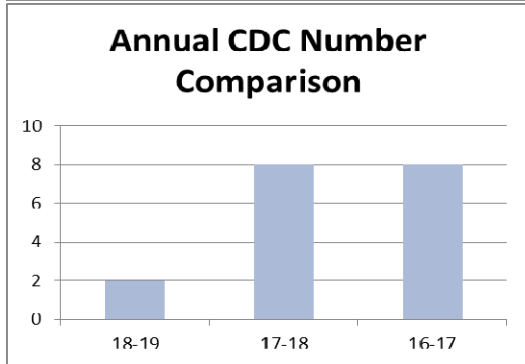
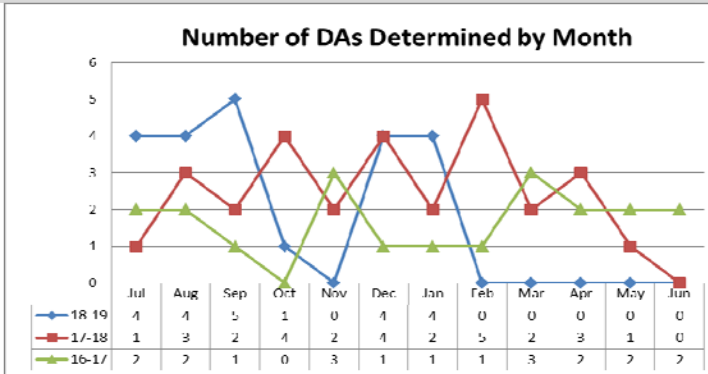
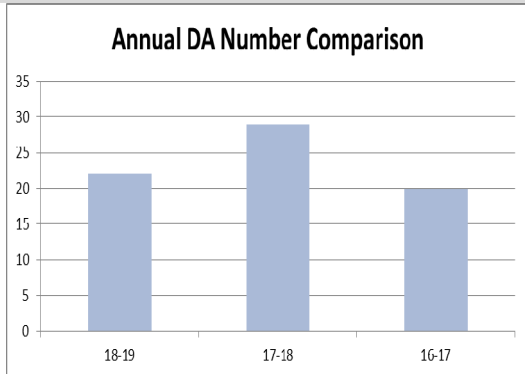
A snapshot by way of graphs has been included for information and comparative purposes of application numbers over the last 3 financial years. Further information on Determination Days will be available next month.

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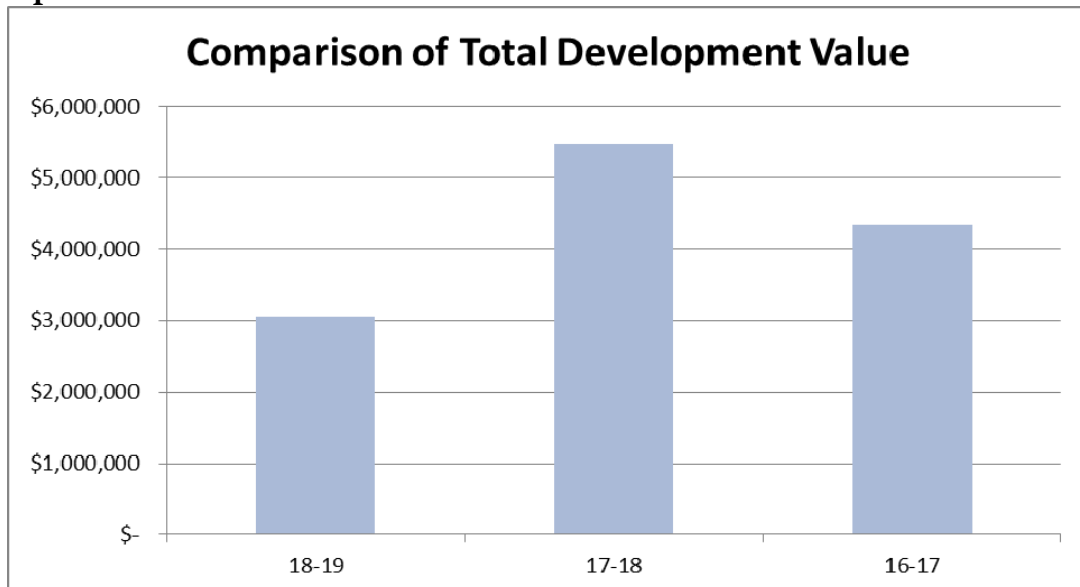
Annual Comparison **Monthly Comparison**



Private Certification of Complying Development Applications are as follows:

| Year | Total Applications | Walcha Council | Private Certification |
|---------------|--------------------|----------------|-----------------------|
| 18-19 To Date | 2 | 1 | 1 |
| 17-18 | 8 | 4 | 4 |
| 16-17 | 8 | 8 | 0 |

Development Values

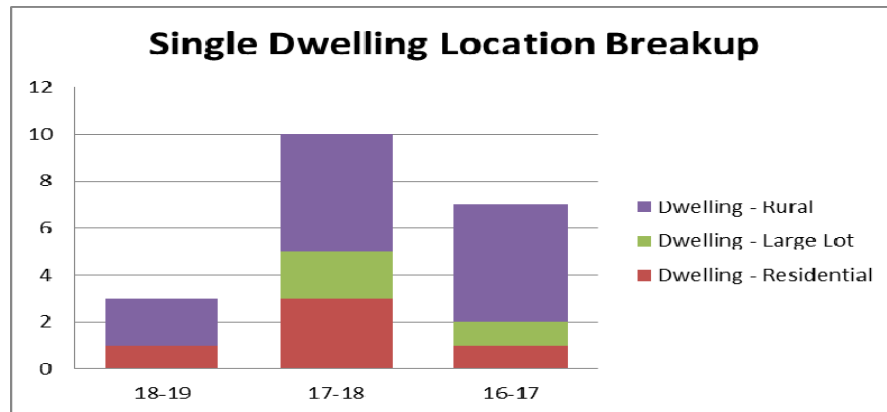
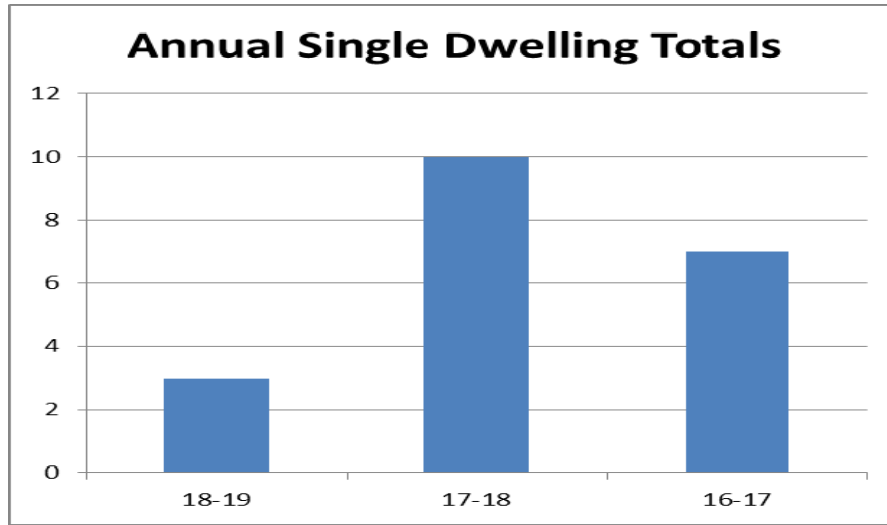


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Total Number of Single Dwellings and Their Locations



Register of disclosure statements of reportable political donations and gifts in relation to planning applications or submissions

Under section 10.4 of the *Environmental Planning and Assessment Act 1979* a person who makes a planning application to council is required to disclose the following reportable political donations and gifts (if any) made by any person with a financial interest in the application within the period commencing 2 years before the application is made and ending when the application is determined:

- a) all reportable political donations made to any local councillor of that council
- b) all gifts made to any local councillor or employee of that council.
- c) The legislation also imposes similar disclosure obligations on persons who make written submissions objecting to or supporting a relevant planning applications.

Disclosures of reportable political donations and gifts are to be made available to the public on, or in accordance with arrangements notified on a website maintained by Council. The disclosures are to be made available within 14 days after the disclosures are made.

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| Nature of Interest | Number Received 2017/2018 | Number Received 2018/2019 YTD | Number Received this period |
|---|---------------------------|-------------------------------|-----------------------------|
| Political Gifts and Donations | 0 | 0 | 0 |
| Applicant or owner is an employee of Walcha Council or a Councillor | 0 | 0 | 0 |
| Applicant with any relationship to staff or Councillor | 0 | 0 | 0 |

Construction Certificates

Section 6.3 of the *Environmental Planning and Assessment Act 1979* requires that a person must not carry out building work without a certificate. Section 6.7 of the *Environmental Planning and Assessment Act 1979* states that a construction certificate is required for the erection of a building in accordance with development consent. The construction certificate is a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the regulations.

| Construction Certificates | 2017/2018 | 2018/2019 YTD | This Period |
|-----------------------------------|-----------|---------------|-------------|
| Number Issued Council | 5 | 8 | 3 |
| Number Issued (Private Certifier) | 11 | 5 | 1 |

Occupation Certificates

Section 6.3 of the *Environmental Planning and Assessment Act 1979* requires that a person must not commence the occupation or use of a building (including a change of use) without a certificate. Section 6.9 of the *Environmental Planning and Assessment Act 1979* states that an occupation certificate is required for the commencement of the occupation or use of the whole or any part of a new building, or the commencement of a change of building use for the whole or any part of an existing building. The occupation certificate is a certificate that authorises the occupation and use of a new building in accordance with development consent, or a change of building use for an existing building in accordance with a development consent.

| Occupation Certificates | 2017/2018 | 2018/2019 YTD | This Period |
|-----------------------------------|-----------|---------------|-------------|
| Number Issued (Council) | 3 | 3 | 0 |
| Number Issued (Private Certifier) | 9 | 3 | 0 |

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Subdivision Certificates

Section 6.3 of the *Environmental Planning and Assessment Act 1979* requires that a person must not carry out the subdivision of land without a certificate. The subdivision certificate authorises the registration of a plan of subdivision under Part 23 of the *Conveyancing Act 1919*.

| Subdivision Certificates | 2017/2018 | 2018/2019 YTD | This Period |
|--------------------------|-----------|---------------|-------------|
| Number Issued | 3 | 5 | 0 |

Planning Certificates

Section 10.7 Certificates are issued under the provisions of the *Environmental Planning and Assessment Act 1979*; it provides information on the relevant planning regulations which apply to any particular piece of land. It is compulsory for every property sold to be accompanied by a s10.7 Planning Certificate.

| Planning Certificates | 2018/2019 YTD | This Period |
|-----------------------|---------------|-------------|
| Number Issued | 40 | 14 |

Building Information Certificates

Sections 6.24 – 6.26 Building Information Certificates are issued under the provisions of the *Environmental Planning and Assessment Act 1979*, it is a certificate that states that the Council will not make an order or take proceedings referred to below:

- 1) A building information certificate operates to prevent the council:
 - a) from making an order (or taking proceedings for the making of an order or injunction) under this Act or the *Local Government Act 1993* requiring the building to be repaired, demolished, altered, added to or rebuilt, and
 - b) from taking civil proceedings in relation to any encroachment by the building onto land vested in or under the control of the council, in relation to matters existing or occurring before the date of issue of the certificate.
- 2) A building information certificate operates to prevent the council, for a period of 7 years from the date of issue of the certificate:
 - a) from making an order (or taking proceedings for the making of an order or injunction) under this Act or the *Local Government Act 1993* requiring the building to be repaired, demolished, altered, added to or rebuilt, and
 - b) from taking civil proceedings in relation to any encroachment by the building onto land vested in or under the control of the council, in relation to matters arising only from the deterioration of the building as a result solely of fair wear and tear.

| Building Information Certificates | 2017/2018 | 2018/2019 YTD | This Period |
|-----------------------------------|-----------|---------------|-------------|
| Number Issued | 0 | 1 | 0 |

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Outstanding Notices and Orders Certificates

Certificates as to whether there are any outstanding notices issued by the Council under the *Local Government Act 1993*, or any outstanding notices or orders in force under Schedule 5 of the *Environmental Planning and Assessment Act 1979*.

| Outstanding Notices & Orders Certificates | 2017/2018 | 2018/2019 YTD | This Period |
|---|-----------|---------------|-------------|
| Number Issued | 12 | 2 | 0 |

Critical Stage Inspections for DAs, CCs and CDCs

Section 6.5 of the *Environmental Planning and Assessment Act 1979* requires the carrying out of inspections of building work for certifiers appointed as the principal certifying authority. Cl.143B and Cl.162A of the *Environmental Planning and Assessment Regulation 2000* denotes the critical stage inspections (the occasions on which building work must be inspected), specified below:

| Compliance Inspections | 2018/2019 YTD | This Period |
|-----------------------------|---------------|-------------|
| Site inspections | 24 | 4 |
| Footings & slab inspections | 5 | 2 |
| Framework inspections | 1 | 0 |
| Waterproofing inspections | 0 | 0 |
| Stormwater inspections | 0 | 0 |
| Final inspections | 6 | 1 |
| Complaints | 8 | 8 |

Annual Fire Safety Statements

Clause 177 of the *Environmental Planning and Assessment Regulation 2000* requires the owner of a building to which an essential (statutory) fire safety measure is applicable to provide Council with an annual fire safety statement for the building within 12 months after the date on which an annual fire safety statement was previously given. As described in clause 175 of the *Environmental Planning and Assessment Regulation 2000*, an annual fire safety statement is a statement to the effect that:

- 1) each essential fire safety measure specified in the statement has been assessed by a competent fire safety practitioner and was found, when it was assessed, to be capable of performing:
 - a) in the case of an essential fire safety measure applicable by virtue of a fire safety schedule, to a standard no less than that specified in the schedule, or
 - b) in the case of an essential fire safety measure applicable otherwise than by virtue of a fire safety schedule, to a standard no less than that to which the measure was originally designed and implemented, and
- 2) the building has been inspected by a competent fire safety practitioner and was found, when it was inspected, to be in a condition that did not disclose any grounds for a prosecution under Division 7.

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| Annual Fire Safety Statements | 2017/2018 | 2018/2019 YTD | This Period |
|-------------------------------|--|---------------|---------------|
| Number received | 15 | 1 | Not Available |
| Number of relevant premises | Data not available at the time of the report | | |

Bushfire Attack Level Certificates

Clause 130A of the *Environmental Planning and Assessment Regulation 2000* requires a bushfire attack level assessment and determination to be issued for complying development on bushfire prone land.

| BAL Certificates | 2017/2018 | 2018/2019 YTD | This Period |
|------------------|-----------|---------------|-------------|
| Number Issued | 1 | 0 | 0 |

Dwelling Entitlement Information Advice

Information to applicants under clause 4.2A of the *Walcha Local Environmental Plan 2012* as to whether a dwelling may be permitted to be erected with development consent on subject land.

| Dwelling Entitlement Advice | 2017/2018 | 2018/2019 YTD | This Period |
|-----------------------------|-----------|---------------|-------------|
| | 8 | 2 | 0 |

9.11 Environment & Regulatory

Section 68 Activities

Section 68 of the Local Government Act requires the approval from Council for undertaking certain activities.

| Section 68 Activity Data | | |
|---------------------------------|-----------|---------------|
| | 2017/2018 | 2018/2019 YTD |
| Total Number of S68s Determined | 6 | 9 |

| S68 Compliance Inspections | 2018/2019 YTD | This Period |
|-------------------------------|---------------|-------------|
| Site inspections | 5 | 1 |
| Internal drainage inspections | 0 | 0 |
| External drainage inspections | 6 | 1 |
| Water supply work inspections | 0 | 0 |
| Final inspections | 2 | 1 |

Food Premises Surveillance

Under the Food Regulation Partnership Council is appointed as an enforcement agency under the *Food Act 2003*. As an enforcement agency Council is responsible for food surveillance within the Walcha LGA and Council is required to report our food surveillance activity to the NSW Food Authority annually.

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| Food Premises Surveillance 2018/2019 | | | | | | |
|---|------------------------|--------------------------|-----------------------|---------------|------------------|--------------|
| | High Risk Fixed | Medium Risk Fixed | Low Risk Fixed | Mobile | Temporary | TOTAL |
| Total No. | 22 | 5 | 5 | 2 | 5 | 39 |
| No. Primary Inspections | 0 | 0 | - | 0 | 0 | 0 |
| No. Re-inspections | 0 | 0 | - | 0 | 0 | 0 |
| No. additional Re-inspections | 0 | 0 | - | 0 | 0 | 0 |
| No. FSS Required | 20 | | | | | 20 |
| No. FSS Current | 20 | | | | | 20 |

Footpath Usage Applications

Section 125 and 126 of the *Roads Act 1993*, and section 46 of the *Local Government Act 1993* requires approval from Council for carrying out an activity or placing an item within the road reserve.

| Footpath Usage Approvals | 2017/2018 | 2018/2019 YTD | This Period |
|---------------------------------|------------------|----------------------|--------------------|
| Number Issued | 2 | 1 | 0 |

Swimming Pool Inspection and Compliance

Section 22 of the *Swimming Pools Act 1992* requires Council to develop and adopt a mandatory pool inspection program, Council must then inspect the swimming pools in accordance with the program and check the pool barriers comply with the requirements of the *Swimming Pools Act 1992*.

Properties to be sold with a pool must have:

- a) A certificate of compliance, or
- b) A relevant occupation certificate and a certificate of registration, or
- c) A certificate of non-compliance

Properties to be leased with a pool must have:

- a) A certificate of compliance, or
- b) A relevant occupation certificate and a certificate of registration

| Swimming Pool Compliance | 2017/2018 | 2018/2019 YTD | This Period |
|--|------------------|----------------------|--------------------|
| Certificates of Compliance Issued | 0 | 0 | 0 |
| Certificates of Non-Compliance Issues | 0 | 0 | 0 |
| Inspections Conducted | 0 | 0 | 0 |

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Regulatory Control

Council performs a number of regulatory functions to control and manage matters of public health and environmental concern to the community, some of these include:

- *Local Government Act 1993* e.g. overgrown land and accumulation of waste
- *Protection of the Environment Operations Act 1997* e.g. environmental pollution and noise abatement
- *NSW Road Rules 2014* e.g. vehicles and traffic on nature strip
- *Road Transport (Vehicle and Driver Management) Act 2005* e.g. abandoned vehicles
- *Impounding Act 1993* e.g. abandoned vehicles and roaming stock

| Regulatory Service | Action | 2018/2019 YTD | This Period |
|---|----------------|---------------|-------------|
| Overgrown allotment | Warning | 7 | 0 |
| | Intention | 0 | 0 |
| | Order | 0 | 0 |
| | Penalty Notice | 0 | 0 |
| Accumulation of waste | Warning | 1 | 1 |
| | Intention | 3 | 0 |
| | Order | 2 | 0 |
| | Penalty Notice | 0 | 0 |
| Keeping of animals | Warning | 4 | 0 |
| | Intention | 2 | 0 |
| | Order | 1 | 0 |
| | Penalty Notice | 0 | 0 |
| Vehicles and traffic on nature strip | Warning | 1 | 0 |
| | Intention | 2 | 0 |
| | Order | 1 | 0 |
| | Penalty Notice | 0 | 0 |
| Abandoned vehicle | Warning | 1 | 0 |
| | Intention | 0 | 0 |
| | Order | 0 | 0 |
| | Penalty Notice | 0 | 0 |
| Noise abatement | Warning | 1 | 1 |
| | Intention | 0 | 0 |
| | Order | 0 | 0 |
| | Penalty Notice | 0 | 0 |
| Environmental pollution | Warning | 0 | 0 |
| | Intention | 0 | 0 |
| | Order | 0 | 0 |
| | Penalty Notice | 0 | 0 |

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Tree Management Applications (TMAs)

A Tree Preservation Order exists over the town of Walcha to promote the retention of trees and tree cover and to conserve as far as is practical the existing pattern of vegetation.

| TMAs 2018/2019 | Lodged | Approved | Refused |
|-----------------------|---------------|-----------------|----------------|
| July | 3 | 2 | 0 |
| August | 0 | 1 | 0 |
| September | 1 | 0 | 0 |
| October | 0 | 1 | 0 |
| November | 4 | 4 | 0 |
| December | 5 | 5 | 0 |
| January | 2 | 2 | 0 |
| February | 2 | 2 | 0 |

9.12 Animal Control

Council encourages responsible pet ownership in the community, as well as at home. Pet owners should make sure their animals don't disturb their neighbourhood and threaten or harm any other person, pets or wildlife.

Council is required to enforce the registration laws, and the other areas of pet ownership covered by the *Companion Animals Act 1998*.

| Companion Animal Registrations 2018/2019 | | | | | | | |
|---|----------------|--------------------|----------------------------|---------------------------------|---------------------------|----------------|-----------------|
| | Desexed | Non desexed | Pensioner (desexed) | Pound Purchase (desexed) | Recognised breeder | Working | Value \$ |
| Jul | 2 | 0 | 1 | 0 | 0 | 0 | \$138 |
| Aug | 2 | 0 | 0 | 0 | 3 | 1 | \$285 |
| Sep | 1 | 0 | 0 | 0 | 0 | 0 | \$57 |
| Oct | 1 | 0 | 1 | 0 | 0 | 0 | \$81 |
| Nov | 4 | 0 | 1 | 0 | 0 | 0 | \$309 |
| Dec | 4 | 0 | 0 | 0 | 0 | 0 | \$228 |
| Jan | n/a | n/a | n/a | n/a | n/a | n/a | n/a |
| Feb | 0 | 1 | 3 | 0 | 1 | 0 | \$336 |

| Companion Animal Seizures 2018/2019 | | | | | | |
|--|---------------|--------------------|-----------------|----------------|-------------------|-----------------------|
| | Seized | Surrendered | Released | Rehomed | Euthanased | Stolen/Escaped |
| Jul | 2 | 1 | 1 | 0 | 1 | 0 |
| Aug | 7 | 3 | 3 | 1 | 3 | 0 |
| Sep | 4 | 2 | 1 | 0 | 3 | 0 |
| Oct | 0 | 0 | 0 | 0 | 0 | 0 |
| Nov | 3 | 0 | 3 | 0 | 0 | 0 |
| Dec | 1 | 0 | 0 | 0 | 1 | 0 |
| Jan | 2 | 0 | 2 | 0 | 0 | 0 |
| Feb | 0 | 0 | 0 | 0 | 0 | 0 |

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Companion Animal Ranger Services 2018/2019

| | Dog attack investigation | Roaming dogs | Roaming cats | Barking dogs |
|------------|--------------------------|--------------|--------------|--------------|
| Jul | 0 | 2 | 0 | 0 |
| Aug | 2 | 3 | 1 | 0 |
| Sep | 0 | 0 | 0 | 1 |
| Oct | 1 | 2 | 2 | 2 |
| Nov | 1 | 2 | 0 | 1 |
| Dec | 0 | 3 | 0 | 1 |
| Jan | 0 | 1 | 2 | 2 |
| Feb | 0 | 1 | 0 | 1 |

| | Caution | Dangerous Dog | | Nuisance Dog | | Menacing Dog | | Penalty Notice |
|------------|---------|---------------|-------|--------------|-------|--------------|-------|----------------|
| | | Notice | Order | Notice | Order | Notice | Order | |
| Jul | 7 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Aug | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 |
| Sep | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Oct | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Nov | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Dec | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Jan | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Feb | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

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9.13 Building and Amenity Maintenance

| Project work at Council facilities January and February 2019 | |
|---|----------------------|
| Project | Total to Date |
| Captain Cook Sportsground Toilet Block | 10 |

| Routine cleaning hours at Council facilities | |
|---|------------------------------|
| Building / Amenity | Hours (per fortnight) |
| Council Chambers | 20 |
| Library | 5 |
| Visitor Information Centre | 5 |
| Amenities | 21 |
| Streets | 12 |
| Depot | 10 |
| Preschool (incl. Early Intervention) | 20 |
| Landfill | 3 |
| Water Treatment Plant | 2 |
| Sewerage Treatment Plant | 1.25 |
| Aerodrome (incl. Lions Park) | 2 |
| John Oxley Sportsground | 1.75 |
| Walcha Oval | 2 |
| Squash Courts | 2.5 |
| Van | 0.5 |
| Swimming Pool (during season) | 7 |

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COMMUNITY SERVICES

9.14 Walcha Council Community Care

Groups

February 2019

Women’s Group and Wanderer’s Group

6 February 2019 – 26 clients from the Women’s Group and the Wanderer’s Group attended morning tea at the Community Day Centre Rooms. The guest speaker for the day was Michela Beal, Community Liaison Coordinator for NSW Fair Trading. Michela spoke to the group about types of scams, how to identify if they are being targeted in a scam, consumer rights guarantees when you buy goods or services and they either break, don’t work or do not perform how you expected it to. Michela also informed the ladies about the process involved if they need to lodge a complaint with Fair Trading.

20 February 2019 - 10 ladies attended the Women’s and Wanderer’s Group trip to Tamworth. The ladies had a lovely day together at the movie “Storm Boy” and lunch at the Ex-Services Club.

Men’s Group:

12 February 2019 – 8 gentlemen attended morning tea held in the Community Day Centre Rooms. The group had a lovely morning catching up after the New Year break.

26 February 2019 – 16 gentlemen attended the trip along Hurricane Gully Road and Campfire Road to visit the areas where the pre Christmas storm caused a huge amount of destruction. The group were astounded at the damage still evident in the paddocks and were very appreciative of John and Jeanette Wark providing a personal tour of their property to see the damage caused. The group then travelled on to “MoonMoot” where Margie and David Carter hosted lunch in their garden.

13 February 2019 – Senior’s Week Festival

The Senior’s Week Festival for 2019 was the “Aussie Bush Bash”, held at the Walcha Bowling Club on Wednesday 13 February. The event was attended by around 85 seniors with a variety of entertainment provided by bush poet Bill Kearns, our local Sing Australia Group and other local entertainers. Di Byrnes cooked an amazing aussie barbeque smorgasbord. Walcha Mayor, Eric Noakes, opened the Senior’s Week Festival in Walcha and welcomed everyone to the event. Aboriginal Elder, Syreene Kitchener also did a Welcome to Country. The day was a great success with lots of fun and laughter to be had.

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Ollie Wall &
Marie Cox



Alex Smith,
Don McHattan
& Rob Steel



Denise Wall &
Doreen Murray

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Linda Lockyer &
Heather Lockyer



June Dyason,
Marg Cross &
Marie Marshall



Irene Henry,
Cyndie MacDonald
& May Hoad

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Bush Poet Bill Kearns



Walcha SING Australia entertaining during the event

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Yvonne Schlenert, Chris Gardiner and Syreene Kitchener



Elaine Murray and Coral Goodwin

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Graeme and Pam
Fairweather



Transport – February

Medical drives – 17 clients utilized the service with 26 trips.

Access bus – 6 clients used the service making 35 trips.

Bus to Tamworth – 3 clients used the service on 22 February 2019

Bus to Armidale numbers for February were as follows:

- ◆ 5 February 2019 – 9 clients
- ◆ 12 February 2019 – 5 clients
- ◆ 19 February 2019 – 6 clients
- ◆ 26 February 2019 – 8 clients

Taxi Vouchers – 13 clients used the Taxi Vouchers with Walcha Taxi Service and Walcha Community Transport in February with a total of 117 Taxi trips returned.

Submitted to Council: 27 March 2019

..... General Manager Mayor



Meals on Wheels

For February there were 16 clients who received hot main meals with 4 of those clients also receiving frozen meals for the weekend. There were 5 clients who received frozen meals. The total number of meals for the month of February was:

- ◆ 203 Hot meals,
- ◆ 128 frozen meals and
- ◆ 152 desserts

Feedback, Suggestions and Complaints

Feedback was provided about the Senior’s Week Festival event in Walcha held on 13 February 2019:

- ◆ The Aussie Bush Bash for Senior’s week was fabulous. Thank you for the wonderful table and venue decorations with gum leaves and gum nuts etc. It looked great. The stage looked fabulous, the food was good as was the company. The entertainment made me laugh til I cried. It was good for my soul!!
- ◆ Senior’s Week was a fantastic day. Lovely food and good company. The poet was excellent and a great day all round.
- ◆ I really enjoyed the Senior’s week day at the Bowling club with the bush poet as the entertainment.
- ◆ The whole day was great. The poet was amazing and so entertaining. All the singers were very good, lets do it again!!!
- ◆ I enjoyed the company and also the story telling. All up it was a terrific day!!

Meetings and Training / Community Rooms

14 February 2019 – Dementia Support Group meeting held at the Community Day Centre Rooms.

Cathy Noon
Community Care Coordinator



9.15 Library

January & February 2019

Stats for January:

- ◆ Loans: 627
- ◆ Returns: 630
- ◆ Reservations placed: 42
- ◆ New members: 5
- ◆ Door count: 1108
- ◆ Wi-fi use: 22
- ◆ Computer use: 77

January is always a very hectic month at the library and on the youth side of things. As you can see in our statistics for this month, the figures are quite higher than last month.

Organisation for the Tech Savvy Senior classes that are due to start early February are well under way. Our first session will be on 7 February and the topic is ‘Introduction to Computers’. I look forward to updating you in my next report on how the session goes.

Early in January the holiday program started up again with a wonderful kids painting workshop with Peta Moore at Walcha Handmade. This activity was fully booked out and all reports from the workshop were very positive.

Unfortunately we weren’t able to get a full class for the Makerspace Workshop, due to car troubles the team from Tamworth weren’t able to make it on their set day. This meant they had to reschedule and the new date didn’t suit a lot of people. Despite this, the kids that were able to make it had a great time. They used electrical conductive play-doh to create video game controller and tested their engineering skills to build a skyscraper out of straws.

Next up was our Pool Party followed by Dive-In movie. This was without a doubt our most popular holiday activity, the weather was definitely in our favour. We started off the afternoon with some music and ‘minute to win it challenges’. The kids loved these activities and their wonderful prizes (chosen by Clr Wellings). Shortly after the games it was time



for a free ice cream which definitely went down well in the heat. Our last event of the afternoon was a bombing competition, with Coog as the judge. This was a lot of fun and once again the kids got some great prizes. We finished off the Pool Party with the presentation of our lucky dip prizes which meant that most kids were able to get a prize.

Submitted to Council: 27 March 2019

..... General Manager Mayor



The Dive-In movie kicked off a little later than expected as it was too light to be able to see the screen at 7:30pm. This didn't ruin the atmosphere at all though, it gave everyone a chance to pop out and grab some takeaway and be back in time for the start of the movie. We received a lot of really positive feedback about the whole afternoon/night. The best part was that there was around 450 people through the doors for this event!



Last on our holiday program was the bus trip to Tamworth Cinema and Youthie. We saw 'Ralph Breaks the Internet', which was a big crowd pleaser. The kids received free popcorn and a drink at the movies. After the movie finished we went to Tamworth Youthie. The kids had a fun filled afternoon of board games, colouring, playing play stations, playing basketball and lots of other fun activities. This was a great activity to finish the school holiday program with.

Playing 'Dungeons and Dragons' at Tamworth Youthie



Watching the 3D Printer at Tamworth Youthie

Submitted to Council: 27 March 2019

..... General Manager Mayor



Stats for February:

- ◆ Loans: 566
- ◆ Returns: 547
- ◆ Reservations placed: 28
- ◆ New members: 5
- ◆ Door count: 1010
- ◆ Wi-fi use: 24
- ◆ Computer use: 69

February saw our Tech Savvy Seniors programs off to a great start. The Tech Savvy Seniors program will be running every second Thursday up until Thursday 2 May. Each session goes for two hours, with a morning tea break in between. Our first session was held on 7 February and was booked out. The topic was ‘Introduction to Computers’. This session taught the group the very basics of computers and by the end of the session they were able to identify the main parts of a computer, plug one in and turn it on, be able to launch an application and be able to launch and use a web browser.

Our second session was held on 21 February, which was also booked out however we had a couple that didn’t attend on the day. This session was on cyber safety and staying safe online. By the end of this session, the group knew what malware is, what a hacker does, what a phishing scam is, what security software does, the different elements of security software and some common sense things they should do to protect themselves online. We have had a great response to the program, with almost all of the sessions being completely booked already. The next session is on 7 March so I will update you on this workshop in the March report.

I mentioned in one of my last reports that we would be having a new borrowing system installed this year, RFID (radio-frequency identification). This month we began preparation for the RFID. This meant that every item in our library had to have a new barcode placed on it. This was quite a lengthy job for myself and the Tamworth staff, however I’m very happy to say that every single item now has a new RFID barcode, ready for when the system is installed later this year.

Preparations have well and truly started for the April school holiday program/Youth Week 2019. There is an exciting line up of activities to keep Walcha kids entertained during this period, which I look forward to sharing with you towards the end of March.

Madison Garrad
Library Coordinator/Youth Worker



9.16 Preschool

February 2019

Assessment and Rating

Our results for assessment and rating were received at the end of last year and the preschool has been rated as 'Meeting' the quality standards. Considering we were only a few days away from the move when our visit took place everyone is satisfied with the results.

R.E.S.T.A Visit

Towards the end of last year preschool had a visit from R.E.S.T.A. is a group that spends their time educating children of all ages about wildlife animals, mainly reptiles. Dave came with a variety of animals and talked to the children about where they live and what they eat and what to do if you come across one in the wild.



Christmas Party 2018

Last years Christmas party had a great turn out of families, the weather wasn't in our favour and with the building being half way through demolition there would be nowhere to go if it began to rain, however there was a back up plan to use the church hall. The weather held off and Santa came with a sack of lollies to hand out to all of the children. The educators put in a huge effort last year to get everything ready for the party, extra activities were set up as there was no available jumping castle to use.



The Building

The building is coming along well and each week there seems to be something exciting for the children to watch and ask questions about. Over the last few weeks there has been a crane at preschool to lift the beams into place. This was very exciting for the children to watch.

Submitted to Council: 27 March 2019

..... General Manager Mayor



Bird's Eye View Show

This term the children enjoyed the Bird's Eye View Show, this show involved Chelsea the kookaburra and Benny the koala learning all about how to care for the earth including not littering and being water wise. The children were able to participate in most of the show and the presenter was amazed at how well behaved and knowledgeable the children were.



Zoe Herbert
Preschool Nominated Supervisor

RECOMMENDATION: That items included in the Management Review Report, numbered 9.1 to 9.16 inclusive, be **NOTED** by Council.

Submitted to Council: 27 March 2019

..... General Manager Mayor



Item 10:

Committee Reports

Submitted to Council: 27 March 2019

..... General Manager Mayor



Item 11:

Delegate Reports

Submitted to Council: 27 March 2019

..... General Manager Mayor

PRESENT: Councillor M Dusting - Chairperson, Councillor S Kermode, Councillor L Martin, Councillor J Galletly and Councillor A Murat.

IN ATTENDANCE: Acting General Manager Mr J. Duggan and Senior Weeds Officer Mr J Browning. Mr P Cornall attended the meeting at 8.30am until 9.00am.

APOLOGIES: Nil.

DECLARATIONS OF INTEREST:

There were no further declarations of interest.

CONFIRMATION OF MINUTES OF THE ORDINARY MEETING HELD ON TUESDAY 21 AUGUST 2018

43/18 RESOLVED on the motion of Councillors Galletly and Murat that the Minutes of the Ordinary Meeting of the New England Tablelands (Noxious Plants) County Council held on 21 August 2018, copies of which have been distributed to all members, are taken as read and confirmed a true record.

BUSINESS ARISING FROM THE MINUTES OF THE ORDINARY MEETING HELD ON WEDNESDAY 21 AUGUST 2018

There were no matters arising.

CHAIRMAN'S REPORT

The Chair advised of the following:

- Attended the farewell lunch for Wayne Deer and presented him with a small token of our appreciation for his efforts over the past years. It was pleasing to note the attendance of Councillor Kermode, Phil Blackmore from the DPI and Maria Woods as past chair of NEWA. I also took the opportunity on the day to formalise the contract with John Duggan.
- Noted that the Annual Report is included with this agenda. Once again the Authority achieved an excellent financial result whilst meeting the objectives of our operations. Advice from OLG indicates that we are the first Council in NSW to complete our annual Financial Statements. Thanked the staff for their ongoing commitment to the prudent financial management as well as meeting the program objectives in weed management and control for the reporting period.
- The drought continues to be a key issue for our communities. The organization is continuing inspections and working with our land owners to manage any weed infestations. This meeting was brought forward a week as the Acting General Manager

and the Chair will be in Albury next week attending the Local Government Association conference.

- Finally thanked Councillors for the opportunity to represent Council as Chairman for the past twelve months and thanked Councillors for their valued contributions to the activities of Council over this period.

1. ELECTION OF CHAIRPERSON (ITEM 7.1)

44/18 RESOLVED on the motion of Councillors Murat and Galletly that in the event that there is more than one Councillor nominated for each of the positions of Chairman or Deputy Chairman, then the method of election to determine the position(s) be by Ordinary Ballot **AND FURTHER THAT** the Returning Officer destroys all documentation following such elections.

The General Manager, Mr J Duggan acting as Returning Officer then called for nominations for the position of Chairperson. On receiving only one nomination that being from Councillor M. Dusting, the Returning Officer, declared Councillor Dusting elected Chairperson for the ensuing twelve month period unopposed.

The Returning Officer then called for nominations for the position of Deputy Chairperson. On receiving only one nomination that being from Councillor S. Kermode, the Returning Officer declared Councillor Kermode elected Deputy Chairperson for the ensuing twelve month period unopposed.

Suspension of Standing orders

45/18 RESOLVED on the motion of Councillors Martin and Galletly that item 7.4.1 be dealt with first as we have Paul Cornall representing the Audit Office of NSW addressing Council.

Mr Cornall then addressed Council regarding the Financial Reports for 2017/18.

FINANCIAL REPORTS 2017/18 (ITEM 7.4.1)

46/18 RESOLVED on the motion of Councillors Martin and Kermode that the Financial Statements and Auditors Report for the financial year ending 30 June 2018 be received and adopted.

2. COMMITTEES AND DELEGATES (ITEM 7.2)

47/18 RESOLVED on the motion of Councillors Martin and Murat that the Chairperson (or Deputy Chair in his absence) of the New England Tablelands (Noxious Plants) County Council, Councillor M. Dusting be Council's delegate to:

- Local Government NSW,
- New England Group of Councils and
- Northern Tablelands Local Land Services Regional Weeds Committee.

3. MEETING TIMES (ITEM 7.3.1)

48/18 RESOLVED on the motion of Councillors Murat and Martin that Council adopt the following meeting dates for 2019.

| | |
|-------------------------|---|
| 19 February 2019 | 2nd Quarterly Review. Councillors Tour. |
| 16 April 2019 | 3rd Quarterly Budget Review. Draft Annual Operational Plan 2019/20. |
| 18 June 2019 | Adopt Annual Operational Plan and Budget 2019/20 and update 4 Year Delivery Program and 10 year Financial Plan in the Business Activity Strategic Plan 2018- 2028 |
| 21 August 2019 | 4th Quarterly Budget Review. Refer Accounts to Audit. Pecuniary Interests Returns. |
| 22 October 2019 | 1st Quarterly Budget Review. Adopt Financial Statements. Election of Chairperson and Review Delegations. Payment of Expenses Policy Review. Annual Report adopted. |

**4. PAYMENT OF EXPENSES AND THE PROVISION OF FACILITIES FOR
CHAIRPERSON, COUNCILLORS AND STAFF (ITEM 7.3.2)**

49/18 RESOLVED on the motion of Councillors Galletly and Kermode that Council, in accordance with Section 252 of the Local Government Act 1993, reaffirm the Policy for Payment of Expenses and the Provision of Facilities for Chairpersons, Councillors and Staff, as attached to the report.

5. INTERNAL REPORTING POLICY - PUBLIC INTEREST DISCLOSURES ACT 1994 (ITEM 7.3.3)

50/18 RESOLVED on the motion of Councillors Murat and Martin that Council adopt Internal Reporting Policy No: 05/18, as attached to the report.

6. ANNUAL REPORT 2017/2018 (ITEM 7.3.4)

51/18 RESOLVED on the motion of Councillors Galletly and Martin that:

1. The Annual Report for the financial year ending 30 June 2018 be received and adopted.
2. A copy of the Council's Annual Report 2017/18 be forwarded to constituent member Councils.

7. NEW ENGLAND WEEDS AUTHORITY WORK HEALTH AND SAFETY MANAGEMENT SYSTEM (ITEM 7.3.5)

52/18 RESOLVED on the motion of Councillors Kermode and Martin that:

1. Council reaffirm the New England Weeds Authority Work Health and Safety Management System incorporating Council's Work Health and Safety Policy, as attached to the report.
2. Council reaffirm the New England Weeds Authority Emergency Plan, as attached to the report.

8. PERFORMANCE AGREEMENT ACTING GENERAL MANAGER (ITEM 7.3.6)

53/18 RESOLVED on the motion of Councillors Martin and Kermode that Council authorises the Chairman to sign the attached performance agreement on behalf of Council.

9. FINANCIAL REPORTS 2017/18 (ITEM 7.4.1)

Dealt with Earlier

10. INVESTED FUNDS REPORT (ITEM 7.4.2)

54/18 RESOLVED on the motion of Councillors Martin and Galletly that:

1. The report indicating Council's Fund Management position be received and noted.
2. The Certificate of the Responsible Accounting Officer be noted and the report adopted.

11. SEPTEMBER 2018 QUARTERLY BUDGET REVIEW (ITEM 7.4.3)

55/18 RESOLVED on the motion of Councillors Murat and Martin that Council adopt the September 2018 Quarterly Budget review and approve the budget variations.

12. 2018/2019 WEEDS ACTION PROGRAM (7.5.1)

56/18 RESOLVED on the motion of Councillors Kermode and Galletly that the report on the 2018/2019 Weeds Action Program be received and noted.

8. MATTERS OF URGENCY

Nil

NEXT MEETING:

The next meeting will be held on Tuesday, 19 February 2019 at 8:30 am.

THERE BEING NO FURTHER BUSINESS THE CHAIR DECLARED THE MEETING CLOSED AT 9.16 AM.

MINUTES

Minutes of the meeting of the BOARD of Namoi Joint Organisation of Councils trading as NAMOI UNLIMITED held TUESDAY 5 FEBRUARY 2019 at the Council Chambers at Liverpool Plains Shire Council commencing at 1.32pm.

1. WELCOME, ACKNOWLEDGEMENT AND/OR PRAYER

Councillor Andrew Hope welcomed Members to the meeting and acknowledged that the meeting was taking place on the lands of the Kamilaroi People, paying respect to Elders past and present. Councillor Hope also acknowledged Councillors who attended lunch and were observing the meeting from Liverpool Plains Shire Council.

| MEMBERS | | PRESENT | APOLOGY |
|---------------------------------------|-----------------------------------|---------|---------|
| Cr Jamie Chaffey (Chairperson) | Gunnedah Shire Council | ✓ | |
| Cr John Coulton | Gwydir Shire Council | | ✓ |
| Cr Catherine Egan Cr Francis Young | Gwydir Shire Council | ✓ | |
| Cr Andrew Hope | Liverpool Plains Shire Council | ✓ | |
| Cr Col Murray (Deputy Chair) | Tamworth Regional Council | ✓ | |
| Cr Eric Noakes | Walcha Council | ✓ | |
| Alison McGaffin | Department of Premier and Cabinet | ✓ | |
| NON-VOTING REPRESENTATIVES | | | |
| Max Eastcott | Gwydir Shire Council | ✓ | |
| Ron Van Katwyk | Liverpool Plains Shire Council | ✓ | |
| Jack O'Hara | Walcha Council | ✓ | |
| BY INVITATION | | | |
| Rebel Thomson | Namoi Unlimited | ✓ | |
| Jodie Healy | NSW Office of Local Government | ✓ | |

1.1 Election of Chair for the meeting

RESOLVED: THAT, the Executive Officer coordinates the election of a Chairperson for the meeting as described in the Code of Meeting Practice for the Namoi Joint

Organisation of Councils.

THAT, The election conducted under clause 6.2.1 and the outcome of the vote, is recorded in the minutes of the Meeting.

THAT, Councillor Col Murray is elected Chairperson for the meeting.

ENDORSED

MOVED: Gunnedah Shire Council

SECONDED: Gwydir Shire Council

CARRIED

PURPOSE: To elect a Chairperson for the February meeting.

BACKGROUND: The Code of Meeting Practice adopted by Namoi Unlimited describes the process to elect a Chairperson for the meeting in the absence of the Chairperson Councillor Jamie Chaffey.

COMMENTARY: Councillor Chaffey stepped down as Chair of the meeting due to being present via telephone and asked the Executive Officer to conduct an election for Chair of the February meeting.

The Executive Officer called for nominations for the Chair position for the February meeting.

Cr Chaffey nominated Cr Murray, seconded Cr Egan, Cr Chaffey accepted.

The Executive Officer sought any further nominations for Chair positions for the February meeting.

No other nominations were received, Cr Murray declared Chair for the February meeting.

2. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

RESOLVED: THAT, applications for leave of absence are accepted.

Applications for leave for this meeting have been received from; Councillor John Coulton (Gwydir Shire Council), General Manager Paul Bennett (Tamworth Regional Council) and General Manager, Eric Groth (Gunnedah Shire Council).

AMENDED

MOVED: Liverpool Plains Shire Council

SECONDED: Walcha Council

3. PUBLIC FORUM AND/OR PRESENTATIONS

Nil

4. CONFIRMATION OF MINUTES

RESOLVED: THAT, the minutes of the Board meeting held 4 December 2018 are a true and accurate record of the meeting.

ENDORSED

MOVED: Liverpool Plains Shire Council

SECONDED: Walcha Council

CARRIED

5. DISCLOSURES OF INTERESTS

In accordance with Council’s Code of Meeting Practice and specifically Section 451 of the Local Government Act, 1993 declarations of interest are required by Councillors and designated staff attending the meeting.

| MEMBER | ITEM | REPORT | Type of Interest Declared | REASON |
|---|------|-------------------------------|---------------------------|--|
| Nil | | | | |
| STAFF | ITEM | REPORT | Type of Interest Declared | REASON |
| Rebel Thomson | 12.1 | Executive Officer Recruitment | P | Ms Thomson excused herself from the meeting as she intends to be an application for the Executive Officer position |
| P – Pecuniary, SNP – Significant Non Pecuniary, LSNP – Less than Significant Non Pecuniary, RC – Remain in Chamber during consideration/discussion of item. | | | | |

6. CHAIRPERSON MINUTES

Nil

7. NOTICES OF MOTIONS

Nil

8. NOTICE OF MOTION OF RESCISSION (IF APPLICABLE)

Nil

9. STRATEGIC REGIONAL PRIORITIES REPORTS

9.1 Water for the Future – Safe and Secure Water Program

RESOLVED: THAT, the Board receives the report and that the report is noted.
THAT, the Executive Officer seeks a meeting with representatives of the Safe and Secure Water Program to further understand the opportunities for member Councils.

ENDORSED

MOVED: Gunnedah Shire Council

SECONDED: Walcha Council

CARRIED

ADDITIONAL COMMENTARY: The removal of a business case ratio for applications under the Safe And Secure Water Fund is a great step forward, especially in the dry times across the region.

9.2 Water for the Future – Trade and Investment Strategy

RESOLVED: THAT, the endorsed draft Memorandum of Understanding is provided to the Ningbo Foreign Affairs Office to commence discussions.
THAT, a report from Namoi Unlimited describing the detail of the 2019 Study Tour and the Memorandum of Understanding is provided to Councils.

ENDORSED

MOVED: Liverpool Plains Shire Council

SECONDED: Walcha Council

CARRIED

COMMENTARY: Cr Hope acknowledges that this was a great initiative and that the project was moving forward. Cr Chaffey explained that he was pleased that the outcome would be that there would be a MOU with the Foreign Affairs Office as well as the Agriculture Department.

9.3 Enabling and Connected Infrastructure - Inter-governmental Collaboration

RESOLVED: THAT, Namoi Unlimited endorses the documents and commences negotiations between the Councils, the Joint Organisation and the RMS

formalising the RMCC pilot project.

ENDORSED

MOVED: Liverpool Plains Shire Council

SECONDED: Gunnedah Shire Council

CARRIED

ADDITIONAL
COMMENTARY:

Alison McGaffin from NSW Department of Premier and Cabinet said that this was a great initiative and that Namoi Unlimited is leading the State in demonstrating this type of work can be attempted with the NSW Government.

The document between the Councils acknowledges the trust and the support between the members and the NSW Roads and Maritime.

Cr Chaffey suggested that these documents reflect the maturity of the organisation and that the discussions have positioned the organisations for some potential new opportunities.

Walcha Council commented that the MOU provides all members with confidence going into the project with NSW Roads and Maritime.

10. EXECUTIVE OFFICER REPORTS

10.1 Actions List

RESOLVED: THAT, progress on actions is noted.

ENDORSED

MOVED: Liverpool Plains Shire Council

SECONDED: Gwydir Shire Council

CARRIED

10.2 Correspondence Received

RESOLVED: THAT, the correspondence received is noted.

ENDORSED

MOVED: Walcha Council

SECONDED: Liverpool Plains Shire Council

CARRIED

ADDITIONAL
COMMENTARY:

Cr Murray noted that the correspondence from Government was disappointing when process and applications submitted against policy and programs is not being recognised, especially case in point from The Hon Karen Andrews regarding the Export Hub. Support from local MPs and the Trade Minister appears to not have been considered.

Cr Chaffey asked members to note the response from The Hon. Scott Buchholtz regarding projects for the Australian Government Infrastructure program

acknowledging that if the NSW Government were to prioritise the corridors the Australian Government would consider funding.

10.3 The Value Proposition

RESOLVED: THAT, the Value Report for the period July 2018 to December 2018 is endorsed by the Board.
THAT, Member's present the July to December Value Report to their individual Councils.

ENDORSED

MOVED: Gunnedah Shire Council

SECONDED: Liverpool Plains Shire Council

CARRIED

ADDITIONAL COMMENTARY: Cr Hope commented that it was great to see this report and how it will develop into the future.

Walcha Council commented that Thunderbolts Way as per the Namoi Roads Network Strategy has recently been funded. Cr Murray also commented an additional project the Manilla Bridge has also been funded.

These successes will be included in the next six monthly report.

Cr Chaffey expects the document to be tabled at the next Council meeting, commenting that the actions and progress of the Joint Organisation and the amounts of funding being received demonstrates the value of each member's investment.

10.4 Policy

10.4.1 Policy Steering Committees and Working Groups

RESOLVED: THAT, the Policy, Register and Nominee Acceptance Form is endorsed and implemented.

ENDORSED

MOVED: Gunnedah Shire Council

SECONDED: Walcha Council

CARRIED

ADDITIONAL COMMENTARY: Members agreed to refer back to JOLT the objectives of the planning and economic development working group to ensure their roles reflect the objectives of the Chief Planners strategic opportunities.

Cr Chaffey acknowledged the work of the Executive Officer and JOLT in developing the governance and framework around working groups and steering committees.

10.4.2 Media and Communications Policy

RESOLVED: THAT, the Policy on Media and Communications is endorsed.

ENDORSED

MOVED: Liverpool Plains Shire Council

SECONDED: Gwydir Shire Council

CARRIED

ADDITIONAL COMMENTARY: The Executive Officer explained the differences between the previous Media Protocol and this policy document noting that a Social Media Policy had not yet been developed. The Executive Officer is waiting on copies of Social Media Policy from member Councils to review before developing a Social Media Policy.

10.5 Calendar of Planned Activities

RESOLVED: THAT, the activity is noted.

ENDORSED

MOVED: Walcha Council

SECONDED: Liverpool Plains Shire Council

CARRIED

ADDITIONAL COMMENTARY: NSW Department of Premier and Cabinet is negotiating with the Office of Environment and Heritage over an existing renewables toolkit which will assist with the delivery of this initiative.

Gwydir Shire Council offered to attend a meeting of the Drought Task force on the 20th February in the absence of the Executive Officer.

11. ADDITIONAL REPORTS PERTAINING TO THE PRINCIPAL FUNCTIONS

11.1 Joint Organisation Evaluation Framework

RESOLVED: THAT, Melissa Gibbs from the Office of Local Government is invited to present to a JOLT meeting on the Evaluation Framework.
THAT, JOLT prepares a report and recommendations to the March Board meeting.

ENDORSED

MOVED: Liverpool Plains Shire Council

SECONDED: Walcha Council

CARRIED

11.2 Establishment Funds

RESOLVED: THAT, the development and submission of Establishment Funds Reports for

the Office of Local Government is delegated to JOLT and reported to the Board.

ENDORSED

MOVED: Gunnedah Shire Council

SECONDED: Gwydir Shire Council

CARRIED

11.3 Relationship with the UNE Incubator

RESOLVED: THAT, the Board seeks to establish a collaborative and informative relationship with the UNE SMART Region Incubator.

ENDORSED

MOVED: Liverpool Plains Shire Council

SECONDED: Gwydir Shire Council

CARRIED

ADDITIONAL COMMENTARY: Cr Hope commended the opportunity to collaborate with the Incubator regularly.

Cr Chaffey said that projects like the water for the future was an example of how a relationship and a collaboration would be a great opportunity to improve the usage of water and or look at innovations to make the water go further.

11.3 NSW Joint Organisation Network

RESOLVED: THAT, the Board notes the briefing submitted by the NSW Joint Organisation Network.

ENDORSED

MOVED: Walcha Council

SECONDED: Liverpool Plains Shire Council

CARRIED

ADDITIONAL COMMENTARY: Cr Chaffey questioned if that if this was a briefing paper from the NSW Joint Organisations why were only the logos and signatories of Illawarra Shoalhaven and Canberra included.

Cr Chaffey added that Namoi Unlimited objected to the pathway described, not to diminish the need or focus for Government funding but because of the Board's position that Member Councils should be setting and covering the Executive Officer and administration, Government expenses based on their strategy and plans. Government funding should be accessible for the pursuit of the strategy and plans not administration.

The Executive Officer reported that this matter was discussed at the

December workshop and was tabled to the Board at the first opportunity in February 2019.

12. REPORTS FROM DELEGATES

12.1 Executive Officer – Formal Recruitment Process

RESOLVED: THAT, Tamworth Regional Council be requested to commence the formal recruitment process for the appointment of an Executive Officer for Namoi Unlimited.

THAT, the Board determines the total remuneration package for the position and review any other terms that are not covered by the Standard Contract of Employment.

THAT, the Chair and Deputy Chair be authorised to determine a short list of candidates from the applicants for interview.

THAT, interviews for the role be conducted by the full Board with assistance from the Manager - People, Culture and Safety of Tamworth Regional Council.

THAT, all costs associated with the recruitment process be covered from the Joint Organisation budget.

ENDORSED

MOVED: Gunnedah Shire Council

SECONDED: Liverpool Plains Shire Council

CARRIED

ADDITIONAL COMMENTARY: The Executive Officer, Rebel Thomson disclosed an interest in applying for the position and removed herself from the meeting.

Cr Hope asked about the anticipated costs of recruitment, the response was \$4,000 to \$5,000 with a maximum of \$10,000.

Cr Murray requested that the Chair of JOLT be included in the panel to short-list applicants for interview.

The application of the senior staff position, the contract and the remuneration needs to be clarified.

12.2 Briefings from the Board

RESOLVED: THAT, briefings are prepared with the Chairperson and distributed by the Executive Officer.

ENDORSED

MOVED: Liverpool Plains Shire Council

SECONDED: Gwydir Shire Council

CARRIED

ADDITIONAL The Executive Officer explained that this new agenda item sought to provide

COMMENTARY: members (being also project sponsors) with the opportunity to table requests for Briefings to be sent to State and Federal Ministers.

The Communique for member Councils will continue to advise members about the outcomes of meetings.

Media releases (where appropriate) will be distributed on Board meetings.

Briefing papers are proposed to describe issues or outcomes of project activity.

13. QUESTIONS WITH NOTICE

Nil

14. CLOSED REPORTS

Nil

15. CONCLUSION OF THE MEETING

Meeting closed 2.17pm.

**WALCHA COMMUNITY CENTRE MANAGEMENT COMMITTEE
ANNUAL GENERAL MEETING
Monday 18 February 2019, 4.30pm**

Meeting opened at: 4.40pm

Present: Mark Hall, Barry Spry, Clr Jen Kealey, Tony Bozza, Simon Warden, Lisa Kirton

Apologies: Nil

Minutes of Previous AGM held 21 November 2017 were accepted as a true record of the meeting.

Moved: Lisa Kirton

Seconded: Jen Kealey

Business arising: **GST Registration** – agreed to keep our registration as we are seeking grants.
Australian Charities and Not-for-profits Commission – Annual Information Statement - Due 31 January 2019. Lisa to meet with Simon to get this done asap.

Chairman’s report: Moved, Barry that the report be accepted. Seconded: Jen, carried.

Treasurers Report: Presented by Simon, showing \$6,566.60 bank balance in Saver account. Investment account \$9534.49, interest paid and matures July 2019. Total amount received: \$16,941.35 (including yet to be banked). Simon will email report to Lisa.

Moved: Barry

Seconded: Jen

Move a motion that we look at the investment at the May meeting.

Moved: Barry Seconded: Jen Carried

Move a motion that we look at ability with NAB to accept payments by EFT.

Moved: Barry Seconded: Tony

Record of Delegates for 2018

| | |
|------------------------------|---------------------------|
| School Principal | Mark Hall |
| Parent Organisation | Simon Warden, Lisa Kirton |
| Elected Staff Representative | Tony Bozza |
| Council Nominee | Jen Kealey |
| Student Representative | None nominated as yet |
| Local MP Nominee | Barry Spry |

Election of Office Bearers

All positions were declared vacant and elections conducted by the retiring chairman

| | |
|-----------|--|
| Chairman | – Barry; Nominated Jen, seconded Lisa - accepted |
| Secretary | – Lisa; Nominated Jen, seconded Mark - accepted |
| Treasurer | – Simon; Nominated Mark, seconded Jen - accepted |
| Auditor | – Jack O’Hara; Nominated Jen, seconded Mark – accepted |

General Business

1. Letters to be written - Moved Jen, seconded Barry, that the following letters be written: -
 - a. Jack O’Hara – thank you for audit
 - b. Walcha Council – thank you for their annual donation of \$600 - follow up.

and that a copy of chairman’s report be sent with each letter.

and that a copy of the chairman’s report be sent to the Advocate and Walcha News

2. Resolved on the motion from Mark, seconded Tony, that the Committee is satisfied that the annual check has been carried out by the school.
3. Resolved on the motion from Jen, seconded Mark, that the General Donation (soaps, towels, etc for foyer) for 2018 be set at \$250 and paid to the school.
4. Resolved on the motion from Mark, seconded Jen, that the Utilities donation (gas, electricity etc) for 2018 be set at \$800 and paid to the school.
5. Principal advised that the school has made ongoing lighting purchases, to value of approx. \$6000 in lighting to continue rollover of new lights. Money came out of Seussical profits, and general fund.

Meeting Closed: 5.05pm

**WALCHA MPC MANAGEMENT COMMITTEE
ANNUAL MEETING 18th February 2019**

CHAIRMANS REPORT

2018 was the 32nd year that the MPC Committee has performed its role of management, care and control of the centre as defined in the 1986 agreement between the Department of Education and Walcha Council. The Committee is defined as a community body independent from but representative of school, council and community and this year as ever has maintained harmony between the various users of this excellent asset.

The highpoint of this year is without doubt the success of our grant application to upgrade the MPC kitchen - a long term project ambition of this committee and I look forward to the completion of this work in the coming year.

We are also currently working on another project to improve the physical and electronic acoustics of the hall and lobby and will be considering action on this matter today that may lead to further grant applications on this important matter.

I would like to express my gratitude to Lisa Kirton and Simon Warden for their work as secretary and treasurer respectively over the last year. We are also fortunate to have as our Council representative Jen Kealey who having contributed many hours working on potential grants has now been instrumental in the success of our application to the Regional Cultural Fund for a major makeover of the MPC kitchen.

My thanks also to the school representatives on the Committee Principal Mark Hall and teacher Tony Bozza and also the school staff involved for creating another year of smooth functioning and I look forward to continuing these successes into the future.

**Barry Spry
Chairman**

**WALCHA COMMUNITY CENTRE MANAGEMENT COMMITTEE
GENERAL MEETING**

Monday 18 February 2019

Meeting opened: 5.05pm

Present: Barry Spry, Mark Hall, Simon Warden, Clr Jennifer Kealey, Anthony Bozza, Lisa Kirton

Apologies: Nil

Moved: Jen Seconded: Simon

Minutes of previous general meeting:

RESOLVED on a motion from Clr Kealey, seconded by Simon Warden, *that the minutes of the previous general meeting held 7/11/18 are a true and correct record.*

Business arising:

- **Successful grant application – MPC kitchen upgrade**

Jack is looking at a date with Pulse Kitchens for them to come up and refine kitchen design. Design can be refined with a small group (Jen Kealey, Mark Hall, Lisa Kirton). Kath Little will be Project Managing the upgrade for Jack. Once final design gets signed off on then they will send check & measure. Kath will liaise with builder, Murray Rose. We will check if any of previous kitchen is salvageable for give away or sale – need to check if components are good/compliant. Find out if kitchen people take old kitchen away for disposal. Jack will talk to Mark moving forward. Mark has responsibility on site, Jack has responsibility to make sure project comes within budget. Estimated Total Project Cost is \$107,744. Project to be completed by 28 June 2019. Funding is as follows: -

Regional Cultural Fund: \$87,744

Co-contribution: \$20,000 (Walcha Council - up to \$8000)

Walcha School/P&C – matched funding. Resolution from Mark that the school confirms a co-contribution with the Council of up to \$8000 each. Town & Country Club's final contribution to be confirmed.

Moved: Mark

Seconded: Jen

Carried

Contributions still stand from Walcha Council: up to \$8000 pending match funding from Walcha Central/P&C of \$8000. Town & Country are yet to confirm contribution.

- **Sound & lighting upgrade**

To get this item grant ready we have received a quote from Adam Iuston (Notsui Consulting) to undertake a survey of the building, Electro-acoustic modelling and project management of the installation.

Mark, Lisa & Barry met with Adam Iuston, Notsui Consulting (sound & lighting specialist).

Preliminary surveys done, Adam suggested reusing the existing equipment as much as possible. He recommended surveying room to build a 3D acoustic model to assess current acoustic performance in simulation for benchmarking, design a new sound system more

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appropriate to space, model proposed sound system in simulation, then generate a report of proposed room alterations and proposed new sound system (Stage 1). This would then guide us on what we need to do to improve the acoustics and sound in the MPC. Adam also quoted on further works scheduled, subject to approval (Stage 2).

Barry proposes a motion that we engage Notsui Consultancy to undertake Stage 1 of this proposal for upgrading MPC sound system out of our own funds.

Moved: Barry Second: nil

Jen foreshadows a motion that the proposal by Notsui Consulting be incorporated in a grant application as an essential first step.

Moved: Jen Seconded: Barry Carried

Barry would like Jen to make enquiries into next rounds of grant funding.

Mark has volunteered to talk to Adam to see if he will provide us an estimate/quote for equipment required.

Move a motion that Adam be paid for his time on quoting for this job.

Moved: Lisa Seconded: Jen Carried

- **Fly screens & Lighting**

Are being pursued by JOS due to OH&S issues with lights & screens, as the standard maintenance funding for the school is not enough to cover these costs.

- **Repairs to sliding doors**

Have been undertaken.

Correspondence:

In: Nil

Out: Nil

Treasurers Report:

Total funds are \$16,941.35 (report attached)

General Business:

- Review the position on the term deposit at May meeting.

Date of Next Meeting: 13 May 2019 at 3.30pm

Meeting Closed: 6pm



NAMOI UNLIMITED

Premier agricultural region in Australia

MINUTES

Minutes of the meeting of the **BOARD of Namoi Joint Organisation of Councils trading as NAMOI UNLIMITED** held on **TUESDAY 5 MARCH 2019** at the Living Classroom at Bingara in the Gwydir Shire Council.

1. WELCOME, ACKNOWLEDGEMENT AND/OR PRAYER

Councillor John Coulton, Mayor Gwydir Shire Council welcomed Members to Gwydir Shire and acknowledged the presence of Councillor Katherine Egan, Deputy Mayor and Councillor Francis Young from Gwydir Shire Council. The Chair acknowledged the traditional lands that the meeting was held, Elder and leaders past and present.

| MEMBERS | | PRESENT | APOLOGY |
|-----------------------------------|---------------------------------------|----------------|----------------|
| Cr Jamie Chaffey (Chairperson) | Gunnedah Shire Council | ✓ | |
| Cr John Coulton | Gwydir Shire Council | ✓ | |
| Cr Andrew Hope | Liverpool Plains Shire Council | ✓ | |
| Cr Col Murray (Deputy Chair) | Tamworth Regional Council | ✓ | |
| Cr Eric Noakes | Walcha Council | ✓ | |
| Alison McGaffin | NSW Department of Premier and Cabinet | | ✓ |
| NON-VOTING REPRESENTATIVES | | | |
| Eric Groth | Gunnedah Shire Council | ✓ | |
| Max Eastcott | Gwydir Shire Council | ✓ | |
| Ron Van Katwyk | Liverpool Plains Shire Council | | ✓ |
| Paul Bennett | Tamworth Regional Council | ✓ | |
| Jack O'Hara | Walcha Council | ✓ | |
| Rebel Thomson | Namoi Unlimited | ✓ | |
| BY INVITATION | | | |
| Jodie Healy | NSW Office of Local Government | | ✓ |
| Elle Rixon | Media Contractor | ✓ | |

2. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

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| RESOLVED: | THAT, applications for leave of absence are accepted; applications for leave for this meeting have been received from: <ul style="list-style-type: none">▪ Alison McGaffin, NSW Department of Premier and Cabinet▪ Ron Van Katwyk, Liverpool Plains Shire Council▪ Jodie Healy, NSW Office of Local Government |
| AMENDED | |
| MOVED: | Liverpool Plains Shire Council |
| SECONDED: | Tamworth Regional Council |
| CARRIED | |

3. PUBLIC FORUM AND/OR PRESENTATIONS

Nil requested at time of the Meeting.

4. CONFIRMATION OF MINUTES

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| RESOLVED: | THAT, the minutes of the Board meeting held 5 February 2019 are a true and accurate record of the meeting. |
| ENDORSED | |
| MOVED: | Liverpool Plains Shire Council |
| SECONDED: | Walcha Council |
| CARRIED | |

5. DISCLOSURES OF INTERESTS

Nil provided at the time of the Meeting.

6. CHAIRPERSON MINUTES

Nil provided at the time of the Meeting.

7. NOTICES OF MOTIONS

Nil provided at the time of the Meeting.

8. NOTICE OF MOTION OF RESCISSION

Nil provided at the time of the Meeting.

9. STRATEGIC REGIONAL PRIORITIES REPORTS

9.1 Water for the Future – Trade and Investment Strategy

| | |
|-----------|--|
| RESOLVED: | THAT, the proposal, itinerary and participation is endorsed. |
| ENDORSED | |
| MOVED: | Tamworth Regional Council |

SECONDED: Liverpool Plains Shire Council

CARRIED

ADDITIONAL COMMENTARY: Councillor Chaffey reported that he was seeking the assistance of members to invite local businesses to be part of the 2019 China Study Tour.

Councillor Murray noted that the ongoing drought and conditions will have an impact on the ability of people to undertake the tour.

9.2 Water for the Future – Namoi Water Alliance Membership

RESOLVED: THAT, the proposal for membership fees for 2019-2020 to the Namoi Water Alliance for member Councils is endorsed, with 50% to be invoiced for 1 July 2019.

ENDORSED Gwydir Shire Council and Gunnedah Shire Council voted against the resolution.

MOVED: Liverpool Plains Shire Council

SECONDED: Tamworth Regional Council

CARRIED

ADDITIONAL COMMENTARY: Liverpool Plains Shire Council sought advice from staff who commended the collaboration and the broad range of services that the alliance provides.

Gwydir Shire Council and Walcha Councils noted the additional expense and that the value of the arrangement in the 2019-2020 financial year will need to be demonstrated.

Tamworth Regional Council reported that they sought a new arrangement for funding the alliance as under the existing model, Tamworth Regional Council contributed 60% of the funding pool.

Members acknowledged that the Joint Organisation representation and membership was equitable and that the Water Alliance was calculated on connections.

Members agreed to work toward developing a new model based on the activity to be undertaken.

9.3 Advocacy and Leadership NSW Joint Organisations of Councils

RESOLVED: THAT, Namoi Unlimited should maintain that a collective approach to the summary of Strategic Regional Priorities can not be established.

THAT, the potential scope of some of the identified areas, the potential resources required to address the identified areas, and the capacity of each Joint Organisation to contribute and address these issues needs to be considered.

THAT, the NSW Chair's Network should be about sharing experience and opportunity to improve the operational aspects of Joint Organisations.

THAT, the role of the Chair's network is not to represent the collective view of Joint Organisations on numerous issues, that this role rests with other collaborative organisations such as Country Mayors and LG NSW.

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| ENDORSED | |
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| MOVED: | Tamworth Regional Council |
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| SECONDED: | Gwydir Shire Council |
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| CARRIED | |
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| ADDITIONAL COMMENTARY: | <p>Tamworth Regional Council supported the motion noting that it is difficult for the network to be a representative body for all Joint Organisations, the level of performance and activity between Joint Organisations varies greatly.</p> <p>Gunnedah Shire Council reported that as the Chair they had attended the first few meetings and that there was agreement on the first three recommendations, however noting that over time Joint Organisations could become a representative body to Government.</p> <p>Members agreed that there would need to be discussion about how collective representation would be made and delivered.</p> |
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10. EXECUTIVE OFFICER REPORTS

10.1 Actions List

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| RESOLVED: | THAT, progress against the Action List is noted. |
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| ENDORSED | |
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| MOVED: | Tamworth Regional Council |
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| SECONDED: | Walcha Council |
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| CARRIED | |
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10.2 Correspondence Received

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| RESOLVED: | THAT, the correspondence in relation to the Export Hub proposal is noted. |
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| ENDORSED | |
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| MOVED: | Walcha Council |
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| SECONDED: | Liverpool Plains Shire Council |
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| CARRIED | |
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10.3 Media Report

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| RESOLVED: | THAT, the report on media activity for the period is noted. |
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| ENDORSED | |
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| MOVED: | Gwydir Shire Council |
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| SECONDED: | Tamworth Regional Council |
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| CARRIED | |
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10.4 Australian Institute of Company Directors Course

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| RESOLVED: | THAT, Namoi Unlimited underwrites a second Australian Institute of |
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| | Company Directors Course for 12 participants. THAT, member Councils agrees to provide a minimum of 12 participants maximum 25 participants for the course. THAT, member Councils agree to cover any cancellation fees for the course or their nominated participants. |
| ENDORSED | |
| MOVED: | Tamworth Regional Council |
| SECONDED: | Walcha Council |
| CARRIED | |

10.5 Namoi Water Alliance – Long Term Engagement of a Consultant to Provide Consultancy Services to Member Councils in the Areas of Water and Wastewater

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| RESOLVED: | THAT, the proposal to advertise a tender seeking the services of a single consultant to provide consultancy services in the area of water and wastewater for a period of 3 years with the option of a further 2, to member Councils on a non exclusive basis be approved. |
| ENDORSED | |
| MOVED: | Tamworth Regional Council |
| SECONDED: | Walcha Council |
| CARRIED | |

10.6 Calendar of Planned Activities

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| RESOLVED: | THAT, activity is NOTED. |
| ENDORSED | |
| MOVED: | Walcha Council |
| SECONDED: | Liverpool Plains Shire Council |
| CARRIED | |

11. ADDITIONAL REPORTS PERTAINING TO THE PRINCIPAL FUNCTIONS

11.1 Namoi Unlimited Accounts Transition

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|------------------------|--|
| RESOLVED: | THAT, the accounts for Namoi Unlimited transition to Tamworth Regional Council from 1 July 2019. |
| ENDORSED | |
| MOVED: | Liverpool Plains Shire Council |
| SECONDED: | Walcha Council |
| CARRIED | |
| ADDITIONAL COMMENTARY: | Gwydir Shire Council abstained from Voting. |

11.2 Namoi Unlimited Membership 2019-2020

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|------------------------|---|
| RESOLVED: | THAT, the fixed administration and membership contribution for 2019-2020 will be \$30,540 plus GST, totalling \$33,594.00. |
| ENDORSED | |
| MOVED: | Tamworth Regional Council |
| SECONDED: | Walcha Council |
| CARRIED | |
| ADDITIONAL COMMENTARY: | Associate Membership is to be increased as per the Revenue Policy. Liverpool Plains Shire Council acknowledged that the Value Report presented to Councils clearly demonstrates the value obtained from the membership fee. |

11.3 Namoi Unlimited Establishment Funds Report

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| RESOLVED: | THAT, Namoi Unlimited submits the 2018-2019 Account reconciliation file to the NSW Office of Local Government and seek questions or feedback regarding the use of Establishment Funds from the NSW Office of Local Government. |
| ENDORSED | |
| MOVED: | Liverpool Plains Shire Council |
| SECONDED: | Gwydir Shire Council |
| CARRIED | |

12. REPORTS FROM DELEGATES

12.1 Regions at the Ready Report

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| RESOLVED: | THAT, the correspondence in relation to the Regions at the Ready Recommendations is noted. |
| ENDORSED | |
| MOVED: | Gwydir Shire Council |
| SECONDED: | Tamworth Regional Council |
| CARRIED | |

12.2 Correspondence to the Commonwealth Government Regional Deals

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|-------------|--|
| RESOLVED: | THAT, the report is NOTED. |
| ENDORSED | |
| MOVED: | Liverpool Plains Shire Council |
| SECONDED: | Tamworth Regional Council |
| CARRIED | |
| COMMENTARY: | No briefing paper identified to be sent to governments from the March Board meeting. |

12.3 Briefings from the Board

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| RESOLVED: | THAT, the meeting move into Committee of the Whole to discuss this matter. |
| ENDORSED | |
| MOVED: | Liverpool Plains Shire Council |
| SECONDED: | Tamworth Regional Council |
| CARRIED | |

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| RESOLVED: | THAT, the meeting move out of the Committee of the Whole. THAT, no briefings were identified to be developed. |
| ENDORSED | |
| MOVED: | Walcha Council |
| SECONDED: | Liverpool Plains Shire Council |
| CARRIED | |

13. QUESTIONS WITH NOTICE

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| RESOLVED: | THAT, the Chair writes to the State and Federal Governments providing support from members for the establishment of a university campus in Tamworth. |
| ENDORSED | |
| MOVED: | Tamworth Regional Council |
| SECONDED: | Gwydir Shire Council |
| CARRIED | |

14. CLOSED REPORTS

Nil

15. CONCLUSION OF THE MEETING

The meeting closed at 2.20pm.



Country Mayors Association of NEW SOUTH WALES

Chairperson: Cr Katrina Humphries
PO Box 420 Moree NSW 2400
02 6757 3222
ABN 92 803 490 533

MINUTES

GENERAL MEETING

FRIDAY, 8 MARCH 2019 THEATRETTE, PARLIAMENT HOUSE, SYDNEY
The meeting opened at 8.30 a.m.

1. ATTENDANCE:

Armidale Regional Council, Cr Simon Murray, Mayor
Bathurst Regional Council, Cr Graeme Hanger, Mayor
Bega Valley Shire Council, Cr Kristy McBain, Mayor
Bellingen Shire Council, Cr Dominic King, Mayor
Bland Shire Council, Mr Ray Smith, General Manager
Blayney Shire Council, Cr Scott Ferguson, Mayor
Blayney Shire Council, Ms Tiffany Irlam, Chief Financial Officer
Broken Hill City Council, Cr Marion Prowne, Deputy Mayor
Broken Hill City Council, Mr Jay Nankivell, Acting General Manager
Cabonne Shire Council, Cr Kevin Beatty, Mayor
Cabonne Shire Council, Ms Heather Nicholls, Acting General Manager
Carrathool Shire Council, Cr Peter Laird, Mayor
Carrathool Shire Council, Mr, Rick Warren General Manager
Cessnock City Council, Cr Bob Pynsent, Mayor
Coffs Harbour City Council, Cr Denise Knight, Mayor
Coffs Harbour City Council, Mr Stephen McGrath, General Manager
Coolamon Shire Council, Cr John Seymour, Mayor
Coolamon Shire Council, Mr Tony Donoghue, General Manager
Coonamble Shire Council, Cr Allan Karanouh, Mayor
Cootamundra-Gundagai Regional Council, Cr Abb McAlister, Mayor
Cootamundra-Gundagai Regional Council, Mr Phillip McMurray, Acting General Manager
Cowra Shire Council, Cr Bill West, Mayor
Cowra Shire Council, Cr Ruth Fagan
Cowra Shire Council, Mr Paul Devery, General Manager
Dubbo Regional Council, Cr Ben Shields. Mayor
Dubbo Regional Council, Cr Greg Mohr
Dubbo Regional Council, Mr Michael McMahan, CEO
Dungog Shire Council, Cr Tracy Norman, Mayor
Federation Council, Cr Patrick Bourke, Mayor
Federation Council, Cr Shaun Whitechurch, Deputy Mayor
Federation Council, Mr Adrian Butler, General Manager
Forbes Shire Council, Cr Phyllis Miller, Mayor
Forbes Shire Council, Mr Steve Loane, General Manager
Gilgandra Shire Council, Cr Doug Batten, Mayor

Gilgandra Shire Council, Mr David Neeves, General Manager
Glen Innes Shire Council, Cr Carol Sparkes, Mayor
Goulburn Mulwaree Council, Cr Bob Kirk, Mayor
Goulburn Mulwaree Council, Mr Warrick Bennett, General Manager
Griffith City Council, Cr John Dal Broi, Mayor
Griffith City Council, Mr Brett Stonestreet, General Manager
Gunnedah Shire Council, Cr Jamie Chaffey, Mayor
Gunnedah Shire Council, Mr Eric Growth, General Manager
Gwydir Shire Council, Cr John Coulton, Mayor
Gwydir Shire Council, Mr Max Eastcott, General Manager
Hilltops Council, Cr Brian Ingram, Mayor
Inverell Shire Council, Cr Paul Harmon, Mayor
Kempsey Shire Council, Cr Liz Campbell, Mayor
Kempsey Shire Council, Mr Craig Milburn, General Manager
Kiama Municipal Council, Cr Mark Honey, Mayor
Kyogle Council, Cr Danielle Mulholland, Mayor
Kyogle Council, Mr Graham Kennett, General Manager
Leeton Shire Council, Cr Paul Maytom , Mayor
Leeton Shire Council, Ms Jackie Kruger, General Manager
Lithgow City Council, Cr Ray Thompson, Mayor
Lithgow City Council, Mr Graeme Faulkner, General Manager
Liverpool Plains Shire Council, Cr Andrew Hope, Mayor
Liverpool Plains Shire Council, Mr Ron Van Katwick, General Manager
Lockhart Shire Council, Cr Roger Schirmer, Mayor
Lockhart Shire Council, Mr Peter Veneris, General Manager
Moree Plains Shire Council, Cr Katrina Humphries, Mayor
Moree Plains Shire Council, Mr Lester Rogers, General Manager
Murrumbidgee Council, Cr Ruth McRae, Mayor
Murrumbidgee Council, Mr John Scarce, General Manager
Narrabri Shire Council, Cr Catherine Redding, Mayor
Narrabri Shire Council, Mr Stewart Todd, General Manager
Narromine Shire Council, Cr Craig Davies, Mayor
Oberon Shire Council, Cr Kathy Sajowitz, Mayor
Oberon Shire Council, Mr Garry Wallace, General Manager
Orange City Council, Cr Reg Kidd, Mayor
Parkes Shire Council, Cr Barbara Newton, Deputy Mayor
Port Stephens Council, Cr Ryan Palmer, Mayor
Port Stephens Council, Cr Sarah Smith, Deputy Mayor
Queanbeyan-Palerang Regional Council, Mr Tim Overall, Mayor
Shoalhaven City Council, Cr Amanda Findley, Mayor
Singleton Council, Cr Sue Moore, Mayor
Snowy Valleys Council, Cr James Hayes, Mayor
Temora Shire Council, Cr Rick Firman, Mayor
Upper Lachlan Shire Council, Cr John Stafford, Mayor
Upper Lachlan Shire Council, Mr John Bell, General Manager
Uralla Shire Council, Cr Michael Pearce, Mayor
Wagga Wagga City Council, Cr Greg Conkey, Mayor
Walcha Council, Cr Eric Noakes, Mayor
Warrumbungle Shire Council, Cr Denis Todd, Mayor
Warrumbungle Shire Council, Mr Roger Bailey, General Manager
Wentworth Shire Council, Cr Melissa Hendrics, Mayor
Yass Valley Council, Cr Rowena Abbey, Mayor
Yass Valley Council, Ms Sharon Hutch, General Manager

LGNSW, Cr Linda Scott, President

APOLOGIES:

As submitted

SPECIAL GUESTS:

Mr Richard Colbran, Chief Executive Officer, NSW Rural Doctors Network

2. ADOPTION OF MINUTES OF PREVIOUS MEETING:

RESOLVED that the minutes of the General Meeting held on 2 November 2018 be accepted as a true and accurate record (Singleton Council Council / Blayney Shire Council).

3. Matters Arising from the Minutes

NIL

4. RICHARD COLBRAN, CHIEF EXECUTIVE OFFICER, NSW RURAL DOCTORS NETWORK

The issues around the health workforce are serious and important. The State is struggling with sustaining a workforce in rural NSW. We cannot run away from the fact that communities need to be engaged and in this councils have a role to play. Eighty percent of funds are allocated to crisis issues and we ask councils to engage the network in their local issues. Drought has increased the workload of rural doctors and these doctors need support. "Rural Health Together" has been launched to assist health workers. There are scholarships and grant opportunities of \$3.5 million available but doctors don't have the time to participate. There is a need to encourage young doctors to go to the bush and any work experience in country towns needs to be a great experience.

5. Membership

RESOLVED that Port Stephens Council and Wentworth Shire Council be admitted as members of the Association (Shoalhaven City Council / Singleton Council)

6. CORRESPONDENCE

Outward

- (a) Hon Gabrielle Upton MP, Minister for the Environment, Minister for Local Government and Minister for Heritage requesting that Country Mayors be part of the review of the EPA's Waste to Energy Policy
- (b) Mr Ken Gillespie, Regional Infrastructure Coordinator thanking him for his service and friendship and wishing him well in his future endeavours
- (c) Mr David Smith, Chief Executive Officer, Local Government Super, advising that the Boards decision to continue with additional contributions for the Defined Benefit Plan is unacceptable to our member councils
- (d) The Hon Gladys Berejiklian, Premier, advising that the Country Mayors Association supports the "Southern Lights" project and supporting funding for the project
- (e) Mr Michael Daley MP, NSW Leader of the Opposition advising that the Country Mayors Association supports the "Southern Lights" project and supports funding for the project
- (f) Mr David Salisbury, Executive Manager Engineering, Essential Energy, thanking for his presentation to the 2 November meeting
- (g) Mr Alex Young, Director, Community and Behavioural Change, MSW Environment Protection Authority thanking him for his presentation to the 2 November meeting

- (h) Mr Simon Draper, Secretary Department of Industry, thanking him for his presentation to the 2 November meeting
- (i) To all Regional and Rural Councils, requesting councils to give consideration to financially supporting the Waste to Energy feasibility study

Inward

- (a) Hon Gladys Berejiklian MP, Premier, advising avenues available for the Southern Lights proposal
 - (b) Hon Gabrielle Upton MP, Minister for the Environment, Minister for Local Government, and Minister for Heritage regarding the Waste to Energy policy review
 - (c) Cr Linda Scott, President, LGNSW, regarding the Defined Benefits Scheme contributions and the appointment of a skills based board
 - (d) Dr Liz Develin, Deputy secretary, Energy, water and Portfolio Strategy, NSW Department of Planning and Environment, regarding funding contributions from solar farms
 - (e) Simon Draper, Secretary, Department of Industry, responding to questions asked at the 2 November meeting
 - (f) Councils advising that they are unable to contribute to the Waste to Energy feasibility study
 - (g) Bathurst Regional council advising that they are prepared to contribute \$5,000 to the Waste to Energy feasibility study
 - (h) Glen Innes Severn Council advising that they are prepared to contribute \$15,000 to the Waste to Energy feasibility study
 - (i) Cr Susai Benjamin, Blacktown city Council wanting a dialogue of interested rural Mayors to discuss the employment opportunities in rural areas of NSW as a few Country Mayors have expressed frustration by local businesses in being able to get workers
 - (j) Murray River Council advising that they are prepared to contribute \$15,000 to the Waste to Energy feasibility study
- NOTED

7. FINANCIAL REPORT

RESOLVED That the financial reports for the last quarter were tabled and accepted (Forbes Shire Council / Lockhart Shire Council)

8. Closing of Target Stores in Country Towns

Target are closing stores in a number of towns in country NSW. Those councils affected are to meet at the conclusion of today's meetings to organize a united opposition.

9. Sustainable Renewable Energy Projects

RESOLVED that a motion urging both the Federal and State Governments to support sustainable renewable energy projects and asking the State Government to amend legislation to allow Local Government the opportunity to develop renewable energy projects be referred to the next meeting for discussion. (Lockhart Shire Council / Cowra Shire Council)

10. DEFINED BENEFITS SCHEME

RESOLVED That the Country Mayors Association have further consultation with Local Government Super regarding the Defined Benefits Scheme contributions and the matter be referred to the next meeting together with reports from Goulburn Mulwaree Council and LGNSW (Goulburn Mulwaree Council / Hilltops Council)

There being no further business the meeting closed at 9.25am.

Cr Katrina Humphries

Chair – Country Mayor's Association of NSW